

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: April 19, 2006]<sup>2</sup>

**Bill No. and sponsor:** H.R. 3212 (Mr. Steve Buyer of Indiana).

**Proponent name, location:** Dow Agrosiences LLC, Indianapolis, IN.

**Other bills on product (109<sup>th</sup> Congress only):** H.R. 1724.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

**Article description(s) (including appropriate HTS classification(s)):**

Methyl sulfanilylcarbamate, sodium salt (Asulam sodium salt) (CAS No. 2302-17-2) imported in bulk form (provided for in subheading 2935.00.75), or imported in forms or packings for retail sale or mixed with application adjuvants (provided for in subheading 3808.30.15).

**Check one:**      Same as in the HTS heading(s) in the bill as introduced.  
                   Different from the HTS heading(s) in the bill (see Technical comments).

**Product information, including uses/applications and source(s) of imports:**

Asulam sodium salt is a synthetic organic chemical used in formulations as a post-emergence herbicide to control annual weeds on numerous crops, particularly sugarcane. It is also used on Christmas trees, turf, and ornamental plants. The bulk product and the formulations containing Asulam sodium salt are imported from the United Kingdom.

<sup>1</sup> Industry analyst preparing report: Ed Cappuccilli (202-205-3368); 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).

**Estimated effect on customs revenue:**

| <b>Total Revenue Loss for this Bill</b> |           |           |           |           |           |
|---|-----------|-----------|-----------|-----------|-----------|
| <del> </del>                            | 2005      | 2006      | 2007      | 2008      | 2009      |
| Customs revenue loss 1/                 | \$429,000 | \$429,000 | \$429,000 | \$429,000 | \$429,000 |

1/ The estimated Customs revenue loss for 2005 and 2006 results from a temporary duty suspension under HTS heading 9902.02.87 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry and Commission estimates.

| <b>HTS subheading: <u>2935.00.75</u></b> |      |      |      |      |      |
|--|------|------|------|------|------|
| <del> </del>                             | 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  | \$0  | \$0  | \$0  | \$0  | \$0  |
| Customs revenue loss 1/                  | \$0  | \$0  | \$0  | \$0  | \$0  |

1/ The estimated Customs revenue loss for 2005 and 2006 results from a temporary duty suspension under HTS heading 9902.02.87 that expires on December 31, 2006. According to industry sources, the active-ingredient herbicide is not currently imported in bulk, and will not be imported during the period covered by this legislation.

Source of estimated dutiable import data: Industry and Commission estimates.

| <b>HTS subheading: <u>3808.30.15</u></b> |             |             |             |             |             |
|--|-------------|-------------|-------------|-------------|-------------|
| <del> </del>                             | 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  | \$6,600,000 | \$6,600,000 | \$6,600,000 | \$6,600,000 | \$6,600,000 |
| Customs revenue loss 1/                  | \$429,000   | \$429,000   | \$429,000   | \$429,000   | \$429,000   |

1/ The estimated Customs revenue loss for 2005 and 2006 results from a temporary duty suspension under HTS heading 9902.02.87 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry 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)  |                      |                   |
| Dow Agrosiences LLC (Proponent)<br>Max Turnipseed 225-338-0130<br>email: <a href="mailto:MCTINT@cox.net">MCTINT@cox.net</a><br>Lisa Schroeter Fax: 202-429-3467 | 10/31/2005<br>11/3/2005 | No  | No                   | No                |
| Abbott Laboratories<br>Elaine Leavenworth Fax: 202-783-6631   | 11/3/2005               | No  | No                   | No                |
| American Chemistry Council<br>Jim O'Connor Fax: 703-741-6922  | 11/3/2005               | No  | No                   | No                |
| AtoFina Cerex<br>Charles Kitchin Fax: 703-527-2092  | 11/3/2005               | No  | No                   | No                |
| BASF Corp.<br>Greg Thies Fax: 202-558-5101  | 11/3/2005               | No  | No                   | No                |
| Bayer Corp.<br>Williams Hensley Fax: 202-737-8908<br>Karen Niedermeyer Fax: 412-777-4740<br>Julie Van Egmund Fax: 202-737-8908                                  | 11/3/2005               | No  | No                   | No                |
| Biddle Sawyer<br>William Thonack Fax: 212-239-1089  | 11/3/2005               | No  | No                   | No                |
| Ciba Specialty Chemicals<br>John Deming Fax: 302-479-5152   | 11/3/2005               | No  | No                   | No                |
| Clariant Corp.<br>Andrew Zamoyski Fax: 401-823-2700   | 11/3/2005               | No  | No                   | No                |
| Crop Life America<br>Lawrence Norton Fax: 202-463-0474  | 11/3/2005               | No  | No                   | No                |
| DuPont<br>Helen McMahon Fax: 302-774-1398   | 11/3/2005               | No  | No                   | No                |
| Eastman Chemical<br>Greg Riddle Fax: 703-524-7707<br>Jorge San Pedro Fax: 703-524-7707  | 11/3/2005               | No  | No                   | No                |
| FMC Corp.<br>Jerry Prout Fax: 202-956-5235  | 11/3/2005               | No  | No                   | No                |
| Honeywell International<br>Art Simonetti Fax: 202-662-2675  | 11/3/2005               | No  | No                   | No                |

|   |           |    |    |    |
|---|-----------|----|----|----|
| LANXESS Corporation<br>Jamie B. Schaeffer Fax: 412-809-3614                                   | 11/3/2005 | No | No | No |
| Monsanto Corporation<br>Linda Strachan Fax: 202-789-1867<br>Michael Parrish Fax: 202-789-1867 | 11/3/2005 | No | No | No |
| Noveon<br>Tom Dirmyer Fax: 216-447-5720   | 11/3/2005 | No | No | No |
| Rhodia Inc.<br>Dominick Cangiana Fax: 609-860-1841  | 11/3/2005 | No | No | No |
| Solutia<br>Sue Cannon Fax: 314-674-1585<br>Dan Jenkins Fax: 314-674-1585                      | 11/3/2005 | No | No | No |
| Syngenta<br>Mike Blythe Fax: 336-632-6084   | 11/3/2005 | No | No | No |
| Uniroyal<br>Lloyd Moon Fax: 203-573-4430  | 11/3/2005 | No | No | No |
| Valent USA<br>Robin Demouth Fax: 925-256-2776   | 11/3/2005 | No | No | No |

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

The Commission notes that a similar bill, H.R. 1724, would extend an existing, temporary duty suspension for the subject product that is provided for under HTS heading 9902.01.50. If H.R. 3212 is enacted, the Commission suggests that HTS heading 9902.01.50 should be deleted.

<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. 3212

To extend the temporary suspension of duty on asulam sodium salt.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2005

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

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## A BILL

To extend the temporary suspension of duty on asulam  
sodium salt.

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. ASULAM.**

4       (a) **IN GENERAL.**—Heading 9902.02.87 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       asulam sodium salt) is amended by striking “12/31/2006”  
7       and inserting “12/31/2008”.

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 the enactment of this Act.

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