

## APPENDIX A

### TARIFF RATE QUOTAS OF THE UNITED STATES

1. This Appendix sets out modifications to the Harmonized Tariff Schedule of the United States (HTSUS) that reflect the tariff rate quotas (TRQs) that the United States shall apply to certain originating goods under this Agreement. In particular, originating goods of Parties included under this Appendix shall be subject to the rates of duty set out in this Appendix in lieu of the rates of duty specified in Chapters 1 through 97 of the HTSUS. Notwithstanding any other provision of the HTSUS, originating goods of Parties in the quantities described in this Appendix shall be permitted entry into the territory of the United States as provided in this Appendix. Furthermore, except as provided below, any quantity of originating goods imported from a Party under a TRQ provided for in this Appendix shall not be counted toward the in-quota quantity of any TRQ provided for such goods under the United States' WTO tariff Schedule or any other trade agreement.

2. Except as provided below, the United States shall administer all TRQs provided for in this Agreement and set out in this Appendix on a first-come, first-served basis.

3. The product or products covered by each TRQ set out below are informally described in the title to the paragraph setting out the TRQ. These titles are included solely to assist readers in understanding this Appendix and shall not alter or supersede the coverage for each TRQ established by reference to the relevant Table 1 provisions. For the purposes of this Appendix, the term "metric tonnes" shall be abbreviated as "MT".

4. Each TRQ set out in this Appendix shall apply to an aggregate quantity of originating goods of the Party identified in the first subparagraph of the paragraph setting out the TRQ. For the purposes of this Appendix, an originating good shall, except as otherwise specified in the paragraph setting out a TRQ, be deemed to be of the Party identified in the first subparagraph of the paragraph setting out the TRQ if the United States would apply for that good the rate of customs duty for the originating good of that Party pursuant to:

- (a) paragraph 8 in Section B (Tariff Differentials) of Annex 2-D (Tariff Commitments), if the relevant tariff item is not listed in Appendix C (Tariff Differentials) to the Schedule of the United States to Annex 2-D (Tariff Commitments); or
- (b) paragraph 1 or paragraph 2(a), as applicable, of Appendix C (Tariff Differentials) to the Schedule of the United States to Annex 2-D

(Tariff Commitments), if the relevant tariff item is listed in that Appendix.

**5. CSQ-US1: Raw Sugar – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific TRQ for the originating goods of Australia described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US1”.
- (b) Except as provided in subparagraph (c), the aggregate quantity of originating goods of Australia described in subparagraph (e) that shall be permitted to enter free of duty in each year is 60,500 MT. This quantity shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.
- (c) In any year in which the United States Secretary of Agriculture (the Secretary) makes a determination to permit the importation into the United States at in-quota tariff rates of additional quantities of raw sugar above the quantities made available at those rates pursuant to its commitments under the WTO Agreement and other trade agreements, including this Agreement, (“additional in-quota rate imports of raw sugar”), the quantity set out for that year in subparagraph (b) shall be increased by an amount equal to 14.7 per cent of the quantity of additional in-quota rate imports of raw sugar that the Secretary determines to permit to enter into the United States in that year. Any increase pursuant to this subparagraph of a quantity set out in subparagraph (b) shall not take effect until the date on which the additional in-quota rate imports of raw sugar are permitted entry into the United States. Nothing in this paragraph shall alter Australia’s rights under the WTO Agreement with respect to any increase by the United States of the quantities of raw sugar permitted to be imported above the quantities made available at in-quota tariff rates pursuant to its commitments under the WTO Agreement and other trade agreements, including this Agreement.
- (d) Goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) and (c) shall continue to receive MFN tariff treatment.
- (e) Subparagraphs (a) through (d) apply to the following Table 1 provisions: AG17011250, AG17011350 and AG17011450.

**6. CSQ-US2: Sugar and Sugar-Containing Products – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Australia described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US2”.
- (b) The aggregate quantity of originating goods of Australia described in subparagraph (d) that shall be permitted to enter free of duty in each year is 4,500 MT.

The above quantity shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.

- (c) Goods entered in aggregate quantities in excess of the quantity listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG17011250, AG17011350, AG17011450, AG17019130, AG17019148, AG17019158, AG17019950, AG17022028, AG17023028, AG17024028, AG17026028, AG17029020, AG17029058, AG17029068, AG17049068, AG17049078, AG18061015, AG18061028, AG18061038, AG18061055, AG18061075, AG18062073, AG18062077, AG18062094, AG18062098, AG18069039, AG18069049, AG18069059, AG19012025, AG19012035, AG19012060, AG19012070, AG19019054, AG19019058, AG21011238, AG21011248, AG21011258, AG21012038, AG21012048, AG21012058, AG21039078, AG21069046, AG21069072, AG21069076, AG21069080, AG21069091, AG21069094 and AG21069097.

