

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: March 5, 2010]²

Bill No. and sponsor: S. 2057 (Mr. Thomas R. Carper of Delaware).

Proponent name,³ location: Agilent Technologies, Inc., Santa Clara, CA.

Other bills on product (111th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2011.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Ultraviolet lamps filled with deuterium gas (provided for in subheading 8539.49.00).

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:

An ultraviolet lamp (a term used instead of “bulb” in the tariff schedule) filled with deuterium gas is a light source used in commercially available analytical instruments such as liquid chromatographs and spectrophotometers. A deuterium lamp emits a stable and almost continuous UV spectrum of light, making it ideal for high precision absorption measurement. The subject product is a component of a larger analytical device. The product is primarily imported from Germany and Japan, though other countries may account for a small percentage of imports.

¹ Industry analyst preparing report: Andrew David (202-205-3368); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill. In addition, USITC staff identified one additional beneficiary of this bill that was not identified by the sponsor/proponent, and that beneficiary submitted a written representation that it would benefit from this bill.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 8539.49.00:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	2.4%	2.4%	2.4%	2.4%	2.4%
Estimated value <i>dutiable</i> imports ^a	\$14,500,000	\$15,000,000	\$15,500,000	\$16,000,000	\$16,500,000
Customs revenue loss ^b	\$348,000	\$360,000	\$372,000	\$384,000	\$396,000

a/ Dutiable import estimates were based on official U.S. Government statistics and Commission estimates.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

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)	
Agilent Technologies, Inc. (Proponent) Frank Orlandella, 202-772-3588	11/23/2009	No	No	No
Kinesis, Inc. Eric Davenport, 518-289-5817	11/23/2009	No	No	No
Waters Corp. Jim McPherson, 508-482-2652	12/8/2009	No	No	No

Technical comments:⁴

None.

⁴ 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.

111TH CONGRESS
1ST SESSION

S. 2057

To suspend temporarily the duty on certain lamps used in liquid chromatography or spectrophotometry.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. CARPER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on certain lamps used in liquid chromatography or spectrophotometry.

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. CERTAIN LAMPS USED IN LIQUID CHROMA-**
4 **TOGRAPHY OR SPECTROPHOTOMETRY.**

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:

“	9902.01.00	Ultraviolet lamps filled with deuterium gas (provided for in subheading 8539.49.00) ...	Free	No change	No change	On or before 12/31/2011	”.
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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.

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