

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. 4582 (Mr. Roy Blunt of Missouri).

**Proponent name,<sup>3</sup> location:** BASF Corp., Research Triangle Park, NC.

**Other bills on product (110<sup>th</sup> 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)):**

3-Isopropyl-1H-2,1,3-benzothiadiazin-4(3H)-one-2,2-dioxide, sodium salt (Bentazon, sodium salt) (CAS No. 50723-80-3) (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 synthetic organic compound that is used in the herbicide Basagran which is used for selective post-emergent control of many broadleaf weeds and sedges.<sup>4</sup> The imported technical product is formulated into a liquid product that is distributed in the United States and Canada. The subject product is imported from Germany.

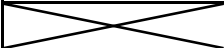
<sup>1</sup> Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3440).

<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.

<sup>4</sup> Basagran is used in the control of weeds during cultivation of soybeans, alfalfa, asparagus, cereals, clover, corn, digitalis, dry beans, dry peas, flax, garlic, grasses, green (succulent) lima beans, lawns, mint, narcissus, onions, ornamental turf, peanuts, potatoes, rice, snap beans for seed, sorghum, and sugarcane.

**Estimated effect on customs revenue:**

| <b>HTS subheading: <u>2934.99.15</u></b>  |             |             |             |             |             |
|---|-------------|-------------|-------------|-------------|-------------|
|  | 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   | \$9,260,269 | \$9,260,269 | \$9,260,269 | \$9,260,269 | \$9,260,269 |
| Customs revenue loss 1/ 2/  | \$0         | \$361,150   | \$361,150   | \$361,150   | \$361,150   |

1/ There is an existing duty reduction under HTS heading 9902.05.10 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

2/ The estimated customs revenue loss for 2010-2013 is based on a temporary reduction of the general rate of duty from 6.5 percent ad valorem to 2.6 percent ad valorem, a reduction of 3.9 percentage points. 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)                                     |                      |                   |
| BASF Corp. (Proponent)<br>Gregory A. Thies, 202-904-2332                         | 2/25/2008      | No   | No                   | No                |
| Arkema<br>Charles Kitchen, Fax: 215-419-7075                                     | 3/10/2008      | No   | No                   | No                |
| Bayer<br>Karen Niedermeyer, Fax: 412-777-4740<br>Will Hensley, Fax: 202-737-8909 | 3/10/2008      | No   | No                   | No                |
| CropLife America<br>Lawrence Norton, Fax: 202-463-0474                           | 3/10/2008      | No   | No                   | No                |
| Dow AgroSciences<br>Max Turnipseed, Fax: 225-383-0590                            | 3/10/2008      | No   | No                   | No                |
| Dupont<br>Helen McMahon, Fax: 302-355-2994                                       | 3/10/2008      | No   | No                   | No                |
| FMC Corp.<br>Jerry Prout, Fax: 202-956-5235                                      | 3/10/2008      | No   | No                   | No                |
| LANXESS<br>Jamie Schaeffer, Fax: 412-809-3614                                    | 3/10/2008      | No   | No                   | No                |
| Monsanto Corp.<br>Michael Parrish, Fax: 202-789-1867                             | 3/10/2008      | No   | No                   | No                |

| Name of firm/organization  | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|--|----------------|--|----------------------|-------------------|
|  |                | (Yes/No)                                     |                      |                   |
| Syngenta Crop Protection, Inc.<br>Mike Blythe, Fax: 336-632-6084 | 3/10/2008      | No   | No                   | No                |
| Valent USA<br>Robin Demouth, Fax: 925-256-2776                   | 3/10/2008      | No   | No                   | No                |

**Technical comments:<sup>5</sup>**

The Commission staff suggests that HTS heading 9902.05.10 be amended to use the article description on page 1 of this report in order to clarify the chemical name.

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<sup>5</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. 4582

To extend the temporary suspension of duty on Bentazon.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

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## A BILL

To extend the temporary suspension of duty on Bentazon.

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. BENTAZON.**

4 (a) IN GENERAL.—Heading 9902.05.10 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.