

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 108th Congress ¹**

[Date approved: April 7, 2004]²

Bill No. and sponsor: H.R. 2642 (Ms. Myrick)

Proponent name, location: Dystar L. P.
Charlotte, NC

Other bills on product (108th Congress only): None

Nature of bill: Extension of expired heading 9902.32.46 through December 31, 2008; the bill also revises the article description of that heading.

Retroactive effect: January 1, 2004.

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

Mixture of 1,5-naphthalenedisulfonic acid, 3,3-[(3-methyl-1,2-phenylene)bis[imino(6-chloro-1,3,5-triazine-4,2-diyl)imino[2-(acetylamino)-5-methoxy-4,1-phenylene]azo]]bis-, tetrasodium salt (CAS No. 72906-24-2) and 1,5-naphthalenedisulfonic acid, 3,3-[(4-methyl-1,2-phenylene)bis[imino(6-chloro-1,3,5-triazine-4,2-diyl)imino[2-(acetylamino)-5-methoxy-4,1-phenylene]azo]]bis-, tetrasodium salt (CAS No. 72906-25-3) (the foregoing provided for in subheading 3204.16.30)

Check one: Same as that in bill as introduced
 Different from that in bill as introduced (explain differences in Technical comments section)

Product information, including uses/applications and source(s) of imports:

This synthetic organic chemical is a “reactive” dyestuff used for dyeing cotton fabrics and yarn. DyeStar KG manufactures the product at its plant in Germany and imports it under the trade name Procion Yellow H-EXL.

¹ Industry analyst preparing report: Stephen Wanser (202-205-3363); Tariff Affairs contact: Dave Beck (202-205-2603).

² Access to an electronic copy of this memorandum is available at <http://www.usitc.gov/billrpts.htm> Access to a paper copy is available at the Commission’s Law Library (202-205-3287) or at the Commission’s Main Library (202-205-2630).

Estimated effect on customs revenue:

HTS subheading: 3204.16.30					
	2004	2005	2006	2007	2008
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$284,415	\$270,194	\$256,685	\$243,850	\$231,658
Customs revenue loss	\$18,487	\$17,563	\$16,685	\$15,850	\$15,058

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: "Industry estimates."

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

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Dystar L.P. Van Hawkins; 704/561-3020 Hawkins.van@Dystar.com	02/01/04	No	No	No
BASF, Functional Polymers Bus. Group Joseph Breunig, 704/587-7900	02/20/04	No	No	No
Bayer Corporation, Karen Neidermeyer, 412/777-2058	02/20/04	No	No	No
Ciba Specialty Chemicals Michelle Forte, 914/785-2483	02/20/04	No	No	No
Clariant Corporation, Ken Golder, 704/331-7086	02/20/04	No	No	No

Day-Glo Corporation Richard Thornton, 216/391-7070	02/20/04	No	No	No
ETAD Tucker Helms, PhD, 202/721-4154	02/20/04	No	No	No
Everlight, USA, Inc., Scott Chen, 704/558-1004	02/20/04	No	No	No
Fanwood Chemical Inc. Mr. V.M. (Jim) DiLisi	02/20/04	No	No	No
Milliken Industries, Ray Saunders, 864/503-1618	02/20/04	No	No	No
Passaic Color, John Wojciechowski, 973/279-0400	02/20/04	No	No	No
Rohm & Haas, Steven Volger, 215/592-3425	02/20/04	No	No	No
Sensient, Dan Victor, 314/286-7167	02/20/04	No	No	No

Technical comments:³

Editorial changes were made to the proposed chemical description given in the bill. Further, the Commission notes that the article description in HTS subheading 9902.32.46, which effectively is being renewed, included the Color Index name for the product (i.e., Reactive yellow 138:1) and recommends that this reference be retained in the new article description to facilitate the administration of this provision by Customs.

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.

108TH CONGRESS
1ST SESSION

H. R. 2642

To suspend temporarily the duty on Procion Yellow H-EXL.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2003

Mrs. MYRICK introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on Procion Yellow H-EXL.

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. SUSPENSION OF DUTY ON PROCION YELLOW H-**

4 **EXL.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of
6 the Harmonized Tariff Schedule of the United States is
7 amended by striking heading 9902.32.46 and inserting the
8 following:

“	9902.32.46	Mixture of 1,5-Naphthalenedisulfonic acid, 3,3-(β-methyl (CAS No. 72906–24–2) and the 4-methyl compound -1,2-phenylene)bis(imino(6-chloro-1,3,5-triazine-4,2-diy)imino(2-(acetylamino)-5-methoxy-4,1-phenylene)azo))bis-, tetrasodium salt (CAS No. 72906–25–3) (the foregoing provided for in subheading 3204.16.30)	Free	No change	No change	On or before 12/31/2008	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

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