#### UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, DC 20436

# MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 110<sup>th</sup> Congress <sup>1</sup>

[Date approved: August 25, 2008]<sup>2</sup>

Bill No. and sponsor: H.R. 5261 (Mr. Melvin L. Watt of North Carolina).

**Proponent name,** location: Quality Colors LLC, High Point, NC.

Other bills on product (110<sup>th</sup> Congress only): H.R. 4429 (Mr. Howard Coble of North Carolina).

Nature of bill: Extension of temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

Reactive Black 5 (CAS No. 17095-24-8) (provided for in subheading 3204.16.50).

Check one: X 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 dyestuff that is used to dye textiles. The product is imported from Brazil, China, Germany, India, Indonesia, and Korea.

#### **Estimated effect on customs revenue:**

HTS subheading: <u>3204.16.50</u>						
$ \nearrow \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! \! $	2009	2010	2011	2012	2013	
Col. 1-General rate						
of duty	6.5%	6.5%	6.5%	6.5%	6.5%	
Estimated value						
dutiable imports	\$7,500,000	\$7,500,000	\$7,500,000	\$7,500,000	\$7,500,000	
Customs revenue						
loss 1/	\$0	\$487,500	\$487,500	\$487,500	\$487,500	

<sup>1/</sup> There is an existing duty suspension under HTS heading 9902.24.91 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009. Source of estimated dutiable import data: U.S. industry estimates.

<sup>&</sup>lt;sup>1</sup> Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: Dave Michels (202-205-3440).

<sup>&</sup>lt;sup>2</sup> Access to an electronic copy of this memorandum is available at <a href="http://www.usitc.gov/tata/hts/other/rel\_doc/bill\_reports/">http://www.usitc.gov/tata/hts/other/rel\_doc/bill\_reports/</a>.

<sup>&</sup>lt;sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill. However, USITC staff identified one additional beneficiary of this bill that was not identified by the sponsor/proponent, and that beneficiary submitted a written representation that it would benefit from this bill.

