



## MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

### I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

Thiamethoxam (3-(2-chloro-5-thiazolylmethyl)tetrahydro-5-methyl-N-nitro-1,3,5-oxadiazin-4-imine) (CAS No. 153719-23-4) (provided for in subheading 2934.10.90)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same  
 Different (see Technical Comments section)

## III. Other product information, including uses/applications and source(s) of imports

Thiamethoxam is a synthetic organic chemical used as an active ingredient in insecticides. It is imported from Austria and Germany.

## IV. Estimated effect on customs revenue

| Subject product HTS subheading(s)                            | 2934.10.90 |            |            |            |            |
|--|------------|------------|------------|------------|------------|
| Item   | 2013       | 2014       | 2015       | 2016       | 2017       |
| Col.1-general rate of duty (%) or percentage point reduction | 0.6        | 0.6        | 0.6        | 0.6        | 0.6        |
| Estimated value of <i>dutiable</i> imports (\$)              | 90,000,000 | 90,000,000 | 50,000,000 | 50,000,000 | 50,000,000 |
| Customs revenue loss (\$)                                    | 540,000    | 540,000    | 300,000    | 300,000    | 300,000    |

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce  
 Provided by industry sources  
 Industry information  
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction  
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%)  Temporary rate (%)  Percentage point reduction (%)

## V. Technical comments

In addition to extending the current duty reduction, this bill would raise the temporary duty rate from 5.0 percent to 5.9 percent ad valorem.

## VI. Continuation

## VII. Contacts with domestic firms/organizations

| #  | Firm/organization and contact name              | Telephone number | Claims same or competing product made in the United States | Submission attached | Opposition noted |
|----|---|------------------|--|---------------------|------------------|
| 1  | Syngenta (Interested entity)<br>Mike Blythe     | 336-632-2824     | No   | No                  | No               |
| 2  | 3M<br>Greg Walters                              | 202-414-3008     | No   | No                  | No               |
| 3  | Albaugh<br>Stuart Feldstein                     | 515-964-9444     | No   | No                  | No               |
| 4  | Arkema<br>David Kunz                            | 202-263-3491     | No   | No                  | No               |
| 5  | BASF<br>Richard J. Salamone                     | 973-895-8316     | No   | No                  | No               |
| 6  | Bayer<br>Steve Johnsen                          | 412-777-5616     | No   | No                  | No               |
| 7  | Celanese<br>Samuel Ramirez                      | 972-443-4689     | No   | No                  | No               |
| 8  | Chemtura<br>Elizabeth J. Thomasino              | 203-573-2644     | No   | No                  | No               |
| 9  | Clariant<br>Andrew Zamoyski                     | 202-415-9159     | No   | No                  | No               |
| 10 | Crowell & Moring, LLP<br>Mike Gill              | 202-508-8843     | No   | No                  | No               |
| 11 | DSM<br>Sheetal Bhadekar                         | 973-257-8323     | No   | No                  | No               |
| 12 | Dixie Chemical<br>Mal Johnson                   | 281-291-2659     | No   | No                  | No               |
| 13 | Dow Chemical Co.<br>Lisa Schroeter              | 202-429-3407     | No   | No                  | No               |
| 14 | Drexel Chemical<br>Stanley Bernard              | 901-774-4370     | No   | No                  | No               |
| 15 | DuPont<br>Elaine M. Olsen                       | 302-992-2263     | No   | No                  | No               |
| 16 | Eastman<br>Greg Riddle                          | 212-835-1620     | No   | No                  | No               |
| 17 | Emerald Performance Materials<br>Thomas Dirmyer | 330-916-6706     | No   | No                  | No               |
| 18 | Evonik<br>Russell Mait                          | 804-452-5711     | No   | No                  | No               |

| #  | Firm/organization and contact name      | Telephone number  | Claims same or competing product made in the United States | Submission attached | Opposition noted |
|----|---|-------------------|--|---------------------|------------------|
| 19 | FMC<br>Jerry Prout                      | 202-956-5209      | No   | No                  | No               |
| 20 | Fanwood Chemical<br>V. M. (Jim) DeLisi  | 908-322-8440      | No   | No                  | No               |
| 21 | Honeywell<br>Art Simonetti              | 202-662-2671      | No   | No                  | No               |
| 22 | Kemira<br>Rajesh Sharma                 | 678-819-4577      | No   | No                  | No               |
| 23 | LANXESS Corp.<br>Jamie B. Schaeffer     | 412-809-3666      | No   | No                  | No               |
| 24 | Lonza<br>Joe Robinson                   | 201-316-9364      | No   | No                  | No               |
| 25 | Monsanto<br>James K. Travis             | 202-383-2864      | No   | No                  | No               |
| 26 | Nation Ford Chemical<br>Jay Dickson     | 803-548-3210, x15 | No   | No                  | No               |
| 27 | Nufarm Americas<br>Joel Junker          | 206-621-7878      | No   | No                  | No               |
| 28 | PPG Industries Inc.<br>Bill Ries        | 412-434-1717      | No   | No                  | No               |
| 29 | Procter & Gamble<br>Matt Mattingley     | 202-841-5601      | No   | No                  | No               |
| 30 | Purolite<br>Gary Thundercliffe          | 484-384 2708      | No   | No                  | No               |
| 31 | Royce Associates, ALP<br>Terry Scheirer | 201-438-5200      | No   | No                  | No               |
| 32 | Sensient Technologies<br>Ken Goldacker  | 314-658-7363      | No   | No                  | No               |
| 33 | Sigma Aldrich<br>Jared Fenton           | 314-286-8326      | No   | No                  | No               |
| 34 | Solutia<br>Kassie Wooton                | 314-674-3297      | No   | No                  | No               |
| 35 | Solvay<br>Andrew K. Jones               | 856-251-3412      | No   | No                  | No               |
| 36 | Symrise<br>Elizabeth Scharlat           | 908-429-6821      | No   | No                  | No               |
| 37 | Valent<br>Robin Demouth                 | 925-256-2758      | No   | No                  | No               |

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4437

To reduce temporarily the duty on Thiamethoxam.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2012

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

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## A BILL

To reduce temporarily the duty on Thiamethoxam.

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. THIAMETHOXAM.**

4 (a) IN GENERAL.—Heading 9902.03.11 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 3-(2-chloro-5-thiazolylmethyl)tetrahydro-5-methyl-N-  
7 nitro-1,3,5-oxadiazin-4-imine (Thiamethoxam)) is amend-  
8 ed—

9 (1) by striking “5%” and inserting “5.9%” in  
10 the general rate of duty column; and

11 (2) by striking the date in the effective period  
12 column and inserting “12/31/2015”.

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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