

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: November 10, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2678 (Mr. Rush D. Holt of New Jersey)

**Proponent name, location:** Johnson & Johnson, New Brunswick, NJ.

**Other bills on product (109<sup>th</sup> 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)):**

Mixtures of (±)-(cis and trans)-1-[[2-(2,4-Dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]-methyl]-1H-1,2,4-triazole (CAS No. 60207-90-1) and application adjuvants (provided for in subheading 3808.20.15)

**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 (also known as propiconazole) and application adjuvants are used in one form (trade name SAFETRAY P) to treat wooden mushroom trays and bed boards to prevent the decay of the wood and also to prevent the harboring of disease organisms in and on the wood. This formulation (under a different trade name (WOCOSEN EC)) is used as a stain and decay control agent for preserving metal working fluids, leather, wood, paint, coatings, sealants, adhesives, inks, textiles, fabrics, and canvas. Additionally, under various related trade names (WOCOSEN 50TK/500SL, WOCOSEN 15TK/150EC), this product is also used for the control of decay and stain fungi, and as an end-use preservative for paints, coatings, caulks, sealants, textiles, canvas, leather, and metal working fluids. The proponent imports this product from Switzerland.

<sup>1</sup> Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>3808.20.15</u></b>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$9,250,000	\$9,250,000	\$9,250,000	\$9,250,000	\$9,250,000
Customs revenue loss	\$601,250	\$601,250	\$601,250	\$601,250	\$601,250

Source of estimated dutiable import data: Industry estimates and Commission estimates.

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

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
Johnson & Johnson (Proponent) Robert Leo email:robert.leo@mscustoms.com	09/12/2005	No	No	No
Abbott Laboratories Claude Burky fax:202-783-6631 Elaine Leavenworth fax:202-783-6631	09/27/2005	No	No	No
American Chemistry Council Jim O'Connor fax:703-741-6922	09/27/2005	No	No	No
Atofina Cerex Charles Kitchin fax:703-527-2092	09/27/2005	No	No	No
BASF Corporation Greg Thies fax:202-558-5105	09/27/2005	No	No	No
Bayer Julie Van Egmund fax:202-737-8909 Karen Niedermeyer fax:412-777-4740 Williams Hensley fax:202-628-6622	09/27/2005	No	No	No
Biddle Sawyer William Thonack fax:212-239-1089	09/27/2005	No	No	No
Bristol-Myers Squibb Co. David Warr fax:202-738-2308	09/27/2005	No	No	No

Ciba Specialty Chemicals John Deming fax:302-479-5152	09/27/2005	No	No	No
Clariant Corporation Andrew Zamoyski fax:401-823-2700	09/27/2005	No	No	No
Crop Life America Lawrence Norton fax:202-463-0474	09/27/2005	No	No	No
Dow Chemical/Dow Agro Science Lisa Schroeter fax:202-429-3467	09/27/2005	No	No	No
DuPont Helen McMahon fax:302-774-1398	09/27/2005	No	No	No
Eastman Chemical Greg Riddle fax:703-524-7707 Jorge San Pedro fax:703-524-7707	09/27/2005	No	No	No
Endo Labs Camille Ali Jackson fax:610-558-9685	09/27/2005	No	No	No
FMC Corporation Jerry Prout fax:202-956-5235	09/27/2005	No	No	No
Gilead Sciences Cheryl Myriad fax:650-522-5853	09/27/2005	No	No	No
Glaxo Wellcome Sara Froelich fax:202-715-1001	09/27/2005	No	No	No
Honeywell International Art Simonetti fax:202-662-2675	09/27/2005	No	No	No
Interferon Sciences Samuel Ronel fax:732-249-6895	09/27/2005	No	No	No
LANXESS Corporation Jamie B. Schaeffer fax:412-809-3614	09/27/2005	No	No	No
Merck & Co. Thomas Bombelles fax:202-638-3670	09/27/2005	No	No	No
Monsanto Corporation Linda Strachan fax:202-789-1867 Michael Parrish fax:202-789-1867	09/27/2005	No	No	No
Novartis Tracy Haller fax:202-628-4763	09/27/2005	No	No	No
Noveon Tom Dirmyer fax: 216-447-5720	09/27/2005	No	No	No
Niche Pharmaceuticals Steve Brandon fax:817-491-3533	09/27/2005	No	No	No

Pfizer Philip Ellsworth fax:202-347-2044 Katherine Bennett fax:202-347-2044	09/27/2005	No	No	No
Procter & Gamble Jim McCarthy fax:202-393-4606	09/27/2005	No	No	No
Rhodia Inc. Dominick Cangiana fax:609-860-1841	09/27/2005	No	No	No
Schering-Plough Rob Lively fax:202-463-8809	09/27/2005	No	No	No
Solutia Sue Cannon fax:314-674-1585 Dan Jenkins fax:314-674-1585	09/27/2005	No	No	No
Syngenta Mike Blythe fax:336-632-6084	09/27/2005	No	No	No
Uniroyal Lloyd Moon fax:203-573-4430	09/27/2005	No	No	No
Valent USA Robin Demouth fax:925-256-2776	09/27/2005	No	No	No
Watson Pharmaceuticals Sarah Swee fax:951-270-1429	09/27/2005	No	No	No

**Technical comments:**<sup>3</sup>

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to correct the spelling in the chemical name.

<sup>3</sup> 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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2678

To suspend temporarily the duty on mixtures of (1A1B1A)–(cis and trans)–1-(2-(2,4-Dichlorophenyl)-4-propyl-1,3-dioxalan-2-yl)methyl)–1H-1,2,4-triazole (Propiconazole) and application adjuvants.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

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

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## A BILL

To suspend temporarily the duty on mixtures of (1A1B1A)–(cis and trans)–1-(2-(2,4-Dichlorophenyl)-4-propyl-1,3-dioxalan-2-yl)methyl)–1H-1,2,4-triazole (Propiconazole) and application adjuvants.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MIXTURES OF (±)-(CIS AND TRANS)-1-(2-(2,4-**  
 2 **DICHLOROPHENYL) -4-PROPYL-1,3-DIOXALAN-**  
 3 **2-YL)METHYL)-1H-1,2,4-TRIAZOLE**  
 4 **(PROPICONAZOLE) AND APPLICATION ADJU-**  
 5 **VANTS.**

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

“	9902.09.62	Mixtures of (±)-(cis and trans)-1-(2-(2,4-dichlorophenyl) -4-propyl-1,3-dioxalan-2-yl)methyl)-1H-1,2,4-triazole (Propiconazole) (CAS No. 60207-90-1) and application adjuvants (provided for in subheading 3808.20.15) ..	Free	No change	No change	On or before 12/31/2008	”.
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10 (b) EFFECTIVE DATE.—The amendment made by  
 11 subsection (a) applies to goods entered, or withdrawn from  
 12 warehouse for consumption, on or after the 15th day after  
 13 the date of the enactment of this Act.

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