

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹**

[Date approved: October 24, 2006]²

Bill No. and sponsor: S. 3162 (Mr. Barack Obama of Illinois).

Proponent name, location: Nufarm Americas Inc., Burr Ridge, IL.

Other bills on product (109th 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)):

3,5-Dibromo-4-hydroxybenzoxynil octanoate (bromoxynil) (CAS No. 1689-84-5) (provided for in subheading 2926.90.25).

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 is a synthetic organic selective contact herbicide that is used to control broadleaf weeds in certain vegetables, cereals, forage grasses, and turf. The product is imported from China, France, and the United Kingdom.

Estimated effect on customs revenue:

| HTS subheading: 2926.90.25 | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|
| | 2006 | 2007 | 2008 | 2009 | 2010 |
| Col. 1-General rate of duty | | | | | |
| Col. 1-General rate of duty | 6.5% | 6.5% | 6.5% | 6.5% | 6.5% |
| Estimated value <i>dutiable</i> imports | \$7,400,000 | \$7,400,000 | \$7,400,000 | \$7,400,000 | \$7,400,000 |
| Customs revenue loss | \$481,000 | \$481,000 | \$481,000 | \$481,000 | \$481,000 |

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) | | |
| Nufarm, Americas, Inc. (Proponent) Joel Junker, Fax: 206-621-8220 | 06/12/2006 | No | No | No |
| Arkema Inc. (Atofina) Charles Kitchin, Fax: 703-527-2002 | 06/12/2006 | No | No | No |
| BASF Corp. Greg Thies, Fax: 703-255-7142 | 06/12/2006 | No | No | No |
| Bayer CropScience Mike Gill, 202-205-8843 | 06/12/2006 | No | No | No |
| Crop Life America Lawrence Norton, Fax: 202-463-0474 | 06/12/2006 | No | No | No |
| Dow Chemical/Dow AgroScience Max Turnipseed, 225-338-0310 | 06/12/2006 | No | No | No |
| DuPont Nancy Johnson, Fax: 202-728-3649 | 06/12/2006 | No | No | No |
| FMC Corp Jerry Prout, Fax: 202-956-5235 | 06/12/2006 | No | No | No |
| LANXESS Corp. Jamie B. Schaeffer, Fax 412-809-3614 | 06/12/2006 | No | No | No |
| Monsanto Corp. Michael Parris, Fax: 202-789-1867 | 06/12/2006 | No | No | No |
| Syngenta Mike Blythe, Fax: 336-632-6084 | 06/12/2006 | No | No | No |
| Valent USA Robin Demouth, Fax: 925-256-2776 | 06/12/2006 | No | No | No |

Technical comments:³ None.

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
2^D SESSION

S. 3162

To suspend temporarily the duty on bromoxynil octonoate.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

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

A BILL

To suspend temporarily the duty on bromoxynil octonoate.

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. SUSPENSION OF DUTY ON BROMOXYNIL**
4 **OCTONOATE.**

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

| | | | | | | | |
|---|------------|---|------|-----------|-----------|-------------------------|----|
| “ | 9902.28.26 | 3,5-dibromo-4-hydroxybenzotrile octonoate (CAS No. 1689–84–5) (provided for in subheading 2926.90.25) | Free | No change | No change | On or before 12/31/2009 | ”. |
|---|------------|---|------|-----------|-----------|-------------------------|----|

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 the enactment of this Act.

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