MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress

[Date approved: August 8, 2005]

Bill No. and sponsor: H.R. 1777 (Mr. Hulshof).

Proponent name, location: Bayer CropScience
1275 Pennsylvania Ave., NW
Suite 810
Washington, DC 20004

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


Retroactive effect: None.

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

4,6-Dimethyl-N-phenyl-2-pyrimidinamine (pyrimethanil) (CAS No. 53112–28–0) (provided for in subheading 2933.59.15).

Check one: Same as that in bill as introduced

X Different from that in bill as introduced (explain differences in Technical comments section)

Product information, including uses/applications and source(s) of imports:

Pyrimethanil is a synthetic organic chemical used as a fungicide to protect various crops, including potatoes and certain fruits and vegetables, from disease such as gray mold. The product is not produced in the United States; imports are sourced from Germany. At the consumer level, there are at least two formulated products that compete with the formulated product containing pyrimethanil.

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Industry analyst preparing report: Elizabeth Nesbitt (202-205-3355); Tariff Affairs contact: David Michels (202-205-3440).

Access to an electronic copy of this memorandum is available at www.usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.
Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 2933.59.15</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Col. 1-General rate of duty (AVE)</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
</tr>
<tr>
<td>Estimated value <em>dutiable</em> imports</td>
<td>$538,400</td>
<td>$538,400</td>
<td>$538,400</td>
<td>$538,400</td>
<td>$538,400</td>
</tr>
<tr>
<td>Customs revenue loss</td>
<td>$34,996</td>
<td>$34,996</td>
<td>$34,996</td>
<td>$34,996</td>
<td>$34,996</td>
</tr>
</tbody>
</table>

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Industry estimates.

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

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>US production of same or competitive product claimed?</th>
<th>Submission attached?</th>
<th>Opposition noted?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bayer CropScience (Proponent) Mike Gill Tel. No.: 202-508-8843</td>
<td>6/23/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>AtoFina Cerexagrhi Charles Kitchin Fax No.: 703-527-2092</td>
<td>6/17/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Aventis Jean Reimers Fax No.: 202-628-6622</td>
<td>6/17/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>BASF Corp. Greg Theis Fax No.: 202-682-9459</td>
<td>6/17/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Crop Life America Lawrence Norton Fax No.: 202-463-0474</td>
<td>6/17/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Dow AgroSciences Margaret Rogers Fax No.: 202-429-3467</td>
<td>6/17/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
The Commission suggests that the article description given on page 1 of this report be used in the proposed new heading as it reflects a correct chemical name.
A BILL

To suspend temporarily the duty on Pyrimethanil.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. PYRIMETHANIL.

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

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9902.05.53  2-Anilino-4,6-
dimethylpyrimidine
(pyrilmethanil) (CAS No.
53112-28-0) (provided for
in subheading 2933.59.15) Free No change No change On or before
12/31/2008```

(b) EFFECTIVE DATE.—The amendment made by
subsection (a) applies to goods entered, or withdrawn from
1 warehouse for consumption, on or after the 15th day after
2 the date of enactment of this Act.