

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: May 23, 2008]²

Bill No. and sponsor: H.R. 4117 (Mr. Charles W. Dent of Pennsylvania).

Proponent name,³ location: Lutron Electronics Company, Inc.,⁴ Coopersburg, PA.

Other bills on product (110th 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)):

Electronic dimming ballasts, each having a three-wire control scheme (provided for in subheading 8504.10.00).

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:

Ballasts are of two types, electronic or magnetic, and electronic ballasts use solid-state technology to provide high initial voltage to start up a fluorescent lamp and regulate current during operation. The subject electronic ballast is reported to operate at higher frequencies and efficiencies, reducing electricity use by 10-15 percent over magnetic ballasts for the same light output. Electronic ballasts are also quieter and lighter and have a longer life. The dimming component of the electronic ballast provides additional energy efficiency by allowing control of the light level between 1 percent and 100 percent, depending on the amount of light required for a given application, whereas magnetic dimmers cannot be dimmed below 20 percent. The three-wire control scheme uses a line-voltage phase-control dimming method which provides stability over long wire runs and allows maximum circuit loading. Electronic dimming ballasts with a three-wire control scheme are generally used in commercial construction.

Dutiable U.S. imports under subheading 8504.10.00 totaled just over \$592 million in 2007 (including all electronic ballasts for discharge lamps or tubes), of which about \$292.2 million came from China and \$208.4 million from Mexico. The latter goods either do not meet eligibility requirements under the North American Free Trade Agreement (NAFTA) or are not claimed as eligible goods by importers. Because

¹ Industry analyst preparing report: Linda White (202-205-3427); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

³ The sponsor/proponent identified one additional beneficiary of this bill. USITC staff sent inquiries to the named beneficiary and it submitted a written representation that it would benefit from this bill.

⁴ Lutron reports producing the subject product in Mexico and the United States. The proposed bill was requested pending rules of origin changes under NAFTA; formal approval by all NAFTA parties has not yet been given.

the subject product is covered by a broad HTS category, import sources of the subject goods only cannot be accurately identified.

Estimated effect on customs revenue:

HTS subheading: <u>8504.10.00</u>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	3.0%	3.0%	3.0%	3.0%	3.0%
Estimated value <i>dutiable</i> imports	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000
Customs revenue loss	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000

Source of estimated dutiable import data: Commission staff and industry estimates.

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

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Lutron Electronics Company, Inc. (Proponent) Mr. John Forney, (610) 282-6244	12/05/2007	Yes	No	No
American Scientific Lighting Corp. Mr. Jack Gold, (718) 369-1100	12/06/2007	No	No	No
EBW Electronics, Inc Mr. Mark Fluga, (800) 787-0575	12/06/2007	No	No	No
Full Spectrum Solutions Ms. Liz Karl, (517) 783-3800	12/06/2007	No	No	No
IEPC Mr. Ron Flores, (714) 892-4443	12/07/2007	No	No	No
National Electrical Manufacturers Association Mr. Craig Updyke, (703) 841-3294	12/05/2007	No	No	No
Nicollet Technologies Mr. John Wilkie, (612) 379-7919	12/06/2007	No	No	No
Philips Electronics Ms. Michelle DeMoor, (202) 962-8551	12/11/2007	No	Yes	No
RetroLite Corporation of America Mr. Richard Karton, (215) 443-9370	12/06/2007	No	No	No
Warner Power Conversion, LLC Mr. Peter Amos, (603) 456-3111	12/06/2007	No	No	No

Technical comments:⁵

Very minor clarifying changes to the proposed article description are suggested, as shown on page 1.

⁵ 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.

110TH CONGRESS
1ST SESSION

H. R. 4117

To suspend temporarily the duty on certain electronic dimming ballasts with a three wire control scheme.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2007

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

A BILL

To suspend temporarily the duty on certain electronic dimming ballasts with a three wire control scheme.

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. TEMPORARY SUSPENSION OF DUTY.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“	9902.85.xx	Electronic dimming ballasts with a three wire control scheme (provided for in sub-heading 8504.10.00)	Free	No change	No change	On or before 12/31/2009	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of enactment of this Act.

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