

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 21, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2704 (Mrs. Sue Wilkins Myrick of North Carolina).

**Proponent name, location:** DyStar L.P., Charlotte, NC.

**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)):**

5-[(2-Cyano-4-nitrophenyl)azo]-2-[[2-(2-hydroxyethoxy)ethyl]amino]-4-methyl-6-(phenylamino)-3-pyridinecarbonitrile (CAS No. 14998-44-3) (provided for in subheading 3204.11.50)

**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 product, imported from Japan, is a dye material used in textile production and assembly.

**Estimated effect on customs revenue:**

HTS subheading: <u>3204.11.50</u>					
	2005	2006	2007	2008	2009
<del>Col. 1-General rate of duty</del>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$3,089	\$3,672	\$3,856	\$4,048	\$4,048
Customs revenue loss	\$201	\$239	\$251	\$263	\$263

Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: Jack Greenblatt (202-205-3353); 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).

**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)		
DyStar L.P. (Proponent) Ashley Craig, Tel: 202-344-4351	10/12/2005	No	No	No
BASF Corporation Joseph C. Breunig, Fax: 704-587-7903	10/12/2005	No	No	No
Bayer Corporation Karen Niedermeyer, Fax: 412-777-7743	10/12/2005	No	No	No
Carey Industries, Inc. Raymond J. Carey, Fax: 203-791-2762	10/12/2005	No	No	No
Ciba Specialty Chemicals Corp. Michelle Forte, Fax: 914-785-4831	10/12/2005	No	No	No
Clariant Corporation Ken Golder, Fax: 704-377-1063	10/12/2005	No	No	No
CPMA Larry Robinson, Fax: 703-684-1795	10/12/2005	No	No	No
Color Resources Int'l Inc. Wayne Jones, Fax: 864-862-6824	10/12/2005	No	No	No
Colorants & Textile Leather Chemicals Michael Strumpp, Fax: 973-426-3542	10/12/2005	No	No	No
ColorChem Steve Printz, Fax: 770-993-4780	10/12/2005	No	No	No
Day-Glo Michael Thornton, Fax: 216-391-1408	10/12/2005	No	No	No
DuPont Helen McMahon, Fax: 302-774-3980	10/12/2005	No	No	No
ETAD Tucker Helms, Fax: 209-296-8120	10/12/2005	No	No	No
Everlight USA, Inc. Scott Chen, Fax: 704-588-0051	10/12/2005	No	No	No

Fanwood Chemical Jim DeLisi, Fax: 908-322-8494	10/12/2005	No	No	No
Milliken Ray Sanders, Fax: 864-503-1618	10/12/2005	No	No	No
NFC John Dickson, Fax: 803-548-2683	10/12/2005	No	No	No
Noveon Tom Dirmyer, Fax: 214-415-6001	10/12/2005	No	No	No
Noviant Paul Schmidt, Fax: 513-841-4841	10/12/2005	No	No	No
Passaic Color John Wojciechowski, Fax: 973-279-3175	10/12/2005	No	No	No
Rohm & Haas Steven Volger, Fax: 215-592-2550	10/12/2005	No	No	No
Sensient Technical Colors Dan Victor, Fax: 610-582-6663	10/12/2005	No	No	No
United Color Tom Nowakowski, Fax: 215-860-8560	10/12/2005	No	No	No
Yorkshire Americas, Inc. Allen Hughes, Fax: 704-376-3091	10/12/2005	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 present the chemical moieties in the proper order.

<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. 2704

To suspend temporarily the duty on 3-Pyridinecarbonitrile, 5-[(2-cyano-4-nitrophenyl)azo]-2-[[2-(2-hydroxyethoxy)ethyl] amino]-4-methyl-6-(phenylamino)-.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Mrs. MYRICK 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 3-Pyridinecarbonitrile, 5-[(2-cyano-4-nitrophenyl)azo]-2-[[2-(2-hydroxyethoxy)ethyl] amino]-4-methyl-6-(phenylamino)-.

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. 3-PYRIDINECARBONITRILE, 5-[(2-CYANO-4-**  
4 **NITROPHENYL)AZO]-2-[[2-(2-**  
5 **HYDROXYETHOXY)ETHYL]AMINO]-4-METHYL-**  
6 **6-(PHENYLAMINO)-.**

7 (a) IN GENERAL.—Subchapter II of chapter 99 of  
8 the Harmonized Tariff Schedule of the United States is

1 amended by inserting in numerical sequence the following  
 2 new heading:

“	9902.12.08	3-Pyridinecarbonitrile, 5-[(2-cyano-4-nitrophenyl)azo]-2-[[2-(2-hydroxyethoxy)ethylamino]-4-methyl-6-(phenylamino)- (CAS No. 14998-44-3) (provided for in subheading 3204.11.50) .....	Free	No change	No change	On or before 12/31/2008	”.
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3 (b) EFFECTIVE DATE.—The amendment made by  
 4 subsection (a) applies to goods entered, or withdrawn from  
 5 warehouse for consumption, on or after the 15th day after  
 6 the date of enactment of this Act.

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