

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 22, 2010]²

Bill No. and sponsor: S. 2390 (Mrs. Kay R. Hagan of North Carolina).

Proponent name,³ location: DyStar LP, Charlotte, NC.

Other bills on product (111th 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)):

Acid blue 264 (CAS No. 39315-90-7) (provided for in subheading 3204.12.20).

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 textile dye that is imported from Germany.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3204.12.20:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports ^a	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000
Customs revenue loss ^b	\$16,250	\$16,250	\$16,250	\$16,250	\$16,250

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.

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://www.usitc.gov/tariff_affairs/congress_reports/.

³ 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	Claims US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
Dystar LP (Proponent) Bob Schilling, Schilling.Bob@DyStar.com Ron Pedemonte, 704-561-2651	11/20/2009	No	No	No
BASF Greg Thies, Fax: 703-255-7142, gregory.thies@basf.com	11/20/2009	No	No	No
Ciba Specialty Chemicals Michelle Forte, 914-785-2483 Robert Hurley, 202-289-3588	11/20/2009	No	No	No
Clariant Corporation Mike Carroll, mike.carroll@clariant.com Andy Zamoyski, 202-415-9159, az@zamoyski.com Nick Altman, 704-822-2701	11/20/2009	No	No	No
Day-Glo Corporation Eugene Crnjac, ecrnjac@dayglo.com Richard Thornton, 216-391-7070	11/20/2009	No	No	No
Emerald Materials (Noveon, Hilton Davis) Joe Kern, joe.kern@emeraldmaterials.com	11/20/2009	No	No	No
ETAD C. Tucker Helmes, 202-721-4154, helмест@socma.com	11/20/2009	No	No	No
Everlight, USA, Inc. Scott Chen, 704-558-1004	11/20/2009	No	No	No
Fanwood Chemical Inc. Jim DeLisi, 908-322-8440, JdeLisi@fanwoodchemical.com	11/20/2009	No	No	No
Fuji Film Imaging Colorants Inc. (Avecia) Michael Gill, 202-508-8843 Smith, Michele, michele.smith@fujifilmic.com	11/20/2009	No	No	No
Huntsman International, LLC John Deming, 302-479-5499	11/20/2009	No	No	No
Milliken Industries Ray Saunders, 864-503-1618	11/20/2009	No	No	No
Nations Ford Chemical John Dickson, 803-548-3210 (ext 14) dicksonj@nationfordchem.com	11/20/2009	No	No	No
Passaic Color & Chemical Wylie Royce, w_royce@msn.com John Wojciechowski, 973-279-0400	11/20/2009	No	No	No

Name of firm/organization	Date contacted	Claims US makes same or competing product(s)?	Submission attached?	Opposition noted?
			(Yes/No)	
Rohm and Haas Geoff Hurwitz, 703-741-5881	11/20/2009	No	No	No
Sensient Color Inc. Jill Sylte, Jill.Sylte@sensient-tech.com Dan Victor, 314-286-7167 Ken Goldacker, 314-658-7363	11/20/2009	No	No	No

Technical comments:⁴

In conversations with the Commission staff, the proponent stated that they intended to seek a temporary suspension of the duty on acid blue 264, not acid blue 234. Accordingly, the Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading.

⁴ 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. 2390

To suspend temporarily the duty on Acid Blue 234.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

A BILL

To suspend temporarily the duty on Acid Blue 234.

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. ACID BLUE 234.**

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	2-Anthracenesulfonic acid, 1-amino-9, 10-dihydro-4-[[4-[[methyl[(4-methylphenyl)sulfonylamino]methyl]phenylamino]-9, 10-dioxo-, sodium salt (1:1) (Acid blue 234) (CAS No. 72828-82-1) (provided for in subheading 3204.12.45)	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 enactment of this Act.

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