

Title 3—

Proclamation 6821 of September 12, 1995

The President

To Establish a Tariff-Rate Quota on Certain Tobacco, Eliminate Tariffs on Certain Other Tobacco, and for Other Purposes

By the President of the United States of America

A Proclamation

1. (a) On April 15, 1994, I entered into trade agreements resulting from the Uruguay Round of multilateral trade negotiations (“the Uruguay Round Agreements”), including the Agreement Establishing the World Trade Organization (“the WTO Agreement”) and the General Agreement on Tariffs and Trade 1994 (“the GATT 1994”), annexed to the WTO Agreement. In section 101(a) of the Uruguay Round Agreements Act (“the URAA”) (Public Law 103–465, 108 Stat. 4814)(19 U.S.C. 3511(a)), the United States approved the Uruguay Round Agreements. These agreements entered into force for the United States on January 1, 1995.

(b) Section 125(c) of the Trade Act of 1974 (“the 1974 Act”)(19 U.S.C. 2135(c)) provides that whenever the United States, acting in pursuance of any of its rights or obligations under any trade agreement entered into pursuant to the 1974 Act, modifies any obligation with respect to the trade of any foreign country or instrumentality, the President is authorized to proclaim increased duties or other import restrictions, to the extent, at such times, and for such periods as he deems necessary or appropriate, in order to exercise the rights or fulfill the obligations of the United States. Section 421 of the Uruguay Round Agreements Act (19 U.S.C. 2135 note) authorizes the President, pursuant to the 1974 Act, to proclaim an increase in any existing duty on certain tobacco to a rate no more than 50 percent above the rate that was set forth in rate column numbered 2 of the Tariff Schedules of the United States, as in effect on January 1, 1975, or no more than 350 percent ad valorem above the rate existing on January 1, 1975, whichever is higher.

(c) Section 1105(a) of the Omnibus Trade and Competitiveness Act of 1988 (“the 1988 Act”)(19 U.S.C. 2904(a)) provides that for purposes of applying section 125 of the 1974 Act, any trade agreement entered into under section 1102 of the 1988 Act (19 U.S.C. 2902) shall be treated as an agreement entered into under section 101 or 102, as appropriate, of the 1974 Act (19 U.S.C. 2111 and 2112), and any proclamation issued pursuant to such a trade agreement shall be treated as a proclamation issued pursuant to a trade agreement entered into under section 102 of the 1974 Act.

(d) The United States, acting pursuant to its rights and obligations under the Uruguay Round Agreements, in particular Article XXVIII of the GATT 1994, is modifying its obligations with respect to the tariff treatment of certain tobacco to establish a tariff-rate quota for imports of such tobacco.

(e) Accordingly, I have determined that it is appropriate to proclaim the tariff modifications set forth in Annex I to this proclamation in order to exercise the rights and fulfill the obligations of the United States under the Uruguay Round Agreements. These modifications would, among other things, establish a tariff-rate quota for imports of certain tobacco.

2. (a) Section 423 of the URAA (19 U.S.C. 3621) authorizes the President to proclaim the reduction or elimination of any duty with respect to cigar

binder and filler tobacco, wrapper tobacco, or oriental tobacco set forth in Schedule XX—United States of America, annexed to the Marrakesh Protocol to the GATT 1994 (“Schedule XX”).

(b) I have decided to proclaim the elimination of the duties on cigar binder and filler tobacco, wrapper tobacco, and oriental tobacco, as set forth in Annex I to this proclamation.

3. (a) Section 422(c) of the URAA (7 U.S.C. 1445 note) authorizes the President to waive the application to imported tobacco of section 106(g) of the Agricultural Act of 1949 (7 U.S.C. 1445(g)) if the President determines that the waiver is necessary or appropriate pursuant to an international agreement entered into by the United States.

(b) I have determined that it is necessary or appropriate pursuant to the Uruguay Round Agreements to waive the application of section 106(g) of the Agricultural Act of 1949 to imports of cigar tobacco. This waiver shall take effect on the effective date of this proclamation.

