

ject of any action proclaimed pursuant to section 2252 or 2253 of this title.

(e) Exclusion of originating goods of USMCA countries

(1) In general

The President shall exempt from any duty imposed under this section any good that qualifies as an originating good under section 4531 of this title of a USMCA country with respect to which preferential tariff treatment is provided under the USMCA.

(2) Definitions

In this subsection, the terms “preferential tariff treatment”, “USMCA”, and “USMCA country” have the meanings given those terms in section 4502 of this title.

(f) Advice of Secretary of Agriculture

The Secretary of Agriculture shall advise the President on the implementation of this section.

(g) Termination date

This section shall cease to be effective on the date, as determined by the President, that the special safeguard provisions of Article 5 are no longer in force with respect to the United States.

(h) Definitions

For purposes of this section—

(1) the term “Article 5” means Article 5 of the Agreement on Agriculture described in section 3511(d)(2) of this title;

(2) the term “relevant period” means the period determined by the President to be applicable to a special safeguard agricultural good for purposes of applying this section; and

(3) the term “special safeguard agricultural good” means an agricultural good on which an additional duty may be imposed pursuant to the special safeguard provisions of Article 5.

(Pub. L. 103–465, title IV, § 405, Dec. 8, 1994, 108 Stat. 4961; Pub. L. 104–295, § 11, Oct. 11, 1996, 110 Stat. 3520; Pub. L. 116–113, title II, § 201(a), Jan. 29, 2020, 134 Stat. 19.)

Editorial Notes

AMENDMENTS

2020—Subsec. (e). Pub. L. 116–113 amended subsec. (e) generally. Prior to amendment, text read as follows: “The President may exempt from any duty imposed under this section any good originating in a NAFTA country (as determined in accordance with section 3332 of this title).”

1996—Subsec. (b)(1). Pub. L. 104–295, § 11(1), substituted “1(b)” for “1(a)”.

Subsec. (b)(2). Pub. L. 104–295, § 11(2), substituted “1(a)” for “1(b)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Pub. L. 116–113, title II, § 201(b), Jan. 29, 2020, 134 Stat. 19, provided that:

“(1) IN GENERAL.—The amendment made by subsection (a) [amending this section] shall—

“(A) take effect on the date on which the USMCA enters into force [July 1, 2020]; and

“(B) apply with respect to a good entered for consumption, or withdrawn from warehouse for consumption, on or after that date.

“(2) TRANSITION FROM NAFTA TREATMENT.—In the case of a good entered for consumption, or withdrawn from warehouse for consumption, before the date on which the USMCA enters into force—

“(A) the amendment made by subsection (a) to section 405(e) of the Uruguay Round Agreements Act (19 U.S.C. 3602(e)) shall not apply with respect to the good; and

“(B) section 405(e) of such Act, as in effect on the day before that date, shall continue to apply on and after that date with respect to the good.”

[For definition of “USMCA” as used in section 201(b) of Pub. L. 116–113, set out above, see section 4502 of this title.]

EFFECTIVE DATE

Section effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995), except as otherwise provided, see section 451 of Pub. L. 103–465, set out as a note under section 3601 of this title.

Executive Documents

URUGUAY ROUND AGREEMENTS: ENTRY INTO FORCE

The Uruguay Round Agreements, including the World Trade Organization Agreement and agreements annexed to that Agreement, as referred to in section 3511(d) of this title, entered into force with respect to the United States on Jan. 1, 1995. See note set out under section 3511 of this title.

DELEGATION OF AUTHORITY

Authority of President under subsec. (a) of this section delegated to Secretary of Agriculture by par. (4) of Proc. No. 6763, Dec. 23, 1994, 60 F.R. 1010, set out as a note under section 3511 of this title.

PART B—EXPORTS

§ 3611. Repealed. Pub. L. 104–127, title II, § 201(b), Apr. 4, 1996, 110 Stat. 951

Section, Pub. L. 103–465, title IV, § 411(e), Dec. 8, 1994, 108 Stat. 4963, reaffirmed commitment of United States to provide food aid to developing countries.

PART C—OTHER PROVISIONS

§ 3621. Tobacco proclamation authority

(a) In general

The President, after consultation with the Committee on Ways and Means of the House of Representatives and with the Committee on Finance of the Senate, may 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.

(b) Effective date

This section shall take effect on December 8, 1994.

(Pub. L. 103–465, title IV, § 423, Dec. 8, 1994, 108 Stat. 4965.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the date of entry into force of the WTO Agreement with respect to the United States (Jan. 1, 1995), except as otherwise provided, see section 451 of Pub. L. 103–465, set out as a note under section 3601 of this title.

§ 3622. Repealed. Pub. L. 105–362, title XIV, § 1401(c), Nov. 10, 1998, 112 Stat. 3294

Section, Pub. L. 103–465, title IV, § 424, Dec. 8, 1994, 108 Stat. 4965, related to the President's report to Congress on access to Canadian dairy and poultry markets.