The following communication, dated 17 March 1982, has been received from the delegation of the United States.

In a communication dated 2 December 1980 (circulated as document L/5088), the United States notified the contracting parties that the President had taken action in accordance with Article XIX to impose a schedule of additional duties on imports of prepared or preserved mushrooms (classified for customs purposes under item 144.20 of the tariff schedules of the United States) and that the additional duties would apply for a three-year period commencing 1 November 1980.

The President's action was taken pursuant to the provisions of section 203 of the Trade Act of 1974. Sub-section (H) (4) of that section of the Act provides "any import relief provided pursuant to this section may be reduced or terminated by the President when he determines ... that such reduction or termination is in the national interest".

On 27 February 1982, following consideration of an advisory report from the United States International Trade Commission, the views of interested parties (including those of representatives of industries in countries exporting the mushrooms of interest to the United States and the governments of such countries), and other relevant factors set forth in section 202(C) of the Trade Act of 1974, the President determined that the modification of existing import relief to remove:

(a) mushrooms valued over US$1.60 per pound (drained weight) of the Genera cantharellus, boletus, or morchella (wild specialty mushrooms);

(b) mixed mushrooms valued over US$1.60 per pound (drained weight) of two or more of the types soletus luteus, lactarius deliciousus, rozites caperata, suillus grevillei or suillus granulatus (mixtures of wild specialty mushrooms); and
(c) whole mushrooms (including buttons) in containers each holding not more than nine ounces (drained weight) of the types volvariella volvacea, flammulina velutipes, pleurotus ostreatus, or pleurotus abalon (straw and other oriental mushrooms),

would not impair the domestic industry's effort to adjust to increased imports. On 27 February 1982, the President issued a proclamation terminating, effective 1 March 1982, the schedule of additional duties applicable to such mushrooms. On 1 March imports of the three aforementioned categories of mushrooms removed from import relief became subject to the reduced trade agreement rate of duty of 3.2 cents per pound plus 10 per cent ad valorem specified for prepared and preserved mushrooms by Item 144.20 of the United States schedule of tariff concessions annexed to the GATT.

Consideration was given to removing from import relief certain other types of prepared or preserved mushrooms (frozen battered, frozen breaded and cultivated specialty mushrooms) but the President determined that such action would have an adverse economic effect on United States producers. The additional duties imposed on 1 November 1980, therefore continue to apply to such mushrooms as well as certain other types.

Proclamation 4904 of 27 February 1982, a copy of which will be transmitted to the secretariat, furnishes the details of the action taken by the President with respect to mushrooms, together with certain technical corrections in the tariff schedules of the United States.