

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: November 2, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2082 (Mr. Howard Coble of North Carolina)

**Proponent name, location:** Syngenta Crop Protection, Greensboro, NC

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

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

Mixtures of cyhalothrin (cyclopropanecarboxylic acid, 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethyl-, cyano(3-phenoxyphenyl)methyl ester, [1"(S\*), 3"(Z)]-(±)-) (CAS No. 91465-08-6) and application adjuvants (provided for in subheading 3808.10.25)

**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 mixture of synthetic organic chemical components which contains the active ingredient lambda-cyhalothrin, used in the manufacture of insecticides in the class of chemistry known as synthetic pyrethroids. Synthetic pyrethroids are synthesized compounds based on the chemical structure and biological activity of pyrethrins, components of the natural extract pyrethrum, produced from the chrysanthemum plant. The products are formulated specifically for use in structural pest control, turf, and landscaping. The product is a safer replacement for organophosphate insecticides that are being removed by the Environmental Protection Agency from residential applications. The proponent imports this product from the United Kingdom.

<sup>1</sup> Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>3808.10.25</u></b>					
	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	\$1,350,000	\$1,350,000	\$1,350,000	\$1,350,000	\$1,350,000
Customs revenue loss <sup>1/</sup>	\$87,750	\$87,750	\$87,750	\$87,750	\$87,750

<sup>1/</sup> Estimate revenue losses for 2005 and 2006 result from a current suspension of duty per heading 9902.02.09.

Source of estimated dutiable import data: Industry estimates and Commission 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)		
Syngenta Crop Protection (Proponent) Dawn Stump, 202-347-7772 Email: dawn.stump@syngenta.com	8/30/2005	No	No	No
Syngenta (proponent) Mike Blythe Fax: 336-632-6084	8/31/2005	No	No	No
AtoFina Cerexagri Charles Kitchin Fax: 703-527-2092	8/31/2005	No	No	No
BASF Corp. Greg Thies Fax: 202-558-5101	8/31/2005	No	No	No
Bayer CropScience Williams Hensley Fax: 202-628-6622	8/31/2005	No	No	No
Crop Life America Lawrence Norton Fax: 202-463-0474	8/31/2005	No	No	No
Dow Agro Science Lisa Schroeter Fax: 202-429-3467	8/31/2005	No	No	No

E.I. DuPont Nancy Johnson Fax: 202-728-3649	8/31/2005	No	No	No
E.I. DuPont Elaine Olson Fax: 302-892-7343	8/31/2005	No	No	No
E.I. DuPont Helen McMahon Fax: 302-774-1398	8/31/2005	No	No	No
FMC Corp. Jerry Prout Fax: 202-956-5235	8/31/2005	No	No	No
Monsanto Corp. Michael Parrish Fax: 202-789-1867	8/31/2005	No	No	No
Monsanto Corp. Linda Strachan Fax: 202-789-1867	8/31/2005	No	No	No
Valent USA Robin Demouth Fax: 925-256-2776	8/31/2005	No	No	No

**Technical comments:**<sup>3</sup> None.

<sup>3</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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2082

To extend the duty suspension on Lambda-Cyhalothrin.

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IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2005

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

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## A BILL

To extend the duty suspension on Lambda-Cyhalothrin.

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. LAMBDA-CYHALOTHRIN.**

4       (a) IN GENERAL.—Heading 9902.02.09 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       Lambda-Cyhalothrin) is amended by striking “12/31/  
7       2006” and inserting “12/31/2008”.

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