4. Presidential Proclamation No. 6641 of December 15, 1993, which implemented the North American Free Trade Agreement (“the NAFTA”) with respect to the United States, established a tariff heading in chapter 98 of the Harmonized Tariff Schedules of the United States (“the HTS”) for certain textile and apparel goods assembled in Mexico from fabric wholly formed and cut in the United States. This tariff heading, 9802.00.90, inadvertently narrowed the scope of the agreed duty-free treatment, as set forth in Appendix 2.4 to Annex 300–B to the NAFTA. I have decided that it is necessary and appropriate to modify heading 9802.00.90 to the HTS to align it with the provisions of the NAFTA, pursuant to section 201(a)(1) of the North American Free Trade Agreement Implementation Act (Public Law 103–182, 107 Stat. 2057)(19 U.S.C. 3331(a)(1)).

5. (a) The March 9, 1994, Memorandum of Understanding on the Results of the Uruguay Round Negotiations on Agriculture Between the United States of America and Uruguay and the March 24, 1994, Memorandum of Understanding on the Results of the Uruguay Round Market Access Negotiations on Agriculture Between the United States of America and Argentina (“the MOUs”) were submitted to the Congress along with the Uruguay Round Agreements. Each MOU provides that, once the appropriate Department of Agriculture authorities approve the country to ship fresh, chilled or frozen beef to the United States, the in-quota quantity of the United States tariff-rate quota for beef will be increased by 20,000 metric tons, and that increase will be allocated to that country.

(b) Section 404(d)(4) of the URAA (19 U.S.C. 3601(d)(4)) authorizes the President to proclaim an increase in the in-quota quantity of the tariff-rate quota for beef if the President determines that an increase is necessary to implement either MOU.

(c) Accordingly, pursuant to section 404(d)(4) of the URAA, I have determined that it is necessary to proclaim an increase in the in-quota quantity of the tariff-rate quota for beef as set forth in Annex II to this proclamation, to be effective for each country upon the dates specified therein.

6. Presidential Proclamation No. 6763 of December 23, 1994, implemented the Uruguay Round Agreements, including Schedule XX, with respect to the United States and incorporated in the HTS tariff modifications necessary and appropriate to carry out the Uruguay Round Agreements. Certain technical errors, including inadvertent omissions and typographical errors, were made in that proclamation. I have decided that, in order to reflect accurately the intended tariff treatment provided for in the Uruguay Round Agreements, it is necessary to modify certain provisions of the HTS, as set forth in Annex II to this proclamation.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section

301 of title 3, United States Code, section 125 of the 1974 Act (19 U.S.C. 2135), sections 421, 422(c) and 423 of the URAA (19 U.S.C. 2135 note, 7 U.S.C. 1445 note, and 19 U.S.C. 3621, respectively), and section 604 of the 1974 Act (19 U.S.C. 2483), do hereby proclaim:

(1) In order to exercise the rights and fulfill the obligations of the United States under the WTO Agreement, the HTS is modified as set forth in Annex I to this proclamation.

(2) The provisions of Annex I to this proclamation shall take effect with respect to articles entered, or withdrawn from warehouse, for consumption on or after the dates specified in such annex.

(3) Section 106(g) of the Agricultural Act of 1949 (7 U.S.C. 1445(g)) is waived with respect to imports of cigar tobacco entered, or withdrawn from warehouse, for consumption on or after the effective date of this proclamation.

(4) (a) In order to correct certain technical errors, to modify heading 9802.00.90, and to implement certain determinations concerning tariff-rate quotas for Argentina and Uruguay, the HTS is modified as set forth in Annex II to this proclamation.

(b) Annex I to Presidential Proclamation No. 6343 of September 28, 1991, is amended as set forth in Annex II to this proclamation.

(c) The modifications made by Annex II to this proclamation shall be effective with respect to goods entered or withdrawn from warehouse for consumption on or after the dates specified in such annex.

(5) The United States Trade Representative and the Secretary of the Treasury are authorized to exercise my authority under the statutes cited in this proclamation to perform certain functions to implement this proclamation, as assigned to them in Annex I to this proclamation.

(6) All provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(7) This proclamation is effective on September 13, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.



Annex I

Section A. Modifications to the Harmonized Tariff Schedule of the United States ("HTS").

