

TERMINATING IN PART PROCLAMATION NO. 2761A OF DECEMBER 16, 1947, WITH RESPECT TO CERTAIN POTATOES, AND MAKING RELATED ADJUSTMENTS

May 16, 1957
[No. 3184]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. WHEREAS, pursuant to the authority vested in him by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended (48 Stat. (pt. 1) 943, ch. 474, 57 Stat. (pt. 1) 125, ch. 118, 59 Stat. (pt. 1) 410, ch. 269), the President on October 30, 1947, entered into a trade agreement with certain foreign countries, which trade agreement consists of the General Agreement on Tariffs and Trade and the Protocol of Provisional Application of the General Agreement on Tariffs and Trade, together with a Final Act (61 Stat. (pts. 5 and 6) A7, A11, and A2050);

2. WHEREAS by Proclamation No. 2761A of December 16, 1947 (61 Stat. (pt. 2) 1103), the President proclaimed such modifications of existing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as were then found to be required or appropriate to carry out the said trade agreement specified in the first recital of this proclamation on and after January 1, 1948, which proclamation has been supplemented by the other proclamations listed in the third recital of Proclamation No. 3140 of June 13, 1956 (3 CFR, 1956 Supp., p. 24), by the said proclamation of June 13, 1956, by Proclamation No. 3143 of June 25, 1956 (3 CFR, 1956 Supp., p. 33), by Proclamation No. 3146, of June 29, 1956 (3 CFR, 1956 Supp., p. 35), and by Proclamation No. 3160 of September 28, 1956 (3 CFR, 1956 Supp., p. 44);

3. WHEREAS items 771 [first] and 771 [second], and the appropriate headings, in Part I of Schedule XX annexed to the said General Agreement on Tariffs and Trade, which items were given effect by the said proclamation of December 16, 1947, read as follows:

69 Stat. 162.
19 USC 1351.

70 Stat. c33.

70 Stat. c44.

70 Stat. c47.

70 Stat. c49.

"Tariff Act of 1930, paragraph	Description of Products	Rate of duty
771	White or Irish seed potatoes, certified by a responsible officer or agency of a foreign government in accordance with the official rules and regulations of that government to have been grown and approved especially for use as seed, in containers marked with the foreign government's official certified seed potato tags	37½¢ per 100 lb.
	<i>Provided</i> , That the quantity of such potatoes entitled to entry at such rate of duty shall not exceed—	
	for the period from January 1 to September 14, inclusive, in 1948, 2,500,000 bushels of 60 pounds each, less the quantity of such potatoes entered and subject to duty at a tariff-quota rate during the period from September 15 to December 31, inclusive, in 1947, or for any 12-month period beginning on September 15 in 1948 or any subsequent year, 2,500,000 bushels of 60 pounds each; and any such potatoes not subject to that rate of duty shall be dutiable at	75¢ per 100 lb.

Tariff Act of 1930, paragraph	Description of Products	Rate of duty
771	White or Irish potatoes, other than certified seed potatoes, as defined in the preceding item----- <i>Provided</i> , That the quantity of such potatoes entitled to entry at such rate of duty shall not exceed— for the period from January 1 to September 14, inclusive, in 1948, 1,000,000 bushels of 60 pounds each, less the quantity of such potatoes entered and subject to duty at a tariff-quota rate during the period from September 15 to December 31, inclusive, in 1947, or for any 12-month period beginning on September 15 in 1948 or any subsequent year, 1,000,000 bushels of 60 pounds each; and any such potatoes not subject to that rate of duty shall be dutiable at-----	37½¢ per 100 lb.
	<i>Provided further</i> , That if for any calendar year the production of white or Irish potatoes, including seed potatoes, in the United States, according to the estimate made as of September 1 by the United States Department of Agriculture, is less than 350,000,000 bushels of 60 pounds each, an additional quantity of such potatoes, other than certified seed potatoes, equal to the amount by which such estimated production is less than 350,000,000 bushels may be entered during the 12-month period beginning on September 15 of that year at-----	75¢ per 100 lb.
	<i>Provided further</i> , That in computing the quantities of imports specified in the two foregoing provisos white or Irish potatoes produced in the Republic of Cuba shall not be included.”;	37½¢ per 100 lb.

4. WHEREAS agreement for the partial withdrawal of the said items 771 [first] and 771 [second], so that they would be applied as though they read as follows, has been reached as compensatory adjustment, under paragraph 1 of Article XXVIII of the said General Agreement on Tariffs and Trade, for a modification thereunder by Canada of its tariff concession on potatoes in the said General Agreement on Tariffs and Trade:

Tariff Act of 1930, paragraph	Description of Products	Rate of duty
“771	White or Irish seed potatoes, certified by a responsible officer or agency of a foreign government in accordance with the official rules and regulations of that government to have been grown and approved especially for use as seed, in containers marked with the foreign government's official certified seed potato tags----- <i>Provided</i> , That not more than 1,900,000 bushels of 60 pounds each of such potatoes entered during any 12-month period beginning on September 15 in any year shall be dutiable at 37½ cents per 100 pounds; and any such potatoes entered during any such 12-month period in excess of 2,500,000 bushels of 60 pounds each shall be dutiable at-----	37½¢ per 100 lb.
		75¢ per 100 lb.

