MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 109th Congress

[Date approved: November 29, 2005]

Bill No. and sponsor: H.R. 2614 (Mr. Lee Terry of Nebraska).

Proponent name, location: Syngenta Crop Protection, Inc, Greensboro, NC.

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


Retroactive effect: None.

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

1-[[2-(2,4-Dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1H-1,2,4-triazole (propiconazole) (CAS No. 60207-90-1) (provided for in subheading 2934.99.12)

Check one: X Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

Propiconazole technical, imported from Switzerland, is formulated into fungicides in the triazole class. Fungicides of different classes are necessary because they have different modes of action and therefore can be used to prevent the development of resistance in fungi. The development of fungicides of different classes is described as being especially urgent in light of the serious threat posed by Asian soybean rust.

Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 2934.99.12</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Col. 1-General rate of duty</td>
</tr>
<tr>
<td>2005  2006  2007  2008  2009</td>
</tr>
<tr>
<td>Estimated value dutiable imports $13,880,879 $9,136,823 $11,750,468 $8,382,753 $8,252,500</td>
</tr>
<tr>
<td>Customs revenue loss $902,257 $593,893 $763,780 $544,879 $536,413</td>
</tr>
</tbody>
</table>

Source of estimated dutiable import data: Commission estimates.

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1 Industry analyst preparing report: Jack Greenblatt (202-205-3353); 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](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).
Contacts with domestic firms/organizations (including the proponent):

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>US production of same or competitive product claimed?</th>
<th>Submission attached?</th>
<th>Opposition noted?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Syngenta Crop Protection, Inc (Proponent) Dawn Stump Tel: 202-347-8348</td>
<td>09/29/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Atofina Cerex Charles Kitchin Fax: 703-527-2092</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>BASF Greg Thies Fax: 202-558-5101</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Bayer CropScience William Hensley Fax: 202-628-6622</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Crop Life America Lawrence Norton Fax: 202-463-0474</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Dow Chemical/Dow Agro Science Lisa Schroeter Fax: 202-429-3467</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>DuPont Nancy Johnson Fax: 202-728-3649</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>FMC Corp. Jerry Prout Fax: 202-956-5235</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>LANXESS Corp. James Schaeffer Fax: 412-809-3614</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Monsanto Corp. Michael Parrish Fax: 202-789-1867</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Valent USA Robin Demouth Fax: 925-256-2776</td>
<td>10/07/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Technical comments:3

The Commission suggests that the article description on page 1 of this report be used because it is simpler.

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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. 2614

To suspend temporarily the duty on Propiconazole Technical - Bulk.

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 Propiconazole Technical - Bulk.

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

SECTION 1. PROPICONAZOLE TECHNICAL - BULK.

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

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  9902.90.18 Propiconazole Technical - (Bulk) (220kg Drum) 1-[(2-
(2,4-dichlorophenyl)-4-
 propyl-1,3-dioxolan-2-
 yl)(methyl)-1H-1,2,4-triazole
 (CAS No. 60207–90–1)
(provided for in subheading
2934.99.12) ......................... Free No change No change On or before 12/31/2008
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(b) Effective Date.—The amendment made by subsection (a) applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.