

## **BACKGROUND: H.R. 4222**

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### **TOPSIN 70W® Fungicide - Tariff Suspension**

(Active Ingredient: Thiophanate-Methyl)

Tariff No. 3808.20.1500CAS # 23564-05-8

*Note: The CAS product description is listed as:  
dimethyl[1.2 phenylene bis(iminocarbonothioyl)bis(carbamate)]*

### **Product Profile**

Cerexagri, Inc. (a wholly-owned subsidiary of ATOFINA, Chemicals) imports TOPSIN 70WP® Fungicide from Japan. TOPSIN 70W® Fungicide is manufactured in Japan by Nippon/Soda and imported by Cerexagri / Nisso LLC joint venture. The active ingredient is thiophanate-methyl. TOPSIN 70W® Fungicide is marketed through agrichemical distributors for use as a crop fungicide.

### **Competitive Profile**

***Direct U.S. Competition:*** There are no U.S. producers of fungicides chemically identical and directly competitive to TOPSIN 70W® Fungicide

***Indirect U.S. Competitors:*** The following U.S. companies market fungicides with an active ingredient that differs, in their respective chemical formulations, from TOPSIN 70W. These fungicides are labeled for use on some -- but not all -- of the crops and turf ornamentals currently registered for use on the TOPSIN label. However, all of the companies listed import their respective fungicide product into the U.S.

- (1) Gowan Co. (Yuma, AZ)
- (2) Scotts Company (Marysville, OH)
- (3) Olympic Horticultural Products Co. (Mainland, PA)
- (4) Regal Chemical (Alpharetta, GA)
- (5) Nations Ag II, LLC (Williamsburg, VA)
- (6) Micro-Flo Company, LLC (Memphis, TN)

### **Minimal Revenue Loss**

***TOPSIN 70 W® Fungicide*** – Estimated 2002 imports  
500 m/lbs. @ declared valuation of \$4.97 per/lb  
Est. Annual Loss to U.S. Treasury: \$193,830 (\$2,982,000 x 6.5% duty)

**Profile: Cerexagri, Inc. and ATOFINA Chemicals, Inc. (North America)**

Cerexagri, Inc., headquartered in King of Prussia, PA, is an agricultural pesticides producer and a wholly-owned subsidiary of ATOFINA Chemicals, Inc. Headquartered in Philadelphia, ATOFINA Chemicals and ATOFINA Petrochemicals, headquartered in Houston employ nearly 4,000 people with facilities in 17 states. The company reported sales in 2001 of \$2.2 billion.

ATOFINA Chemicals and Petrochemicals are part of ATOFINA, the world's 6<sup>th</sup> largest chemical company with 72,000 employees and worldwide sales in 2001 of \$17.5 billion. ATOFINA is the chemical branch of TotalFinaElf (NYSE:TOT) headquartered in Paris, France.

Contact:

Charles A. Kitchen  
Director of Government Relations  
ATOFINA Chemicals, Inc.  
1200 North Nash Street – Suite 1150  
Arlington, VA 22209  
Tel: 703/527-2099 Fax: 703/527-2092  
E-Mail: [charles.kitchen@atofina.com](mailto:charles.kitchen@atofina.com)

or

Alan Slomowitz, Counsel  
Greenberg Traurig LLP  
800 Connecticut Avenue  
Washington, DC 20006  
Tel: 202/533-2318 Fax: 202/452-4885  
E-Mail: [slomowitz@gtlaw.com](mailto:slomowitz@gtlaw.com)