

Presidential Documents

Proclamation 6948 of October 29, 1996

To Modify Provisions on Upland Cotton and for Other Purposes

By the President of the United States of America

A Proclamation

1. (a) Presidential Proclamation 6301 of June 7, 1991, implemented import quotas for upland cotton by adding U.S. note 6 and subheadings 9903.52.01 through 9903.52.20 to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States ("the HTS").

(b) U.S. note 6(a) to subchapter III of chapter 99 of the HTS provides that whenever the Secretary of Agriculture ("the Secretary") determines and announces that specified conditions relating to the price of upland cotton exist, there shall be in effect, as of the effective date of such announcement, a special import quota applicable to upland cotton purchased not later than 90 days after the effective date of the Secretary's announcement and entered into the United States not later than 180 days after such date. U.S. note 6(a) further provides that a new 180-day quota period may be established that overlaps any existing quota period announced under paragraph (a) of the note, unless a quota period has been established under paragraph (b) of the note.

(c) Subheadings 9903.52.01 through 9903.52.20 cover entries of upland cotton under 20 consecutively numbered announcements by the Secretary pursuant to U.S. note 6(a). Thus, the 180-day effective period of a special upland cotton import quota established under a particular announcement may still be in effect when the same announcement number may be assigned with respect to a different but overlapping quota period.

(d) To avoid such overlap, and to permit the effective administration of these quotas by the U.S. Customs Service, I have decided that it is necessary and appropriate to provide six additional HTS subheadings corresponding to six additional announcements by the Secretary.

2. (a) Presidential Proclamation 6641 of December 15, 1993, implemented the North American Free Trade Agreement ("the NAFTA") with respect to the United States and incorporated in the HTS the tariff modifications and rules of origin necessary or appropriate to carry out the NAFTA.

(b) Article 303 of the NAFTA provides for the amount of customs duties that may be claimed as drawback on goods originating outside the NAFTA region that are traded between the NAFTA Parties. Article 307.2 of the NAFTA provides that each Party shall grant temporary duty-free admission to specified goods when imported from the territory of another Party, regardless of the origin of such goods, for repair or alteration. Among the modifications to the HTS set forth in Annex II to Proclamation 6641 was a new paragraph (c) of U.S. note 1 to subchapter XIII of chapter 98 of the HTS, which was intended to give effect to the provisions of Articles 303 and 307.2 of the NAFTA insofar as they are applicable to articles to be repaired, altered, or processed that are admitted temporarily free of duty under bond. Such new paragraph (c) does not reflect clearly that the provisions of Article 307.2 of the NAFTA apply to goods imported from a NAFTA Party, regardless of their origin, for repair or alteration.

(c) Accordingly, I have decided that it is appropriate to modify paragraph (c) of U.S. note 1 to subchapter XIII of chapter 98 of the HTS to clarify implementation of the provisions of Article 307.2 of the NAFTA.

(d) Certain provisions set forth in Annexes to Proclamation 6641 contain technical errors in the instructions for implementing particular modifications. To clarify the intent of the modifications previously proclaimed, I have decided to correct such technical errors.

3. (a) Sections 1102(a) and (e) of the Omnibus Trade and Competitiveness Act of 1988 ("the 1988 Act") (19 U.S.C. 2902(a) and (e)) authorize the President to enter into trade agreements and to proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment or such additional duties, as he determines to be required or appropriate to carry out any such trade agreement. In addition, section 111(a) of the Uruguay Round Agreements Act ("the URAA") (19 U.S.C. 3521(a)) authorizes the President to proclaim such other modifications of any duty, such other staged rate reduction, or such additional duties as the President determines to be necessary or appropriate to carry out Schedule XX-United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 ("Schedule XX"). Presidential Proclamation 6763 of December 23, 1994, implemented with respect to the United States the trade agreements resulting from the Uruguay Round of multilateral trade negotiations, including Schedule XX.

(b) Certain provisions set forth in Annexes to Proclamation 6763 contain technical errors in the instructions for implementing particular modifications. To clarify the intent of the modifications previously proclaimed, I have decided to correct such technical errors.

