

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: June 12, 2008]²

Bill No. and sponsor: H.R. 4868 (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: Extension of temporary duty suspension through December 31, 2011.

Retroactive effect: None.

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

Basic Yellow 40 chloride based (CAS No. 29556-33-0) (provided for in subheading 3204.13.10).

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 intermediate that is imported from China.

Estimated effect on customs revenue:

| HTS subheading: <u>3204.13.10</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 | \$100,000 | \$100,000 | \$100,000 | \$100,000 | \$100,000 |
| Customs revenue loss 1/ | \$0 | \$6,500 | \$6,500 | \$6,500 | \$6,500 |

1/ There is an existing duty suspension under HTS heading 9902.25.04 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.

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

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 did not identify any additional beneficiaries of this bill.

| 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 Perez, 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

None.

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. 4868

To extend the temporary suspension of duty on Basic Yellow 40 chloride based.

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 extend the temporary suspension of duty on Basic Yellow 40 chloride based.

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. BASIC YELLOW 40 CHLORIDE BASED.**

4 (a) IN GENERAL.—Heading 9902.25.04 of the Har-
5 monized Tariff Schedule of the United States is amended
6 by striking “12/31/2009” and inserting “12/31/2011”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) applies with respect to goods entered, or

- 1 withdrawn from warehouse for consumption, on or after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

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