

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: August 10, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 2923 (Mr. Jon Kyl of Arizona).

**Proponent name, location:** BASF Corporation, Research Triangle Park, NC.

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

**Nature of bill:** Extension of existing temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

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

3-(3,5-Dichlorophenyl)-5-ethenyl-5-methyl-2,4-oxazolidinedione (Vinclozolin) (CAS No. 50471-44-8) (provided for in subheading 2934.99.12).

**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 chemical is a synthetic organic intermediate that is used in a multipurpose fungicide for treating vegetables, orchards, greenhouse crops, and turfgrass. The proponent imports the subject chemical from Germany.

**Estimated effect on customs revenue:**

HTS subheading: <u>2934.99.12</u>					
	2006	2007	2008	2009	2010
<del>Col. 1-General rate of duty</del>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$5,800,000	\$7,700,000	\$7,700,000	\$7,700,000	\$6,950,000
Customs revenue loss 1/	\$377,000	\$500,500	\$500,500	\$500,500	\$451,750

1/ The estimated Customs revenue loss for 2006 reflects the existing duty suspension under HTS heading 9902.01.19 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David 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).

**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)		
BASF Corporation (Proponent) Greg Thies, Fax: 202-558-5101	06/29/2006	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	06/29/2006	No	No	No
Bayer Corporate Services Karen Niedermeyer, Fax: 412-777-4740	06/29/2006	No	No	No
Bayer CropScience Will Hensley, Fax: 202-737-8909	06/29/2006	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	06/29/2006	No	No	No
Dow AgroSciences Lisa Schroeter, Fax: 202-429-3467 Max Turnipseed, Fax: 225-383-0590	06/29/2006	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	06/29/2006	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	06/29/2006	No	No	No
LANXESS Jamie Schaeffer, Fax: 412-809-3614	06/29/2006	No	No	No
Monsanto Corp. Linda Strachan, Fax: 202-789-1867	06/29/2006	No	No	No
Syngenta Crop Protection Mike Blythe, Fax: 336-632-6084 Dawn Stump, Fax: 202-347-7772	06/29/2006	No	No	No
Valent BioSciences Corp. Robin Demouth, Fax: 925-256-2776	06/29/2006	No	No	No

**Technical comments:**<sup>3</sup>

The Commission suggests that the article description of heading 9902.01.19 be amended by deleting the letter “i” after “oxazolidine” and by capitalizing “Vinclozolin”.

<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  
2<sup>D</sup> SESSION

# S. 2923

To extend temporarily the suspension of duty on Vinclozolin.

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IN THE SENATE OF THE UNITED STATES

MAY 22, 2006

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

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## A BILL

To extend temporarily the suspension of duty on Vinclozolin.

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. VINCLOZOLIN.**

4       (a) IN GENERAL.—Heading 9902.01.19 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       Vinclozolin) is amended by striking “12/31/2006” and in-  
7       serting “12/31/2009”.

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 enactment of this Act.