4.(a) Presidential Proclamation 6821 of September 12, 1995, established a tariff-rate quota on certain tobacco and eliminated tariffs on certain other tobacco by adding additional U.S. note 5 and various subheadings to chapter 24 of the HTS. Additional U.S. note 5 to chapter 24 of the HTS provides that the tariff-rate quota applies to the aggregate quantity of tobacco entered, or withdrawn from warehouse for consumption, under enumerated HTS subheadings from specified countries or areas, except that products of Canada, Israel, or Mexico are not permitted or included under such quantitative limitation. I intended that tobacco entered with claims of eligibility for the tariff treatment under any provision of chapter 98 of the HTS and tobacco entered for marketing to the ultimate consumer as hand-rolled cigarettes would not be counted toward the in-quota quantity provided for in additional U.S. note 5 of the HTS.

(b) I have decided, in order to clarify the status of such importations with respect to the tariff-rate quota, that it is appropriate to modify the provisions of additional U.S. note 5 to chapter 24 of the HTS to ensure that such goods are properly classified.

(c) Certain provisions of the HTS were modified in Proclamation 6821 to correct certain technical errors that were made in Proclamation 6763. However, an error was made in the spelling of a chemical in Annex II to Proclamation 6821, and I have decided to correct this error.

5. (a) Presidential Proclamation 6857 of December 11, 1995, implemented with respect to the United States modifications in the HTS that I determined were in conformity with the obligations of the United States under the International Convention on the Harmonized Commodity Description and Coding System and did not run counter to the national economic interest of the United States.

(b) Such proclamation also modified the rules of origin set out in the NAFTA in order to ensure that the tariff and certain other treatment accorded under the NAFTA would continue to be given to NAFTA originating goods.

(c) Certain provisions set forth in Annexes to Proclamation 6857 contain technical errors in the instructions for implementing particular modifications.

To clarify the intent of the modifications previously proclaimed, I have decided to correct such technical errors.

6. Section 604 of the Trade Act of 1974, as amended ("the 1974 Act") (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section 604 of the 1974 Act, sections 1102(a) and (e) and 1206(a) of the 1988 Act, sections 201 and 202 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3331 and 3332), sections 111(a) and 423 of the URAA (19 U.S.C. 3521 and 3621), and section 136(b) of the Federal Agriculture Improvement Act of 1996 (7 U.S.C. 7236) do proclaim that:

(1) Subheadings 9903.52.21 through 9903.52.26, as set forth in Annex I to this proclamation, are hereby inserted in numerical sequence in subchapter III of chapter 99 of the HTS, and shall become effective with respect to articles entered, or withdrawn from warehouse for consumption, as of the dates and under the terms that may be set forth in the Secretary's special quota announcements pertaining to such subheadings.

(2) In order to clarify the intent of modifications previously proclaimed in certain Annexes to Proclamations 6641, 6763, 6821, and 6857, the HTS and the Annexes to such proclamations are modified as provided in Annex II to this proclamation.

(3) The modifications made by the Annexes to this proclamation shall be effective on the dates set forth in such Annexes.

(4) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions and provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(5) This proclamation shall be effective upon publication in the Federal Register.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of October, in the year of our Lord nineteen hundred and ninety-six, and of the Independence of the United States of America the two hundred and twenty-first.



Annex I

Modifications to the HTS with respect to the
Special Import Quota for Upland Cotton

Effective as of the date of publication of this proclamation in the Federal Register, the following new provisions are hereby inserted in numerical sequence in subchapter III of chapter 99 of the HTS, with the language inserted in the columns entitled "Heading/Subheading", "Article Description", and "Quota Quantity", respectively.

The HTS is modified as provided in this annex, with bracketed matter included to assist in the understanding of proclaimed modifications.

	[Notwithstanding any other...]	
"9903.52.21	Purchased and entered pursuant to the Secretary of Agriculture's Special Cotton Import Quota Announcement Number 21.....	The quantity specified in such announcement
9903.52.22	Purchased and entered pursuant to the Secretary of Agriculture's Special Cotton Import Quota Announcement Number 22.....	The quantity specified in such announcement
9903.52.23	Purchased and entered pursuant to the Secretary of Agriculture's Special Cotton Import Quota Announcement Number 23.....	The quantity specified in such announcement
9903.52.24	Purchased and entered pursuant to the Secretary of Agriculture's Special Cotton Import Quota Announcement Number 24.....	The quantity specified in such announcement
9903.52.25	Purchased and entered pursuant to the Secretary of Agriculture's Special Cotton Import Quota Announcement Number 25.....	The quantity specified in such announcement
9903.52.26	Purchased and entered pursuant to the Secretary of Agriculture's Special Cotton Import Quota Announcement Number 26.....	The quantity specified in such announcement"

Annex II

Section A. Modifications to the HTS.