6. WHEREAS, pursuant to the authority vested in him by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended, the President on October 30, 1947, entered into an exclusive trade agreement with the Government of the Republic of Cuba (61 Stat. (pt. 4) 3699), which exclusive trade agreement includes certain portions of other documents made a part thereof and provides for the treatment in respect of ordinary customs duties of products of the Republic of Cuba imported into the United States of America;

19 USC 1351.

7. WHEREAS by Proclamation No. 2764 of January 1, 1948 (62 Stat. (pt. 2) 1465), the President proclaimed such modifications of existing duties and other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as were then found to be required or appropriate to carry out the said agreement specified in the sixth recital of this proclamation on and after January 1, 1948, which proclamation has been supplemented by Proclamation No. 3105, of July 22, 1955 (69 Stat. c44), by the other proclamations listed in the thirteenth recital of the said proclamation of June 13, 1956, and by the said proclamation of June 13, 1956; and

8. WHEREAS, in view of the partial termination of the said proclamation of December 16, 1947, pursuant to the agreement referred to in the fourth recital of this proclamation, provided for in Part I of this proclamation, I determine that it is required or appropriate to carry out the said exclusive trade agreement specified in the sixth recital of this proclamation that the following new item be inserted, in numerical order, in the list set forth in the sixteenth recital of the said proclamation of July 22, 1955, as amended by the said proclamation of June 13, 1956:

Tariff Act
of 1930,
paragraph

Description of Products

Rate of duty

"771

White or Irish potatoes, other than certified seed potatoes as defined in item 771 [first] in Part I of Schedule XX to the General Agreement on Tariffs and Trade (Geneva—1947), as modified, entered at any time, other than during the period December 1 to the last day of the following February, inclusive, if at the time such potatoes are entered the quantity of such potatoes (other than the product of Cuba) which had theretofore been entered after the preceding September 14 exceeds 600,000 bushels of 60 pounds each, but does not exceed 1,000,000 bushels of 60 pounds each

67½¢ per lb.

Post, p. c48.

Provided, That if for any calendar year the production of white or Irish potatoes, including seed potatoes, in the United States, according to the estimate made as of September 1 by the United States Department of Agriculture, is less than 350,000,000 bushels of 60 pounds each, an additional quantity of such potatoes, other than certified seed potatoes, equal to the amount by which such estimated production is less than 350,000,000 bushels shall be added to each of the quantities specified in this item for the purpose of determining the application of the rate provided for in this item during that part of the 12-month period, beginning on September 15 of that year, to which this item is applicable.":

Potatoes.
Modification of im-
port duties, etc.

19 USC 1351.

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended, do proclaim, effective on and after September 15, 1957, as follows:

Part I

In accordance with the agreement specified in the fourth recital of this proclamation, the said items 771 [first] and 771 [second] set forth in the third recital of this proclamation are withdrawn in part and the said proclamation of December 16, 1947, is terminated in part so far as it relates to potatoes provided for in such items but not provided for in the same items as set forth in the fourth recital of this proclamation, with the result that the said proclamation of December 16, 1947, shall be applied as though the said items 771 [first] and 771 [second] read as set forth in the fourth recital of this proclamation.

Part II

To the end that the trade agreement specified in the first recital of this proclamation may be carried out, the list set forth in the thirteenth recital of the said proclamation of June 13, 1956, as amended, shall be further amended by the insertion therein of the new item as set forth in the fifth recital of this proclamation.

Post, p. C48.

Part III

To the end that the exclusive trade agreement specified in the sixth recital of this proclamation may be carried out, the list set forth in the thirteenth recital of the said proclamation of July 22, 1955, as amended, shall be further amended by the insertion therein of the new item as set forth in the eighth recital of this proclamation.

Post, p. C48.

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 16th day of May in the year of our Lord nineteen hundred and fifty-seven, and of the [SEAL] Independence of the United States of America the one hundred and eighty-first.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
Secretary of State.

PRAYER FOR PEACE, MEMORIAL DAY, 1957

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS Memorial Day each year has long provided a fitting occasion upon which to honor our fellow citizens who have given their lives for us in war; and

WHEREAS the remembrance of their endless sacrifice impels us to seek divine guidance as we continue their search for a just and lasting peace; and

WHEREAS to this end the Congress, in a joint resolution approved May 11, 1950 (64 Stat. 158), provided that May 30, Memorial Day, should thenceforth be set aside nationally as a day of prayer for permanent peace, and requested that the President issue a proclamation calling upon the people to observe each Memorial Day in that manner: