

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: November 10, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2577 (Mr. Jo Bonner of Alabama).

**Proponent name, location:** DuPont, Mobile, AL.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

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

Methyl (4aS)-7-chloro-2,5-dihydro-2-[[methoxycarbonyl] [4-(trifluoromethoxy)phenyl]amino]carbonyl] indeno[1,2-e][1,3,4]oxadiazine-4a(3H)-carboxylate (Intoxacarb) (CAS 144171-61-9) (provided for in subheading 2934.99.16).

**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 used as a broad-spectrum insecticide on fruit trees, vegetables, and cotton. DuPont produces indoxacarb in a foreign trade zone from intermediates imported from Japan, China, Germany, and France.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2934.99.16</b>					
	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	\$6,900,000	\$7,000,000	\$7,100,000	\$7,200,000	\$7,400,000
Customs revenue loss	\$448,500	\$455,000	\$461,500	\$468,000	\$481,000

Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: Philip Stone (202-205-3424); 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).

**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)		
DuPont (Proponent) Sharee Lawler, 202-728-3664 Nancy Johnson, Fax: 202-728-3649	09/01/2005 09/14/2005	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	09/14/2005	No	No	No
BASF Corporation Greg Thies, Fax: 202-558-5101	09/14/2005	No	No	No
Bayer Corporation Karen L. Niedermeyer, Fax: 412-777-4740 Williams Hensley, Fax: 202-628-6622	09/14/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	09/14/2005	No	No	No
Dow Agro Science Lisa Schroeter, Fax: 202-429-3467	09/14/2005	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	09/14/2005	No	No	No
LANXESS Corporation Jamie B. Schaeffer, Fax: 412-809-3614	09/14/2005	No	No	No
Monsanto Corporation Michael Parrish, Fax: 202-789-1867	09/14/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	09/14/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	09/14/2005	No	No	No

**Technical comments:**<sup>3</sup> None.

<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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2577

To suspend temporarily the duty on Indoxacarb.

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IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2005

Mr. BONNER 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 Indoxacarb.

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. INDOXACARB.**

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:

“	9902.07.46	Methyl (4aS)-7-chloro-2,5-dihydro-2-[[[methoxy-carbonyl]4-(trifluoromethoxy)phenylamino]carbonyl]indeno[1,2-e][1,3,4]oxadiazine-4a(3H)-carboxylate(Indoxacarb) (CAS No. 144171-61-9) (provided for in subheading 2934.99.16) .....	Free	No change	No change	On or before 12/31/2009	”.
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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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