

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: July 24, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 2505 (Mr. Joseph Lieberman, CT).

**Proponent name, location:** Boehringer Ingelheim, Ridgefield, Connecticut.

**Other bills on product (109<sup>th</sup> 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)):**

Aerosol valves designed to deliver a metered dose (50 microliters) of a pressurized liquid pharmaceutical product, having a mounting cup with inside diameter of 20.1 mm and height (skirt to shoulder) of 7.49 mm with a stem outside diameter of 2.79 mm, with such components of stainless steel and buna rubber and with a retaining cup of aluminum (provided for in subheading 8481.80.30).

**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:**

A pharmaceutical aerosol valve is a device that delivers a specific amount of oral medication via a metered dose inhaler. Pharmaceutical aerosol valves are used to treat advanced forms of asthma or chronic obstructive pulmonary disease.

The United Kingdom and France are the leading sources of imported pharmaceutical aerosol valves used in metered dose inhalers.

<sup>1</sup> Industry analyst preparing report: Ruben Mata (202-205-3403); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: 8481.80.30</b>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	5.6%	5.6%	5.6%	5.6%	5.6%
Estimated value <i>dutiable</i> imports	\$177,000	\$177,000	\$177,000	\$177,000	\$177,000
Customs revenue loss	\$9,912	\$9,912	\$9,912	\$9,912	\$9,912

Source of estimated dutiable import data: Commission and industry estimates.

**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)		
Boehringer Ingelheim (Proponent) Kristen Morris, 202-347-8272	05/05/2006	No	No	No
Athena Brands, Inc. Jeff Weaver, 800-272-8603	05/16/2006	No	No	No
F.W. Webb Co. Matt McCarthy, 401-463-4176	05/12/2006	No	No	No
Healthline Aerosol Medicine Michael McPeck, 516-729-9989	05/12/2006	No	No	No
IVAX Pharmaceuticals, Inc. Ken Fenster, 305-575-6000	05/17/2006	No	No	No
Precision Valve North America John Abplanalp, 914-969-6500	05/16/2006	No	No	No
Pfeiffer of America Robbie Karam, 845-639-3659	05/17/2006	No	No	No
SeaquistPerfect Dispensing Michael Collins, 847-639-2124	05/12/2006	No	No	No

**Technical comments:<sup>3</sup>**

<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.

We have suggested some slight modifications to the grammar and wording of the proposed description in an effort to make it somewhat clearer and to be consistent with other tariff provisions.

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2505

To suspend temporarily the duty on aerosol valves designed to deliver a metered dose (50 microliters) of a pressurized liquid pharmaceutical.

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IN THE SENATE OF THE UNITED STATES

APRIL 4, 2006

Mr. LIEBERMAN (for himself, Mr. DEWINE, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on aerosol valves designed to deliver a metered dose (50 microliters) of a pressurized liquid pharmaceutical.

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. CERTAIN AEROSOL VALVES.**

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:

“	9902.84.82	Aerosol valves designed to deliver a metered dose (50 microliters) of a pressurized liquid pharmaceutical with a mounting cup inside diameter of 20.1 mm, a mounting cup height (skirt to shoulder) of 7.49 mm, stem outside diameter of 2.79 mm, with components made of stainless steel and buna rubber with a retaining cup of aluminum (provided for in subheading 8481.80.30) .....	Free	No Change	No Change	12/31/2009	”.
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1           (b) **EFFECTIVE DATE.**—The amendment made by  
2 this section applies to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the date that is  
4 15 days after the date of enactment of this Act.

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