



## MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

### I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

3-Iodo-N-(2-methanesulfonyl-1,1-dimethylethyl)-N'-(2-methyl-4-(1,2,2,2-tetrafluoro-1-trifluoromethylethyl)phenyl)phthalamide (Flubendiamide) (CAS No. 272451-65-7) (provided for in subheading 2930.90.10)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same  
 Different (see Technical Comments section)

## III. Other product information, including uses/applications and source(s) of imports

The subject product is the active ingredient in formulated pesticides used in foliar insecticide applications on orchard and field crops for pest control. It is imported principally from Germany.

## IV. Estimated effect on customs revenue

| Subject product HTS subheading(s)                            | 2930.90.10 |            |            |            |            |
|--|------------|------------|------------|------------|------------|
| Item   | 2013       | 2014       | 2015       | 2016       | 2017       |
| Col.1-general rate of duty (%) or percentage point reduction | 6.5        | 6.5        | 6.5        | 6.5        | 6.5        |
| Estimated value of <i>dutiable</i> imports (\$)              | 10,000,000 | 10,500,000 | 11,000,000 | 11,000,000 | 11,000,000 |
| Customs revenue loss (\$)                                    | 650,000    | 682,500    | 715,000    | 715,000    | 715,000    |

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce  
 Provided by industry sources  
 Industry information  
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction  
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%)  Temporary rate (%)  Percentage point reduction (%)

## V. Technical comments

The modified article description reflects a revision of the chemical nomenclature to match the nomenclature in companion Senate bill, S. 2617.

## VI. Continuation

Other bills on product – continued:  
S. 2617 (Mr. Christopher A. Coons, DE) and S. 3162 (Ms. Kay R. Hagan, NC)

## VII. Contacts with domestic firms/organizations

| #  | Firm/organization and contact name        | Telephone number  | Claims same or competing product made in the United States | Submission attached | Opposition noted |
|----|---|-------------------|--|---------------------|------------------|
| 1  | Bayer (Interested entity)<br>Jean Reimers | 202-756-3779      | No   | No                  | No               |
| 2  | 3M<br>Greg Walters                        | 202-414-3008      | No   | No                  | No               |
| 3  | Albaugh<br>Stuart Feldstein               | 515-964-9444      | No   | No                  | No               |
| 4  | Arkema<br>David Kunz                      | 202-263-3491      | No   | No                  | No               |
| 5  | Ashland<br>Frank Fusiak                   | 973-628-4123      | No   | No                  | No               |
| 6  | BASF<br>Richard J. Salamone               | 973-895-8316      | No   | No                  | No               |
| 7  | Celanese<br>Samuel Ramirez                | 972-443-4689      | No   | No                  | No               |
| 8  | Chemtura<br>Elizabeth J. Thomasino        | 203-573-2644      | No   | No                  | No               |
| 9  | Clariant<br>Andrew Zamoyski               | 202-415-9159      | No   | No                  | No               |
| 10 | ColorChem<br>Steven Printz                | 770-993-5500, x18 | No   | No                  | No               |
| 11 | CropLife America<br>Beau Greenwood        | 202-872-3871      | No   | No                  | No               |
| 12 | Crowell & Moring, LLP<br>Mike Gill        | 202-508-8843      | No   | No                  | No               |
| 13 | DSM<br>Sheetal Bhadekar                   | 973-257-8323      | No   | No                  | No               |
| 14 | Dixie Chemical<br>Mal Johnson             | 281-291-2659      | No   | No                  | No               |
| 15 | Dow<br>Lisa Schroeter                     | 202-429-3407      | No   | No                  | No               |
| 16 | Drexel Chemical<br>Stanley Bernard        | 901-774-4370      | No   | No                  | No               |
| 17 | DuPont<br>Elaine M. Olsen                 | 302-992-2263      | No   | No                  | No               |
| 18 | DyStar L.P.<br>Megan Malone               | 202-344-4621      | No   | No                  | No               |

