

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: December 13, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2806 (Mr. Gene Greene of Texas).

**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 reduction through December 31, 2008.

**Retroactive effect:** None.

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

Paraquat dichloride (1,1'-dimethyl-4,4'-bipyridinium dichloride) (CAS No. 1910-42-5) (provided for in subheading 2933.39.23).

**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:**

Paraquat dichloride is a synthetic organic herbicide used in formulations of non-selective herbicides to remove weeds prior to planting (a pre-emergent herbicide). It is imported from China.

**Estimated effect on customs revenue**

HTS subheading: <u>2933.39.23</u>					
	2005	2006	2007	2008	2009
<del>Col. 1-General rate of duty</del>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$500,000	\$500,000	\$141,491,239	\$147,150,888	\$153,036,000
Customs revenue loss 1/	\$14,550	\$14,550	\$3,508,983	\$3,075,454	\$3,198,452

1/ The estimated Customs revenue loss shown results from the difference between the general rate of duty and the proposed reduced duty rates shown in the bill.

Source of estimated dutiable import data: Industry estimates.

**Contacts with domestic firms/organizations (including the proponent):**

<sup>1</sup> Industry analyst preparing report: Stephen Wanser (202-205-3363); 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).

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Syngenta Crop Protection, Inc. (Proponent) Mike Blythe, Fax: 336-632-6084	09/10/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	09/30/2005	No	No	No
Bayer CropScience Mike Gill, 202-508-8843	09/30/2005	No	No	No
Atofina Cerex Charles Kitchin, Fax: 703-527-2092	09/30/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	09/30/2005	No	No	No
Dow Chemical/Dow Agro Science Lisa Schroeter, Fax: 202-429-3467	09/30/2005	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	09/30/2005	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	09/30/2005	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	09/30/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	09/30/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	09/30/2005	No	No	No

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

The Commission suggests that the article description on page 1 of this report be used because the word dichloride should not be capitalized. Also, the Commission notes that, on page 2, line 17 of the bill, heading number “9902.09.11” should be amended to read “9902.09.12”.

<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.

109TH CONGRESS  
1ST SESSION

# H. R. 2806

To reduce temporarily the duty on Paraquat Dichloride.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2005

Mr. GENE GREEN of Texas introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To reduce temporarily the duty on Paraquat Dichloride.

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. PARAQUAT DICHLORIDE.**

4 (a) CALENDAR YEAR 2006.—

5 (1) IN GENERAL.—Subchapter II of chapter 99  
6 of the Harmonized Tariff Schedule of the United  
7 States is amended by inserting in numerical se-  
8 quence the following new heading:

“	9902.09.12	Paraquat Dichloride (1,1'-dimethyl-4,4'- bipyridinium dichloride) (CAS No. 1910-42-5) (pro- vided for in subheading 2933.39.23) .....	3.59%	No change	No change	On or before 12/31/2006	”.
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1           (2) EFFECTIVE DATE.—The amendment made  
2           by paragraph (1) applies to goods entered, or with-  
3           drawn from warehouse for consumption, on or after  
4           the 15th day after the date of enactment of this Act.

5           (b) CALENDAR YEAR 2007.—

6           (1) IN GENERAL.—Heading 9902.09.12 of the  
7           Harmonized Tariff Schedule of the United States, as  
8           added by subsection (a), is amended—

9                   (A) by striking “3.59%” and inserting  
10                   “4.02%”; and

11                   (B) by striking “On or before 12/31/2006”  
12                   and inserting “On or before 12/31/2007”.

13           (2) EFFECTIVE DATE.—The amendments made  
14           by paragraph (1) shall take effect on January 1,  
15           2007.

16           (c) CALENDAR YEAR 2008.—

17           (1) IN GENERAL.—Heading 9902.09.11 of the  
18           Harmonized Tariff Schedule of the United States, as  
19           added by subsection (a) and amended by this sec-  
20           tion, is further amended—

21                   (A) by striking “4.02%” and inserting  
22                   “4.41%”; and

23                   (B) by striking “On or before 12/31/2007”  
24                   and inserting “On or before 12/31/2008”.

1           (2) EFFECTIVE DATE.—The amendments made  
2           by paragraph (1) shall take effect on January 1,  
3           2008.

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