

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 9, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 2189 (Mr. Rick Santorum of Pennsylvania).

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

**Other bills on product (109<sup>th</sup> Congress only):** H.R. 3610.

**Nature of bill:** Temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

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

Mixtures containing zinc dimethyldithiocarbamate (Ziram) and application adjuvants (CAS No. 137-30-4) (provided for in subheading 3808.20.28).

**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 formulation containing a synthetic organic fungicide which is used to protect a variety of fruit, nut, and vegetable crops. The subject product is imported from Italy.

**Estimated effect on customs revenue:**

HTS subheading: <u>3808.20.28</u>					
	2006	2007	2008	2009	2010
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$2,760,000	\$2,760,000	\$2,760,000	\$2,760,000	\$2,760,000
Customs revenue loss	\$102,120	\$102,120	\$102,120	\$102,120	\$102,120

Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: StephenWanser (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).

**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)		
Arkema Inc. (Atofina) (Proponent) Charles Kitchin, Fax: 703-527-2092	03/12/2006	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	03/12/2006	No	No	No
Bayer CropScience Mike Gill, 202-508-8843 Jean Riemer, 202-737-8900	03/12/2006	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	03/12/2006	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, 225-338-0310	03/12/2006	No	No	No
DuPont Nancy Johnson, Fax: 202-728-3649	03/12/2006	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	03/12/2006	No	No	No
LANXESS Corp. James Schaeffer, Fax: 412-809-3614	03/12/2006	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	03/12/2006	No	No	No
Syngenta Mike Blythe, Fax: 336-632-6084	03/20/2006	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	03/12/2006	No	No	No

**Technical comments:<sup>3</sup>**

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide the common industry name in parentheses, and to denote the product as used in formulations of fungicides.

<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  
2<sup>D</sup> SESSION

# S. 2189

To suspend temporarily the duty on certain fungicides containing zinc dimethyldithiocarbamate.

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IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2006

Mr. SANTORUM introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on certain fungicides containing zinc dimethyldithiocarbamate.

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. CERTAIN FUNGICIDE CONTAINING ZINC**

4 **DIMETHYLDITHIOCARBAMATE.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of  
6 the Harmonized Tariff Schedule of the United States is  
7 amended by inserting in numerical sequence the following  
8 new heading:

“	9902.38.08	Fungicides containing zinc dimethyldithiocarbamate (CAS No. 137-30-4) (provided for in subheading 3808.20.28) .....	Free	No change	No change	On or before 12/31/2008	”.
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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 enactment of this Act.

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