

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 26, 2005]²

Bill No. and sponsor: H.R. 1889, Mr. Cleaver.

Proponent name, location: Bayer CropScience
St. Louis, MO 63111

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

Nature of bill: Renewal of temporary duty suspension through 12/31/2008.

Retroactive effect: None.

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

Heading 9902.01.83 is amended by striking "12/31/2006" and inserting "12/31/2008".

Check one: Same as that in bill as introduced
 Different from that in bill as introduced (explain differences in Technical
 comments section)

Product information, including uses/applications and source(s) of imports:

Ethoprop is a synthetic organic chemical used as a contact soil nematicide and insecticide. This product is imported from Switzerland and then formulated in the U.S. There are no known domestic producers of the chemical. However, there are several other domestic firms that market products which compete with Ethoprop.

¹ Industry analyst preparing report: Richard Qualters (202-205-2334); Tariff Affairs contact: David Michels (202-205-3340).

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

Estimated effect on customs revenue:

HTS subheading: 2930.90.44					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$5,016,000	\$5,016,000	\$5,016,000	\$5,016,000	\$5,016,000
Customs revenue loss	\$326,040	\$326,040	\$326,040	\$326,040	\$326,040

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Industry estimates.

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

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	7/11/2005	No	No	No
Aventis Jean Reimers, Fax: 202-628-6622	7/11/2005	No	No	No
BASF Corporation Greg Theis, Fax: 202-558-5101	7/11/2005	No	No	No
Bayer CropScience Will Hensley, Fax: 202-628-6662	7/11/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	7/11/2005	No	No	No
Dow Agro Science Margaret Rogers, Fax: 202-429-3467	7/11/2005	No	No	No
E.I. duPont Elaine Olsen, Fax: 302-992-2263	7/11/2005	No	No	No
FMC Corporation Jerry Prout, Fax: 202-956-5235	7/11/2005	No	No	No

Griffin Corp. James Whatley, Fax: 800-248-5154	7/11/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	7/11/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	7/11/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	7/11/2005	No	No	No

Technical comments:³ None.

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
1ST SESSION

H. R. 1889

To extend the temporary suspension of duty on Ethoprop.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2005

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

A BILL

To extend the temporary suspension of duty on Ethoprop.

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. ETHOPROP.**

4 (a) IN GENERAL.—Heading 9902.01.83 of the Har-
5 monized Tariff Schedule of the United States is amended
6 by striking “12/31/2006” and inserting “12/31/2008”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) applies to goods entered, or withdrawn from
9 warehouse for consumption, on or after the 15th day after
10 the date of enactment of this Act.