

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: October 6, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5411 (Mr. Sanford D. Bishop, Jr. of Georgia).

**Proponent name,<sup>3</sup> location:** BASF Corporation, Sparks, GA.

**Other bills on product (110<sup>th</sup> Congress only):** None.

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

**Retroactive effect:** None.

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

Mixtures of methyl (E)-methoxyimino-[ $\alpha$ -(o-tolyloxy)-o-tolyl]acetate (Kresoxim methyl) (CAS No. 143390-89-0) and application adjuvants (provided for in subheading 3808.92.15)

**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 synthetic organic chemical is a surface systemic fungicide that is used primarily on fruit and turf. The product is imported from Germany.

**Estimated effect on customs revenue:**

HTS subheading: <u>3808.92.15</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$1,766,318	\$1,766,318	\$1,766,318	\$1,766,318	\$1,766,318
Customs revenue loss <u>1/</u>	\$0	\$114,811	\$114,811	\$114,811	\$114,811

1/ There is an existing duty suspension under HTS heading 9902.22.91 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

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)		
BASF Corporation (Proponent) Gregory A. Thies, gregory.thies@basf.com	5/15/2008	No	No	No
Arkema Inc. Charles A. Kitchen, Fax: 215-419-7075	5/15/2008	No	No	No
Bayer CropScience 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 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
FMC Jerry Prout, Fax: 202-956-5235	5/15/2008	No	No	No
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:**<sup>4</sup> None.

<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  
2D SESSION

# H. R. 5411

To extend the temporary suspension of duty on Methyl (E)-methoxyimino-2(2-o-tolyloxymethyl) phenyl) acetate (kresoxim methyl).

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2008

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

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## A BILL

To extend the temporary suspension of duty on Methyl (E)-methoxyimino-2(2-o-tolyloxymethyl) phenyl) acetate (kresoxim 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. METHYL (E)-METHOXYIMINO-2(2-O-**  
4 **TOLYLOXYMETHYL) PHENYL) ACETATE**  
5 **(KRESOXIM METHYL) .**

6 (a) IN GENERAL.—Heading 9902.22.91 of the Har-  
7 monized Tariff Schedule of the United States (relating to  
8 Methyl (E)-methoxyimino-2(2-o-tolyloxymethyl) phenyl)  
9 acetate (kresoxim methyl) is amended by striking the date  
10 in the effective period column and inserting “12/31/2011”.

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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