

reached by the Secretary of Commerce as a result of the study conducted under subsection (a) of this section. Such report shall be referred to the appropriate committees of the House of Representatives and of the Senate.

(Pub. L. 100-418, title I, §1381, Aug. 23, 1988, 102 Stat. 1224.)

§ 3111. International obligations

Nothing in this chapter may be construed to require actions inconsistent with the international obligations of the United States, including the WTO Agreement and the multilateral trade agreements (as such terms are defined in paragraphs (9) and (4), respectively, of section 3501 of this title).

(Pub. L. 100-418, title I, §1382, Aug. 23, 1988, 102 Stat. 1224; Pub. L. 103-465, title VI, §621(a)(7), Dec. 8, 1994, 108 Stat. 4993.)

AMENDMENTS

1994—Pub. L. 103-465 substituted “the WTO Agreement and the multilateral trade agreements (as such terms are defined in paragraphs (9) and (4), respectively, of section 3501 of this title)” for “the General Agreement on Tariffs and Trade”.

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective on the date on which the WTO Agreement enters into force with respect to the United States [Jan. 1, 1995], see section 621(b) of Pub. L. 103-465, set out as a note under section 1677k of this title.

CHAPTER 20—ANDEAN TRADE PREFERENCE

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§ 3201. Authority to grant duty-free treatment

The President may proclaim duty-free treatment for all eligible articles from any beneficiary country in accordance with the provisions of this chapter.

(Pub. L. 102-182, title II, §202, Dec. 4, 1991, 105 Stat. 1236.)

EFFECTIVE DATE AND TERMINATION OF DUTY-FREE TREATMENT

Chapter effective Dec. 4, 1991, and duty-free treatment to expire no later than 10 years after such date, see section 3206 of this title.

SHORT TITLE

Section 201 of title II of Pub. L. 102-182 provided that: “This title [enacting this chapter] may be cited as the ‘Andean Trade Preference Act.’”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3203 of this title.

§ 3202. Beneficiary country

(a) Definitions

For purposes of this chapter—

(1) The term “beneficiary country” means any country listed in subsection (b)(1) of this section with respect to which there is in effect a proclamation by the President designating such country as a beneficiary country for purposes of this chapter.

(2) The term “entered” means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(3) The term “HTS” means Harmonized Tariff Schedule of the United States.

(b) Countries eligible for designation; congressional notification

(1) In designating countries as beneficiary countries under this chapter, the President shall consider only the following countries or successor political entities:

- Bolivia
- Ecuador
- Colombia
- Peru.

(2) Before the President designates any country as a beneficiary country for purposes of this chapter, he shall notify the House of Representatives and the Senate of his intention to make such designation, together with the considerations entering into such decision.

(c) Limitations on designation

The President shall not designate any country a beneficiary country under this chapter—

- (1) if such country is a Communist country;
- (2) if such country—

(A) has nationalized, expropriated or otherwise seized ownership or control of property owned by a United States citizen or by a corporation, partnership, or association which is 50 percent or more beneficially owned by United States citizens,

(B) has taken steps to repudiate or nullify—

- (i) any existing contract or agreement with, or
- (ii) any patent, trademark, or other intellectual property of,

a United States citizen or a corporation, partnership, or association, which is 50 percent or more beneficially owned by United States citizens, the effect of which is to nationalize, expropriate, or otherwise seize ownership or control of property so owned, or

(C) has imposed or enforced taxes or other exactions, restrictive maintenance or oper-