Arrangement Regarding Bovine Meat

INTERNATIONAL MEAT COUNCIL

Inventory of Domestic Policies and Trade Measures
and Information on Bilateral, Plurilateral
or Multilateral Commitments

Reply to Parts G and H of the Questionnaire

UNITED STATES

Revision

The participants have agreed to provide information concerning their domestic policies and trade measures including bilateral and plurilateral commitments on the basis of Parts G and H of the Questionnaire (Rule 16 of the Rules of Procedure). The documents containing replies to these parts of the Questionnaire are circulated under the symbol IMC/INV; they will be revised as and when changes are notified.

This set of documents constitutes the inventory of all measures affecting trade in bovine meat, including commitments resulting from bilateral, plurilateral and multilateral negotiations, which the Council has instructed the secretariat to draw up and keep to date, under the provisions of Article III of the Arrangement (Note to Article III of the Arrangement and Rule 18 of the Rules of Procedure).

Note: This document has been revised in accordance with the three-year rule contained in Rule 18 of the Rules of Procedure, and replaces all previous IMC/INV/13... documents.
PART G

Part G.1 Information on domestic policies and trade measures

I. Production

(a) The United States is well endowed with resources favouring beef production. Some 242 million hectares or 48 per cent of the total agricultural area are used as grassland, pasture and range land. In addition, some 100 million hectares of crop and forestland are used for grazing (1974). The United States produces also large feed supplies which are the basis of intensive beef production. In 1975, cattle herds reached a peak with 132 million head. Cows represented 43 per cent of the total. Beef cows represented 80 per cent of all cows.

(b) None

(c) There are no programmes for the direct support of beef production. There are no guaranteed prices, nor producer subsidies. There are, however, stabilization measures which may be applied at the frontier to smooth out the effects of the cattle cycle. In the long run these measures will tend to permit a growing volume of imports in line with the secular trend in United States beef production (see Attachment II).

II. Internal prices and consumption

(a) Apart from general factors, such as population, income, relative prices of substitutes and consumer preferences there are no specific factors which condition consumption.

III. Measures at the frontier

(a) Customs' Tariff: see Attachment I.

(b) Import Measures: see Attachment II.

(c) Export Measures: None
ATTACHMENT I

TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED (1983)

SCHEDULE 1. - ANIMAL AND VEGETABLE PRODUCTS

Part 1. - Live Animals

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**Part 1. - LIVE ANIMALS**

**Part 1 headnotes:**

1. This part covers all live animals, vertebrates and invertebrates, except fish and shellfish (see parts 3 and 13 of this schedule) and microbial cultures (see part 9 of schedule 4), but including whales and other sea animals.

2. Unless the context requires otherwise, each provision for named or described animals applies to such animals regardless of their size or age, e.g., "sheep" includes lambs.

3. Certain special provisions applying to live animals are in schedule 8.

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<table>
<thead>
<tr>
<th>Item</th>
<th>Stat. Suff.</th>
<th>Articles</th>
<th>Units of Quantity</th>
<th>Rates of Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.01</td>
<td></td>
<td>Animals (except black, silver, or platinum foxes, and any fox which is a mutation, or type developed, therefrom), certified to the collector of customs by the Department of Agriculture as being pure breed of a recognized breed and duly registered in a book of record recognized by the Secretary of Agriculture for that breed, imported by a citizen or agency of the United States specially for breeding purposes, whether intended to be used by the importer himself or for sale for such purposes.</td>
<td>Free</td>
<td>Free</td>
</tr>
<tr>
<td>10</td>
<td>Male</td>
<td>Free</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Female</td>
<td>Free</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>Male</td>
<td>Free</td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>Female</td>
<td>Free</td>
<td></td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>Dairy</td>
<td>Free</td>
<td></td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>Other</td>
<td>Free</td>
<td></td>
<td></td>
</tr>
<tr>
<td>80</td>
<td>Animals, not specially provided for</td>
<td>Free</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Animals, domesticated, straying across the boundary line into any foreign country, or driven across such boundary line by the owner for temporary pastureage purposes only, together with their offspring:

<table>
<thead>
<tr>
<th>Item</th>
<th>Stat. Suff.</th>
<th>Articles</th>
<th>Units of Quantity</th>
<th>Rates of Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.03</td>
<td>00</td>
<td>If brought back to the United States within 8 months</td>
<td>Free</td>
<td>Free</td>
</tr>
</tbody>
</table>