(1). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1994:

(a). In the additional U.S. notes to Section XI listed below, the expression "imports from Canada" is deleted wherever it appears in such note and the expression "articles the product of Canada" is inserted in lieu thereof.

additional U.S. note 3(a)	additional U.S. note 4(c)
additional U.S. note 3(f)	additional U.S. note 5(a)
additional U.S. note 4(a)	additional U.S. note 5(c)

(b). In the additional U.S. notes to Section XI listed below, the expression "imports from Mexico" is deleted wherever it appears in such note and the expression "articles the product of Mexico" is inserted in lieu thereof.

additional U.S. note 3(b)	additional U.S. note 4(b)
additional U.S. note 3(c)	additional U.S. note 4(d)
additional U.S. note 3(d)	additional U.S. note 5(b)
additional U.S. note 3(e)	additional U.S. note 5(d)
additional U.S. note 3(g)	

(c). Subdivision (c) of U.S. note 1 to subchapter XIII of chapter 98 of the HTS is modified by inserting the expression ", for processing," after "imported into the United States".

Annex II (continued)

Section A. Modifications to the HTS. (con.)

(2). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1995:

(a). General note 7(d)(ii) is deleted.

(b). The additional U.S. notes to the chapters listed below are modified by deleting the expression "imports from Mexico" wherever it appears and inserting the expression "articles the product of Mexico" in lieu thereof.

To chapter 4:	To chapter 18:
additional U.S. note 5	additional U.S. note 1
additional U.S. note 6	additional U.S. note 2
additional U.S. note 7	additional U.S. note 3
additional U.S. note 8	
additional U.S. note 9	To chapter 19:
additional U.S. note 10	additional U.S. note 2
additional U.S. note 11	additional U.S. note 3
additional U.S. note 12	
additional U.S. note 14	Additional U.S. note 5 to chapter 20
additional U.S. note 16	
additional U.S. note 17	To chapter 21:
additional U.S. note 18(a)	additional U.S. note 4
additional U.S. note 19	additional U.S. note 5
additional U.S. note 20	
additional U.S. note 21	Additional U.S. note 2 to chapter 23
additional U.S. note 22	
additional U.S. note 23	To chapter 52:
additional U.S. note 25	additional U.S. note 5
	additional U.S. note 6
Additional U.S. note 2(b)	additional U.S. note 7
to chapter 12	additional U.S. note 8
	additional U.S. note 9
Additional U.S. note 8 to	additional U.S. note 10
chapter 17	

(c). Subparagraph (b)(iv) of additional U.S. note 5 to chapter 17 is modified by deleting the expression "imports from those countries or areas" wherever it appears and inserting the expression "articles the product of those countries or areas" in lieu thereof.

(d). The additional U.S. notes to chapter 52 listed below are modified by deleting the expression "imports from countries or areas" wherever it appears and inserting the expression "articles the product of countries or areas" in lieu thereof.

additional U.S. note 5
additional U.S. note 9

(e). The additional U.S. notes to chapter 52 listed below are modified by deleting the expression "Imports from countries or areas" wherever it appears and inserting the expression "Articles the product of countries or areas" in lieu thereof.

additional U.S. note 6
additional U.S. note 7
additional U.S. note 8
additional U.S. note 10

(f). The Rates of Duty 2 column for subheading 1806.20.83 is modified by deleting the rate of duty set forth in such column and inserting "62.1¢/kg + 10%" in lieu thereof.

Annex II (continued)

Section A. Modifications to the HTS. (con.)

(2). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1995: (con.)

(g). The Rates of Duty 1 Special subcolumn for subheadings 2106.90.52 and 2106.90.54 is modified by deleting the symbol "IL" from the parentheses following the expression "The rate applicable to the natural juice in heading 2009" and inserting the symbol "IL", alphabetically, in the parentheses following the Free rate in such subcolumn.

(h). The article description for subheading 2933.90.58 is modified by deleting "Clozapine;" from such description.

(i). The article description for subheading 2934.90.07 is modified by deleting "(Fenoxaprop ethyl)" and inserting "(Fenoxaprop-ethyl)" in lieu thereof.

