

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 4, 2010]²

Bill No. and sponsor: S. 2705 (Mr. Sheldon Whitehouse of Rhode Island et al.).

Proponent name,³ location: Clariant Corporation, 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)):

Benzenesulfonic acid, 4-chloro-2-[[4,5-dihydro-3-methyl-5-oxo-1-(3-sulfophenyl)-1H-pyrazol-4-yl]azo]-5-methyl-, calcium salt (1:1) (Pigment Yellow 191) (CAS No. 129423-54-7) (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 synthetic organic pigment that is used in plastics, and which can be a replacement for diarylide and lead chromate pigments. 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
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	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000	\$2,800,000
Customs revenue loss ^b	\$182,000	\$182,000	\$182,000	\$182,000	\$182,000

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

Technical comments:⁴

The Commission staff suggests that the article description include the Color Index name, as shown on page 1 of this report.

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. 2705

To suspend temporarily the duty on Pigment Yellow 191.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2009

Mr. WHITEHOUSE (for himself and Mr. REED) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on Pigment Yellow 191.

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 YELLOW 191.**

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	Benzenesulfonic acid, 4-chloro-2-[[4,5-dihydro-3-methyl-5-oxo-1-(3-sulfo-phenyl)-1H-pyrazol-4-yl]azo]-5-methyl-, calcium salt (1:1) (CAS No. 129423-54-7) (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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