

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹**

[Date approved: December 16, 2005]²

Bill No. and sponsor: H.R. 2913 (Mr. Michael Castle of Delaware).

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

Other bills on product (109th Congress only): H.R. 2676.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

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

3-[(2-Chloro-5-thiazolyl)methyl]tetrahydro-5-methyl-N-nitro-1,3,5-oxadiazin-4-imine) (Thiamethoxam)
(CAS No. 153719-23-4) (provided for in subheading 2934.10.90).

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 that is used as an insecticide. The product is imported from India and the United Kingdom.

Estimated effect on customs revenue:

HTS subheading: <u>2934.10.90</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	\$7,600,000	\$9,900,000	\$9,900,000	\$9,900,000	\$14,200,000
Customs revenue loss ^{1/}	\$494,000	\$643,500	\$643,500	\$643,500	\$923,000

^{1/} A portion of the estimated Customs revenue loss for 2005 results from a duty reduction from 6.5 percent ad valorem to 2.54 percent ad valorem under HTS heading 9902.03.11 that expires on December 31, 2005.

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); 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.

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?
Syngenta Crop Protection (Proponent) Mike Blythe, 336-632-6000 Dawn Stump, 202-347-7772	10/05/2005 10/06/2005 10/19/2005	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	10/19/2005	No	No	No
BASF Corp. Greg Thies, 202-904-2332	10/19/2005	No	No	No
Bayer Corporate Services Karen Niedermeyer, 412-777-2058	10/19/2005	No	No	No
Bayer CropScience Will Hensley, 202-756-3781	10/19/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	10/19/2005	No	No	No
Dow Agro Science Lisa Schroeter, Fax: 202-429-3467	10/19/2005	No	No	No
DuPont Elaine Olsen, 302-992-2263	10/19/2005	No	No	No
FMC Corp. Jerry Prout, 202-956-5219	10/19/2005	No	No	No
LANXESS Jamie Schaeffer, Fax: 412-809-3666	10/19/2005	No	No	No
Monsanto Corp. Linda Strachan, 202-383-2849	10/19/2005	No	No	No
Valent USA Robin Demouth, 925-256-2758	10/19/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in heading 9902.03.11 in order to provide the correct chemical name. Also, the Commission notes that line 9 of the bill should be amended by deleting "12/31/2006" and inserting "12/31/2005" in lieu thereof.

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. 2913

To suspend temporarily the duty on Thiamethoxam Technical.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2005

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

A BILL

To suspend temporarily the duty on Thiamethoxam
Technical.

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. THIAMETHOXAM TECHNICAL.**

4 (a) IN GENERAL.—Heading 9902.03.11 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Thiamethoxam Technical) is amended—

7 (1) by striking “2.54%” and inserting “Free”;
8 and

9 (2) by striking “12/31/2006” and inserting
10 “12/31/2008”.

1 (b) **EFFECTIVE DATE.**—The amendments made by
2 subsection (a) apply to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

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