

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: June 9, 2006]²

Bill No. and sponsor: S. 1657 (Mr. James M. Talent of Missouri).

Proponent name, location: BASF Corporation, Hannibal, MO.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

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

2-Acetylnicotinic acid (CAS No. 89942-59-6) (provided for in subheading 2933.39.61).

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 intermediate that is used to make an herbicide that controls weeds in corn agriculture. The subject product is imported from Austria.

Estimated effect on customs revenue:

HTS subheading: 2933.39.61					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$840,000	\$840,000	\$840,000	\$840,000	\$840,000
Customs revenue loss	\$54,600	\$54,600	\$54,600	\$54,600	\$54,600

Source of estimated dutiable import data: Industry estimates.

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

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 Corporation (Proponent) Greg Thies, Fax: 202-558-5101	03/12/2006	No	No	No
Arkema Inc. (Atofina) Charles Kitchin, Fax: 703-527-2092	03/12/2006	No	No	No
Bayer CropScience Mike Gill, 202-508-8843 Jean Riemer, 202-737-8900	03/12/2006	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	03/12/2006	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, 225-338-0310	03/12/2006	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	03/12/2006	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	03/12/2006	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	03/12/2006	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	03/12/2006	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	03/20/2006	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	03/12/2006	No	No	No

Technical comments:³

The Commission notes that there is an expired duty suspension for this product under heading 9902.29.02. The Commission suggests that this bill be re-drafted to modify heading 9902.29.02 by striking the effective date and inserting "12/31/2008" in lieu thereof.

³ 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.

109TH CONGRESS
1ST SESSION

S. 1657

To suspend temporarily the duty on 2-acetylnicotinic acid.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2005

Mr. TALENT introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on 2-acetylnicotinic acid.

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. 2-ACETYLNICOTINIC ACID.**

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:

“	9902.06.03	2-Acetylnicotinic acid (CAS No. 89942–59–6) (provided for in subheading 2933.39.61)	Free	No change	No change	On or before 12/31/2008	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to articles entered, or withdrawn

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

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