

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: May 21, 2010]²

Bill No. and sponsor: S. 2522 (Mrs. Kay R. Hagan of North Carolina).

Proponent name,³ location: Astellas US LLC, Rocky Mount, NC.

Other bills on product (111th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

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

3-Pyrrolidinol, 1-[(1R,2R)-2-[2-(3,4-dimethoxyphenyl) ethoxy]cyclohexyl]-, hydrochloride, (3R) (CAS No. 748810-28-8) (provided for in subheading 2933.99.53).

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 an active pharmaceutical ingredient that is used to treat atrial fibrillation (irregular heartbeat). The product is imported from Switzerland.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 2933.99.53:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports ^a	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
Customs revenue loss ^b	\$195,000	\$195,000	\$195,000	\$195,000	\$195,000

a/ Dutiable import estimates were based on industry information and Commission estimates.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

¹ Industry analyst preparing report: Philip Stone (202-205-3424); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.22.93 provided a temporary duty suspension for the subject product that expired on December 31, 2009.

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)	
Astellas US LLC (Proponent) Samantha Ventimiglia, Samantha.Ventimiglia@us.astellas.com	02/24/2010	No	No	No
Abbott Laboratories Claude Burcky, pclaude.burcky@abbott.com	03/09/2010	No	No	No
Bayer Karen Niedermeyer, karen.niedermeyer.b@bayer.com	03/09/2010	No	No	No
GlaxoSmithKline William Schuyler, William.J.Schuyler@gsk.com	03/09/2010	No	No	No
Lonza Sheri Donno, Sheri.Donno@lonza.com	03/09/2010	No	No	No
Merck/Schering-Plough Rob Lively, robert.lively@spcorp.com	03/09/2010	No	No	No
Novartis Tracy Haller, tracy.haller@novartis.com	03/09/2010	No	No	No
Pfizer Anthony Barone, Anthony.Barone@pfizer.com	03/09/2010	No	No	No
Proctor & Gamble Jim McCarthy, McCarthy.JR@pg.com	03/09/2010	No	No	No

Technical comments:⁵

The Commission staff notes that HTS heading 9902.22.93 provided a temporary duty suspension for the subject product that expired on December 31, 2009. The Commission staff suggests that, instead of creating a new heading, heading 9902.22.93 be used to extend the duty suspension by modifying the date in the effective period column.

⁵ 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.

111TH CONGRESS
1ST SESSION

S. 2522

To suspend temporarily the duty on RSD 1235.

IN THE SENATE OF THE UNITED STATES

OCTOBER 30, 2009

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

A BILL

To suspend temporarily the duty on RSD 1235.

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. RSD 1235.**

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	3-Pyrrolidinol, 1-[(1R,2R)-2-[2-(3,4-dimethoxyphenylethoxy)cyclohexyl]-hydrochloride, (3R). (CAS No. 748810-28-8) (provided for in subheading 2933.99.53)	Free	No change	No change	On or before 12/31/2011”.
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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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