

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. 3237 (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, dimethylamine salt (CAS No. 2039-46-5) (provided for in subheading 2921.11.00).

**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 herbicidal formulation. Information on import sources is not available.

**Estimated effect on customs revenue:**

HTS subheading: <u>2921.11.00</u>					
	2005	2006	2007	2008	2009
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Customs revenue loss	\$111,000	\$111,000	\$111,000	\$111,000	\$111,000

Source of estimated dutiable import data: Official U.S. Government statistics.

<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 the correct classification for the subject chemical is 2921.11.00, and the hyphen between the “di” and “methylamine” in the article description 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.

109TH CONGRESS  
1ST SESSION

# H. R. 3237

To suspend temporarily the duty on 2-Methyl-4-chlorophenoxy-acetic acid,  
di-methylamine 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 suspend temporarily the duty on 2-Methyl-4-  
chlorophenoxy-acetic acid, di-methylamine 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. 2-METHYL-4-CHLOROPHENOXY-ACETIC ACID,**

4 **DI-METHYLAMINE SALT.**

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

“	9902.14.02	2-Methyl-4-chlorophenoxy- acetic acid, di-methylamine salt (CAS No. 2039-46-5) (provided for in subheading 2921.19.60) .....	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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