

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: April 2, 2010]²

Bill No. and sponsor: S. 1804 (Mr. Jon Kyl of Arizona).

Proponent name,³ location: Gowan Company, Yuma, AZ.

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

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

2-*tert*-Butyl-5-(4-*tert*-butylbenzylthio)-4-chloropyridazin-3(2*H*)-one (Pyridaben) (CAS No. 96489-71-3)
(provided for in subheading 2933.99.22).

Check one: ___ Same as that in bill as introduced.
 X 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 insecticide that is used to control insects on vegetables. The subject product is imported from Japan.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2933.99.22:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports ^a	\$1,890,000	\$2,173,500	\$2,362,500	\$2,457,000	\$2,457,000
Customs revenue loss ^b	\$122,850	\$141,278	\$153,563	\$159,705	\$159,705

a/ Dutiable import estimates were provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

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

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

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

⁴ Heading 9902.22.08 expired on December 31, 2009.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Gowan Company (Proponent) Cindy Baker, 928-819-1554 cbaker@gowanco.com George Rolofson, 336-580-1116 grolofson@triad.rr.com	11/20/2009	No	No	No
Arkema Inc. (Atofina) Brian Sowa, (Stra. Mark. Inno. 202-467-5459) Brian@strategicmi.com	11/20/2009	No	No	No
BASF Corp. Greg Thies, 202-299-7240 gregory.theis@basf.com	11/20/2009	No	No	No
Bayer CropScience, LLP Jean Reimers, 202-756-3779 jean.reimers@bayercropscience.com	11/20/2009	No	No	No
Chemtura Corporation Matt Mattingley, 202-841-5601 matt@mattingleygroup.com	11/20/2009	No	No	No
CropLife America Doug Nelson, 202-872-3880 dnelson@croplifeamerica.org	11/20/2009	No	No	No
Dow AgroSciences Max Turnipseed, 225-338-0310 mctint@att.net Lisa Schroeter, 202-429-3407 lmschroeter@dow.com	11/20/2009	No	No	No
DuPont Elaine Olsen, 302-992-2263 elaine.m.olsen@usa.dupont.com	11/20/2009	No	No	No
FMC Corp. Jerry Prout, 202-956-5209 jerry.prout@fmc.com Steve Ziehm, 202-872-8181 sziehm@igc.com	11/20/2009	No	No	No
Monsanto Corp. Michael Parrish, 202-383-2859 michael.parrish@monsanto.com	11/20/2009	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Nufarm Limited Joel R. Junker, 206-621-7878 joel@jrjtradelaw.com emily@jrjtradelaw.com	11/20/2009	No	No	No
Solutia Inc. Kassie Wooton, 314-674-3297 kdwoot@solutia.com Robert Hurley The Accord Group, 202-289-9800 rhurley@theaccordgroup.com	11/20/2009	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, 632-6084 angus.kelly@syngenta.com	11/20/2009	No	No	No
United Phosphorous Inc. Diane Fago, 610- 491-2816 diane.fago@uniphos.com	11/20/2009	No	No	No
Valent USA Corp. Robin Demouth, 925-256-2758 robin.demouth@valent.com	11/20/2009	No	No	No

Technical comments:⁵

The Commission staff suggests that the article description of HTS heading 9902.22.08 be amended to use the article description on page 1 of this report in order to use the correct chemical name.

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.

111TH CONGRESS
1ST SESSION

S. 1804

To extend the temporary suspension of duty on pyridaben technical.

IN THE SENATE OF THE UNITED STATES

OCTOBER 20, 2009

Mr. KYL introduced the following bill; which was read twice and referred to
the Committee on Finance

A BILL

To extend the temporary suspension of duty on pyridaben
technical.

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. PYRIDABEN TECHNICAL.**

4 (a) IN GENERAL.—Heading 9902.22.08 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 pyridaben technical) is amended by striking the date in
7 the effective period column and inserting “12/31/2011”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

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- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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