

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: May 21, 2008]²

Bill No. and sponsor: H.R. 4796 (Mr. Howard Coble of North Carolina).

Proponent name,³ location: Syngenta Crop Protection, Inc., Greensboro, NC.

Other bills on product (110th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

Formulations of 3-[(2-chloro-5-thiazolyl)methyl]tetrahydro-5-methyl-N-nitro-1,3,5-oxadiazin-4-imine) (Thiamethoxam) (CAS No. 153719-23-4); 1H-1,2,4-triazole, 1-[[2-[2-chloro-4-(4-chlorophenoxy)phenyl]-4-methyl-1,3-dioxolan-2-yl]methyl]- (Difenoconazole) (CAS No. 119446-68-3); 1H-Pyrrole-3-carbonitrile, 4-(2,2-difluoro-1,3-benzodioxol-4-yl)- (Fludioxinil) (CAS No. 131341-86-1); and (R,S)-2-[(2,6-dimethylphenylmethoxy)acetylamino]-propionic acid methyl ester (Mefenoxam) (CAS Nos. 70630-17-0 and 69516-34-3) (provided for in subheading 3808.92.15).

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 chemical that is used as a seed treatment containing an insecticide and three fungicides to protect germinating canola seeds. The product is imported from Canada.⁴

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ Imports of the subject product may be eligible for duty-free access to the U.S. market under NAFTA.

Estimated effect on customs revenue:

HTS subheading: 3808.92.15					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$360,000	\$360,000	\$360,000	\$360,000	\$360,000
Customs revenue loss 1/	\$0	\$23,400	\$23,400	\$23,400	\$23,400

1/ There is an existing duty suspension under HTS heading 9902.13.31 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

Source of estimated dutiable import data: U.S. industry estimates.

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

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Syngenta Crop Protection, Inc. (Proponent) Angus Kelly, Fax: 336-632-6084	02/18/2008	No	No	No
Arkema Inc. (Atofina) Charles Kitchen, Fax: 216-419-7075	02/18/2008	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	02/18/2008	No	No	No
Bayer CropScience William Hensley, 202-756-3781 Jean Reimers, 202-756-3779	02/18/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	02/18/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	02/18/2008	No	No	No
Dow AgroSciences Max Turnipseed, Fax: 225-338-0310 Lisa Schroeter, Fax: 202-429-3467	02/18/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994 Elaine Olsen, Fax: 302-774-1398	02/18/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
FMC Corp. Jerry Prout, Fax: 202-956-5235 Steve Ziehm, 202-872-8181	02/18/2008	No	No	No
Monsanto Corp. Michael Parris, Fax: 202-789-1867	02/18/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	02/18/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	02/18/2008	No	No	No

Technical comments:⁵

None.

⁵ 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.

110TH CONGRESS
1ST SESSION

H. R. 4796

To extend the suspension of duty on formulations of Thiamethoxam,
Difenoconazole, Fludioxonil, and Mefenoxam.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 18, 2007

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

A BILL

To extend the suspension of duty on formulations of
Thiamethoxam, Difenoconazole, Fludioxonil, and Mefenoxam.

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. FORMULATIONS OF THIAMETHOXAM, DIFENO-**

4 **CONAZOLE, FLUDIOXONIL, AND MEFENOXAM.**

5 (a) IN GENERAL.—Heading 9902.13.31 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 formulations of Thiamethoxam, Difenoconazole, Fludiox-
8 onil, and Mefenoxam) is amended by striking “12/31/
9 2009” and by inserting “12/31/2011”.

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

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