

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: April 2, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 1852 (Mr. Ben Nelson of Nebraska)

**Proponent name,<sup>3</sup> location:** Syngenta Crop Protection, Inc., Omaha, NE.

**Other bills on product (111<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

1-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)-3-[2-(3,3,3-trifluoropropyl) phenylsulfonyl]urea (Prosulfuron) (CAS No. 94125-34-5) (provided for in subheading 2935.00.75).

**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:**

Prosulfuron is a broadleaf herbicide that is used on small grain cereals, sorghum, and corn. This herbicide is not as persistent in the soil as competing sulfonylurea herbicides, allowing growers greater flexibility in rotating to other crops after the use of Prosulfuron than after the use of competitive products. It is imported from Switzerland.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2935.00.75:**

|  | 2010        | 2011        | 2012        | 2013        | 2014        |
|--|-------------|-------------|-------------|-------------|-------------|
| <del>Col. 1-General rate of duty</del>               |             |             |             |             |             |
| Col. 1-General rate of duty                          | 6.5%        | 6.5%        | 6.5%        | 6.5%        | 6.5%        |
| Estimated value <i>dutiable</i> imports <sup>a</sup> | \$1,971,934 | \$1,953,120 | \$1,929,564 | \$2,006,826 | \$2,006,826 |
| Customs revenue loss <sup>b</sup>                    | \$128,176   | \$126,953   | \$125,422   | \$130,444   | \$130,444   |

a/ Dutiable import estimates were provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David G. Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

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

**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)                                     |                      |                   |
| Syngenta Crop Protection, Inc. (Proponent)<br>Angus Kelly, Fax: 336-632-6084<br><a href="mailto:angus.kelly@syngenta.com">angus.kelly@syngenta.com</a>  | 11/20/2009     | No   | No                   | No                |
| Arkema Inc. (Atofina)<br>Brian Sowa, (Stra. Mark. Inno. 202-467-5459)<br><a href="mailto:Brian@strategicmi.com">Brian@strategicmi.com</a>   | 11/20/2009     | No   | No                   | No                |
| BASF Corporation<br>Greg Thies, 202-299-7240<br><a href="mailto:gregory.theis@basf.com">gregory.theis@basf.com</a>  | 11/20/2009     | No   | No                   | No                |
| Bayer CropScience, LLP<br>Jean Reimers, 202-756-3779<br><a href="mailto:jean.reimers@bayercropscience.com">jean.reimers@bayercropscience.com</a>  | 11/20/2009     | No   | No                   | No                |
| Chemtura Corporation<br>Matt Mattingley, 703-670-5725<br><a href="mailto:matt@mattingleygroup.com">matt@mattingleygroup.com</a>   | 11/20/2009     | No   | No                   | No                |
| CropLife America<br>Isi Siddiqui, Fax: 202-463-0474   | 11/20/2009     | No   | No                   | No                |
| Dow AgroSciences<br>Max Turnipseed, 225-338-0310<br>Lisa Schroeter, 202-429-3407  | 11/20/2009     | No   | No                   | No                |
| DuPont<br>Elaine Olsen, 302-992-2263<br><a href="mailto:elaine.m.olsen@usa.dupont.com">elaine.m.olsen@usa.dupont.com</a>  | 11/20/2009     | No   | No                   | No                |
| FMC Corp.<br>Jerry Prout, 202-956-5209<br>Steve Ziehm, 202-872-8181   | 11/20/2009     | No   | No                   | No                |
| Gowan Company<br>Cindy Baker, 928-819-1554<br><a href="mailto:cbaker@gowanco.com">cbaker@gowanco.com</a><br>George Rolofson, 336-580-1116<br><a href="mailto:grolofson@triad.rr.com">grolofson@triad.rr.com</a> | 11/20/2009     | No   | No                   | No                |
| Monsanto Corp.<br>Michael Parrish, 202-383-2859<br><a href="mailto:michael.parrish@monsanto.com">michael.parrish@monsanto.com</a>   | 11/20/2009     | No   | No                   | No                |

| Name of firm/organization  | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|--|----------------|--|----------------------|-------------------|
|  |                | (Yes/No)                                     |                      |                   |
| Nufarm Limited<br>Joel R. Junker, Fax: 206-621-8220<br><a href="mailto:joel@jrjtradelaw.com">joel@jrjtradelaw.com</a><br><a href="mailto:emily@jrjtradelaw.com">emily@jrjtradelaw.com</a>  | 11/20/2009     | No   | No                   | No                |
| Solutia Inc.<br>Kassie Wooton, 314-674-3297<br><a href="mailto:kdwoot@solutia.com">kdwoot@solutia.com</a><br>Robert Hurley<br>The Accord Group, 202-289-9800<br><a href="mailto:rhurley@theaccordgroup.com">rhurley@theaccordgroup.com</a> | 11/20/2009     | No   | No                   | No                |
| United Phosphorous Inc.<br>Karen Davis, 610-644-2122   | 11/20/2009     | No   | No                   | No                |
| Valent USA Corp.<br>Robin Demouth, 925-256-2758<br><a href="mailto:robin.demouth@valent.com">robin.demouth@valent.com</a>  | 11/20/2009     | No   | No                   | No                |

**Technical comments:**<sup>4</sup> None.

<sup>4</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.

111TH CONGRESS  
1ST SESSION

# S. 1852

To suspend temporarily the duty on prosulfuron technical.

---

IN THE SENATE OF THE UNITED STATES

OCTOBER 22, 2009

Mr. NELSON of Nebraska introduced the following bill; which was read twice  
and referred to the Committee on Finance

---

## A BILL

To suspend temporarily the duty on prosulfuron 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. PROSULFURON TECHNICAL.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of  
5 the Harmonized Tariff Schedule of the United States is  
6 amended by inserting in numerical sequence the following  
7 new heading:

|   |            |  |      |           |           |                         |    |
|---|------------|--|------|-----------|-----------|-------------------------|----|
| “ | 9902.01.00 | 1-(4-methoxy-6-methyl-1,3,5-triazin-2-yl)-3-[2-(3,3,3-trifluoropropyl)phenylsulfonyl]urea (Prosulfuron) (CAS No. 94125-34-5) (provided for in subheading 2935.00.75) ..... | Free | No change | No change | On or before 12/31/2011 | ”. |
|---|------------|--|------|-----------|-----------|-------------------------|----|

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

○