



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.

DATE: This notice is applicable on [Enter 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 (2021) 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).

Clay M. Hamilton,
Acting Administrator,
Foreign Agricultural Service.

ANNEX – QUANTITY-BASED SAFEGUARD TRIGGER

Product	2021 Quantity-based Safeguard Trigger		
	Trigger Level	Unit	Period
Beef	267,883	MT	Jan 1, 2021 - Dec 31, 2021
Mutton	3,384	MT	Jan 1, 2021 - Dec 31, 2021
Cream	3,047,452	Liters	Jan 1, 2021 - Dec 31, 2021
Evaporated or Condensed Milk	5,123,257	Kilograms	Jan 1, 2021 - Dec 31, 2021
Nonfat Dry Milk	131,867	Kilograms	Jan 1, 2021 - Dec 31, 2021
Dried Whole Milk	3,248,335	Kilograms	Jan 1, 2021 - Dec 31, 2021
Dried Cream	65,896	Kilograms	Jan 1, 2021 - Dec 31, 2021
Dried Whey/Buttermilk	76,425	Kilograms	Jan 1, 2021 - Dec 31, 2021
Butter 1/	65,347,766	Kilograms	Jan 1, 2021 - Dec 31, 2021
Butteroil	18,209,591	Kilograms	Jan 1, 2021 - Dec 31, 2021
Chocolate Crumb	11,785,460	Kilograms	Jan 1, 2021 - Dec 31, 2021
Lowfat Chocolate Crumb	303,240	Kilograms	Jan 1, 2021 - Dec 31, 2021
Animal Feed Containing Milk	236,222	Kilograms	Jan 1, 2021 - Dec 31, 2021
Ice Cream	9,968,711	Liters	Jan 1, 2021 - Dec 31, 2021
Dairy Mixtures	7,581,497	Kilograms	Jan 1, 2021 - Dec 31, 2021
Infant Formula Containing Oligosaccharides	2,741,347	Kilograms	Jan 1, 2021 - Dec 31, 2021
Blue Cheese	4,086,430	Kilograms	Jan 1, 2021 - Dec 31, 2021
Cheddar Cheese	7,613,990	Kilograms	Jan 1, 2021 - Dec 31, 2021
American-Type Cheese	80,873	Kilograms	Jan 1, 2021 - Dec 31, 2021
Edam/Gouda Cheese	10,535,143	Kilograms	Jan 1, 2021 - Dec 31, 2021
Italian-Type Cheese	22,873,353	Kilograms	Jan 1, 2021 - Dec 31, 2021
Swiss Cheese with Eye Formation	26,375,209	Kilograms	Jan 1, 2021 - Dec 31, 2021
Gruyere Process Cheese	4,008,437	Kilograms	Jan 1, 2021 - Dec 31, 2021
NSPF Cheese	45,205,687	Kilograms	Jan 1, 2021 - Dec 31, 2021
Lowfat Cheese	107,243	Kilograms	Jan 1, 2021 - Dec 31, 2021
Peanut Butter/Paste	4,085	MT	Jan 1, 2021 - Dec 31, 2021
Peanuts 1/	24,220	MT	April 1, 2020 - Mar 31, 2021
	14,274	MT	April 1, 2021 - Mar 31, 2022
Raw Cane Sugar 1/	766,524	MT	Oct 1, 2020 - Sep 30, 2021

	812,543	MT	Oct 1, 2021 - Sep 30, 2022
Refined Sugars and Syrups 1/	256,005	MT	Oct 1, 2020 - Sep 30, 2021
	375,127	MT	Oct 1, 2021 - Sep 30, 2022
Articles over 65% Sugar	482	MT	Oct 1, 2020 - Sep 30, 2021
	531	MT	Oct 1, 2021 - Sep 30, 2022
Articles over 10% Sugar	11,093	MT	Oct 1, 2020 - Sep 30, 2021
	14,508	MT	Oct 1, 2021 - Sep 30, 2022
Blended Syrups	391	MT	Oct 1, 2020 - Sep 30, 2021
	408	MT	Oct 1, 2021 - Sep 30, 2022
Sweetened Cocoa Powder	459	MT	Oct 1, 2020 - Sep 30, 2021
	707	MT	Oct 1, 2021 - Sep 30, 2022
Mixes and Doughs	781	MT	Oct 1, 2020 - Sep 30, 2021
	1,142	MT	Oct 1, 2021 - Sep 30, 2022
Mixed Condiments and Seasonings	350	MT	Oct 1, 2020 - Sep 30, 2021
	348	MT	Oct 1, 2021 - Sep 30, 2022
Short Staple Cotton 2/	45,688	Kilograms	Sep 20, 2020 - Sep 19, 2021
	7,944	Kilograms	Sep 20, 2021 - Sep 19, 2022
Harsh or Rough Cotton	32,962	Kilograms	Aug 1, 2020 - July 31, 2021
	10	Kilograms	Aug 1, 2021 - July 31, 2022
Medium Staple Cotton	8,417	Kilograms	Aug 1, 2020 - July 31, 2021
	102	Kilograms	Aug 1, 2021 - July 31, 2022
Extra Long Staple Cotton	692,467	Kilograms	Aug 1, 2020 - July 31, 2021
	813,823	Kilograms	Aug 1, 2021 - July 31, 2022
Cotton Waste 2/	1,013,866	Kilograms	Sep 20, 2020 - Sep 19, 2021
	1,458,693	Kilograms	Sep 20, 2021 - Sep 19, 2022
Cotton Processed but not Spun 2/	124,933	Kilograms	Sep 11, 2020 - Sep 10, 2021
	23,676	Kilograms	Sep 11, 2021 - Sep 10, 2022

1/ Includes change in U.S. consumption.

2/ 12-month period from October to September.