(j). The article description for subheading 3808.30.05 is modified by deleting "(Fenoxapropethyl)" and inserting "(Fenoxaprop-ethyl)" in lieu thereof.

(k). The article description for subheading 9906.29.21 is modified by deleting "2933.39.42" and inserting "2933.39.41" in lieu thereof.

(l). The Intermediate Chemicals for Dyes Appendix to the HTS is modified by deleting the chemical name listed in Column A below and inserting in lieu thereof the chemical name listed in Column B below.

Column A

Acetamide, N-(4-aminophenyl)-N-methyl-
9,10-Anthracenedione
1H-Azepine, hexahydro-
Benzamine, 2,6-dichloro-4-nitro-
Benzenamine, 2-chloro-4-nitro-
Benzenamine, 4-chloro-2-(trifluoromethyl)-
Benzenamine, 2-methoxy-
Benzenamine, 4-methoxy-
Benzenamine, 2-methoxy-4-nitro-
Benzenamine, N-methyl-
Benzenamine, 4-(6-methyl-2-benzothiazolyl)-
Benzenamine, 3-nitro-
Benzenamine, 2-(trifluoromethyl)-
1,4-Benzene disulfonic acid, 2-amino-
Benzene sulfonic acid, 4-chloro-3-(4,5-
dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)-
[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-,
dihydrochloride
Butanedioic, acetyl-, dimethyl ester
2-Naphthalenesulfonic acid, 8-amino-,
monosodium salt
1,5-Naphthalene disulfonic acid, 2-amino-
1,3-Naphthalene disulfonic acid, 4-amino-5-
hydroxy-
2-Naphthalenesulfonic acid, 6-amino-7-hydroxy-
2-Naphthalenesulfonic acid, 7-(acetylamino-4-
hydroxy-
1,3-Naphthalenesulfonic acid, 7-hydroxy-,
potassium salt
1,3,6-Naphthalene trisulfonic acid, 7-amino-
1,3,6 Naphthalene trisulfonic acid, 7-amino-,
diammonium salt
1,3,6 Naphthalene trisulfonic acid, 7-amino-,
disodium salt
1,3,6 Naphthalene trisulfonic acid, 7-amino-,
sodium salt
1-Naphthalenesulfonic acid, 4-hydroxy-,
monopotassium salt
1-Naphthalenesulfonic acid, 8-(phenylamino)-,
monosodium salt
Spiro[isobenzofuran-1(3H), 9'-[9H]xanthen]-3-one,
3',6'-bis(ethylamino)-2',7'-di-

Column B

Acetamide, N-(4-aminophenyl)-N-methyl-
9,10-Anthracenedione
1H-Azepine, hexahydro-
Benzamine, 2,6-dichloro-4-nitro-
Benzeneamine, 2-chloro-4-nitro-
Benzeneamine, 4-chloro-2-(trifluoromethyl)-
Benzeneamine, 2-methoxy-
Benzeneamine, 4-methoxy-
Benzeneamine, 2-methoxy-4-nitro-
Benzeneamine, N-methyl-
Benzeneamine, 4-(6-methyl-2-benzothiazolyl)-
Benzeneamine, 3-nitro-
Benzeneamine, 2-(trifluoromethyl)-
1,4-Benzenedisulfonic acid, 2-amino-
Benzenesulfonic acid, 4-chloro-3-(4,5-
dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)-
[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-,
dihydrochloride
Butanedioic acid, acetyl-, dimethyl ester
2-Naphthalenesulfonic acid, 8-amino-,
monosodium salt
1,5-Naphthalenedisulfonic acid, 2-amino-
1,3-Naphthalenedisulfonic acid, 4-amino-5-
hydroxy-
2-Naphthalenesulfonic acid, 6-amino-7-hydroxy-
2-Naphthalenesulfonic acid, 7-(acetylamino)-4-
hydroxy-
1,3-Naphthalenesulfonic acid, 7-hydroxy-,
potassium salt
1,3,6-Naphthalenetrisulfonic acid, 7-amino-
1,3,6 Naphthalenetrisulfonic acid, 7-amino-,
diammonium salt
1,3,6 Naphthalenetrisulfonic acid, 7-amino-,
disodium salt
1,3,6 Naphthalenetrisulfonic acid, 7-amino-,
sodium salt
1-Naphthalenesulfonic acid, 4-hydroxy-,
monopotassium salt
1-Naphthalenesulfonic acid, 8-(phenylamino)-,
monosodium salt
Spiro[isobenzofuran-1(3H),9'[9H]-xanthen]-3-one,
3',6'-bis(ethylamino)-2',7'-dimethyl-

