



Billing Code 3410-10

## **DEPARTMENT OF AGRICULTURE**

### **Foreign Agricultural Service**

#### **WTO Agricultural Quantity-Based Safeguard Trigger Levels**

**AGENCY:** Foreign Agricultural Service, U.S. Department of Agriculture.

**ACTION:** Notice of product coverage and trigger levels for safeguard measures provided for in the World Trade Organization (WTO) Agreement on Agriculture.

**SUMMARY:** This notice lists the updated quantity-based trigger levels for products which may be subject to additional import duties under the safeguard provisions of the WTO Agreement on Agriculture. This notice also includes the relevant period applicable for the trigger levels on each of the listed products.

**DATES:** [INSERT DATE OF PUBLICATION IN FEDERAL REGISTER].

**ADDRESSES:** Safeguard Staff, Import Policies and Export Reporting Division, Office of Trade Programs, Foreign Agricultural Service, U.S. Department of Agriculture, Stop 1020, 1400 Independence Avenue, SW, Washington, DC 20250-1020

**FOR FURTHER INFORMATION CONTACT:** Souleymane Diaby, (202) 720-0638, [Souleymane.Diaby@fas.usda.gov](mailto:Souleymane.Diaby@fas.usda.gov).

**SUPPLEMENTARY INFORMATION:** Article 5 of the WTO Agreement on Agriculture provides that additional import duties may be imposed on imports of products subject to tariffication as a result of the Uruguay Round, if certain conditions are met. The agreement permits additional duties to be charged if the price of an individual shipment of imported products falls below the average price for similar goods imported during the years 1986-88 by a specified percentage. It also permits additional duties

when the volume of imports of that product exceeds the sum of (1) a base trigger level multiplied by the average of the last three years of available import data and (2) the change in yearly consumption in the most recent year for which data are available (provided that the final trigger level is not less than 105 percent of the three-year import average). The base trigger level is set at 105, 110, or 125 percent of the three-year import average, depending on the percentage of domestic consumption that is represented by imports. These additional duties may not be imposed on quantities for which minimum or current access commitments were made during the Uruguay Round negotiations, and only one type of safeguard, price or quantity, may be applied at any given time to an article.

Section 405 of the Uruguay Round Agreements Act requires that the President cause to be published in the Federal Register information regarding the price and quantity safeguards, including the quantity trigger levels, which must be updated annually based upon import levels during the most recent 3 years. The President delegated this duty to the Secretary of Agriculture in Presidential Proclamation No. 6763, dated December 23, 1994, 60 FR 1005 (Jan. 4, 1995). The Secretary of Agriculture further delegated this duty, which lies with the Administrator of the Foreign Agricultural Service (7 CFR 2.43(a)(2)). The Annex to this notice contains the updated quantity trigger levels, which are set at 125 percent of the most recent 3-year average level of imports for each commodity, consistent with the provisions of Article 5.

Additional information on the products subject to safeguards and the additional duties which may apply can be found in subchapter IV of Chapter 99 of the Harmonized Tariff Schedule of the United States (2018) and in the Secretary of Agriculture's Notice

of Uruguay Round Agricultural Safeguard Trigger Levels, published in the Federal Register at 60 FR 427 (Jan. 4, 1995).

*Notice:* As provided in Section 405 of the Uruguay Round Agreements Act, consistent with Article 5 of the WTO Agreement on Agriculture, the safeguard quantity trigger levels previously notified are superseded by the levels indicated in the Annex to this notice. The definitions of these products were provided in the Notice of Safeguard Action published in the Federal Register, at 60 FR 427 (Jan. 4, 1995).

Issued at Washington, DC, this 18th day of June 2018.

Ken Isley,  
Administrator,  
Foreign Agricultural Service.

