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DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 6

Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 1999 Tariff-Rate Quota Year

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This document announces the new levels of cumulative annual transfers from Appendix 1 to Appendix 2 for certain dairy product import licenses permanently surrendered by licensees or revoked by the Licensing Authority.

EFFECTIVE DATE: April 12, 1999.

FOR FURTHER INFORMATION CONTACT: Richard P. Warsack, Dairy Import Quota Manager, Import Policies and Programs

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SUPPLEMENTARY INFORMATION: The Foreign Agricultural Service (FAS), under a delegation of authority from the Secretary of Agriculture, administers the Dairy Tariff-Rate Quota Licensing Regulation codified at §§ 6.20-6.36 that provides for the issuance of licenses to import certain dairy articles under tariff-rate quotas (TRQs) as set forth in the Harmonized Tariff Schedule of the United States. These dairy articles may only be entered into the United States at the low-tier tariff by or for the account of a person or firm to whom such licenses have been issued and only in accordance with the terms and conditions of the regulation.

Licenses are issued on a calendar year basis, and each license authorizes the license holder to import a specified quantity and type of dairy article from a specified country of origin. The Import Programs Group, Import Policies and Programs Division, Foreign Agricultural Service, U.S. Department of Agriculture, issues these licenses and in conjunction with the U.S. Customs Service monitors their use.

The regulation at 7 CFR 6.34(a) states: "Whenever a historical license (Appendix 1) is not issued to an applicant pursuant to the provisions of

§ 6.23, is permanently surrendered or is revoked by the Licensing Authority, the amount of such license will be transferred to Appendix 2." Section 6.34(b) provides that the cumulative annual transfers will be published in the **Federal Register**. Accordingly, this document sets out revised Appendices for the 1999 tariff-rate quota year.

Richard P. Warsack,

Licensing Authority.

List of subjects in 7 CFR part 6

Agricultural commodities, Cheese, Dairy products, Imports, Reporting and recordkeeping requirements.

Accordingly, 7 CFR part 6 is amended as follows:

1. The authority citation for part 6, Subpart—Dairy Tariff-Rate Import Quota Licensing continues to read as follows:

Authority: Additional U.S. Notes 6, 7, 8, 12, 14, 16-23 and 25 to Chapter 4 and General Note 15 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), Pub. L. 97-258, 96 Stat. 1051, as amended (31 U.S.C. 9701), and secs. 103 and 404, Pub. L. 103-465, 108 Stat. 4819 (19 U.S.C. 3513 and 3601).

2. Appendices 1, 2 and 3 to Subpart—Dairy Tariff-Rate Import Quota Licensing are revised to read as follows:

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Appendices 1, 2 and 3 to Subpart--Dairy Tariff-Rate Import Quota Licensing

Articles Subject to: Appendix 1, Historical Licenses; Appendix 2, Nonhistorical Licenses;
and Appendix 3, Designated Importer Licenses for Quota Year 1999

Article by Additional U.S. Note Number and Country of Origin <u>NON-CHEESE ARTICLES</u>	Appendix 1	Appendix 2	Appendix 3	
			Tokyo Round	Uruguay Round
Butter (Note 6)	5,697,582	679,418		
EU-15	83,978	12,183		
New Zealand	131,256	19,337		
Other Countries	64,037	9,898		
Any Country	5,418,311	638,000		
Dried Skim Milk (Note 7)	600,076	3,860,924		
Australia	600,076			
Canada		219,565		
Any Country		3,641,359		
Dried Whole Milk (Note 8)	3,175	2,728,125		
New Zealand	3,175			
Any Country		2,728,125		
Dried Buttermilk/Whey (Note 12)	224,981			
Canada	161,161			
New Zealand	63,820			
Butter Substitutes containing over 45 percent of butterfat and/or butter oil (Note 14)		5,560,500		
Any Country		5,560,500		
TOTAL: NON-CHEESE ARTICLES	6,525,814	12,828,967		

