



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)):

Mixtures or coprecipitates of lanthanum phosphate, cerium-doped lanthanum phosphate, cerium phosphate, and terbium phosphate (CAS Nos. 13778-59-1, 95823-34-0, 13454-71-2 and 13863-48-4) (provided for in subheadings 2846.10.00 and 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 products are mixtures of inorganic chemicals which are used to produce lighting phosphors for fluorescent applications. It is imported from France. Opposition to this bill is noted below in the contacts table.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	2846.10.00 and 2846.90.80 (See VI. Continuation)				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty or percentage point reduction (%)	4.06	4.06	4.06	4.06	4.06
Estimated value of <i>dutiable</i> imports (\$)	31,000,000	31,000,000	31,000,000	31,000,000	31,000,000
Customs revenue loss (\$)	1,258,600	1,258,600	1,258,600	1,258,600	1,258,600

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

Section 1(a)(1) of the bill would amend HTS heading 9902.23.05 to modify the article description. The Commission staff would note that this amendment is not necessary because HTS heading 9902.23.05 already contains the same article description that is contained in section 1(a)(1) of the bill.

VI. Continuation

Estimated effect on customs revenue - continued:

HTS No. 2846.10.00 (5.5%)

2013-\$341,000

2014-\$341,000

2115-\$341,000

2016-\$341,000

2017-\$341,000

HTS No. 2846.90.80 (3.7%)

2013-\$917,600

2014-\$917,600

2015-\$917,600

2016-\$917,600

2017-\$917,600

The rate of duty shown in the table is a trade-weighted average rate of duty for the two HTS subheadings.

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. 5180

To extend and modify the temporary suspension of duty on mixtures or coprecipitates of lanthanum, cerium, and terbium phosphates.

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 and modify the temporary suspension of duty on mixtures or coprecipitates 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. MIXTURES OR COPRECIPITATES OF LAN-**
4 **THANUM, CERIUM, AND TERBIUM**
5 **PHOSPHATES.**

6 (a) IN GENERAL.—Heading 9902.23.05 of the Har-
7 monized Tariff Schedule of the United States (relating to
8 Lanthanum phosphate) is amended—

9 (1) by amending the article description to read
10 as follows: “Mixtures or coprecipitates of lanthanum

1 phosphate, cerium-doped lanthanum phosphate, ce-
2 rium phosphate, and terbium phosphate (CAS Nos.
3 13778-59-1, 95823-34-0, 13454-71-2 and 13863-
4 48-4) (provided for in subheadings 2846.10.00 and
5 2846.90.80)”; and

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

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

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