MEMORANDUM ON PROPOSED TARIFF LEGISLATION 
of the 109th Congress

[Date approved: August 26, 2005]

Bill No. and sponsor: H.R. 1893 (Mr. Cleaver)

Proponent name, location: Bayer CropScience  
Washington, D.C. 20004

Other bills on product (109th Congress only): H.R. 1826


Retroactive effect: None.

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

Heading 9902.01.56 is amended by striking “12/31/2006” and inserting “12/31/2008”.

Check one:    X Same as that in bill as introduced
           ___ Different from that in bill as introduced (explain differences in Technical comments section)

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

The subject compound is a synthetic organic chemical intermediate used to produce a pesticide, prothioconazole. This pesticide is used to control leaf and head diseases on wheat and barley and to suppress mycotoxins in the grain. Prothioconazole can also be used on peanuts to control foliar and soilborne diseases.

The subject compound is imported from China, Belgium, Germany, and Japan. There are no competing imports and no other known importers of the subject product.

There is no known production of this chemical in the United States.
Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 2903.69.80</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>5.5%</td>
<td>5.5%</td>
<td>5.5%</td>
<td>5.5%</td>
<td>5.5%</td>
</tr>
<tr>
<td>Estimated value dutiable imports</td>
<td>$1,115,000</td>
<td>$1,115,000</td>
<td>$1,115,000</td>
<td>$1,115,000</td>
<td>$1,115,000</td>
</tr>
<tr>
<td>Customs revenue loss</td>
<td>$61,325</td>
<td>$61,325</td>
<td>$61,325</td>
<td>$61,325</td>
<td>$61,325</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) Will Hensley, 202-756-3781</td>
<td>7/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Dow AgroSciences Lisa Schroeder, 202-429-3400</td>
<td>7/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>E. I. du Pont Elaine Olsen, 302-992-2263</td>
<td>7/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>FMC Corp. Jerry Prout, 202-956-5200</td>
<td>7/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Monsanto Corp. Linda Strachan, 202-783-2460</td>
<td>7/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Syngenta Mike Blythe, 336-632-6000</td>
<td>7/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Technical comments: None.

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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.
IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2005

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

A BILL

To extend the temporary suspension of duty on 2-Chlorobenzyl chloride.

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

SECTION 1. 2-CHLOROBENZYL CHLORIDE.

(a) In General.—Heading 9902.01.56 of the Harmonized Tariff Schedule of the United States is amended by striking “12/31/2006” and inserting “12/31/2008”.

(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.