## Contacts with domestic firms/organizations (including the proponent):

Competing product(s)?   (Yes/No)	Name of firm/organization	Date	Claim US	Submission	Opposition
Quality Colors LLC (Proponent)		contacted		attached?	noted?
Quality Colors LLC (Proponent)   05/01/2008   No   No   No   No   Rent Williams, 704-517-7964			product(b):	(Yes/No)	
Arkema   Charles Kitchen, Fax: 215-419-7075   D5/01/2008   No   No   No   No   No   Greg Thies, 202-904-2332   Bayer   D5/01/2008   No   No   No   No   No   Mike Gill, 202-508-8843   D5/01/2008   No   No   No   No   No   No   Mike Gill, 202-508-8843   Carey Industries, Inc.   D5/01/2008   No   No   No   No   No   No   No   Mike Gill, 202-508-8843   D5/01/2008   No   No   No   No   No   Mike Gill, 202-508-8843   D5/01/2008   No   No   No   No   No   Mike Gill, 202-508-8843   D5/01/2008   No   No   No   No   No   Mike Gill, 202-415-9159   D5/01/2008   No   No   No   No   No   No   No   N		05/01/2008	No		No
Charles Kitchen, Fax: 215-419-7075   BASF Corp.   05/01/2008   No   No   No   No   Greg Thies, 202-904-2332   Bayer   05/01/2008   No   No   No   No   Mike Gill, 202-508-8843   Carey Industries, Inc.   05/01/2008   No   No   No   No   No   Raymond J. Carey, Fax: 203-791-2762   Ciba Specialty Chemicals Corp.   05/01/2008   No   No   No   No   Michelle Forte, Fax: 914-785-4831   Clariant Corp.   05/01/2008   No   No   No   No   No   Andrew Zamoyski, 202-415-9159   Color Resources Int'l Inc.   05/01/2008   No   No   No   No   Mo   Mo   Mo   Mo	Kent Williams, 704-517-7964				
BASF Corp.   05/01/2008   No		05/01/2008	No	No	No
Greg Thies, 202-904-2332   Bayer   05/01/2008   No   No   No   No   Mike Gill, 202-508-8843   05/01/2008   No   No   No   No   No   Mike Gill, 202-508-8843   Carey Industries, Inc.   05/01/2008   No   No   No   No   No   Mo   No   Mo   M	·				
Bayer	1	05/01/2008	No	No	No
Mike Gill, 202-508-8843         Carey Industries, Inc.         05/01/2008         No         No         No           Raymond J. Carey, Fax: 203-791-2762         05/01/2008         No         No         No         No           Ciba Specialty Chemicals Corp.         05/01/2008         No         No         No         No           Michelle Forte, Fax: 914-785-4831         05/01/2008         No         No         No         No           Clariant Corp.         05/01/2008         No         No         No         No         No           Andrew Zamoyski, 202-415-9159         05/01/2008         No					
Carey Industries, Inc.   Raymond J. Carey, Fax: 203-791-2762   O5/01/2008   No   No   No   No   No   Michelle Forte, Fax: 914-785-4831   O5/01/2008   No   No   No   No   No   Andrew Zamoyski, 202-415-9159   O5/01/2008   No   No   No   No   No   No   No   N	II	05/01/2008	No	No	No
Raymond J. Carey, Fax: 203-791-2762   Ciba Specialty Chemicals Corp.   05/01/2008   No   No   No   No   Michaelle Forte, Fax: 914-785-4831   05/01/2008   No   No   No   No   No   Andrew Zamoyski, 202-415-9159   Color Resources Int'l Inc.   05/01/2008   No   No   No   No   No   Wayne Jones, Fax: 864-862-6824   Colorants & Textile Leather Chemicals   05/01/2008   No   No   No   No   Michael Strumpp, Fax: 973-426-3542   ColorChem   05/01/2008   No   No   No   No   Steve Printz, Fax: 770-993-4780   CPMA   05/01/2008   No   No   No   No   Larry Robinson, Fax: 703-684-1795   Day-Glo   05/01/2008   No   No   No   No   Richard Thornton, Fax: 216-391-1408   DyStar L.P.   05/01/2008   No   No   No   No   Richard Thornton, Fax: 216-305   ESCO Company   05/01/2008   No   No   No   No   Bruce Rice, 231-726-3106   ETAD   05/01/2008   No   No   No   No   Tucker Helms, Fax: 202-296-8120   Everlight USA, Inc.   05/01/2008   No   No   No   No   Scott Chen, Fax: 704-588-1004   Fanwood Chemical, Inc.   05/01/2008   No   No   No   No   Mo   Im   DeLisi, Fax: 908-322-8494   Fuji Film Imaging Colorants Inc.   04/04/2008   No   No   No   No   Mo   Michael Gill, 202-508-8843   Pat McGlinchey, Fax: 302-447-8103   Huntsman International LLC   05/01/2008   No   No   No   No   No   No   No   N		0.7/0.1/2.000			
Ciba Specialty Chemicals Corp.   05/01/2008   No	II • • • • • • • • • • • • • • • • • •	05/01/2008	No	No	No
Michelle Forte, Fax: 914-785-4831   Clariant Corp.   O5/01/2008   No   No   No   No   No   Andrew Zamoyski, 202-415-9159   O5/01/2008   No   No   No   No   No   Wayne Jones, Fax: 864-862-6824   Colorants & Textile Leather Chemicals   O5/01/2008   No   No   No   No   No   Michael Strumpp, Fax: 973-426-3542   ColorChem   O5/01/2008   No   No   No   No   No   Steve Printz, Fax: 770-993-4780   O5/01/2008   No   No   No   No   Larry Robinson, Fax: 703-684-1795   Day-Glo   O5/01/2008   No   No   No   No   Richard Thornton, Fax: 216-391-1408   DyStar L.P.   O5/01/2008   No   No   No   No   No   Bruce Rice, 231-726-3106   ESCO Company   O5/01/2008   No   No   No   No   Bruce Rice, 231-726-3106   ETAD   O5/01/2008   No   No   No   No   Tucker Helms, Fax: 202-296-8120   Everlight USA, Inc.   O5/01/2008   No   No   No   No   Scott Chen, Fax: 704-588-1004   Fanwood Chemical, Inc.   O5/01/2008   No   No   No   No   Jim DeLisi, Fax: 908-322-8494   Fuji Film Imaging Colorants Inc.   O4/04/2008   No   No   No   No   Mo   Michael Gill, 202-508-8843   Pat McGlinchey, Fax: 302-447-8103   Huntsman International LLC   O5/01/2008   No   No   No   No		07/01/2000	».T	NT	NT
