

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: June 13, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4753 (Mr. David E. Price of North Carolina).

**Proponent name,<sup>3</sup> location:** Isagro USA, Inc., Morrisville, NC.

**Other bills on product (110<sup>th</sup> 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)):**

Copper oxychloride (CAS No. 1332-40-7) and copper hydroxide (CAS No. 20427-59-2) (provided for in subheading 3808.92.30).

**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, a mixture of inorganic copper compounds, controls plant diseases such as citrus canker, walnut blight, and other diseases of tree and vegetable crops. It is imported from Italy.

**Estimated effect on customs revenue:**

HTS subheading: <u>3808.92.30</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	5.0%	5.0%	5.0%	5.0%	5.0%
Estimated value <i>dutiable</i> imports	\$400,000	\$700,000	\$700,000	\$700,000	\$700,000
Customs revenue loss	\$20,000	\$35,000	\$35,000	\$35,000	\$35,000

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

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

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

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

<sup>3</sup> 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)		
Isagro USA, Inc. (Proponent) Patrick Frey, PFrey@crowell.com	4/20/2008	No	No	No
Arkema Inc. Charles Kitchen, Fax: 215-419-7075	4/25/2008	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	4/25/2008	No	No	No
Bayer Corp. William Hensley, Fax: 202-737-8909	4/25/2008	No	No	No
Chemtura Corp. Matt Mattingley, Fax: 202-463-8498	4/25/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	4/25/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	4/25/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	4/25/2008	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	4/25/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	4/25/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	4/25/2008	No	No	No
Syngenta Crop Protection, Inc. Mike Blythe, Fax: 336-632-6084	4/25/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	4/25/2008	No	No	No

**Technical comments:**<sup>4</sup>

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide the correct CAS numbers.

<sup>4</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.

110TH CONGRESS  
1ST SESSION

# H. R. 4753

To suspend temporarily the duty on copper oxychloride and copper hydroxide.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 17, 2007

Mr. PRICE of North Carolina 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 copper oxychloride and copper hydroxide.

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. COPPER OXYCHLORIDE AND COPPER HYDROX-**  
4 **IDE.**

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:

“	9902.01.00	Copper oxychloride (CAS No. 2042-59-2) and copper hydroxide (CAS No. 1332-40-7) (provided for in sub-heading 3808.92.30) .....	Free	No change	No change	On or before 12/31/2011	”.
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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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