

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: June 16, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4876 (Mr. Wm. Lacy Clay of Missouri).

**Proponent name,<sup>3</sup> location:** Sensient Technologies, St. Louis, MO.

**Other bills on product (110<sup>th</sup> 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)):**

Disperse Blue 359 (CAS No. 62570-50-7) (provided for in subheading 3204.11.50).

**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 that is imported from China.

**Estimated effect on customs revenue:**

<b>HTS subheading: 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	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000
Customs revenue loss	\$5,850	\$5,850	\$5,850	\$5,850	\$5,850

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

<sup>1</sup> Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David G. 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 identified two additional beneficiaries of this bill. USITC staff sent inquiries to the named beneficiaries and received responses from one. None submitted a written representation that it would benefit from this bill.

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

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:**<sup>4</sup>

The Commission staff notes that the correct classification for the subject product is 3204.11.50. The Commission staff also notes that an 8-digit chapter 99 heading number should be inserted into the proposed new heading.

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<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  
1ST SESSION

# H. R. 4876

To suspend temporarily the duty on Disperse Blue 359.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2007

Mr. CLAY 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 Blue 359.

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 BLUE 359.**

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

“	9902. . . .	Disperse Blue 359 (CAS No. 62570-50-7) (provided for in subheading 3204.11.35) ..	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to articles entered, or withdrawn

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

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