Other:

<table>
<thead>
<tr>
<th>Item</th>
<th>Stat. Suff.</th>
<th>Articles</th>
<th>Units of Quantity</th>
<th>Rates of Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.04</td>
<td>00</td>
<td>Subject to rates set forth in this part</td>
<td>Subject to rates set forth in this part</td>
<td></td>
</tr>
</tbody>
</table>

Animals, game, imported to be liberated in the United States for stocking purposes:

<table>
<thead>
<tr>
<th>Item</th>
<th>Stat. Suff.</th>
<th>Articles</th>
<th>Units of Quantity</th>
<th>Rates of Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>100.05</td>
<td>00</td>
<td>Free</td>
<td>Free</td>
<td></td>
</tr>
</tbody>
</table>

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### Subpart B - Meats Other Than Bird Meat

Subpart B headnote:

1. For the purposes of this subpart —

   (a) The term “fresh, chilled, or frozen” covers meats even though completely denuded and deboned, but does not cover meats which have been prepared or preserved; and

   (b) the term “prepared or preserved” covers meats even if in a fresh, chilled, or frozen state if such meats have been ground or comminuted, diced or cut into sizes for stew meat or similar uses, rolled and skewered, or specially processed into fancy cuts, special shapes, or otherwise made ready for particular uses by the retail consumer; and also covers meats which have been subjected to processes such as drying, curing, smoking, cooking, seasoning, flavoring, or to any combination of such processes.

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<table>
<thead>
<tr>
<th>G</th>
<th>S</th>
<th>I</th>
<th>Stat. Suffix</th>
<th>Articles</th>
<th>Units of Quantity</th>
<th>Rates of Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>LDC</td>
</tr>
</tbody>
</table>

| 106.10 | 001/ |       | Cattle, (except meat offal), fresh, chilled, or frozen, of all animals (except birds): |         | 2c per lb. | 6c per lb. |
|        |      | Beef, with bone: | | Lb. | | |
|        | 20   |                     | Fresh or chilled | Lb. |
|        | 40   |                     | Frozen | Lb. |
|        | 60   |                     | Beef, without bone | Lb. |
|        | 80   |                     | Other (veal) | Lb. |
| 106.22 | 001/ | Sheep, (except lambs): | | Lb. | 2c per lb. | 1.5c per lb. | 5c per lb. |
| 106.23 | 001/ | Goats, | | Lb. | 1.2c per lb. | Free | 5c per lb. |

1/ P.L. 88-482, as amended, provides that meats covered by the tariff descriptions in items 106.10, 106.22, 106.23, 107.33, 107.61, and 107.62 may be made subject to an absolute quota by Presidential proclamation.
### ATTACHMENT I (cont'd)

**TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED (1983)**

**SCHEDULE 1. - ANIMAL AND VEGETABLE PRODUCTS**

**Part 2. - Meats**

<table>
<thead>
<tr>
<th>Stat. Suff.</th>
<th>Item</th>
<th>Articles</th>
<th>Units of Quantity</th>
<th>Rates of Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 107.40</td>
<td>00</td>
<td>Beef and veal, prepared or preserved (except sausages): Beef or veal, cured or pickled:</td>
<td>Lb. 2c per lb. 1c per lb.</td>
<td>4.3c per lb. 30% ad val.</td>
</tr>
<tr>
<td>A 107.45</td>
<td>00</td>
<td>Valued over 30 cents per pound.</td>
<td>Lb. 10% ad val.</td>
<td>30% ad val.</td>
</tr>
<tr>
<td>A* 107.48</td>
<td>20</td>
<td>In containers holding not more than 2 pounds.</td>
<td>Lb. 3% ad val.</td>
<td>30% ad val.</td>
</tr>
<tr>
<td>107.52</td>
<td>40</td>
<td>In containers holding more than 2 pounds.</td>
<td>Lb. 3% ad val.</td>
<td>30% ad val.</td>
</tr>
<tr>
<td>107.55</td>
<td>40</td>
<td>Other:</td>
<td>Lb. 3% ad val.</td>
<td>30% ad val.</td>
</tr>
<tr>
<td>107.55</td>
<td>001/</td>
<td>Valued over 30 cents per pound.</td>
<td>Lb. 2c per lb. 6c per lb.</td>
<td>4.3c per lb. 30% ad val.</td>
</tr>
<tr>
<td>107.61</td>
<td>001/</td>
<td>Beef specially processed into fancy cuts, special shapes, or otherwise made ready for particular uses by the retail consumer (but not ground or comminuted, diced or cut into sizes for stew meat or similar uses, or rolled or skewered), which meets the specifications in regulations issued by the U.S. Department of Agriculture for Prime or Choice beef, and which has been so certified prior to exportation by an official of the government of the exporting country, in accordance with regulations issued by the Secretary of the Treasury after consultation with the Secretary of Agriculture.</td>
<td>Lb. 4% ad val.</td>
<td>20% ad val.</td>
</tr>
<tr>
<td>107.62</td>
<td>001/</td>
<td>Other:</td>
<td>Lb. 10% ad val.</td>
<td>20% ad val.</td>
</tr>
<tr>
<td>107.63</td>
<td>00</td>
<td>Other:</td>
<td>Lb. 4% ad val.</td>
<td>20% ad val.</td>
</tr>
</tbody>
</table>

