

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. 4608 (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: Temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

Methyl 4-({[(3-methoxy-4-methyl-5-oxo-4,5-dihydro-1H-1,2,4-triazol-1-yl)carbonyl]amino }sulfonyl)-5-methylthiophene-3-carboxylate (Thien carbazone-methyl) (CAS No. 317815-83-1) (provided for in subheading 2935.00.75).

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, a synthetic organic chemical, is a post-emergent corn herbicide that is sold in formulated form by the proponent. The product is imported from Germany.

Estimated effect on customs revenue:

| HTS subheading: <u>2935.00.75</u> | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|
| | 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 | \$8,379,298 | \$8,379,298 | \$8,379,298 | \$8,379,298 | \$8,379,298 |
| Customs revenue loss | \$544,654 | \$544,654 | \$544,654 | \$544,654 | \$544,654 |

Source of estimated dutiable import data: U.S. industry estimates.

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

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.

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|--|----------------|--|----------------------|-------------------|
| | | (Yes/No) | | |
| Bayer CropScience (Proponent) William Hensley, 202-756-3781 Jean Reimers, 202-756-3779 | 02/18/2008 | No | No | No |
| Arkema Inc. (Atofina) Charles Kitchen, Fax: 216-419-7075 | 02/18/2008 | No | No | No |
| BASF Corp. Greg Thies, Fax: 703-255-7142 | 02/18/2008 | No | No | No |
| Chemtura Corporation Matt Mattingley, Fax: 202-463-8498 | 02/18/2008 | No | No | No |
| CropLife America Isi Siddiqui, Fax: 202-463-0474 | 02/18/2008 | No | No | No |
| Dow AgroSciences Max Turnipseed, Fax: 225-338-0310 Lisa Schroeter, Fax: 202-429-3467 | 02/18/2008 | No | No | No |
| DuPont Helen McMahon, Fax: 302-355-2994 Elaine Olsen, Fax: 302-774-1398 | 02/18/2008 | No | No | No |
| FMC Corp. Jerry Prout, Fax: 202-956-5235 Steve Ziehm, 202-872-8181 | 02/18/2008 | No | No | No |
| Monsanto Corp. Michael Parris, Fax: 202-789-1867 | 02/18/2008 | No | No | No |
| Nufarm Limited Joel R. Junker, Fax: 206-621-8220 | 02/18/2008 | No | No | No |
| Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084 | 02/18/2008 | No | No | No |
| Valent USA Robin Demouth, Fax: 925-256-2776 | 02/18/2008 | No | No | No |

Technical comments:⁴

The Commission staff notes that the HTS subheading reference should only have 8 digits (2935.00.75).

⁴ 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. 4608

To suspend temporarily the duty on Thien carbazole-methyl.

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 suspend temporarily the duty on Thien carbazole-methyl.

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. THIENCARBAZONE-METHYL.**

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:

| | | | | | | | |
|---|------------|--|------|-----------|-----------|----------------------------|----|
| “ | 9902.01.00 | Methyl 4-((3-methoxy-4-methyl-5-oxo-4,5-dihydro-1H-1,2,4-triazol-1-yl)carbonylamino)sulfonyl)-5-methylthiophene-3-carboxylate(Thien carbazole-methyl) (CAS No. 317815-83-1) (provided for in sub-heading 2935.00.7500) | Free | No change | No change | On or before 12/31/2011 | ”. |
|---|------------|--|------|-----------|-----------|----------------------------|----|

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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