

# Presidential Documents

Title 3—

Proclamation 6914 of August 26, 1996

The President

## To Modify the Allocation of Tariff-Rate Quotas for Certain Cheeses

By the President of the United States of America

### A Proclamation

1. On January 1, 1995, Austria, Finland, and Sweden acceded to the European Communities (EC), and the EC customs union of 12 member countries ("EC-12") was enlarged to a customs union of 15 member countries ("EC-15"). At that time, the EC-12, Austria, Finland, and Sweden withdrew their tariff schedules under the World Trade Organization and applied the common external tariff of the EC-12 to imports into the EC-15. The United States and the EC then entered into negotiations under Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade 1994 to compensate the United States for the resulting increase in some tariffs on U.S. exports to Austria, Finland, and Sweden.

2. On July 22, 1996, the United States and the EC signed an agreement concluding the negotiations on compensation. To recognize the membership of Austria, Finland, and Sweden in the EC-15, the tariff-rate quota (TRQ) allocations for cheeses from these countries will become part of the total TRQ allocations for cheeses from the EC-15, but will be reserved for use by these countries through 1997.

3. Section 404(d)(3) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3601(d)(3)) authorizes the President to allocate the in-quota quantity of a tariff-rate quota for any agricultural product among supplying countries or customs areas and to modify any allocation as the President determines appropriate. Pursuant to section 404(d)(3) of the URAA, I have determined that it is appropriate to modify the TRQ allocations for cheeses by providing that the TRQ allocations for cheeses from Austria, Finland, and Sweden will become part of the total TRQ allocations for cheeses from the EC-15, but will be reserved for use by these countries through 1997.

4. Section 604 of the Trade Act of 1974, as amended ("Trade Act") (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction. The modification of the TRQ allocations for cheeses is such an action.

5. In paragraph (3) of Proclamation 6763 of December 23, 1994, I delegated my authority under section 404(d)(3) of the Trade Act to the United States Trade Representative (USTR). I have determined that it is appropriate to authorize the USTR to exercise my authority under section 604 of the Trade Act to embody in the HTS the substance of any action taken by the USTR under section 404(d)(3) of the URAA.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section 301 of title 3, United States Code, section 404(d)(3) of the URAA, and section 604 of the Trade Act do proclaim that:

(1) Additional U.S. notes to chapter 4 of the HTS are modified as specified in the Annex to this proclamation.

(2) The USTR is authorized to exercise my authority under section 604 of the Trade Act to embody in the HTS the substance of any actions taken by USTR under section 404(d)(3) of the URAA.

(3) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(4) This proclamation is effective on the date of signature of this proclamation, and the modifications to the HTS made by the Annex to this proclamation shall be effective on the dates that are specified in that Annex.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of August, in the year of our Lord nineteen hundred and ninety-six, and of the Independence of the United States of America the two hundred and twenty-first.

A handwritten signature in black ink, reading "William Clinton". The signature is written in a cursive, flowing style with a large, prominent "W" and "C".

## Annex

Modifications to the Harmonized Tariff Schedule  
of the United States (HTS)Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the effective date of this proclamation:

1. The additional U.S. notes to chapter 4 are modified by deleting additional U.S. note 2 and by inserting the following new additional U.S. note 2 in lieu thereof:

- "2. (a) For the purposes of this schedule, the expression "EC 12" refers to articles the product of one of the following: Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain or the United Kingdom.
- (b) For the purposes of this schedule, the expression "EC 15" refers to articles the product of one of the following: Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden or the United Kingdom."

2. Additional U.S. note 16 to chapter 4 is modified by:

(a). deleting from the list in such note the following countries and quantities:

"Austria	832,000
Finland	1,300,000
Sweden	1,059,000"

(b). deleting from the list in such note the expression "EC 12" and the quantity "21,056,000" set out opposite such expression and inserting in lieu thereof the expression "EC 15" and the quantity "24,247,000".

