

109TH CONGRESS  
1ST SESSION

# S. 1617

To suspend temporarily the duty on gemifloxacin, gemifloxacin mesylate,  
and gemifloxacin mesylate sesquihydrate.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 6, 2005

Mr. KENNEDY (for himself and Mr. KERRY) 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 gemifloxacin,  
gemifloxacin mesylate, and gemifloxacin mesylate  
sesquihydrate.

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. GEMIFLOXACIN, GEMIFLOXACIN MESYLATE,**  
4 **AND GEMIFLOXACIN MESYLATE**  
5 **SESQUIHYDRATE.**

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

“	9902.05.68	Gemifloxacin (CAS No. 175463-14-6); gemifloxacin mesylate (CAS No. 210353-53-0); gemifloxacin mesylate sesquihydrate (CAS No. 210353-56-3 ) (the foregoing provided for in sub-heading 2933.99.46) .....	Free	No change	No change	On or before 12/31/2008	”.
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1 (b) EFFECTIVE DATE.—

2 (1) IN GENERAL.—The amendment made by  
3 subsection (a) applies to goods entered, or with-  
4 drawn from warehouse for consumption, on or after  
5 January 1, 2005.

6 (2) RETROACTIVE APPLICATION.—Notwith-  
7 standing section 514 of the Tariff Act of 1930 (19  
8 U.S.C. 1514) or any other provision of law, upon  
9 proper request filed with U.S. Customs and Border  
10 Protection before the 90th day after the date of the  
11 enactment of this Act, any entry, or withdrawal  
12 from warehouse for consumption, of any good—

13 (A) that was made on or after January 1,  
14 2005, and before the date of the enactment of  
15 this Act, and

16 (B) with respect to which there would have  
17 been no duty if the amendment made by sub-  
18 section (a) applied to such entry or withdrawal,  
19 shall be liquidated or reliquidated as if such amend-  
20 ment applied to such entry or withdrawal.

