

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: March 14, 2006]²

Bill No. and sponsor: H.R. 1964 (Mr. Richard H. Baker of Louisiana).

Proponent name, location: Syngenta Crop Protection, St. Gabriel, LA

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)):

50% Solution of malononitrile in methyl-2-pyrrolidone solvent (CAS No. 872-50-4) (provided for in subheading 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:

A 50% solution of malononitrile in methyl-2-pyrrolidone solvent is an intermediate that is used in the production of an active ingredient that is used to formulate herbicides for post-emergence grass weed control in wheat and barley. The proponent imports this product from Switzerland.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave 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.

Estimated effect on customs revenue:

HTS subheading: <u>3824.90.91</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	5%	5%	5%	5%	5%
Estimated value <i>dutiable</i> imports	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000
Customs revenue loss	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000

Source of estimated dutiable import data: Industry and Commission 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)		
Syngenta Crop Protection (Proponent) Dawn Stump Email: dawn.stump@syngenta.com Mike Blythe Fax: 336-632-6084	8/16/2005 8/29/2005	No	No	No
AtoFina Cerexagri Charles Kitchin Fax: 703-527-2092	8/29/2005	No	No	No
BASF Corp. Greg Thies Fax: 202-558-5101	8/29/2005	No	No	No
Bayer CropScience Williams Hensley Fax: 202-628-6622	8/29/2005	No	No	No
Crop Life America Lawrence Norton Fax: 202-463-0474	8/29/2005	No	No	No
Dow Agro Science Lisa Schroeter Fax: 202-429-3467	8/29/2005	No	No	No
E.I. DuPont Nancy Johnson Fax: 202-728-3649 Elaine Olson Fax: 302-892-7343 Helen McMahon Fax: 302-774-1398	8/29/2005	No	No	No

FMC Corp. Jerry Prout Fax: 202-956-5235	8/29/2005	No	No	No
Monsanto Corp. Michael Parrish Fax: 202-789-1867 Linda Strachan Fax: 202-789-1867	8/29/2005	No	No	No
Valent USA Robin Demouth Fax: 925-256-2776	8/29/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used because it contains the preferred description, and it deletes an unnecessary CAS number.

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
1ST SESSION

H. R. 1964

To suspend temporarily the duty on Malonic Acid-Dinitrile 50% NMP.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

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

A BILL

To suspend temporarily the duty on Malonic Acid-Dinitrile
50% NMP.

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. MALONIC ACID-DINITRILE 50% NMP.**

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:

“	9902.07.02	Malonic Acid-Dinitrile 50% NMP which contains Pinoxaden Technical - Propanoic acid, 2,2-dimethyl-,8-(2,6-diethyl-4-methylphenyl)-1,2,4,5-tetrahydro-7-oxo-7H-pyrazolo[1,2-d][1,4,5]oxadiazepin-9-yl ester (CAS Nos. 109-77-3 and 872-50-4) (provided for in subheading 3824.90.9190)	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 the enactment of this Act.

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