

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: March 14, 2006]²

Bill No. and sponsor: H.R. 3025 (Mr. Michael Castle of Delaware).

Proponent name, location: E.I. du Pont de Nemours and Co., Wilmington, DE.

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

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

Retroactive effect: None.

Article description(s) (including appropriate HTS classification(s)):

(S)-Cyano(3-phenoxyphenyl)methyl (S)-4-chloro- α -(1-methylethyl)benzeneacetate (Esfenvalerate) (CAS No. 66230-04-4) (provided for in subheading 2926.90.30).

Check one: Same as in the HTS heading(s) in bill as introduced.
 Different from the HTS heading(s) in bill (see Technical comments).

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

The subject product is a synthetic organic chemical compound of the pyrethroid group. It is used to formulate a broad spectrum insecticide to control pests on a wide variety of vegetable, fruit, and nut crops. This insecticide product also has several noncrop applications, such as in Christmas tree plantings, conifer seed orchards, and forest tree nurseries. The subject product is imported from Japan.

Estimated effect on customs revenue:

HTS subheading: <u>2926.90.30</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$6,400,000	\$6,500,000	\$7,000,000	\$7,100,000	\$7,400,000
Customs revenue loss 1/	\$416,000	\$422,500	\$455,000	\$461,500	\$481,000

1/ The estimated Customs revenue loss for 2005 and 2006 results from a temporary duty suspension under HTS heading 9902.01.45 that expires on December 31, 2006.

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?
E.I. du Pont de Nemours and Co. (Proponent) Sharee Lawler, 202-728-3664 Elaine Olsen, 302-992-2263	10/26/2005 11/10/2005	No	No	No
BASF Corp. Greg Thies, 202-904-2332	10/26/2005	No	No	No
Bayer Corporate Services Karen Niedermeyer, 412-777-2058	10/26/2005	No	No	No
Bayer CropScience Will Hensley, 202-756-3781	10/26/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	10/26/2005	No	No	No
Dow Agro Science Margaret Rogers, Fax: 202-429-3467	10/26/2005	No	No	No
FMC Corp. Jerry Prout, 202-956-5219	10/26/2005	No	No	No
LANXESS Jamie Schaeffer, Fax: 412-809-3666	10/26/2005	No	No	No
Monsanto Corp. Linda Strachan, 202-383-2849	10/26/2005	No	No	No
Syngenta Crop Protection Mike Blythe, 336-632-6000	10/26/2005	No	No	No
Valent BioSciences Corp. Robin Demouth, 925-256-2758	10/26/2005	No	No	No

Technical comments:³ None.

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. 3025

To extend the suspension of duty on Esfenvalerate.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2005

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

A BILL

To extend the suspension of duty on Esfenvalerate.

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. ESFENVALERATE.**

4 (a) IN GENERAL.—Heading 9902.01.45 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Esfenvalerate) is amended by striking “12/31/2006” and
7 inserting “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 the enactment of this Act.