

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. 3376 (Mr. E. Benjamin Nelson of Nebraska).

Proponent name, location: Syngenta Crop Protection, Inc., Greensboro, NC.

Other bills on product (109th Congress only): H.R. 2608.

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

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

Avermectin B, 1,4"-deoxy-4"-methylamino-, (4"R)-, benzoate (CAS No. 155569-91-8) (provided for in subheading 2932.29.50 or 3824.90.91).

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:

Avermectin B is a class of insecticidal/miticidal compounds that are derived from the soil bacterium streptomyces avermitilis. Avermectin B is a natural fermentation product of this bacterium. Avermectin B is used to control insects and mite pests of citrus, pear, and nut tree crops, and it is used by homeowners for the control of fire ants. The subject product is imported from Switzerland.

Estimated effect on customs revenue:

Total estimated revenue loss for this bill					
	2006	2007	2008	2009	2010
 					
Customs revenue loss	\$368,927	\$383,690	\$399,045	\$285,307	\$296,000

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.

HTS subheading: <u>2932.29.50</u>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$9,971,000	\$10,370,000	\$10,785,000	\$7,711,000	\$8,000,000
Customs revenue loss	\$368,927	\$383,690	\$399,045	\$285,307	\$296,000

Source of estimated dutiable import data: Industry estimates.

HTS subheading: <u>3824.90.91</u>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	5.0%	5.0%	5.0%	5.0%	5.0%
Estimated value <i>dutiable</i> imports	0	0	0	0	0
Customs revenue loss	\$0	\$0	\$0	\$0	\$0

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)		
Syngenta Crop Protection, Inc. (Proponent), Mike Blythe, Fax: 336-632-6084	07/28/2006	No	No	No
Arkema Inc. (Atofina) Charles Kitchin, Fax: 703-527-2002	07/28/2006	No	No	No
Bayer CropScience Mike Gill, 202-205-8843	07/28/2006	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	07/28/2006	No	No	No
Chemtura Corporation Matt Mattingly, Fax: 463-8498	07/28/2006	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	07/28/2006	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, 225-338-0310	07/28/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
DuPont Nancy Johnson, Fax: 202-728-3649	07/28/2006	No	No	No
FMC Corp Jerry Prout, Fax: 202-956-5235 Steve Zeihm, 202-872-8181	07/28/2006	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	07/28/2006	No	No	No
Monsanto Corp. Michael Parris, Fax: 202-789-1867	07/28/2006	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	07/28/2006	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	07/28/2006	No	No	No

Technical comments:³

The Commission suggests that the subheading numbers in article description be listed in numerical order.

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. 3376

To suspend temporarily the duty on Avermectin B, 1,4''-deoxy-4''-methylamino-, (4''r)-, benzoate.

IN THE SENATE OF THE UNITED STATES

JUNE 5, 2006

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

A BILL

To suspend temporarily the duty on Avermectin B, 1,4''-deoxy-4''-methylamino-, (4''r)-, benzoate.

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. AVERMECTIN B, 1,4''-DEOXY-4''-METHYLAMINO-,**
4 **(4''R)-, BENZOATE.**

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:

“	9902.12.56	Avermectin B, 1,4"-deoxy-4"-methylamino-, (4"R)-benzoate (CAS No. 155569-91-8) (provided for in sub-heading 3824.90.91 or 2932.29.50)	Free	No change	No change	On or before 12/31/2009	”.
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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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