



BILLING CODE: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-714-001]

Countervailing Duty Order of Phosphate Fertilizers from the Kingdom of Morocco: Temporary Duty Free Importation

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On June 29, 2026, the President of the United States issued a declaration of emergency and authorization for temporary duty free importation of phosphate fertilizers (fertilizers) from the Kingdom of Morocco (Morocco), pursuant to section 318(a) of the Tariff Act of 1930, as amended (the Act).¹ The U.S. Department of Commerce (Commerce) is temporarily allowing exporters and/or importers to request that imports of fertilizers from Morocco, subject to the countervailing duty *Order*, be entered into the United States free of countervailing duties, pursuant to 19 CFR 358.²

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

FOR FURTHER INFORMATION CONTACT: Jacob Keller or Joshua Nixon, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4849 or (202) 482-8361, respectively.

¹ See Presidential Actions, Proclamations, “Declaration of Emergency and Authorization for Temporary Duty Free Importation of Phosphate Fertilizer Morocco,” dated June 29, 2026 (Proclamation) available at <https://www.whitehouse.gov/presidential-actions/2026/06/declaration-of-emergency-and-authorization-for-temporary-duty-free-importation-of-phosphate-fertilizer-morocco/>.

² See *Phosphate Fertilizers from the Kingdom of Morocco and the Russian Federation: Countervailing Duty Orders*, 86 FR 18037 (April 7, 2021) (*Order*).

SUPPLEMENTARY INFORMATION:

Background

The President has declared that immediate action is necessary to ensure that United States farmers have a sufficient and timely supply of fertilizers during the planting and growing season to meet domestic food production needs and that producers in Morocco can supply fertilizers to the United States at this time.³ The President directs the Secretary of Commerce (Secretary) to provide emergency relief under section 318 of the Act regarding imports of fertilizers from Morocco.⁴ The Secretary “may use or prescribe, the importation, free of the collection of duties and deposits of estimated duties, if applicable, under sections {701, 751, and 781 of the Act} of {fertilizers} of {Morocco}, and to temporarily extend during such 8-month period or the course of the emergency, as applicable, the time therein prescribed for the performance of any act related to such imports.”⁵ Accordingly, Commerce will consider written requests for the importation of fertilizers from Morocco free of countervailing duties, pursuant to section 318(a) of the Act and 19 CFR 358.103.

For a complete description of Commerce’s implementation of the President’s declaration, and the process by which parties may submit requests to Commerce for approval, *see* the Memorandum Implementing Temporary Duty Free Importation.⁶ A list of topics included in the Memorandum Implementing Temporary Duty Free Importation is included as an appendix to this notice. The Memorandum Implementing Temporary

³ *See* Proclamation.

⁴ *Id.*

⁵ *Id.*

⁶ *See* Memorandum, “Countervailing Duty Order of Phosphate Fertilizers from the Kingdom of Morocco: Memorandum Implementing Temporary Duty Free Importation,” dated concurrently with, and hereby adopted by, this notice (Memorandum Implementing Temporary Duty Free Importation).

Duty Free Importation is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Memorandum Implementing Temporary Duty Free Importation can be accessed directly at <https://access.trade.gov/frnotices>.

Scope of the *Order*

The merchandise covered by the *Order* are phosphate fertilizers in all physical forms (*i.e.*, solid or liquid form), with or without coating or additives such as anti-caking agents from Morocco. For a complete description of the scope of the *Order*, see the Memorandum Implementing Temporary Duty Free Importation.

Requirements for Duty Free Imports

Commerce requires all exporters and/or importers of fertilizers from Morocco seeking duty free entry for a shipment under this temporary waiver to file a written request to the Secretary.⁷ The specific requirements of the request can be found at Appendix I of the Memorandum Implementing Temporary Duty Free Importation. Any subject merchandise entered under 19 CFR 358.103(b) must enter the United States normally within 60 days after the date on which Commerce notifies the person who submitted the request or the merchandise will be subject to antidumping and/or countervailing duties, as applicable.⁸

Filing Requirements

⁷ See 19 CFR 358.103.

⁸ See 19 CFR 358.103(c)

All requests to Commerce must be filed electronically via Enforcement and Compliance's ACCESS.⁹ Each submission must be placed on the record of the 2026 administrative review segment of the proceeding for the *Order* (C-714-001). Commerce is opening the 2026 administrative review segment for the purposes of efficiently collecting and processing these written requests, but consideration regarding whether Commerce shall conduct an administrative review covering the 2026 period of review is still subject to the applicable regulations, including a request for review in response to Commerce's notice of opportunity to request review pursuant to 19 CFR 351.213 and section 751 of the Act, *see* Appendix II of the Memorandum Implementing Temporary Duty Free Importation.

U.S. Customs and Border Protection (CBP) Notification

If Commerce determines to permit duty-free importation of fertilizers from Morocco, Commerce will notify the person who submitted the request, instruct CBP to allow entry of the merchandise identified in the request submitted without regard to countervailing duties, and post notification of the determination on Commerce's website (*i.e.*, ACCESS).¹⁰

Notification to Interested Parties

Interested parties that wish to file a request for duty free imports and be added to the public service list for this segment of the proceeding must file a letter of appearance

⁹ *See Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011), as amended in *Enforcement and Compliance; Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014) for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on help using ACCESS can be found at <https://access.trade.gov/help> and a handbook can be found at: https://access.trade.gov/ACCESS%20Handbook%20on%20Electronic%20Filing%20Procedures_March2026.pdf.

¹⁰ *See* 19 CFR 358.103(b).

in accordance with 19 CFR 351.103(d)(1). Interested parties must submit applications for disclosure under administrative protective order (APO) in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at <https://www.trade.gov/administrative-protective-orders>.

Dated: July 1, 2026.

Christopher Abbott,
*Deputy Assistant Secretary
for Policy and Negotiations,
performing the non-exclusive functions and duties
of the Assistant Secretary for Enforcement and Compliance.*

Appendix

List of Topics Discussed in the Memorandum Implementing Temporary Duty Free Importation

- I. Summary
- II. Background
- III. Scope of the *Orders*
- IV. Legal Framework
- V. Request For Countervailing Duty Free Imports
- VI. Recommendation