Clariant Corp.   O5/01/2008   No		05/01/2008	No	No	No
Andrew Zamoyski, 202-415-9159  Color Resources Int'l Inc.	· · · · · · · · · · · · · · · · · · ·	05/01/2009	No	N.	Nie
Color Resources Int'l Inc.   05/01/2008   No   No   No   No   Wayne Jones, Fax: 864-862-6824   Colorants & Textile Leather Chemicals   05/01/2008   No   No   No   No   Michael Strumpp, Fax: 973-426-3542   ColorChem   05/01/2008   No   No   No   No   Steve Printz, Fax: 770-993-4780   CPMA   05/01/2008   No   No   No   No   Larry Robinson, Fax: 703-684-1795   Day-Glo   Richard Thornton, Fax: 216-391-1408   DyStar L.P.   05/01/2008   No   No   No   No   No   Richard Thornton, Fax: 704-561-3005   ESCO Company   05/01/2008   No   No   No   No   Bruce Rice, 231-726-3106   ETAD   05/01/2008   No   No   No   No   Tucker Helms, Fax: 202-296-8120   Everlight USA, Inc.   05/01/2008   No   No   No   No   Scott Chen, Fax: 704-588-1004   Fanwood Chemical, Inc.   05/01/2008   No   No   No   No   Sim DeLisi, Fax: 908-322-8494   Fuji Film Imaging Colorants Inc.   04/04/2008   No   No   No   No   Michael Gill, 202-508-8843   Pat McGlinchey, Fax: 302-447-8103   Huntsman International LLC   05/01/2008   No   No   No   No   No   No   No   N		03/01/2008	NO	NO	NO
Wayne Jones, Fax: 864-862-6824       05/01/2008       No       No         Colorants & Textile Leather Chemicals       05/01/2008       No       No         Michael Strumpp, Fax: 973-426-3542       05/01/2008       No       No         ColorChem       05/01/2008       No       No       No         Steve Printz, Fax: 770-993-4780       05/01/2008       No       No       No         CPMA       05/01/2008       No       No       No       No         Larry Robinson, Fax: 703-684-1795       05/01/2008       No       No       No       No         Day-Glo       05/01/2008       No       No       No       No       No         No Richard Thornton, Fax: 216-391-1408       05/01/2008       No       No       No       No         DyStar L.P.       05/01/2008       No       No       No       No         ESCO Company       05/01/2008       No       No       No         Bruce Rice, 231-726-3106       05/01/2008       No       No       No         Everlight USA, Inc.       05/01/2008       No       No       No         Scott Chen, Fax: 704-588-1004       No       No       No       No         Fanwood Chemical, Inc.       05/	I)	05/01/2008	No	No	No
Colorants & Textile Leather Chemicals   Michael Strumpp, Fax: 973-426-3542   Solution   No   No   No   No   No   No   Steve Printz, Fax: 770-993-4780   Solution   No   No   No   No   No   Steve Printz, Fax: 770-993-4780   Solution   No   No   No   No   No   No   No		03/01/2008	NO	110	140
Michael Strumpp, Fax: 973-426-3542         O5/01/2008         No         No         No           ColorChem         05/01/2008         No         No         No           Steve Printz, Fax: 770-993-4780         05/01/2008         No         No         No           CPMA         05/01/2008         No         No         No           Larry Robinson, Fax: 703-684-1795         05/01/2008         No         No         No           Day-Glo         05/01/2008         No         No         No         No           Richard Thornton, Fax: 216-391-1408         05/01/2008         No         No         No         No           DyStar L.P.         05/01/2008         No         No         No         No         No           Van Hawkins, Fax: 704-561-3005         ESCO Company         05/01/2008         No		05/01/2008	No	No	No
ColorChem Steve Printz, Fax: 770-993-4780         05/01/2008         No         No         No           CPMA Larry Robinson, Fax: 703-684-1795         05/01/2008         No         No         No           Day-Glo Richard Thornton, Fax: 216-391-1408         05/01/2008         No         No         No           DyStar L.P. Van Hawkins, Fax: 704-561-3005         05/01/2008         No         No         No           ESCO Company Bruce Rice, 231-726-3106         05/01/2008         No         No         No           ETAD Tucker Helms, Fax: 202-296-8120         05/01/2008         No         No         No           Everlight USA, Inc. Scott Chen, Fax: 704-588-1004         05/01/2008         No         No         No           Fanwood Chemical, Inc. Jim DeLisi, Fax: 908-322-8494         05/01/2008         No         No         No           Fuji Film Imaging Colorants Inc. Michael Gill, 202-508-8843 Pat McGlinchey, Fax: 302-447-8103         04/04/2008         No         No         No           Huntsman International LLC         05/01/2008         No         No         No         No		05/01/2000	110	1,0	110
Steve Printz, Fax: 770-993-4780         O5/01/2008         No         No         No           CPMA         05/01/2008         No         No         No         No           Day-Glo         05/01/2008         No         No         No         No           Richard Thornton, Fax: 216-391-1408         05/01/2008         No         No         No           DyStar L.P.         05/01/2008         No         No         No           Van Hawkins, Fax: 704-561-3005         05/01/2008         No         No         No           ESCO Company         05/01/2008         No         No         No           Bruce Rice, 231-726-3106         05/01/2008         No         No         No           ETAD         05/01/2008         No         No         No           Tucker Helms, Fax: 202-296-8120         No         No         No           Everlight USA, Inc.         05/01/2008         No         No         No           Scott Chen, Fax: 704-588-1004         No         No         No         No           Famwood Chemical, Inc.         05/01/2008         No         No         No           Jim DeLisi, Fax: 908-322-8494         No         No         No         No		05/01/2008	No	No	No
