

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: July 29, 2008]²

Bill No. and sponsor: H.R. 5164 (Mr. Kevin Brady of Texas).

Proponent name,³ location: Huntsman International LLC, Salt Lake City, UT.

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)):

Acid Yellow 151 (Bis[2-[[5-(aminosulfonyl)-2-hydroxyphenyl]azo]-3-oxo-N-phenylbutyramidato(2-)]cobaltate(1-) sodium; 3-Hydroxy-2-(2-hydroxy-5-sulfamoylphenylazo)isocrotonanilide cobalt(III) chelates sodium salt) (CAS No. 72496-88-9) (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 that is used for dyeing apparel and home textiles. The subject product is imported from Thailand.⁴

Estimated effect on customs revenue:

HTS subheading: <u>3204.12.45</u>					
	2009	2010	2011	2012	2013
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	\$750,000	\$750,000	\$750,000	\$750,000	\$750,000
Customs revenue loss	\$48,750	\$48,750	\$48,750	\$48,750	\$48,750

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

¹ Industry analyst preparing report: L. Johnson (202-205-3351); Tariff Affairs contact: D. 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 did not identify any additional beneficiaries of this bill.

⁴ Imports of the subject product from Thailand are eligible for duty-free treatment under the Generalized System of Preferences.

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?
		(Yes/No)		
Huntsman International LLC (Proponent) John Deming, Johndeming@aol.com	05/06/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	05/06/2008	No	No	No
BASF Corp. Greg Thies, 202-904-2332	05/06/2008	No	No	No
Bayer Mike Gill, 202-508-8843	05/06/2008	No	No	No
Carey Industries, Inc. Raymond J. Carey, Fax: 203-791-2762	05/06/2008	No	No	No
Ciba Specialty Chemicals Corp. Michelle Forte, Fax: 914-785-4831	05/06/2008	No	No	No
Clariant Corp. Andrew Zamoyski, 202-415-9159	05/06/2008	No	No	No
Color Resources Int'l. Inc. Wayne Jones, Fax: 864-862-6824	05/06/2008	No	No	No
Colorants & Textile Leather Chemicals Michael Strumpp, Fax: 973-426-3542	05/06/2008	No	No	No
ColorChem Steve Printz, Fax: 770-993-4780	05/06/2008	No	No	No
CPMA Larry Robinson, Fax: 703-684-1795	05/06/2008	No	No	No
Day-Glo Richard Thornton, Fax: 216-391-1408	05/06/2008	No	No	No
DyStar L.P. Van Hawkins, Fax: 704-561-3005	05/06/2008	No	No	No
ESCO Company Bruce Rice, 231-726-3106	05/06/2008	No	No	No
ETAD Tucker Helms, Fax: 202-296-8120	05/06/2008	No	No	No
Everlight USA, Inc. Scott Chen, Fax: 704-588-0051	05/06/2008	No	No	No
Fanwood Chemical, Inc. Jim DeLisi, Fax: 908-322-8494	05/06/2008	No	No	No
Milliken Ray Sanders, Fax: 864-503-1618	05/06/2008	No	No	No
Monsanto Corp. Linda Strachan, Fax: 202-783-2467	05/06/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
NFC John Dickson, Fax: 803-548-2683	05/06/2008	No	No	No
Noveon Tom Dirmeyer, Fax: 512-841-4841	05/06/2008	No	No	No
Noviant Paul Schmidt, Fax: 512-841-4841	05/06/2008	No	No	No
Passaic Color John Wojciechowski, Fax: 973-279-3175	05/06/2008	No	No	No
Rohm & Haas Steven Volger, Fax: 215-592-2550	05/06/2008	No	No	No
Roma Color, Inc. Andrew Blum, Fax: 508-676-9011	05/06/2008	No	No	No
Sensient Technical Colors Dan Victor, Fax: 610-582-6663	05/06/2008	No	No	No
United Color Co. Tom Nowakowski, Fax: 215-860-8560	05/06/2008	No	No	No
Yorkshire Americas, Inc. Allen Hughes, Fax: 704-376-3091	05/06/2008	No	No	No

Technical comments:⁵

The Commission staff recommends that the article description on page 1 of this report be used in the proposed new heading in order to incorporate the color index name in the article description.

⁵ 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
2D SESSION

H. R. 5164

To suspend temporarily the duty on a certain chemical that is used for dyeing apparel home textiles.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2008

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

A BILL

To suspend temporarily the duty on a certain chemical that is used for dyeing apparel home textiles.

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. CHEMICAL THAT IS USED FOR DYEING AP-**

4 **PAREL HOME TEXTILES.**

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

“	9902.01.00	Bis[2-[[5-(aminosulfonyl)-2-hydroxyphenyl]azo]-3-oxo-N-phenylbutyramidato(2-)]cobaltate(1-) sodium; 3-Hydroxy-2-(2-hydroxy-5-sulfamoylphenylazo)isocrotonanilide cobalt(III) chelates sodium salt (CAS Nos. 72496-88-9) (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 articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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