

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: November 21, 2005]²

Bill No. and sponsor: H.R. 2707 (Mrs. Sue Wilkins Myrick of North Carolina).

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

Other bills on product (109th 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)):

[4-(2,6-Dihydro-2,6-dioxo-7-phenylbenzo[1,2-*b*:4,5-*b'*]difuran-3-yl)phenoxy]-acetic acid, 2-ethoxyethyl ester (CAS No. 126877-05-2) (provided for in subheading 3204.11.35).

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 Germany, is a dye material used in textile production and assembly.

Estimated effect on customs revenue:

| HTS subheading: <u>3204.11.35</u> | | | | | |
|---|---------|---------|---------|---------|---------|
| | 2005 | 2006 | 2007 | 2008 | 2009 |
| Col. 1-General rate of duty | | | | | |
| Col. 1-General rate of duty | 6.5% | 6.5% | 6.5% | 6.5% | 6.5% |
| Estimated value <i>dutiable</i> imports | \$1,680 | \$1,612 | \$1,693 | \$1,777 | \$1,777 |
| Customs revenue loss | \$109 | \$105 | \$110 | \$116 | \$116 |

Source of estimated dutiable import data: Industry estimates.

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.

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, 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 |
| CMPA 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:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to correct the chemical name.

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. 2707

To suspend temporarily the duty on Acetic acid, [4-(2,6-dihydro-2,6-dioxo-7-phenylbenzo[1,2-b:4,5-b']difuran -3-yl)phenoxy]-, 2-ethoxyethyl ester.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Mrs. MYRICK introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on Acetic acid, [4-(2,6-dihydro-2,6-dioxo-7-phenylbenzo[1,2-b:4,5-b']difuran -3-yl)phenoxy]-, 2-ethoxyethyl ester.

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. ACETIC ACID, [4-(2,6-DIHYDRO-2,6-DIOXO-7-**
4 **PHENYLBENZO[1,2-B:4,5-B']DIFURAN-3-**
5 **YL)PHENOXY]-, 2-ETHOXYETHYL ESTER.**

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:

| | | | | | | | |
|---|------------|---|------|-----------|-----------|-------------------------|----|
| “ | 9902.12.11 | Acetic acid, [4-(2,6-dihydro-2,6-dioxo-7-phenylbenzo[1,2-b:4,5-b']difuran-3-yl)phenoxy]-, 2-ethoxyethyl ester. (CAS No. 126877-05-2) (provided for in sub-heading 3204.11.35) | Free | No change | No change | On or before 12/31/2008 | ”. |
|---|------------|---|------|-----------|-----------|-------------------------|----|

1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of enactment of this Act.

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