

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: October 26, 2006]²

Bill No. and sponsor: S. 3250 (Mr. Barack Obama of Illinois).

Proponent name, location: Nufarm Americas Inc., Burr Ridge IL.

Other bills on product (109th Congress only): None.

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

Retroactive effect: None.

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

4-(2,4-Dichlorophenoxy) butyric acid (CAS No. 94-82-6) (provided for in subheading 2918.90.20); and
4-(2,4-dichlorophenoxy) butyric acid, dimethylamine salt (CAS No. 2758-42-1) (provided for in
subheading 2921.19.60).

Check one: ___ Same as that in bill as introduced.
 X Different from that in bill as introduced (see Technical comments section).

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

These synthetic organic chemicals are systemic herbicides that are used to control many annual and perennial broadleaf weeds in commercial agriculture crops, including alfalfa, peanuts, soybeans, and other crops. The products are imported from the United Kingdom and Argentina.

Estimated effect on customs revenue:

Total estimated revenue loss for this bill					
	2006	2007	2008	2009	2010
 					
Customs revenue loss	\$215,313	\$215,313	\$215,313	\$215,313	\$215,313

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); 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: 2918.90.20					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty (AVE)	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$2,732,860	\$2,732,860	\$2,732,860	\$2,732,860	\$2,732,860
Customs revenue loss	\$177,636	\$177,636	\$177,636	\$177,636	\$177,636

Source of estimated dutiable import data: Industry estimates.

HTS subheading: 2921.19.60					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty (AVE)	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$579,639	\$579,639	\$579,639	\$579,639	\$579,639
Customs revenue loss	\$37,677	\$37,677	\$37,677	\$37,677	\$37,677

Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Nufarm Americas Inc. (Proponent) Joel R. Junker, Fax: 206-621-8220	06/28/2006	No	No	No
Arkema Inc. (Atofina) Charles Kitchin, Fax: 703-527-2002	06/28/2006	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	06/28/2006	No	No	No
Bayer CropScience Mike Gill, 202-205-8843	06/28/2006	No	No	No
Chemtura Corporation Matt Mattingly, Fax: 202-463-8498	06/28/2006	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	06/28/2006	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, 225-338-0310	06/28/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
DuPont Nancy Johnson, Fax: 202-728-3649	06/28/2006	No	No	No
FMC Corp Jerry Prout, Fax: 202-956-5235	06/28/2006	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	06/28/2006	No	No	No
Monsanto Corp. Michael Parris, Fax: 202-789-1867	06/28/2006	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	06/28/2006	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	06/28/2006	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used because it capitalizes "Dichlorophenoxy" and because the two HTS subheadings should contain periods rather than dashes.

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
2^D SESSION

S. 3250

To suspend temporarily the duty on 2,4-DB Acid and 2,4-DB Dimethylamine Salt.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2006

Mr. OBAMA introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on 2,4-DB Acid and 2,4-DB Dimethylamine 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. SUSPENSION OF DUTY ON 2,4-DB ACID AND 2,4-**
4 **DB DIMETHYLAMINE 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:

“	9902.28.29	4-(2,4-dichlorophenoxy) butyric acid (CAS No. 94-82-6) (provided for in subheading 2918-90-20); and 4-(2,4-dichlorophenoxy) butyric acid, dimethylamine salt (CAS No. 2758-42-1) (provided for in subheading 2921-19-60)	Free	No change	No change	On or before 12/31/2009	”.
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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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