

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: October 24, 2006]²

Bill No. and sponsor: S. 3141 (Mr. Saxby Chambliss of Georgia).

Proponent name, location: BASF Corporation, Sparks, GA.

Other bills on product (109th Congress only): None.

Nature of bill: Modify a temporary duty suspension to a temporary duty reduction through December 31, 2009.

Retroactive effect: None.

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

Methyl N-{2-[[1-(4-chlorophenyl)pyrazol-3-yl]-oxymethyl]phenyl}-(N-methoxy)carbamate
(Pyraclostrobin) (CAS No. 175013-18-0) (provided for in subheading 2933.19.23).

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 chemical that is the active ingredient in a BASF fungicide called Headline. The fungicide is a fast-acting, broad-spectrum fungicide with a high level of activity on major diseases that threaten yield and quality in more than 90 crops. The subject product is imported from Germany.

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: 2933.19.23					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$66,000,000	\$93,000,000	\$93,000,000	\$93,000,000	\$93,000,000
Customs revenue loss 1/	\$330,000	\$465,000	\$465,000	\$465,000	\$465,000

1/ The estimated customs revenue loss for 2006 reflects the existing duty suspension under heading 9902.01.21 that expires on December 31, 2006. The estimated customs revenue loss is based on a temporary reduction of the general rate of duty from 6.5 percent ad valorem to 6 percent ad valorem, a reduction of 0.5 percentage points.

Source of estimated dutiable import data: Industry estimates.

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)		
BASF Corporation (Proponent) Greg Thies, Fax: 703-255-7142	06/12/2006	No	No	No
Arkema Inc. (Atofina) Charles Kitchin, Fax: 703-527-2002	06/12/2006	No	No	No
Bayer CropScience Mike Gill, 202-205-8843	06/12/2006	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	06/12/2006	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, 225-338-0310	06/12/2006	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	06/12/2006	No	No	No
FMC Corp Jerry Prout, Fax: 202-956-5235	06/12/2006	No	No	No
LANXESS Corp. Jamie B. Schaeffer, Fax: 412-809-3614	06/12/2006	No	No	No
Monsanto Corp. Michael Parris, Fax: 202-789-1867	06/12/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	06/12/2006	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	06/12/2006	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	06/12/2006	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in heading 9902.01.21 order to correct several mistakes in the chemical name.

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
2^D SESSION

S. 3141

To extend and modify the suspension of duty on Methyl *N*-(2-[[1-(4-chlorophenyl)-1H-pyrazol-3-yl]-oxymethyl]phenyl)-*N*-methoxycarbanose (Pyraclostrobin).

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

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

A BILL

To extend and modify the suspension of duty on Methyl *N*-(2-[[1-(4-chlorophenyl)-1H-pyrazol-3-yl]-oxymethyl]phenyl)-*N*-methoxycarbanose (Pyraclostrobin).

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. METHYL *N*-(2-[[1-(4-CHLOROPHENYL)-1H-**
4 **PYRAZOL-3-YL]-OXYMETHYL]PHENYL)-*N*-**
5 **METHOXYCARBANOSE (PYRACLOSTROBIN).**

6 (a) IN GENERAL.—Heading 9902.01.21 of the Har-
7 monized Tariff Schedule of the United States (relating to
8 Methyl *N*-(2-[[1-(4-chlorophenyl)-1H-pyrazol-3-yl]-

1 oxymethyl]phenyl)-*N*-methoxycarbanose (Pyraclostrobin))

2 is amended—

3 (1) by striking “Free” and inserting “6%”; and

4 (2) by striking “12/31/2006” and inserting

5 “12/31/2009”.

6 (b) EFFECTIVE DATE.—The amendment made by

7 subsection (a) applies to goods entered, or withdrawn from

8 warehouse for consumption, on or after the 15th day after

9 the date of enactment of this Act.

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