

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. 2712 (Mrs. Sue Wilkins Myrick of North Carolina).

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

Other bills on product (109th Congress only): H.R. 2696.

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

Retroactive effect: None.

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

1,8-Dihydroxy-4-nitro-5-(phenylamino)-9,10-anthracenedione (Disperse Blue 77) (CAS No. 20241-76-3) (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 subject product is used for textile production and assembly. The product is imported from Japan.

Estimated effect on customs revenue:

HTS subheading: <u>3204.11.50</u>					
	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	\$740,000	\$725,000	\$760,000	\$800,000	\$800,000
Customs revenue loss ^{1/}	\$48,100	\$47,125	\$49,400	\$52,000	\$52,000

^{1/} The estimated Customs revenue loss for 2005 and 2006 results from a duty suspension under heading 9902.03.51 that expires on December 31, 2006.

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); 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) Ron Pedemonte, 704-561-2651 Ashley Craig, 202-344-4351	09/20/2005	No	No	No
BASF Corp., Functional Polymers Group Joseph Breunig, Fax: 704-587-7903	10/06/2005	No	No	No
Bayer Corp. Karen Niedermeyer, 412-777-2058	10/06/2005	No	No	No
Ciba Specialty Chemicals Corp. John Deming, 302-479-5499	10/06/2005	No	No	No
CPMA Larry Robinson, Fax: 703-684-1795	10/06/2005	No	No	No
ColorChem Steve Printz, Fax: 770-993-4780	10/06/2005	No	No	No
Color Resources International, Inc. Wayne Jones, Fax: 864-862-6824	10/06/2005	No	No	No
Day-Glo Richard Thornton, Fax: 216-391-1408	10/06/2005	No	No	No
ETAD Tucker Helms, Fax: 202-296-8120	10/06/2005	No	No	No
Everlight USA, Inc. Scott Chen, Fax: 704-588-0051	10/06/2005	No	No	No
Fanwood Chemical Jim DeLisi, Fax: 908-322-8494	10/06/2005	No	No	No
LANXESS Seth Tomei, 412-809-3664 Jamie Schaeffer, Fax: 412-809-3614	10/06/2005	No	No	No
Milliken Ray Sanders, Fax: 864-503-1618	10/06/2005	No	No	No

NFC John Dickson, Fax: 803-548-2683	10/06/2005	No	No	No
Noveon Tom Dirmyer, Fax: 216-447-5720	10/06/2005	No	No	No
Passaic Color John Wojciechowski, Fax: 973-279-3175	10/06/2005	No	No	No
Rohm & Haas Steven Volger, Fax: 215-592-2550	10/06/2005	No	No	No
United Color Tom Nowakowski, Fax: 215-860-8560	10/06/2005	No	No	No

Technical comments:³

The Commission notes that the subject dye is covered by an existing duty suspension that is provided for under HTS heading 9902.03.51. The Commission suggests that the existing duty suspension be extended by amending the date in the effective period column, rather than enacting a new duty suspension.

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. 2712

To suspend temporarily the duty on 9,10-Anthracenedione, 1,8-dihydroxy-4-nitro-5-(phenylamino)-.

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 9,10-Anthracenedione, 1,8-dihydroxy-4-nitro-5-(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. 9,10-ANTHRACENEDIONE, 1,8-DIHYDROXY-4-**
4 **NITRO-5-(PHENYLAMINO)-.**

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

“	9902.12.17	9,10-Anthracenedione, 1,8-dihydroxy-4-nitro-5-(phenylamino)- (CAS No. 20241-76-3) (provided for in subheading 3204.11.50) ..	Free	No change	No change	On or before 12/31/2008	”.
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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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