



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

(R,S)-2-((2,6-Dimethylphenyl)methoxyacetyl amino)propionic acid, methyl ester (Metalaxyl-M and LMetalaxylfenoxam)
(CAS Nos. 70630-17-0 and 69516-34-3) (provided for in subheading 2924.29.47)

Description above compared with bill as introduced:

- Same
 Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The product is an active ingredient used to produce fungicide end use products used primarily for the control of soil oomycete (fungus-like soil microorganisms), which cause various plant diseases. This product is imported primarily from Switzerland.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	2924.29.47				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty (%)	2.9	2.9	2.9	2.9	2.9
Estimated value of <i>dutiable</i> imports (\$)	21,000,000	22,000,000	22,500,000	22,500,000	22,500,000
Customs revenue loss (\$)	609,000	638,000	652,500	652,500	652,500

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
 Provided by industry sources
 Industry information
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) Temporary rate (%) Percentage point reduction (%)

V. Technical comments

In addition to extending the existing provision, the interested entity also wishes to change the current duty suspension in the Chapter 99 provision to a reduction to 3.6 percent.

VI. Continuation

Suggested Article Description... -- continued:

If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.

Estimated effects on customs revenue.... -- continued:

The estimated Customs revenue loss reported in the data table of Section IV is based on the percentage point reduction (2.9%) applicable to this bill, which is the difference between the Col.1-general rate of duty (6.5%) and the temporarily reduced rate (3.6%) established by this bill.

VII. Contacts with domestic firms/organizations

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	Syngenta (Interested entity) Mike Blythe	336-632-2824	No	No	No
2	Arkema David Kunz	202-263-3491	No	No	No
3	BASF Richard J. Salamone	973-895-8316	No	No	No
4	Bayer CropScience Jean Reimers	202-756-3779	No	No	No
5	Chemtura Elizabeth J. Thomasino	203-573-2644	No	No	No
6	Clariant Andrew Zamoyski	202-415-9159	No	No	No
7	CropLife America Beau Greenwood	202-872-3871	No	No	No
8	Crowell & Moring, LLP Mike Gill	202-508-8843	No	No	No
9	Dow Chemical Lisa Schroeter	202-429-3407	No	No	No
10	DuPont Elaine Olsen	302-992-2263	No	No	No
11	FMC Jerry Prout	202-956-5209	No	No	No
12	International Business-Government Counsellors (IBC) Steve Ziehm	202-872-8181	No	No	No
13	LANXESS Jamie B. Schaeffer	412-809-3666	No	No	No
14	Monsanto James K. Travis	202-383-2864	No	No	No
15	Nufarm Emily Lawson	206-621-7878	No	No	No
16	Valent Robin Demouth	925-256-2758	No	No	No

112TH CONGRESS
2D SESSION

H. R. 4506

To extend and modify the temporary reduction of duty on Metalaxyl-M and
LMetalaxylfenoxam.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2012

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

A BILL

To extend and modify the temporary reduction of duty on
Metalaxyl-M and LMetalaxylfenoxam.

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. METALAXYL-M AND LMETALAXYLFENOXAM.**

4 (a) IN GENERAL.—Heading 9902.12.58 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Metalaxyl-M and LMetalaxylfenoxam) is amended—

7 (1) by striking “Free” and inserting “3.6%”;

8 and

9 (2) by striking “12/31/2012” and inserting

10 “12/31/2015”.

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

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