Presidential Documents

Proclamation 9813 of October 30, 2018

To Modify the List of Products Eligible for Duty-Free Treatment Under the Generalized System of Preferences

By the President of the United States of America

A Proclamation

1. Pursuant to section 503(c)(1) of the Trade Act of 1974, as amended (the ''1974 Act'') (19 U.S.C. 2463(c)(1)), the President may withdraw, suspend, or limit application of the duty-free treatment that is accorded to specified articles under the Generalized System of Preferences (GSP) when imported from designated beneficiary developing countries.

2. Pursuant to section 503(c)(1) of the 1974 Act, and having considered the factors set forth in sections 501 and 502(c) of the 1974 Act (19 U.S.C. 2461 and 2462(c)), I have determined to withdraw the application of the duty-free treatment accorded to a certain article.

3. Section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)) subjects beneficiary developing countries, except those designated as least-developed beneficiary developing countries or beneficiary sub-Saharan African countries as provided in section 503(c)(2)(D) of the 1974 Act (19 U.S.C. 2463(c)(2)(D)), to competitive-need limitations on the duty-free treatment accorded to eligible articles under the GSP.

4. Pursuant to section 503(c)(2)(A) of the 1974 Act, I have determined that in 2017 certain beneficiary developing countries exported eligible articles in quantities exceeding the applicable competitive-need limitations. I hereby terminate the duty-free treatment for such articles from such beneficiary developing countries.

5. Section 503(d)(1) of the 1974 Act (19 U.S.C. 2463(d)(1)) provides that the President may waive the application of the competitive-need limitations in section 503(c)(2) of the 1974 Act with respect to any eligible article from any beneficiary developing country if certain conditions are met.

6. Pursuant to section 503(d)(1) of the 1974 Act, I have received the advice of the United States International Trade Commission on whether any industry in the United States is likely to be adversely affected by such waivers of the competitive-need limitations provided in section 503(c)(2) of the 1974 Act. I have determined, based on that advice and the considerations described in sections 501 and 502(c) of the 1974 Act, and having given great weight to the considerations in section 503(d)(2) of the 1974 Act (19 U.S.C. 2463(d)(2)), that such waivers are in the national economic interest of the United States. Accordingly, I have determined that the competitive-need limitations of section 503(c)(2) of the 1974 Act should be waived with respect to certain eligible articles from certain beneficiary developing countries.

7. Section 503(c)(2)(C) of the 1974 Act (19 U.S.C. 2463(c)(2)(C)) provides that a country that is no longer treated as a beneficiary developing country with respect to an eligible article may be redesignated as a beneficiary developing country with respect to such article, subject to the considerations set forth in sections 501 and 502 of the 1974 Act, if imports of such article from such country did not exceed the competitive-need limitations in section 503(c)(2)(A) of the 1974 Act during the preceding calendar year.

8. Pursuant to section 503(c)(2)(C) of the 1974 Act, and having taken into account the considerations set forth in sections 501 and 502 of the 1974 Act, I have determined to redesignate a certain country as a beneficiary developing country with respect to a certain eligible article that during the preceding calendar year had been imported in quantities not exceeding the competitive-need limitations of section 503(c)(2)(A) of the 1974 Act.

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

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including title V and section 604 of the 1974 Act, do hereby proclaim that:

(1) In order to provide that several countries should no longer be treated as beneficiary developing countries with respect to one or more eligible articles for purposes of the GSP, the Rates of Duty 1–Special subcolumn for the corresponding HTS subheadings and general note 4(d) to the HTS are modified as set forth in sections A, B, C, and D of Annex I to this proclamation.

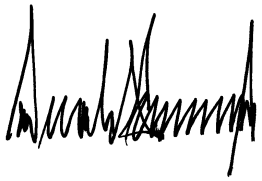
(2) In order to redesignate a certain article as an eligible article for purposes of the GSP, the Rates of Duty 1–Special subcolumn for the corresponding HTS subheadings and general note 4(d) to the HTS are modified as set forth in sections E and F of Annex I to this proclamation.

(3) A waiver of the application of section 503(c)(2) of the 1974 Act shall apply to the eligible articles in the HTS subheadings exported by the beneficiary developing countries as set forth in Annex II to this proclamation.

(4) The modifications to the HTS set forth in Annexes I and II of this proclamation shall be effective with respect to articles entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on November 1, 2018.

(5) 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.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of October, in the year of our Lord two thousand eighteen, and of the Independence of the United States of America the two hundred and forty-third.



Billing code 3295–F9–P

Annex I

Modifications to the Harmonized Tariff Schedule of the United States

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on November 1, 2018, the Harmonized Tariff Schedule of the United States (HTS) is modified for the following subheadings:

Section A

The HTS is modified as provided herein, with the language in the new tariff provisions inserted in the HTS columns labeled *Heading/Subheading*, *Article Description*, *Rates of Duty 1-General*, *Rates of Duty 1-Special*, and *Rates of Duty 2*, respectively:

Subheading 2009.89.60 is deleted and the following new provisions are inserted in lieu thereof:

Heading/ Subheading	Article description	Rates of Duty		
		1		2
		General	Special	
[2009]	[Fruit juices (including grape must) and vegetable juices, not fortified with vitamins or minerals, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter:]			
	[Juice of any single fruit or vegetable:]			
[2009.89]	[Other:]			
	[Fruit Juice:]			
"2009.89.65	Cherry juice.....	0.5¢/liter	Free (A*, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	18¢/ liter
2009.89.70	Other.....	0.5¢/liter	Free (A*, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	18¢/ liter"

Section B

General note 4(d) to the HTS is modified by deleting, in numerical sequence, the following subheading number and the country set out opposite such subheading numbers:

"2009.89.60 Ukraine"

General note 4(d) to the HTS is modified by adding, in numerical sequence, the following subheading numbers and countries set out opposite such subheading numbers:

"2009.89.65 Turkey, Ukraine
2009.89.70 Ukraine"

Section C

For each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A" and inserting the symbol "A*" in lieu thereof:

"0304.91.90
0304.92.90
0304.93.90
0305.20.20
0405.20.80
0603.13.00
0710.80.50
0711.40.00
0713.34.20
0713.60.60
0714.30.60
0714.50.60
0802.80.10
0810.60.00
0813.40.10
0813.40.80
1103.19.14
1202.41.40
1301.90.40
1602.50.05
1806.90.01
2001.90.45
2005.80.00
2006.00.70
2008.11.25
2008.99.50
2516.20.20
2827.39.25
2827.39.45
2828.10.00
2831.90.00
2833.29.40
2834.10.10
2840.11.00
2841.61.00
2841.70.50
2844.30.10
2903.83.00
2904.10.08
2904.99.04
2907.15.10
2907.29.25
2908.19.20
2909.19.18
2913.00.50
2914.31.00
2914.40.10
2915.50.20
2916.19.50
2918.13.50
2920.23.00
2921.42.21
2921.42.23
2922.29.26
2924.29.36
2924.29.43
2926.10.00
2930.90.30
2931.32.00
2931.34.00
2932.99.08
2933.19.35
2933.99.06
2933.99.85
2935.90.20
3301.13.00

3603.00.60
3802.90.10
3824.99.32
3920.94.00
4012.90.45
4101.90.40
4104.11.30
4107.12.40
4107.19.40
4107.91.40
4107.99.80
4411.12.90
4602.19.23
5209.31.30
5209.41.30
5607.90.35
5702.92.10
6802.99.00
7113.20.25
7202.11.10
7403.19.00
8112.19.00
8410.13.00
8443.11.10
8450.20.00
9205.90.14
9614.00.26
9620.00.15"

Section D

General note 4(d) to the HTS is modified by adding, for each of the subheading numbers set out below, the country set out opposite such subheading number in alphabetical sequence:

1702.90.10	"Argentina"
2906.19.30	"Brazil"
4418.73.30	"Thailand"

General note 4(d) to the HTS is modified by adding, in numerical sequence the following subheading numbers and the countries set out opposite such subheading numbers:

"0304.91.90	Ecuador
0304.92.90	Falkland Islands (Islas Malvinas)
0304.93.90	Suriname
0305.20.20	Pakistan
0405.20.80	India
0603.13.00	Thailand
0710.80.50	Turkey
0711.40.00	India
0713.34.20	Belize
0713.60.60	India
0714.30.60	The Philippines
0714.50.60	Ecuador
0802.80.10	India
0810.60.00	Thailand
0813.40.10	Thailand
0813.40.80	Thailand
1103.19.14	India
1202.41.40	Ecuador
1301.90.40	India
1602.50.05	Brazil
1806.90.01	Ecuador
2001.90.45	India
2005.80.00	Thailand
2006.00.70	Thailand
2008.11.25	Argentina
2008.99.50	Thailand
2516.20.20	India
2827.39.25	India
2827.39.45	India
2828.10.00	India
2831.90.00	India
2833.29.40	Turkey
2834.10.10	India
2840.11.00	Turkey
2841.61.00	India
2841.70.50	India
2844.30.10	India
2903.83.00	India
2904.10.08	India
2904.99.04	India
2907.15.10	India
2907.29.25	India
2908.19.20	India

2909.19.18	Brazil
2913.00.50	India
2914.31.00	India
2914.40.10	Brazil
2915.50.20	India
2916.19.50	Indonesia
2918.13.50	India
2920.23.00	India
2921.42.21	India
2921.42.23	India
2922.29.26	India
2924.29.36	India
2924.29.43	India
2926.10.00	Brazil
2930.90.30	India
2931.32.00	India
2931.34.00	India
2932.99.08	India
2933.19.35	India
2933.99.06	India
2933.99.85	India
2935.90.20	India
3301.13.00	Argentina
3603.00.60	Bosnia and Herzegovina
3802.90.10	Brazil
3824.99.32	Brazil
3920.94.00	India
4012.90.45	Brazil
4101.90.40	Brazil
4104.11.30	India
4107.12.40	India
4107.19.40	India
4107.91.40	India
4107.99.80	Brazil
4411.12.90	Brazil
4602.19.23	The Philippines
5209.31.30	India
5209.41.30	India
5607.90.35	The Philippines
5702.92.10	India
6802.99.00	Brazil
7113.20.25	India
7202.11.10	Brazil
7403.19.00	Brazil
8112.19.00	Kazakhstan
8410.13.00	Brazil
8443.11.10	Thailand
8450.20.00	Thailand
9205.90.14	India
9614.00.26	Egypt
9620.00.15	Thailand"

Section E

For each of the following subheadings, the Rates of Duty 1-Special is modified by deleting the symbol "A*" and inserting the symbol "A" in lieu thereof:

"2841.90.20"

Section F

General note 4(d) to the HTS is modified by removing the following subheading numbers and the countries set out opposite such subheading numbers:

"2841.90.20 Kazakhstan"

Annex II

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on November 1, 2018, the Harmonized Tariff Schedule of the United States (HTS) is modified for the following subheadings:

HTS Subheadings and Countries Granted a Waiver of the Application of Section 503(c)(2)(A) of the 1974 Act:

"0410.00.00	Indonesia
2836.91.00	Argentina
7202.50.00	Kazakhstan"

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