

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: November 29, 2005]²

Bill No. and sponsor: H.R. 2605 (Mr. Lee Terry of Nebraska).

Proponent name, location: Syngenta Crop Protection, Inc., Greensboro, NC.

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)):

Mixtures of 1H-1,2,4-triazole, 1-((2-chlorophenoxy)phenyl)-4-methyl-1,3-dioxolan-2-yl)methyl-(difenoconazole) (CAS No. 119446-68-3), (R,S)-2-((2,6-dimethylphenyl)methoxyacetyl amino)propionic acid, methyl ester (mefenoxam) (CAS Nos. 70630-17-0, and 69516-34-3) and application adjuvants (provided for in subheading 3808.20.15)

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 product is a mixture of synthetic organic fungicides used as seed treatment to prevent the development of fungal disease on crops when the plant is most vulnerable. It is imported from Canada.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); 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.

Estimated effect on customs revenue:

HTS subheading: 3808.20.15					
	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	\$360,000	\$363,743	\$378,292	\$393,424	\$393,424
Customs revenue loss	\$23,400	\$23,643	\$24,589	\$25,573	\$25,573

Source of estimated dutiable import data: Industry and Commission 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)		
Syngenta Crop Protection, Inc. (Proponent) Mike Blythe, Fax: 336-632-6084	09/20/2005	No	No	No
Atofina Cerex Charles Kitchin, Fax: 703-527-2092	09/12/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	09/12/2005	No	No	No
Bayer CropScience Mike Gill, 202-508-8843	09/12/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	09/12/2005	No	No	No
Dow Chemical/Dow Agro Science Lisa Schroeter, Fax: 202-429-3467	09/12/2005	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	09/12/2005	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	09/12/2005	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	09/12/2005	No	No	No

Monsanto Corp. Michael Parrish, Fax: 202-789-1867	09/12/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	09/12/2005	No	No	No

Technical comments:³

The Commission suggests that the proposed article description be simplified to read as follows:

Mixtures of 1H-1,2,4-triazole, 1-((2-chlorophenoxy)phenyl)-4-methyl-1,3-dioxolan-2-yl)methyl-(difenoconazole) (CAS No. 119446-68-3), (R,S)-2-((2,6-dimethylphenyl)methoxyacetylamino)propionic acid, methyl ester (mefenoxam) (CAS Nos. 70630-17-0, and 69516-34-3) and application adjuvants (provided for in subheading 3808.20.15)

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. 2605

To suspend temporarily the duty on Formulations of Difenoconazole/
Mefenoxam.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2005

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

A BILL

To suspend temporarily the duty on Formulations of
Difenoconazole/Mefenoxam.

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. FORMULATIONS OF DIFENOCONAZOLE/**
4 **MEFENOXAM.**

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

“	9902.90.10	Formulations of Difenoconazole and Mefenoxam which contain Difenoconazole Technical 1H-1,2,4-triazole, 1-[[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl-1,3-dioxolan-2-yl]methyl]- and Mefenoxam Technical (R,S)-2-[(2,6-dimethylphenyl)-methoxyacetylamino]-propionic acid methyl ester (CAS Nos. 70630-17-0, 69516-34-3, and 119446-68-3) (provided for in subheading 3808.20.15)	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 with respect to goods entered, or
3 withdrawn from warehouse for consumption, on or after
4 the 15th day after the date of the enactment of this Act.

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