

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: April 23, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2067 (Mr. Thomas R. Carper of Delaware).

**Proponent name,<sup>3</sup> location:** Nichino America Inc., Wilmington, DE.

**Other bills on product (111<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)):**

(Z)-2-Tert-butylimino-3-isopropyl-5-phenyl-1,3,5-thiadiazinan-4-one (Bupropifen) (CAS No. 69327-76-0) (provided for in subheading 2934.99.16).

**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 an insecticide used to target insects such as white flies, scales, mealy bugs, and leaf hoppers. It is used on such agricultural products as citrus, pears, grapes, pistachios, and almonds. The product is imported from Japan.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2934.99.16:**

	2010	2011	2012	2013	2014
<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 <sup>a</sup>	\$2,015,000	\$2,995,000	\$2,888,000	\$2,888,000	\$2,888,000
Customs revenue loss <sup>b</sup>	\$130,975	\$194,675	\$187,720	\$187,720	\$187,720

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.

<sup>1</sup> Industry analyst preparing report: Stephen Wanser (202-205-363); Tariff Affairs contact: David G. Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

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

**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)		
Nichino America Inc. (Proponent) Ms. Gail Brooks, 302-636-9001 <a href="mailto:gbrooks@nichino.net">gbrooks@nichino.net</a>	11/20/2009	No	No	No
Arkema Inc. (Atofina) Brian Sowa, 202-467-5459 <a href="mailto:Brian@strategicmi.com">Brian@strategicmi.com</a>	11/20/2009	No	No	No
BASF Corp. Greg Thies, 202-299-7240 <a href="mailto:gregory.thies@basf.com">gregory.thies@basf.com</a>	11/20/2009	No	No	No
Bayer CropScience, LLP Jean Reimers, 202-756-3779 <a href="mailto:jean.reimers@bayercropscience.com">jean.reimers@bayercropscience.com</a>	11/20/2009	No	No	No
Chemtura Corporation Matt Mattingley, 202-841-5601 <a href="mailto:matt@mattingleygroup.com">matt@mattingleygroup.com</a>	11/20/2009	No	No	No
CropLife America Doug Nelson, 202-872-3880 <a href="mailto:dnelson@croplifeamerica.org">dnelson@croplifeamerica.org</a>	11/20/2009	No	No	No
Dow AgroSciences Max Turnipseed, 225-338-0310 <a href="mailto:mctint@att.net">mctint@att.net</a> Lisa Schroeter, 202-429-3407 <a href="mailto:lmschroeter@dow.com">lmschroeter@dow.com</a>	11/20/2009	No	No	No
DuPont Elaine Olsen, 302-992-2263 <a href="mailto:elaine.m.olsen@usa.dupont.com">elaine.m.olsen@usa.dupont.com</a>	11/20/2009	No	No	No
FMC Corp. Jerry Prout, 202-956-5209 <a href="mailto:jerry.prout@fmc.com">jerry.prout@fmc.com</a> Steve Ziehm, 202-872-8181 <a href="mailto:sziehm@igc.com">sziehm@igc.com</a>	11/20/2009	No	No	No
Gowan Company Cindy Baker, 928-819-1554 <a href="mailto:cbaker@gowanco.com">cbaker@gowanco.com</a> George Rolofson, 336-580-1116 <a href="mailto:grolofson@triad.rr.com">grolofson@triad.rr.com</a>	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)		
Makhteshim Agan of North America, Inc. Scott Rawlins, 443-762-5377 <a href="mailto:scotr@manainc.com">scotr@manainc.com</a>	11/20/2009	No	No	No
Monsanto Corp. Michael Parrish, 202-383-2859 <a href="mailto:michael.parrish@monsanto.com">michael.parrish@monsanto.com</a>	11/20/2009	No	No	No
Nufarm Limited Joel R. Junker, 206-621-7878 <a href="mailto:joel@jrjtradelaw.com">joel@jrjtradelaw.com</a> <a href="mailto:emily@jrjtradelaw.com">emily@jrjtradelaw.com</a>	11/20/2009	No	No	No
Solutia Inc. Kassie Wooton, 314-674-3297 <a href="mailto:kdwoot@solutia.com">kdwoot@solutia.com</a> Robert Hurley, 202-289-9800 <a href="mailto:rhurley@theaccordgroup.com">rhurley@theaccordgroup.com</a>	11/20/2009	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084 <a href="mailto:angus.kelly@syngenta.com">angus.kelly@syngenta.com</a>	11/20/2009	No	No	No
United Phosphorus Inc. Diane Fago, 610-491-2816 <a href="mailto:diane.fago@uniphos.com">diane.fago@uniphos.com</a>	11/20/2009	No	No	No
Valent USA Corp. Robin Demouth, 925-256-2758 <a href="mailto:robin.demouth@valent.com">robin.demouth@valent.com</a>	11/20/2009	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.

111TH CONGRESS  
1ST SESSION

# S. 2067

To suspend temporarily the duty on buprofizen.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

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## A BILL

To suspend temporarily the duty on buprofizen.

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. BUPROFIZEN.**

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	(Z)-2-Tert-butylimino-3-isopropyl-5-phenyl-1,3,5-thiadiazinan-4-one (Buprofizen) (CAS No. 69327-76-0) (provided for in subheading 2934.99.16) .....	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 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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