

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 2, 2008]²

Bill No. and sponsor: H.R. 4653 (Mr. Pete Hoekstra of Michigan).

Proponent name,³ location: Bayer CropScience, Research Triangle Park, NC.

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)):

(3-Acetoxy-3-cyanopropyl)methylphosphinic acid, butyl ester (CAS No. 167004-78-6) (provided for in subheading 2931.00.90).

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 chemical that is used as a raw material for the production of various herbicides. It is imported from Germany, China, and Finland.

¹ Industry analyst preparing report: L. Johnson (202-205-3351); Tariff Affairs contact: D. 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: 2931.00.90					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$13,500,000	\$13,500,000	\$13,500,000	\$13,500,000	\$13,500,000
Customs revenue loss 1/ 2/	\$0	\$405,000	\$405,000	\$405,000	\$405,000

1/ There is an existing duty reduction under HTS heading 9902.10.79 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

2/ The estimated customs revenue loss is based on a temporary reduction of the general rate of duty from 3.7 percent ad valorem to 0.7 percent ad valorem, a reduction of 3 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?
Bayer CropScience (Proponent) Mike Gill, 202-508-8843	02/21/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	02/21/2008	No	No	No
BASF Corp. Greg Thies, 202-904-2332	02/21/2008	No	No	No
CropLife America Lawrence Norton, Fax: 202-463-0474	02/21/2008	No	No	No
Dow AgroSciences Max Turnipseed, Fax: 225-383-0590	02/21/2008	No	No	No
DuPont Elaine Olsen, Fax: 302-355-2994	02/21/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	02/21/2008	No	No	No
LANXESS Jamie Schaeffer, Fax: 412-809-3614	02/21/2008	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	02/21/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 202-347-8758	02/21/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	02/21/2008	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. 4653

To extend the temporary suspension of duty on ACM.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

A BILL

To extend the temporary suspension of duty on ACM.

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. ACM.**

4 (a) IN GENERAL.—Heading 9902.10.79 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.