

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 26, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 1888 (Mr. Cleaver).

**Proponent name, location:** Bayer CropScience  
Kansas City, MO 64120

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

**Nature of bill:** Temporary duty suspension until 12/31/2008.

**Retroactive effect:** None.

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

3,3-Dimethylbutanoic acid, 2-oxo-3-(2,4,6-trimethylphenyl)-1-oxaspiro[4.4]non-3-en-yl ester (CAS 283594-90-1) (provided for in subheading 2932.29.10).

**Check one:**  Same as that in bill as introduced  
 Different from that in bill as introduced (explain differences in Technical comments section)


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

This synthetic organic chemical, known as Spiromesifen, is a tetrone acid acaricide and whitefly insecticide for use on cotton, vegetables, and ornamentals. The subject chemical is imported from Germany.

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); 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)

**Estimated effect on customs revenue:**

<b>HTS subheading: 2932.29.10</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$2,195,000	\$2,195,000	\$2,195,000	\$2,195,000	\$2,195,000
Customs revenue loss	\$142,675	\$142,675	\$142,675	\$142,675	\$142,675

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Industry estimates.

**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?
		(Yes/No)		
Bayer CropScience (Proponent) Mike Gill, 202-508-8843	7/5/2005	No	No	No
AtoFina Cerex Charles Kitchin, FAX: 703-527-2092	7/15/2005	No	No	No
Aventis Jean Reimers, FAX: 202-628-6622	7/15/2005	No	No	No
BASF Corp. Greg Theis, FAX: 202-558-5101	7/15/2005	No	No	No
Crop Life America Lawrence Norton, FAX: 202-463-0474	7/15/2005	No	No	No
Dow Agro Sciences Margaret Rogers, FAX: 202-429-3467	7/15/2005	No	No	No
E.I. DuPont Nancy Johnson, FAX: 202-728-3649	7/15/2005	No	No	No
E.I. DuPont Elaine Olsen, FAX: 302-992-2263	7/15/2005	No	No	No

FMC Corp. Jerry Prout, FAX: 202-956-5235	7/15/2005	No	No	No
Griffin Corp. James Whatley, FAX: 800-248-5154	7/15/2005	No	No	No
Monsanto Corp. Michael Parrish, FAX: 202-789-1867	7/15/2005	No	No	No
Monsanto Corp. Linda Strachan, FAX: 202-789-1867	7/15/2005	No	No	No
Syngenta Mike Blythe, FAX: 336-632-6084	7/15/2005	No	No	No
Valent USA Robin Demouth, FAX: 925-246-2776	7/15/2005	No	No	No

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

The Commission suggests that the article description on page 1 of this report be used in order to provide an initial capital “D” to the chemical name.

<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.

109TH CONGRESS  
1ST SESSION

# H. R. 1888

To suspend temporarily the duty on Spiromesifen.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2005

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

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## A BILL

To suspend temporarily the duty on Spiromesifen.

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. SPIROMESIFEN.**

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:

“	9902.05.82	2-oxo-3-(2,4,6-trimethylphenyl)-1-oxaspiro[4.4]non-3-en-4-yl 3,3-dimethylbutanoate (CAS No. 283594-90-1) (provided for in subheading 2932.29.10) .....	Free	No change	No change	On or before 12/31/2008	”.
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1       (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) applies to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of enactment of this Act.

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