

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: April 8, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2651 (Mr. Jim Bunning of Kentucky).

**Proponent name,<sup>3</sup> location:** General Electric Corp., Fairfield, CT.

**Other bills on product (111<sup>th</sup> Congress only):** S. 1924.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.<sup>4</sup>

**Retroactive effect:** None.

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

Compound of barium magnesium aluminate phosphor, activated by europium or manganese, of a kind used as luminophores (CAS Nos. 63774-55-0 and 1308-96-9) (provided for in subheading 3206.50.00).

**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:**

The subject product is an inorganic compound that is used as a luminophore in the manufacture of fluorescent lighting, TV and computer monitors, light emitting diodes (LEDs), and other electronic products. The subject product is imported from the Netherlands.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3206.50.00:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Customs revenue loss <sup>b</sup>	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000

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

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

<sup>1</sup> Industry analyst preparing report: Larry Johnson (202-205-3351); Tariff Affairs contact: Dave Michels (202-205- 3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill.

<sup>4</sup> Heading 9902.22.64 expired on December 31, 2009.

**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)		
General Electric Co. (Proponent) Sandy Merber, 202-637-4000	12/01/2009	No	No	No
Agilent Technologies Robbins Pancake, 202-416-6211	12/01/2009	No	No	No
Apollo Color, Inc. Tom Rogers, 815-722-3965	12/01/2009	No	No	No
ASML US, Inc. Craig DeYoung, 480-383-4005	12/01/2009	No	No	No
Barium and Chemicals, Inc. Albert Pavlik, Jr., 740-282-9779	12/01/2009	No	No	No
BASF Corp. Phil Webb, 704-398-2588	12/01/2009	No	No	No
CDR Pigments & Dispersions Rucker Wickline, 270-737-1700	12/01/2009	No	No	No
Chemical Products Corporation Gary D. Graves, 770-382-2144	12/01/2009	No	No	No
Ciba Specialty Chemical Corp. John Deming, 302-479-5499	12/01/2009	No	No	No
Clariant Corp. Andy Zamoyski, 401-823-2230	12/01/2009	No	No	No
ColorChem International Corp. Steven Printz, 770-993-5500	12/01/2009	No	No	No
Cooper Industries, Ltd. Terry Helz, 713-209-8408	12/01/2009	No	No	No
Cree Inc. Leigh Mitchell, 919-313-5300	12/01/2009	No	No	No
Cymer, Inc. Albert Cefalo, 858-385-6222	12/01/2009	No	No	No
Diacolor-Pope Bob Turkos, 973-279-2702	12/01/2009	No	No	No
Eaton Corp. Barry Doggett, 216-423-4664	12/01/2009	No	No	No
Emerson Electric Co. Robert McDonald, 202-508-6303	12/01/2009	No	No	No
Ericson Manufacturing Co. Richard Fox, 440-951-8000	12/01/2009	No	No	No
Fanwood Chemical Co. Jim DeLisi, 908-322-8440	12/01/2009	No	No	No
Galaxie Chemical Corp. Richard Caldwell, 973-279-0558	12/01/2009	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Global Tungsten and Powders Corp. Wende McLinko, 570-268-5119	12/01/2009	Yes	Yes	Yes
Hitachi America, Ltd. Carl Green, 202-828-9272	12/01/2009	No	No	No
Hubbell Inc. Thomas Conlin, 203-799-4293	12/01/2009	No	No	No
Intel Corporation David Rose, 202-626-4390	12/01/2009	No	No	No
Leviton Manufacturing Co., Inc. Stephen Hofmann, 202-216-9703	12/01/2009	No	No	No
Light Sources, Inc. John Masuchi, 203-799-7877	12/01/2009	No	No	No
Magruder Color Co., Inc. Joel Weissglass, 973-241-1300	12/01/2009	No	No	No
Mason Color Works, Inc. Carol Mason Cronin, 330-385-4400	12/01/2009	No	No	No
Max Marx Color Corp. Walter Sichel, 973-373-7801	12/01/2009	No	No	No
National Electrical Manufacturers Association John Meakem, 703-841-3243	12/01/2009	No	No	No
Osram Sylvania Pamela Horner, 978-777-1900	12/01/2009	No	No	No
Pass & Seymour/Lagrand John Clarke, 315-468-8223	12/01/2009	No	No	No
Philips Electronics Corporation Randy Moorehead, 202-962-8550	12/01/2009	No	No	No
PMC Inc. Gordon McCullough, 847-615-3400	12/01/2009	No	No	No
Siemens Energy and Automation, Inc. Tom Varney, 770-751-2000	12/01/2009	No	No	No
SEMI Victoria Hadfield, 202-289-0440	12/01/2009	No	No	No
Sun Chemical Corp. Ed Faulkner, 513-681-5950	12/01/2009	No	No	No
Technology Research Corp. Robert Wiggins, 727-535-0572	12/01/2009	No	No	No

**Technical comments:**<sup>5</sup>

The Commission staff notes that S. 1924 and S. 2651 would extend the same temporary duty suspension and that only one bill needs to be enacted.

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<sup>5</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.

111TH CONGRESS  
1ST SESSION

# S. 2651

To extend temporarily the suspension of duty on compound of barium magnesium aluminate phosphor.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2009

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

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## A BILL

To extend temporarily the suspension of duty on compound of barium magnesium aluminate phosphor.

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. COMPOUND OF BARIUM MAGNESIUM ALU-**  
4 **MINATE PHOSPHOR.**

5 (a) IN GENERAL.—Heading 9902.22.64 of the Har-  
6 monized Tariff Schedule of the United States (relating to  
7 compound of barium magnesium aluminate phosphor) is  
8 amended by striking the date in the effective period col-  
9 umn and inserting “12/31/2011”.

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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