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

Effective with respect to goods entered, or withdrawn from warehouse, for consumption on or after the effective date of this proclamation.

(1)(a). The additional U.S. notes to chapter 24 are modified by inserting the following new additional U.S. notes in numerical sequence:

- "5. (a) The aggregate quantity of tobacco entered, or withdrawn from warehouse, for consumption under subheadings 2401.10.63, 2401.20.33, 2401.20.85, 2401.30.33, 2401.30.35, 2401.30.37, 2403.10.60, 2403.91.45 and 2403.99.60 during the period from September 13 in any year to the following September 12, inclusive, shall not exceed the quantities specified below.

	<u>Quantity</u> (metric tons)
Argentina	12,000
Brazil	80,200
Chile	2,750
European Community (aggregate of Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom)	10,000
Guatemala	8,500
Malawi	12,000
Philippines	3,000
Thailand	7,000
Zimbabwe	12,000
Other countries or areas	3,000

- (b) Products of Canada, Israel or Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable in the subheadings of this note.
- (c) The quantitative limitations under this note are subject to regulations as may be issued by the United States Trade Representative or its designated agency.
- (d) Notwithstanding any other provision of this note, imports of tobacco, other than the product of Canada, Israel or Mexico, shall be eligible for the rates of duty provided in, and shall be classified in, the subheadings specified in paragraph (a) of this note, provided that the articles were (1) exported from the country of origin prior to September 13, 1995, and (2) imported directly from the country of origin into the customs territory of the United States, accompanied by such documentation as may be determined necessary by the Secretary of Treasury. For the purposes of this paragraph, entries of tobacco withdrawn from warehouse for consumption or entries of tobacco from foreign-trade zones shall not be determined to be imported directly from the country of origin into the customs territory of the United States.
6. For the purposes of this chapter, the term "prepared for marketing to the ultimate consumer in the identical form and package in which imported" means that the product is imported in packaging of such sizes and labeling as to be readily identifiable as being intended for retail sale to the ultimate consumer without any alteration in the form of the product or its packaging."

(b) Effective September 13, 1996, additional U.S. note 5 to chapter 24 of the HTS, as added by this paragraph, is modified by deleting paragraph (d) of such note.

Annex I (continued)

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Section A. (con.)

(2). Subheadings 2401.10.40, 2401.10.60, 2401.10.70 and 2401.10.90, the superior text immediately preceding subheading 2401.10.40 and the superior text immediately preceding subheading 2401.10.70 are superseded by and the following provisions are inserted in numerical sequence:

[Unmanufactured tobacco...:]			
[Tobacco, not stemmed/stripped:]			
[Not containing wrapper tobacco,...]			
*Oriental or Turkish type:			
2401.10.44	Cigarette leaf.....	Free	77.2¢/kg
2401.10.48	Other.....	Free	85¢/kg
2401.10.53	Cigar binder and filler.....	Free	85¢/kg
Other:			
Flue-cured, burley and other light			
air-cured leaf:			
2401.10.61	To be used in products other		
	than cigarettes.....	27.4¢/kg	Free (E,IL,J) 8.4¢/kg (CA) 22.4¢/kg (MX)
Other:			
2401.10.63	Described in additional		
	U.S. note 5 to this		
	chapter and entered		
	pursuant to its		
	provisions.....	27.4¢/kg	Free (E,J) 77.2¢/kg
2401.10.65	Other.....	350%	Free (IL) 350%
			8.4¢/kg (CA) 22.4¢/kg (MX)
2401.10.95	Other.....	37.5¢/kg	Free (A,E,IL, J,MX) 11.5¢/kg (CA)

(3)(a). Subheadings 2401.20.30, 2401.20.45 and 2401.20.55 and the superior text immediately preceding subheading 2401.20.45 are superseded and the following provisions are inserted in numerical sequence:

