

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: March 24, 2008]²

Bill No. and sponsor: H.R. 4389 (Mr. Dan Burton of Indiana).

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

Other bills on product (110th Congress only): None.

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

Retroactive effect: None.

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

Mixture of quinoxyfen (5,7-dichloro-4-(4-fluorophenoxyquinoline)) and application adjuvants (CAS No. 124495-18-7) (provided for in subheading 3808.92.15).

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 is a synthetic organic chemical that is used as a fungicide treatment to control powdery mildew in grapes, melons, and squash. Dow AgroSciences imports the subject chemical from France and the United Kingdom.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: David G. 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: 3808.92.15 | | | | | |
|-----------------------------------------|-------------|-------------|-------------|-------------|-------------|
| | 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 | \$3,675,000 | \$3,675,000 | \$3,675,000 | \$3,675,000 | \$3,675,000 |
| Customs revenue loss 1/ | \$0 | \$238,875 | \$238,875 | \$238,875 | \$238,875 |

1/ There is an existing duty suspension under HTS heading 9902.25.38 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 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? |
|----------------------------------------------------------------------|----------------|----------------------------------------------|----------------------|-------------------|
| | | | | |
| Dow AgroSciences (Proponent) Max Turnipseed, Email: mcint@cox.net | 01/09/2008 | No | No | No |
| Arkema Charles Kitchen Email: charles.kitchen@arkema.com | 01/29/2008 | No | No | No |
| BASF Gregory Thies Email: gregory.thies@basf.com | 01/29/2008 | No | No | No |
| Bayer Crop Science Mike Gill, Email: mgill@crowell.com | 01/29/2008 | No | No | No |
| Bayer Karen Niedermeyer Email: karen.niedermeyer.b@bayer.com | 01/29/2008 | No | No | No |
| Clariant Corporation Andrew Zamoyski, Email: az@azamoyski.com | 01/29/2008 | No | No | No |
| CropLife America Lawrence H. Norton Email: LNorton@wcsr.com | 01/29/2008 | No | No | No |
| DuPont Helen McMahon Email: Helen.C.McMahon@USA.dupont.com | 01/29/2008 | No | No | No |

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|------------------------------------------------------------------------|----------------|----------------------------------------------|----------------------|-------------------|
| | | (Yes/No) | | |
| FMC Corp. Jerry Prout, Email: jerry_prout@fmc.com | 01/29/2008 | No | No | No |
| LANXESS Corp. Jamie Schaeffer Email: jamie.schaeffer@lanxess.com | 01/29/2008 | No | No | No |
| Monsanto Corp. Michael Parrish, Fax: 202-789-1867 | 01/29/2008 | No | No | No |
| Syngenta Crop Protection, Inc. Mike Blythe, Fax: 336-632-6084 | 01/29/2008 | No | No | No |
| Valent USA Robin Demouth Email: Robin.Demouth@valent.com | 01/29/2008 | 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. 4389

To extend the temporary suspension of duty on Quintec.

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 Quintec.

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. QUINTEC.**

4 (a) IN GENERAL.—Heading 9902.25.38 of the Har-
5 monized Tariff Schedule of the United States is amended
6 by striking “12/31/2009” and inserting “12/31/2011”.

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