

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: July 3, 2008]²

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

Proponent name,³ location: Mallinckrodt Baker, Inc., Phillipsburg, NJ.

Other bills on product (110th 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,⁴ Germany, France, Spain, and China.

Estimated effect on customs revenue:

HTS subheading: <u>2918.21.10</u>					
	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.

¹ Industry analyst preparing report: L. Johnson (202-205-3351); Tariff Affairs contact: D. Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

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

⁴ 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:⁵

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.

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.

110TH CONGRESS
2D SESSION

H. R. 5047

To suspend temporarily the duty on Bismuth Subsaliicylate.

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

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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