[Unmanufactured tobacco...:]			
[Tobacco, partly or wholly stemmed/stripped:]			
[Not threshed or similarly...]			
[Other:]			
[Not containing wrapper tobacco,			
or not containing...:]			
*Oriental or Turkish type:			
2401.20.23	Cigarette leaf.....	Free	\$1.21/kg
2401.20.26	Other.....	Free	\$1.15/kg
2401.20.29	Cigar binder and filler.....	Free	\$1.15/kg
Other:			
Flue-cured, burley and			
other light air-cured			
leaf:			
2401.20.31	To be used in		
	products other than		
	cigarettes.....	46.9¢/kg	Free (E,IL,J) 14.4¢/kg (CA) 38.4¢/kg (MX)
Other:			
2401.20.33	Described in		
	additional U.S.		
	note 5 to this		
	chapter and		
	entered		
	pursuant to		
	its provisions...	46.9¢/kg	Free (E,J) \$1.21/kg
2401.20.35	Other.....	350%	Free (IL) 350%
			14.4¢/kg (CA) 38.4¢/kg (MX)
2401.20.57	Other.....	45.5¢/kg	Free (A ^a ,E,IL, J,MX) 14¢/kg (CA)

Annex I (continued)

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Section A. (con.)

(3)(b). Conforming change: General note 4(d) is modified by deleting "2401.20.45 Indonesia" and "2401.20.55 Indonesia" and by inserting "2401.20.57 Indonesia" in numerical sequence.

(4). Subheading 2401.20.80 is superseded by:

	[Unmanufactured tobacco...:]			
	[Tobacco, partly or wholly stemmed/stripped:]			
	[Threshed or similarly processed:]			
	*Other:			
2401.20.75	Oriental or Turkish type.....	Free		\$1.10/kg
	Other:			
2401.20.83	To be used in products other than cigarettes.....	43¢/kg	Free (E,IL,J) 13.2¢/kg (CA) 35.2¢/kg (MX)	\$1.10/kg
	Other:			
2401.20.85	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	43¢/kg	Free (E,J)	\$1.10/kg
2401.20.87	Other.....	350%	Free (IL) 13.2¢/kg (CA) 35.2¢/kg (MX)	350%*

(5). Subheadings 2401.30.30, 2401.30.60 and 2401.30.90 and the superior text immediately preceding subheading 2401.30.30 are superseded and the following provisions are inserted in numerical sequence:

	[Unmanufactured tobacco...:]			
	[Tobacco refuse:]			
	*From cigar leaf:			
	Tobacco stems:			
2401.30.03	Not cut, not ground and not pulverized.....	Free		Free
2401.30.06	Cut, ground or pulverized.....	Free		\$1.21/kg
2401.30.09	Other.....	Free		77.2¢/kg
	From Oriental or Turkish type tobacco:			
	Tobacco stems:			
2401.30.13	Not cut, not ground and not pulverized.....	Free		Free
2401.30.16	Cut, ground or pulverized.....	Free		\$1.21/kg
2401.30.19	Other.....	Free		77.2¢/kg
	Other:			
	To be used in products other than cigarettes:			
	Tobacco stems:			
2401.30.23	Not cut, not ground and not pulverized.....	Free		Free
2401.30.25	Cut, ground or pulverized.....	\$1.17/kg	Free (E,IL,J) 36.3¢/kg (CA) 96.8¢/kg (MX)	\$1.21/kg
2401.30.27	Other.....	34.3¢/kg	Free (E,IL,J) 10.6¢/kg (CA) 28.4¢/kg (MX)	77.2¢/kg

Annex I (continued)
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Section A. (con.)

(5). (con.):

	[Unmanufactured tobacco....:]			
	[Tobacco refuse:]			
	Other (con.):			
	Other:			
	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions:			
	Tobacco stems:			
2401.30.33	Not cut, not ground and not pulverized.....	Free		Free
2401.30.35	Cut, ground or pulverized.....	\$1.17/kg	Free (E,J)	\$1.21/kg
2401.30.37	Other.....	34.3¢/kg	Free (E,J)	77.2¢/kg
2401.30.70	Other.....	350%	Free (CA,IL, MX)	350%

(6). Subheading 2403.10.00 is superseded by:

	[Other manufactured tobacco and....:]			
"2403.10	Smoking tobacco, whether or not containing tobacco substitutes in any proportion:			
2403.10.20	Prepared for marketing to the ultimate consumer in the identical form and package in which imported.....	37.6¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (MX)	\$1.21/kg
	Other:			
2403.10.30	To be used in products other than cigarettes.....	37.6¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (MX)	\$1.21/kg
	Other:			
2403.10.60	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	37.6¢/kg	Free (E,J)	\$1.21/kg
2403.10.90	Other.....	350%	Free (IL) 11.5¢/kg (CA) 30.8¢/kg (MX)	350%

