



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

N-Phenyl-N -(1,2,3-thiadiazol-5-yl)-urea (Thidiazuron) (CAS No. 51707-55-2), whether or not mixed with application adjuvants (provided for in subheading 2934.99.15 or 3808.93.15)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
- Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The synthetic organic chemical is the active ingredient in a defoliant used as a pre-harvest aid for cotton. It is imported from China.

IV. Estimated effect on customs revenue

| | | | | | |
|--|---------------------------|-----------|-----------|-----------|-----------|
| Subject product HTS subheading(s) | 2934.99.15 and 3808.93.15 | | | | |
| Item | 2013 | 2014 | 2015 | 2016 | 2017 |
| Col.1-general rate of duty (%) or percentage point reduction | 6.5 | 6.5 | 6.5 | 6.5 | 6.5 |
| Estimated value of <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 |

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
- Provided by industry sources
- Industry information
- Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
- This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) Temporary rate (%) Percentage point reduction (%)

V. Technical comments

Heading 9902.10.81 currently provides for this product and its formulations. Staff suggest that the existing provision be extended by drafting appropriate language to change the effective date, and the current bill withdrawn.

VI. Continuation

VII. Contacts with domestic firms/organizations

| # | Firm/organization and contact name | Telephone number | Claims same or competing product made in the United States | Submission attached | Opposition noted |
|----|---|------------------|--|---------------------|------------------|
| 1 | Bayer (Interested entity) Steve Johnsen | 412-777-5616 | No | No | No |
| 2 | 3M Greg Walters | 202-414-3008 | No | No | No |
| 3 | Arkema David Kunz | 202-263-3491 | No | No | No |
| 4 | BASF Richard J. Salamone | 973-895-8316 | No | No | No |
| 5 | Celanese Samuel Ramirez | 972-443-4689 | No | No | No |
| 6 | Chemtura Elizabeth J. Thomasino | 203-573-2644 | No | No | No |
| 7 | Clariant Andrew Zamoyski | 202-415-9159 | No | No | No |
| 8 | Crowell & Moring, LLP Mike Gill | 202-508-8843 | No | No | No |
| 9 | DSM Sheetal Bhadekar | 973-257-8323 | No | No | No |
| 10 | Dixie Chemical Mal Johnson | 281-291-2659 | No | No | No |
| 11 | Dow Chemical Co. Lisa Schroeter | 202-429-3407 | No | No | No |
| 12 | Drexel Chemical Stanley Bernard | 901-774-4370 | No | No | No |
| 13 | DuPont Elaine M. Olsen | 302-992-2263 | No | No | No |
| 14 | Eastman Greg Riddle | 212-835-1620 | No | No | No |
| 15 | Emerald Performance Materials Thomas Dirmyer | 330-916-6706 | No | No | No |
| 16 | Evonik Russell Mait | 804-452-5711 | No | No | No |
| 17 | FMC Jerry Prout | 202-956-5209 | No | No | No |
| 18 | Fanwood Chemical V. M. (Jim) DeLisi | 908-322-8440 | No | No | No |

| # | Firm/organization and contact name | Telephone number | Claims same or competing product made in the United States | Submission attached | Opposition noted |
|----|---|-------------------|--|---------------------|------------------|
| 19 | Honeywell Art Simonetti | 202-662-2671 | No | No | No |
| 20 | Kemira Rajesh Sharma | 678-819-4577 | No | No | No |
| 21 | LANXESS Jamie B. Schaeffer | 412-809-3666 | No | No | No |
| 22 | Lonza Joe Robinson | 201-316-9364 | No | No | No |
| 23 | Monsanto James K. Travis | 202-383-2864 | No | No | No |
| 24 | Nation Ford Chemical Jay Dickson | 803-548-3210, x15 | No | No | No |
| 25 | Nufarm Americas Joel Junker | 206-621-7878 | No | No | No |
| 26 | PPG Industries Bill Ries | 412-434-1717 | No | No | No |
| 27 | Procter & Gamble Matt Mattingley | 202-841-5601 | No | No | No |
| 28 | Purolite Gary Thundercliffe | 484-384 2708 | No | No | No |
| 29 | Royce Associates, ALP Terry Scheirer | 201-438-5200 | No | No | No |
| 30 | SOCMA Robert E. Branand, Esq. | 202-345-2717 | No | No | No |
| 31 | Sensient Technologies Ken Goldacker | 314-658-7363 | No | No | No |
| 32 | Sigma Aldrich Jared Fenton | 314-286-8326 | No | No | No |
| 33 | Solutia Kassie Wooton | 314-674-3297 | No | No | No |
| 34 | Solvay Andrew K. Jones | 856-251-3412 | No | No | No |
| 35 | Symrise Elizabeth Scharlat | 908-429-6821 | No | No | No |
| 36 | Syngenta Mike Blythe | 336-632-2824 | No | No | No |
| 37 | Valent Robin Demouth | 925-256-2758 | No | No | No |

112TH CONGRESS
2D SESSION

H. R. 4459

To suspend temporarily the duty on Thidiazuron.

IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2012

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

A BILL

To suspend temporarily the duty on Thidiazuron.

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. THIDIAZURON.**

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 | N-phenyl-N'-(1,2,3-thiadiazol-5-yl)-urea (Thidiazuron) (CAS No. 51707-55-2) (provided for in subheading 3808.93.15) | Free | No change | No change | On or before 12/31/2015 | ”. |
|---|------------|---|------|-----------|-----------|-------------------------|----|

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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