

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress <sup>1</sup>**

[Date approved: September 23, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2213 (Mr. Howard Coble of North Carolina)

**Proponent name, location:** Syngenta Crop Protection, Inc.  
Greensboro, NC

**Other bills on product (109<sup>th</sup> 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)):**

Mixtures of Prosulfuron (1-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)-3-[2-(3,3,3-trifluoropropyl)-phenylsulfonyl]urea ) (CAS No. 94125-34-5) and application adjuvants (provided for in subheading 3808.30.15).

**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:**

Prosulfuron is a synthetic organic chemical used as a broadleaf herbicide and the active ingredient in these formulations, which are applied to fields of small grain cereals, sorghum, and corn. This product is imported from France and then packaged for sale in the domestic market.

<sup>1</sup> Industry analyst preparing report: Richard Qualters (202-205-2334); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm)

**Estimated effect on customs revenue:**

<b>HTS subheading: 3808.30.15</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE)	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$1,030,000	\$1,050,000	\$1,100,000	\$1,130,000	\$1,150,000
Customs revenue loss	\$66,950	\$68,250	\$71,500	\$73,450	\$74,750

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 (Proponent) Dawn DeBerry Stump, Fax: 336-632-6084	7/18/2005	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	8/15/2005	No	No	No
Aventis Jean Reimers, Fax: 202-628-6622	8/15/2005	No	No	No
BASF Corporation Greg Theis, Fax: 202-558-5101	8/15/2005	No	No	No
Bayer CropScience Will Hensley, Fax: 202-628-6662	8/15/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	8/15/2005	No	No	No
Dow Agro Science Margaret Rogers, Fax: 202-429-3467	8/15/2005	No	No	No

E.I. duPont Elaine Olsen, Fax: 302-992-2263	8/15/2005	No	No	No
FMC Corporation Jerry Prout, Fax: 202-956-5235	8/15/2005	No	No	No
Griffin Corp. James Whatley, Fax: 800-248-5154	8/15/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	8/15/2005	No	No	No
Syngenta (Proponent) Mike Blythe, Fax: 336-632-6084	8/15/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	8/15/2005	No	No	No

**Technical comments:**<sup>3</sup>

The Commission notes that HTS heading 9902.28.40 currently provides a temporary (although expired) duty suspension for the pure Prosulfuron product. The Commission suggests that the new duty suspension be enacted using this heading number. This could be accomplished by deleting heading 9902.28.40 and by using that heading number for the new duty suspension in this bill.<sup>4</sup> The Commission suggests that the description on page 1 of this report be used in the proposed new heading in order to provide a more complete description of the mixtures.

<sup>3</sup> 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.

<sup>4</sup> Specifically, line 6 of the bill should be amended to read “amended by striking heading 9902.28.40 and inserting in lieu thereof the following...”. In addition, the heading number used in the bill, 9902.07.32, should be deleted and replaced with 9902.28.40.

109TH CONGRESS  
1ST SESSION

# H. R. 2213

To suspend temporarily the duty on formulations of Prosulfuron.

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IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2005

Mr. COBLE 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 formulations of Prosulfuron.

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. FORMULATIONS OF PROSULFURON.**

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:

“	9902.07.32	Preparations containing Prosulfuron Technical (1-(4-methoxy-6-methyltriazin-2-yl)-3-(2-(3,3,3-trifluoropropyl)-phenylsulfonyl)urea (CAS No. 94125-34-5) (provided for in heading 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 the enactment of this Act.

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