

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: January 7, 2007]²

Bill No. and sponsor: S. 3429 (Mr. Richard Durbin of Illinois).

Proponent name, location: FMC Corporation, Wyoming, IL.

Other bills on product (109th Congress only): H.R. 3801 (Mr. Ray LaHood of Illinois).

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

Retroactive effect: None.

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

N-[2,4-Dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]phenyl]methanesulfonamide (Sulfentrazone) (CAS No. 122836-35-5) (provided for in subheading 2935.00.75).

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 the active ingredient in a synthetic organic herbicide that is used to eradicate weeds in major agriculture crops, including soybeans, sunflowers, and potatoes. The subject product is imported from China and Brazil.

Estimated effect on customs revenue:

| HTS subheading: <u>2935.00.75</u> | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|
| | 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 | \$3,642,000 | \$6,647,000 | \$8,741,000 | \$9,287,000 | \$9,287,000 |
| Customs revenue loss 1/ | \$193,026 | \$352,291 | \$463,273 | \$492,211 | \$492,211 |

1/ The estimated customs revenue loss is based on a temporary reduction of the general rate of duty from 6.5 percent ad valorem to 1.2 percent ad valorem, a reduction of 5.3 percentage points. The proponent notes that the estimated value of dutiable imports reflects the value of imports after duty drawback. 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) | | |
| FMC Corporation (Proponent) Jerry Prout, Fax: 202-956-5235 Steve Ziehm, 202-872-8181 | 06/28/2006 | No | No | No |
| Arkema Inc. (Atofina) Charles Kitchin, Fax: 703-527-2002 | 06/28/2006 | No | No | No |
| Bayer CropScience Mike Gill, 202-205-8843 | 06/28/2006 | No | No | No |
| BASF Corp. Greg Thies, Fax: 703-255-7142 | 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 |
| DuPont Nancy Johnson, Fax: 202-728-3649 | 06/28/2006 | No | No | No |
| LANXESS Corp. James 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 |
| Nufarm Limited Joel R. Junker, Fax: 206-621-8220 | 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 suggests that the word “Dichloro” in the article description 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
2D SESSION

S. 3429

To reduce temporarily the duty on sulfentrazone technical.

IN THE SENATE OF THE UNITED STATES

JUNE 6, 2006

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

A BILL

To reduce temporarily the duty on sulfentrazone technical.

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. SULFENTRAZONE TECHNICAL.**

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:

| | | | | | | | |
|---|------------|--|------|-----------|-----------|-------------------------|----|
| “ | 9902.05.94 | N-[2,4-dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]phenyl]methanesulfonamide (Sulfentrazone) (CAS No. 122836-35-5) (provided for in subheading 2935.00.75) | 1.2% | 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 enactment of this Act.

○