

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress ¹**

[Date approved: July 29, 2008]²

Bill No. and sponsor: H.R. 4784 (Mr. Thomas M. Reynolds of New York).

Proponent name,³ location: FMC Corporation, Middleport, NY.

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)):

(2-Methyl[1,1'-biphenyl]-3-yl)methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropane-carboxylate (Bifenthrin) (CAS No. 82657-04-3) (provided for in subheading 2916.20.50).

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 organic chemical that is the active ingredient in an agricultural insecticide that is used on major crops including corn, cotton, soybeans, fruits, and vegetables. The subject product is imported from China and formulated into agricultural insecticide application products that are used domestically and exported.

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.

Estimated effect on customs revenue:

HTS subheading: 2916.20.50					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$11,500,000	\$11,500,000	\$11,500,000	\$11,500,000	\$11,500,000
Customs revenue loss <u>1/</u> <u>2/</u>	\$0	\$345,000	\$345,000	\$345,000	\$345,000

1/ There is an existing duty reduction under HTS heading 9902.24.72 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 for 2010-2013 is based on a temporary reduction of the general rate of duty from 3.7 percent ad valorem to 0.7 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)		
FMC Corporation (Proponent) Jerry Prout, 202-956-5209	5/15/2008	No	No	No
Arkema Inc. Charles A. Kitchen, Fax: 215-419-7075	5/15/2008	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	5/15/2008	No	No	No
Bayer Crop Science William Hensley, Fax: 202-737-8909	5/15/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	5/15/2008	No	No	No
Dow Chemical Co. Lisa Schroeter, Fax: 202-429-3467	5/15/2008	No	No	No
Dow AgroScience Max Turnipseed, Fax: 225-383-0590	5/15/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	5/15/2008	No	No	No
Emerald Performance Materials Tom Dirmyer, Fax: 330-315-6480	5/15/2008	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	5/15/2008	No	No	No
MG Group Matt Mattingley, Fax: 703-670-9313	5/15/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	5/15/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	5/15/2008	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084	5/15/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	5/15/2008	No	No	No

Technical comments:⁴

None.

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. 4784

To extend the reduction of duty on Bifenthrin.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2007

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

A BILL

To extend the reduction of duty on Bifenthrin.

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. BIFENTHRIN.**

4 (a) IN GENERAL.—Heading 9902.24.72 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.