



## MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

### I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

## II. Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Lanthanum phosphate phosphor, with a median particle size between 2.5 and 4.1 microns, containing cerium and terbium, of a kind used as a luminophore (CAS Nos. 13778-59-1, 13454-71-2, and 13863-48-4 or 95823-34-0) (provided for in subheading 2846.90.80)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same  
 Different (see Technical Comments section)

## III. Other product information, including uses/applications and source(s) of imports

The subject product, imported from Japan, is used in the coating in fluorescent lamps to obtain proper color rendering and optimum efficiency levels. The Chapter 99 provision expired on December 31, 2009. Opposition to this bill is noted below in the Contacts table.

## IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	2846.90.80				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty or percentage point reduction (%)	3.7	3.7	3.7	3.7	3.7
Estimated value of <i>dutiable</i> imports (\$)	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000
Customs revenue loss (\$)	222,000	222,000	222,000	222,000	222,000

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce  
 Provided by industry sources  
 Industry information  
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction  
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%)  Temporary rate (%)  Percentage point reduction (%)

## V. Technical comments

This bill would amend the article description of HTS heading 9902.22.75. In addition, the Commission staff suggests that the phrase "of a kind" be inserted in the amended article description of HTS heading 9902.22.75, as shown above in the Suggested article description section.

## VI. Continuation



## VII. Contacts with domestic firms/organizations

	#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
	1	Philips Electronics (Interested entity) Randall B. Moorhead	202-962-8555	No	No	No
	2	Cree Diana Semel Allen	919-407-5300	No	No	No
	3	Emerson Electric Robert McDonald	202-662-8790	No	No	No
	4	General Electric Sandy Merber	202-637-4000	No	No	No
	5	Global Tungsten and Powders Paul Sedor	570-268-5000	Yes	Yes	Yes
	6	OSRAM SYLVANIA Pamela Horner	978-777-1900	No	No	No

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5125

To extend and modify the temporary suspension of duty on lanthanum phosphate phosphor.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

Mr. HUELSKAMP introduced the following bill; which was referred to the Committee on Ways and Means

---

## A BILL

To extend and modify the temporary suspension of duty on lanthanum phosphate 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. LANTHANUM PHOSPHATE PHOSPHOR.**

4       (a) IN GENERAL.—Heading 9902.22.75 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       lanthanum phosphate phosphor) is amended—

7               (1) in the article description column—

8                       (A) by striking “, activated by cerium and  
9                       terbium, inorganic used as luminophores” and  
10                      inserting “with a median particle size between

1           2.5 and 4.1 microns, containing cerium and ter-  
2           bium, used as a luminophore”; and

3                   (B) by striking “subheading 3206.50.00”  
4           and inserting “subheading 2846.90.80”; and

5           (2) by striking the date in the effective period  
6           column and inserting “12/31/2015”.

7           (b) EFFECTIVE DATE.—The amendments made by  
8           subsection (a) apply to goods entered, or withdrawn from  
9           warehouse for consumption, on or after the 15th day after  
10          the date of the enactment of this Act.

○