**7. CSQ-US3: Creams and Ice Cream – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Australia described in subparagraph (f). The TRQ set out in this paragraph is designated in the Schedule of the

United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US3”.

- (b) In the year of entry into force of this Agreement as between the United States and Australia, the aggregate quantity of originating goods of Australia described in subparagraph (f) that shall be permitted to enter free of duty shall be equal to the volume permitted duty-free entry for that year under paragraph (4) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement, reduced by 3,880,500 litres.

In each year thereafter, the quantity shall increase at a compounded annual growth rate of six per cent.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.

- (c) In the year of entry into force of this Agreement as between the United States and Australia, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during the year under paragraph (4) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement.
- (d) With respect to goods described in subparagraph (f) entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) and (c):
  - (i) for those goods provided for in Table 1 provision AG21050020, duties shall be removed in accordance with the provisions of staging category US18 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments); and
  - (ii) goods provided for in any other Table 1 provision shall continue to receive MFN tariff treatment.
- (e) Starting on January 1 of year 15, originating goods of Australia provided for in Table 1 provision AG21050020 shall not count towards the quantities specified in subparagraph (b).
- (f) Subparagraphs (a) through (d) apply to the following Table 1 provisions: AG04014025, AG04015025, AG04039016 and

AG21050020.

- (g) Subparagraph (e) applies to the following Table 1 provision: AG21050020.

**8. CSQ-US4: Condensed Milk – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Australia described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US4”.
- (b) In the year of entry into force of this Agreement as between the United States and Australia, the aggregate quantity of originating goods of Australia described in subparagraph (e) that shall be permitted to enter free of duty shall be equal to the volume permitted duty-free entry for that year under paragraph (6) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement, reduced by 5,000 MT.

In each year thereafter, the quantity shall increase at a compounded annual growth rate of six per cent.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.

- (c) In the year of entry into force of this Agreement as between the United States and Australia, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during the year under paragraph (6) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement.
- (d) Goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) and (c) shall continue to receive MFN tariff treatment.
- (e) Subparagraphs (a) through (d) apply to the following Table 1 provisions: AG04029170, AG04029190, AG04029945 and AG04029955.

9. **CSQ-US5: Butter – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Australia described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US5”.
- (b) The aggregate quantity of originating goods of Australia described in subparagraph (e) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
2016	2,076
2017	2,139
2018	2,203
2019	2,269
2020	2,337
2021	2,407

Starting in 2022, the quantity shall increase at a compounded annual growth rate of three per cent.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.

- (c) In the year of entry into force of this Agreement as between the United States and Australia, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during the year under paragraph (7) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement.
- (d) Goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) and (c) shall continue to receive MFN tariff treatment.
- (e) Subparagraphs (a) through (d) apply to the following Table 1 provisions: AG04015075, AG04022190, AG04039065, AG04039078, AG04051020, AG04052030, AG04059020, AG21069026 and AG21069036.

**10. CSQ-US6: Milk Powders – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Australia described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US6”.
- (b) In the year of entry into force of this Agreement as between the United States and Australia, the aggregate quantity of originating goods of Australia described in subparagraph (e) that shall be permitted to enter free of duty shall be equal to the combined volumes permitted duty-free entry for that year under paragraphs (8) and (10) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement.

In each year thereafter, the quantity shall increase at a compounded annual growth rate of two per cent.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.

- (c) In the year of entry into force of this Agreement as between the United States and Australia, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during the year under paragraphs (8) and (10) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement.
- (d) Duties on goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) and (c) shall be removed in accordance with the provisions of staging category US24 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments).
- (e) Subparagraphs (a) through (d) apply to the following Table 1 provisions: AG04021050, AG04022125, AG04022150, AG04039045, AG04039055, AG04041090, AG23099028 and AG23099048.

**11. CSQ-US7: Other Dairy Products – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Australia described in subparagraph (f). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US7”.
- (b) The aggregate quantity of originating goods of Australia described in subparagraph (f) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
2016	2,847
2017	3,018
2018	3,199
2019	3,391
2020	3,595
2021	3,811

Starting in 2022, the quantity shall increase at a compounded annual growth rate of six per cent.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.

