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# ALBAUGH, INC

**PLANT**

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June 19, 2012

VIA E-MAIL

The Honorable Dave Camp  
Chairman  
Committee on Ways and Means  
U.S. House of Representatives

**RE: Comment in Support of a Temporary Suspension of the Duty on Imports of Fosamine, H.R. 5621**

Dear Mr. Chairman:

Albaugh, Inc., is a U.S. owned company with a manufacturing and formulation facility at St. Joseph, Missouri, employing 176 people. Albaugh is dedicated to providing distributors in North America with a constant supply of high quality generic crop protection chemicals which can compete on a global basis.

Albaugh supports enactment of H.R. 5621, a bill to suspend temporarily the duty on Fosamine. Fosamine is an herbicide used for woody brush control and chemical tree-trimming.

Albaugh is preparing to sell ready-to-use Fosamine mixtures to agricultural distributors who will resell them to dealers or market them directly to growers through their own retail outlets. There is no known production of Fosamine in the United States. Fosamine is produced in the People's Republic of China. There are no other importers of Fosamine at present.

A temporary duty suspension will allow importers of Fosamine to remain competitive in a very competitive marketplace. Fosamine is more or less a commodity and it is priced accordingly. The competition for customers is fierce, and the companies that can offer the lowest cost to customers will most likely end up with the business. In this environment, where there is no on-shore producer, it makes sense to grant a temporary duty exemption, which no doubt will create additional room for price movements that benefit the consumer.

There are other active ingredients that compete with Fosamine but those active ingredients cannot be substituted for Fosamine in the Albaugh formulation. Each active ingredient has its own properties and characteristics, such that they may require unique ratios of active ingredient



PREMIER SUPPLIER OF OFF-PATENT CROP PROTECTION PRODUCTS  
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to water and other ingredients in a formulation. Also, each active ingredient, including Fosamine, has been approved by EPA for application to specific crops at specific application rates, and the crops and rates are not necessarily the same for Fosamine as for another active ingredient.

The chemical name of Fosamine is ammonium salt of ethyl hydrogen (aminocarbonyl) phosphonate (CAS Number 25954-13-6). Fosamine is classified under subheading 2931.90.9043 of the Harmonized Tariff Schedule of the United States. The nondiscriminatory rate of duty under that subheading is 3.7%.

Sincerely,



Stuart I. Feldstein

Vice President

cc: International Trade Commission  
Department of Commerce