

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: November 8, 2005]²

Bill No. and sponsor: H.R. 2504 (Mr. Jim McCrery of Louisiana).

Proponent name, location: BASF Corporation, Florham Park, NJ.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

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

Preparations containing, 2-(1-(((3-Chloro-2-propenyl)oxy)imino)propyl)-5-(2-(ethylthio)propyl)-3-hydroxy-2-cyclohexene-1-one (Clethodim) (CAS No. 99129-21-2) and application adjuvants (provided for in subheading 3808.30.20).

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 chemical used as an herbicide targeting annual and perennial grasses. It is imported from Japan.

Estimated effect on customs revenue:

HTS subheading: <u>3808.30.20</u>					
 	2005	2006	2007	2008	2009
Col. 1-General rate of duty	5.0%	5.0%	5.0%	5.0%	5.0%
Estimated value <i>dutiable</i> imports	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Customs revenue loss	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at 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	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
BASF Corporation (proponent) Tom Coleman, 202-289-3900	9/13/2005	No	No	No
Bayer CropScience Jean Reimers, 202-756-3779	9/13/2005 9/22/2005	No	No	No
E. I. du Pont de Nemours and Company Elaine Olsen, 302-992-2263	9/13/2005	No	No	No
FMC Corp. Jerry Prout, 202-956-5219	9/13/2005	No	No	No
Monsanto Corp. Linda Strachan, 202-383-2849	9/13/2005	No	No	No
Syngenta Crop Protection Mike Blythe, 336-632-6000	9/13/2005	No	No	No
Valent BioSciences Corp. Robin Demouth, 925-256-2758	9/13/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to clarify the product description.

³ 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. 2504

To suspend temporarily the duty on 2-Cyclohexen-1-one, and 2-(1-(((3-chloro-2-propenyl)oxy)imino) propyl)-5-(2-(ethylthio) propyl)-3-hydroxy (Clethodim).

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2005

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

A BILL

To suspend temporarily the duty on 2-Cyclohexen-1-one, and 2-(1-(((3-chloro-2-propenyl)oxy)imino) propyl)-5-(2-(ethylthio) propyl)-3-hydroxy (Clethodim).

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. 2-CYCLOHEXEN-1-ONE, AND 2-(1-(((3-CHLORO-2-**
4 **PROPENYL)OXY)IMINO) PROPYL)-5-(2-**
5 **(ETHYLTHIO) PROPYL)-3-HYDROXY**
6 **(CLETHODIM).**

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

“	9902.08.14	2-Cyclohexen-1-one, and 2-(1-((3-chloro-2-propenyl)oxyimino)propyl)-5-(2-(ethylthio)propyl)-3-hydroxy (Clethodim) (CAS No. 99129-21-2) (provided in subheading 3808.30.20)	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 the enactment of this Act.

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