

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. 3179 (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): H.R. 1903, S. 3020.

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 lanthanum phosphate, cerium phosphate, and terbium phosphate (CAS Nos. 13778-59-1, 13454-71-2 and 13863-48-4 or 95823-34-0) (provided for in subheadings 2846.10.00 and 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: 2846.10.00 1/ and 2846.90.80					
	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

1/ According to the proponents, imports under HTS subheading 2846.10.00 are expected to be small or negligible.

Source of estimated dutiable import data: Industry estimates.

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.

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)		
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 the proposed new heading in order to provide a concise chemical description and the CAS registry numbers.

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. 3179

To suspend temporarily the duty on certain compounds of lanthanum, cerium, and terbium phosphates.

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 lanthanum, cerium, and terbium phosphates.

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 LANTHANUM, CE-**
4 **RIUM, AND TERBIUM PHOSPHATES.**

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:

“	9902.10.03	Compounds, inorganic or organic, of rare-earth metals, of lanthanum, cerium, and terbium phosphates (provided for in subheadings 2846.10.00 and 2846.90.80)	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 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.

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