

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: April 16, 2010]²

Bill No. and sponsor: S. 2018 (Mr. Robert Menendez of New Jersey).

Proponent name,³ location: Honeywell International, Morris Township, NJ.

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

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

Organic luminescent pigments and dyes for security applications excluding daylight fluorescent pigments and dyes, and excluding the dyestuff bearing the CAS No. 6359-10-0 (provided for in subheading 3204.90.00).

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, imported from Germany, is used in various products that require security and anti-counterfeiting technology such as currency, credit cards, postal stamps, labels, and drivers' licenses.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3204.90.00:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	5.9%	5.9%	5.9%	5.9%	5.9%
Estimated value <i>dutiable</i> imports ^a	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000	\$7,000,000
Customs revenue loss ^b	\$413,000	\$413,000	\$413,000	\$413,000	\$413,000

a/ Dutiable import estimates were based on industry information.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

¹ Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David G. Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.32.07 expired on December 31, 2009.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
Honeywell International (Proponent) Art Simonetti, 202-662-2650	11/24/2009	No	No	No
Ciba Specialty Chemicals (BASF) Michelle Forte, 914-785-2483 Fax: 914-785-4831 Robert Hurley, 202-289-3588	12/03/2009	No	No	No
Clariant Corporation Mike Carroll, mike.carroll@clariant.com Andy Zamoyski, 202-415-9159 az@azamoyski.com Nick Altman, 704-822-2701	12/03/2009	No	No	No
Day-Glo Corporation Eugene Crnjac, ecrnjac@dayglo.com Richard Thornton, 216-391-7070	12/03/2009	No	No	No
Dystar L.P. Bob Schilling, Schilling.Bob@DyStar.com Ron Pedemonte, 704-561-2651	12/03/2009	No	No	No
Emerald Materials (Noveon, Hilton Davis) Joe Kern, joe.kern@emeraldmaterials.com	12/03/2009	No	No	No
ETAD C. Tucker Helmes, PhD, 202-721-4154 helmet@socma.com	12/03/2009	No	No	No
Fanwood Chemical Inc. V.M. (Jim) DeLisi, 908-322-8440 JdeLisi@fanwoodchemical.com	12/03/2009	No	No	No
Fuji Film Imaging Colorants Inc. (Avecia) Michael Gill, 202-508-8843 Michele Smith, michele.smith@fujifilmic.com	12/03/2009	No	No	No
Milliken Industries Ray Saunders, 864-503-1618	12/03/2009	No	No	No
Nations Ford Chemical John Dickson, 803-548-3210 (ext 14) dicksonj@nationfordchem.com	12/03/2009	No	No	No
Passaic Color & Chemical Wylie Royce, w_royce@msn.com John Wojciechowski, 973-279-0400	12/03/2009	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Sensient Color Inc. Jill Sylte, Jill.Sylte@sensient-tech.com Dan Victor, 314-286-7167 Ken Goldacker, 314-658-7363	12/03/2009	No	No	No

Technical comments:⁵

The Commission staff notes that the product description provides a definition only in terms of end-uses. It may therefore be difficult for U.S. Customs and Border Control to administer this temporary duty suspension.

⁵ 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.

111TH CONGRESS
1ST SESSION

S. 2018

To extend the temporary suspension of duty on certain organic pigments
and dyes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. MENENDEZ introduced the following bill; which was read twice and
referred to the Committee on Finance

A BILL

To extend the temporary suspension of duty on certain
organic pigments and dyes.

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. CERTAIN ORGANIC PIGMENTS AND DYES.**

4 (a) IN GENERAL.—Heading 9902.32.07 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 certain organic pigments and dyes) is amended by striking
7 “12/31/2009” and inserting “12/31/2011”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) shall apply with respect to goods entered,

- 1 or withdrawn from warehouse for consumption, on or after
- 2 the 15th day after the date of the enactment of this Act.

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