

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: May 16, 2008]²

Bill No. and sponsor: H.R. 4633 (Mr. Sam Graves of Missouri).

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)):

1,3-Dimethyl-1H-pyrazol-5-ol (CAS No. 5203-77-0); or 1,3-dimethylpyrazol-5-one (CAS No. 2749-59-9) (provided for in subheading 2933.19.90).

Check one: ___ Same as that in bill as introduced.
 X Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject products are both synthetic organic chemicals that are used as raw materials in the production of a herbicide that controls broadleaf weeds on barley and wheat. Both chemicals are imported from Japan.

Estimated effect on customs revenue:

HTS subheading: 2933.19.90					
	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	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
Customs revenue loss	\$97,500	\$97,500	\$97,500	\$97,500	\$97,500

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) Jean Riemer, Fax: 202-737-8909	03/25/2008	No	No	No
Arkema Inc. (Atofina) Charles Kitchen, Fax: 215-419-7075	03/25/2008	No	No	No
BASF Greg Thies, Fax: 202-558-5101	03/25/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	03/25/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	03/25/2008	No	No	No
Dow Chemical/Dow AgroScience Max Turnipseed, Fax: 225-383-0590 Lisa Schroeter, Fax: 202-429-3467	03/25/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994	03/25/2008	No	No	No
Emerald Performance Chemicals Tom Dirmyer, Fax: 330-315-6480	03/25/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	03/25/2008	No	No	No
Gowan Company George L. Rolofson, Fax: 336-854-2772 Cindy Baker, Fax: 928-373-1822	03/25/2008	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867 Grant Erdel, Fax: 202-789-1867	03/25/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	03/25/2008	No	No	No
Syngenta Angus Kelly, Fax: 336-632-6084 Mike Blythe, Fax: 336-632-6084	03/25/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	03/25/2008	No	No	No

Technical comments:⁴

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading in order to (1) provide the correct capitalization, (2) provide a clearer presentation of the chemical names and associated CAS numbers, and (3) to make clear that the chemicals may be imported separately and nonetheless qualify for the temporary duty suspension.

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
1ST SESSION

H. R. 4633

To suspend temporarily the duty on 1,3-Dimethyl-1H-pyrazol-5-ol and 1,3-Dimethylpyrazol-5-one.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

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

A BILL

To suspend temporarily the duty on 1,3-Dimethyl-1H-pyrazol-5-ol and 1,3-Dimethylpyrazol-5-one.

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. 1,3-DIMETHYL-1H-PYRAZOL-5-OL AND 1,3-**
4 **DIMETHYLPYRAZOL-5-ONE.**

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.____	1,3-Dimethyl-1H-pyrazol-5-ol and 1,3-Dimethylpyrazol-5-one (CAS No.5203-77-0 and 2749-59-9) (provided for in subheading 2933.19.90)	Free	No change	No change	On or before 12/31/2011	”.
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1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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