1/ P.L. 88-482, as amended, provides that meats covered by the tariff descriptions in items 106.10, 106.22, 106.25, 107.55, 107.61, and 107.62 may be made subject to an absolute quota by Presidential proclamation.

Note: For explanation of the symbol "A" or "A*" in the column entitled "Stat. Suff.," see general headnote 3(c).
ATTACHMENT II

APPENDIX C: TEXT OF U.S. MEAT IMPORT LAW

PUBLIC LAW 96-177—DEC. 31, 1979

Public Law 96-177
96th Congress

An Act

To modify the method of establishing quotas on the importation of certain meat, to include within such quotas certain meat products, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of August 22, 1964, entitled "An Act to provide for the free importation of certain wild animals, and to provide for the imposition of quotas on certain meat and meat products" (19 U.S.C. 1202 note) is amended to read as follows:

"Sec. 2. (a) This section may be cited as the 'Meat Import Act of 1979'.

(b) For purposes of this section—

(1) The term 'entered' means entered, or withdrawn from warehouse, for consumption in the customs territory of the United States.

(2) The term 'meat articles' means the articles provided for in the Tariff Schedules of the United States (19 U.S.C. 1202) under—

(A) item 106.10 (relating to fresh, chilled, or frozen cattle meat);

(B) items 106.22 and 106.25 (relating to fresh, chilled, or frozen meat of goats and sheep (except lamb)); and

(C) items 107.55 and 107.62 (relating to prepared and preserved beef and veal (except sausage)), if the articles are prepared, whether fresh, chilled, or frozen, but not otherwise preserved.

(3) The term 'Secretary' means the Secretary of Agriculture.

(c) The aggregate quantity of meat articles which may be entered in any calendar year after 1979 may not exceed 1,204,600,000 pounds; except that this aggregate quantity shall be—

(1) increased or decreased for any calendar year by the same percentage that the estimated average annual domestic commercial production of meat articles in that calendar year and the 2 preceding calendar years increases or decreases in comparison with the average annual domestic commercial production of meat articles during calendar years 1968 through 1977; and

(2) adjusted further under subsection (d).

For purposes of paragraph (1), the estimated annual domestic commercial production of meat articles for any calendar year does not include the carcass weight of live cattle specified in items 100.40, 100.43, 100.45, 100.53, and 100.55 of such Schedules entered during such year.

(d) The aggregate quantity referred to in subsection (c), as increased or decreased under paragraph (1) of such subsection, shall be adjusted further for any calendar year after 1979 by multiplying such quantity by a fraction—

(1) the numerator of which is the average annual per capita production of domestic cow beef during that calendar year (as
ATTACHMENT II (cont'd)

APPENDIX C (cont'd)

PUBLIC LAW 96-177—DEC. 31, 1979

estimated) and the 4 calendar years preceding such calendar year; and

"(2) the denominator of which is the average annual per capita production of domestic cow beef in that calendar year (as estimated) and the preceding calendar year.

For the purposes of this subsection, the phrase "domestic cow beef" means that portion of the total domestic cattle slaughter designated by the Secretary as cow slaughter.

"(e) For each calendar year after 1979, the Secretary shall estimate and publish—

"(1) before the first day of each calendar year, the aggregate quantity prescribed for such calendar year under subsection (c) as adjusted under subsection (d); and

"(2) before the first day of each calendar quarter in such calendar year, the aggregate quantity of meat articles which (but for this section) would be entered during such calendar year.

