

110TH CONGRESS
1ST SESSION

H. R. 4525

To codify the definition of terms used in subheading 1604.14 of the
Harmonized Tariff Schedule of the United States.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mrs. NAPOLITANO (for herself and Mr. BILBRAY) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To codify the definition of terms used in subheading 1604.14
of the Harmonized Tariff Schedule of the United States.

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. FINDINGS.**

4 (1) Tuna fish canning is a vital industry to the
5 United States.

6 (2) To promote United States production Con-
7 gress has imposed higher tariffs on shelf-stable, re-
8 tail ready tuna fish products than on raw or inter-
9 mediate fish products.

1 (3) According to the original intent of Congress
2 the term “in airtight containers” as contained in the
3 Harmonized Tariff Schedule of the United States
4 subheading 1604.14 has only covered products in
5 packages that are not permeable to air and that are
6 presented as a finished product for consumption in
7 shelf-stable containers (cans, glass jars, and foil
8 pouches).

9 (4) Congress seeks to codify the term “in air-
10 tight containers” as provided for in subheading
11 1604.14 of the Harmonized Tariff Schedule of the
12 United States to reflect existing practice and pro-
13 mote public health and safety.

14 (5) Congress seeks to codify the term “in bulk
15 or in immediate containers weighing with their con-
16 tents over 6.8 kg each” as provided for in sub-
17 heading 1604.14 of the Harmonized Tariff Schedule
18 of the United States to reflect existing practice and
19 promote public health and safety.

20 **SEC. 2. DEFINITIONS.**

21 (a) DEFINITIONS.—The Additional U.S. Notes to
22 chapter 16 of the Harmonized Tariff Schedule of the
23 United States are amended by adding at the end the fol-
24 lowing:

1 “4. For purposes of subheading 1604.14, the term
2 ‘in airtight containers’ means containers that (a) are heat
3 sealed, and none of the contents have been pinched in the
4 seal, and (b) have an oxygen transmission rate of less than
5 1 ml per square meter in 24 hours in a dry state at 20°
6 Celsius.

7 “5. For purposes of subheading 1604.14, the term
8 ‘in bulk or in immediate containers weighing with their
9 contents over 6.8 kg each’ includes product that is shipped
10 in non-airtight plastic bags, or similar intermediate con-
11 tainers, that are stacked in layers and placed on pallets,
12 or similar bulk containers, as long as the entire pallet, or
13 similar bulk container, with their contents weigh over 6.8
14 kg.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) applies to goods entered, or withdrawn from
17 warehouse for consumption, on or after the 15th day after
18 the date of the enactment of this Act.

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