Article by Additional U.S. Note Number and Country of Origin	Appendix 1	Appendix 2	Appendix 3	
			Tokyo Round	Uruguay Round
CHEESE ARTICLES				
Cheese and substitutes for cheese (except cheese not containing cow's milk and soft ripened cow's milk cheese, cheese (except cottage cheese) containing 0.5 percent or less by weight of butterfat and articles within the scope of other import quotas provided for in this subchapter) (Note 16)	24,205,278	7,265,453	9,661,128	6,730,000
Argentina	7,690		92,310	
Australia	535,628	5,542	758,830	1,458,333
Canada	1,031,946	109,054		
Costa Rica				1,550,000
Czech Republic				200,000
EU-15	15,941,269	6,391,163	1,132,568	1,955,000
Of which Portugal is:	127,536	1,773	223,691	
Israel	79,696		593,304	
Iceland	294,000		29,000	
New Zealand	4,534,333	281,139	6,506,528	
Norway	124,982	25,018		
Poland	917,497	18,727		300,000
Slovak Republic				600,000
Switzerland	607,602	63,810	548,588	416,667
Uruguay				250,000
Other Countries	130,635	71,000		
Any Country		300,000		
Blue-mold cheese (except Stilton produced in the United Kingdom) and cheese and substitutes for cheese containing, or processed from, Blue-mold cheese (Note 17)	2,348,967	132,034		366,667
Argentina	2,000			
EU-15	2,346,966	132,034		250,000
Chile				66,667
Czech Republic				50,000
Other Countries	1			

Article by Additional U.S. Note Number and Country of Origin	Appendix 1	Appendix 2	Appendix 3	
			Tokyo Round	Uruguay Round
<u>CHEESE ARTICLES</u>				
Cheddar Cheese, and cheese and substitutes for cheese containing, or processed from, Cheddar cheese (Note 18)	3,687,483	596,373	519,033	6,358,333
Australia	942,397	42,102	215,501	1,041,667
Chile				183,333
Czech Republic				50,000
EU-15	61,932	201,068		833,333
New Zealand	2,557,280	239,188	303,532	4,250,000
Other Countries	125,874	14,015		
Any Country		100,000		
American-type cheese, including Colby, washed curd and granular cheese (but not including Cheddar) and cheese and substitutes for cheese containing or processed from such American-type cheese (Note 19)	2,878,980	269,906	357,003	
Australia	843,993	37,005	119,002	
EU-15	190,758	146,575		
New Zealand	1,680,364	81,635	238,001	
Other Countries	163,865	4,691		
Edam and Gouda cheese, and cheese and substitutes for cheese containing, or processed from, Edam and Gouda cheese (Note 20)	5,420,056	186,346		1,043,333
Argentina	119,003	5,997		110,000
Czech Republic				100,000
EU-15	5,161,334	127,666		833,333
Norway	114,318	52,682		
Other Countries	25,401	1		
Italian-type cheeses, made from cow's milk, (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz, and Goya-not in original loaves) and cheese and substitutes for cheese containing, or processed from, such Italian-type cheeses, whether or not in original loaves (Note 21)	6,578,228	942,319	795,517	4,965,000
Argentina	3,996,111	129,372	367,517	1,890,000
EU-15	2,569,117	812,883		583,333
Poland				1,325,000
Romania				416,667
Uruguay			428,000	750,000
Other Countries	13,000	64		

Article by Additional U.S. Note Number and Country of Origin	Appendix 1	Appendix 2	Appendix 3	
			Tokyo Round	Uruguay Round
<u>CHEESE ARTICLES</u>				
Swiss or Emmenthaler cheese other than with eye formation, Gruyere-process cheese and cheese and substitutes for cheese containing, or processed from, such cheeses (Note 22)	5,892,174	759,140	823,519	316,667
EU-15	4,464,267	687,727	393,006	316,667
Switzerland	1,353,147	66,340	430,513	
Other Countries	74,760	5,073		
Cheese and substitutes for cheese, containing 0.5 percent or less by weight of butterfat (except articles within the scope of other tariff- rate quotas provided for in this subchapter), and margarine cheese (Note 23)	3,900,044	524,864	1,050,000	
EU-15	3,730,968	519,032		
Israel			50,000	
New Zealand			1,000,000	
Poland	169,075	5,832		
Other Countries	1			
Swiss or Emmenthaler cheese with eye formation (Note 25)	18,395,551	3,901,781	9,557,945	2,433,333
Argentina	9,115		70,885	
Australia	209,698		290,302	
Canada			70,000	
Czech Republic				400,000
Hungary				800,000
EU-15	13,363,935	3,112,894	4,003,172	1,066,666
Iceland	149,999		150,001	
Israel	27,000			
Norway	3,213,658	441,652	3,227,690	
Switzerland	1,336,871	347,234	1,745,895	166,667
Other Countries	85,275	1		
TOTAL: CHEESE ARTICLES	73,306,761	14,578,216	22,764,145	22,213,333

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