

**Editorial note.** For the text of the President's letter to the Speaker of the House of Representatives and the President of the Senate, dated Dec. 24, 1987, on the suspension, see the *Weekly Compilation of Presidential Documents* (vol. 23, p. 1553).

**Proclamation 5759 of December 24, 1987**

**Increasing the Rates of Duty on Certain Products of the European Community**

*By the President of the United States of America*

*A Proclamation*

1. I have determined, pursuant to section 301(a) of the Trade Act of 1974, as amended (the Act) (19 U.S.C. 2411), that the "Council Directive Prohibiting the Use in Livestock Farming of Certain Substances Having a Hormonal Action" (the Directive), adopted in December 1985 by the European Community (EC), is inconsistent with the provisions of, or otherwise denies benefits to the United States under, a trade agreement; or is unjustifiable or unreasonable and constitutes a burden or restriction on United States commerce. Unless European Community member states are allowed derogations to continue their present importation practices, the Directive will prohibit imports into the European Community of any meat produced from animals treated with growth hormones, effective January 1, 1988, thereby severely disrupting exports of United States meat to the European Community. The need for such a prohibition is not supported by valid scientific evidence. Accordingly, the United States considers that the Directive constitutes a disguised restriction on international trade.

2. Section 301(a)(1) of the Act (19 U.S.C. 2411(a)(1)) authorizes the President to take all appropriate and feasible action within his power to enforce the rights of the United States under any trade agreement, and to respond to any act, policy, or practice of a foreign government or instrumentality that he determines is inconsistent with the provisions of, or otherwise denies benefits to the United States under, a trade agreement, or is unjustifiable, unreasonable, or discriminatory and burdens or restricts United States commerce. Section 301(b) of the Act (19 U.S.C. 2411(b)) authorizes the President to suspend, withdraw, or prevent the application of benefits of trade agreement concessions with respect to, and to impose duties or other import restrictions on, the products of such foreign government or instrumentality for such time as he determines appropriate. Pursuant to section 301(a)(2) of the Act (19 U.S.C. 2411(a)(2)), such actions can be taken on a nondiscriminatory basis or solely against the foreign government or instrumentality involved. Section 301(d)(1) of the Act (19 U.S.C. 2411(d)(1)) authorizes the President to take action on his own motion.

3. I have decided, pursuant to subsections 301(a), (b), and (d) (1) of the Act, to increase United States imported duties on certain articles the product of the European Community, as described in the Tariff Schedules of the United States and set forth in Annex A to this Proclamation. In the event that the Tariff Schedules of the United States are superseded by the Harmonized Tariff Schedule of the United States, I have decided to increase United States import duties on the articles listed in Annex B that are the product of the European Community. I have fur-

ther determined to suspend the application of increased duties so long as the European Community member states continue their present importation practices with respect to United States exports of relevant meat products.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States, including but not limited to subsections 301(a), (b), and (d) (1) and section 604 of the Act (19 U.S.C. 2483), do proclaim that:

(1) Subpart B of part 2 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is modified as set forth in Annex A to this Proclamation.

(2) In the event that the Tariff Schedules of the United States are superseded by the Harmonized Tariff Schedule of the United States, the latter shall be modified as set forth in Annex B to this Proclamation as of the effective date of that Schedule.

(3) The United States Trade Representative is authorized to suspend, modify, terminate, or terminate the suspension of the increased duties imposed by this Proclamation, upon publication in the **Federal Register**, of his determination that such action is in the interest of the United States.

(4) This Proclamation, including the imposition of increased duties and their immediate suspension, shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 2, 1988.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of Dec., in the year of our Lord nineteen hundred and eighty-seven, and of the Independence of the United States of America the two hundred and twelfth.

RONALD REAGAN

ANNEX A

Subpart B of part 2 of the Appendix to the Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202) is modified by inserting the following new items and superior heading thereto, with the material inserted in the columns entitled "Item", "Articles", "Rates of Duty 1", and "Rates of Duty 2":

"Articles the product of the European Community (Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, and the United Kingdom)			
946.40	Beef, without bone (except offal), fresh, chilled, or frozen (provided for in item 106.10, part 2B, schedule 1).....	100% ad val.	No change
946.41	Pork hams and shoulders, prepared or preserved, not boned and cooked and packed in airtight containers (provided for in item 107.30, part 2B, schedule 1).....	100% ad val.	No change
946.42	Tomatoes (except paste), whether or not reduced in size, packed in salt, in brine, or otherwise prepared or preserved (provided for in items 141.65 and 141.66, part 8C, schedule 1).....	100% ad val.	No change

