

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress <sup>1</sup>**

[Date approved: November 7, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2144 (Mr. Marion Berry of Arkansas)

**Proponent name, location:** Ciba Specialty Chemicals  
Washington, D.C.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2008.

**Retroactive effect:** None.

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

Cobaltate, bis[3-[[1-(3-chlorophenyl)-4,5-dihydro-3-methyl-5-(oxo-κO)-1H-pyrazol-4-yl]azo-κN1]-4-(hydroxy-κO)-benzenesulfonamido(2-)-], sodium (Acid orange 162) (CAS No. 73612-40-5) (provided for in subheading 3204.12.45)

**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 used as an acid metal complex dye to dye nylon, wool fiber, and fabrics. The chemical is imported from France. There are several domestic firms that both import and market this product.

<sup>1</sup> Industry analyst preparing report: Richard Qualters (202-205-2334); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> 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)

**Estimated effect on customs revenue:**

<b>HTS subheading: 3204.12.45</b>					
	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	\$225,000	\$225,000	\$225,000	\$225,000	\$225,000
Customs revenue loss	\$14,625	\$14,625	\$14,625	\$14,625	\$14,625

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 Demming, Fax: 410-715-4552	7/21/2005	No	No	No
Allegheny Color Corp. Marv Gallisdorfer, Fax: 513-681-0451	7/21/2005	No	No	No
Apollo Color, Inc. Patty Hines, Fax: 815-741-2599	7/21/2005	No	No	No
Bayer Corp. & Bus. Karen L. Niedermeyer, Fax: 412-777-4740	7/21/2005	No	No	No
BF Goodrich Thomas E. Eickhoff, Fax: 513-841-4919	7/21/2005	No	No	No
Clariant Andy Zamoyski, Fax: 401-823-2230	8/4/2005	No	No	No
Diacolor-Pope, Inc. Norman Russo, Fax: 973-279-1256	7/21/2005	No	No	No
Dystar Will Caylor, Fax: 704-561-3098	8/4/2005	No	No	No
Engelhard Corp. Frank Ardite, Fax: 732-321-0250	7/21/2005	No	No	No

Fabricolor Manuf. Corp. M. Barry Bochner, Fax: 973-742-5038	7/21/2005	No	No	No
Galaxie Chemical Corp. Michael Santoro, Jr., Fax: 973-790-7104	7/21/2005	No	No	No
Magruder Color Co., Inc. John G. Cook, Jr., Fax: 973-242-4087	7/21/2005	No	No	No
Mason Color Work, Inc. Carol Mason Cronin, Fax: 330-385-4488	7/21/2005	No	No	No
Max Marx Color Corp. Walter Sichel, Fax: 973-373-9301	7/21/2005	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	7/21/2005	No	No	No
PMC Inc. Gordon McCullough, Fax: 513-482-7884	7/21/2005	No	No	No
Roma Color, Inc. Stuart E. Booth, Fax: 508-676-9011	7/21/2005	No	No	No
Sun Chemical Corp. Steve Schmidt, Fax: 513-681-4960	7/21/2005	No	No	No
Uhlich Color Co. Abdul Saleh, Fax: 520-577-0038	7/21/2005	No	No	No

**Technical comments:**<sup>3</sup>

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to reflect italicization and lettering in the chemical name, as well as providing the common dye name in parentheses.

<sup>3</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.

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2144

To suspend temporarily the duty on Cobaltate(1-), bis[3-[[1-(3-chlorophenyl)-4,5-dihydro-3-methyl-5-(oxo- $\kappa$ O)-1H-pyrazol-4-yl]azo- $\kappa$ N1]-4-(hydroxy- $\kappa$ O)-benzenesulfonamid-ato(2-)]-, sodium.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

Mr. BERRY 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 Cobaltate(1-), bis[3-[[1-(3-chlorophenyl)-4,5-dihydro-3-methyl-5-(oxo- $\kappa$ O)-1H-pyrazol-4-yl]azo- $\kappa$ N1]-4-(hydroxy- $\kappa$ O)-benzenesulfonamid-ato(2-)]-, sodium.

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

1 **SECTION 1. COBALTATE(1-), BIS[3-[[1-(3- CHLOROPHENYL)-**  
 2 **4,5-DIHYDRO-3- METHYL-5-(OXO-KAPPA.O)-1H-**  
 3 **PYRAZOL-4-YL]AZO-KAPPA.N1]-4- (HYDROXY-**  
 4 **.KAPPA.O)- BENZENESULFONAMID- ATO(2-)]-,**  
 5 **SODIUM.**

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

“	9902.05.55	Cobaltate(1-), bis[3-[[1-(3-chlorophenyl)-4,5-dihydro-3-methyl-5-(oxo-kappa.O)-1H-pyrazol-4-yl]azo-kappa.N1]-4- (hydroxy-kappa.O)-benzenesulfonamid- ato(2-)]-, sodium (CAS No. 73612-40-5) (provided for in sub-heading 3204.12.45) .....	Free	No change	No change	On or before 12/31/2008	”.
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10 (b) EFFECTIVE DATE.—The amendment made by  
 11 subsection (a) applies to goods entered, or withdrawn from  
 12 warehouse for consumption, on or after the 15th day after  
 13 the date of the enactment of this Act.

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