

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: June 9, 2006]²

Bill No. and sponsor: S. 2473 (Mr. Mike DeWine of Ohio).

Proponent name, location: Day-Glo Corporation, Cleveland, OH.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

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

3,6-Bis(diethylamino)-9-[2-(ethoxycarbonyl)phenyl]-xanthylium chloride (Basic Violet 11) (Rhodamine 3B) (CAS No. 2390-63-8) (provided for in subheading 3204.13.60).

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 a synthetic organic fluorescent dye that is used as a color component in the production of fluorescent pigments. The subject product is imported from China and India.

Estimated effect on customs revenue:

| HTS subheading: <u>3204.13.60</u> | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| | 2006 | 2007 | 2008 | 2009 | 2010 |
| Col. 1-General rate of duty | 6.5% | 6.5% | 6.5% | 6.5% | 6.5% |
| Estimated value <i>dutiable</i> imports | \$238,000 | \$238,000 | \$238,000 | \$238,000 | \$238,000 |
| Customs revenue loss | \$15,470 | \$15,470 | \$15,470 | \$15,470 | \$15,470 |

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

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) | | |
| Day-Glo Corporation (Proponent) Richard Thornton, 216-391-7070 | 04/20/2006 | No | No | No |
| BASF Greg Theis, 703-255-7142 | 04/20/2006 | No | No | No |
| Bayer Corporation Karen Niedermeyer, 412-777-2058 | 04/20/2006 | No | No | No |
| Ciba Specialty Chemicals Michelle Forte, 914-785-2483 | 04/20/2006 | No | No | No |
| Clariant Corporation Nick Altman, 704-822-2701 Andy Zamoyski, 401-823-2700 | 04/20/2006 | No | No | No |
| Dystar L.P. Ron Pedemonte, 704-561-2651 | 04/20/2006 | No | No | No |
| ETAD Tucker Helms, PhD, 202-721-4154 | 04/20/2006 | No | No | No |
| Everlight, USA, Inc. Scott Chen, 704-558-1004 | 04/20/2006 | No | No | No |
| Fanwood Chemical Inc. Mr. V.M. (Jim) DiLisi, 908-322-8440 | 04/20/2006 | No | No | No |
| Milliken Industries Ray Saunders, 864-503-1618 | 04/20/2006 | No | No | No |
| Passaic Color John Wojciechowski, 973-279-0400 | 04/20/2006 | No | No | No |
| Rohm & Haas Steven Volger 215-592-3425 | 04/20/2006 | No | No | No |
| Sensient Color Inc. Dan Victor, 314-286-7167 | 04/20/2006 | No | No | No |

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide the proper chemical and common industry names. In addition, the Commission suggests that the phrase “striking subheading 9902.70.03 and” in line 6 of the bill be deleted because that heading does not relate to the subject product.

³ 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.

109TH CONGRESS
2^D SESSION

S. 2473

To suspend temporarily the duty on Basic Violet 11 Dye.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2006

Mr. DEWINE introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on Basic Violet 11 Dye.

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 VIOLET 11 DYE.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by striking subheading 9902.70.03 and inserting
7 in numerical sequence the following new heading:

| | | | | | | | |
|---|------------|---|------|-----------|-----------|-------------------------|----|
| “ | 9902.32.13 | Basic Violet 11 Dye (CAS No. 2390–63–8) (provided for in subheading 3204.13.60) | Free | No change | No change | On or before 12/31/2009 | ”. |
|---|------------|---|------|-----------|-----------|-------------------------|----|

8 (b) EFFECTIVE DATE.—The amendment made by
9 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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