

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: April 8, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 1945 (Mr. Johnny Isakson of Georgia).

**Proponent name,<sup>3</sup> location:** BASF Corporation, Yuma, AZ.

**Other bills on product (111<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)):**

(*RS*)-(*E*)-5-(4-Chlorobenzylidene)-2,2-dimethyl-1-(1*H*-1,2,4-triazol-1-ylmethyl)cyclopentanol  
(Triticonazole) (CAS No. 131983-72-7) (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 a synthetic organic chemical that is used as a fungicide. It is an active ingredient in seed treatments for use on wheat and barley. The subject product is imported from France.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2933.99.22:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000
Customs revenue loss <sup>b</sup>	\$4,225	\$4,225	\$4,225	\$4,225	\$4,225

a/ Dutiable import estimates were provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

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

<sup>1</sup> Industry analyst preparing report: Robert Randall (202-205-3366); 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/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_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)		
BASF Corporation (Proponent) Greg Thies, 202-299-7240 gregory.thies@basf.com	11/20/2009	No	No	No
Arkema Inc. (Atofina) Brian Sowa, 202-467-5459 Brian@strategicmi.com	11/20/2009	No	No	No
Bayer CropScience, LLP Jean Reimers, 202-756-3779 jean.reimers@bayercropscience.com	11/20/2009	No	No	No
Chemtura Corporation Matt Mattingley, 703-670-5725 matt@mattingleygroup.com	11/20/2009	No	No	No
CropLife America Doug Nelson, 202-872-3880 dnelson@croplifeamerica.org	11/20/2009	No	No	No
Dow AgroSciences Max Turnipseed, 225-338-0310 mctint@att.net Lisa Schroeter, 202-429-3407 lmschroeter@dow.com	11/20/2009	No	No	No
DuPont Elaine Olsen, Fax: 302-992-2263 elaine.m.olsen@usa.dupont.com	11/20/2009	No	No	No
FMC Corporation Jerry Prout, 202-956-5209 jerry.prout@fmc.com Steve Ziehm, 202-872-8181 sziehm@igc.com	11/20/2009	No	No	No
Gowan Company Cindy Baker, 928-819-1554 cbaker@gowanco.com George Rolofson 336-580-1116 grolofson@triad.rr.com	11/20/2009	No	No	No
Monsanto Corp. Michael Parrish, 202-383-2859 michael.parrish@monsanto.com	11/20/2009	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Nufarm Limited Joel R. Junker, Fax: 206-621-8220 joel@jrjtradelaw.com emily@jrjtradelaw.com	11/20/2009	No	No	No
Solutia Inc. Kassie Wooton, 314-674-3297 kdwoot@solutia.com Robert Hurley The Accord Group, 202-289-9800 rhurley@theaccordgroup.com	11/20/2009	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 336-632-6084 angus.kelly@syngenta.com	11/20/2009	No	No	No
United Phosphorous Inc. Karen Davis, 610-644-2122	11/20/2009	No	No	No
Valent USA Corp. Robin Demouth, 925-256-2758 robin.demouth@valent.com	11/20/2009	No	No	No

**Technical comments:<sup>4</sup>**

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

<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.

111TH CONGRESS  
1ST SESSION

# S. 1945

To suspend temporarily the duty on Triticonazole.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 2009

Mr. ISAKSON introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on Triticonazole.

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. TRITICONAZOLE.**

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	Triticonazole (CAS No. 131983-72-7) (provided for in subheading 2933.99.22) ...	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 goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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