

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress ¹**

[Date approved: November 8, 2005]²

Bill No. and sponsor: H.R. 1967 (Mr. Richard H. Baker of Louisiana)

Proponent name, location: Ciba Specialty Chemicals, St. Gabriel, LA

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

Nature of bill: Extension of temporary duty suspension through December 31, 2008.

Retroactive effect: None.

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

Acid black 194 (chromate(3-), bis[3-(hydroxy6O)-4-[[2-(hydroxy6O)-1-naphthalenyl]azo-6N1]-7-nitro-1-naphthalenesulfonato(3-)]-, trisodium) (CAS No. 57693-14-8) (provided for in subheading 3204.12.20)

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:

This synthetic dyestuff, known as acid black 194, is used by the defense industry for camouflage printing to hide troops and equipment. This product is imported from China.

¹ Industry analyst preparing report: Robert Randall (202-205-3366); 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

Estimated effect on customs revenue:

HTS subheading: 3204.12.20					
	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	\$692,308	\$692,308	\$692,308	\$692,308	\$692,308
Customs revenue loss ^{1/}	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000

^{1/} The estimated Customs revenue loss for 2005 and 2006 results from an existing temporary duty suspension under HTS heading 9902.01.75 that expires on December 31, 2006.
Source of estimated dutiable import data: Industry 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?
		(Yes/No)		
Ciba Specialty Chemicals (Proponent) John Deming, 202-857-5200	8/19/2005	No	No	No
BASF Corporation Joseph C. Breunig, Fax: 704-587-7903	8/26/2005	No	No	No
Bayer Corporation Karen Niedermeyer, Fax: 412-777-7743	8/26/2005	No	No	No
Carey Industries, Inc. Raymond J. Carey, Fax: 203-791-2762	8/26/2005	No	No	No
Ciba Specialty Chemicals Corp. Michelle Forte, Fax: 914-785-4831	8/26/2005	No	No	No
Clariant Corporation Ken Golder Fax: 704-377-1063	8/26/2005	No	No	No
CMPA Larry Robinson, Fax: 703-684-1795	8/26/2005	No	No	No
Color Resources Int'l Inc. Wayne Jones, Fax: 864-862-6824	8/26/2005	No	No	No

Colorants & Textile Leather Chemicals Michael Strumpp, Fax: 973-426-3542	8/26/2005	No	No	No
ColorChem Steve Printz, Fax: 770-993-4780	8/26/2005	No	No	No
Day-Glo Michael Thornton, Fax: 216-391-1408	8/26/2005	No	No	No
DuPont Helen McMahon, Fax: 302-774-3980	8/26/2005	No	No	No
DyStar L.P. Van Hawkins, Fax: 704-561-3005	8/26/2005	No	No	No
ETAD Tucker Helms, Fax: 209-296-8120	8/26/2005	No	No	No
Everlight USA, Inc. Scott Chen, Fax: 704-588-0051	8/26/2005	No	No	No
Fanwood Chemical Jim DeLisi, Fax: 908-322-8494	8/26/2005	No	No	No
Milliken Ray Sanders, Fax: 864-503-1618	8/26/2005	No	No	No
NFC John Dickson, Fax: 803-548-2683	8/26/2005	No	No	No
Noveon Tom Dirmyer, Fax: 214-415-6001	8/26/2005	No	No	No
Noviant Paul Schmidt, Fax: 513-841-4841	8/26/2005	No	No	No
Passaic Color John Wojciechowski, Fax: 973-279-3175	8/26/2005	No	No	No
Rohm & Haas Steven Volger, Fax: 215-592-2550	8/26/2005	No	No	No
Sensient Technical Colors Dan Victor, Fax: 610-582-6663	8/26/2005	No	No	No
United Color Tom Nowakowski, Fax: 215-860-8560	8/26/2005	No	No	No
Yorkshire Americas, Inc. Allen Hughes, Fax: 704-376-3091	8/26/2005	No	No	No

Technical comments:³

The Commission notes that the title of the bill refers to acid black 172, whereas the bill actually amends HTS heading 9902.01.75, which applies to acid black 194. Acid black 172 is covered by a temporary duty suspension that is provided for in HTS heading 9902.03.60, which expires on December 31, 2006.

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. 1967

To extend the suspension of duty on Acid black 172.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

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

A BILL

To extend the suspension of duty on Acid black 172.

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. ACID BLACK 172.**

4 (a) IN GENERAL.—Heading 9902.01.75 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 Acid black 172) is amended by striking “12/31/2006” and
7 inserting “12/31/2008”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from
10 warehouse for consumption, on or after the 15th day after
11 the date of the enactment of this Act.