

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress ¹**

[Date approved: June 16, 2008]²

Bill No. and sponsor: H.R. 4876 (Mr. Wm. Lacy Clay of Missouri).

Proponent name,³ location: Sensient Technologies, St. Louis, MO.

Other bills on product (110th 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)):

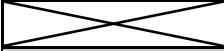
Disperse Blue 359 (CAS No. 62570-50-7) (provided for in subheading 3204.11.50).

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 an industrial dye that is imported from China.

Estimated effect on customs revenue:

HTS subheading: 3204.11.50					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000
Customs revenue loss	\$5,850	\$5,850	\$5,850	\$5,850	\$5,850

Source of estimated dutiable import data: U.S. industry estimates.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent identified two additional beneficiaries of this bill. USITC staff sent inquiries to the named beneficiaries and received responses from one. None submitted a written representation that it would benefit from 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)		
Sensient Technologies (Proponent) Dan Victor, 314-286-7167 Ken Goldacker, Fax: 314-658-7318	03/20/2008	No	No	No
BASF Corp. Greg Thies, Fax: 703-255-7142 Phil Webb, Fax: 704-398-4399	03/20/2008	No	No	No
Ciba Specialty Chemicals Michelle Forte, 914-785-2483 Robert Hurley, 202-289-3588	03/20/2008	No	No	No
Clariant Corporation Nick Altman, 704-822-2701 Andy Zamoyski, 202-415-9159	03/20/2008	No	No	No
Day-Glo Corporation Richard Thornton, 216-391-7070 Eugene Cernjac, 216-391-7070	03/20/2008	No	No	No
Dystar L.P. Ron Pedemonte, 704-561-2651	03/20/2008	No	No	No
ETAD Tucker Helms, 202-721-4154	03/20/2008	No	No	No
Everlight, USA, Inc. Scott Chen, 704-558-1004	03/20/2008	No	No	No
Fanwood Chemical Inc. V.M. (Jim) DeLisi, 908-322-8440	03/20/2008	No	No	No
Fuji Film Imaging Colorants Inc. (Avecia) Michael Gill, 202-508-8843, Pat McGlinchey, Fax: 302-447-8103	03/20/2008	No	No	No
Huntsman International, LLC John Deming, 302-479-5499	03/20/2008	No	No	No
Kemira Chemicals Inc. Carolina Parez, Fax: 770-433-7672	03/20/2008	No	No	No
Milliken Industries Ray Saunders, 864-503-1618	03/20/2008	No	No	No
Nations Ford Chemical Co. John Dickson, 803-548-3210 (ext 14)	03/20/2008	No	No	No

Name of firm/organization	Date contacted	Claims US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Passaic Color John Wojciechowski, 973-279-0400	03/20/2008	No	No	No
Rohm & Haas Geoff Hurwitz, 703-741-5881	03/20/2008	No	No	No

Technical comments:⁴

The Commission staff notes that the correct classification for the subject product is 3204.11.50. The Commission staff also notes that an 8-digit chapter 99 heading number should be inserted into 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.

110TH CONGRESS
1ST SESSION

H. R. 4876

To suspend temporarily the duty on Disperse Blue 359.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2007

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

A BILL

To suspend temporarily the duty on Disperse Blue 359.

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. DISPERSE BLUE 359.**

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. . . .	Disperse Blue 359 (CAS No. 62570-50-7) (provided for in subheading 3204.11.35) ..	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to articles entered, or withdrawn

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- 1 from warehouse for consumption, on or after the 15th day
- 2 after the date of the enactment of this Act.

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