- (c) In the year of entry into force of this Agreement as between the United States and Australia, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during the year under paragraph (12) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement.
- (d) With respect to goods described in subparagraph (f) entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) and (c):
- (i) for those goods provided for in Table 1 provisions AG19011030, AG19011040, AG19011075 and AG19011085, duties shall be removed in accordance with



the provisions of staging category B15 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments); and

- (ii) goods provided for in any other Table 1 provision shall continue to receive MFN tariff treatment.
- (e) Starting on January 1 of year 15, originating goods of Australia provided for in Table 1 provisions AG19011030, AG19011040, AG19011075 and AG19011085 shall not count towards the quantities specified in subparagraph (b).
- (f) Subparagraphs (a) through (d) apply to the following Table 1 provisions: AG04022950, AG04029990, AG04031050, AG04039095, AG04041015, AG04049050, AG04052070, AG15179060, AG17049058, AG18062026, AG18062028, AG18062036, AG18062038, AG18062082, AG18062083, AG18062087, AG18062089, AG18063206, AG18063208, AG18063216, AG18063218, AG18063270, AG18063280, AG18069008, AG18069010, AG18069018, AG18069020, AG18069028, AG18069030, AG19011030, AG19011040, AG19011075, AG19011085, AG19012015, AG19012050, AG19019043, AG19019047, AG21050040, AG21069009, AG21069066, AG21069087, and AG22029028.
- (g) Subparagraph (e) applies to the following Table 1 provisions: AG19011030, AG19011040, AG19011075 and AG19011085.

## **12. CSQ-US8: American and Cheddar Cheeses – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Australia described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US8”.
- (b) In the year of entry into force of this Agreement as between the United States and Australia, the aggregate quantity of originating goods of Australia described in subparagraph (e) that shall be permitted to enter free of duty shall be equal to the combined volumes permitted duty-free entry for that year under paragraphs (14) and (16) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement, plus 4,500 MT.

In each year thereafter, the quantity shall increase at a compounded annual growth rate of three per cent.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.

- (c) In the year of entry into force of this Agreement as between the United States and Australia, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during the year under paragraphs (14) and (16) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement.
- (d) Goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) and (c) shall continue to receive MFN tariff treatment.
- (e) Subparagraphs (a) through (d) apply to the following Table 1 provisions: AG04061028, AG04061038, AG04062033, AG04062039, AG04062067, AG04062071, AG04063028, AG04063038, AG04063067, AG04063071, AG04069012, AG04069054, AG04069078 and AG04069084.

**13. CSQ-US9: Swiss-type, European-type and Other Cheeses – Country-Specific Tariff-Rate Quota for Australia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Australia described in subparagraph (f). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US9”.
- (b) In the year of entry into force of this Agreement as between the United States and Australia, the aggregate quantity of originating goods of Australia described in subparagraph (f) that shall be permitted to enter free of duty shall be equal to the combined volumes permitted duty-free entry for that year under paragraphs (18), (19) and (21) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement, plus 4,500 MT.

In each year thereafter, the quantity shall increase at a compounded annual growth rate of five per cent.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Australia is in effect for the goods.

- (c) In the year of entry into force of this Agreement as between the United States and Australia, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during the year under paragraphs (18), (19) and (21) of Annex I to the General Notes to the Tariff Schedule of the United States in Annex 2-B to the United States-Australia Free Trade Agreement.
- (d) With respect to goods described in subparagraph (f) entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) and (c):
  - (i) for those goods provided for in Table 1 provision AG04069048, duties shall be removed in accordance with the provisions of staging category US19 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments); and
  - (ii) goods provided for in any other Table 1 provision shall continue to receive MFN tariff treatment.
- (e) Starting on January 1 of year 20, originating goods of Australia provided for in Table 1 provision AG04069048 shall not count towards the quantities specified in subparagraph (b).
- (f) Subparagraphs (a) through (d) apply to the following Table 1 provisions:

AG04061008,	AG04061018,	AG04061048,
AG04061058,	AG04061068,	AG04061078,
AG04061088,	AG04062028,	AG04062048,
AG04062053,	AG04062063,	AG04062075,
AG04062079,	AG04062083,	AG04062087,
AG04062091,	AG04063018,	AG04063048,
AG04063053,	AG04063063,	AG04063075,
AG04063079,	AG04063083,	AG04063087,
AG04063091,	AG04064070,	AG04069018,
AG04069032,	AG04069037,	AG04069042,
AG04069048,	AG04069068,	AG04069074,
AG04069088,	AG04069092,	AG04069094,
AG04069097,	AG19019036,	

- (g) Subparagraph (e) applies to the following Table 1 provision: AG04069048.

14. **CSQ-US10: Cheese – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (f). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US10”.
- (b) Subject to subparagraph (c), the aggregate quantity of originating goods of Canada described in subparagraph (f) that shall be permitted to enter free of duty in a particular year is specified in the Total Quantity column below, and the reserved portion of that quantity is specified in the Reserved Portion of the Total Quantity column below:

Year	Total Quantity (MT)	Reserved Portion of the Total Quantity (MT)
1	3,000	1,650
2	6,000	3,300
3	9,000	4,950
4	12,000	6,600
5	15,000	8,250
6	18,000	9,900
7	18,180	9,999
8	18,362	10,099
9	18,545	10,200
10	18,731	10,302
11	18,918	10,405
12	19,107	10,509
13	19,298	10,614
14	19,491	10,720
15	19,686	10,827
16	19,883	10,936
17	20,082	11,045
18	20,283	11,156
19	20,486	11,267

Starting in year 19, the Total Quantity shall remain at 20,486 MT per year and the Reserved Portion of the Total Quantity shall remain at 11,267 MT per year.

