

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 23, 2005]²

Bill No. and sponsor: H.R. 1778 (Mr. Hulshof).

Proponent name, location: Bayer CropScience
1275 Pennsylvania Ave., NW
Suite 810
Washington, DC 20004

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

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

Foramsulfuron (Benzamide,
2-((((4,6-dimethoxy-2-pyrimidinyl)amino)carbonyl)amino)sulfonyl)-4-(formylamino)- N,N-dimethyl-,
(CAS No. 173159-57-4), in bulk or put up in forms or packaging for retail sale (provided for in
subheading 2935.00.75 or 3808.30.15) .

Check one: Same as that in bill as introduced
 Different from that in bill as introduced (explain differences in Technical
comments section)

Product information, including uses/applications and source(s) of imports:

Foramsulfuron is a synthetic organic chemical used as a post-emergent grass herbicide on corn. The product is imported from Germany. At the consumer level, there are at least two formulated pesticides that compete with the formulated product containing foramsulfuron.

¹ Industry analyst preparing report: Elizabeth Nesbitt (202-205-3355); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at www.usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Estimated effect on customs revenue:

HTS subheadings: 3808.30.15 and 2935.00.75					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$13,044,500	\$13,044,500	\$13,044,500	\$13,044,500	\$13,044,500
Customs revenue loss	\$847,893	\$847,893	\$847,893	\$847,893	\$847,893

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Bayer CropScience (Proponent) Mike Gill Tel. No.: 202-508-8843	6/23/05	No	No	No
AtoFina Cerexagri Charles Kitchin Fax No.: 703-527-2092	6/17/05	No	No	No
Aventis Jean Reimers Fax No.: 202-628-6622	6/17/05	No	No	No
BASF Corp. Greg Theis Fax No.: 202-682-9459	6/17/05	No	No	No
Crop Life America Lawrence Norton Fax No.: 202-463-0474	6/17/05	No	No	No
Dow AgroSciences Margaret Rogers Fax No.: 202-429-3467	6/17/05	No	No	No

E. I. DuPont Elaine Olsen Fax No.: 302-892-7343	6/23/05	No	No	No
FMC Corp. Jerry Prout 202-956-5235	6/17/05	No	No	No
Griffin Corp. James Whatley Stephen Glennon Fax No.: 800-248-5154	6/23/05	No	No	No
Syngenta Mike Blythe Fax No.: 336-632-6084	6/17/05	No	No	No
Valent USA Robin Dermouth Fax No.: 925-256-2776	6/17/05	No	No	No
Monsanto Corp. Linda Strachan Fax No: 202-783-2467	6/23/05	No	No	No

Technical comments:³

The Commission notes that HTS heading 9902.01.84 currently provides a temporary duty reduction for mixtures of foramsulfuron with application adjuvants. The Commission suggests that the new duty suspension be enacted using this heading number. This could be accomplished by deleting heading 9902.01.84, and by using that heading number for the new duty suspension in this bill.⁴ The new duty suspension should use the article description on page 1 of this report, which presents the trade name before the chemical name.

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.

⁴ Specifically, line 6 of the bill should be amended to read “. . . amended by striking heading 9902.01.84 and inserting in lieu thereof the following . . .”. In addition, the heading number used in the bill, 9902.05.52, should be deleted and replaced with 9902.01.84.

109TH CONGRESS
1ST SESSION

H. R. 1778

To suspend temporarily the duty on Foramsulfuron.

IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

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

A BILL

To suspend temporarily the duty on Foramsulfuron.

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. FORAMSULFURON.**

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:

“	9902.05.52	Benzamide, 2-(((4,6-dimethoxy-2-pyrimidinyl)amino)carbonyl)-amino)sulfonyl)-4-(formylamino)-N,N-dimethyl- (foramsulfuron) (CAS No. 173159-57-4), in bulk or put up in forms or packaging for retail sale (provided for in subheading 2935.00.75 or 3808.30.15) ..	Free	No change	No change	On or before 12/31/2008	”.
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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 enactment of this Act.

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