

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress ¹**

[Date approved: March 10, 2008]²

Bill No. and sponsor: H.R. 4257 (Mr. Charles W. Dent of Pennsylvania).

Proponent name,³ location: MINRAD International Inc., Bethlehem, PA.

Other bills on product (110th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2010.

Retroactive effect: None.

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

Hexafluoroisopropyl methyl ether (CAS No. 13171-18-1) (provided for in subheading 2909.19.18).

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:

Hexafluoroisopropyl methyl ether is a synthetic organic chemical that is used in the manufacture of inhalation anesthetics. The product is imported from China and Japan.

Estimated effect on customs revenue:

| HTS subheading: <u>2909.19.18</u> | | | | | |
|----------------------------------------------|--------------|--------------|--------------|--------------|--------------|
| | 2009 | 2010 | 2011 | 2012 | 2013 |
| Col. 1-General rate of duty (AVE) | | | | | |
| Col. 1-General rate of duty (AVE) | 5.5% | 5.5% | 5.5% | 5.5% | 5.5% |
| Estimated value <i>dutiable</i> imports | \$21,000,000 | \$27,000,000 | \$31,200,000 | \$32,250,000 | \$33,400,000 |
| Customs revenue loss | \$1,155,000 | \$1,485,000 | \$1,716,000 | \$1,773,750 | \$1,837,000 |

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David 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 identified two additional beneficiaries of this bill. USITC staff sent inquiries to the named beneficiaries and received responses from both. Neither named beneficiary submitted a written representation that they would benefit from this bill.

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) | | |
| MINRAD International, Inc. (Proponent) Terence D. Vollrath, 610-974-9760 TVollrath@minrad.com | 1/31/2008 2/1/2008 | No | No | No |
| Abbott Laboratories Claude Burcky, Fax: 202-783-6631 | 1/23/2008 | No | No | No |
| Baxter HealthCare Eidiol Ghigliotty, 787-864-5050 Sarah Creziston, Fax: 202-508-8201 Greg Polk, 202-508-1149 | 1/29/2008 2/5/2008 | No | No | No |
| Bayer Corp. Julie Van Egmund, Fax: 202-737-8909 | 1/23/2008 | No | No | No |
| Bristol Myers Squibb David Warr, Fax: 202-783-2308 | 1/23/2008 | No | No | No |
| Dupont Helen McMahon, Fax: 302-355-2994 | 1/23/2008 | No | No | No |
| Gilead Sciences Cheryl Myriad, Fax: 650-522-5853 | 1/23/2008 | No | No | No |
| GlaxoSmithKline William Schuyler, Fax: 202-715-1001 | 1/23/2008 | No | No | No |
| Halocarbon Peter Murin, 201-262-8899 | 1/31/2008 2/1/2008 2/6/2008 | Yes | Yes | Yes |
| Interferon Sciences, Inc. Samuel Ronel, Fax: 732-249-6895 | 1/23/2008 | No | No | No |
| Merck & Co. Thomas Bombelles, Fax: 202-638-3670 | 1/23/2008 | No | No | No |
| Niche Pharmaceuticals Steve Brandon, Fax: 817-491-3533 | 1/23/2008 | No | No | No |
| Novartis Tracy Haller, Fax: 202-628-4763 | 1/23/2008 | No | No | No |
| Pfizer Katherine Bennett, Fax: 202-347-2044 | 1/23/2008 | No | No | No |
| Procter & Gamble Jim McCarthy, Fax: 202-393-4606 | 1/23/2008 | No | No | No |

| Name of firm/organization | Date contacted | Claim US makes same or competing product(s)? | Submission attached? | Opposition noted? |
|--------------------------------------------------|----------------|----------------------------------------------|----------------------|-------------------|
| | | | (Yes/No) | |
| Schering-Plough Rob Lively, Fax: 202-463-8809 | 1/23/2008 | No | No | No |
| Watson Sarah Sweet, Fax: 951-270-1429 | 1/23/2008 | No | No | No |

Technical comments:⁴

The staff suggests that the article description on page 1 of this report be used in lieu of the article description in the bill in order to provide the complete chemical name, CAS number, and the subheading reference.

⁴ 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
1ST SESSION

H. R. 4257

To suspend temporarily the duty on hexafluoro isopropyl methyl ether
(HFMOP).

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2007

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

A BILL

To suspend temporarily the duty on hexafluoro isopropyl
methyl ether (HFMOP).

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. HEXAFLUORO ISOPROPYL METHYL ETHER**
4 **(HFMOP).**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of
6 the Harmonized Tariff Schedule of the United States is
7 amended by inserting in numerical sequence the following
8 new heading:

| | | | | | | | |
|---|-----------|-----------------------------------------------------------------------------------------------------------|------|-----------|-----------|-------------------------|----|
| “ | 9902.____ | Hexafluoro isopropyl methyl ether (HFMOP) (CAS No. 13171–18–1) (provided for in subheading 2909.19.18) .. | Free | No change | No change | On or before 12/31/2010 | ”. |
|---|-----------|-----------------------------------------------------------------------------------------------------------|------|-----------|-----------|-------------------------|----|

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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