

Presidential Documents

Title 3—

Proclamation 6962 of December 2, 1996

The President

To Implement the United States-Israel Agreement on Trade in Agricultural Products

By the President of the United States of America

A Proclamation

1. On April 22, 1985, the United States entered into the Agreement on the Establishment of a Free Trade Area between the Government of the United States of America and the Government of Israel (“the FTA Agreement”), approved by the Congress in the United States-Israel Free Trade Area Implementation Act of 1985 (“the FTA Act”) (19 U.S.C. 2112 note).

2. The United States and Israel acknowledge that they have differing interpretations as to the meaning of certain rights and obligations in the FTA Agreement, in particular with respect to market access for certain United States agricultural products. In order to maintain the general level of reciprocal and mutually advantageous concessions with respect to agricultural trade with Israel, on November 4, 1996, the Government of the United States entered into an agreement with the Government of Israel concerning certain aspects of trade in agricultural products, effective December 4, 1996, through December 31, 2001 (“the 1996 Agreement”).

3. Section 4(b) of the FTA Act provides that, whenever the President determines that it is necessary to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel provided for by the FTA Agreement, the President may proclaim such withdrawal, suspension, modification, or continuance of any duty, or such continuance of existing duty-free or excise treatment, or such additional duties as the President determines to be required or appropriate to carry out the FTA Agreement.

4. Pursuant to section 4(b) of the FTA Act, I have determined that it is necessary, in order to maintain the general level of reciprocal and mutually advantageous concessions with respect to Israel, to provide through the close of December 31, 2001, access into the United States customs territory for specified quantities of certain agricultural products of Israel free of duty or certain fees or other import charges.

5. Section 604 of the Trade Act of 1974 (19 U.S.C. 2483) (“the 1974 Act”), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (“HTS”) the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

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 4 of the FTA Act and section 604 of the 1974 Act, do hereby proclaim:

(1) In order to implement aspects of the 1996 Agreement with the Government of Israel concerning certain aspects of trade in agricultural products, the HTS is modified as provided in the Annex to this proclamation.

(2) Any 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.

(3) The modifications to the HTS made by the Annex to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the dates set forth in such Annex, and the tariff treatment set forth therein shall be effective as provided in such Annex through December 31, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of December, in the year of our Lord nineteen hundred and ninety-six, and of the Independence of the United States of America the two hundred and twenty-first.

A handwritten signature in black ink, reading "William Clinton". The signature is written in a cursive style with a large, stylized "W" and "C".

ANNEX

TEMPORARY MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE
OF THE UNITED STATES TO IMPLEMENT THE AGREEMENT
WITH ISRAEL CONCERNING CERTAIN ASPECTS OF TRADE
IN AGRICULTURAL PRODUCTS

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after December 4, 1996, the Harmonized Tariff Schedule of the United States ("HTS") is modified as follows:

1. Subheadings 0401.30.75, 0403.90.78 and 0405.10.20 are each modified by inserting in the Rates of Duty 1-Special subcolumn the expression "See 9908.04.01 (IL)".
2. Subheadings 0402.10.50 and 0402.21.25 are each modified by inserting in the Rates of Duty 1-Special subcolumn the expression "See 9908.04.03 (IL)".
3. Subheadings 0406.10.08, 0406.10.18, 0406.10.28, 0406.10.38, 0406.10.48, 0406.10.58, 0406.10.68, 0406.10.78, 0406.10.88, 0406.20.28, 0406.20.33, 0406.20.39, 0406.20.48, 0406.20.53, 0406.20.63, 0406.20.67, 0406.20.71, 0406.20.75, 0406.20.79, 0406.20.83, 0406.20.87, 0406.20.91, 0406.30.18, 0406.30.28, 0406.30.38, 0406.30.48, 0406.30.53, 0406.30.63, 0406.30.67, 0406.30.71, 0406.30.75, 0406.30.79, 0406.30.83, 0406.30.87, 0406.30.91, 0406.40.70, 0406.90.12, 0406.90.18, 0406.90.32, 0406.90.37, 0406.90.42, 0406.90.48, 0406.90.54, 0406.90.68, 0406.90.74, 0406.90.78, 0406.90.84, 0406.90.88, 0406.90.92, 0406.90.94, 0406.90.97 and 1901.90.36 are each modified by inserting in the Rates of Duty 1-Special subcolumn the expression "See 9908.04.05 (IL)".
4. Subheadings 1202.10.80, 1202.20.80, 2008.11.35 and 2008.11.60 are each modified by inserting in the Rates of Duty 1-Special subcolumn the expression "See 9908.12.01 (IL)".
5. Subheading 2105.00.20 is modified by inserting in the Rates of Duty 1-Special subcolumn the expression "See 9908.21.01 (IL)".
6. New subchapter VIII, with the notes and tariff provisions set forth below, is inserted at the end of chapter 99:

"SUBCHAPTER VIII

TEMPORARY MODIFICATIONS ESTABLISHED PURSUANT TO
THE AGREEMENT WITH ISRAEL CONCERNING CERTAIN ASPECTS
OF TRADE IN AGRICULTURAL PRODUCTS

U.S. Notes

1. This subchapter contains temporary modifications of the provisions of the tariff schedule established pursuant to the United States' agreement with Israel concerning certain aspects of trade in agricultural products, dated November 4, 1996. Products of Israel eligible for benefits of the agreement when imported into the customs territory, and described in the provisions of this subchapter for which quantitative limits are prescribed along with rates of duty followed by the symbol "(IL)" are herein provided, are subject to duty under the provisions and at the rates set forth in this subchapter in lieu of the rates provided therefor in chapters 1 through 97 in rates of duty column 1 when entered in quantities that are within the limits provided in this subchapter. Notwithstanding quota provisions elsewhere in the tariff schedule, eligible products of Israel shall be permitted to enter the United States to the extent and at the duty rates herein provided. No goods entered under the quantitative limits set forth in this subchapter shall be counted toward any quota or tariff-rate quota provided for such goods elsewhere in the tariff schedule. No other preferential tariff treatment provided for elsewhere in the tariff schedule shall be afforded to goods described in the provisions of this subchapter. Unless otherwise provided, the provisions and notes in this subchapter are effective as to such products of Israel that are entered, or withdrawn from warehouse for consumption, on or after December 4, 1996, and through the close of December 31, 2001, after which date this subchapter shall cease to apply to any goods entered after that date.
2. Wherever goods are described by a provision of this subchapter and accorded a temporary modification of the otherwise applicable duty or quota treatment from chapters 1 through 97 of this schedule, the reporting number, in the absence of specific instructions providing otherwise, shall be the appropriate statistical reporting number for the basic provision (the appropriate provision for classification purposes in chapters 1 through 97) preceded by the appropriate subheading number from this subchapter. For statistical purposes, both the basic provision statistical reporting number and the applicable subheading number from this subchapter shall be collected by the United States Bureau of Census.

ANNEX (con.)

3. The aggregate quantity of butter, and fresh or sour cream containing over 45 percent by weight of butterfat, that are eligible products of Israel entered under subheading 9908.04.01 during any period specified in this note shall not exceed the quantity specified below.

<u>Applicable time period</u>	<u>Quantity (kg)</u>
Dec. 4-Dec. 31, 1996	300,000
Calendar year 1997	315,000
Calendar year 1998	331,000
Calendar year 1999	347,000
Calendar year 2000	365,000
Calendar year 2001	383,000

4. The aggregate quantity of dried milk, whether or not containing added sugar or other sweetening matter, that are eligible products of Israel entered under subheading 9908.04.03 during any period specified in this note shall not exceed the quantity specified below.

<u>Applicable time period</u>	<u>Quantity (kg)</u>
Dec. 4-Dec. 31, 1996	1,000,000
Calendar year 1997	1,030,000
Calendar year 1998	1,061,000
Calendar year 1999	1,093,000
Calendar year 2000	1,126,000
Calendar year 2001	1,160,000

5. The aggregate quantity of cheese and substitutes for cheese that are eligible products of Israel entered under subheading 9908.04.05 during any period specified in this note shall not exceed the quantity specified below.