- (c) In each year, the quantity specified in subparagraph (b) as the Reserved Portion of the Total Quantity shall only be available for the importation of goods in package sizes of 40 pounds or more. No package size limitations shall apply to the remainder of the Total Quantity specified in subparagraph (b).
- (d) Except as provided in subparagraph (e), goods entered in aggregate quantities in excess of the total quantities listed in subparagraph (b), and goods in package sizes of less than 40 pounds entered in aggregate quantities in excess of the unreserved portions of those total quantities, shall continue to receive MFN tariff treatment.
- (e) Duties on originating goods of Canada described in subparagraph (g) in pieces weighing no more than 10 kilograms and having a customs value in excess of 7.00 U.S. dollars per kilogram shall be removed in accordance with the provisions of staging category B10 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments). Starting on January 1 of year 10, originating goods of Canada described in subparagraph (g) in pieces weighing no more than 10 kilograms and having a customs value in excess of 7.00 U.S. dollars per kilogram entered free of duty into the United States shall not count towards the quantities specified in subparagraph (b).
- (f) Subparagraphs (a) through (d) apply to the following Table 1 provisions:
- |             |             |             |
|-------------|-------------|-------------|
| AG04061008, | AG04061018, | AG04061028, |
| AG04061038, | AG04061048, | AG04061058, |
| AG04061068, | AG04061078, | AG04061088, |
| AG04062028, | AG04062038, | AG04062048, |
| AG04062053, | AG04062063, | AG04062073, |
| AG04062083, | AG04062093, | AG04063018, |
| AG04063028, | AG04063038, | AG04063048, |
| AG04063053, | AG04063063, | AG04063073, |
| AG04063083, | AG04063093, | AG04064070, |
| AG04069012, | AG04069018, | AG04069032, |
| AG04069037, | AG04069042, | AG04069048, |
| AG04069054, | AG04069068, | AG04069074, |
| AG04069078, | AG04069084, | AG04069088, |
| AG04069092, | AG04069094, | AG04069097  |
- and AG19019036.
- (g) Subparagraph (e) applies to the following Table 1 provision: AG04069097.

**15. CSQ-US11: Skim Milk Powder – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US11”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
1	2,000
2	4,000
3	6,000
4	8,000
5	10,000
6	12,000
7	12,360
8	12,731
9	13,113
10	13,506
11	13,911
12	14,329
13	14,758
14	15,201
15	15,657
16	16,127
17	16,611
18	17,109
19	17,622

Starting in year 19, the quantity shall remain at 17,622 MT per year.

- (c) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04021050 and AG04022125.

**16. CSQ-US12: Whole Milk Powder – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US12”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Aggregate Quantity (MT)
1	667
2	1,333
3	2,000
4	2,667
5	3,333
6	4,000
7	4,040
8	4,080
9	4,121
10	4,162
11	4,204
12	4,246
13	4,289
14	4,331
15	4,375
16	4,418
17	4,463
18	4,507
19	4,552

Starting in year 19, the quantity shall remain at 4,552 MT per year.

- (c) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04022150, AG04022950, AG23099028, and AG23099048.

**17. CSQ-US13: Dried Yogurt, Sour Cream, Whey, and Products of Milk Constituents – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US13”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Aggregate Quantity (MT)
1	2,083
2	4,167
3	6,250
4	8,333
5	10,417
6	12,500
7	12,625
8	12,751
9	12,879
10	13,008
11	13,138
12	13,269
13	13,402
14	13,536
15	13,671
16	13,808
17	13,946
18	14,085
19	14,226

Starting in year 19, the quantity shall remain at 14,226 MT per year.

- (c) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04031050, AG04039045, AG04039055, AG04039095, AG04041015, AG04041090 and AG04049050.



**18. CSQ-US14: Concentrated Milk – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US14”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
1	333
2	667
3	1,000
4	1,333
5	1,667
6	2,000
7	2,040
8	2,081
9	2,122
10	2,165
11	2,208
12	2,252
13	2,297
14	2,343
15	2,390
16	2,438
17	2,487
18	2,536
19	2,587

Starting in year 19, the quantity shall remain at 2,587 MT per year.

- (c) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04029170, AG04029190, AG04029945, AG04029955 and AG04029990.

**19. CSQ-US15: Cream, Sour Cream, Ice Cream, and Milk Beverages – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US15”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Aggregate Quantity (Litres)
1	1,416,667
2	2,833,333
3	4,250,000
4	5,666,667
5	7,083,333
6	8,500,000
7	8,585,000
8	8,670,850
9	8,757,559
10	8,845,134
11	8,933,585
12	9,022,921
13	9,113,150
14	9,204,282
15	9,296,325
16	9,389,288
17	9,483,181
18	9,578,013
19	9,673,793

Starting in year 19, the quantity shall remain at 9,673,793 litres per year.

- (c) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04014025, AG04015025, AG04039016, AG21050020 and AG22029028.

**20. CSQ-US16: Butter and Butter Substitutes – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US16”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (e) that shall be permitted to enter free of duty in a particular year is specified in the Total Quantity column below, and the reserved portion of that quantity is specified in the Reserved Portion of the Total Quantity column below:

Year	Total Quantity (MT)	Reserved Portion of the Total Quantity (MT)
1	750	638
2	1,500	1,275
3	2,250	1,913
4	3,000	2,550
5	3,750	3,188
6	4,500	3,825
7	4,545	3,863
8	4,590	3,902
9	4,636	3,941
10	4,683	3,981
11	4,730	4,021
12	4,777	4,060
13	4,825	4,101
14	4,873	4,142
15	4,922	4,184
16	4,971	4,225
17	5,021	4,268
18	5,071	4,310
19	5,121	4,353

Starting in year 19, the Total Quantity shall remain at 5,121 MT per year and the Reserved Portion of the Total Quantity shall remain at 4,353 MT per year.

- (c) In each year, the quantities specified in subparagraph (b) as the Reserved Portion of the Total Quantity shall only be available for the importation of goods in package sizes of 55 pounds or more. No package size limitations shall apply to the remainder of the Total Quantity specified in subparagraph (b).

- (d) Goods entered in aggregate quantities in excess of the total quantities listed in subparagraph (b), and goods in package sizes of less than 55 pounds entered in aggregate quantities in excess of the unreserved portions of those total quantities, shall continue to receive MFN tariff treatment.
- (e) Subparagraphs (a) through (d) apply to the following Table 1 provisions: AG04015075, AG04022190, AG04039065, AG04039078, AG04051020, AG04052030, AG04052070, AG04059020, AG21069026 and AG21069036.

**21. CSQ-US17: Other Dairy Products – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US17”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (e) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
1	1,250
2	2,500
3	3,750
4	5,000
5	6,250
6	7,500
7	7,575
8	7,651
9	7,727
10	7,805
11	7,883
12	7,961
13	8,041
14	8,121
15	8,203
16	8,285
17	8,368
18	8,451
19	8,536

Starting in year 19, the quantity shall remain at 8,536 MT per year.

- (c) With respect to goods described in subparagraph (e) entered in aggregate quantities in excess of the quantities listed in subparagraph (b):
  - (i) for those goods provided for in Table 1 provision AG15179060, duties shall be removed in accordance with the provisions of staging category B5 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments); and
  - (ii) goods provided for in any other Table 1 provision shall continue to receive MFN tariff treatment.
- (d) Starting on January 1 of year 5, originating goods of Canada provided for in Table 1 provision AG15179060 shall not count towards the quantities specified in subparagraph (b).
- (e) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG15179060, AG17049058, AG18062026, AG18062028, AG18062036, AG18062038, AG18062082, AG18062083, AG18062087, AG18062089, AG18063206, AG18063208, AG18063216, AG18063218, AG18063270, AG18063280, AG18069008, AG18069010, AG18069018, AG18069020, AG18069028, AG18069030, AG19011030, AG19011040, AG19011075, AG19011085, AG19012015, AG19012050, AG19019043, AG19019047, AG21050040, AG21069009, AG21069066, and AG21069087.
- (f) Subparagraph (d) applies to the following Table 1 provision: AG15179060.

**22. CSQ-US18: Sugar – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US18”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (e) that shall be permitted to enter free of duty in each year is 9,600 MT. However, no quantity shall be permitted to enter free of duty unless wholly obtained from sugar beets produced in Canada.

- (c) In any year in which the United States Secretary of Agriculture (the Secretary) makes a determination to permit the importation into the United States at in-quota tariff rates of additional quantities of refined sugar (other than specialty sugar) above the quantities made available at those rates pursuant to its commitments under the WTO Agreement and other trade agreements, including this Agreement, (additional in-quota rate imports of refined sugar), the quantity set out for that year in subparagraph (b) shall be increased by an amount equal to 20 per cent of the quantity of additional in-quota rate imports of refined sugar that the Secretary determines to permit to enter into the United States in that year. Any increase pursuant to this subparagraph of a quantity set out in subparagraph (b) shall not take effect until the date on which the additional in-quota rate imports of refined sugar are permitted entry into the United States. Refined sugar imported pursuant to this subparagraph can be made from non-originating raw sugar. Nothing in this paragraph shall alter Canada's rights under the WTO Agreement with respect to any increase by the United States of the quantities of refined sugar permitted to be imported above the quantities made available at in-quota tariff rates pursuant to its commitments under the WTO Agreement and other trade agreements, including this Agreement.
- (d) Goods entered in aggregate quantities in excess of the quantities provided under subparagraph (b) and, except as provided in subparagraph (c), goods not wholly obtained from sugar beets produced in Canada, shall continue to receive MFN tariff treatment.
- (e) Subparagraphs (a) through (d) apply to the following Table I provisions: AG17011250, AG17011350, AG17011450, AG17019130, AG17019950, and AG17029020.

**23. CSQ-US19: Sugar-Containing Products – Country-Specific Tariff-Rate Quota for Canada**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Canada described in subparagraph (g). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US19”.
- (b) The aggregate quantity of originating goods of Canada described in subparagraph (g) that shall be permitted to enter free of duty in each year is 9,600 MT.

- (c) In any year for which Canada has provided the United States with a written notification in accordance with the terms of subparagraph (d) of Canada's intent to require export certificates for the exportation of goods for import under this TRQ, the above quantity shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of Canada is in effect for the goods.
- (d) Canada shall provide the United States with the notification referred to in subparagraph (c) at least 150 days prior to the start of each year in which Canada requires an export certificate for the exportation of goods for import under this TRQ. Canada shall provide the notification in writing to the U.S. Contact Point designated pursuant to Article 27.5 (Contact Points).
- (e) Goods entered within the quantity listed in subparagraph (b) that are provided for in Table 1 provisions AG17019148, AG17019158, AG17022028, AG17023028, AG17024028, AG17026028, AG17029058, AG17029068, AG18061015, AG18061028, AG18061038, AG18061055, AG18061075, and AG21069046 can be made from sugar refined in Canada. Refined means a change to a good of HS subheading 1701.91 or 1701.99 from any other subheading.
- (f) Goods entered in aggregate quantities in excess of the quantity listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (g) Subparagraphs (a) through (f) apply to the following Table I provisions: AG17019148, AG17019158, AG17022028, AG17023028, AG17024028, AG17026028, AG17029058, AG17029068, AG17049068, AG17049078, AG18061015, AG18061028, AG18061038, AG18061055, AG18061075, AG18062073, AG18062077, AG18062094, AG18062098, AG18069039, AG18069049, AG18069059, AG19012025, AG19012035, AG19012060, AG19012070, AG19019054, AG19019058, AG21011238, AG21011248, AG21011258, AG21012038, AG21012048, AG21012058, AG21039078, AG21069046, AG21069072, AG21069076, AG21069080, AG21069091, AG21069094 and AG21069097.

**24. CSQ-US20: Sugar and Sugar-Containing Products – Country-Specific Tariff-Rate Quota for Chile**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Chile described in subparagraph (f). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US20”.
- (b) In any year, duty-free tariff treatment for originating goods of Chile described in subparagraph (f) shall be accorded to a quantity of goods equal to the amount of Chile’s trade surplus, by volume, from all sources for goods in the following subheadings: HS1701.11, HS1701.12, HS1701.91, HS1701.99, HS1702.20, HS1702.30, HS1702.40, HS1702.60, HS1702.90, HS1806.10 and HS2106.90, except that Chile’s imports of originating goods of the United States under HS1702.40 and HS1702.60 shall not be included in the calculation of Chile’s trade surplus. Chile’s trade surplus will be calculated using the most recent annual data available.
- (c) In the year of entry into force of this Agreement as between the United States and Chile, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during that year, but prior to entry into force of this Agreement as between the United States and Chile, under paragraph (9) of Annex 1 to the General Notes to the Tariff Schedule of the United States in Annex 3.3 to the United States – Chile Free Trade Agreement.
- (d) Notwithstanding Article 2.30.4 (Allocation), upon entry into force of this Agreement as between the United States and Chile, and continuing for as long as this Agreement remains in force between the United States and Chile:
  - (i) Any quantity of goods imported into the United States under the TRQ set out in paragraph (9) of Annex 1 to the General Notes to the Tariff Schedule of the United States in Annex 3.3 to the United States – Chile Free Trade Agreement shall count towards both:
    - (A) the quantity of goods that may be imported under the TRQ set out in paragraph (9) of Annex 1 to the General Notes to the Tariff Schedule of the United States in Annex 3.3 to the United States – Chile Free Trade Agreement; and



- (B) the quantity of goods that may be imported under this TRQ, and
- (ii) any quantity of goods imported into the United States under this TRQ shall count towards both:
  - (A) the quantity of goods that may be imported under this TRQ; and
  - (B) the quantity of goods that may be imported under the TRQ set out in paragraph (9) of Annex 1 to the General Notes to the Tariff Schedule of the United States in Annex 3.3 to the United States – Chile Free Trade Agreement.
- (e) Goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) through (d) shall receive MFN tariff treatment.
- (f) Subparagraphs (a) through (e) apply to the following Table 1 provisions:
 

AG17011250,	AG17011350,	AG17011450,
AG17019130,	AG17019148,	AG17019158,
AG17019950,	AG17022028,	AG17023028,
AG17024028,	AG17026028,	AG17029020,
AG17029058,	AG17029068,	AG17049068,
AG17049078,	AG18061028,	AG18061038,
AG18061055,	AG18061075,	AG19012060,
AG19012070,	AG19019054,	AG19019058,
AG21069046,	AG21069076,	AG21069080,
AG21069094	and AG21069097.	

