

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: May 10, 2006]²

Bill No. and sponsor: H.R. 3232 (Mr. Steve Buyer of Indiana).

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

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 containing (1H-1,2,4-Triazole-1-propanenitrile, -butyl-(4-chlorophenyl)) (Myclobutanil) (CAS No. 88671-89-0) 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 subject product is a synthetic organic fungicide that is used on a variety of products including turf grass, vegetables, and tree fruit. The subject product is imported from Italy.

Estimated effect on customs revenue:

HTS subheading: <u>3808.20.15</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	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000
Customs revenue loss	\$260,000	\$260,000	\$260,000	\$260,000	\$260,000

Source of estimated dutiable import data: Industry estimates.

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.

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?
Dow Agrosciences LLC (Proponent) Max Turnipseed, 225-328-0310	9/12/2005	No	No	No
Atofina Cerex Charles Kitchin, Fax: 703-527-2092	9/12/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	9/12/2005	No	No	No
Bayer CropScience Mike Gill, 202-508-8843	9/12/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	9/12/2005	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	9/12/2005	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	9/12/2005	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	9/12/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	9/12/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	9/20/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	9/12/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used because it contains the preferred 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. 3232

To suspend temporarily the duty on mixtures of fungicide.

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 mixtures of fungicide.

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. MIXTURES OF FUNGICIDE.**

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:

“	9902.11.03	Mixtures of fungicide containing Myclobutanil (1H-1,2,4-Triazole-1-propanenitrile, -butyl-(4-chlorophenyl)) as the active ingredient and application adjuvants (CAS No. 88671-89-0) (provided for in sub-heading 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 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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