

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 7, 2006]²

Bill No. and sponsor: H.R. 3340 (Mr. William Jefferson of Louisiana).

Proponent name, location: Bayer CropScience, Kansas City, MO.

Other bills on product (109th 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)):

3-Methylcarbonylamino-phenyl-3-methyl-carbanilate (Phenmedipham) (CAS No. 13684-63-4) in bulk or mixed with application adjuvants (provided for in subheading 2924.29.47 or 3808.30.15)

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:

Phenmedipham is a synthetic organic chemical that is used as an herbicide in formulations to control postemergence weeds that grow among sugar beets. The subject product is imported from Germany.

Estimated effect on customs revenue:

Total Revenue Loss for this Bill					
	2005	2006	2007	2008	2009
 					
Customs revenue loss	\$429,000	\$429,000	\$429,000	\$429,000	\$429,000

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Philip Stone (202-205-3424); 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.

HTS subheading: 2924.29.47					
	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 <u>1/</u>	\$429,000	\$429,000	\$429,000	\$429,000	\$429,000

1/ The estimated Customs revenue loss data for 2005 and 2006 reflect the existing duty suspension under heading 9902.31.13 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry estimates.

HTS subheading: 3808.30.15					
	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 <u>1/</u>	\$0	\$0	\$0	\$0	\$0
Customs revenue loss	\$0	\$0	\$0	\$0	\$0

1/ The proponent does not currently have plans to import packaged formulations.

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)		
Bayer CropScience (Proponent) Will Hensley, 202-756-3781 Karen L. Niedermeyer, Fax: 412-777-4740	11/14/2005	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	11/14/2005	No	No	No
BASF Corporation Greg Thies, Fax: 202-558-5101	11/14/2005	No	No	No

Crop Life America Lawrence Norton, Fax: 202-463-0474	11/14/2005	No	No	No
Dow Agro Science Lisa Schroeter, Fax: 202-429-3467	11/14/2005	No	No	No
DuPont Helen McMahon, Fax: 302-355-2944	11/14/2005	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	11/14/2005	No	No	No
LANXESS Corporation Jamie B. Schaeffer, Fax: 412-809-3614	11/14/2005	No	No	No
Monsanto Corporation Michael Parrish, Fax: 202-789-1867	11/14/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	11/14/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	11/14/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to include the common industry name in the article description as well as to provide for the product when mixed with application adjuvants. The Commission notes that HTS heading 9902.31.13 provides a temporary duty suspension for the subject chemical in bulk form that expires on December 31, 2006.

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. 3340

To suspend temporarily the duty on Phenmedipham.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2005

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

A BILL

To suspend temporarily the duty on Phenmedipham.

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. PHENMEDIPHAM.**

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:

“	9902.09.75	3- methylecarbonylamino-phenyl- 3-methyl-carbanilate (CAS No. 13684-63-4) (provided for in subheadings 2924.29.47 and 3808.30.15)	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 enactment of this Act.

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