

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: November 8, 2005]²

Bill No. and sponsor: H.R. 2433 (Mr. Tim Murphy of Pennsylvania)

Proponent name, location: Bayer Healthcare LLC, Tarrytown, NY.

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)):

o-Acetylsalicylic acid (aspirin) (CAS No. 50-78-2) (provided for in subheading 2918.22.10)

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

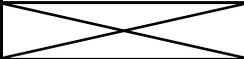
Product information, including uses/applications and source(s) of imports:

The subject product is a synthetic organic chemical that is used as the primary active ingredient in the manufacturing of finished aspirin. The proponent imports this product from Spain. Other sources of significant U.S. imports include France, China, and Thailand.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave 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.

Estimated effect on customs revenue:

| HTS subheading: 2918.22.10 | | | | | |
|---|--------------|--------------|--------------|--------------|--------------|
|  | 2005 | 2006 | 2007 | 2008 | 2009 |
| Col. 1-General rate of duty | 6.5% | 6.5% | 6.5% | 6.5% | 6.5% |
| Estimated value <i>dutiable</i> imports ^{1/} | \$13,350,000 | \$13,350,000 | \$13,750,000 | \$14,000,000 | \$14,300,000 |
| Customs revenue loss | \$867,750 | \$867,750 | \$893,750 | \$910,000 | \$929,500 |

^{1/} In 2004, approximately 15 percent of imports in this subheading entered duty-free under various provisions such as GSP and NAFTA.

Source of estimated dutiable import data: Industry estimates and Commission 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) | | |
| Bayer Healthcare LLC (Proponent) Karen Niedermeyer Fax: 412-777-4740 | 9/13/2005 | No | No | No |
| Bayer (proponent) Julie Von Egmund Fax: 202-737-8908 | 9/13/2005 | No | No | No |
| Abbott Laboratories David Landside Fax: 202-466-8386 | 9/13/2005 | No | No | No |
| Bristol-Myers Squibb David Warr Fax: 202-783-2308 | 9/13/2005 | No | No | No |
| E.I. DuPont Helen McMahon Fax: 302-774-1398 | 9/13/2005 | No | No | No |
| Endo Labs Camille Ali Jackson Fax: 610-558-9685 | 9/13/2005 | No | No | No |
| Gilead Sciences Cheryl Myriad Fax: 650-522-5853 | 9/13/2005 | No | No | No |
| Glaxo Welcome Sara Froelich Fax: 202-715-1001 | 9/13/2005 | No | No | No |

| | | | | |
|--|-----------|----|----|----|
| Interferon Sciences Samuel Ronel Fax: 732-249-6895 | 9/13/2005 | No | No | No |
| Merck & Co. Thomas Bombelles Fax: 202-638-3670 | 9/13/2005 | No | No | No |
| Niche Pharmaceuticals Steve Brandon Fax: 817-491-3533 | 9/13/2005 | No | No | No |
| Novartis Tracy Haller Fax: 202-628-4763 | 9/13/2005 | No | No | No |
| Noveon Tom Dirmyer Fax: 214-415-6001 | 9/13/2005 | No | No | No |
| Pfizer Phillip Ellsworth Fax: 212-309-5317 | 9/13/2005 | No | No | No |
| Pfizer Katherine Bennett Fax: 202-347-2024 | 9/13/2005 | No | No | No |
| Procter & Gamble Jim McCarthy Fax: 202-393-4606 | 9/13/2005 | No | No | No |
| Schering-Plough Rob Lively Fax: 202-463-8809 | 9/13/2005 | No | No | No |
| Watson Pharmaceuticals Sarah Swee Fax: 909-270-1429 | 9/13/2005 | No | No | No |

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed heading in order to make the initial “o” italicized and lowercase, to correct the spelling of the word aspirin and to remove the capital letter “A” on the word aspirin.

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
1ST SESSION

H. R. 2433

To suspend temporarily the duty on Aspirin.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2005

Mr. MURPHY introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on Aspirin.

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. ASPIRIN.**

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:

| | | | | | | | |
|---|------------|---|------|-----------|-----------|----------------------------|----|
| “ | 9902.05.70 | O-Acetylsalicylic acid (Aspirin)(CAS No.50-78-2) (provided for in subheading 2918.22.10) | Free | No change | No change | On or before 12/31/2009 | ”. |
|---|------------|---|------|-----------|-----------|----------------------------|----|

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

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

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