

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 108<sup>th</sup> Congress <sup>1</sup>**

[Date approved: May 3, 2004]<sup>2</sup>

**Bill No. and sponsor:** H.R. 2645 (Ms. Myrick)

**Proponent name, location:** DyStar L.P.  
Charlotte, NC

**Other bills on product (108<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of expired heading 9902.32.81 through December 31, 2008; the bill also revises the article description for that heading.

**Retroactive effect:** January 1, 2004.

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

Mixture of Disperse blue 284, Disperse brown 19 and Disperse red 311 with non-color dispersing agent (provided for in subheading 3204.11.35)

**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:**

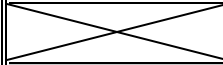
This synthetic organic chemical is a “disperse” dyestuff used for dyeing polyester fabrics and yarns. DyStar KG is importing the product from its manufacturing plant in Indonesia, using the trade name Dianix Black XF.

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

<sup>2</sup> 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:**

<b>HTS subheading: 3204.11.35</b>					
	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	\$306,000	\$306,000	\$306,000	\$306,000	\$306,000
Customs revenue loss	\$19,890	\$19,890	\$19,890	\$19,890	\$19,890

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:<sup>3</sup>**

The bill essentially reinstates heading 9902.32.81, which expired on December 31, 2003, and extends its effective period through 12/31/2008. After consultation with the proponent firm, it was agreed that the article description for heading 9902.32.81 could continue to be used.

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<sup>3</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.

108TH CONGRESS  
1ST SESSION

# H. R. 2645

To suspend temporarily the duty on Dianix Black XF.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2003

Mrs. MYRICK 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 Dianix Black XF.

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 DIANIX BLACK XF.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of  
5 the Harmonized Tariff Schedule of the United States is  
6 amended by striking heading 9902.32.81 and inserting the  
7 following:

“	9902.32.81	Mixture of Naphthalenesulfonic acid, polymer with formaldehyde, sodium salt (CAS No. 36290-04-7); .beta.-Alanine, N-(4-((2-bromo-6-choloro-4-nitrophenyl)azo)phenyl)-N-(3-methoxy-3-oxopropyl)-, methyl ester (CAS No. 59709-38-5); Ethanol, 2,2- ((4-((3,5-dinitro-2-thienyl)azo)phenyl) imino)bis-, diacetate (ester) (CAS No. 42783-06-2); and .beta.-Alanine, N-(3-(acetylamino)-4-((2,4-dinitrophenyl)azo)phenyl)-N-(3-methoxy-3-oxopropyl)-, methyl ester (CAS No. 42783-06-2); and (CAS No. 70729-65-6) (the foregoing provided for in subheading 3204.11.35)	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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