IMPOSING IMPORT FEES ON SHELLED AND PREPARED ALMONDS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as added by section 31 of the act of August 24, 1935, 49 Stat. 773, reenacted by section 1 of the act of June 3, 1937, 50 Stat. 246, and amended by section 3 of the act of July 3, 1948, 62 Stat. 1248, and section 3 of the act of June 28, 1950, 64 Stat. 261 (7 U. S. C. 624), I caused the United States Tariff Commission to make an investigation to determine whether certain tree nuts are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, certain programs or operations undertaken by the Department of Agriculture with respect to such nuts, or to reduce substantially the amount of any product processed in the United States from such nuts with respect to which any such program or operation is being undertaken; and

2. WHEREAS the Commission instituted such investigation on April 13, 1950, and on November 24, 1950 reported to me that there was at that time no basis for any action under the said section 22 with respect to imports of such nuts, but that it was continuing the investigation; and

3. WHEREAS, after further investigation, including a public hearing, the Commission, on November 28, 1951, reported to me regarding the need for action under the said section 22 in order to protect the programs of the United States Department of Agriculture for the crop year 1951-52 with respect to almonds, pecans, filberts, and walnuts, in which report the Commission found that the imposition of a specified fee on imports of shelled almonds and of blanched, roasted, or otherwise prepared or preserved almonds (not including almond paste) entered, or withdrawn from warehouse, for consumption during the period October 1, 1951 to September 30, 1952, inclusive, in excess of a specified aggregate quantity, was necessary to prevent imports of such almonds from rendering ineffective or materially interfering with the program undertaken by the Department of Agriculture with respect to almonds; and

4. WHEREAS, in accordance with the Commission’s recommendation in the said report of November 28, 1951, on December 10, 1951 I issued a proclamation pursuant to the said section 22 imposing a fee on imports of shelled almonds and on blanched, roasted, or otherwise prepared or preserved almonds entered, or withdrawn from warehouse, for consumption during the period October 1, 1951 to September 30, 1952, inclusive, in excess of a certain aggregate quantity, as specified in the Commission’s recommendation; and

5. WHEREAS the Commission continued the said investigation for the purpose of reporting to the President regarding any later action which might be found to be necessary to carry out the purposes of the said section 22; and
6. WHEREAS, after further investigation, including a hearing, for the purpose of determining what action, if any, should be taken under the said section 22 with respect to imports of certain tree nuts, to prevent imports of such nuts from entering during the 1952-53 crop year under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, programs undertaken by the Department of Agriculture with respect to almonds, filberts, walnuts, or pecans, or to reduce substantially the amount of any product processed in the United States from domestic almonds, filberts, walnuts, or pecans, the Commission reported to me on September 25, 1952 its findings resulting from such investigation; and

7. WHEREAS, on the basis of such further investigation and report of the Commission, I find that shelled almonds, blanched, roasted, or otherwise prepared or preserved almonds (not including almond paste) are practically certain to be imported into the United States during the period October 1, 1952 to September 30, 1953, both dates inclusive, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with the program undertaken by the Department of Agriculture with respect to almonds pursuant to the Agricultural Marketing Agreement Act of 1937, as amended; and

8. WHEREAS I find and declare that the imposition of the fees hereinafter proclaimed are shown by such investigation of the Commission to be necessary in order that the entry of imported shelled almonds, blanched, roasted, or otherwise prepared or preserved almonds (not including almond paste) will not render or tend to render ineffective, or materially interfere with, the said program undertaken by the Department of Agriculture with respect to almonds:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the said section 22 of the Agricultural Adjustment Act, as amended, do hereby proclaim:

That a fee of 5 cents per pound shall be imposed upon shelled almonds and blanched, roasted, or otherwise prepared or preserved almonds (not including almond paste) entered, or withdrawn from warehouse, for consumption during the period October 1, 1952 to September 30, 1953, both dates inclusive, until an aggregate quantity of 7,000,000 pounds of such almonds have been so entered or withdrawn during such period, and a fee of 10 cents per pound shall be imposed upon such almonds entered, or withdrawn from warehouse, for consumption during such period in excess of an aggregate quantity of 7,000,000 pounds: Provided, That in neither case shall the fee be in excess of 50 per centum ad valorem.

The fees imposed by this proclamation shall be in addition to any other duties imposed on the importation of the articles subject to such fees.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.
DONE at the City of Washington this 27th day of September in the year of our Lord nineteen hundred and fifty-two, and of the Independence of the United States of America the one hundred and seventy-seventh.

HARRY S TRUMAN

By the President:
Dean Acheson
Secretary of State.

KOREA—Suspension of Tonnage Duties

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 4228 of the Revised Statutes of the United States, as amended by the act of July 24, 1897, c. 13, 30 Stat. 214 (U. S. C, title 46, sec. 141), provides, in part, as follows:

"Upon satisfactory proof being given to the President, by the government of any foreign nation, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country, the President may issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country; the suspension to take effect from the time of such notification being given to the President, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, shall be continued, and no longer ...";

AND WHEREAS satisfactory proof was received by me from the Government of Korea on October 1, 1952, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of Korea upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in such vessels, from the United States, or from any foreign country:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, by virtue of the authority vested in me by the above-quoted statutory provisions, do hereby declare and proclaim that the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued so far as respects the vessels of Korea and the produce, manufactures, or merchandise imported in said vessels into the United States from Korea or from any other foreign country; the suspension to take effect from October 1, 1952, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued, and no longer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.