**25. CSQ-US21: Beef – Country-Specific Tariff-Rate Quota for Japan**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Japan described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US21”.
- (b) The aggregate quantity of originating goods of Japan described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Aggregate Quantity (MT)
1	3,000
2	3,250
3	3,500
4	3,750
5	4,000
6	4,250
7	4,500
8	4,750
9	5,000
10	5,250
11	5,500
12	5,750
13	6,000
14	6,250
15	Unlimited

- (c) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be removed in accordance with the provisions of staging category B15 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments).
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG02011050, AG02012080, AG02013080, AG02021050, AG02022080 and AG02023080.

**26. CSQ-US22: Sugar and Sugar-Containing Products – Country-Specific Tariff-Rate Quota for Japan**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Japan described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US22”.
- (b) The aggregate quantity of originating goods of Japan described in subparagraph (d) that shall be permitted to enter free of duty in each year is 100 MT.
- (c) Goods entered in aggregate quantity in excess of the quantity listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG17011250, AG17011350, AG17011450,

AG17019130, AG17019148, AG17019158, AG17019950,  
AG17022028, AG17023028, AG17024028, AG17026028,  
AG17029020, AG17029058, AG17029068, AG17049068,  
AG17049078, AG18061055, AG18061075 and AG21069046.

**27. CSQ-US23: Sugar and Sugar-Containing Products – Country-Specific Tariff-Rate Quota for Malaysia**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Malaysia described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US23”.
- (b) The aggregate quantity of originating goods of Malaysia described in subparagraph (d) that shall be permitted to enter free of duty in each year is 500 MT.
- (c) Goods entered in aggregate quantities in excess of the quantity listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table I provisions: AG17011250, AG17011350, AG17011450, AG17019130, AG17019148, AG17019158, AG17019950, AG17022028, AG17023028, AG17024028, AG17026028, AG17029020, AG17029058, AG17029068, AG17049068, AG17049078, AG18061055, AG18061075 and AG21069046.

**28. CSQ-US24: Cheese – Country-Specific Tariff-Rate Quota for New Zealand**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of New Zealand described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US24”.
- (b) The aggregate quantity of originating goods of New Zealand described in subparagraph (e) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Aggregate Quantity (MT)
1	10,000
2	10,909
3	11,818
4	12,727
5	13,636
6	14,545
7	15,455
8	16,364
9	17,273
10	18,182
11	19,091
12	20,000
13	20,600
14	21,218
15	21,855
16	22,510
17	23,185
18	23,881
19	24,597
20	25,335
21	26,095
22	26,878
23	27,685
24	28,515
25	29,371
26	30,252
27	31,159
28	32,094
29	33,057
30	34,049

Starting in year 31, the quantity shall increase by 3 per cent per year, compounded annually.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of New Zealand is in effect for the goods.

- (c) With respect to goods described in subparagraph (e) entered in aggregate quantities in excess of the quantities listed in subparagraph (b):

- (i) for those goods provided for in Table 1 provision AG04069097, duties shall be removed in accordance with the provisions of staging category US23 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments); and
  - (ii) goods provided for in any other Table 1 provision shall continue to receive MFN tariff treatment.
- (d) Starting on January 1 of year 20, originating goods of New Zealand provided for in Table 1 provision AG04069097 shall not count towards the quantities specified in subparagraph (b).
- (e) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04061008, AG04061018, AG04061028, AG04061038, AG04061048, AG04061058, AG04061068, AG04061078, AG04061088, AG04062028, AG04062033, AG04062039, AG04062048, AG04062053, AG04062063, AG04062067, AG04062071, AG04062075, AG04062079, AG04062083, AG04062087, AG04062091, AG04063018, AG04063028, AG04063038, AG04063048, AG04063053, AG04063063, AG04063067, AG04063071, AG04063075, AG04063079, AG04063083, AG04063087, AG04063091, AG04064070, AG04069012, AG04069018, AG04069032, AG04069037, AG04069042, AG04069048, AG04069054, AG04069068, AG04069074, AG04069078, AG04069084, AG04069088, AG04069092, AG04069094, AG04069097 and AG19019036.
- (f) Subparagraph (d) applies to the following Table 1 provision: AG04069097.

