

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress**¹

[Date approved: May 8, 2008]²

Bill No. and sponsor: H.R. 4530 (Mr. Jo Bonner of Alabama).

Proponent name,³ location: DuPont, Wilmington, DE.

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

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

Retroactive effect: None.

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

Mixtures of 5-methyl-5-(4-phenoxyphenyl)-3-(phenyl-amino)-2,4-oxazolidinedione](famoxadone)
(CAS No. 131807-57-3), 2-cyano-N-[(ethylamino)-carbonyl]-2-(methoxyimino)acetamide (Cymoxanil)
(CAS No. 57966-95-7) and application adjuvants (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 product is an end-use, broad-spectrum fungicide that is used to control various diseases such as grape downy mildew, potato and tomato late and early blights, wheat leaf and blume blotch, barley net blotch, and Asian rust. The product is imported from Spain.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. Michels (202-205-3440).

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

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	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Customs revenue loss 1/	\$0	\$195,000	\$195,000	\$195,000	\$195,000

1/ There is an existing duty reduction under HTS heading 9902.12.45 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

Source of estimated dutiable import data: U.S. 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)		
DuPont (Proponent) Helen McMahon, Fax: 302-355-2994 Elaine Olsen, Fax: 302-774-1398	01/18/2008	No	No	No
Arkema Inc. (Atofina) Charles Kitchen, Fax: 216-419-7075	01/18/2008	No	No	No
Bayer CropScience William Hensley, 202-756-3781 Jean Reimers, 202-756-3779	01/18/2008	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	01/18/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	01/18/2008	No	No	No
Crop Life America Isi Siddiqui Fax: 202-463-0474	01/18/2008	No	No	No
Dow AgroSciences Max Turnipseed, Fax: 225-338-0310 Lisa Schroeter, Fax: 202-429-3467	01/18/2008	No	No	No
FMC Corp Jerry Prout, Fax: 202-956-5235 Steve Ziehm, 202-872-8181	01/18/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Monsanto Corp. Michael Parris, Fax: 202-789-1867	01/18/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	01/18/2008	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084	01/18/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	01/18/2008	No	No	No

Technical comments:⁴

The Commission staff suggests that, in line 5 on page 2 of the bill, "12/31/11" be deleted and "12/31/2011" be inserted in lieu thereof.

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. 4530

To extend temporarily the duty on 5-methyl-5-(4-phenoxyphenyl)-3-(phenylamino)-2,4-oxazolidinedione (a.k.a. famoxadone) and 2-cyano-N-[(ethylamino)carbonyl]-2-(methoxyimino)acetamide and its related application adjuvants, CAS Numbers 131807-57-3 and 57966-95-7.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

A BILL

To extend temporarily the duty on 5-methyl-5-(4-phenoxyphenyl)-3-(phenylamino)-2,4-oxazolidinedione (a.k.a. famoxadone) and 2-cyano-N-[(ethylamino)carbonyl]-2-(methoxyimino)acetamide and its related application adjuvants, CAS Numbers 131807-57-3 and 57966-95-7.

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. TEMPORARY EXTENSION OF DUTY.**

4 (a) IN GENERAL.—Heading 9902.12.45 pertaining to
5 5-methyl-5-(4-phenoxyphenyl)-3-(phenylamino)-2,4-
6 oxazolidinedione] (a.k.a. famoxadone) and 2-cyano-N-

1 [(ethylamino)carbonyl]-2-(methoxyimino)acetamide and
2 its related application adjuvants, CAS Numbers 131807–
3 57–3 and 57966–95–7 (provided for in subheading
4 3808.20.1500) is amended by striking the date in the ef-
5 fective date column and inserting “12/31/11” in lieu there-
6 of.

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

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