

106TH CONGRESS
2D SESSION

H. R. 5423

To amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2000

Mr. SIMPSON (for himself, Mr. ABERCROMBIE, Mr. BAKER, Mr. BARCIA, Mr. BARRETT of Nebraska, Mrs. CHENOWETH-HAGE, Mr. COMBEST, Mrs. CUBIN, Mr. FOLEY, Mr. HASTINGS of Florida, Mr. HASTINGS of Washington, Mr. JEFFERSON, Mr. JOHN, Ms. KAPTUR, Mr. MINGE, Mrs. MINK of Hawaii, Mr. NETHERCUTT, Mr. POMEROY, Mr. SCHAFFER, Mr. TAUZIN, and Mrs. THURMAN) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PREVENTION OF CIRCUMVENTION OF SUGAR**

4 **TARIFF-RATE QUOTAS.**

5 (a) ANTICIRCUMVENTION.—

6 (1) AMENDMENT TO ADDITIONAL U.S.

7 NOTES.—Additional U.S. Note 5(a)(i) of chapter 17

1 of the Harmonized Tariff Schedule of the United
2 States is amended—

3 (A) in the first sentence, by striking “and
4 2106.90.44,” and inserting “1702.90.40, and
5 2106.90.44, and any other article (other than
6 an article classified under subheading 1701.11
7 or 1701.12) that is entered, or withdrawn from
8 warehouse for consumption, if the article is sub-
9 sequently used for the commercial extraction or
10 production of sugar for human consumption, or
11 the article is otherwise used in any manner that
12 circumvents any quota imposed pursuant to the
13 notes to this chapter,”; and

14 (B) in the second sentence, by striking
15 “and molasses” and inserting “, molasses, and
16 other articles,”.

17 (2) RATE OF DUTY.—The rate of duty in effect
18 under subheading 1701.99.10 or 1701.99.50 of the
19 Harmonized Tariff Schedule of the United States,
20 on the date of entry of articles described in the ap-
21 plicable subheading shall apply to any article which
22 the Secretary of the Treasury determines is circum-
23 venting the tariff-rate quota relating to articles de-
24 scribed in the applicable subheading.

1 (b) CONFORMING AMENDMENT.—Chapter 17 of the
 2 Harmonized Tariff Schedule of the United States is
 3 amended by striking subheading 1702.90.40 and inserting
 4 in numerical sequence the following new subheadings:

“	1702.90.40	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions	3.6606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 3.143854¢/kg	Free (A*, CA, E*, IL, J, MX)	6.58170¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 5.031562¢/kg	”.
	1702.90.45	Other	35.74¢/kg	28.247¢/kg less 0.4¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 18.256¢/kg (MX)	42.05¢/kg	

5 (c) EFFECTIVE DATE.—The amendments made by
 6 this section apply to goods entered, or withdrawn from
 7 warehouse for consumption, on or after the 15th day after
 8 the date of enactment of this Act.

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