(7)(a). Subheading 2403.91.40 is superseded by:

	[Other manufactured tobacco and....:]			
	[Other:]			
	["Homogenized" or....:]			
	Other:			
2403.91.43	To be used in products other than cigarettes.....	40.1¢/kg	Free (E,IL,J) 13.2¢/kg (CA) 35.2¢/kg (MX)	\$1.10/kg
	Other:			
2403.91.45	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	40.1¢/kg	Free (E,J)	\$1.10/kg
2403.91.47	Other.....	350%	Free (IL) 13.2¢/kg (CA) 35.2¢/kg (MX)	350%

(b). Conforming change: The article description for subheading 9905.24.10 is modified by deleting "2403.91.40" and inserting "2403.91.43" in lieu thereof.

Annex I (continued)

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Section A. (con.)

(8). Subheading 2403.99.00 is superseded by:

	[Other manufactured tobacco and....]			
	[Other:]			
"2403.99	Other:			
2403.99.20	Prepared for marketing to the ultimate consumer in the identical form and package in which imported.....	36.3¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (MX)	\$1.21/kg
2403.99.30	Other: To be used in products other than cigarettes.....	36.3¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (MX)	\$1.21/kg
2403.99.60	Other: Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	36.3¢/kg	Free (E,J)	\$1.21/kg
2403.99.90	Other.....	350%	Free (IL) 11.5¢/kg (CA) 30.8¢/kg (MX)	350%*

Section B. Implementation of modifications in the Rates of Duty 1 General subcolumn of the HTS effective with respect to goods entered, or withdrawn from warehouse, for consumption on or after September 13, 1995. For the following subheadings, the Rates of Duty 1 General subcolumn is modified by deleting the rate of duty appearing in such subcolumn and inserting the rate of duty "Free" in lieu thereof:

2401.10.21	2401.20.20
2401.10.29	2401.20.60

Section C. Effective September 13, 1995, general note 4(d) is modified by deleting "2401.10.21 Dominican Republic" and "2401.10.29 Honduras".

Section D. Modifications of the quantitative limitations provided for in additional U.S. note 5 to chapter 24.

On September 13 of each of the years in the following table, additional U.S. note 5 to chapter 24 shall be modified by deleting for such countries as listed below the country quantitative limitation in such note and inserting the appropriate quantitative limitation listed in this table for such year in lieu thereof:

	1996	1997	1998	1999
Additional U.S. note 5 to chapter 24:				
Argentina	12,000	12,000	11,000	10,750
Guatemala	8,875	9,250	9,625	10,000

Annex I (continued)

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Section E. Staged rate reductions in the Rates of Duty 1 General subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation.

For the following subheadings, the Rates of Duty 1 General subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998	1999	2000
2401.10.61	26.7¢/kg	26¢/kg	25.3¢/kg	24.6¢/kg	23.9¢/kg
2401.10.63	26.7¢/kg	26¢/kg	25.3¢/kg	24.6¢/kg	23.9¢/kg
2401.10.95	36.6¢/kg	35.6¢/kg	34.6¢/kg	33.7¢/kg	32.7¢/kg
2401.20.31	45.7¢/kg	44.5¢/kg	43.3¢/kg	42.1¢/kg	40.9¢/kg
2401.20.33	45.7¢/kg	44.5¢/kg	43.3¢/kg	42.1¢/kg	40.9¢/kg
2401.20.57	44.4¢/kg	43.2¢/kg	42¢/kg	40.9¢/kg	39.7¢/kg
2401.20.83	41.9¢/kg	40.8¢/kg	39.7¢/kg	38.6¢/kg	37.5¢/kg
2401.20.85	41.9¢/kg	40.8¢/kg	39.7¢/kg	38.6¢/kg	37.5¢/kg
2401.30.25	\$1.13/kg	\$1.09/kg	\$1.05/kg	\$1.01/kg	97¢/kg
2401.30.27	33.1¢/kg	32¢/kg	30.8¢/kg	29.6¢/kg	28.4¢/kg
2401.30.35	\$1.13/kg	\$1.09/kg	\$1.05/kg	\$1.01/kg	97¢/kg
2401.30.37	33.1¢/kg	32¢/kg	30.8¢/kg	29.6¢/kg	28.4¢/kg
2403.10.20	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.10.30	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.10.60	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.91.43	36¢/kg	32¢/kg	28¢/kg	23.9¢/kg	19.9¢/kg
2403.91.45	36¢/kg	32¢/kg	28¢/kg	23.9¢/kg	19.9¢/kg
2403.99.20	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg
2403.99.30	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg
2403.99.60	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg

Section F. Continuation of staged rate reductions in the Rates of Duty 1 Special subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation for goods of Canada under terms of general note 12 to the HTS.

For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty that is followed by the symbol "CA" and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998
2401.10.61	5.6¢/kg	2.8¢/kg	Free
2401.10.65	5.6¢/kg	2.8¢/kg	Free
2401.10.95	7.7¢/kg	3.8¢/kg	Free
2401.20.31	9.6¢/kg	4.8¢/kg	Free
2401.20.35	9.6¢/kg	4.8¢/kg	Free
2401.20.57	9.3¢/kg	4.6¢/kg	Free
2401.20.83	8.8¢/kg	4.4¢/kg	Free
2401.20.87	8.8¢/kg	4.4¢/kg	Free
2401.30.25	24.2¢/kg	12.1¢/kg	Free
2401.30.27	7.1¢/kg	3.5¢/kg	Free

Annex I (continued)

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Section F. (Con.)

HTS Subheading	1996	1997	1998
2403.10.20	7.7¢/kg	3.8¢/kg	Free
2403.10.30	7.7¢/kg	3.8¢/kg	Free
2403.10.90	7.7¢/kg	3.8¢/kg	Free
2403.91.43	8.8¢/kg	4.4¢/kg	Free
2403.91.47	8.8¢/kg	4.4¢/kg	Free
2403.99.20	7.7¢/kg	3.8¢/kg	Free
2403.99.30	7.7¢/kg	3.8¢/kg	Free
2403.99.90	7.7¢/kg	3.8¢/kg	Free

Section G. Continuation of staged rate reductions in the Rates of Duty 1 Special subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation for goods of Mexico under terms of general note 12 to the HTS.

For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty that is followed by the symbol "MX" and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
2401.10.61	19.6¢/kg	16.8¢/kg	14¢/kg	11.2¢/kg	8.4¢/kg	5.6¢/kg	2.8¢/kg	Free
2401.10.65	19.6¢/kg	16.8¢/kg	14¢/kg	11.2¢/kg	8.4¢/kg	5.6¢/kg	2.8¢/kg	Free
2401.20.31	33.6¢/kg	28.8¢/kg	24¢/kg	19.2¢/kg	14.4¢/kg	9.6¢/kg	4.8¢/kg	Free
2401.20.35	33.6¢/kg	28.8¢/kg	24¢/kg	19.2¢/kg	14.4¢/kg	9.6¢/kg	4.8¢/kg	Free
2401.20.83	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2401.20.87	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2401.30.25	84.7¢/kg	72.6¢/kg	60.5¢/kg	48.4¢/kg	36.3¢/kg	24.2¢/kg	12.1¢/kg	Free
2401.30.27	24.8¢/kg	21.3¢/kg	17.7¢/kg	14.2¢/kg	10.6¢/kg	7.1¢/kg	3.5¢/kg	Free
2403.10.20	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.10.30	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.10.90	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.91.43	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2403.91.47	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2403.99.20	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.99.30	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.99.90	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free

Annex II

Modifications to the Harmonized Tariff Schedule
of the United States (HTS)

Section A. Effective at 12:01 a.m. on January 1, 1994, heading 9802.00.90 is modified by deleting the word "which" appearing after "United States," and by inserting after "United States," the expression "provided that such fabric components, in whole or in part,".

Section B. Effective with respect to goods entered or withdrawn from warehouse for consumption on or after January 1, 1995.

