

**United States Department of Agriculture
Limited Source/Brand Name Justification
FAR 13.106-1(b)(1) – Simplified Acquisitions
Control No. (if applicable) _____**

1. Identification of the agency and the contracting activity.

Requesting Agency:

USDA, APHIS, Wildlife Services
4700 River Road, Unit 87
Riverdale, MD 20737

Contracting Activity:

Purchase order through the Procurement Branch
USDA, APHIS MRPBS, ASD
Minneapolis Procurement Branch
Butler Square, Fifth Floor
100 North 6th Street
Minneapolis, MN 55403

2. Description of supply or service required to meet the agency's needs.

Type of Action: The Pocatello Supply Depot would like to place a Purchase order for 45 kg of $\geq 97\%$ 3-Chloro-P-Toluidine Hydrochloride (CPTH) also known as 3-Chloro-4-methylaniline hydrochloride, CAS #7745-89-3.

The Contractor will provide 45 kg of CPTH 97% to:

USDA Pocatello Supply Depot
238 E. Dillon Street
Pocatello ID 83201
POC: Patrick Darrow – 208-236-6920

All deliveries must occur during normal business hours from 8:00am – 4:30pm. The subject vender shall fill all orders placed before 2:00 pm within 12 - 16 weeks.

3. The rationale or circumstances for limiting competition.

CPTH is an active ingredient in a pesticide the Pocatello Supply Depot repackages under various APHIS-use-only pesticide labels (DRC-1339 Technical). The DRC-1339 Technical the Pocatello Supply Depot repackages is a registered pesticide with the EPA. EPA pesticides must be manufactured/labeled/repackaged/shipped from an EPA registered pesticide producing establishment. TCI is an EPA registered Pesticide Producing Establishment. TCI is also the only EPA approved source of the active ingredient CPTH for DRC-1339 Technical. Because TCI synthesizes large quantities of CPTH only for WS use, they do not sell CPTH to retailers for resale.

Award to any other source would result in the duplication of cost for a new company to become an approved source and for the USDA to fulfill the EPA data requirements of conducting Preliminary analysis of newly manufactured CPTH under Good Laboratory Practices. We would also have to receive EPA approval of the new companies manufacturing process, and then prepare the data package and submission to EPA. These steps would also create an unacceptable delay to USDA.

4. A description of the market research conducted and the results or a statement of the reason market research was not conducted.

TCI was the last supplier to PSD, and the only source of CPTH that has a product registered with the EPA as a pesticide for WS use. Other chemical companies such as Thermo Fisher Scientific and VWR sell CPTH but their price is higher and Thermo Fisher Scientific is not an EPA registered Pesticide Producing Establishments. A previous Sources Sought in 2018, did not produce suppliers of CPTH besides TCI, that were willing to become a registered pesticide producing establishment and provide samples from 5 independent batches needed for analytical chemistry data to become an EPA approved source of CPTH and provide the required CPTH to the Pocatello Supply Depot. A sources sought in 2023, received one response from a company that was willing to provide the samples required to get their product approved on the EPA confidential statement of formula, however that process can take up to two years to receive approval. The PSD will work with that company to see if they may be a potential source for future purchases of CPTH.

5. Estimated price, including all options, if applicable.

Estimated Acquisition Value: \$47,000

6. Recommended source(s).

TCI America

POC: Corey Smith, corey.smith@tcichemicals.com, 503-935-5128

SAMS: American Tokyo Kasei Inc

DUNS:144386380

SAM UNIQUE ENTITY ID: ZJHVFLU1CQ45

Cage: oNGP7

WBS: AP.RA.OTCS.WS.HQ16

BOC: 2620-Scientific & Experimental Supplies

Certifications

Supporting data that is the responsibility of technical or requirements personnel and which form the basis for this justification are accurate and complete to the best of my knowledge.

Patrick Darrow _____

Insert Title of Program/Technical Personnel

The information contained in this justification is accurate and complete to the best of my knowledge and belief and in accordance with Federal Acquisition Regulation 13.106-1(b)(1), I hereby determine the circumstances described above deem only one source, or limited sources, reasonably available and competition is precluded for the reasons indicated in this document.

Cody Grey _____
Contracting Officer

