

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: April 25, 2006]<sup>2</sup>

**Bill No. and sponsor:** H.R. 3217 (Mr. Steve Buyer of Indiana).

**Proponent name, location:** Dow Agrosiences LLC, Indianapolis, IN.

**Other bills on product (109<sup>th</sup> 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)):**

3,4-Dichlorobenzotrifluoride (CAS No. 328-84-7) (provided for in subheading 2903.69.08).

**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:**

3,4-Dichlorobenzotrifluoride is a synthetic organic chemical that is used as an ingredient in the manufacture of the herbicide Oxyflufen. The subject product is imported from Japan.

**Estimated effect on customs revenue:**

HTS subheading: <u>2903.69.08</u>					
	2005	2006	2007	2008	2009
<del>Col. 1-General rate of duty</del>	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$3,300,000	\$3,300,000	\$3,300,000	\$3,300,000	\$3,300,000
Customs revenue loss	\$181,500	\$181,500	\$181,500	\$181,500	\$181,500

Source of estimated dutiable import data: Industry and Commission estimates.

<sup>1</sup> Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave 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	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Dow Agrosiences LLC (Proponent) Max Turnipseed 225-338-0130 email: <a href="mailto:MCTINT@cox.net">MCTINT@cox.net</a> Lisa Schroeter Fax: 202-429-3467	10/31/2005 11/3/2005	No	No	No
Abbott Laboratories Elaine Leavenworth Fax: 202-783-6631	11/3/2005	No	No	No
American Chemistry Council Jim O'Connor Fax: 703-741-6922	11/3/2005	No	No	No
AtoFina Cerex Charles Kitchin Fax: 703-527-2092	11/3/2005	No	No	No
BASF Corp. Greg Thies Fax: 202-558-5101	11/3/2005	No	No	No
Bayer Corp. William Hensley Fax: 202-737-8908 Karen Niedermeyer Fax: 412-777-4740 Julie Van Egmund Fax: 202-737-8908	11/3/2005	No	No	No
Biddle Sawyer William Thonack Fax: 212-239-1089	11/3/2005	No	No	No
Ciba Specialty Chemicals John Deming Fax: 302-479-5152	11/3/2005	No	No	No
Clariant Corp. Andrew Zamoyski Fax: 401-823-2700	11/3/2005	No	No	No
Crop Life America Lawrence Norton Fax: 202-463-0474	11/3/2005	No	No	No
DuPont Helen McMahon Fax: 302-774-1398	11/3/2005	No	No	No
Eastman Chemical Greg Riddle Fax: 703-524-7707 Jorge San Pedro Fax: 703-524-7707	11/3/2005	No	No	No
FMC Corp. Jerry Prout Fax: 202-956-5235	11/3/2005	No	No	No
Honeywell International Art Simonetti Fax: 202-662-2675	11/3/2005	No	No	No

LANXESS Corporation Jamie B. Schaeffer Fax: 412-809-3614	11/3/2005	No	No	No
Monsanto Corporation Linda Strachan Fax: 202-789-1867 Michael Parrish Fax: 202-789-1867	11/3/2005	No	No	No
Noveon Tom Dirmyer Fax: 216-447-5720	11/3/2005	No	No	No
Rhodia Inc. Dominick Cangiana Fax: 609-860-1841	11/3/2005	No	No	No
Solutia Sue Cannon Fax: 314-674-1585 Dan Jenkins Fax: 314-674-1585	11/3/2005	No	No	No
Syngenta Mike Blythe Fax: 336-632-6084	11/3/2005	No	No	No
Uniroyal Lloyd Moon Fax: 203-573-4430	11/3/2005	No	No	No
Valent USA Robin Demouth Fax: 925-256-2776	11/3/2005	No	No	No

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

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

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3217

To suspend temporarily the duty on DCBTF.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2005

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

---

## A BILL

To suspend temporarily the duty on DCBTF.

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. DCBTF.**

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:

“	9902.11.02	3,4-Dichlorobenzotrifluoride (CAS No. 328-84-7) (pro- vided for in subheading 2903.69.08) .....	Free	No change	No change	On or before 12/31/2008	”.
---	------------	--	------	-----------	-----------	----------------------------	----

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

○