

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: May 23, 2008]²

Bill No. and sponsor: H.R. 4638 (Mr. Gene Green of Texas).

Proponent name,³ location: Syngenta Crop Protection, Inc., Greensboro, 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)):

(2RS,3RS)-1-(4-Chlorophenyl)-4,4-dimethyl-2-(1H-1,2,4-triazol-1-yl)pentan-3-ol (Paclobutrazol) (CAS No. 76738-62-0) (provided for in subheading 2933.99.22).

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 the active ingredient used in the manufacture of a plant growth regulator that is used in the cultivation of greenhouse and bedding plants. The product is imported from the United Kingdom.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. 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.

Estimated effect on customs revenue:

HTS subheading: <u>2933.99.22</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty (AVE)	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$434,040	\$434,040	\$434,040	\$434,040	\$434,040
Customs revenue loss	\$28,213	\$28,213	\$28,213	\$28,213	\$28,213

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

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)		
Syngenta Crop Protection, Inc. (Proponent) Angus Kelly, Fax: 336-632-6084	02/18/2008	No	No	No
Arkema Inc. (Atofina) Charles Kitchen, Fax: 216-419-7075	02/18/2008	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142	02/18/2008	No	No	No
Bayer CropScience William Hensley, 202-756-3781 Jean Reimers, 202-756-3779	02/18/2008	No	No	No
Chemtura Corporation Matt Mattingley, Fax: 202-463-8498	02/18/2008	No	No	No
CropLife America Isi Siddiqui, Fax: 202-463-0474	02/18/2008	No	No	No
Dow AgroSciences Max Turnipseed, Fax: 225-338-0310 Lisa Schroeter, Fax: 202-429-3467	02/18/2008	No	No	No
DuPont Helen McMahon, Fax: 302-355-2994 Elaine Olsen, Fax: 302-774-1398	02/18/2008	No	No	No
FMC Corp Jerry Prout, Fax: 202-956-5235 Steve Ziehm, 202-872-8181	02/18/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Monsanto Corp. Michael Parris, Fax: 202-789-1867	02/18/2008	No	No	No
Nufarm Limited Joel R. Junker, Fax: 206-621-8220	02/18/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	02/18/2008	No	No	No

Technical comments:⁴

The Commission staff notes that HTS heading 9902.01.99 provided a temporary duty suspension for the subject product that expired on December 31, 2006. The effective date of heading 9902.01.99 should be amended to renew the temporary duty suspension. In addition, the article description of heading 9902.01.99 should be amended to use the article description on page 1 of this report because it contains the preferred chemical name.

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. 4638

To suspend temporarily the duty on Paclobutrazol Technical.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. GENE GREEN of Texas introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on Paclobutrazol Technical.

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. PACLOBUTRAZOL TECHNICAL.**

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-1-ethanol, beta-[(4-chlorophenyl)methyl]-alpha- (1,1-dimethylethyl)-, (R*,R*)-(+)- (Paclobutrazol) (CAS No. 76738-62-0) (provided for in subheading 2933.99.22).	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 with respect to goods entered, or
3 withdrawn from warehouse for consumption, on or after
4 the 15th day after the date of the enactment of this Act.

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