

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: December 16, 2005]²

Bill No. and sponsor: H.R. 2809 (Mr. Ray LaHood of Illinois).

Proponent name, location: FMC, Wyoming Plant, Wyoming, IL.

Other bills on product (109th Congress only): H.R. 3119.

Nature of bill: Extension of temporary duty suspension through December 31, 2009.

Retroactive effect: None.

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

α -2-Dichloro-5-[4-(difluoromethyl)-4,5-dihydro-3-methyl-5-oxo-1H-1,2,4-triazol-1-yl]-4-fluorobenzene-propanoic acid, ethyl ester (Carfentrazone ethyl) (CAS No. 128639-02-1) (provided for in subheading 2933.99.22).

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 synthetic organic chemical, known as Carfentrazone ethyl, is a post-emergent herbicide used on corn, cotton, soybeans, and wheat crops to control broad leaf weeds. This chemical is imported from China.

Estimated effect on customs revenue:

HTS subheading: <u>2933.99.22</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	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000
Customs revenue loss 1/	\$390,000	\$390,000	\$390,000	\$390,000	\$390,000

1/ A portion of the estimated Customs revenue loss for 2005 and 2006 results from a reduction of duty from 6.5 percent ad valorem to 4.9 percent ad valorem under HTS heading 9902.01.54, which expires on December 31, 2006.

¹ Industry analyst preparing report: Robert Randall (202-205-3366); 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.

Source of estimated dutiable import data: Industry 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)		
FMC (Proponent) Tom Hashman, 215-299-6377	10/7/2005	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	10/7/2005	No	No	No
Aventis Jean Reimers, Fax: 202-628-6622	10/7/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	10/7/2005	No	No	No
Bayer Corporate Services Karen Niedermeyer, Fax: 412-777-4700	10/7/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	10/7/2005	No	No	No
Dow Agro Sciences Lisa Schrocter, Fax: 202-429-3467	10/7/2005	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649 Elaine Olsen, Fax: 302-992-2263	10/7/2005	No	No	No
Griffin Corp. James Whatley, Fax: 800-248-5154	10/7/2005	No	No	No
LANXESS Corp. Jamie B. Schaeffer, Fax: 412-809-3614	10/7/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867 Linda Strachan, Fax: 202-789-1867	10/7/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	10/7/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-246-2776	10/7/2005	No	No	No

Technical comments:³ None.

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. 2809

To temporarily suspend the duty on Carfentrazone.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2005

Mr. LAHOOD introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To temporarily suspend the duty on Carfentrazone.

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. CARFENTRAZONE.**

4 (a) IN GENERAL.—Heading 9902.01.54 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Carfentrazone) is amended by striking “4.9%” and insert-
7 ing “free” and by striking “12/31/2006” and inserting
8 “12/31/2009”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 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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