

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: May 23, 2008]²

Bill No. and sponsor: H.R. 4601 (Mr. Emanuel Cleaver of Missouri).

Proponent name,³ location: Bayer CropScience, Research Triangle Park, NC.

Other bills on product (110th Congress only): None.

Nature of bill: Extension of temporary duty reduction through December 31, 2011.

Retroactive effect: None.

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

Cyano(4-fluoro-3-phenoxyphenyl)methyl 3-(2,2-dichloroethenyl)-2,2-dimethylcyclopropanecarboxylate (Cyfluthrin, excluding β -Cyfluthrin) (CAS No. 68359-37-5) (provided for in subheading 2926.90.30).

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 product is a synthetic pyrethroid insecticide that is formulated into finished crop application product forms, particularly for use on cotton crops. The subject product is imported from India.⁴

¹ Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ India is a designated beneficiary of the Generalized System of Preferences (GSP), and HTS subheading 2926.90.30 is an eligible product category for purposes of the GSP program. However, India is ineligible for duty-free treatment under HTS subheading 2926.90.30. See General Note 4(d) of the HTS (2008).

Estimated effect on customs revenue:

HTS subheading: 2926.90.30					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$5,165,650	\$5,165,650	\$5,165,650	\$5,165,650	\$5,165,650
Customs revenue loss <u>1/</u> <u>2/</u>	\$0	\$154,970	\$154,970	\$154,970	\$154,970

1/ There is an existing duty reduction under HTS heading 9902.10.67 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

2/ The estimated customs revenue loss is based on a temporary reduction of the general rate of duty from 6.5 percent ad valorem to 3.5 percent ad valorem, a reduction of 3 percentage points.

Source of estimated dutiable import data: U.S. 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)		
Bayer CropScience (Proponent) William H. Hensley, 202-756-3781	3/25/2008	No	No	No
Arkema Charles A. Kitchen, Fax: 215-419-7075	3/25/2008	No	No	No
BASF Greg Thies, Fax: 202-558-5101	3/25/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	3/25/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	3/25/2008	No	No	No
Dow Chemical/Dow AgroScience Lisa Schroeter, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	3/25/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	3/25/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	3/25/2008	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	3/25/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Gowan Company Cindy Baker, Fax: 928-373-1822 George L. Rolofson, Fax: 336-854-2772	3/25/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	3/25/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	3/25/2008	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084	3/25/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	3/25/2008	No	No	No

Technical comments:⁵

None.

⁵ 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.

110TH CONGRESS
1ST SESSION

H. R. 4601

To extend the temporary suspension of duty on Cyfluthrin.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

A BILL

To extend the temporary suspension of duty on Cyfluthrin.

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. CYFLUTHRIN.**

4 (a) IN GENERAL.—Heading 9902.10.67 of the Har-
5 monized Tariff Schedule of the United States is amended
6 by striking “12/31/2009” and inserting “12/31/2011”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) applies with respect to goods entered, or
9 withdrawn from warehouse for consumption, on or after
10 the 15th day after the date of the enactment of this Act.