UNITED STATES IMPORT QUOTAS ON CONFECTIONERY

Notification by the United States

The following communication has been received from the permanent representative of the United States.

I have been asked to inform you, for the information of contracting parties, of the application by the United States Government of a global quota for the importation of sweetened chocolate, candy, and confectionery covered by items 156.30 and 157.10 of Part 10, Schedule 1 of the Tariff Schedules of the United States. The measure became effective on 1 January 1972.

Attached is the relevant sub-section (Section 7, sub-section 2) of the Act amending the Sugar Act of 1948 (PL92-138) as well as the amendments to the Code of Federal Regulations contained in Federal Register, Volume 36, Number 252, dated 31 December 1971 which describes this matter in more detail.

Public Law 92-138
92nd Congress, H.R.8866
14 October 1971

An Act
to amend and extend the provisions of the Sugar Act of 1948, as amended, and for other purposes:

Sec.7. Section 206 of the Sugar Act of 1948, as amended, is amended -

(2) By adding at the end thereof the following new sub-section:

"(d) Notwithstanding the foregoing provisions of this section, the Secretary shall each year, beginning with the calendar year 1972, limit the quantity of sweetened chocolate, candy, and confectionery provided for in items 156.30 and 157.10 of part 10, schedule 1, of the Tariff Schedules of the United States which may be
entered, or withdrawn from warehouse, for consumption in the United States as hereinafter provided. The quantity which may be so entered or withdrawn during any calendar year shall be determined in the fourth quarter of the preceding calendar year and the total amount thereof shall be equivalent to the larger of (1) the average annual quantity of the products entered, or withdrawn from warehouse, for consumption under the foregoing items of the Tariff Schedules of the United States for the three calendar years immediately preceding the year in which such quantity is determined, or (2) a quantity equal to 5 per centum of the amount of sweetened chocolate and confectionery of the same description of United States manufacture sold in the United States during the most recent calendar year for which data are available. The total quantity to be imported under this sub-section may be allocated to countries on such basis as the Secretary determines to be fair and reasonable, taking into consideration the past importations or entries from such countries. For purposes of this sub-section the Secretary shall accept statistical data of the United States Department of Commerce as to the quantity of sweetened chocolate and confectionery of United States manufacture sold in the United States."

Confectionery quota (77A Stat. 56; 82 Stat. 1498, 19 USC 1202)
ANNEX I

Federal Register, Volume 6, Number 252, 31 December 1971

Chapter VIII

Agricultural Stabilization and Conservation Service
(Sugar), Department of Agriculture

Sub-Chapter B - Sugar Requirements and Quotas

Part 818 - Import quotas on Sweetened Chocolate, Candy, and Confectionery covered by TSUS Items 156.30 and 157.10 of Part 10, Schedule 1, of the Tariff Schedules of the United States

Section 818.10 Confectionery quotas for foreign countries, 1972

For the calendar year 1972, the quantity of sweetened chocolate, candy, and confectionery provided for in items 156.30 and 157.10 of Part 10, Schedule 1, of Tariff Schedules of the United States which may be entered or withdrawn from warehouse, for consumption in the United States and Puerto Rico is 196,641,400 pounds. Of the total quota, 21,680,000 pounds are reserved solely for the importation of sweetened chocolate for other than consumption at retail as candy or confectionery (TSUS item 156.3040) subject to quotas established pursuant to section 22 of the Agricultural Adjustment Act, as amended, and as set forth in items 950.15 and 950.16 of part 3 of the appendix to TSUS, which may be imported only under licences issued pursuant to regulations of the Administrator, Foreign Agricultural Service, United States Department of Agriculture as follows:

<table>
<thead>
<tr>
<th>Country</th>
<th>Quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ireland</td>
<td>13,200,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>8,380,000</td>
</tr>
<tr>
<td>Netherlands</td>
<td>100,000</td>
</tr>
</tbody>
</table>

Of the remaining quantity of 174,961,400 pounds (196,641,400-21,680,000) a quantity not to exceed 122,500,000 pounds may be entered or withdrawn from warehouse for consumption in the United States and Puerto Rico on or before 30 September 1972.
(b) The quota established by paragraph (a) of this section shall not apply to articles with an aggregate value of $25 or less in any shipment.

Section 818.11 Import requirements

Articles subject to quota limitations pursuant to section 818.10 shall be entered on a first come, first served basis under the control of the Bureau of Customs, except articles subject to quotas established pursuant to section 22 of the Agricultural Adjustment Act, as amended, which may be imported only under licence as set forth in section 818.10(a).

Section 818.12 Restrictions on importations

Subject to the exception in paragraph (b) of section 818.10 all persons are prohibited from entering or withdrawing from warehouse, for consumption in the United States and Puerto Rico any article provided for in TSUS items 156.30 and 157.10 after the applicable quota set forth in paragraph (a) of section 818.10 has been filled.

Section 818.13 Revision of quotas

The quota established under this order may be revised to reflect the substitution of revised or corrected data used in the quota determination.

Section 818.14 Delegation of authority

The Director of the Sugar Division (or any person in such division designated by the Director) Agricultural Stablization and Conservation Service of the Department is hereby authorised to act on behalf of the Secretary in administering sections 818.10 through 818.13 except as otherwise provided for in sections 818.10 and 818.11.

Effective date. This action establishes a U.S. import quota on sweetened chocolate, candy and confectionary for the calendar year 1972 as required by Sugar Act amendments approved on 14 October 1971. In order to promote orderly marketing it is essential that all persons selling and importing such products be able as soon as possible to make plans based on the new import quota. Therefore, it is hereby determined and found that compliance with the effective date requirements of 5 U.S.C. 553 is unnecessary, impracticable and contrary to the public interest and this amendment shall be effective on 1 January 1972.

Signed at Washington, D.C., on 28 December 1971.