ARTICLE XXVIII:1 NEGOTIATIONS 1969

Schedule XX - United States

The delegations of the United States of America and Japan have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule XX - United States as set out in the report attached.

Signed for the delegation of
United States of America

Signed for the delegation of
Japan

28 May 1971
RESULTS OF NEGOTIATIONS WITH THE GOVERNMENT OF JAPAN UNDER ARTICLE XXVIII FOR THE MODIFICATION OR WITHDRAWAL OF CONCESSIONS IN THE SCHEDULE OF THE UNITED STATES OF AMERICA

Changes in Schedule XX - United States of America

A. Concessions to be withdrawn

NONE

B. Concessions which may be modified

Insert after note 5 in unit E of Chapter 3 of Section 6 of Part I of Schedule XX to the Geneva (1967) Protocol (19 UST (pt. 2) 1620):

6. Stainless steel flatware tariff-rate quota

(a) The President of the United States may establish a tariff-rate quota with respect to knives, forks and spoons with stainless steel handles valued under 25 cents each and not over 10.2 inches in overall length (hereinafter called "stainless steel flatware") provided for in items 650.08, 650.10, 650.38, 650.40, 650.54 and, if included in sets, 651.75, by increasing the duty applicable to such flatware entered in excess of specified or determinable quantities. Any such tariff-rate quota:

(i) shall be allocated among sources of supply on the basis of the average United States imports from such sources during calendar years 1968 and 1969, and shall be administered on a calendar quarter basis;

(ii) shall permit the entry during any full calendar quarter in calendar year 1971 of at least 48,600,000 single units of such flatware prior to the application of the increased rate of duty and, for each calendar quarter in any calendar year commencing with the calendar year 1972, the quarterly allocations may be increased, over the allocations for the last quarter of the immediately preceding calendar year, by a percentage (not in excess of 6 per cent) to be determined by the President of the United States;

(iii) shall provide that, if any quantity permitted to be entered from a source of supply within the tariff-rate quota during any calendar quarter is not entered, the difference between the allocation to such source for such quarter and the quantity which was entered from such source, or 10 per cent of such allocation, whichever is the lesser, may be entered during the immediately following calendar quarter from such source of supply; provided that any increased quantity permitted under this sub-paragraph shall not be considered part of such source's allocation for any quarter;
(iv) shall terminate no later than five years after it becomes effective, unless extended by the President;

(v) shall be administered so that if it becomes effective or if it is increased after the beginning of a calendar quarter, the quantity entitled to enter or the amount of increase which may be entered during the unexpired portion of such quarter from each source of supply shall be the quantity specified on such effective date or the amount of the increase for such calendar quarter, in each case less 1/90 thereof for each day that has expired in such quarter; and

(vi) shall become effective no earlier than the thirtieth day following the date of a proclamation establishing the tariff-rate quota or the date of public announcement thereof.

(b) This note shall cease to be a part of this Schedule and shall be of no effect after the tariff-rate quota, and any extensions thereof under sub-paragraph (iv), have terminated.

C. New concessions

NONE

The United States and Japan have agreed that compensatory concessions granted by the United States to Japan in 1962 constitute compensation to Japan for the foregoing temporary modification of United States concessions on stainless steel table flatware.