MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 109th Congress

[Date approved: November 7, 2005]

Bill No. and sponsor: H.R. 2144 (Mr. Marion Berry of Arkansas)

Proponent name, location: Ciba Specialty Chemicals
Washington, D.C.

Other bills on product (109th Congress only): None.


Retroactive effect: None.

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

Cobaltate, bis[3-[[1-(3-chlorophenyl)-4,5-dihydro-3-methyl-5-((oxo-κO)-1H-pyrazol-4-yl)azo-κN1]-4-(hydroxy-κO)-benzenesulfonamidato(2-)], sodium (Acid orange 162) (CAS No. 73612-40-5) (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 chemical used as an acid metal complex dye to dye nylon, wool fiber, and fabrics. The chemical is imported from France. There are several domestic firms that both import and market this product.

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1 Industry analyst preparing report: Richard Qualters (202-205-2334); 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:

<table>
<thead>
<tr>
<th>HTS subheading: 3204.12.45</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Col. 1-General rate of duty</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
<td>6.5%</td>
</tr>
<tr>
<td>Estimated value dutiable imports</td>
<td>$225,000</td>
<td>$225,000</td>
<td>$225,000</td>
<td>$225,000</td>
<td>$225,000</td>
</tr>
<tr>
<td>Customs revenue loss</td>
<td>$14,625</td>
<td>$14,625</td>
<td>$14,625</td>
<td>$14,625</td>
<td>$14,625</td>
</tr>
</tbody>
</table>

Source of estimated dutiable import data: Industry estimates.

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

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>US production of same or competitive product claimed?</th>
<th>Submission attached?</th>
<th>Opposition noted?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ciba Specialty Chemicals (Proponent) John Demming, Fax: 410-715-4552</td>
<td>7/21/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Allegheny Color Corp. Marv Gallisdorfer, Fax: 513-681-0451</td>
<td>7/21/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Apollo Color, Inc. Patty Hines, Fax: 815-741-2599</td>
<td>7/21/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Bayer Corp. &amp; Bus. Karen L. Niedermeyer, Fax: 412-777-4740</td>
<td>7/21/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>BF Goodrich Thomas E. Eickhoff, Fax: 513-841-4919</td>
<td>7/21/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Clariant Andy Zamoyski, Fax: 401-823-2230</td>
<td>8/4/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Diacolor-Pope, Inc. Norman Russo, Fax: 973-279-1256</td>
<td>7/21/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Dystar Will Caylor, Fax: 704-561-3098</td>
<td>8/4/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Engelhard Corp. Frank Ardite, Fax: 732-321-0250</td>
<td>7/21/2005</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to reflect italicization and lettering in the chemical name, as well as providing the common dye name in parentheses.

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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.
To suspend temporarily the duty on Cobaltate(1-), bis[3-[[1-(3-chlorophenyl)-4,5-dihydro-3- methyl-5-(oxo-.kappa.O)-1H- pyrazol-4-yl]azo-.kappa.N1]-4-. (hydroxy-.kappa.O)- benzenesulfonamid- ato(2-)]-, sodium.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2005

Mr. BERRY introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on Cobaltate(1-), bis[3-[[1-(3-chlorophenyl)-4,5-dihydro-3- methyl-5-(oxo-.kappa.O)-1H- pyrazol-4-yl]azo-.kappa.N1]-4-. (hydroxy-.kappa.O)- benzenesulfonamid- ato(2-)]-, sodium.

1      Be it enacted by the Senate and House of Representa-
2      tives of the United States of America in Congress assembled,
SECTION 1. COBALTATE(1-), BIS[3-[(1-(3- CHLOROPHENYL)–
4,5-DIHYDRO-3- METHYL-5-(OXO.-KAPPA.O)–1H-
PYRAZOL-4-YL]AZO.-KAPPA.N1]-4- (HYDROXY-
.KAPPA.O)- BENZENESULFONAMID- ATO(2-)],
SODIUM.

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

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| 9902.05.55 | Cobaltate(1-), bis[3-[(1-(3-
chlorophenyl)–4,5-dihydro-3-
methyl-5-(oxo.-kappa.O)–
1H- pyrazol-4-yl]azo-
-kappa.N1]-4- (hydroxy-
kappa.O)-
benzenesulfonamid- ato(2-)],
| sodium (CAS No. 73612–
40–5) (provided for in sub-
heading 3204.12.45) | Free | No change | No change | On or before 12/31/2008 |
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(b) EFFECTIVE DATE.—The amendment made by
subsection (a) applies to goods entered, or withdrawn from
warehouse for consumption, on or after the 15th day after
the date of the enactment of this Act.