MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹

[Date approved:  May 10, 2006]²

Bill No. and sponsor:  H.R. 3229 (Mr. Steve Buyer of Indiana).

Proponent name, location:  Dow Agrosciences LLC, Indianapolis, IN.

Other bills on product (109th Congress only):  H.R. 3233.


Retroactive effect:  None.

Article description(s) (including appropriate HTS classification(s)):

α,α,α-Trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine (Trifluralin)  (CAS No. 1582-09-8) (provided for in subheading 2921.43.15).

Check one:  
- Same as in the HTS heading(s) in the bill as introduced
- X  Different from the HTS heading(s) in the bill (see Technical comments)

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

Trifluralin is a synthetic organic chemical that is used as a preemergence herbicide to control annual broadleaf weeds in soybeans, cotton, turf, and numerous other crops. The imported bulk product is used to produce various formulations for sale in the domestic market. The subject product is imported from Italy.

¹ Industry analyst preparing report: Ed Cappuccilli (202-205-3368); Tariff Affairs contact: David Michels (202-205-3440).
### Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 2921.43.15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Col. 1-General rate of duty</strong></td>
</tr>
<tr>
<td>-------------------------------</td>
</tr>
<tr>
<td>Estimated value <strong>dutiable</strong> imports</td>
</tr>
<tr>
<td>Customs revenue loss</td>
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</tbody>
</table>

1 The estimated Customs revenue loss is based on a reduction of the column 1-general rate of duty from 6.5 percent ad valorem to 2.0 percent ad valorem for a total reduction of 4.5 percent. The estimated Customs revenue loss data for 2005 and 2006 reflect the existing duty suspension under HTS heading 9902.05.33 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry and Commission estimates.

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

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>US production of same or competitive product claimed? (Yes/No)</th>
<th>Submission attached? (Yes/No)</th>
<th>Opposition noted? (Yes/No)</th>
</tr>
</thead>
<tbody>
<tr>
<td>AtoFina Cerexagri Charles Kitchin, Fax: 703-527-2092</td>
<td>11/08/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>BASF Corp. Greg Thies, Fax: 202-558-5101</td>
<td>11/08/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Bayer CropScience Karen L. Niedermeyer, Fax: 412-777-4740 William Hensley, Fax: 202-628-6622</td>
<td>11/08/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Crop Life America Lawrence Norton, Fax: 202-463-0474</td>
<td>11/08/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>DuPont Helen McMahon, Fax: 302-774-1398</td>
<td>11/08/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>FMC Jerry Prout, Fax: 202-956-5235</td>
<td>11/08/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
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.

Technical comments:

The Commission suggests that the article description of HTS heading 9902.05.33 be amended to use the article description on page 1 of this report so that it conforms with the article description in HTS subheading 2921.43.15. The Commission also notes that H.R. 3233 proposes an extension of the duty suspension for the subject chemical that is provided for in HTS heading 9902.05.33, which expires on December 31, 2006.
H. R. 3229

To reduce temporarily the duty on trifluralin.

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2005

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

A BILL

To reduce temporarily the duty on trifluralin.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. TRIFLURALIN.

(a) IN GENERAL.—Heading 9902.05.33 of the Har-
monized Tariff Schedule of the United States (relating to
\( \alpha, \alpha, \alpha \)-Trifluoro-2,6-dinitro-\( p \)-toluidine) is amended—
(1) by striking “Free” and inserting “2.0%”;
and
(2) by striking “12/31/2006” and inserting
“12/31/2008”.

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