

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: September 28, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 3282 (Mrs. Dianne Feinstein of California).

**Proponent name, location:** Hitachi America, Ltd., Brisbane, CA.

**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)):**

Metal halide lamps designed for use in video projectors (provided for in subheading 8539.32.00).

**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:**

Metal halide lamps are a type of high-intensity discharge (HID) lamp that produces high light output for its size by passing an electric arc through a mixture of argon, mercury, and a variety of metal halide gases. Metal halide lamps are more energy-efficient than fluorescent or incandescent bulbs and, though more expensive than halogen lamps that are often used for the same purpose, their life expectancy makes them less expensive in the long term. Metal halide lamps are available in numerous sizes and configurations for commercial and residential applications. Like most HID lamps, metal halide lamps operate under high pressure and temperature and require special fixtures to operate safely. Metal halide lamps can be used in video projectors, serving as a source of light that shines through an LCD panel and projecting the resulting image onto a screen for viewing. Japan and Germany are the principal sources of these lamps.

<sup>1</sup> Industry analyst preparing report: John Kitzmiller (202-205-3387); Tariff Affairs contact: Jan Summers (202-205-2605).

<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).

**Estimated effect on customs revenue:**

<b>HTS subheading: 8539.32.00</b>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	2.4%	2.4%	2.4%	2.4%	2.4%
Estimated value <i>dutiable</i> imports	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000
Customs revenue loss	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000

Source of estimated dutiable import data: Industry and Commission 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)		
Hitachi America, Ltd. (Proponent) Max Turnipseed, 225-338-0310	07/26/2006	No	No	No
National Electrical Manufacturers Association Craig Updyke, 703-841-3200	08/23/2006	No	No	No
Philips Pam Horner, 978-750-2529	08/23/2006	No	No	No
Sylvania Jane Beasley, 978-777-7900	08/23/2006	No	No	No

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

It is suggested that the article description be modified as shown on page 1 of this report. The bill as drafted refers to the wrong HTS subheading number as covering the subject goods. Moreover, we note that there is no HTS definition of “super high pressure,” and Customs would likely be unable to determine whether a specific metal halide lamp is designed to function with any specific ballast circuit. We defer to Customs as to any further required modifications or additional criteria that might be helpful.

<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  
2D SESSION

# S. 3282

To suspend temporarily the duty on metal halide lamp.

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IN THE SENATE OF THE UNITED STATES

MAY 26, 2006

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

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## A BILL

To suspend temporarily the duty on metal halide lamp.

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. METAL HALIDE LAMP.**

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:

“	9902.85.39	Metal halide lamp, DC-powered super high pressure designed for specific LCD projector’s ballast circuit (provided for in subheading 8539.32.80) .....	Free	No change	No change	On or before 12/31/2009	”.
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8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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