

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: June 19, 2008]<sup>2</sup>

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

**Proponent name,<sup>3</sup> location:** Bayer CropScience, Research Triangle Park, NC.

**Other bills on product (110<sup>th</sup> 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
<del>Col. 1-General rate of duty</del>	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):**

<sup>1</sup> Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3440).

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

<sup>3</sup> 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 McMahon, 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:**<sup>4</sup> None.

<sup>4</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.

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5039

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

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2008

Mr. COSTA 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 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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