

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: October 12, 2005]<sup>2</sup>

**Bill No. and sponsor:** H.R. 1903 (Mr. Tom DeLay of Texas).

**Proponent name, location:** Rhodia Corp., Cranbury, NJ.

**Other bills on product (109<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2009.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**  
Phosphoric acid, lanthanum salt, cerium terbium-doped (CAS No. 95823-34-0) (provided for in subheading 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 product, imported from France, is used to produce phosphors that are used in fluorescent lighting and for backlight LCD displays.

**Estimated effect on customs revenue:**

HTS subheading: <u>2846.90.80</u>					
	2005	2006	2007	2008	2009
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$4,255,216	\$4,255,216	\$4,255,216	\$4,255,216	\$4,255,216
Customs revenue loss	\$157,443	\$157,443	\$157,443	\$157,443	\$157,443

Source of estimated dutiable import data: Industry estimates.

**Contacts with domestic firms/organizations (including the proponent):**

<sup>1</sup> Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm)

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Rhodia Corp. (proponent) Rick Valentine, 202-661-3802	8/24/2005	No	No	No
MolyCorp. John Benfield, 760-856-7616	9/2/2005	No	No	No
Santoku Americas Randall Ice, 623-936-1481	9/2/2005	No	No	No
PIDC Bill Germond, 734-930-9292	9/2/2005	No	No	No

**Technical comments:**<sup>3</sup>

The Commission suggests that the article description on page 1 be used because it provides the correct HTS classification in subheading 2846.90.80.

<sup>3</sup> 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  
1ST SESSION

# H. R. 1903

To suspend temporarily the duty on phosphoric acid, lanthanum salt, cerium terbium-doped.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2005

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

---

## A BILL

To suspend temporarily the duty on phosphoric acid, lanthanum salt, cerium terbium-doped.

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. PHOSPHORIC ACID, LANTHANUM SALT, CE-**  
4 **RIUM TERBIUM-DOPED.**

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:

“	9902.04.76	Phosphoric acid, lanthanum salt, cerium terbium-doped (CAS No. 95823-34-0) (provided for in subheading 3206.50.00) .....	Free	No change	No change	On or before 12/31/2009	”.
---	------------	--	------	-----------	-----------	-------------------------	----

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.

○