

Proclamation 3790

PROCLAMATION AMENDING PART 3 OF THE APPENDIX TO THE TARIFF SCHEDULES OF THE UNITED STATES WITH RESPECT TO THE IMPORTATION OF AGRICULTURAL COMMODITIES

June 30, 1967

By The President of the United States of America

A Proclamation

64 Stat. 261.

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

76 Stat. 73.
19 USC prec.
1202 note.

77 Stat. 1017.
77A Stat. 441.
19 USC 1202.

WHEREAS, in accordance with section 102(3) of the Tariff Classification Act of 1962, the President by Proclamation No. 3548 of August 21, 1963, proclaimed the additional import restrictions set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

77 Stat. 1028.

77 Stat. 1032.

78 Stat. 1249.

80 Stat. 1767.
19 USC 1202
note.

WHEREAS the import restrictions on certain dairy products set forth in part 3 of the Appendix to the Tariff Schedules of the United States as proclaimed by Proclamation No. 3548 have been amended by Proclamation No. 3558 of October 5, 1963, Proclamation No. 3562 of November 26, 1963, Proclamation No. 3597 of July 7, 1964, section 88 of the Tariff Schedules Technical Amendments Act of 1965 (79 Stat. 950), and Proclamation No. 3709 of March 31, 1966; and

WHEREAS, pursuant to said section 22 the Secretary of Agriculture advised me there was reason to believe that the dairy products described hereinafter are being imported, and are practically certain to be imported, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat;

WHEREAS, at my request, the United States Tariff Commission has made an investigation under the authority of section 22 of the Agricultural Adjustment Act, as amended, with respect to this matter and related questions outlined in my request for an investigation and has reported to me its findings and recommendations made in connection therewith; and

WHEREAS, on the basis of such investigation and report, I find that the articles described below are being imported and are practically certain to be imported into the United States under such conditions and in such quantities as to materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat:

(1) American-type cheese, including Colby, washed curd, and granular cheese (but not including Cheddar) and cheese and substitutes for cheese containing, or processed from, such American-type cheese;

(2) Articles containing over 5.5 percent but not over 45 percent by weight of butterfat which are classifiable for tariff purposes under item 182.91 of the Tariff Schedules of the United States (TSUS), the butterfat content of which is commercially extractable, or which are capable of being used for any edible purpose (except articles packaged for distribution in the retail trade and ready for use by the purchaser at retail for an edible purpose or in the preparation of an edible article); and

77A Stat. 78.
19 USC 1202.

(3) Milk and cream, fluid or frozen, fresh or sour, containing over 5.5 percent but not over 45 percent by weight of butterfat; and

WHEREAS, on the basis of such investigation and report, I find and declare that for the purpose of the first proviso to section 22(b) of the Agricultural Adjustment Act, as amended, the representative period for imports of such articles is the calendar years 1961-1965; and

64 Stat. 261.
7 USC 624.

WHEREAS, on the basis of such investigation and report, I find and declare that changed circumstances require that the section 22 quotas on dairy products be changed to a calendar year basis, with semi-annual allocations when the yearly quota is periodically allocated; and

WHEREAS, at my request, the United States Tariff Commission has also made an investigation under the authority of section 22 of the Agricultural Adjustment Act, as amended, to determine whether an additional quantity of Cheddar cheese could be imported without materially interfering with the price support program and has reported to me its findings and recommendations made in connection therewith; and

WHEREAS, on the basis of such investigation and report, I find and declare that changed circumstances require the modification, as hereinafter proclaimed, of the quota on Cheddar cheese, and cheese and substitutes for cheese containing, or processed from, Cheddar cheese; and

WHEREAS, on the basis of such investigations and reports, I find and declare that the imposition of the import restrictions hereinafter proclaimed is necessary in order that the entry, or withdrawal from warehouse, for consumption of such articles will not render or tend to render ineffective, or materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat;

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that part 3 of the Appendix to the Tariff Schedules of the United States is amended as follows:

76 Stat. 72.
19 USC prec.
1202 note.
77A Stat. 441.
19 USC 1202.

(1) headnote 3(a) is revised to read as follows:

3. (a) *Dairy Products.*

(i) imported articles subject to the import quotas provided for in items 950.01 through 950.11, except 950.06, may be entered only by or for the account of a person or firm to whom a license has been issued by or under the authority of the Secretary of Agriculture, and only in accordance with the terms of such license; except that no such license shall be required for up to 1,225,000 pounds per quota year of natural Cheddar cheese made from unpasteurized milk and aged not less than 9 months which prior to exportation has been certified to meet such requirements by an official of a government agency of the country where the cheese was produced, of which amount not more than 612,500 pounds may be entered during the period July 1, 1967, through December 31, 1967, or during the first six months of a quota year. Such licenses shall be issued under regulations of the Secretary of Agriculture which he determines will, to the fullest extent practicable, result in (1) the equitable distribution of the respec-

tive quotas for such articles among importers or users and (2) the allocation of shares of the respective quotas for such articles among supplying countries, based upon the proportion supplied by such countries during previous representative periods, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned. No licenses shall be issued which will permit entry during the first six months of a quota year of more than one-half of the quantities specified for any of the cheeses or substitutes for cheese (items 950.07 through .10) in the column entitled "Quota Quantity."

77A Stat. 442.
19 USC 1202.

(ii) not more than 4,406,250 pounds of the quota quantity specified for articles under item 950.08A for the period July 1, 1967, through December 31, 1967, and not more than 8,812,500 pounds of the annual quota quantity specified in such item for each subsequent 12-month period shall be products other than natural Cheddar cheese made from unpasteurized milk and aged not less than 9 months,

(2) the superior heading preceding items 950.00 through 950.13 of part 3 is changed to read as follows:

Whenever, in any 12-month period beginning January 1 in any year, the respective aggregate quantity specified below for one of the numbered classes of articles has been entered, no article in such class may be entered during the remainder of such period:

(3) item 950.00 is added preceding item 950.01 which reads as follows:

950.00	Milk and cream, fluid or frozen, fresh or sour, containing over 5.5 percent but not over 45 percent by weight of butterfat:	
	For the 12-month period ending December 31, 1967:	
	NEW ZEALAND-----	the quantity entered on or before June 30, 1967, plus 750,000 gallons
	OTHER -----	NONE
	For each subsequent year	
	NEW ZEALAND-----	1,500,000 gallons
	OTHER -----	NONE

(4) item 950.08A is amended to read as follows:

950.08A	Cheddar cheese, and cheese and substitutes for cheese containing, or processed from, Cheddar cheese:	
	For the 12-month period ending December 31, 1967-----	the quantity entered on or before June 30, 1967, plus 5,018,750 pounds (See headnote 3(a) (ii) of this part)
	For each subsequent 12-month period----	10,037,500 pounds (See headnote 3(a) (ii) of this part)

(5) item 950.08B is added following item 950.08A, which reads as follows:

950.08B	American-type cheese, including Colby, washed curd, and granular cheese (but not including Cheddar) and cheese and substitutes for cheese containing, or processed from, such American-type cheese:	
	For the 12-month period ending December 31, 1967-----	the quantity entered on or before June 30, 1967, plus 3,048,300 pounds
	For each subsequent 12-month period----	6,096,600 pounds

(6) item 950.12 is divided into two items and is amended to read as follows:

Articles containing over 5.5 percent by weight of butterfat, the butterfat content of which is commercially extractable, or which are capable of being used for any edible purpose (except articles provided for in subparts A, B, C or item 118.30, of part 4, Schedule 1, and except articles imported packaged for distribution in the retail trade and ready for use by the purchaser at retail for an edible purpose or in the preparation of an edible article):

950.12 Over 45 percent by weight of butterfat----- NONE

950.13 Over 5.5 percent but not over 45 percent by weight of butterfat and classifiable for tariff purposes under item 182.91:

For the 12-month period ending December 31, 1967:

AUSTRALIA ----- the quantity entered on or before June 30, 1967, plus 1,120,000 pounds

BELGIUM and DENMARK

OTHER----- NONE
(aggregate) ----- the quantity entered on or before June 30, 1967, plus 170,000 pounds

For each subsequent 12-month period:

AUSTRALIA ----- 2,240,000 pounds

BELGIUM and DENMARK

OTHER----- NONE
(aggregate) ----- 340,000 pounds

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 30th day of June in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-first.



By the President:

Dean Rusk
Secretary of State.

Proclamation 3791

WORLD LAW DAY, 1967

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

July 3, 1967

Our Nation is committed to the Rule of Law. A government of laws, rather than of men, is the very essence of our society.

The Rule of Law, in our tradition, demands that