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

(1) The Rates of Duty 1 Special subcolumn for subheading 2106.90.46 is modified by deleting the rate of duty "35.517¢/kg" preceding the symbol "MX" in parentheses and inserting in lieu thereof "35.517¢/kg of total sugars".

(2) The article description for subheading 2914.30.10 is modified by deleting "1-(2-naphthalenyl)ethanone; and" and inserting "1-(2-Naphthalenyl)ethanone; and" in lieu thereof.

(3) The article description for subheading 2924.21.12 is modified by deleting "1-(2-methylcyclohexyl)-3-phenylurea" and inserting "1-(2-Methylcyclohexyl)-3-phenylurea" in lieu thereof.

(4) The Rates of Duty 1 Special subcolumn for subheading 2924.21.16 is modified by inserting, in alphabetical order, the symbol "K" in the parentheses following the "Free" rate of duty in such subcolumn.

(5) The article description for subheading 2924.29.28 is modified by deleting "N-[(4-chlorophenyl)amino]carbonyl]-2,6-difluorobenzamide; and" and inserting "N-[(4-Chlorophenyl)amino]carbonyl]-2,6-difluorobenzamide; and" in lieu thereof.

(6) The article description for subheading 2925.19.70 is modified by deleting "N,N'-Ethylenebis(5,6-dibromo-2,3-norbornanedicarboximide" and inserting "N,N'-Ethylenebis(5,6-dibromo-2,3-norbornanedicarboximide)" in lieu thereof.

(7) The article description for subheading 2934.90.70 is modified by deleting "2-Methyl-4-isothiazolin-3-one;" from such description and by inserting in alphabetical sequence "2-Methyl-4-isothiazolin-3-one;" in the article description for subheading 2934.10.70.

(8) Subheading 2936.29.90 is superseded and the following provisions are inserted in numerical sequence:

	[Provitamins and vitamins, natural....:]		
	[Vitamins and their derivatives, unixed:]		
	[Other vitamins and their....:]		
*2936.29.15	Niacin and niacinamide.....	Free	25%
	[Other:]		
*2936.29.50	Other.....	Free	25%

(9) The Rates of Duty 1 Special subcolumn for subheading 3926.90.65 is modified by deleting the rate of duty "3.3%" preceding the symbol "MX" in parentheses and inserting in lieu thereof "2.5%".

Annex II (continued)

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Section B. (con.)

(10) Additional U.S. note 9 to chapter 52 is modified by deleting the sentence "Imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note." and inserting in lieu thereof "Other than as provided for in the country allocations above, imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note."

(11) The Rates of Duty 1 Special subcolumn for subheading 5402.41.90 is modified by deleting the rate of duty "8%" preceding the symbol "MX" in parentheses and inserting in lieu thereof "7.2%".

(12) The superior text preceding subheading 9817.00.92 which reads "Articles specially designed or adapted for the use or benefit of the blind or other physically or mentally handicapped persons:" is deleted and the text "Articles specially designed or adapted for the use or benefit of the blind or other physically or mentally handicapped persons; parts and accessories (except parts and accessories of braces and artificial limb prosthetics) that are specially designed or adapted for use in the foregoing articles:" is inserted in lieu thereof.

(13) Subchapter VI to chapter 99 is modified by deleting U.S. note 17.

Section C. Effective on the effective date of this proclamation:

Additional U.S. note 3 to chapter 2 is modified by:

(1) inserting in sequence "Argentina 20,000*" and "Uruguay 20,000*" after "Japan 200" in the list of countries and the quantities set opposite such countries in the note.

(2) inserting at the end of the note a new paragraph as follows:

" * The quantity for Argentina or Uruguay shall be permitted entry pursuant to the provisions of this note on and after the date of publication by the Secretary of Agriculture of a notice in the Federal Register that Argentina or Uruguay has been granted approval by the Department of Agriculture to ship fresh, chilled or frozen beef to the United States. This paragraph and the "*" symbol following the quantity for Argentina and Uruguay shall be deleted from this note on the January 1 following the later date of the date of publication of the notice for Argentina or Uruguay."

