

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. 2537 (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)):**

Butanamide, N-(2,3-dihydro-2-oxo-1H-benzimidazol-5-yl)-2-[2-(4-nitrophenyl)diazenyl]-3-oxo-  
(Pigment Orange 62) (CAS No. 52846-56-7) (provided for in subheading 3204.17.60).

**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 weather fast, yellowish orange, synthetic organic pigment that can be used in coatings. The product is imported from Germany.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3204.17.60:**

	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>	\$462,000	\$462,000	\$462,000	\$462,000	\$462,000
Customs revenue loss <sup>b</sup>	\$30,030	\$30,030	\$30,030	\$30,030	\$30,030

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@azamoyski.com">az@azamoyski.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 Manufacturers Association 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, as shown on page 1 of this report, the Color Index name be include in the article description of the proposed heading.

<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. 2537

To suspend temporarily the duty on Pigment Orange 62.

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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 Pigment Orange 62.

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. PIGMENT ORANGE 62.**

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

“	9902.01.00	Butanamide, N-(2,3-dihydro-2-oxo-1H-benzimidazol-5-yl)-2-[2-(4-nitrophenyl)diazenyl]-3-oxo- (CAS No. 52846-56-7) (provided for in sub-heading 3204.17.60) .....	Free	No change	No change	On or before 12/31/2011	”.
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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 the enactment of this Act.

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