

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: August 25, 2008]²

Bill No. and sponsor: H.R. 5291 (Mr. Mike Ferguson of New Jersey).

Proponent name,³ location: Honeywell International, Inc., Morristown, N.J.

Other bills on product (110th Congress only): None.

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)):

4-[4-[3-[4-(Dimethylamino)phenyl]-2-propenylidene]-4,5-dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl] benzenesulfonic acid, compound with N,N-diethylethanamine (1:1) (Acid Violet 520T Pina) (CAS No. 109940-17-2) (provided for under subheading 3204.12.45); 4-[3-[3-carboxy-5-hydroxy-1-(4-sulfophenyl)-1H-pyrazole-4-yl]-2-propenylidene]-4,5-dihydro-5-oxo-1-(4-sulfophenyl)-1H-pyrazole-3-carboxylic acid, sodium salt, compound with N,N-diethylethanamine (CAS No. 90066-12-9) (provided for in subheading 2933.19.37); 4-[4,5-dihydro-4-[[5-hydroxy-3-methyl-1-(4-sulfophenyl)-1H-pyrazol-4-yl]methylene]-3-methyl-5-oxo-1H-pyrazol-1-yl]benzenesulfonic acid, dipotassium salt (CAS No. 94266-02-1) (provided for in subheading 2933.19.37); 4-[4-[[4-(dimethylamino)-phenyl]methylene]-4,5-dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl]benzenesulfonic acid, potassium salt (CAS No. 27268-31-1) (provided for in subheading 2933.19.37); 4,5-dihydro-5-oxo-4-[(phenylamino)methylene]-1-(4-sulfophenyl)-1H-pyrazole-3-carboxylic acid, disodium salt (provided for in subheading 2933.19.37); and 4-[5-[3-carboxy-5-hydroxy-1-(4-sulfophenyl)-1H-pyrazol-4-yl]-2,4-pentadienylidene]-4,5-dihydro-5-oxo-1-(4-sulfophenyl)-1H-pyrazole-3-carboxylic acid, tetrapotassium salt (CAS No. 134863-74-4) (provided for in subheading 2933.19.37).

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 products are dyes that are added to silver halide photographic film emulsions predominantly for silver halide color print paper. Color print papers have several layers that are sensitive to the elemental colors yellow, magenta, and cyan (negative photo print paper). The subject dyes are added to balance the sensitivities of the individual layers to achieve an overall best color match performance of the print paper. The subject dyes are imported from Germany.

Estimated effect on customs revenue:

¹ Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David 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.

Total Estimated Revenue Loss for this Bill					
	2009	2010	2011	2012	2013
Customs revenue loss 1/	\$0	\$24,960	\$24,960	\$24,960	\$24,960

1/ There is an existing duty suspension under HTS heading 9902.29.34 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.
Source of estimated dutiable import data: U.S. industry estimates.

HTS subheading: 2933.19.37					
	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	\$192,000	\$192,000	\$192,000	\$192,000	\$192,000
Customs revenue loss 1/	\$0	\$12,480	\$12,480	\$12,480	\$12,480

1/ There is an existing duty suspension under HTS heading 9902.29.34 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.
Source of estimated dutiable import data: U.S. industry estimates.

HTS subheading: 3204.12.45					
	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	\$192,000	\$192,000	\$192,000	\$192,000	\$192,000
Customs revenue loss 1/	\$0	\$12,480	\$12,480	\$12,480	\$12,480

1/ There is an existing duty suspension under HTS heading 9902.29.34 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.
Source of estimated dutiable import data: U.S. industry estimates.

