

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: October 5, 2005]²

Bill No. and sponsor: H.R. 1921 (Mr. Kenny C. Hulshof of Missouri)

Proponent name, location: BASF Corporation, Florham Park, NJ 07932

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

Nature of bill: Temporary duty suspension through 12/31/2008.

Retroactive effect: None.

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

3,5-Difluoroaniline (CAS No. 372-39-4) (provided for in subheading 2921.42.65)

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:

3,5-Difluoroaniline is a synthetic organic chemical used as an intermediate in the production of a broadleaf herbicide applied to corn. BASF imports this product from China.

Estimated effect on customs revenue:

HTS subheading: <u>2921.42.65</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$1,440,000	\$1,440,000	\$1,440,000	\$1,440,000	\$1,440,000
Customs revenue loss	\$93,600	\$93,600	\$93,600	\$93,600	\$93,600

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Philip Stone (202-205-3424); 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	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
BASF Corporation (proponent) Tom Coleman, 202-682-9462 Greg Theis, Fax: 202-558-5101	8/18/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	8/18/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	8/18/2005	No	No	No
Monsanto Corporation Michael Parrish, Fax: 202-789-1867	8/18/2005	No	No	No
FMC Corporation Jerry Prout, Fax: 202-956-5235	8/18/2005	No	No	No
DuPont Helen McMahon, Fax: 302-774-1398	8/18/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	8/18/2005	No	No	No
Bayer Williams Hensley, Fax: 202-628-6622	8/18/2005	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	8/18/2005	No	No	No
Dow Agro Science Margaret Rogers, Fax: 202- 429-3467	8/18/2005	No	No	No

Technical comments:³

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.

The Commission notes that HTS heading 9902.29.56 had provided a temporary duty reduction for the subject chemical that expired on December 31, 2003. The Commission suggests that heading 9902.29.56 be used for the proposed duty suspension in this bill by deleting "6.3%" from the general column and inserting the word "Free" and by deleting "12/31/2003" from the effective period column and inserting "12/31/2008".

109TH CONGRESS
1ST SESSION

H. R. 1921

To suspend temporarily the duty on 3,5-Difluoroaniline.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 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 3,5-Difluoroaniline.

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. 3,5-DIFLUOROANILINE.**

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:

“	9902.05.66	3,5-Difluoroaniline (CAS No. 372-39-4) (provided for in subheading 2921.42.65) ..	Free	No change	No change	On or before 12/31/2008	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of enactment of this Act.

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