

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: December 13, 2005]²

Bill No. and sponsor: H.R. 1991 (Mr. Doc Hastings of Washington).

Proponent name, location: Bayer CropScience, Research Triangle Park, NC.

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

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

Retroactive effect: None.

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

Methyl 2-[4-(2,4-dichlorophenoxy)phenoxy] propionate (Diclofop-methyl) in bulk or in forms or packages for retail sale containing no other pesticide products (CAS No. 51338-27-3) (provided for in subheading 2918.90.20 or 3808.30.15).

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 used to make herbicides used to control wild oats and ryegrass. It is imported from Germany.

¹ Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: David Michels (202-205-3440).

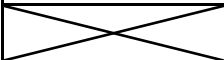
² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Estimated effect on customs revenue:

Total Revenue Loss for this Bill					
	2005	2006	2007	2008	2009
Customs revenue loss 1/	\$39,000	\$39,000	\$39,000	\$39,000	\$39,000

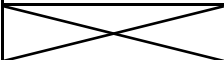
1/ The estimated Customs revenue loss for 2005 and 2006 results from a duty suspension under HTS heading 9902.30.16 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry estimates.

HTS subheading: <u>2918.90.20</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
Customs revenue loss 1/	\$19,500	\$19,500	\$19,500	\$19,500	\$19,500

1/ The estimated Customs revenue loss for 2005 and 2006 results from a duty suspension under HTS heading 9902.30.16 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry estimates.

HTS subheading: <u>3808.30.15</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
Customs revenue loss 1/	\$19,500	\$19,500	\$19,500	\$19,500	\$19,500

1/ The estimated Customs revenue loss for 2005 and 2006 results from a duty suspension under HTS heading 9902.30.16 that expires on December 31, 2006.

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)		
Bayer CropScience (Proponent) Mike Gill, 202-508-8843	09/12/2005 09/15/2005	No	No	No
Atofina Cerex Charles Kitchin, Fax: 703-527-2092	09/12/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	09/12/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	09/12/2005	No	No	No
Dow Chemical/Dow Agro Science Lisa Schroeter, Fax: 202-429-3467	09/12/2005	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	09/12/2005	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	09/12/2005	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	09/12/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	09/12/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	09/12/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	09/12/2005	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. 1991

To extend the temporary suspension of duty with respect to Diclofop methyl.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

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

A BILL

To extend the temporary suspension of duty with respect to Diclofop methyl.

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. DICLOFOP METHYL.**

4 (a) IN GENERAL.—Subheading 9902.30.16 of the
5 Harmonized Tariff Schedule of the United States is
6 amended by striking “12/31/2006” and inserting “12/31/
7 2009”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 this section shall apply to articles entered, or withdrawn

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

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