

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: June 1, 2006]<sup>2</sup>

**Bill No. and sponsor:** H.R. 3609 (Mr. Curt Weldon of Pennsylvania).

**Proponent name, location:** Arkema Inc., Philadelphia, PA.

**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 4,4'-o-phenylenebis(3-thioallophanic acid), dimethyl ester (Thiophanate methyl) (CAS No. 23564-05-8) 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 formulated fungicide product that is used on field crops and turf ornamentals. The subject product is imported from Japan.

**Estimated effect on customs revenue:**

HTS subheading: <u>3808.20.15</u>					
	2005	2006	2007	2008	2009
<del>Col. 1-General rate of duty</del>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$1,850,000	\$1,850,000	\$1,850,000	\$1,850,000	\$1,850,000
Customs revenue loss <sup>1</sup>	\$120,250	\$120,250	\$120,250	\$120,250	\$120,250

<sup>1</sup> The estimated Customs revenue loss data for 2005 and 2006 reflect the existing duty suspension under heading 9902.03.79 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry estimates.

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

<sup>1</sup> Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David 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).

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
Arkema Inc. (Proponent) Charles Kitchin, Fax: 703-527-2092	9/12/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	9/12/2005	No	No	No
Bayer CropScience Mike Gill, 202-508-8843	9/12/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	9/12/2005	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed 225-338-0310	9/12/2005	No	No	No
Du Pont Nancy Johnson, Fax: 202-728-3649	9/12/2005	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	9/12/2005	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	9/12/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	9/12/2005	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	9/20/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	9/12/2005	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. 3609

To extend the temporary suspension of duty on thiophanate methyl and application adjuvants.

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IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

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

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## A BILL

To extend the temporary suspension of duty on thiophanate methyl and application adjuvants.

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. THIOPHANATE METHYL AND APPLICATION AD-**

4 **JUVANTS.**

5 (a) IN GENERAL.—Heading 9902.03.79 of the Har-  
6 monized Tariff Schedule of the United States (relating to  
7 thiophanate methyl and application adjuvants) is amended  
8 by striking “12/31/2006” and inserting “12/31/2008”.

9 (b) EFFECTIVE DATE.—The amendment made by  
10 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.

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