



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/.
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)):

Europium oxides having a purity of at least 99.99 percent (CAS No. 1308-96-9) (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 are used to produce lighting phosphors and LED phosphors. It is imported from China. The provision expired on December 31, 2006. 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 (\$)	1,350,000	1,400,000	1,500,000	1,600,000	1,700,000
Customs revenue loss (\$)	49,950	51,800	55,500	59,200	62,900

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

The article description of HTS heading 9902.02.22 contains an incorrect CAS number. Commission staff suggests that the article description of HTS heading 9902.02.22 be amended by deleting "(CAS No. 1308-96-7)" and inserting "(CAS No. 1308-96-9)" in lieu thereof.

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	Global Tungsten and Powders (Interested entity) Paul Sedor	570-268-5000	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	OSRAM SYLVANIA Pamela Horner	978-777-1900	No	No	No
6	Philips Electronics Randall B. Moorhead	202-962-8555	No	No	No

112TH CONGRESS
2D SESSION

H. R. 5179

To extend the temporary suspension of duty on europium oxide.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

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

A BILL

To extend the temporary suspension of duty on europium
oxide.

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. EUROPIUM OXIDE.**

4 (a) IN GENERAL.—Heading 9902.02.22 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 europium oxide) is amended by striking the date in the
7 effective period column and inserting “12/31/2015”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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