Annex II (continued)

Section A. Modifications to the HTS. (con.)(3). Effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after September 13, 1995:

Additional U.S. note 5 to chapter 24 is modified as follows:

(a). paragraph (b) of such note is deleted and the following new paragraph (b) is inserted in lieu thereof:

"(b) The subheadings enumerated in subdivision (a) of this note shall not include--

(i) products of Canada, Israel or Mexico, or

(ii) any quantities of tobacco for which duty treatment is claimed under any provision of chapter 98 of this schedule,

and no such articles shall be classifiable in such subheadings."

(b). a new paragraph (e) is added to such note as follows:

"(e) For purposes of this chapter, imported tobaccos that are used to prepare cigarette tobaccos for marketing to the ultimate consumer to make hand-rolled cigarettes, are considered to be tobacco to be used in products other than cigarettes."

(4). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1996:

(a). Modifications to the tariff classification rules ("TCRs") of subdivision (t) of general note 12:

(i). TCR 9(B)(1) for chapter 29 is modified by deleting from such rule "60 per cent" and inserting "60 percent" in lieu thereof.

(ii). TCR 9(B)(2) for chapter 29 is modified by deleting from such rule "50 per cent" and inserting "50 percent" in lieu thereof.

(iii). TCR 195 for chapter 84 is modified by deleting from such rule "item 8471.60.52 or" and inserting "items 8471.60.52 or" in lieu thereof.

(iv). Subparagraph (b) of chapter rule 5 for chapter 85 is modified by deleting from such rule "cathode-ray picture tube" and inserting "cathode-ray television picture tube" in lieu thereof.

(v). TCR 85 for chapter 85 is modified by deleting from such rule "except from tariff items 7011.20.10 and 8540.91.15." and inserting in lieu thereof the following:

"more than one of the following:

(A) tariff item 7011.20.10,

(B) tariff item 8540.91.15."

(vi). The tariff item rule immediately following TCR 85 is modified by deleting from such rule "except from tariff items 7011.20.10 or 8540.91.15." and inserting in lieu thereof the following:

"more than one of the following:

(A) tariff item 7011.20.10,

(B) tariff item 8540.91.15."

Annex II (continued)

Section A. Modifications to the HTS. (con.)(4). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1996: (con.)

(a). Modifications to the tariff classification rules ("TCRs") of subdivision (t) of general note 12: (con.)

(vii). TCR 86 for chapter 85 is modified by:

(A). deleting from such rule "items 8540.12.10, 8540.12.50 or 8540.12.99" and inserting "items 8540.12.10 or 8540.12.50" in lieu thereof.

(B). deleting from such rule "from tariff items 7011.20.10 or 8540.91.15." and inserting in lieu thereof the following:

"more than one of the following:

(A) tariff item 7011.20.10,

(B) tariff item 8540.91.15."

(viii). TCRs 92A(A) and 92K(A) for chapter 85 are modified by deleting "subparagraph (b)" and inserting "subparagraph (B)" in lieu thereof.

(ix). TCR 92C, the tariff item rule immediately following TCR 92C, and TCR 92D for chapter 85 are all modified by deleting from such rules "from tariff items 7011.20.10 or 8540.91.15." and inserting in lieu thereof the following:

"more than one of the following:

(A) tariff item 7011.20.10,

(B) tariff item 8540.91.15."

(x). TCR 92L for chapter 85 is modified by deleting from such rule "tariff items 7011.20.10 or 8540.91.15." and inserting in lieu thereof the following:

"more than one of the following:

(A) tariff item 7011.20.10,

(B) tariff item 8540.91.15."

(xi). TCR 92D to chapter 85 is modified by inserting immediately preceding such TCR the following tariff item rule:

"Tariff item rule: The following rule applies to a good of tariff items 8528.21.41 or 8528.21.42 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass panel referred to in subparagraph (b) of note 5 to chapter 85 and a glass cone provided for in tariff item 7011.20.10."