PRODUCT	QUANTITY-BASED SAFEGUARD TRIGGER		
	TRIGGER LEVEL	UNIT	PERIOD
Beef	298,248	MT	Jan 1, 2018 - Dec 31, 2018
Mutton	5,103	MT	Jan 1, 2018 - Dec 31, 2018
Cream	1,323,021	Liters	Jan 1, 2018 - Dec 31, 2018
Evaporated or Condensed Milk	3,867,417	Kilograms	Jan 1, 2018 - Dec 31, 2018
Nonfat Dry Milk	1,267,208	Kilograms	Jan 1, 2018 - Dec 31, 2018
Dried Whole Milk	12,116,875	Kilograms	Jan 1, 2018 - Dec 31, 2018
Dried Cream	10,167	Kilograms	Jan 1, 2018 - Dec 31, 2018
Dried Whey/Buttermilk	245,833	Kilograms	Jan 1, 2018 - Dec 31, 2018
Butter <sup>1/</sup>	29,959,300	Kilograms	Jan 1, 2018 - Dec 31, 2018
Butteroil	8,183,833	Kilograms	Jan 1, 2018 - Dec 31, 2018
Chocolate Crumb	10,487,292	Kilograms	Jan 1, 2018 - Dec 31, 2018
Lowfat Chocolate Crumb	163,000	Kilograms	Jan 1, 2018 - Dec 31, 2018
Animal Feed Containing Milk	1,154,583	Kilograms	Jan 1, 2018 - Dec 31, 2018
Ice Cream	5,925,091	Liters	Jan 1, 2018 - Dec 31, 2018
Dairy Mixtures	18,623,423	Kilograms	Jan 1, 2018 - Dec 31, 2018
Infant Formula Containing Oligosaccharides	3,909,000	Kilograms	Jan 1, 2018 - Dec 31, 2018
Blue Cheese	4,179,292	Kilograms	Jan 1, 2018 - Dec 31, 2018
Cheddar Cheese	11,799,917	Kilograms	Jan 1, 2018 - Dec 31, 2018
American-Type Cheese	1,121,250	Kilograms	Jan 1, 2018 - Dec 31, 2018
Edam/Gouda Cheese	8,804,167	Kilograms	Jan 1, 2018 - Dec 31, 2018
Italian-Type Cheese	21,480,750	Kilograms	Jan 1, 2018 - Dec 31, 2018
Swiss Cheese with Eye Formation	29,604,667	Kilograms	Jan 1, 2018 - Dec 31, 2018
Gruyere Process Cheese	3,801,292	Kilograms	Jan 1, 2018 - Dec 31, 2018
NSPF Cheese	52,789,750	Kilograms	Jan 1, 2018 - Dec 31, 2018
Lowfat Cheese	443,875	Kilograms	Jan 1, 2018 - Dec 31, 2018
Peanut Butter/Paste	4,314	MT	Jan 1, 2018 - Dec 31, 2018
Peanuts <sup>1/</sup>	14,577	MT	April 1, 2017 - Mar 31, 2018
	40,078	MT	April 1, 2018 - Mar 31, 2019
Raw Cane Sugar <sup>1/</sup>	723,461	MT	Oct 1, 2017 - Sept 30, 2018
	574,933	MT	Oct 1, 2018 - Sept 30, 2019
Refined Sugars and Syrups <sup>1/</sup>	444,126	MT	Oct 1, 2017 - Sept 30, 2018
	396,386	MT	Oct 1, 2018 - Sept 30, 2019
Articles over 65% Sugar	451	MT	Oct 1, 2017 - Sept 30, 2018
	405	MT	Oct 1, 2018 - Sept 30, 2019
Articles over 10% Sugar	15,540	MT	Oct 1, 2017 - Sept 30, 2018
	8,028	MT	Oct 1, 2018 - Sept 30, 2019
Blended Syrups	233	MT	Oct 1, 2017 - Sept 30, 2018
	362	MT	Oct 1, 2018 - Sept 30, 2019
Sweetened Cocoa Powder	81	MT	Oct 1, 2017 - Sept 30, 2018
	111	MT	Oct 1, 2018 - Sept 30, 2019

Mixes and Doughs	234	MT	Oct 1, 2017 - Sept 30, 2018
	243	MT	Oct 1, 2018 - Sept 30, 2019
Mixed Condiments and Seasonings	692	MT	Oct 1, 2017 - Sept 30, 2018
	473	MT	Oct 1, 2018 - Sept 30, 2019
Short Staple Cotton <sup>2/</sup>	3,376,608	Kilograms	Sep 20, 2017 - Sep 19, 2018
	2,592,880	Kilograms	Sep 20, 2018 - Sep 19, 2019
Harsh or Rough Cotton	13	Kilograms	Aug 1, 2017 - July 31, 2018
	32,958	Kilograms	Aug 1, 2018 - July 31, 2019
Medium Staple Cotton	0	Kilograms	Aug 1, 2017 - July 31, 2018
	8,333	Kilograms	Aug 1, 2018 - July 31, 2019
Extra Long Staple Cotton	1,219,841	Kilograms	Aug 1, 2017 - July 31, 2018
	722,750	Kilograms	Aug 1, 2018 - July 31, 2019
Cotton Waste <sup>2/</sup>	1,232,012	Kilograms	Sep 20, 2017 - Sep 19, 2018
	1,019,017	Kilograms	Sep 20, 2018 - Sep 19, 2019
Cotton, Processed, Not Spun <sup>2/</sup>	23,004	Kilograms	Sep 11, 2017 - Sep 10, 2018
	198,226	Kilograms	Sep 11, 2018 - Sep 10, 2019

1/ Includes change in U.S. consumption

2/ 12-month period from October to September.

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