

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: October 24, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 3005 (Mr. Harry Reid of Nevada for Mr. John D. (Jay) Rockefeller IV of West Virginia).

**Proponent name, location:** Philips Electronics Corporation, New York, NY.

**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)):**

Compound of barium magnesium aluminate phosphor, activated by europium or manganese, of a kind used as luminophores (CAS Nos. 63774-55-0 and 1308-96-9) (provided for in subheading 3206.50.00).

**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 product is an inorganic compound that is used as a luminophore in the manufacture of fluorescent lighting, TV and computer monitors, light emitting diodes (LED), and other electronic products. It is imported from the Netherlands.

**Estimated effect on customs revenue:**

HTS subheading: <u>3206.50.00</u>					
<del> </del>	2006	2007	2008	2009	2010
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Customs revenue loss	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000

Source of estimated dutiable import data: Industry estimates.

<sup>1</sup> Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: David Michels (202-205-3440).

<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).

**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)		
Philips Electronics Corporation (Proponent) Katie Terricciano, 212-536-0694	07/27/2006	No	No	No
Agilent Technologies Robbins Pancake, 202-416-6211	08/03/2006	No	No	No
Apollo Color, Inc. Tom Rogers, 815-722-3965	07/27/2006	No	No	No
ASML US, Inc. Craig DeYoung, 480-383-4005	08/03/2006	No	No	No
Barium and Chemicals, Inc. Albert Pavlik, Jr., 740-282-9779	08/03/2006	No	No	No
BASF Corp. Phil Webb, 704-398-2588	07/27/2006	No	No	No
Bryant Electric Fax: 800-543-0538	08/03/2006	No	No	No
CDR Pigments & Dispersions Rucker Wickline, 270-737-1700	07/27/2006	No	No	No
CERAC, Inc. Marketing, 414-289-9800	08/03/2006	No	No	No
Chemical Products Corporation Gary D. Graves, 770-382-2144	08/03/2006	No	No	No
Ciba Specialty Chemical Corp. John Demming, 302-479-5499	07/27/2006	No	No	No
Clariant Corp. Andy Zamoyski, 401-823-2230	07/27/2006	No	No	No
ColorChem International Corp. Steven Printz, 770-993-5500	07/27/2006	No	No	No
Cooper Industries, Ltd. Terry Helz, 713-209-8408	08/03/2006	No	No	No
Cree Inc. Leigh Mitchell, 919-313-5300	08/03/2006	No	No	No
Cymer, Inc. Albert Cefalo, 858-385-6222 Edward Juliano, 978-264-0621	08/03/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Diacolor-Pope Bob Turkos, 973-279-2702	07/27/2006	No	No	No
Eaton Corp. Barry Doggett, 216-423-4664	08/03/2006	No	No	No
Emerson Electric Co. Robert McDonald, 202-508-6303	08/03/2006	No	No	No
Ericson Manufacturing Co. Richard Fox, 440-951-8000	08/03/2006	No	No	No
Fanwood Chemical Co. Jim DeLisi, 908-322-8440	07/27/2006	No	No	No
Galaxie Chemical Corp. Richard Caldwell, 973-279-0558	07/27/2006	No	No	No
General Electric Co. Sandy Merber, 202-637-4000	08/03/2006	No	No	No
Hitachi America, Ltd. Carl Green, 202-828-9272	08/03/2006	No	No	No
Hubbell Inc. Thomas Conlin, 203-799-4293	08/03/2006	No	No	No
Intel Corporation David Rose, 202-626-4390	08/03/2006	No	No	No
Leviton Manufacturing Co., Inc. Stephen Hofmann, 202-216-9703	08/03/2006	No	No	No
Light Sources, Inc. John Masuchi, 203-799-7877	08/03/2006	No	No	No
Lutron Electronics Company, Inc. 610-282-3800	08/03/2006	No	No	No
Magruder Color Co., Inc. Joel Weissglass, 973-241-1300	07/27/2006	No	No	No
Mason Color Works, Inc. Carol Mason Cronin, 330-385-4400	07/27/2006	No	No	No
Max Marx Color Corp. Walter Sichel, 973-373-7801	07/27/2006	No	No	No
National Electrical Manufacturers Association John Meakem, 703-841-3243	08/03/2006	No	No	No
Osram Sylvania Pamela Horner, 978-777-1900	08/03/2006	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Pass & Seymour/Lagrand John Clarke, 315-468-8223	08/03/2006	No	No	No
PMC Inc. Gordon McCullough, 847-615-3400	07/27/2006	No	No	No
Siemens Energy and Automation, Inc. Tom Varney, 770-751-2000	08/03/2006	No	No	No
SEMI Victoria Hadfield, 202-289-0440	08/03/2006	No	No	No
Square D Co. 847-397-2600	08/03/2006	No	No	No
Sun Chemical Corp. Ed Faulkner, 513-681-5950	07/27/2006	No	No	No
Technology Research Corp. Robert Wiggins, 727-535-0572	08/03/2006	No	No	No

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

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to provide a more defined chemical name.

<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.

109TH CONGRESS  
2D SESSION

# S. 3005

To suspend temporarily the duty on Phosphor-BAG-barium magnesium  
aluminate phosphor.

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IN THE SENATE OF THE UNITED STATES

MAY 24, 2006

Mr. REID (for Mr. ROCKEFELLER) 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 Phosphor-BAG-barium  
magnesium aluminate phosphor.

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. PHOSPHOR-BAG-BARIUM MAGNESIUM ALU-**  
4 **MINATE PHOSPHOR.**

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:

“	9902.32.08	Phosphor-BAG-barium magnesium aluminate phosphor, activated by europium and manganese; inorganic products of a kind used as luminophores (CAS Nos. 63774-55-0 and 1308-96-9) (provided for in sub-heading 3206.50.00) .....	Free	No change	No change	On or before 12/31/2009	”.
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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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