

118TH CONGRESS  
2D SESSION

# S. 5564

To increase the rate of duty on garlic originating from the People's Republic of China.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 17 (legislative day, DECEMBER 16), 2024

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

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## A BILL

To increase the rate of duty on garlic originating from the People's Republic of China.

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. SHORT TITLE.**

4       This Act may be cited as the “Stop Eating Waste  
5       And Guarantee Excellence for Garlic Assurance and Regu-  
6       latory Legislation to Inhibit Chinese Imports Tariff Act  
7       of 2024” or the “SEWAGE GARLIC Imports Tariff Act  
8       of 2024”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that imports of garlic orig-  
 3 inating from the People’s Republic of China, whether fresh  
 4 or preserved, should be prohibited.

5 **SEC. 3. DUTY INCREASE ON GARLIC FROM THE PEOPLE’S**  
 6 **REPUBLIC OF CHINA.**

7 (a) IN GENERAL.—An article described in subsection  
 8 (b) shall be subject to a rate of duty of \$100 per kilogram.

9 (b) ARTICLES DESCRIBED.—An article described in  
 10 this subsection is any of the following originating from the  
 11 People’s Republic of China:

12 (1) Fresh or chilled garlic classified under sub-  
 13 heading 0703.20.00 of the Harmonized Tariff  
 14 Schedule of the United States (in this subsection re-  
 15 ferred to as the “HTS”).

16 (2) Frozen garlic classified under statistical re-  
 17 porting number 0710.80.9755 of the HTS.

18 (3) Dried or dehydrated garlic classified under  
 19 subheading 0712.90.40 of the HTS.

20 (4) Garlic, prepared or preserved otherwise  
 21 than by vinegar or acetic acid, classified under sub-  
 22 heading 2004.90.85 or 2005.99.97 of the HTS.

23 (5) Essential oil of garlic classified under statis-  
 24 tical reporting number 3301.29.5115 of the HTS.

25 (c) APPLICABILITY.—Subsection (a) applies to arti-  
 26 cles entered, or withdrawn from warehouse for consump-

tion, on or after the date that is 15 days after the date of the enactment of this Act.

**SEC. 4. AVAILABILITY OF AMOUNTS FOR GRANT PROGRAM  
FOR DOMESTIC GROWERS OF GARLIC.**

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, consisting of—

(1) amounts transferred to the trust fund under subsection (b); and

(2) any amounts that may be credited to the trust fund under subsection (c).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall transfer to the trust fund established under subsection (a), from the general fund of the Treasury, for fiscal year 2025 and each fiscal year thereafter, an amount equivalent to the amount received into the general fund during that fiscal year and attributable to duties imposed under section 3.

(2) FREQUENCY OF TRANSFERS.—The Secretary shall transfer amounts required by paragraph (1) to be transferred to the trust fund established under subsection (a) not less frequently than quarterly.

(c) INVESTMENT OF AMOUNTS.—

1           (1) INVESTMENT OF AMOUNTS.—The Secretary  
 2       shall invest such portion of the trust fund estab-  
 3       lished under subsection (a) as is not required to  
 4       meet current withdrawals in interest-bearing obliga-  
 5       tions of the United States or in obligations guaran-  
 6       teed as to both principal and interest by the United  
 7       States.

8           (2) INTEREST AND PROCEEDS.—The interest  
 9       on, and the proceeds from the sale or redemption of,  
 10      any obligations held in the trust fund established  
 11      under subsection (a) shall be credited to and form  
 12      a part of the trust fund.

13      (d) AVAILABILITY OF FUNDS FOR SPECIALTY CROP  
 14      BLOCK GRANTS.—

15           (1) IN GENERAL.—Amounts in the trust fund  
 16      established under subsection (a) shall be available,  
 17      without further appropriation, to the Secretary of  
 18      Agriculture to make grants to States under the spe-  
 19      cialty crop block grant program established under  
 20      section 101 of the Specialty Crops Competitiveness  
 21      Act of 2004 (Public Law 108–465; 7 U.S.C. 1621  
 22      note), to be used by State departments of agri-  
 23      culture to support domestic producers of garlic.

24           (2) DETERMINATION.—Notwithstanding sub-  
 25      sections (b) and (c) of section 101 of the Specialty

1 Crops Competitiveness Act of 2004 (Public Law  
2 108–465; 7 U.S.C. 1621 note), the Secretary of Ag-  
3 riculture shall determine the recipients and amounts  
4 of grants under paragraph (1) in such manner as  
5 the Secretary of Agriculture determines to be appro-  
6 priate to support domestic producers of garlic.

7 (3) EFFECT.—Nothing in this subsection shall  
8 affect the amount of a grant made to any State  
9 under section 101 of the Specialty Crops Competi-  
10 tiveness Act of 2004 (Public Law 108–465; 7 U.S.C.  
11 1621 note) using funds made available under sub-  
12 section (l) of that section, as determined under sub-  
13 sections (b) and (c) of that section.

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