

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: June 19, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4953 (Mr. David Davis of Tennessee).

**Proponent name,<sup>3</sup> location:** Eastman Chemical Company, Kingsport, TN.

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

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

**Retroactive effect:** None.

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

1-Fluoro-2-nitrobenzene (CAS No. 1493-27-2) (provided for in subheading 2904.90.30).

**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:**

The subject product is a synthetic organic chemical that is a yellow liquid with an almond odor. It is used as a raw material in the production of an intermediate chemical, which is then used to produce a pharmaceutical. The product is imported from France.

**Estimated effect on customs revenue:**

HTS subheading: <u>2904.90.30</u>					
	2009	2010	2011	2012	2013
<del>Col. 1-General rate of duty</del>	5.5%	5.5%	5.5%	5.5%	5.5%
Estimated value <i>dutiable</i> imports	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000
Customs revenue loss 1/	\$0	\$8,250	\$8,250	\$8,250	\$8,250

1/ There is an existing duty suspension under HTS heading 9902.11.37 that expires on December 31, 2009. Therefore, there will be no Customs revenue loss related to this bill for 2009.

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

**Contacts with domestic firms/organizations (including the proponent):**

<sup>1</sup> Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David 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 identified no additional beneficiaries of this bill.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Eastman Chemical Company (Proponent) Greg Riddle, 212-835-1620	04/24/2008	No	No	No
Abbott Laboratories Claude Burcky, Fax: 202-783-6631	05/02/2008	No	No	No
Bayer Corp. Karen Niedermeyer, Fax: 412-777-4740	05/02/2008	No	No	No
Bristol Myers Squibb David Warr, Fax: 202-783-2308	05/02/2008	No	No	No
Clariant Corporation Andrew Zamoyski, Fax: 202-248-9043	05/02/2008	No	No	No
Dupont Helen McMahon, Fax: 302-355-2994	05/02/2008	No	No	No
Eli Lilly Kathryn Karol, Fax: 202-624-9460	05/02/2008	No	No	No
Endo Pharmaceuticals Albert McCorwick, Fax: 484-840-4277	05/02/2008	No	No	No
Gilead Sciences Cheryl Myriad, Fax: 650-522-5853	05/02/2008	No	No	No
GlaxoSmithKline William Schuyler, Fax: 202-715-1001	05/02/2008	No	No	No
Interferon Sciences, Inc. Samuel Ronel, Fax: 732-249-6895	05/02/2008	No	No	No
Lonza, Inc. Cheryl Prescott, Fax: 201-696-3558	05/02/2008	No	No	No
Lubrizon Gregory Perun, Fax: 832-260-7340	05/02/2008	No	No	No
Merck & Co. Thomas Bombelles, Fax: 202-638-3670	05/02/2008	No	No	No
Monsanto Grant Erdel, Fax: 202-789-1867	05/02/2008	No	No	No
Niche Pharmaceuticals Steve Brandon, Fax: 817-491-3533	05/02/2008	No	No	No
Novartis Tracy Haller, Fax: 202-628-4763	05/02/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Pfizer Katherine Bennett, Fax: 202-347-2044	05/02/2008	No	No	No
Procter & Gamble Jim McCarthy, Fax: 202-393-4606	05/02/2008	No	No	No
Schering-Plough Rob Lively, Fax: 202-463-8809	05/02/2008	No	No	No
Solutia Corp. Kassie Wooton, Fax: 314-674-1585	05/02/2008	No	No	No
Watson Sara Swee, Fax: 909-270-1429	05/02/2008	No	No	No

**Technical comments:<sup>4</sup>**

None.

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<sup>4</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. 4953

To extend the duty suspension on 1-Fluoro-2-nitrobenzene.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2008

Mr. DAVID DAVIS of Tennessee introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To extend the duty suspension on 1-Fluoro-2-nitrobenzene.

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. 1-FLUORO-2-NITROBENZENE.**

4 (a) IN GENERAL.—Heading 9902.11.37 of the Har-  
5 monized Tariff Schedule of the United States (relating to  
6 1-Fluoro-2-nitrobenzene) is amended by striking “12/31/  
7 2009” and inserting “12/31/2011”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies with respect to goods entered, or  
10 withdrawn from warehouse for consumption, on or after

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1 the date that is 15 days after the date of enactment of  
2 this Act.

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