

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: July 9, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2536 (Mr. Richard Burr of North Carolina).

**Proponent name,<sup>3</sup> location:** Clariant Corporation, Charlotte, NC.

**Other bills on product (111<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

Chromate(4-), [7-amino-3-[(3-chloro-2-hydroxy-5-nitrophenyl)azo]-4-hydroxy-2-naphthalenesulfonato-(3-)][6-amino-4-hydroxy-3-[(2-hydroxy-5-nitro-3-sulfophenyl)azo]-2-naphthalenesulfonato(4-)]-, tetrasodium (CAS No. 184719-87-7) (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 black dye that is used to color aluminum. The product is imported from Switzerland.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3204.12.45:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$625,000	\$625,000	\$625,000	\$625,000	\$625,000
Customs revenue loss <sup>b</sup>	\$40,625	\$40,625	\$40,625	\$40,625	\$40,625

a/ Dutiable import estimates were provided by industry sources.

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

<sup>1</sup> Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor did not identify any additional beneficiaries of this bill.

**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)		
Clariant Corporation (Proponent) Mike Carroll, <a href="mailto:mike.b.carroll@clariant.com">mike.b.carroll@clariant.com</a> Andy Zamoyski, 202-415-9159 <a href="mailto:az@zamoyski.com">az@zamoyski.com</a>	11/30/2009	No	No	No
Apollo Color, Inc. Dave Klebine, 815-722-3965, ext. 3160 <a href="mailto:dklebine@apollocolors.com">dklebine@apollocolors.com</a>	11/30/2009	No	No	No
BASF Corp. Greg Thies, 202-558-5101 <a href="mailto:gregory.thies@basf.com">gregory.thies@basf.com</a>	11/30/2009	No	No	No
CDR Pigments & Dispersions Craig Foster, 270-737-0318 <a href="mailto:craig.foster@pigments.flintgrp.com">craig.foster@pigments.flintgrp.com</a>	11/30/2009	No	No	No
Ciba Specialty Chemical Corp. Michelle Forte, <a href="mailto:michelle.forte@basf.com">michelle.forte@basf.com</a>	11/30/2009	No	No	No
Color Pigments Man. Assoc. Larry Robinson, 703-684-4044	11/30/2009	No	No	No
E.C. Pigments Michael Bardan, 508-676-3481, ext. 137	11/30/2009	No	No	No
Fanwood Chemical Co. Jim DeLisi, 908-322-8440 <a href="mailto:JdeLisi@Fanwoodchemical.com">JdeLisi@Fanwoodchemical.com</a>	11/30/2009	No	No	No
Mason Color Works, Inc. Carol Mason Cronin, 330-385-4400 <a href="mailto:ccronin@masoncolor.com">ccronin@masoncolor.com</a>	11/30/2009	No	No	No
Nation Ford Chemical Co. John Dickson, <a href="mailto:dicksonj@nationfordchem.com">dicksonj@nationfordchem.com</a>	11/30/2009	No	No	No
Sun Chemical Corp. Ed Faulkner, 513-681-5950 <a href="mailto:ed.faulkner@sunchemical.com">ed.faulkner@sunchemical.com</a>	11/30/2009	No	No	No

**Technical comments:<sup>4</sup>**

The Commission staff suggests that the Premanufacturing notice number, “(P 96-1335)”, should be deleted.

<sup>4</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.

111TH CONGRESS  
1ST SESSION

# S. 2536

To suspend temporarily the duty on chromate(4-), [7-amino-3-[(3-chloro-2-hydroxy-5-nitrophenyl)azo]-4-hydroxy-2-naphthalenesulfonato(3-)][6-amino-4-hydroxy-3-[(2-hydroxy-5-nitro-3-sulfophenyl)azo]-2-naphthalenesulfonato(4-)]-, tetrasodium (p 96–1335).

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IN THE SENATE OF THE UNITED STATES

OCTOBER 30, 2009

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

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## A BILL

To suspend temporarily the duty on chromate(4-), [7-amino-3-[(3-chloro-2-hydroxy-5-nitrophenyl)azo]-4-hydroxy-2-naphthalenesulfonato(3-)][6-amino-4-hydroxy-3-[(2-hydroxy-5-nitro-3-sulfophenyl)azo]-2-naphthalenesulfonato(4-)]-, tetrasodium (p 96–1335).

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(4-), [7-AMINO-3-[(3-CHLORO-2-HY-**  
 2 **DROXY-5-NITROPHENYL)AZO]-4-HYDROXY-2-**  
 3 **NAPHTHALENESULFONATO(3-)][6-AMINO-4-HY-**  
 4 **DROXY-3-[(2-HYDROXY-5-NITRO-3-**  
 5 **SULFOPHENYL)AZO]-2-**  
 6 **NAPHTHALENESULFONATO(4-)]-,**  
 7 **TETRASODIUM (P 96-1335).**

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:

“	9902.01.00	Chromate(4-), [7-amino-3-[(3-chloro-2-hydroxy-5-nitrophenyl)azo]-4-hydroxy-2-naphthalenesulfonato(3-)][6-amino-4-hydroxy-3-[(2-hydroxy-5-nitro-3-sulfophenyl)azo]-2-naphthalenesulfonato(4-)]-, tetrasodium (P 96-1335) (CAS No. 184719-87-7) (provided for in subheading 3204.12.45) .....	Free	No change	No change	On or before 12/31/2011	”.
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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 the enactment of this Act.