Annex II (continued)

Section A. Modifications to the HTS. (con.)(4). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1996: (con.)

(b). Subheadings 4412.13.30 and 4412.13.55 are superseded by the following, with bracketed matter included to assist in the understanding of the proclaimed modification:

	[Plywood,...:]			
	[Plywood...:]			
	[With at least one outer ply...:]			
	[Not surface covered,...:]			
	"Other:			
4412.13.40	With at least one outer ply of the following tropical woods: Dark Red Meranti, Light Red Meranti, White Lauan, Sipo, Limba, Okoumé, Obeche, Acajou d'Afrique, Sapelli, Virola, Mahogany, Palissandre de Para, Palissandre de Rio or Palissandre de Rose.....	8%	Free (A*,CA,E, IL,J,MX)	40%
4412.13.50	Other.....	8%	Free (A*,CA,E, IL,J,MX)	40%
	Other:			
4412.13.60	With at least one outer ply of the following tropical woods: Dark Red Meranti, Light Red Meranti, White Lauan, Sipo, Limba, Okoumé, Obeche, Acajou d'Afrique, Sapelli, Virola, Mahogany, Palissandre de Para, Palissandre de Rio or Palissandre de Rose.....	8%	Free (A*,CA,E, IL,J,MX)	40%
4412.13.90	Other.....	8%	Free (A*,CA,E, IL,J,MX)	40%"

Conforming change: General note 4(d) to the HTS is modified by deleting "4412.13.30 Brazil; Indonesia" and "4412.13.55 Brazil; Indonesia" and inserting "4412.13.40 Indonesia", "4412.13.50 Brazil; Indonesia", "4412.13.60 Indonesia" and "4412.13.90 Brazil; Indonesia" in lieu thereof.

(c). The text immediately superior to subheading 4412.22.10 is modified by deleting "clear surface covered" and inserting "surface covered" in lieu thereof.

(d). The Rates of Duty 2 column for subheading 6115.93.90 is modified by deleting the rate of duty set forth in such column and inserting "72%" in lieu thereof.

(e). Additional U.S. note 2 to chapter 84 is modified by deleting the phrase "printers of subheading 8471.92" and inserting the phrase "printers of subheading 8471.60" in lieu thereof.

(f). The article description for subheading 8529.90.53 is modified by deleting "subheadings 8528.10.61, 8528.10.63, 8528.10.67 and 8528.10.69" and inserting "subheadings 8528.12.62, 8528.12.64, 8528.12.68, 8528.12.72, 8528.21.55, 8528.21.60, 8528.21.65, 8528.21.70, 8528.30.62, 8528.30.64, 8528.30.66 and 8528.30.68" in lieu thereof.

(g). Subheading 9905.15.10 is deleted.

Annex II (continued)

Section A. Modifications to the HTS. (con.)(5). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 15, 1996:

Subchapter IV of chapter 99 of the HTS is modified by:

(a). deleting subheadings 9904.02.18 through 9904.02.26, inclusive, and the superior text "Other than processed and the product of the European Community (Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom):" immediately prior to subheading 9904.02.18.

(b). deleting the superior text "Other:" immediately prior to subheading 9904.02.27 and aligning the indent level for the article descriptions of subheadings 9904.02.27 through 9904.02.35, inclusive, with the article description for subheading 9904.02.17.

(c). deleting subheading 9904.02.36 and the superior text "Boneless (other than processed), provided for in subheadings 0201.30.80 or 0202.30.80 and the product of the European Community (Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom):" and "If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:" preceding such subheading.

(d). deleting the article description for subheading 9904.02.37, and inserting "If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture" aligned at the same level of indent for the article description for subheading 9904.04.39.

(6). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after November 1, 1996:

General note 4(d) to the HTS is modified by deleting "3604.10.00 India" and inserting "3604.10.10 India" and "3604.10.90 India" in lieu thereof.

(7). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1997:

(a). The article description of subheading 9905.73.07 is modified by deleting "7306.60.10 or" from such description.

(b). Subheading 9905.73.16 is deleted.

(8). For the following subheadings, the Rates of Duty 1 Special subcolumn is modified on January 1 of each year in the table below by deleting the existing rate of duty preceding the symbol "CA" in parentheses and inserting in lieu thereof the rate of duty specified in the table below for such year.

