

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: May 8, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4538 (Mr. Jo Bonner of Alabama).

**Proponent name,<sup>3</sup> location:** American Vanguard Corp., Newport Beach, CA.

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

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

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

[3-(4,5-Dihydro-isoxazol-3-yl)-4-methylsulfonyl-2-methylphenyl](5-hydroxy-1-methyl-1H-pyrazol-4-yl)methanone (Topramezone) (CAS No. 210631-68-8) (provided for in subheading 2934.99.15).

**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 a post-emergent herbicide that is formulated into a liquid herbicide that is used to control broadleaf grasses growing in corn crops. The product is imported from Germany.

**Estimated effect on customs revenue:**

HTS subheading: <u>2934.99.15</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$13,000,000	\$14,000,000	\$15,000,000	\$16,000,000	\$17,000,000
Customs revenue loss	\$845,000	\$910,000	\$975,000	\$1,040,000	\$1,105,000

Source of estimated dutiable import data: U.S. industry estimates.

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

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); 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.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
American Vanguard Corp. (Proponent) William Kuser <a href="mailto:williamk@amvac-chemical.com">williamk@amvac-chemical.com</a>	3/14/2008	No	No	No
Arkema Charles A. Kitchen, Fax: 215-419-7075	3/21/2008	No	No	No
BASF Greg Thies, Fax: 202-558-5101	3/21/2008	No	No	No
Bayer CropScience William Hensley, Fax: 202-737-8909	3/21/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	3/21/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	3/21/2008	No	No	No
Dow Chemical/Dow AgroScience Lisa Schroeter, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	3/21/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	3/21/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	3/21/2008	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	3/21/2008	No	No	No
Gowan Company Cindy Baker, Fax: 928-373-1822 George L. Rolofson, Fax: 336-854-2772	3/21/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	3/21/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	3/21/2008	No	No	No
Syngenta Crop Protection, Inc. Mike Blythe Angus Kelly, Fax: 336-632-6084	3/21/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	3/21/2008	No	No	No

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

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading.

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<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. 4538

To suspend temporarily the duty on [3-4,5-dihydro-isoxazol-3-yl)-4-methylsulfonyl-2-methylphenyl](5-hydroxy-1-methyl-1H-pyrazole-4-yl) methanone.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

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## A BILL

To suspend temporarily the duty on [3-4,5-dihydro-isoxazol-3-yl)-4-methylsulfonyl-2-methylphenyl](5-hydroxy-1-methyl-1H-pyrazole-4-yl) methanone.

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. [3-4,5-DIHYDRO-ISOXAZOL-3-YL)-4-METHYLSUL-**  
4 **FONYL-2-METHYLPHENYL](5-HYDROXY-1-**  
5 **METHYL-1H-PYRAZOLE-4-YL) METHANONE.**

6 (a) IN GENERAL.—Subchapter II of chapter 99 of  
7 the Harmonized Tariff Schedule of the United States is  
8 amended by inserting in numerical sequence the following  
9 new heading:

“	9902.xx.xx	[3-4,5-dihydro-isoxazol-3-yl)- 4-methylsulfonyl-2- methylphenyl](5-hydroxy-1- methyl-1H-pyrazole-4-yl) methanone (CAS No. 210631-68-8) (provided for in subheading 2934.99.1500) .....	Free	No change	No change	On or before 12/31/2009	”.
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1           (b) **EFFECTIVE DATE.**—The amendment made by  
 2 subsection (a) applies to goods entered, or withdrawn from  
 3 warehouse for consumption, on or after the 15th day after  
 4 the date of enactment of this Act.

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