

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: November 4, 2005]²

Bill No. and sponsor: H.R. 2374 (Mrs. Shelley Moore Capito of West Virginia)

Proponent name, location: DuPont Specialty Chemicals, Belle, WV.

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-(Isocyanatosulfonyl)benzoic acid, ethyl ester (CAS No. 77375-79-2) (provided for in subheading 2930.90.29)

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:

The subject product is a synthetic organic chemical intermediate used to produce several sulfonylurea herbicides. These herbicides are further formulated into a variety of postemergence end use herbicide products used for selective grass and weed control in the U.S. soybean markets. The product is imported from China, though it may also be imported from India in the future.

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>2930.90.29</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	\$925,000	\$925,000	\$925,000	\$925,000	\$925,000
Customs revenue loss	\$60,125	\$60,125	\$60,125	\$60,125	\$60,125

Source of estimated dutiable import data: Industry estimates 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)		
E.I. DuPont (Proponent) Nancy Johnson Fax: 202-728-3649 Elaine Olson Fax: 302- 892-7343 Helen McMahon Fax: 302-774-1398	8/31/2005	No	No	No
AtoFina Cerexagri Charles Kitchin Fax: 703-527-2092	9/7/2005	No	No	No
BASF Corp. Greg Thies Fax: 202-558-5101	9/7/2005	No	No	No
Bayer CropScience Williams Hensley Fax: 202-628-6622	9/7/2005	No	No	No
Crop Life America Lawrence Norton Fax: 202-463-0474	9/7/2005	No	No	No
Dow Agro Science Lisa Schroeter Fax: 202-429-3467	9/7/2005	No	No	No
FMC Corp. Jerry Prout Fax: 202-956-5235	9/7/2005	No	No	No
Monsanto Corp. Michael Parrish Fax: 202-789-1867 Linda Strachan Fax: 202-789-1867	9/7/2005	No	No	No

Syngenta Mike Blythe Fax: 336- 632-6084 Dawn Stump, dawn.stump@syngenta.com	9/7/2005	No	No	No
Valent USA Robin Demouth Fax: 925-256-2776	9/7/2005	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 remove an extraneous hyphen from 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.

109TH CONGRESS
1ST SESSION

H. R. 2374

To suspend temporarily the duty on ESPI.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2005

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

A BILL

To suspend temporarily the duty on ESPI.

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. ESPI.**

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:

“	9902.09.04	2-(isocyanatosulfonyl)-benzoic acid, ethyl ester (ESPI) (CAS No. 77375-79-2) (provided for in subheading 2930.90.29)	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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