

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: October 24, 2006]²

Bill No. and sponsor: S. 3159 (Mr. Barack Obama of Illinois).

Proponent name, location: Nufarm Americas, Inc., Burr Ridge, IL.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

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

Gibberellic acid (GA₃) (CAS No. 77-06-5) and a mixture of gibberellin A₄ (CAS No. 468-44-0) and gibberellin A₇ (CAS No. 510-75-8) (provided for in subheading 2932.29.50).

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:

Gibberellins A₃, A₄, and A₇ are synthetic organic chemicals that are used as plant growth regulators. Gibberellic acid (GA₃) increases yield and stimulates uniform production in a variety of crops. A mixture of gibberellin A₄ and A₇ is used to improve the size and quality of apples. The proponent imports the subject products from China and the United Kingdom.

Estimated effect on customs revenue:

HTS subheading: <u>2932.29.50</u>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000	\$2,700,000
Customs revenue loss	\$99,900	\$99,900	\$99,900	\$99,900	\$99,900

Source of estimated dutiable import data: Industry estimates.

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

¹ Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Nufarm Americas, Inc. (Proponent) Joel Junker, 206-621-7878	07/24/2006	No	No	No
Abbott Elaine Leavenworth, Fax: 202-783-6631	07/26/2006	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	07/26/2006	No	No	No
BASF Greg Thies, Fax: 202-558-5101	07/26/2006	No	No	No
Bayer CropScience Williams Hensley, Fax: 202-737-8909 Karen L. Niedermeyer, Fax: 412-777-4740	07/26/2006	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	07/26/2006	No	No	No
Dow AgroScience Max Turnipseed, Fax: 225-383-0590 Lisa Schroeter, Fax: 202-429-3467	07/26/2006	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	07/26/2006	No	No	No
FMC Jerry Prout, Fax: 202-956-5235	07/26/2006	No	No	No
LANXESS Corporation Jamie B. Schaeffer, Fax: 412-809-3614	07/26/2006	No	No	No
Monsanto Corporation Michael Parrish, Fax: 202-789-1867 Linda Strachan, Fax: 202-789-1867	07/26/2006	No	No	No
PCI Synthesis Ed Price, Fax: 978-465-2057	07/26/2006	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084 Dawn Stomp, Fax: 202-347-7772	07/26/2006	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	07/26/2006	No	No	No

Technical comments:³

The Commission recommends that the description on page 1 of this report be used in the proposed new heading in order to reflect the proper chemical names.

³ 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.

109TH CONGRESS
2^D SESSION

S. 3159

To suspend temporarily the duty on gibberellic acid.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

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

A BILL

To suspend temporarily the duty on gibberellic acid.

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. SUSPENSION OF DUTY ON GIBBERELLIC ACID.**

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:

“	9902.28.32	Gibberellic acid (GA ₃) and Gibberellins (GA ₄ +GA ₇) (CAS No. 77-06-5) (provided for in subheading 2932.29.50)	Free	No change	No change	On or before 12/31/2009	”.
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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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