MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹

[Date approved: November 29, 2005]²

Bill No. and sponsor: H.R. 2602 (Mr. Lee Terry of Nebraska).

Proponent name, location: Syngenta Crop Protection, Inc., Greensboro, NC.

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


Retroactive effect: None.

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

Mixtures of benzeneacetic acid, (E)- 2-[(6-(2-cyanophenoxy)-4-pyrimidinyl)oxy]-α-(methoxymethylene)-, methyl ester (azoxystrobin) (CAS No. 131860-33-8) and application adjuvants (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:

The subject product is a synthetic organic fungicide which has a chemical structure based on that of naturally occurring fungicides called strobilurins. The product is imported from the United Kingdom.
Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 3808.20.15</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</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>$112,500,000</td>
<td>$136,047,008</td>
<td>$141,491,239</td>
<td>$147,150,888</td>
<td>$153,036,000</td>
</tr>
<tr>
<td>Customs revenue loss 1/</td>
<td>$405,000</td>
<td>$489,769</td>
<td>$495,219</td>
<td>$485,598</td>
<td>$505,019</td>
</tr>
</tbody>
</table>

1/ The estimated Customs revenue loss for 2005 and 2006 is based on a reduction of duty from 6.5 percent ad valorem to 6.14 percent ad valorem, a reduction of 0.36 percentage points. The estimated Customs revenue loss for 2007 is based on a reduction of duty from 6.5 percent ad valorem to 6.15 percent ad valorem, a reduction of 0.35 percentage points. The estimated Customs revenue loss for 2008 and 2009 is based on a reduction of duty from 6.5 percent ad valorem to 6.17 percent ad valorem, a reduction of 0.33 percentage points.

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>Syngenta Crop Protection, Inc. (Proponent) Mike Blythe, Fax: 336-632-6084</td>
<td>09/20/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>BASF Corp. Greg Thies, Fax: 202-558-5101</td>
<td>09/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Bayer CropScience Mike Gill, 202-508-8843</td>
<td>09/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Atofina Cerex Charles Kitchin, Fax: 703-527-2092</td>
<td>09/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Crop Life America Lawrence Norton, Fax: 202-463-0474</td>
<td>09/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Dow Chemical/Dow Agro Science Lisa Schroeter, Fax: 202-429-3467</td>
<td>09/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>DuPont Nancy Johnson, Fax: 202-728-3649</td>
<td>09/12/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
The Commission suggests that the article description be simplified to read as follows:

Mixtures of benzeneacetic acid, (α E)-2-[[6-(2-cyanophenoxy)-4-pyrimidinyl]oxy]-α-(methoxymethylene)-, methyl ester (azoxystrobin) (CAS No. 131860-33-8) and application adjuvants (provided for in subheading 3808.20.15).

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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.
H. R. 2602

To reduce temporarily the duty on Formulations of Azoxystrobin.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2005

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

A BILL

To reduce temporarily the duty on Formulations of Azoxystrobin.

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

SECTION 1. FORMULATIONS OF AZOXYSTROBIN.

(a) Calendar Year 2006.—

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

(b) **CALENDAR YEAR 2007.**—

(1) **IN GENERAL.**—Heading 9902.90.02 of the Harmonized Tariff Schedule of the United States, as added by subsection (a), is amended—

(A) by striking “6.14%” and inserting “6.15%”; and

(B) by striking “On or before 12/31/2006” and inserting “On or before 12/31/2007”.

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) shall take effect on January 1, 2007.

(c) **CALENDAR YEAR 2008.**—

(1) **IN GENERAL.**—Heading 9902.90.02 of the Harmonized Tariff Schedule of the United States, as added by subsection (a) and amended by subsection (b), is further amended—
(A) by striking “6.15%” and inserting “6.17%”; and

(B) by striking “On or before 12/31/2007” and inserting “On or before 12/31/2008”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 1, 2008.