

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. 5260 (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 yellow 64 (2-(4-bromo-3-hydroxy-2-quinoliny1)-1H-indene-1,3(2H)-dione) (CAS No. 10319-14-9) (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, India, and Japan.

**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 | \$4,800,000 | \$4,800,000 | \$4,800,000 | \$4,800,000 | \$4,800,000 |
| Customs revenue loss 1/                 | \$312,000   | \$312,000   | \$312,000   | \$312,000   | \$312,000   |

1/ There was a duty suspension under HTS heading 9902.03.48 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)<br>Kent Williams, 704-517-7964                                       | 05/01/2008     | No   | No                   | No                |
| Arkema<br>Charles Kitchen, Fax: 215-419-7075  | 05/01/2008     | No   | No                   | No                |
| BASF Corp.<br>Greg Thies, 202-904-2332  | 05/01/2008     | No   | No                   | No                |
| Bayer<br>Mike Gill, 202-508-8843  | 05/01/2008     | No   | No                   | No                |
| Carey Industries, Inc.<br>Raymond J. Carey, Fax: 203-791-2762                                       | 05/01/2008     | No   | No                   | No                |
| Ciba Specialty Chemicals Corp.<br>Michelle Forte, Fax: 914-785-4831                                 | 05/01/2008     | No   | No                   | No                |
| Clariant Corp.<br>Andrew Zamoyski, 202-415-9159   | 05/01/2008     | No   | No                   | No                |
| Color Resources Int'l Inc.<br>Wayne Jones, Fax: 864-862-6824  | 05/01/2008     | No   | No                   | No                |
| Colorants & Textile Leather Chemicals<br>Michael Strumpp, Fax: 973-426-3542                         | 05/01/2008     | No   | No                   | No                |
| ColorChem<br>Steve Printz, Fax: 770-993-4780  | 05/01/2008     | No   | No                   | No                |
| CPMA<br>Larry Robinson, Fax: 703-684-1795   | 05/01/2008     | No   | No                   | No                |
| Day-Glo<br>Richard Thornton, Fax: 216-391-1408  | 05/01/2008     | No   | No                   | No                |
| DyStar L.P.<br>Van Hawkins, Fax: 704-561-3005   | 05/01/2008     | No   | No                   | No                |
| ESCO Company<br>Bruce Rice, 231-726-3106  | 05/01/2008     | No   | No                   | No                |
| ETAD<br>Tucker Helms, Fax: 202-296-8120   | 05/01/2008     | No   | No                   | No                |
| Everlight USA, Inc.<br>Scott Chen, Fax: 704-588-1004  | 05/01/2008     | No   | No                   | No                |
| Fanwood Chemical, Inc.<br>Jim DeLisi, Fax: 908-322-8494   | 05/01/2008     | No   | No                   | No                |
| Fuji Film Imaging Colorants Inc.<br>Michael Gill, 202-508-8843<br>Pat McGlinchey, Fax: 302-447-8103 | 05/01/2008     | No   | No                   | No                |
| Huntsman International LLC<br>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.<br>Carolina Parez, Fax: 770-433-7672       | 05/01/2008     | No   | No                   | No                |
| Milliken Industries<br>Ray Sanders, Fax: 864-503-1618            | 05/01/2008     | No   | No                   | No                |
| Monsanto Corp.<br>Linda Strachan, Fax: 202-783-2467              | 05/01/2008     | No   | No                   | No                |
| Nations Ford Chemical Co.<br>John Dickson, 803-548-3210 (ext 14) | 05/01/2008     | No   | No                   | No                |
| Noveon<br>Tom Dirmeyer, Fax: 512-841-4841                        | 05/01/2008     | No   | No                   | No                |
| Noviant<br>Paul Schmidt, Fax: 512-841-4841                       | 05/01/2008     | No   | No                   | No                |
| Passaic Color<br>John Wojciechowski, Fax: 973-279-3175           | 05/01/2008     | No   | No                   | No                |
| Rohm & Haas<br>Geoff Hurwitz, Fax: 703-741-5881                  | 05/01/2008     | No   | No                   | No                |
| Roma Color, Inc.<br>Andrew Blum, Fax: 508-676-9011               | 05/01/2008     | No   | No                   | No                |
| Sensient Technical Colors<br>Dan Victor, Fax: 610-582-6663       | 05/01/2008     | No   | No                   | No                |
| United Color Co.<br>Tom Nowakowski, Fax: 215-860-8560            | 05/01/2008     | No   | No                   | No                |
| Yorkshire Americas, Inc.<br>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 9902.03.48 be modified as shown on page 1 of this report to begin the article description with the Color Index name and to properly arrange 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. 5260

To suspend temporarily the duty on disperse yellow 64.

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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 yellow 64.

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 YELLOW 64.**

4 (a) IN GENERAL.—Heading 9902.03.48 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 disperse yellow 64) 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.