(c). deleting the second paragraph in such note and inserting the following new paragraphs in lieu thereof:

"Of the quantitative limitations provided in this note for the EC 15, Austria shall have access to a quantity of not less than 832,000 kilograms, Finland shall have access to a quantity of not less than 1,300,000 kilograms, Portugal shall have access to a quantity of not less than 353,000 kilograms and Sweden shall have access to a quantity of not less than 1,059,000 kilograms.

Of the quantitative limitations provided in this note for Israel, no more than 160,000 kilograms shall contain more than 3 percent by weight of butterfat."

3. Additional U.S. note 20 to chapter 4 is modified by:

(a). deleting from the list in such note the following countries and quantities:

"Austria	133,333
Sweden	41,000"

(b). deleting from the list in such note the expression "EC 12" and the quantity "5,448,000" set out opposite such expression and inserting in lieu thereof the expression "EC 15" and the quantity "5,622,333".

(c). adding the following new second paragraph immediately after the list of countries and quantities in such note:

"Of the quantitative limitations provided in this note for the EC 15, Austria shall have access to a quantity of not less than 133,333 kilograms and Sweden shall have access to a quantity of not less than 41,000 kilograms."

4. Additional U.S. note 22 to chapter 4 is modified by:

(a). deleting from the list in such note the following countries and quantities:

"Austria	946,667
Finland	1,000,000"

(b). deleting from the list in such note the expression "EC 12" and the quantity "3,725,000" set out opposite such expression and inserting in lieu thereof the expression "EC 15" and the quantity "5,671,667".

## Annex (continued)

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the effective date of this proclamation: (con.)

## 4. Additional U.S. note 22 to chapter 4 is modified by: (con.)

- (c). adding the following new second paragraph immediately after the list of countries and quantities in such note:

"Of the quantitative limitations provided in this note for the EC 15, Austria shall have access to a quantity of not less than 946,667 kilograms and Finland shall have access to a quantity of not less than 1,000,000 kilograms."

## 5. Additional U.S. note 23 to chapter 4 is modified by:

- (a). deleting from the list in such note the following country and quantity:

"Sweden 250,000"

- (b). deleting from the list in such note the expression "EC 12" and the quantity "4,000,000" set out opposite such expression and inserting in lieu thereof the expression "EC 15" and the quantity "4,250,000".

- (c). adding the following new second paragraph immediately after the list of countries and quantities in such note:

"Of the quantitative limitations provided in this note for the EC 15, Sweden shall have access to a quantity of not less than 250,000 kilograms."

## 6. Additional U.S. note 25 to chapter 4 is modified by:

- (a). deleting from the list in such note the following countries and quantities:

"Austria 6,353,333  
Finland 8,200,000  
Sweden 300,000"

- (b). deleting from the list in such note the expression "EC 12" and the quantity "6,233,333" set out opposite such expression and inserting in lieu thereof the expression "EC 15" and the quantity "21,086,666".

- (c). adding the following new second paragraph immediately after the list of countries and quantities in such note:

"Of the quantitative limitations provided in this note for the EC 15, Austria shall have access to a quantity of not less than 6,353,333 kilograms, Finland shall have access to a quantity of not less than 8,200,000 kilograms and Sweden shall have access to a quantity of not less than 300,000 kilograms."

Section B. Modifications of the quantitative limitations provided in certain additional U.S. notes in the HTS.

On January 1 of each of the years in the following table, the additional U.S. note listed in the table is modified by deleting the quantitative limitation from such note for the country or expression listed in the table below for that note and inserting in lieu thereof for such country or expression the appropriate quantitative limitation listed in this table for the note:

	1997	1998	1999	2000
Additional U.S. note 16 to chapter 4:				
Australia	2,175,000	2,466,667	2,758,333	3,050,000
Costa Rica	1,550,000	1,550,000	1,550,000	1,550,000
EC 15	24,638,000	25,029,000	25,420,000	25,810,000
Switzerland	1,470,000	1,553,333	1,636,667	1,720,000
Any country	300,000	300,000	300,000	300,000
2nd paragraph in such note: the access for Austria shall not be less than	923,000			

## Annex (continued)

Section B. Modifications of the quantitative limitations provided in certain additional U.S. notes in the HTS. (con.)