HTS Subheading	1995	1996	1997	1998
0406.90.59	4.5%	3%	1.5%	Free
2106.90.48	2.7¢/liter	1.8¢/liter	0.9¢/liter	Free
2106.90.58	1.8%	1.2%	0.6%	Free

Annex II (continued)

Section A. Modifications to the HTS. (con.)

(9). For subheadings 0406.90.59 and 5402.41.90, the Rates of Duty 1 Special subcolumn is modified on January 1 of each year in the table below by deleting the existing rate of duty preceding the symbol "MX" in parentheses and inserting in lieu thereof the rate of duty specified in the table below for such year.

HTS Subheading	1995	1996	1997	1998	1999	2000	2001	2002	2003
0406.90.59	12%	10.5%	9%	7.5%	6%	4.5%	3%	1.5%	Free
5402.41.90	7.2%	5.4%	3.6%	1.8%	Free	Free	Free	Free	Free

Section B. Modifications to Sections A, D and F of the Annex to Proclamation 6763 of December 23, 1994.

(1). Modifications to Section A:

(a). Item (144)(a) in such section is modified by deleting from the article description for subheading 2933.90.06 the article " α -Butyl- α -(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitrile (Myclobutanil); and" and inserting " α -Butyl- α -(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitrile (Myclobutanil); and" in lieu thereof.

(b). Item (338)(a) in such section is modified by:

(i). from the Rates of Duty 1 General subcolumn for subheading 9106.90.75 deleting the rate "3.9% on the apparatus + 5.3% on the battery" and inserting "3.9%" in lieu thereof.

(ii). from the Rates of Duty 1 Special subcolumn for subheading 9106.90.75 deleting the rate "1.1% on the apparatus + 1.5% on the battery (CA)" and inserting "1.1% (CA)" in lieu thereof.

(2). Modifications to Section D:

(a). For subheading 2009.30.10 in such section, the years 1995 through 2004, inclusive, are modified by deleting "/liter" and inserting "/kg" in lieu thereof.

(b). For subheading 2206.00.30 in such section, the years 1995 through 2004, inclusive, are modified by adding the expression "on ethyl alcohol content" after "pf. liter".

(3). Modifications to Section F:

(a). For subheadings 2103.90.72, 2103.90.74, 2103.90.80 and 2103.90.90 in such section, the year 1997 is modified by deleting "1.7%" and inserting "0.7%" in lieu thereof.

(b). For subheadings 6217.10.10, 6217.10.90, 6217.90.10 and 6217.90.90 in such section, the years 1996 and 1997 are modified by deleting "2.6%" and "1.3%", respectively, and inserting "3.1%" and "1.5%" in lieu thereof.

Annex II (continued)

Section B. Modifications to Sections A, D and F of the Annex to Proclamation 6763 of December 23, 1994. (con.)

(3). Modifications to Section F: (con.)

(c). For subheading 9106.90.55 in such section, the years 1996 and 1997 are modified by deleting "0.7% on the apparatus 1% on the battery" and "0.3% on the apparatus 0.5% on the battery", respectively, and inserting "0.7% on the apparatus + 1% on the battery" and "0.3% on the apparatus + 0.5% on the battery" in lieu thereof.

(d). For subheading 9106.90.75 in such section, the years 1996 and 1997 are modified by deleting "0.7% on the apparatus 1% on the battery" and "0.3% on the apparatus 0.5% on the battery", respectively, and inserting "0.7%" and "0.3%" in lieu thereof.

Section C. Modification to Section B of Annex II to Proclamation 6821 of September 12, 1995.

Item (7) in section B is modified by deleting such item and inserting the following new item which should read as follows:

"(7) The article description for subheading 2934.90.70 is modified by deleting "2-Methyl-4-isothiazoline-3-one;" from such description and by inserting in alphabetical sequence "2-Methyl-4-isothiazolin-3-one;" in the article description for subheading 2934.10.70."

Section D. Modification to Annex II and III to Proclamation 6857 of December 11, 1995.

(1) Item 273 of Annex II to such proclamation is modified by deleting "hot-working" from the article description of the superior text immediately preceding subheading 8475.21.00 and inserting "hot working" in lieu thereof.

(2) Item (2) in section B of Annex III to such proclamation is modified by deleting "3283.19.20" appearing after "3823.12.00" and inserting "3823.19.20" in lieu thereof.