

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: March 25, 2008]²

Bill No. and sponsor: H.R. 4369 (Mr. Dan Burton of Indiana).

Proponent name,³ location: Dow AgroSciences, Indianapolis, IN.

Other bills on product (110th Congress only): No.

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)):

Diphenyl sulfide (CAS No. 139-66-2) (provided for in subheading 2930.90.29).

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:

Diphenyl sulfide, imported from Japan, is a raw material used in the manufacture of dichlorophenol and 2,4-dichlorophenoxy acetic acid. These chemicals are the active ingredients in various herbicide formulations that are used to control broadleaf weeds on crops such as wheat.

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

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

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

Estimated effect on customs revenue:

HTS subheading: 2930.90.29					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty (AVE)	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$264,000	\$264,000	\$264,000	\$264,000	\$264,000
Customs revenue loss 1/	\$0	\$17,160	\$17,160	\$17,160	\$17,160

1/ The estimated customs revenue loss for 2009 reflects the existing duty suspension under HTS heading 9902.29.06 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)		
Dow AgroSciences (Proponent) Max Turnipseed, 225-338-0310	1/28/2008	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
Dupont Elaine Olsen, 302-992-2263 Helen McMahon, Fax: 302-355-2994	2/15/2008	No	No	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

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
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
Syngenta Crop Protection, Inc. Angus Kelly, 202-347-7772	2/08/2008	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:⁴

None.

⁴ 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. 4369

To extend the temporary suspension of duty on diphenyl sulfide.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2007

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

A BILL

To extend the temporary suspension of duty on diphenyl sulfide.

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. DIPHENYL SULFIDE.**

4 (a) **IN GENERAL.**—Heading 9902.29.06 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 diphenyl sulfide) is amended by striking “12/31/2009”
7 and inserting “12/31/2011”.

8 (b) **EFFECTIVE DATE.**—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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