

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: October 26, 2006]²

Bill No. and sponsor: S. 3251 (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)):

(+)-(R)-2-(2,4-Dichlorophenoxy) propanoic acid (CAS No. 15165-67-0);
(+)-(R)-2-(2,4-dichlorophenoxy) propanoic acid, 2-ethylhexyl ester (CAS No. 79270-78-3) (provided for in subheading 2918.90.20); and (+)-(R)-2-(2,4-dichlorophenoxy) propanoic acid, dimethylamine salt (CAS No. 104786-87-0) (provided for in subheading 2921.19.60).

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:

These synthetic organic chemicals are phenoxy herbicides that are used to rid lawns of woody weed species. They are often applied in combination with other herbicides as a direct spray on turf and lawns. The product is imported from the United Kingdom.

Estimated effect on customs revenue:

Total estimated revenue loss for this bill					
	2006	2007	2008	2009	2010
 					
Customs revenue loss	\$58,500	\$58,500	\$58,500	\$58,500	\$58,500

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.

HTS subheading: 2918.90.20					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty (AVE)	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000
Customs revenue loss	\$29,250	\$29,250	\$29,250	\$29,250	\$29,250

Source of estimated dutiable import data: Industry estimates.

HTS subheading: 2921.19.60					
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Source of estimated dutiable import data: 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)		
Nufarm Americas Inc. (Proponent) Joel R. Junker, Fax: 206-621-8220	06/28/2006	No	No	No
Arkema Inc. (Atofina) Charles Kitchin, Fax: 703-527-2002	06/28/2006	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	06/28/2006	No	No	No
Bayer CropScience Mike Gill, 202-205-8843	06/28/2006	No	No	No
Chemtura Corporation Matt Mattingly, Fax: 202-463-8498	06/28/2006	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	06/28/2006	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, 225-338-0310	06/28/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
DuPont Nancy Johnson, Fax: 202-728-3649	06/28/2006	No	No	No
FMC Corp Jerry Prout, Fax: 202-956-5235	06/28/2006	No	No	No
LANXESS Corp. Jamie Schaeffer, Fax: 412-809-3614	06/28/2006	No	No	No
Monsanto Corp. Michael Parris, Fax: 202-789-1867	06/28/2006	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	06/28/2006	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	06/28/2006	No	No	No

Technical comments:³

The Commission notes that the initial "Dichlorophenoxy" should be capitalized.

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. 3251

To suspend temporarily the duty on dichlorprop-p acid, dichlorprop-p dimethylamine salt, and dichlorprop-p 2-ethylhexyl ester.

IN THE SENATE OF THE UNITED STATES

MAY 26, 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 dichlorprop-p acid, dichlorprop-p dimethylamine salt, and dichlorprop-p 2-ethylhexyl ester.

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 DICHLORPROP-P**
4 **ACID, DICHLORPROP-P DIMETHYLAMINE**
5 **SALT, AND DICHLORPROP-P 2-ETHYLHEXYL**
6 **ESTER.**

7 (a) IN GENERAL.—Subchapter II of chapter 99 of
8 the Harmonized Tariff Schedule of the United States is

1 amended by inserting in numerical sequence the following
 2 new heading:

“ 9902.28.30	(+)-(R)-2-(2,4-dichlorophenoxy) propanoic acid (CAS No. 15165-67-0); (+)-(R)-2-(2,4-dichlorophenoxy) propanoic acid, 2-ethylhexyl ester (CAS No. 79270-78-3) (provided for in subheading 2918.90.20); and (+)-(R)-2-(2,4-dichlorophenoxy) propanoic acid, dimethylamine salt (CAS No. 104786-87-0) (provided for in subheading 2921.19.60)	Free	No change	No change	On or before 12/31/2009	”.
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3 (b) EFFECTIVE DATE.—The amendment made by
 4 subsection (a) applies to goods entered, or withdrawn from
 5 warehouse for consumption, on or after the 15th day after
 6 the date of the enactment of this Act.

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