

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: May 12, 2006]<sup>2</sup>

**Bill No. and sponsor:** H.R. 3235 (Mr. Steve Buyer of Indiana).

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

**Other bills on product (109<sup>th</sup> 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-Methyl-4-chlorophenoxyacetic acid (CAS No. 94-74-6) (provided for in subheading 2918.90.20).

**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 chemical is an active ingredient that is used in the manufacture of a herbicide which, in turn, is used on small grains including wheat and barley. The subject product is imported from the United Kingdom.

**Estimated effect on customs revenue:**

HTS subheading: <u>2918.90.20</u>					
	2005	2006	2007	2008	2009
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$3,400,000	\$3,400,000	\$3,400,000	\$3,400,000	\$3,400,000
Customs revenue loss	\$221,000	\$221,000	\$221,000	\$221,000	\$221,000

<sup>1/</sup> A portion of the estimated Customs revenue loss data for 2005 and 2006 reflect the existing duty reduction to 1.8 percent ad valorem under HTS heading 9902.29.81 that expires on December 31, 2006. Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: Jack Greenblatt (202-205-3353); 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)		
Dow Agrosiences LLC (Proponent) Max Turnipseed, 225-338-0310 John Hong, 317-337-4410	11/07/2005	No	No	No
Abbott Elaine Leavenworth, Fax: 202-783-6631	11/14/2005	No	No	No
American Chemistry Council Jim O'Connor, Fax:703-741-6922	11/14/2005	No	No	No
Atofina Cerex Charles Kitchin, Fax: 703-527-2092	11/14/2005	No	No	No
BASF Greg Thies, Fax: 202-558-5101	11/14/2005	No	No	No
Bayer CropScience William Hensley, Fax: 202-628-6622 Karen Niedermeyer, Fax: 412-777-4740	11/14/2005	No	No	No
Biddle Sawyer William Thonack, Fax:212-239-1089	11/14/2005	No	No	No
Ciba Specialty Chemicals John Deming Fax: 302-479-5152	11/14/2005	No	No	No
Clariant Corp. Andrew Zamoyski, Fax:401-823-2700	11/14/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	11/14/2005	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	11/14/2005	No	No	No
Eastman Chemical Greg Riddle, Fax: 703-524-7707	11/14/2005	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	11/14/2005	No	No	No

Honeywell International Art Simonetti, Fax:202-662-2675	11/14/2005	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	11/14/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867 Linda Strachan, Fax:202-789-1867	11/14/2005	No	No	No
Noveon Tom Dirmyer, Fax: 216-447-5720	11/14/2005	No	No	No
Rhodia Dominick Cangiana, Fax:609-860-1841	11/14/2005	No	No	No
Solutia Corp. Dan Jenkins, Fax: 314-674-1585	11/14/2005	No	No	No
Syngenta Dawn Stump, 202-347-7772	11/14/2005	No	No	No
Uniroyal Chemical Co. Lloyd Moon, Fax: 203-573-4430	11/14/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	11/14/2005	No	No	No

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

The Commission notes that HTS heading 9902.29.81 provides a temporary duty reduction for the subject chemical from 6.5 percent ad valorem to 1.8 percent ad valorem. The temporary duty reduction expires on December 31, 2006.

<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. 3235

To suspend temporarily the duty on 2-Methyl-4-chlorophenoxyacetic acid.

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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 suspend temporarily the duty on 2-Methyl-4-chlorophenoxyacetic acid.

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. 2-METHYL-4-CHLOROPHENOXYACETIC ACID.**

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:

“	9902.14.01	2-Methyl-4-chlorophenoxyacetic acid (CAS No. 94-74-6) (provided for in subheading 2918.90.20) .....	Free	No change	No change	On or before 12/31/2008	”.
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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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