

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: October 24, 2006]²

Bill No. and sponsor: S. 3178 (Mr. Jim Bunning of Kentucky).

Proponents name, location: GE Consumer & Industrial, Louisville, KY; and
Osram Sylvania Products Inc., Danvers, MA.

Other bills on product (109th 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)):

Mixtures or co-precipitates of yttrium oxide (CAS No. 1314-36-9) and europium oxide (CAS No. 1308-96-9) having a yttrium oxide content of at least 90 percent (provided for in subheading 2846.90.80)

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 products are rare earth co-precipitates or mixtures that are used in the manufacture of phosphors for use in fluorescent lighting. The subject products are imported from China.

Estimated effect on customs revenue:

HTS subheading: <u>2846.90.80</u>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty					
Col. 1-General rate of duty	3.7 %	3.7 %	3.7 %	3.7 %	3.7 %
Estimated value <i>dutiable</i> imports	\$4,100,000	\$4,100,000	\$4,100,000	\$4,100,000	\$4,100,000
Customs revenue loss	\$151,700	\$151,700	\$151,700	\$151,700	\$151,700

Source of estimated dutiable import data: Industry estimates.

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

¹ Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3340).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
GE Consumer & Industrial (Proponent) Lynn Thomson, 202-637-4022	08/01/2006	No	No	No
Osram Sylvania (Proponent) Jeff Turner, 202-457-6000	08/01/2006	No	No	No
Grace Davison Ed Laughlin, 423-697-8217	08/01/2006	No	No	No
Molycorp John Benfield, 760-856-7616	07/31/2006	No	No	No
Rhodia Rick Valentine, 202-628-1700	08/01/2006	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in order to provide a more concise chemical name, CAS registry numbers, and the correct HTS subheading reference.

³ 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
2^D SESSION

S. 3178

To suspend temporarily the duty on certain compounds of yttrium europium oxide co-precipitates.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

Mr. BUNNING introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on certain compounds of yttrium europium oxide co-precipitates.

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. CERTAIN COMPOUNDS OF YTTRIUM EUROPIUM**

4 **OXIDE CO-PRECIPITATES.**

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:

“	9902.10.04	Compounds, inorganic or organic, of rare-earth metals, of yttrium europium oxide co-precipitates having a purity of at least 90% yttrium (provided for in subheadings 2846.10.00 and 2846.90.80)	Free	No change	No change	On or before 12/31/2009	”.
---	------------	--	------	-----------	-----------	-------------------------	----

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

○