

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. 5255 (Mr. Melvin L. Watt of North Carolina).

**Proponent name,<sup>3</sup> location:** Quality Colors LLC, High Point, NC.

**Other bills on product (110<sup>th</sup> Congress only):** None.

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

**Retroactive effect:** None.

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

Disperse orange 30 (3-[[2-(acetyloxy)ethyl]-[4-[(2,6-dichloro-4-nitrophenyl)azo]phenyl]amino]-propanenitrile) (CAS No. 5261-31-4) (provided for in subheading 3204.11.50).

**Check one:**     \_\_\_ Same as that in bill as introduced.  
                  X 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 China, Germany, India, and Switzerland.

**Estimated effect on customs revenue:**

HTS subheading: <b>3204.11.50</b>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$3,500,000	\$3,500,000	\$3,500,000	\$3,500,000	\$3,500,000
Customs revenue loss 1/	\$227,500	\$227,500	\$227,500	\$227,500	\$227,500

1/ There was a duty suspension under HTS heading 9902.03.45 that expired on December 31, 2006.  
Source of estimated dutiable import data: U.S. industry estimates.

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

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

<sup>3</sup> The sponsor/proponent 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?
			(Yes/No)	
Quality Colors LLC (Proponent) Kent Williams, 704-517-7964	05/01/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	05/01/2008	No	No	No
BASF Corp. Greg Thies, 202-904-2332	05/01/2008	No	No	No
Bayer Mike Gill, 202-508-8843	05/01/2008	No	No	No
Carey Industries, Inc. Raymond J. Carey, Fax: 203-791-2762	05/01/2008	No	No	No
Ciba Specialty Chemicals Corp. Michelle Forte, Fax: 914-785-4831	05/01/2008	No	No	No
Clariant Corp. Andrew Zamoyski, 202-415-9159	05/01/2008	No	No	No
Color Resources Int'l Inc. Wayne Jones, Fax: 864-862-6824	05/01/2008	No	No	No
Colorants & Textile Leather Chemicals Michael Strumpp, Fax: 973-426-3542	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	05/01/2008	No	No	No
Huntsman International LLC John Deming, Johndeming@aol.com	04/04/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Kemira Chemicals Inc. Carolina Perez 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

**Technical comments:<sup>4</sup>**

The Commission staff recommends that the article description of HTS heading 9902.03.45 be modified as shown on page 1 to begin with the Color Index name and to provide proper arrangement of the chemical name.

<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.

110TH CONGRESS  
2D SESSION

# H. R. 5255

To suspend temporarily the duty on disperse orange 30.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2008

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

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## A BILL

To suspend temporarily the duty on disperse orange 30.

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 ORANGE 30.**

4 (a) IN GENERAL.—Heading 9902.03.45 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 disperse orange 30) is amended by striking “12/31/2006”  
7 and inserting “12/31/2011”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from  
10 warehouse for consumption, on or after the 15th day after  
11 the date of the enactment of this Act.