<u>Applicable time period</u>	<u>Quantity (kg)</u>
Dec. 4-Dec. 31, 1996	1,000,000
Calendar year 1997	1,053,000
Calendar year 1998	1,107,000
Calendar year 1999	1,162,000
Calendar year 2000	1,220,000
Calendar year 2001	1,279,000

6. The aggregate quantity of peanuts that are eligible products of Israel entered under subheading 9908.12.01 during any period specified in this note shall not exceed the quantity specified below.

<u>Applicable time period</u>	<u>Quantity (kg)</u>
Dec. 4-Dec. 31, 1996	100,000
Calendar year 1997	103,000
Calendar year 1998	106,000
Calendar year 1999	109,000
Calendar year 2000	113,000
Calendar year 2001	116,000

For the purposes of this note, imports of peanuts in the shell shall be charged against the quantities in this note on the basis of 75 kilograms for each 100 kilograms of peanuts in the shell.

7. The aggregate quantity of ice cream that are eligible products of Israel entered under subheading 9908.21.01 during any period specified in this note shall not exceed the quantity specified below.

<u>Applicable time period</u>	<u>Quantity (liters)</u>
Dec. 4-Dec. 31, 1996	251,670
Calendar year 1997	276,837
Calendar year 1998	304,521
Calendar year 1999	334,973
Calendar year 2000	368,470
Calendar year 2001	405,317

ANNEX (con.)

	:	Eligible products of Israel under the terms of	:	:	:
	:	note 1 to this subchapter:	:	:	:
9908.04.01	:	Provided for in subheading 0401.30.75,	:	:	:
	:	0403.90.78 or 0405.10.20 and subject to the	:	:	:
	:	quantitative limits specified in U.S. note 3	:	:	:
	:	to this subchapter.....	:	:	Free (IL)
	:		:	:	:
9908.04.03	:	Provided for in subheading 0402.10.50 or	:	:	:
	:	0402.21.25 and subject to the quantitative	:	:	:
	:	limits specified in U.S. note 4 to this	:	:	:
	:	subchapter.....	:	:	Free (IL)
	:		:	:	:
9908.04.05	:	Provided for in subheading 0406.10.08,	:	:	:
	:	0406.10.18, 0406.10.28, 0406.10.38, 0406.10.48,	:	:	:
	:	0406.10.58, 0406.10.68, 0406.10.78, 0406.10.88,	:	:	:
	:	0406.20.28, 0406.20.33, 0406.20.39, 0406.20.48,	:	:	:
	:	0406.20.53, 0406.20.63, 0406.20.67, 0406.20.71,	:	:	:
	:	0406.20.75, 0406.20.79, 0406.20.83, 0406.20.87,	:	:	:
	:	0406.20.91, 0406.30.18, 0406.30.28, 0406.30.38,	:	:	:
	:	0406.30.48, 0406.30.53, 0406.30.63, 0406.30.67,	:	:	:
	:	0406.30.71, 0406.30.75, 0406.30.79, 0406.30.83,	:	:	:
	:	0406.30.87, 0406.30.91, 0406.40.70, 0406.90.12,	:	:	:
	:	0406.90.18, 0406.90.32, 0406.90.37, 0406.90.42,	:	:	:
	:	0406.90.48, 0406.90.54, 0406.90.68, 0406.90.74,	:	:	:
	:	0406.90.78, 0406.90.84, 0406.90.88, 0406.90.92,	:	:	:
	:	0406.90.94, 0406.90.97 or 1901.90.36 and	:	:	:
	:	subject to the quantitative limits specified	:	:	:
	:	in U.S. note 5 to this subchapter.....	:	:	Free (IL)
	:		:	:	:
9908.12.01	:	Provided for in subheading 1202.10.80,	:	:	:
	:	1202.20.80, 2008.11.35 or 2008.11.60 and	:	:	:
	:	subject to the quantitative limits specified	:	:	:
	:	in U.S. note 6 to this subchapter.....	:	:	Free (IL)
	:		:	:	:
9908.21.01	:	Provided for in subheading 2105.00.20 and	:	:	:
	:	subject to the quantitative limits specified	:	:	:
	:	in U.S. note 7 to this subchapter.....	:	:	Free (IL)"