

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: April 23, 2010]²

Bill No. and sponsor: S. 2073 (Mr. Thomas R. Carper of Delaware).

Proponent name,³ location: DuPont, Wilmington, DE.

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)):

Ethyl 2-(isocyanatosulfonyl)benzoate (CAS No. 77375-79-2) (provided for in subheading 2930.90.29).

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 intermediate that is used to produce several sulfonylurea technical herbicides that are used for grass and weed control in U.S. soybean production. The product is currently imported from China and may also be imported from sources in India.⁵

¹ Industry analyst preparing report: Eric Land (202-205-3349); 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 9902.11.96 expired on December 31, 2009.

⁵ Although India is a designated beneficiary of the Generalized System of Preferences (GSP), imports of the subject product are eligible for duty-free treatment under the GSP program only if they are imported from countries that are designated as least-developed beneficiary developing countries, and India has not been designated as a least-developed beneficiary developing country.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2930.90.29:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports ^a	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Customs revenue loss ^b	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000

a/ Dutiable import estimates were based on official U.S. Government statistics and import estimates 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):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
DuPont (Proponent) Elaine Olson, Elaine.m.olsen@usa.dupont.com	11/23/2009	No	No	No
BASF Gregory A. Thies, gregory.thies@basf.com	12/1/2009	No	No	No
Bayer Corp. Will Hensley, William.hensley@bayercropscience.com	12/1/2009	No	No	No
Ciba Corporation Bob Hurley, rhurley@theaccordgroup.com	12/1/2009	No	No	No
Crop Life America. Lawrence H. Norton, Lnorton@wcsr.com	12/1/2009	No	No	No
Dow Chemical/Dow Agroscience Max Turnipseed, mctint@att.net	12/1/2009	No	No	No
FMC Corp. Jerry Prout, jerry_prout@fmc.com	12/1/2009	No	No	No
Monsanto Michael Parrish, Michael.Parrish@monsanto.com	12/1/2009	No	No	No
Valent USA Robin Demouth, Robin.Demouth@valent.com	12/1/2009	No	No	No

Technical comments:⁶

The Commission staff suggests that the article description on page 1 of this report be used in the proposed extension of the duty suspension in order to incorporate the proper chemical nomenclature.

⁶ 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. 2073

To extend the temporary suspension of duty on 2-(isocyanatosulfonyl)benzoic acid, ethyl ester.

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

A BILL

To extend the temporary suspension of duty on 2-(isocyanatosulfonyl)benzoic acid, ethyl ester.

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. 2-(ISOCYANATOSULFONYL) BENZOIC ACID,**

4 **ETHYL ESTER.**

5 (a) IN GENERAL.—Heading 9902.11.96 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 2-(isocyanatosulfonyl)benzoic acid, ethyl ester) is amended
8 by striking “12/31/2009” and inserting “12/31/2011”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 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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