946.43	Soluble or instant coffee extracts, essences, and concentrates (containing no admixture of sugar, cereal, or other additive) (provided for in item 160.20, part 11A, schedule 1).....	100% ad val.	No change
946.44	Fruit juices not specially provided for, concentrated or not concentrated, whether or not sweetened, not mixed and not containing over 1.0 percent of ethyl alcohol by volume (provided for in item 165.55, part 12A, schedule 1).....	100% ad val.	No change
946.45	Other fermented alcoholic beverages, containing less than 7 percent alcohol by volume (provided for in item 167.50, part 12C, schedule 1).....	100% ad val.	No change
946.46	Pet food packaged for retail sale, of by-products obtained from the milling of grains, mixed feeds, and mixed-feed ingredients (provided for in item 184.70, part 15C, schedule 1).....	100% ad val.	No change
946.47	Intestines, weasands, bladders, tendons, and integuments, not specially provided for (except sheep, lamb, and goat), prepared for use as sausage casings (provided for in item 190.58, part 15F, schedule 1).....	100% ad val.	No change"

## ANNEX B

Subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTS) (19 U.S.C. ) is modified by inserting the following new subheadings and superior description, with the material inserted in the columns entitled "Heading/Subheading", "Article Description", "Rates of Duty 1 General" and "Rates of Duty 2", respectively:

	"Articles the product of the European Community (Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, and the United Kingdom)		
9903.23.00	Beef, without bone (except offal), fresh, chilled, or frozen (provided for in subheadings 0201.30.60, and 0202.30.60).....	100% ad val.	No change
9903.23.05	Pork hams and shoulders (except those that have been boned and cooked and packed in airtight containers), processed or otherwise prepared or preserved (provided for in subheadings 0210.11.00, 1602.41.90, and 1602.42.40).....	100% ad val.	No change
9903.23.10	Intestines, weasands, bladders, tendons and integuments, not specially provided for (except sheep, lamb and goat), prepared for use as sausage casings (provided for in subheading 0504.00.00).....	100% ad val.	No change
9903.23.15	Tomatoes, prepared or preserved otherwise than by the processes specified in chapters 7 or 11 or in heading 2201 (provided for in subheadings 2002.10.00, 2002.29.00, and 2103.20.40).....	100% ad val.	No change
9903.23.20	Soluble or instant coffee extracts, essences and concentrates (containing no admixture of sugar, cereal, or other additive) (provided for in subheading 2101.10.20).....	100% ad val.	No change
9903.23.25	Other fermented alcoholic beverages, containing less than 7 percent alcohol by volume (provided for in subheading 2206.00.90).....	100% ad val.	No change

9903.23.30	Fruit juices not specially provided for, concentrated or not concentrated, whether or not sweetened, not mixed and not containing over 0.5 percent of ethyl alcohol by volume (provided for in subheading 2209.80.60).....	100% ad val.	No change
9903.23.35	Pet food packaged for retail sale, of by-products obtained from the milling of grains, mixed feeds, and mixed-feed ingredients (provided for in subheadings 2309.10.00).....	100% ad val.	No change"

**Editorial note.** For a White House statement, released Dec. 24, 1987, on the duty increases, see the *Weekly Compilation of Presidential Documents* (vol. 23, p. 1556).

**Proclamation 5760 of January 12, 1988**

**Martin Luther King, Jr., Day, 1988**

*By the President of the United States of America  
A Proclamation*

Twenty years ago this coming April, Dr. Martin Luther King, Jr., was slain by an assassin in Memphis, Tennessee. Violence and hatred, the enemies against which he offered an uncompromising message of brotherhood and hope, had claimed another victim in a decade of tumult that plumbed the very spirit of this Nation. Martin Luther King was martyred not only for his beliefs, but for the passionate conviction and consistency with which he espoused them. That those convictions prevailed, that his dream of the death of bigotry did not die with his life's ebbing, offered immutable confirmation of his fervent belief that "unarmed truth and unconditional love will have the final word in reality."

Martin Luther King's leadership was of the same character as his dream. It was larger than personality and broader than history. It bore the stamp of the religious tradition that formed his early life and led him to an assistant pastorage at Ebenezer Baptist Church in Atlanta at age 18. It took anchor in what he called the "magnificent words" of the Declaration of Independence and in the Constitution, words he echoed and to which he so often appealed in his speeches and writings against the cruelty and irrationality of segregation and prejudice. His was leadership that spoke to the best in every person's nature and that never failed, even in the face of curses and threats, iron bars and police lines, to turn men's eyes toward "the bright and glittering daybreak of freedom and justice."

Arrested in a march for desegregation on Good Friday, 1963, Martin Luther King wrote from the Birmingham City Jail of his faith in this ultimate dawning of equality: "We will reach the goal of freedom in Birmingham and all over the nation, because the goal of America is freedom. Abused and scorned though we may be, our destiny is tied up with the destiny of America . . . . If the inexpressible cruelties of slavery could not stop us, the opposition we now face will surely fail. We will win our freedom because the sacred heritage of our nation and the