

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 19, 2008]²

Bill No. and sponsor: H.R. 5039 (Mr. Jim Costa of California).

Proponent name,³ location: Bayer CropScience, Research Triangle Park, NC.

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

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

Retroactive effect: None.

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

1H-[1,2,4]-Triazole (CAS No. 288-88-0) (provided for in subheading 2933.99.97).

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 raw material in the production of a fungicide for peanuts and grasses. The proponent imports the product from China and Germany.

Estimated effect on customs revenue:

HTS subheading: <u>2933.99.97</u>					
	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	\$5,300,000	\$5,300,000	\$5,300,000	\$5,300,000	\$5,300,000
Customs revenue loss	\$344,500	\$344,500	\$344,500	\$344,500	\$344,500

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

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

¹ Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David 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.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Bayer CropScience (Proponent) William Hensley, william.hensley@bayercropscience.com	04/25/2008	No	No	No
Arkema Inc. Charles Kitchen, Fax: 215-419-7075	04/30/2008	No	No	No
BASF Corporation Greg Thies, Fax: 202-558-5101	04/30/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	04/30/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	04/30/2008	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, Fax: 225-383-0590	04/30/2008	No	No	No
DuPont Helen McMahan, Fax: 302-355-2994	04/30/2008	No	No	No
Emerald Performance Materials, LLC Tom Dirmyer, Fax: 330-315-6480	04/30/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	04/30/2008	No	No	No
Gowan Company George L. Rolofson, Fax: 336-854-2772 Cindy Baker, Fax: 928-373-1822	04/30/2008	No	No	No
Monsanto Corp. Grant Erdel, Fax: 202-789-1867	04/30/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	04/30/2008	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084	04/30/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	04/30/2008	No	No	No

Technical comments:⁴ None.

⁴ 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
2D SESSION

H. R. 5039

To suspend temporarily the duty on 1,2,4-Triazole.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2008

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

A BILL

To suspend temporarily the duty on 1,2,4-Triazole.

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. 1,2,4-TRIAZOLE.**

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

“	9902.01.00	1H-[1,2,4]-Triazole (CAS No. 288-88-0) (provided for in subheading 2933.99.97) ..	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to articles entered, or withdrawn

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- 1 from warehouse for consumption, on or after the 15th day
- 2 after the date of the enactment of this Act.

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