



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 yttrium oxide (CAS No. 1314-36-9) and europium oxide (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 will be used to produce lighting phosphors for use in fluorescent lighting. It is imported from France, China, and Japan. Bills H.R. 5628, S. 2749, and S. 2945 provide for the extension of the existing Chapter 99 provision, but these bills do not modify the article description as H.R. 5181 does. See "V. Technical comments" for modifications to the article description.

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 (\$)	74,000,000	74,000,000	74,000,000	74,000,000	74,000,000
Customs revenue loss (\$)	2,738,000	2,738,000	2,738,000	2,738,000	2,738,000

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

In addition to extending the existing Chapter 99 provision, the bill would also modify it. The modified article description reflects the changes sought by the bill as well as some minor spelling and format changes.

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	Emerson Electric Robert McDonald	202-662-8790	No	No	No
3	General Electric Sandy Meber	202-637-4000	No	No	No
4	OSRAM SYLVANIA Pamela Horner	978-777-1900	No	No	No
5	Philips Electronics Randall B. Moorhead	202-962-8555	No	No	No

112TH CONGRESS
2D SESSION

H. R. 5181

To extend and modify the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and 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 and modify the temporary suspension of duty on mixtures or coprecipitates of yttrium oxide and 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. MIXTURES OR COPRECIPITATES OF YTTRIUM**
4 **OXIDE AND EUROPIUM OXIDE.**

5 (a) IN GENERAL.—Heading 9902.23.04 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 mixtures or coprecipitates of yttrium oxide and europium
8 oxide) is amended—

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

1 oxide and europium oxide (CAS Nos. 1314–36–9
2 and 1308–96–9) (provided for in subheading
3 2846.90.80)”; and

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

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7 subsection (a) apply to goods entered, or withdrawn from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

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