(3) deleting the paragraph inserted by subparagraph (2) above on the January 1 following the later date of the date of publication of the notice for Argentina or Uruguay.

Section D. Effective at 12:01 a.m. on January 1, 1996:

(1) Subchapter V to chapter 99 of the HTS is modified by deleting U.S. notes 2, 3, 4 and 5.

(2) Proclamation 6343 of September 28, 1991, is amended by deleting from Annex I thereof paragraph (d)(2) relating to subheading 9905.84.22.

Annex II (continue 1)

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Section E. For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty followed by the symbol "MX" in parentheses and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998	1999	2000 ^{1/}	2001	2002	2003
2106.90.46	34.582¢/kg on total sugars	33.647¢/kg on total sugars	32.713¢/kg on total sugars	31.778¢/kg on total sugars	28.047¢/kg on total sugars	24.716¢/kg on total sugars	21.185¢/kg on total sugars	17.655¢/kg on total sugars ^{1/}
3823.90.28	2.5¢/kg + 9.5%	2.2¢/kg + 8.1%	1.8¢/kg + 6.8%	1.4¢/kg + 5.4%	1.1¢/kg + 4%	0.7¢/kg + 2.7%	0.3¢/kg + 1.3%	Free
3926.90.65	1.6%	0.8%	Free	Free	Free	Free	Free	Free
5402.41.90	5.4%	3.6%	1.8%	Free	Free	Free	Free	Free
6216.00.26	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
7019.10.15	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
9906.08.11	19%	18.5%	18%	17.5%	17%	17%	17%	Free

^{1/} For subheading 2106.90.46, the rates of duty after 2003 shall be as follows:

Effective with respect to articles entered on or after January 1, 2004-- 14.124¢/kg on total sugars;
 Effective with respect to articles entered on or after January 1, 2005-- 10.593¢/kg on total sugars;
 Effective with respect to articles entered on or after January 1, 2006-- 7.062¢/kg on total sugars;
 Effective with respect to articles entered on or after January 1, 2007-- 3.531¢/kg on total sugars; and
 Effective with respect to articles entered on or after January 1, 2008-- Free

Section F. Effective at 12:01 a.m. on January 1, 1998:

(1) Chapter 58 of the HTS is modified by deleting the "(CA)" symbol and the duty rate preceding such symbol from additional U.S. notes 1, 2, 3, 4 and 5.

(2) The Rates of Duty 1 Special subcolumn:

(a) for subheading 5810.91.00 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 1" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(b) for subheading 5810.92.10 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 2" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(c) for subheading 5810.92.90 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 3" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(d) for subheading 5810.99.10 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 4" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(e) for subheading 5810.99.90 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 5" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

Annex II (continued)

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Section G. Effective at 12:01 a.m. on January 1, 1999:

- (1) Chapter 58 of the HTS is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol from additional U.S. notes 1, 4 and 5.
- (2) The Rates of Duty 1 Special subcolumn for subheadings 5810.91.00, 5810.99.10 and 5810.99.90 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section H. Effective at 12:01 a.m. on January 1, 2003:

- (1) Chapter 58 of the HTS is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol from additional U.S. notes 2 and 3.
- (2) The Rates of Duty 1 Special subcolumn for subheadings 0402.91.90, 0406.90.32 and 1806.20.94 is modified by deleting the duty rate preceding the "(MX)" symbol and inserting the "Free" rate in lieu thereof.
- (3) The Rates of Duty 1 Special subcolumn for subheadings 2106.90.52, 2106.90.54, 5810.92.10 and 5810.92.90 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section I. Effective at 12:01 a.m. on August 1, 2003, the Rates of Duty 1 Special subcolumn for subheading 0709.60.20 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section J. Effective at 12:01 a.m. on January 1, 2006, the Rates of Duty 1 Special subcolumn for subheadings 1701.11.50, 1701.12.50, 1701.91.30 and 1701.99.50 is modified by deleting the duty rate preceding the "(MX)" symbol and inserting in lieu thereof "7.062¢/kg less 0.1¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 4.564¢/kg".

Section K. Effective at 12:01 a.m. on January 1, 2008, the Rates of Duty 1 Special subcolumn for subheading 2106.90.48 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.