

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: September 23, 2005]²

Bill No. and sponsor: H.R. 2246 (Ms. Ellen O. Tauscher of California)

Proponent name, location: Valent BioSciences Corporation
Libertyville, IL

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)):

2-Methyl-4-oxo-3-(2-propenyl)-2-cyclopenten-1-yl 2,2-dimethyl-3-(2-methylprop-1-enyl)
cyclopropanecarboxylate (CAS No. 584-79-2 or 28434-00-6) (provided for in subheading 2916.20.50).

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:

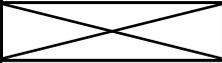
This product is a pyrethroid insecticide with a broad spectrum of applications. There is no standard name for the product as it is meant to include optically active forms such as S-Bioallethrin, as well as a racemic (optically inactive) mixture known as Allethrin.

This product is not currently being imported by the proponent. Potential import sources include France and India.

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); 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

Estimated effect on customs revenue:

HTS subheading: 2916.20.50					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$2,030,077	\$2,030,077	\$2,030,077	\$2,030,077	\$2,030,077
Customs revenue loss	\$75,113	\$75,113	\$75,113	\$75,113	\$75,113

Source of estimated dutiable import data: Official U.S. Government statistics.

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)		
Valent BioSciences Corporation Jed D'Ercole, 202-835-0740	08/11/2005 08/12/2005 08/15/2005	No	No	No
BASF Corp. Tom Coleman, 202-289-3900	08/12/2005	No	No	No
Bayer Corp. Karen Niedermayer, 412-777-2058	08/12/2005	No	No	No
E. I. du Pont de Nemours and Company Elaine Olsen, 302-992-2263	08/12/2005	No	No	No
Monsanto Corp. Linda Strachan, 202-383-2849	08/12/2005	No	No	No
Syngenta Crop Protection Mike Blythe, 336-632-6000	08/12/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide the correct chemical name.

The Commission notes that the article description in this bill is chemically identical to the proposed duty suspensions in H.R. 2026 and H.R. 2028. The only difference is that H.R. 2026 and H.R. 2028 include identifiers in the chemical name to denote optical activity. H.R. 2246 represents the combination of both isomers, so that these chemicals may be imported under a single duty suspension provision, in order to provide for easier administration by U.S. Customs.

In the event that H.R. 2246 is enacted, the Commission notes that H.R. 2026 and 2028 would be unnecessary.

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. 2246

To suspend temporarily the duty on allethrin.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2005

Mrs. TAUSCHER introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on allethrin.

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. ALLETHRIN.**

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:

“	9902.06.11	-2-Methyl-4-oxo-3-(2-propenyl)-2-cyclopenten-1-yl 2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate (CAS No. 584-79-2) (provided for in subheading 2916.20.50)	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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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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