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)		
Honeywell International, Inc. (Proponent) Art Simonetti, 202-662-2671	05/20/2008	No	No	No
BASF Corp., Functional Polymers Group Cenan Ozmeral, Fax: 704-587-7903	06/02/2008	No	No	No
Bayer Corp. Karen Niedermeyer, Fax: 412-777-4740	06/02/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Ciba Specialty Chemicals Corp. Michelle Forte, Fax: 914-785-4831	06/02/2008	No	No	No
Clariant Corporation Andrew Zamoyski, Fax: 202-248-9043	06/02/2008	No	No	No
CPMA Larry Robinson, Fax: 703-684-1795	06/02/2008	No	No	No
ColorChem Steve Printz, Fax: 770-993-4780	06/02/2008	No	No	No
Color Resources International, Inc. Wayne Jones, Fax: 864-862-6824	06/02/2008	No	No	No
Day-Glo Richard Thornton, Fax: 216-391-1408	06/02/2008	No	No	No
DyStar L.P. Ron Pedemonte, Fax: 704-561-3005	06/02/2008	No	No	No
ETAD Tucker Helms, Fax: 202-296-8120	06/02/2008	No	No	No
Everlight USA, Inc. Scott Chen, Fax: 704-588-0051	06/02/2008	No	No	No
Fanwood Chemical Jim DeLisi, Fax: 908-322-8440	06/02/2008	No	No	No
Fujifilm Imaging Colorants, Inc. Mike Gill, Fax: 202-628-5116	06/02/2008	No	No	No
Huntsman International LLC John Deming, 302-479-5499	06/02/2008	No	No	No
LANXESS Corporation Jamie Schaeffer, 412-809-3614	06/02/2008	No	No	No
Lubrizol Gregory Perun, Fax: 832-260-7340	06/02/2008	No	No	No
Milliken Ray Sanders, Fax: 864-503-1618	06/02/2008	No	No	No
Monsanto Grant Erdel, Fax: 202-789-1867	06/02/2008	No	No	No
NFC John Dickson, Fax: 803-548-2683	06/02/2008	No	No	No
Passaic Color John Wojciechowski, Fax: 973-279-3175	06/02/2008	No	No	No
Rohm & Haas Steven Volger, Fax: 215-592-2550	06/02/2008	No	No	No
Sensient Color Inc. Ken Goldacker, Fax: 314-658-7318	06/02/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
United Color Tom Nowakowski, Fax: 215-860-8560	06/02/2008	No	No	No

Technical comments:⁴

The Commission staff suggests that the article description of HTS heading 9902.29.34 be modified as shown on page 1 of this report in order to provide the correct HTS subheading references and to include the common industry name where appropriate.

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
2D SESSION

H. R. 5291

To extend the temporary suspension of duty on certain light absorbing photo dyes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2008

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

A BILL

To extend the temporary suspension of duty on certain light absorbing photo dyes.

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. CERTAIN LIGHT ABSORBING PHOTO DYES.**

4 (a) IN GENERAL.—Heading 9902.29.34 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 4-[4-[3-[4-(Dimethylamino)phenyl]-2-propenylidene]-4,5-
7 dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl]benzenesulfonic
8 acid, compound with N,N-diethylethanamine (1:1); 4-[3-
9 [3-Carboxy-5-hydroxy-1-(4-sulfophenyl)-1H-pyrazole-4-
10 yl]-2-propenylidene]-4,5-dihydro-5-oxo-1-(4-sulfophenyl)-

1 1H-pyrazole-3-carboxylic acid, sodium salt, compound
 2 with N,N-diethylethanamine; 4-[4,5-dihydro-4-[[5-hy-
 3 droxy-3-methyl-1-(4-sulfophenyl)-1H-pyrazol-4-
 4 yl]methylene]-3-methyl-5-oxo-1H-pyrazol-1-
 5 yl]benzenesulfonic acid, dipotassium salt; 4-[4-[[4-
 6 (Dimethylamino)-phenyl]methylene]-4,5-dihydro-3-meth-
 7 yl-5-oxo-1H-pyrazol-1-yl]benzenesulfonic acid, potassium
 8 salt; 4,5-dihydro-5-oxo-4-[(phenylamino)methylene]-1-(4-
 9 sulfophenyl)-1H-pyrazole-3-carboxylic acid, disodium salt;
 10 and 4-[5-[3-Carboxy-5-hydroxy-1-(4-sulfophenyl)-1H-
 11 pyrazol-4-yl]-2,4-pentadienylidene]-4,5-dihydro-5-oxo-1-
 12 (4-sulfophenyl)-1H-pyrazole-3-carboxylic acid,
 13 tetrapotassium salt) is amended by striking “12/31/2009”
 14 and inserting “12/31/2011”.

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

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