

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: March 25, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4365 (Mr. Richard H. Baker of Louisiana).

**Proponent name,<sup>3</sup> location:** Syngenta Crop Protection, Inc., Greensboro, NC.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Extend temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

2-Bromo-1,3-diethyl-5-methylbenzene (CAS No. 314084-61-2) (DEMBB) (provided for in subheading 2903.69.80).

**Check one:**      Same as that in bill as introduced.  
                   Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The subject chemical, which is imported from China, is an intermediate that is used in the production of an active ingredient that is used to formulate herbicides for post emergence grass weed control in wheat and barley. The herbicide provides control of a broad spectrum of grass weeds and provides a significant degree of crop safety on barley.

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<sup>1</sup> Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2903.69.80</b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty (AVE)	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$4,059,600	\$4,179,000	\$4,298,400	\$4,298,400	\$4,298,400
Customs revenue loss 1/	\$0	\$229,845	\$236,412	\$236,412	\$236,412

1/ The estimated customs revenue loss for 2009 reflects the existing duty suspension under HTS heading 9902.11.06 that expires on December 31, 2009.

Source of estimated dutiable import data: Industry estimates.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Syngenta Crop Protection, Inc. (Proponent) Angus Kelly, 202-347-7772	2/11/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	2/15/2008	No	No	No
BASF Corp. Greg Thies, 202-904-2332	2/15/2008	No	No	No
Bayer Corporate Services Karen Niedermeyer, 412-777-2058	2/15/2008	No	No	No
Bayer CropScience Will Hensley, 202-756-3781 Jean Reimers, 202-756-3779	2/15/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474 Lawrence Norton, Fax: 202-463-0474	2/15/2008	No	No	No
Dow AgroSciences Lisa Schroeter, Fax: 202-429-3467 Margaret Rogers, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	2/15/2008	No	No	No
Dupont Elaine Olsen, 302-992-2263 Helen McMahon, Fax: 302-355-2994	2/15/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Emerald Performance Chemicals Tim Dirmyer, Fax: 330-315-6480	2/15/2008	No	No	No
FMC Corp. Jerry Prout, 202-956-5219	2/15/2008	No	No	No
LANXESS Corp. Laura Pearson, 202-872-8181	2/15/2008	No	No	No
Monsanto Corp Michael Parrish, Fax: 202-789-1867	2/15/2008	No	No	No
Nufarm Ltd. Joel Junker, Fax: 206-621-8220	2/15/2008	No	No	No
Valent BioSciences Corp. Robin Demouth, 925-256-2758 Jed D'Ercole, 202-835-0740	2/15/2008	No	No	No

**Technical comments:<sup>4</sup>**

The word “stirking” in line 6 of the bill is misspelled and should be replaced by the word “striking.”

<sup>4</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

110TH CONGRESS  
1ST SESSION

# H. R. 4365

To extend the suspension of duty on DEMBB.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2007

Mr. BAKER introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To extend the suspension of duty on DEMBB.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEMBB.**

4 (a) IN GENERAL.—Heading 9902.11.06 of the Har-  
5 monized Tariff Schedule of the United States is amended  
6 by striking the date in the effective period column and  
7 inserting “12/31/2011”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from  
10 warehouse for consumption, on or after the 15th day after  
11 the date of the enactment of this Act.