

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: May 21 2008]²

Bill No. and sponsor: H.R. 4725 (Mr. Michael N. Castle of Delaware).

Proponent name,³ location: Dupont, Wilmington, DE.

Other bills on product (110th Congress only): H.R. 4466 (Mr. Sanford D. Bishop, Jr. of Georgia).

Nature of bill: Extension of temporary duty reduction through December 31, 2011.

Retroactive effect: None.

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

Formulations containing 5-bromo-3-sec-butyl-6-methyluracil (Bromacil) (CAS No. 314-40-9), 3-(3,4-Dichlorophenyl)-1,1-dimethylurea (Diuron) (CAS No. 330-54-1), and application adjuvants (provided for in subheading 3808.93.15).

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 formulated herbicide that is used for weed and brush control. The product is imported from Singapore,⁴ but it is manufactured in China. It is also imported from Mexico.⁵

¹ Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3440).

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

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ The proponent stated that imports of the subject product do not meet the eligibility requirements of the U.S.-Singapore FTA.

⁵ The proponent stated that imports of the subject product do not meet the eligibility requirements of NAFTA.

Estimated effect on customs revenue:

HTS subheading: 3808.93.15					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000
Customs revenue loss 1/ 2/	\$0	\$480,000	\$480,000	\$480,000	\$480,000

1/ There is an existing duty reduction under HTS heading 9902.13.27 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

2/ The estimated customs revenue loss is based on a temporary reduction of the general rate of duty from 6.5 percent ad valorem to 2.5 percent ad valorem, a reduction of 4 percentage points.

Source of estimated dutiable import data: U.S. industry estimates.

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

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
DuPont (Proponent) Sharee Lawler, 202-728-3664	03/24/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	04/02/2008	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	04/02/2008	No	No	No
Bayer CropScience Karen Niedermeyer, Fax: 412-777-4740 Will Hensley, Fax: 202-737-8909	04/02/2008	No	No	No
CropLife America Lawrence Norton, Fax: 202-463-0474	04/02/2008	No	No	No
Dow AgroSciences Max Turnipseed, Fax: 225-383-0590	04/02/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	04/02/2008	No	No	No
LANXESS Jamie Schaeffer, Fax: 412-809-3614	04/02/2008	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	04/02/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
Syngenta Crop Protection, Inc. Mike Blythe, Fax: 336-632-6084	04/02/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	04/02/2008	No	No	No

Technical comments:⁶

The Commission staff notes that H.R. 4466 and H.R. 4725 are identical. Only one bill should be enacted.

⁶ 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.

110TH CONGRESS
1ST SESSION

H. R. 4725

To extend the temporary reduction of duty on Bromacil.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 17, 2007

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

A BILL

To extend the temporary reduction of duty on Bromacil.

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. BROMACIL.**

4 (a) IN GENERAL.—Heading 9902.13.27 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Bromacil) is amended by striking the date in the effective
7 period column and inserting “12/31/2011”.

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.