



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: This notice is applicable on **[INSERT DATE OF PUBLICATION IN FEDERAL REGISTER]**.

ADDRESSES: Multilateral Affairs Division, Trade Policy and Geographic Affairs, Foreign Agricultural Service, U.S. Department of Agriculture, Stop 1070, 1400 Independence Avenue, SW, Washington, DC 20250-1070.

FOR FURTHER INFORMATION CONTACT: Souleymane Diaby, (202) 720-2916, Souleymane.Diaby@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 1007 (Jan. 4, 1995). The Secretary of Agriculture further delegated this duty, which lies with the Administrator of the Foreign Agricultural Service (7 CFR 2.601(a)(42)). The Annex to this notice contains the updated quantity trigger levels, 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 (2019) 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 28th day of February 2020.

Ken Isley,

Administrator,

Foreign Agricultural Service.

ANNEX-QUANTITY-BASED SAFEGUARD TRIGGER

Product	2020 Quantity-based Safeguard Trigger		
	Trigger Level	Unit	Period
Beef	255,113	MT	Jan 1, 2020 - Dec 31, 2020
Mutton	4,657	MT	Jan 1, 2020 - Dec 31, 2020
Cream	2,195,402	Liters	Jan 1, 2020 - Dec 31, 2020
Evaporated or Condensed Milk	5,643,813	Kilograms	Jan 1, 2020 - Dec 31, 2020
Nonfat Dry Milk	1,137,938	Kilograms	Jan 1, 2020 - Dec 31, 2020
Dried Whole Milk	8,075,070	Kilograms	Jan 1, 2020 - Dec 31, 2020
Dried Cream	34,923	Kilograms	Jan 1, 2020 - Dec 31, 2020
Dried Whey/Buttermilk	102,146	Kilograms	Jan 1, 2020 - Dec 31, 2020
Butter 1/	61,716,866	Kilograms	Jan 1, 2020 - Dec 31, 2020
Butteroil	13,966,108	Kilograms	Jan 1, 2020 - Dec 31, 2020
Chocolate Crumb	11,324,477	Kilograms	Jan 1, 2020 - Dec 31, 2020
Lowfat Chocolate Crumb	76,422	Kilograms	Jan 1, 2020 - Dec 31, 2020
Animal Feed Containing Milk	622,860	Kilograms	Jan 1, 2020 - Dec 31, 2020
Ice Cream	9,583,319	Liters	Jan 1, 2020 - Dec 31, 2020
Dairy Mixtures	7,839,727	Kilograms	Jan 1, 2020 - Dec 31, 2020
Infant Formula Containing Oligosaccharides	3,931,855	Kilograms	Jan 1, 2020 - Dec 31, 2020
Blue Cheese	4,218,639	Kilograms	Jan 1, 2020 - Dec 31, 2020
Cheddar Cheese	8,505,766	Kilograms	Jan 1, 2020 - Dec 31, 2020
American-Type Cheese	238,299	Kilograms	Jan 1, 2020 - Dec 31, 2020
Edam/Gouda Cheese	9,479,493	Kilograms	Jan 1, 2020 - Dec 31, 2020
Italian-Type Cheese	21,815,576	Kilograms	Jan 1, 2020 - Dec 31, 2020
Swiss Cheese with Eye Formation	28,131,565	Kilograms	Jan 1, 2020 - Dec 31, 2020
Gruyere Process Cheese	4,007,719	Kilograms	Jan 1, 2020 - Dec 31, 2020
NSPF Cheese	46,553,755	Kilograms	Jan 1, 2020 - Dec 31, 2020
Lowfat Cheese	93,681	Kilograms	Jan 1, 2020 - Dec 31, 2020
Peanut Butter/Paste	4,395	MT	Jan 1, 2020 - Dec 31, 2020
Peanuts 1/	29,060	MT	April 1, 2020 - Mar 31, 2021
Raw Cane Sugar 1/	766,524	MT	Oct 1, 2020 - Sept 30, 2021
Refined Sugars and Syrups 1/	256,005	MT	Oct 1, 2020 - Sept 30, 2021
Articles over 65% Sugar	482	MT	Oct 1, 2020 - Sept 30, 2021
Articles over 10% Sugar	11,093	MT	Oct 1, 2020 - Sept 30, 2021
Blended Syrups	391	MT	Oct 1, 2020 - Sept 30, 2021

Sweetened Cocoa Powder	459	MT	Oct 1, 2020 - Sept 30, 2021
Mixes and Doughs	781	MT	Oct 1, 2020 - Sept 30, 2021
Mixed Condiments and Seasonings	350	MT	Oct 1, 2020 - Sept 30, 2021
Short Staple Cotton 2/	45,688	Kilograms	Sep 20, 2020 - Sep 19, 2021
Harsh or Rough Cotton	32,968	Kilograms	Aug 1, 2020 - July 31, 2021
Medium Staple Cotton	8,417	Kilograms	Aug 1, 2020 - July 31, 2021
Extra Long Staple Cotton	692,467	Kilograms	Aug 1, 2020 - July 31, 2021
Cotton Waste 2/	1,013,866	Kilograms	Sep 20, 2020 - Sep 19, 2021
Cotton Processed but not Spun 2/	124,933	Kilograms	Sep 11, 2020 - Sep 10, 2021

1/ Includes change in U.S. consumption.

2/ 12-month period from October to September.

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