In applying paragraph (2) for the second or any succeeding calendar quarter in any calendar year, actual entries for the preceding calendar quarter or quarters in such calendar year shall be taken into account to the extent data is available.

"(f) If the aggregate quantity estimated before any calendar quarter by the Secretary under subsection (e)(2) is 110 percent or more of the aggregate quantity estimated by him under subsection (e)(1), and if there is no limitation in effect under this section for such calendar year with respect to meat articles, the President shall by proclamation limit the total quantity of meat articles which may be entered during such calendar year to the aggregate quantity estimated for such calendar year by the Secretary under subsection (e)(1); except that no limitation imposed under this paragraph for any calendar year may be less than 1,250,000,000 pounds. The President shall include in the articles subject to any limit proclaimed under this paragraph any article of meat provided for in item 107.61 of the Tariff Schedules of the United States (relating to high-quality beef specially processed into fancy cuts).

"(g) The President may, after providing opportunity for public comment by giving 30 days' notice by publication in the Federal Register of his intention to so act, suspend any proclamation made (or, or increase the total quantity proclaimed under subsection (f), or increase the total quantity proclaimed under subsection (g) to the extent data is available.

"(1) such action is required by overriding economic or national security interests of the United States, giving special weight to the importance to the Nation of the economic well-being of the domestic cattle industry;

"(2) the supply of meat articles will be inadequate to meet domestic demand at reasonable prices; or

"(3) trade agreements entered into after the date of enactment of this Act insures that the policy set forth in subsections (c) and (d) will be carried out.
PUBLIC LAW 96-177—DEC. 31, 1979

Any such suspension shall be for such periods, and any such increase shall be in such amount, as the President determines and proclaims to be necessary to carry out the purposes of this subsection.

"(b) Notwithstanding the previous subsections, the total quantity of meat articles which may be entered during any calendar year may not be increased by the President if the fraction described in subsection (d) for that calendar year yields a quotient of less than 1.0, unless—

"(1) during a period of national emergency declared under section 201 of the National Emergencies Act of 1976, he determines and proclaims that such action is required by overriding national security interests of the United States;

"(2) he determines and proclaims that the supply of articles of the kind to which the limitation would otherwise apply will be inadequate, because of a natural disaster, disease, or major national market disruption, to meet domestic demand at reasonable prices; or

"(3) on the basis of actual data for the first two quarters of the calendar year, a revised calculation of the fraction described in subsection (d) for the calendar year yields a quotient of 1.0 or more.

Any such suspension shall be for such period, and any such increase shall be in such amount, as the President determines and proclaims to be necessary to carry out the purposes of this subsection. The effective period of any such suspension or increase made pursuant to paragraph (1) may not extend beyond the termination, in accordance with the provisions of section 202 of the National Emergencies Act of 1976, of such period of national emergency, notwithstanding the provisions of section 202(a) of that Act.

"(1) The Secretary shall allocate the total quantity proclaimed under subsection (b)(1) and any increase in such quantity provided for under subsection (g) among supplying countries on the basis of the share of the United States market for meat articles such countries supplied during a representative period. Notwithstanding the preceding sentence, due account may be given to special factors which have affected or may affect the trade in meat articles or cattle. The Secretary shall certify such allocations to the Secretary of the Treasury.

"(2) The Secretary shall issue such regulations as he determines to be necessary to prevent circumvention of the purposes of this section.

"(3) All determinations by the President and the Secretary under this section shall be final.

"(4) The Secretary of Agriculture shall study the regional economic impact of imports of meat articles and report the results of his study, together with any recommendations (including recommendations for legislation, if any) to the Committee on Ways and Means of the House of Representatives and to the Committee on Finance of the Senate not later than June 30, 1980."

SEC. 2. This Act shall take effect January 1, 1980.

Approved December 31, 1979.
PART H

Information on bilateral or plurilateral agreements in the field of bovine animals, meat and others.

In the MTN the United States agreed to permit annual imports of 1.2 billion pounds of beef from all sources. This is a global access commitment. Voluntary restraint agreements were negotiated in August-September 1983 with United States' principal suppliers: Australia, Canada and New Zealand. The quantities agreed upon for exports to the United States in 1983 were the following: Australia 272,158 tons; Canada 58,968 tons; and New Zealand 165,336 tons.