

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: November 2, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2084 (Mr. Howard Coble of North Carolina)

**Proponent name, location:** Syngenta Crop Protection, Greensboro, NC

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

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

Mixtures of (R)-2-[(2,6-dimethylphenylmethoxy) acetylamino] propionic acid, methyl ester (mefenoxam) (CAS No. 70630-17-0), 4-(2,2-difluoro-1,3-benzodioxol-4-yl)-1Hpyrrole-3-carbonitrile (fludioxonil) (CAS No. 131341-86-1) and 2-cyano-2-methoxyimino-N-(ethylcarbamoyl)acetamide (cymoxanil) (CAS No. 57966-95-7) with application adjuvants (the foregoing mixtures provided for in subheading 3808.20.15)

**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:**

Mixtures of (R)-2-[(2,6-dimethylphenylmethoxy) acetylamino] propionic acid, methyl ester (mefenoxam), 4-(2,2-difluoro-1,3-benzodioxol-4-yl)-1Hpyrrole- 3-carbonitrile (fludioxonil), and 2-cyano-2-methoxyimino-N-(ethylcarbamoyl)acetamide (cymoxanil) with application adjuvants (also known as “Wakil XL”) are synthetic organic chemicals used as a seed treatment fungicide end-use product for control of diseases such as damping-off and seed rot on peas that are exported. The proponent imports this product from France.

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

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: 3808.20.15</b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$186,000	\$186,000	\$186,000	\$186,000	\$186,000
Customs revenue loss <sup>1/</sup>	\$12,090	\$12,090	\$12,090	\$12,090	\$12,090

<sup>1/</sup> Estimated revenue loss for 2005 and 2006 results from a current suspension of duty per heading 9902.02.04.

Source of estimated dutiable import data: Industry estimates and Commission estimates.

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

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Syngenta Crop Protection (Proponent) Dawn Stump, 202-347-7772 Email: dawn.stump@syngenta.com	8/30/2005	No	No	No
Syngenta (proponent) Mike Blythe Fax: 336-632-6084	8/31/2005	No	No	No
AtoFina Cerexagri Charles Kitchin Fax: 703-527-2092	8/31/2005	No	No	No
BASF Corp. Greg Thies Fax: 202-558-5101	8/31/2005	No	No	No
Bayer CropScience Williams Hensley Fax: 202-628-6622	8/31/2005	No	No	No
Crop Life America Lawrence Norton Fax: 202-463-0474	8/31/2005	No	No	No
Dow Agro Science Lisa Schroeter Fax: 202-429-3467	8/31/2005	No	No	No

E.I. DuPont Nancy Johnson Fax: 202-728-3649	8/31/2005	No	No	No
E.I. DuPont Elaine Olson Fax: 302-892-7343	8/31/2005	No	No	No
E.I. DuPont Helen McMahon Fax: 302-774-1398	8/31/2005	No	No	No
FMC Corp. Jerry Prout Fax: 202-956-5235	8/31/2005	No	No	No
Monsanto Corp. Michael Parrish Fax: 202-789-1867	8/31/2005	No	No	No
Monsanto Corp. Linda Strachan Fax: 202-789-1867	8/31/2005	No	No	No
Valent USA Robin Demouth Fax: 925-256-2776	8/31/2005	No	No	No

**Technical comments:**<sup>3</sup> None.

<sup>3</sup> 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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2084

To extend the duty suspension on Wakil XL.

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IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2005

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

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## A BILL

To extend the duty suspension on Wakil XL.

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. WAKIL XL.**

4 (a) IN GENERAL.—Heading 9902.02.04 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 Wakil XL) is amended by striking “12/31/2006” and in-  
7 serting “12/31/2008”.

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