

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: July 3, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5047 (Mr. Scott Garrett of New Jersey).

**Proponent name,<sup>3</sup> location:** Mallinckrodt Baker, Inc., Phillipsburg, NJ.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

Bismuth subsalicylate (2-hydroxy-4*H*-1,3,2-benzodioxabismine-4-one) (CAS No. 14882-18-9) (provided for in subheading 2918.21.10).

**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 salt of salicylic acid. It is used as an ingredient in antacids and as an anti-inflammatory. The product is imported primarily from Brazil,<sup>4</sup> Germany, France, Spain, and China.

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>2918.21.10</u></b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$1,250,000	\$1,250,000	\$1,250,000	\$1,250,000	\$1,250,000
Customs revenue loss	\$81,250	\$81,250	\$81,250	\$81,250	\$81,250

Source of estimated dutiable import data: U.S. industry estimates.

<sup>1</sup> Industry analyst preparing report: L. Johnson (202-205-3351); Tariff Affairs contact: D. 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.

<sup>4</sup> Imports of the subject product from Brazil are eligible for duty-free treatment under the Generalized System of Preferences.

**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)		
Mallinckrodt Baker, Inc. (Proponent) Jamel Dean, 908-213-9490	04/04/2008	No	No	No
Abbott Laboratories Elaine Leavenworth, Fax: 202-783-6631	04/04/2008	No	No	No
BASF Corp. Greg Thies, 202-904-2332	04/04/2008	No	No	No
Bayer Corp. Karen Niedermeyer, Fax: 412-777-4740 Julie Van Egmund, Fax: 202-737-8909	04/04/2008	No	No	No
Biddle Sawyer Corp. William Thonack, Fax: 212-239-1089	04/04/2008	No	No	No
Bristol Myers Squibb David Warr, Fax: 202-783-2308	04/04/2008	No	No	No
Chemtura Carly Seymour, 202-463-8493	04/04/2008	No	No	No
Ciba Specialty Chemicals Corp. John Deming, Fax: 302-479-5152	04/04/2008	No	No	No
Clariant Corporation Andrew Zamoyski, 202-415-9159	04/04/2008	No	No	No
Dupont Helen McMahon, Fax: 302-355-2994	04/04/2008	No	No	No
Eastman Chemical Jorge San Pedro, Fax: 703-524-7707	04/04/2008	No	No	No
Eli Lilly Kathryn Karol, Fax: 202-624-9460	04/04/2008	No	No	No
Firmenich, Inc. Laura Heybur, Fax: 609-452-8063	04/04/2008	No	No	No
Gilead Sciences Cheryl Myriad, Fax: 650-522-5853	04/04/2008	No	No	No
Givaudian-Roure Co. Diane Koenig, Fax: 973-448-6532	04/04/2008	No	No	No
GlaxoSmithKline Sara Froehlich, Fax: 202-715-1001	04/04/2008	No	No	No
Honeywell International Art Simonetti, Fax: 202-662-2675	04/04/2008	No	No	No
Int'l Flavors & Fragrance Tom Kinlin, Fax: 732-335-2244	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)		
Interferon Sciences, Inc. Samuel Ronel, Fax: 732-249-6895	04/04/2008	No	No	No
Kalsec, Inc. Bob Monk, Fax: 269-349-1558	04/04/2008	No	No	No
Koch Industries Ron Osman, Fax: 361-242-8353	04/04/2008	No	No	No
Lonza, Inc. Ray Esposito, Fax: 201-696-3487	04/04/2008	No	No	No
Merck & Co. Thomas Bombelles, Fax: 202-638-3670	04/04/2008	No	No	No
Monsanto Linda Strachan, Fax: 202-789-1867	04/04/2008	No	No	No
Noveon Tom Dirmyer, Fax: 216-447-5720	04/04/2008	No	No	No
Penta Mfg. Co. George Volpe, Fax: 973-740-1839	04/04/2008	No	No	No
Pfizer Philip Ellsworth, Fax: 212-309-5317	04/04/2008	No	No	No
Procter & Gamble Jim McCarthy, Fax: 202-393-4606	04/04/2008	No	No	No
Rhodia Dominick Cangiano, Fax: 609-860-2256	04/04/2008	No	No	No
Schering-Plough Rob Lively, Fax: 202-463-8809	04/04/2008	No	No	No
Solutia Sue Cannon, Fax: 314-674-1585	04/04/2008	No	No	No
Uniroyal Chemical Lloyd Moon, Fax: 203-573-4430	04/04/2008	No	No	No

**Technical comments:<sup>5</sup>**

The Commission staff suggests that the article description on page 1 of this report be used in the proposed new heading in order to incorporate the official IUPAC name in parentheses after the more common chemical name.

<sup>5</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. 5047

To suspend temporarily the duty on Bismuth Subsaliicylate.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2008

Mr. GARRETT of New Jersey 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 Bismuth Subsaliicylate.

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. BISMUTH SUBSALICYLATE.**

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:

“	9902.01.00	Bismuth Subsaliicylate (CAS No. 14882-18-9) (provided for in subheading 2918.21.10) .....	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to articles entered, or withdrawn

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

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