

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: December 16, 2005]²

Bill No. and sponsor: H.R. 2976 (Mrs. Sue Myrick of North Carolina).

Proponent name, location: Ciba Specialty Chemicals, Tarrytown, NY.

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)):

Chromate(2-), [3-(hydroxy-κO)-4-[[2-(hydroxy-κO) -1-naphthalenyl] azo-κN2] -1-naphthalenesulfonato(3-)] [1-[[2-(hydroxy-κO)-5-[4-methoxyphenyl]azo]phenyl]azo-κN2]-2-naphthalenolato(2-)-κO]-, disodium (Acid black 244) (CAS No. 30785-74-1) (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 dye used in the textile industry. It is imported from the United Kingdom.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); 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: 3204.12.45					
	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	\$384,615	\$384,615	\$384,615	\$384,615	\$384,615
Customs revenue loss ^{1/}	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000

^{1/} The estimated Customs revenue loss for 2005 and 2006 results from a duty suspension under HTS heading 9901.01.10 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?
Ciba Specialty Chemicals (Proponent) Michelle Forte, 914-785-2483	09/30/2005	No	No	No
BASF, Functional Polymers Bus. Group Joseph Breunig, 704-587-7900	09/30/2005	No	No	No
Bayer Corporation, Karen Niedermeyer, 412-777-2058	09/30/2005	No	No	No
Clariant Corporation, Nick Altman, 704-822-2701 Andy Zamoyski 401-823-2700	09/20/2005	No	No	No
Day-Glo Corporation Richard Thornton, 216-391-7070	09/30/2005	No	No	No
Dystar L.P. Ron Pedemonte, 704-561-2651	09/20/2005	No	No	No
ETAD Tucker Helms, PhD, 202-721-4154	09/30/2005	No	No	No
Everlight, USA, Inc., Scott Chen, 704-558-1004	09/30/2005	No	No	No

Fanwood Chemical Inc. Mr. V.M. (Jim) DiLisi, 908-322-8440	09/30/2005	No	No	No
Milliken Industries, Ray Saunders, 864-503-1618	09/30/2005	No	No	No
Passaic Color, John Wojciechowski, 973-279-0400	09/30/2005	No	No	No
Rohm & Haas, Steven Volger, 215-592-3425	09/30/2005	No	No	No
Sensient Color Inc., Dan Victor, 314-286-7167	09/30/2005	No	No	No

Technical comments:³

The Commission notes that HTS heading 9902.01.10 provides a temporary duty suspension for the subject product. The Commission suggests that the new duty suspension be enacted using that heading number. The Commission also suggests that the article description on page 1 of this report be used in the proposed new heading in order to incorporate the industry dye name in parentheses after the chemical name, and to correct the nomenclature used as Coordination Bond Site Identifiers.

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. 2976

To suspend temporarily the duty on Chromate(2-), [3-(hydroxy-kappa.O)-4-[[2-(hydroxy-kappa.O)-1-naphthale yl]azo-kappa.N2]-1-naphthalenesulfonato(3-)][1-[[2-(hydroxy kappa.O)-5-[4-methoxyphenyl)azo]phenyl]azo-kappa.N2]-2-nap hthalenolato(2-)-kappa.O]-, disodium.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 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 Chromate(2-), [3-(hydroxy-kappa.O)-4-[[2-(hydroxy-kappa.O)-1-naphthale yl]azo-kappa.N2]-1-naphthalenesulfonato(3-)][1-[[2-(hydroxy kappa.O)-5-[4-methoxyphenyl)azo]phenyl]azo-kappa.N2]-2-nap hthalenolato(2-)-kappa.O]-, disodium.

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. CHROMATE(2-), [3-(HYDROXY-.KAPPA.O)-4-[[2-**
 2 **(HYDROXY-.KAPPA.O)-1-NAPHTHALENYL]AZO-**
 3 **.KAPPA.N2]-1-NAPHTHALENESULFONATO(3-**
 4 **)]1-[[2-(HYDROXY-.KAPPA.O)-5-[4-**
 5 **METHOXYPHENYL)AZO]PHENYL]AZO-**
 6 **.KAPPA.N2]-2-NAPHTHALENOLATO(2-)-**
 7 **.KAPPA.O]-, DISODIUM.**

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

“	9902.22.05	Chromate(2-), [3-(hydroxy-.kappa.O)-4-[[2-(hydroxy-.kappa.O)-1-naphthalenyl]azo-.kappa.N2]-1-naphthalenesulfonato(3-)]1-[[2-(hydroxy-.kappa.O)-5-[4-methoxyphenyl)azo]phenyl]azo-.kappa.N2]-2-naphthalenolato(2-)-.kappa.O]-, disodium (CAS No. 30785-74-1) (provided for in subheading 3204.12.45)	Free	No change	No change	On or before 12/31/2008	”.
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12 (b) EFFECTIVE DATE.—The amendment made by
 13 subsection (a) applies to goods entered, or withdrawn from
 14 warehouse for consumption, on or after the 15th day after
 15 the date of enactment of this Act.

