

107TH CONGRESS
1ST SESSION

S. 753

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

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2001

Mr. BREAUX (for himself, Mr. CRAIG, Mr. DORGAN, Mr. BURNS, Mr. CONRAD, Mr. ENZI, Ms. LANDRIEU, Mr. THOMAS, Mr. GRAHAM Mr. CRAPO, Mr. BAUCUS, Mr. NELSON of Nebraska, Mr. DAYTON, Mr. INOUE, Mr. AKAKA, Mr. ALLARD, and Mr. HARKIN) introduced the following bill; which was read twice and referred to the Committee on Finance

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 UNITED
7 STATES NOTES.—Additional United States Note

1 5(a)(i) of chapter 17 of the Harmonized Tariff
2 Schedule of the United 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7 or 1701.12) that is entered, or withdrawn from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 (3) ANIMAL FEED AND RUM.—Notwithstanding
 2 any other provision of law, no tariff-rate quota may
 3 be imposed under Additional United States Note
 4 5(a)(i) of chapter 17 of the Harmonized Tariff
 5 Schedule, on molasses that is used for animal con-
 6 sumption or for the production of rum in the United
 7 States.

8 (b) CONFORMING AMENDMENT.—Chapter 17 of the
 9 Harmonized Tariff Schedule of the United States is
 10 amended by striking subheading 1702.90.40 and inserting
 11 in numerical sequence the following new subheadings:

“	1702.90.40	Described in additional United States 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	24.716¢/kg less 0.35¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 15.973¢/kg (MX)	42.05¢/kg	

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 13 this section apply to goods entered, or withdrawn from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

