

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 14, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4573 (Mr. Richard 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:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

2-Nitrophenol (o-nitrophenol) (CAS No. 88-75-5) (provided for in subheading 2908.99.25).

**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, a synthetic organic chemical, is used as an intermediate in the manufacture of Benoxacor Technical, a seed safener that is used in making S-Metolachor herbicide formulations. The subject chemical is imported from Switzerland.

**Estimated effect on customs revenue:**

HTS subheading: <u>2908.99.25</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$619,850	\$619,850	\$619,850	\$619,850	\$619,850
Customs revenue loss	\$34,092	\$34,092	\$34,092	\$34,092	\$34,092

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 G. 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?
		(Yes/No)		
Syngenta Crop Protection, Inc. (Proponent) Angus R. Kelly, III, 202-680-9245	3/7/2008	No	No	No
Arkema Charles A. Kitchen, Fax: 215-419-7075	3/20/2008	No	No	No
BASF Greg Thies, Fax: 202-558-5101	3/20/2008	No	No	No
Bayer William Hensley, Fax: 202-737-8909 Jean Reimer, Fax: 202-737-8909	3/20/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	3/20/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	3/20/2008	No	No	No
Dow Chemical/Dow AgroScience Lisa Schroeter, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	3/20/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	3/20/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	3/20/2008	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	3/20/2008	No	No	No
Gowan Company Cindy Baker, Fax: 928-373-1822 George L. Rolofson, Fax: 336-854-2772	3/20/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	3/20/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	3/20/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	3/20/2008	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 in order to provide the correct chemical name.

---

<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. 4573

To suspend temporarily the duty on Ortho-Nitro-Phenol.

---

## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

---

## A BILL

To suspend temporarily the duty on Ortho-Nitro-Phenol.

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. ORTHO-NITRO-PHENOL.**

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

“	9902.01.00	2-Nitrophenol (Ortho-Nitro-Phenol) (CAS No. 88-75-5)(provided for in sub-heading 2908.99.25) .....	Free	No change	No change	On or before 12/31/2011	”.
---	------------	--	------	-----------	-----------	-------------------------	----

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

2

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

○