

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: November 29, 2005]²

Bill No. and sponsor: H.R. 2611 (Mr. Lee Terry of Nebraska).

Proponent name, location: Syngenta Crop Protection, Inc., Omaha, NE.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2008.

Retroactive effect: None.

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

[α -(4-Chlorophenyl)- α -(1-cyclopropylethyl)-1*H*-1-1,2,4-triazole-1-ethanol (cyproconazole) (CAS No. 94361-06-5) (provided for in subheading 2934.99.12)

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 synthetic organic chemical, known as cyproconazole technical, is used to formulate fungicides used to control Asian soybean rust. The subject chemical is imported from Switzerland.

Estimated effect on customs revenue:

HTS subheading: <u>2934.99.12</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$0	\$6,878,200	\$7,153,328	\$7,439,461	\$7,381,323
Customs revenue loss	\$0	\$447,083	\$464,966	\$483,565	\$479,786

Source of estimated dutiable import data: Industry estimates.

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

¹ Industry analyst preparing report: Robert Randall (202-205-3366); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Syngenta Crop Protection, Inc. (Proponent) Dawn DeBerry Stump, 202-347-7772	09/15/2005	No	No	No
AtoFina Cerex Charles Kitchin, Fax: 703-527-2092	09/28/2005	No	No	No
Aventis Jean Reimers, Fax: 202-628-6622	09/28/2005	No	No	No
BASF Corp. Greg Thies, Fax: 202-558-5101	09/28/2005	No	No	No
Bayer Corporate Services Karen Niedermeyer, Fax: 412-777-4700	09/28/2005	No	No	No
Crop Life America Lawrence Norton, Fax: 202-463-0474	09/28/2005	No	No	No
Dow Agro Sciences Lisa Schrocter, Fax: 202-429-3467	09/28/2005	No	No	No
E.I. DuPont Nancy Johnson, Fax: 202-728-3649	09/28/2005	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	09/28/2005	No	No	No
Griffin Corp. James Whatley, Fax: 800-248-5154	09/28/2005	No	No	No
LANXESS Corp. Jamie B. Schaeffer, Fax: 412-809-3614	09/28/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	09/28/2005	No	No	No
Valent USA Robin Demouth, Fax: 925-246-2776	09/28/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used because it contains the preferred chemical description.

³ 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.

109TH CONGRESS
1ST SESSION

H. R. 2611

To suspend temporarily the duty on Cyproconazole Technical.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2005

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

A BILL

To suspend temporarily the duty on Cyproconazole 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. CYPROCONAZOLE 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:

“	9902.90.15	Cyproconazole Technical – [Alpha-(4-Chlorophenyl)- alpha-(1-cyclopropylethyl)- 1H-1,2,4-triazole-1-eth- anol (CAS No. 94361-06-5) (provided for in subheading 2934.99.12)	Free	No change	No change	On or before 12/31/2008	”.
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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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