

# Notices

Federal Register

Vol. 68, No. 113

Thursday, June 12, 2003

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Foreign Agricultural Service

#### WTO Agricultural Safeguard Trigger Levels

**AGENCY:** Foreign Agricultural Service, USDA.

**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 trigger levels for products, which may be subject to additional import duties under the safeguard provisions of the WTO Agreement on Agriculture. It also includes the relevant period applicable for trigger levels on each of those products.

**EFFECTIVE DATE:** June 12, 2003.

**FOR FURTHER INFORMATION CONTACT:** Charles R. Bertsch, Multilateral Trade Negotiations Division, Foreign

Agricultural Service, room 5530—South Building, U.S. Department of Agriculture, Washington, DC 20250–1022, telephone at (202) 720–6278, or e-mail [charles.bertsch@usda.gov](mailto:charles.bertsch@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 to be imposed if the volume of imports of an article exceeds the average of the most recent 3 years for which data are available by 5, 10, or 25 percent, depending on the article. 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, QUANTITY BASED SAFEGUARD TRIGGER dated December 23, 1994. The Secretary of Agriculture further delegated the duty to the Administrator of the Foreign Agricultural Service (7 CFR 2.43(a)(2)). The Annex to this notice contains the updated quantity trigger levels.

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 and in the Secretary of Agriculture's Notice of Safeguard Action, published in the **Federal Register** at 60 FR 427, January 4, 1995.

**Notice:** As provided in section 405 of the Uruguay Round Agreements Act, consistent with Article 5 of the Agreement on Agriculture, the safeguard quantity trigger levels previously notified are succeeded by the levels indicated in the Annex to this notice.

Issued at Washington, DC, this 4 day of June.

**K.J. Roberts,**

*Acting Administrator, Foreign Agricultural Service, Annex.*

The definitions of these products were provided in the Notice of Safeguard Action published in the **Federal Register**, at 60 FR 427, January 4, 1995.

#### QUANTITY-BASED SAFEGUARD TRIGGER

Product	Trigger level	Period
Beef .....	1,186,106 mt .....	January 1, 2003 to December 31, 2003.
Mutton .....	17,117 mt .....	January 1, 2003 to December 31, 2003.
Cream .....	5,534,383 liters .....	January 1, 2003 to December 31, 2003.
Evaporated or Condensed Milk .....	7,455,620 kilograms .....	January 1, 2003 to December 31, 2003.
Nonfat Dry Milk .....	4,466,516 kilograms .....	January 1, 2003 to December 31, 2003.
Dried Whole Milk .....	3,564,465 kilograms .....	January 1, 2003 to December 31, 2003.
Dried Cream .....	7,653 kilograms .....	January 1, 2003 to December 31, 2003.
Dried Whey/Buttermilk .....	69,343 kilograms .....	January 1, 2003 to December 31, 2003.
Butter .....	13,733,235 kilograms .....	January 1, 2003 to December 31, 2003.
Butter Oil and Butter Substitutes .....	10,526,925 kilograms .....	January 1, 2003 to December 31, 2003.
Dairy Mixtures .....	4,895,300 kilograms .....	January 1, 2003 to December 31, 2003.
Blue Cheese .....	4,218,407 kilograms .....	January 1, 2003 to December 31, 2003.
Cheddar Cheese .....	15,619,014 kilograms .....	January 1, 2003 to December 31, 2003.
American-Type Cheese .....	21,653,472 kilograms .....	January 1, 2003 to December 31, 2003.
Edam/Gouda Cheese .....	8,310,586 kilograms .....	January 1, 2003 to December 31, 2003.
Italian-Type Cheese .....	18,789,008 kilograms .....	January 1, 2003 to December 31, 2003.
Swiss Cheese with Eye Formation .....	37,381,545 kilograms .....	January 1, 2003 to December 31, 2003.
Gruyere Process Cheese .....	8,092,469 kilograms .....	January 1, 2003 to December 31, 2003.
Lowfat Cheese .....	3,404,944 kilograms .....	January 1, 2003 to December 31, 2003.
NSPF Cheese .....	58,201,906 kilograms .....	January 1, 2003 to December 31, 2003.
Peanuts .....	64,394 mt .....	April 1, 2003 to March 31, 2003.
Peanut Butter/Paste .....	19,583 mt .....	January 1, 2003 to December 31, 2003.