CPMA Larry Robinson, Fax: 703-684-1795         05/01/2008         No         No         No           Day-Glo Richard Thornton, Fax: 216-391-1408         05/01/2008         No         No         No           DyStar L.P. Van Hawkins, Fax: 704-561-3005         05/01/2008         No         No         No           ESCO Company Bruce Rice, 231-726-3106         05/01/2008         No         No         No           ETAD Tucker Helms, Fax: 202-296-8120         05/01/2008         No         No         No           Everlight USA, Inc. Scott Chen, Fax: 704-588-1004         05/01/2008         No         No         No           Fanwood Chemical, Inc. Jim DeLisi, Fax: 908-322-8494         05/01/2008         No         No         No           Fuji Film Imaging Colorants Inc. Michael Gill, 202-508-8843 Pat McGlinchey, Fax: 302-447-8103         04/04/2008         No         No         No           Huntsman International LLC         05/01/2008         No         No         No         No					
Day-Glo   Richard Thornton, Fax: 216-391-1408   No		05/01/2008	No	No	No
Richard Thornton, Fax: 216-391-1408       05/01/2008       No       No       No         DyStar L.P.       05/01/2008       No       No       No         Van Hawkins, Fax: 704-561-3005       05/01/2008       No       No       No         ESCO Company       05/01/2008       No       No       No         Bruce Rice, 231-726-3106       05/01/2008       No       No       No         ETAD       05/01/2008       No       No       No         Everlight USA, Inc.       05/01/2008       No       No       No         Scott Chen, Fax: 704-588-1004       No       No       No       No         Fanwood Chemical, Inc.       05/01/2008       No       No       No         Jim DeLisi, Fax: 908-322-8494       No       No       No       No         Fuji Film Imaging Colorants Inc.       04/04/2008       No       No       No         Michael Gill, 202-508-8843       04/04/2008       No       No       No         Pat McGlinchey, Fax: 302-447-8103       No       No       No       No         Huntsman International LLC       05/01/2008       No       No       No	Larry Robinson, Fax: 703-684-1795				
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Van Hawkins, Fax: 704-561-3005         05/01/2008         No         No           ESCO Company         05/01/2008         No         No         No           Bruce Rice, 231-726-3106         05/01/2008         No         No         No           ETAD         05/01/2008         No         No         No           Tucker Helms, Fax: 202-296-8120         No         No         No           Everlight USA, Inc.         05/01/2008         No         No         No           Scott Chen, Fax: 704-588-1004         No         No         No         No           Fanwood Chemical, Inc.         05/01/2008         No         No         No           Jim DeLisi, Fax: 908-322-8494         No         No         No         No           Fuji Film Imaging Colorants Inc.         04/04/2008         No         No         No           Michael Gill, 202-508-8843         No         No         No         No           Huntsman International LLC         05/01/2008         No         No         No	Richard Thornton, Fax: 216-391-1408				
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Scott Chen, Fax: 704-588-1004       05/01/2008       No       No       No         Fanwood Chemical, Inc.       05/01/2008       No       No       No         Jim DeLisi, Fax: 908-322-8494       04/04/2008       No       No       No         Fuji Film Imaging Colorants Inc.       04/04/2008       No       No       No         Michael Gill, 202-508-8843       Pat McGlinchey, Fax: 302-447-8103       No       No       No       No         Huntsman International LLC       05/01/2008       No       No       No	·	0.7/0.1/2.000			
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Jim DeLisi, Fax: 908-322-8494       04/04/2008       No       No         Fuji Film Imaging Colorants Inc.       04/04/2008       No       No         Michael Gill, 202-508-8843       Pat McGlinchey, Fax: 302-447-8103       No       No         Huntsman International LLC       05/01/2008       No       No       No		0.7/0.1/2000			
Fuji Film Imaging Colorants Inc.  Michael Gill, 202-508-8843 Pat McGlinchey, Fax: 302-447-8103  Huntsman International LLC  05/01/2008  No  No  No  No	II '	05/01/2008	No	No	No
Michael Gill, 202-508-8843       Pat McGlinchey, Fax: 302-447-8103         Huntsman International LLC       05/01/2008       No       No       No		04/04/2009	NT a	ΝTο	NT.
Pat McGlinchey, Fax: 302-447-8103 Huntsman International LLC  05/01/2008 No No No		04/04/2008	100	1NO	190
Huntsman International LLC 05/01/2008 No No No					
	· · · · · · · · · · · · · · · · · · ·	05/01/2008	No	No	No
LIGHT DETUND TO THE CONTROL OF THE C	John Deming, Johndeming@aol.com	03/01/2008	110	110	INO

