MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress

[Date approved: August 8, 2005]

Bill No. and sponsor: H.R. 1779 (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)):

(5S)-3,5-Dihydro-5- methyl-2-(methylthio)- 5-phenyl-3-(phenylamino)- 4H-imidazol-4-one (Fenamidone) (CAS No. 161326–34–7) (provided for in subheading 2933.29.35)

Check one:

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

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

Fenamidone is a synthetic organic chemical used as a pesticide on potatoes and vegetables. The product is imported from Germany.
Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheadings: 2933.29.35</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) 1/</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 dutiable imports</td>
<td>$1,179,938</td>
<td>$1,179,938</td>
<td>$1,179,938</td>
<td>$1,179,938</td>
<td>$1,179,938</td>
</tr>
<tr>
<td>Customs revenue loss</td>
<td>$76,696</td>
<td>$76,696</td>
<td>$76,696</td>
<td>$76,696</td>
<td>$76,696</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>6/17/2005 6/30/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>AtoFina Cerexagri 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>
</tbody>
</table>
### Technical comments:

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading, in order to provide for the common trade name Fenamidone, and to italicize the “S” in the chemical name.
IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

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

A BILL

To suspend temporarily the duty on Fenamidone.

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

SECTION 1. FENAMIDONE.

(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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9902.05.51 (5S)-5,5-Dihydro-5- methyl-2-(methylthio)- 5-phenyl-3-(phenylamino)- 4H-imidazo-
4-one (CAS No. 161326–34–7) (provided for in sub-
heading 2933.29.35) Free No change No change On or before 12/31/2008
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(b) Effective Date.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of enactment of this Act.