



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

Cuprate (4-), [2-[[3-[[substituted]-1,3,5-Triazin-2-yl]amino]-2-hydroxy-5-sulfophenyl](substituted)azo], sodium salt (CAS No. 156830-72-7) (provided for in subheading 3204.16.30)

Description above compared with bill as introduced:

- Same
 Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The subject product is a synthetic organic dye used in the textile industry. It is imported from Germany and India.

IV. Estimated effect on customs revenue

| Subject product HTS subheading(s) | 3204.16.30 | | | | |
|---|------------|---------|---------|---------|---------|
| Item | 2013 | 2014 | 2015 | 2016 | 2017 |
| Col.1-general rate of duty (%) | 6.5 | 6.5 | 6.5 | 6.5 | 6.5 |
| Estimated value of <i>dutiable</i> imports (\$) | 500,000 | 500,000 | 500,000 | 500,000 | 500,000 |
| Customs revenue loss (\$) | 32,500 | 32,500 | 32,500 | 32,500 | 32,500 |

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
 Provided by industry sources
 Industry information
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) Temporary rate (%) Percentage point reduction (%)

V. Technical comments

It is not possible to provide an accurate estimate of claims for retroactive treatment under this bill because the covered product is not separately identified in the HTS or in official trade data. Moreover, Customs officials would need to apply the proposed article description to each shipment for which such treatment is claimed and decide if the goods concerned are covered by the proposed heading.

VI. Continuation

If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.

VII. Contacts with domestic firms/organizations

| # | Firm/organization and contact name | Telephone number | Claims same or competing product made in the United States | Submission attached | Opposition noted |
|----|---|-------------------|--|---------------------|------------------|
| 1 | DyStar L.P. (Interested entity) Megan Malone | 202-344-4621 | No | No | No |
| 2 | 3M Government Affairs Greg Walters | 202-414-3008 | No | No | No |
| 3 | BASF Corporation Richard J. Salamone | 973-895-8316 | No | No | No |
| 4 | Bayer International Trade Services Corporation Steve Johnsen | 412-777-5616 | No | No | No |
| 5 | Chemtura Matt Mattingley | 202-841-5601 | No | No | No |
| 6 | Clariant Andrew Zamoyski | 202-415-9159 | No | No | No |
| 7 | ColorChem Steven Printz | 770-993-5500, x18 | No | No | No |
| 8 | Crowell & Moring, LLP Mike Gill | 202-508-8843 | No | No | No |
| 9 | Dixie Chemical Mal Johnson | 281-291-2659 | No | No | No |
| 10 | Dow Chemical Co. Lisa Schroeter | 202-429-3407 | No | No | No |
| 11 | DuPont Legal Elaine M. Olsen | 302-992-2263 | No | No | No |
| 12 | Emerald Performance Materials Thomas Dirmyer | 330-916-6706 | No | No | No |
| 13 | Fanwood Chemical Inc. V. M. (Jim) DeLisi | 908-322-8440 | No | No | No |
| 14 | Kemira Rajesh Sharma | 678-819-4577 | No | No | No |
| 15 | LANXESS Corp. Jamie B. Schaeffer | 412-809-3666 | No | No | No |
| 16 | Nation Ford Chemical Co. Jay Dickson | 803-548-3210, x15 | No | No | No |
| 17 | PPG Industries Inc. Bill Ries | 412-434-1717 | No | No | No |
| 18 | Royce Associates, ALP Terry Scheirer | 201-438-5200 | No | No | No |

| | # | Firm/organization and contact name | Telephone number | Claims same or competing product made in the United States | Submission attached | Opposition noted |
|--|----|---|------------------|--|---------------------|------------------|
| | 19 | Sensient Technologies Ken Goldacker | 314-658-7363 | No | No | No |
| | 20 | Society of Chemical Manufacturers and Affiliates Robert E. Branand, Esq. | 202-345-2717 | No | No | No |
| | 21 | United Color Manufacturing Inc. Tom Nowakowski | 215-860-2165 | No | No | No |

112TH CONGRESS
2D SESSION

H. R. 3922

To extend the temporary suspension of duty on Cuprate (4-).

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2012

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

A BILL

To extend the temporary suspension of duty on Cuprate
(4-).

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. CUPRATE (4-).**

4 (a) IN GENERAL.—Heading 9902.02.63 of the Har-
5 monized Tariff Schedule of the United States is amended
6 by striking “12/31/2006” and inserting “12/31/2014”.

7 (b) EFFECTIVE DATE.—

8 (1) IN GENERAL.—The amendment made by
9 subsection (a) applies to goods entered, or with-
10 drawn from warehouse for consumption, on or after
11 the 15th day after the date of enactment of this Act.

1 (2) RETROACTIVE PROVISION.—Notwith-
2 standing section 514 of the Tariff Act of 1930 (19
3 U.S.C. 1514) or any other provision of law, upon
4 proper request filed with U.S. Customs and Border
5 Protection on or before the 15th day after the date
6 of the enactment of this Act, any entry, or with-
7 drawal from warehouse for consumption, of an arti-
8 cle—

9 (A) that was made after December 31,
10 2006, and before the date that is 15 days after
11 the date of enactment of this Act, and

12 (B) with respect to which there would have
13 been no duty or a lower rate of duty if the
14 amendment made by subsection (a) applied to
15 such entry or withdrawal,
16 shall be liquidated or reliquidated as if such amend-
17 ment applied to such entry or withdrawal.

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