| #  | Firm/organization and contact name                                    | Telephone number  | Claims same or competing product made in the United States | Submission attached | Opposition noted |
|----|---|-------------------|--|---------------------|------------------|
| 19 | Eastman<br>Greg Riddle  | 212-835-1620      | No   | No                  | No               |
| 20 | Efficient Global Trade<br>Henry P. Stoebenau                          | 215-628-4919      | No   | No                  | No               |
| 21 | Emerald Performance Materials<br>Thomas Dirmyer                       | 330-916-6706      | No   | No                  | No               |
| 22 | Evonik<br>Russell Mait  | 804-452-5711      | No   | No                  | No               |
| 23 | ExxonMobil Chemical<br>Chad Haughton                                  | 281-834-5516      | No   | No                  | No               |
| 24 | FMC<br>Jerry Prout  | 202-956-5209      | No   | No                  | No               |
| 25 | Fanwood Chemical<br>V. M. (Jim) DeLisi                                | 908-322-8440      | No   | No                  | No               |
| 26 | GE Digital Energy<br>John McNie                                       | 727-867-4632      | No   | No                  | No               |
| 27 | Hexion Specialty Chemicals<br>Paul W. Langemeier                      | 832-366-2385      | No   | No                  | No               |
| 28 | Honeywell<br>Art Simonetti  | 202-662-2671      | No   | No                  | No               |
| 29 | International Business-Government<br>Counsellors (IBC)<br>Steve Ziehm | 202-872-8181      | No   | No                  | No               |
| 30 | Kemira<br>Rajesh Sharma   | 678-819-4577      | No   | No                  | No               |
| 31 | LANXESS<br>Jamie B. Schaeffer   | 412-809-3666      | No   | No                  | No               |
| 32 | Lonza<br>Joe Robinson   | 201-316-9364      | No   | No                  | No               |
| 33 | Lubrizol<br>Joe Eskra   | 440-347-5955      | No   | No                  | No               |
| 34 | MIRWEC Film<br>Kyle Massey  | 812-331-7194      | No   | No                  | No               |
| 35 | Monsanto<br>James K. Travis   | 202-383-2864      | No   | No                  | No               |
| 36 | Nation Ford Chemical<br>Jay Dickson                                   | 803-548-3210, x15 | No   | No                  | No               |
| 37 | Nufarm Americas<br>Joel Junker  | 206-621-7878      | No   | No                  | No               |

|    |   |              |    |    |    |
|----|---|--------------|----|----|----|
| 38 | PPG Industries<br>Bill Ries                   | 412-434-1717 | No | No | No |
| 39 | Procter & Gamble<br>Matt Mattingley           | 202-841-5601 | No | No | No |
| 40 | Purolite<br>Gary Thundercliffe                | 484-384-2708 | No | No | No |
| 41 | Rhodia<br>Jackie Guscott                      | 609-860-3379 | No | No | No |
| 42 | Royce Associates, ALP<br>Terry Scheirer       | 201-438-5200 | No | No | No |
| 43 | SABIC Innovative Plastics<br>Danielle Cannata | 202-621-2548 | No | No | No |
| 44 | SOCMA<br>Robert E. Branand                    | 202-345-2717 | No | No | No |
| 45 | Sensient Technologies<br>Ken Goldacker        | 314-658-7363 | No | No | No |
| 46 | Sigma Aldrich<br>Jared Fenton                 | 314-286-8326 | No | No | No |
| 47 | Solutia<br>Kassie Wooton                      | 314-674-3297 | No | No | No |
| 48 | Solvay<br>Andrew K. Jones                     | 856-251-3412 | No | No | No |
| 49 | Symrise<br>Elizabeth Scharlat                 | 908-429-6821 | No | No | No |
| 50 | Syngenta<br>Mike Blythe                       | 336-632-2824 | No | No | No |
| 51 | TOPAS Advanced Polymers<br>Timothy Kneale     | 859-746-6447 | No | No | No |
| 52 | Toray Plastics (America)<br>Paul Knowmeyer    | 401-578-9369 | No | No | No |
| 53 | United Color Manufacturing<br>Tom Nowakowski  | 215-860-2165 | No | No | No |
| 54 | Valent<br>Robin Demouth                       | 925-256-2758 | No | No | No |
| 55 | Zeon Chemicals L.P.<br>David F. Olave         | 202-730-1960 | No | No | No |

112TH CONGRESS  
2D SESSION

# H. R. 4665

To suspend temporarily the duty on Flubendiamide.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2012

Mr. CLEAVER introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on Flubendiamide.

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. FLUBENDIAMIDE.**

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:

|   |            |   |      |           |           |                         |    |
|---|------------|---|------|-----------|-----------|-------------------------|----|
| “ | 9902.01.00 | N1-[1,1-Dimethyl-2-mesyloethyl-3-iodo-N2-(2-methyl-4-[1,2,2,2-terafluoro-1 (trifluoromethyl)ethyl]phenyl}phthalamide (CAS No. 272451-65-7) (provided for in sub-heading 2930.90.10) ..... | Free | No change | No change | On or before 12/31/2015 | ”. |
|---|------------|---|------|-----------|-----------|-------------------------|----|

1       (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) applies to articles entered, or withdrawn  
3 from warehouse for consumption, on or after the 15th day  
4 after the date of the enactment of this Act.

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