Name of firm/organization	Date contacted	Claim US makes same or	Submission attached?	Opposition noted?
		competing product(s)?		
			(Yes/No)	
Kemira Chemicals Inc. Carolina Parez, Fax: 770-433-7672	05/01/2008	No	No	No
Milliken Industries Ray Sanders, Fax: 864-503-1618	05/01/2008	No	No	No
Monsanto Corp. Linda Strachan, Fax: 202-783-2467	05/01/2008	No	No	No
Nations Ford Chemical Co. John Dickson, 803-548-3210 (ext 14)	05/01/2008	No	No	No
Noveon Tom Dirmeyer, Fax: 512-841-4841	05/01/2008	No	No	No
Noviant Paul Schmidt, Fax: 512-841-4841	05/01/2008	No	No	No
Passaic Color John Wojciechowski, Fax: 973-279-3175	05/01/2008	No	No	No
Rohm & Haas Geoff Hurwitz, Fax: 703-741-5881	05/01/2008	No	No	No
Roma Color, Inc. Andrew Blum, Fax: 508-676-9011	05/01/2008	No	No	No
Sensient Technical Colors Dan Victor, Fax: 610-582-6663	05/01/2008	No	No	No
United Color Co. Tom Nowakowski, Fax: 215-860-8560	05/01/2008	No	No	No
Yorkshire Americas, Inc. Allen Hughes, Fax: 704-376-3091	05/01/2008	No	No	No

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None.

<sup>&</sup>lt;sup>4</sup> 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.

## H. R. 5261

To extend the temporary suspension of duty on Reactive Black 5.

### IN THE HOUSE OF REPRESENTATIVES

February 7, 2008

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 Reactive Black 5.

- 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. REACTIVE BLACK 5.
- 4 (a) In General.—Heading 9902.24.91 of the Har-
- 5 monized Tariff Schedule of the United States (relating to
- 6 Reactive Black 5) is amended by striking "12/31/2009"
- 7 and inserting "12/31/2011".
- 8 (b) Effective Date.—The amendment made by
- 9 subsection (a) applies to goods entered, or withdrawn from

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

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