	1997	1998	1999	2000
Additional U.S. note 20 to chapter 4: EC 15	5,789,000	5,955,667	6,122,333	6,289,000
2nd paragraph in such note: the access for Austria shall not be less than	200,000			
Additional U.S. note 22 to chapter 4: EC 15	5,735,000	5,798,333	5,861,667	5,925,000
2nd paragraph in such note: the access for Austria shall not be less than	960,000			
Additional U.S. note 25 to chapter 4: EC 15	21,240,000	21,393,334	21,546,666	21,700,000
Switzerland	3,530,000	3,563,333	3,596,667	3,630,000
2nd paragraph in such note: the access for Austria shall not be less than	6,390,000			

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1998:

1. The additional U.S. notes to chapter 4 are modified by deleting additional U.S. note 2 and by inserting the following new additional U.S. note 2 in lieu thereof:

"2. For the purposes of this schedule, the expression "EC 15" refers to articles the product of one of the following: Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden or the United Kingdom."

2. Additional U.S. note 16 to chapter 4 is modified by deleting the second paragraph in such note and inserting the following new paragraph in lieu thereof:

"Of the quantitative limitations provided in this note for the EC 15, Portugal shall have access to a quantity of not less than 353,000 kilograms."

3. Additional U.S. note 17 to chapter 4 is modified by deleting from the list in such note the expression "EC 12" and inserting in lieu thereof the expression "EC 15".

4. Subdivision (a) of additional U.S. note 18 to chapter 4 is modified by deleting from the list in such subdivision the expression "EC 12" and inserting in lieu thereof the expression "EC 15".

5. Additional U.S. note 19 to chapter 4 is modified by deleting from the list in such note the expression "EC 12" and inserting in lieu thereof the expression "EC 15".

6. Additional U.S. note 20 to chapter 4 is modified by deleting the second paragraph (as added by item 3(c) of section A to this annex) from such note.

## Annex (continued)

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1998: (con.)

7. Additional U.S. note 21 to chapter 4 is modified by deleting from the list in such note the expression "EC 12" and inserting in lieu thereof the expression "EC 15".

8. Additional U.S. note 22 to chapter 4 is modified by deleting the second paragraph (as added by item 4(c) of section A to this annex) from such note.

9. Additional U.S. note 23 to chapter 4 is modified by deleting the second paragraph (as added by item 5(c) of section A to this annex) from such note.

10. Additional U.S. note 25 to chapter 4 is modified by deleting the second paragraph (as added by item 6(c) of section A to this annex) from such note.

Section D. Modifications of the quantitative limitations provided in certain additional U.S. notes in the HTS.

On January 1 of each of the years in the following table, the additional U.S. note listed in the table is modified by deleting the quantitative limitation from such note for the country or expression listed in the table below for that note and inserting in lieu thereof for such country or expression the appropriate quantitative limitation listed in this table for the note:

	1998	1999	2000
Additional U.S. note 17 to chapter 4:			
Chile	53,333	66,667	80,000
EC 15	2,679,000	2,729,000	2,779,000
Subdivision (a) of additional U.S. note 18 to chapter 4:			
Australia	2,033,333	2,241,667	2,450,000
Chile	146,667	183,333	220,000
EC 15	929,667	1,096,333	1,263,000
New Zealand	6,500,000	7,350,000	8,200,000
Additional U.S. note 19 to chapter 4:			
EC 15	320,667	337,333	354,000
Additional U.S. note 21 to chapter 4:			
EC 15	3,848,667	3,965,333	4,082,000
Romania	333,333	416,667	500,000

[FR Doc. 96-22253

Filed 8-28-96; 8:45 am]

Billing code 3190-01-C