

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress ¹**

[Date approved: May 3, 2010]²

Bill No. and sponsor: S. 2192 (Mr. David Vitter of Louisiana).

Proponent name,³ location: Syngenta Crop Protection, Inc., Greensboro, NC.

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty reduction through December 31, 2011.⁴

Retroactive effect: None.

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

Mixtures of benzenoacetic acid, (α E)-2-[[6-(2-cyanophenoxy)-4-pyrimidinyl]oxy]-α-(methoxymethylene)-, methyl ester (Azoxystrobin) (CAS No. 131860-33-8) and application adjuvants (provided for in subheading 3808.92.15).

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 mixture is a synthetic organic fungicide which has a chemical structure based on that of naturally occurring fungicides called strobilurins. The product is imported from the United Kingdom.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3808.92.15:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports ^a	\$45,000,000	\$45,000,000	\$45,000,000	\$45,000,000	\$45,000,000
Customs revenue loss ^{b c}	\$810,000	\$810,000	\$810,000	\$810,000	\$810,000

a/ Dutiable import estimates were based on official U.S. Government statistics and import estimates provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

c/ The estimated Customs revenue loss is based on a reduction of duty from 6.5 percent ad valorem to 4.7 percent ad valorem, a reduction of 1.8 percentage points.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.12.51 expired on December 31, 2009.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
Syngenta Crop Protection, Inc. (Proponent) Mike Blythe, mike.blythe@syngenta.com	12/16/2009	No	No	No
Ciba Corporation Bob Hurley, rhurley@theaccordgroup.com Michelle Forte, Michelle.forte@cibasc.com	12/24/2009	No	No	No
BASF Gregory A. Thies, gregory.thies@basf.com	12/24/2009	No	No	No
Bayer Crop Science Mike Gill, mgill@crowell.com Will Hensley, William.hensley@bayercropscience.com	12/24/2009	No	No	No
Crop Life America Lawrence Norton, Lnorton@wcsr.com	12/24/2009	No	No	No
Dow Agrosience Max Turnipseed, mctint@att.net	12/24/2009	No	No	No
FMC Corp. Jerry Prout, jerry_prout@fmc.com	12/24/2009	No	No	No
Monsanto Michael Parrish, Michael.Parrish@monsanto.com	12/24/2009	No	No	No
Valent USA Robin Demouth, Robin.Demouth@valent.com	12/24/2009	No	No	No

Technical comments:⁵

None.

⁵ 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.

111TH CONGRESS
1ST SESSION

S. 2192

To extend the reduction of duty on Azoxystrobin.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. VITTER introduced the following bill; which was read twice and referred
to the Committee on Finance

A BILL

To extend the reduction of duty on Azoxystrobin.

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. AZOXYSTROBIN.**

4 (a) IN GENERAL.—Heading 9902.12.51 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Azoxystrobin) is amended—

7 (1) in the general rate of duty column, by strik-
8 ing “6.17%” and inserting “4.7%”; and

9 (2) in the effective period column, by striking
10 “12/31/2009” and inserting “12/31/2011”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 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.

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