**29. CSQ-US25: Skim Milk Powder – Country-Specific Tariff-Rate Quota for New Zealand**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of New Zealand described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US25”.
- (b) The aggregate quantity of originating goods of New Zealand described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Aggregate Quantity (MT)
1	1,000
2	1,030
3	1,061
4	1,093
5	1,126
6	1,159
7	1,194
8	1,230
9	1,267
10	1,305
11	1,344
12	1,384
13	1,426
14	1,469
15	1,513
16	1,558
17	1,605
18	1,653
19	1,702
20	Unlimited

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of New Zealand is in effect for the goods.

- (c) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be removed in accordance with the provisions of staging category B20 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments).
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04021050 and AG04022125.

**30. CSQ-US26: Whole Milk Powder – Country-Specific Tariff-Rate Quota for New Zealand**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of New Zealand described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US26”.

- (b) The aggregate quantity of originating goods of New Zealand described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
1	3,000
2	3,120
3	3,245
4	3,375
5	3,510
6	3,650
7	3,796
8	3,948
9	4,106
10	4,270
11	4,441
12	4,618
13	4,803
14	4,995
15	5,195
16	5,403
17	5,619
18	5,844
19	6,077
20	6,321
21	6,573
22	6,836
23	7,110
24	7,394
25	7,690
26	7,998
27	8,317
28	8,650
29	8,996
30	Unlimited

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of New Zealand is in effect for the goods.

- (c) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall be removed in

accordance with staging category US24 in the General Notes to the Schedule of the United States to Annex 2-D (Tariff Commitments).

- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04022150, AG04039045, AG04039055, AG04041090, AG23099028 and AG23099048.

**31. CSQ-US27: Concentrated Milk – Country-Specific Tariff-Rate Quota for New Zealand**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of New Zealand described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US27”.
- (b) The aggregate quantity of originating goods of New Zealand described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Aggregate Quantity (MT)
1	1,000
2	1,030
3	1,061
4	1,093
5	1,126
6	1,159
7	1,194
8	1,230
9	1,267
10	1,305
11	1,344
12	1,384
13	1,426
14	1,469
15	1,513
16	1,558
17	1,605
18	1,653
19	1,702
20	1,754
21	1,806
22	1,860
23	1,916
24	1,974



25	2,033
26	2,094
27	2,157
28	2,221
29	2,288
30	2,357

Starting in year 31, the quantity shall increase by 3 per cent per year, compounded annually.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of New Zealand is in effect for the goods.

- (c) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04029170, AG04029190, AG04029945 and AG04029955.

**32. CSQ-US28: Creams – Country-Specific Tariff-Rate Quota for New Zealand**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of New Zealand described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US28”.
- (b) The aggregate quantity of originating goods of New Zealand described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (Litres)</u>
1	8,000,000
2	8,480,000
3	8,988,800
4	9,528,128
5	10,099,816
6	10,705,805
7	11,348,153

8	12,029,042
9	12,750,785
10	13,515,832
11	14,326,782
12	15,186,388
13	16,097,572
14	17,063,426
15	18,087,232
16	19,172,466
17	20,322,813
18	21,542,182
19	22,834,713
20	24,204,796
21	25,657,084
22	27,196,509
23	28,828,299
24	30,557,997
25	32,391,477
26	34,334,966
27	36,395,064
28	38,578,768
29	40,893,494
30	43,347,103

Starting in year 31, the quantity shall increase by 6 per cent per year, compounded annually.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of New Zealand is in effect for the goods.

- (c) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG04014025, AG04015025 and AG04039016.

**33. CSQ-US29: Butter and Butter Substitutes – Country-Specific Tariff-Rate Quota for New Zealand**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of New Zealand described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of

the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US29”.

- (b) Subject to subparagraph (c), the aggregate quantity of originating goods of New Zealand described in subparagraph (e) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
1	4,000
2	4,667
3	5,333
4	6,000
5	6,667
6	7,333
7	8,000
8	8,667
9	9,333
10	10,000
11	10,600
12	11,200
13	11,800
14	12,400
15	13,000
16	13,600
17	14,200
18	14,800
19	15,400
20	16,000
21	16,480
22	16,974
23	17,484
24	18,008
25	18,548
26	19,105
27	19,678
28	20,268
29	20,876
30	21,503

Starting in year 31, the quantity shall increase by 3 per cent per year, compounded annually.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and

Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of New Zealand is in effect for the goods.

- (c) Of the quantities listed in subparagraph (b), the following quantities shall be reserved exclusively for importation of the goods described in subparagraph (f):

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
1	3,000
2	3,000
3	3,000
4	3,000
5	3,000
6	3,000
7	3,000
8	3,000
9	3,000
10	3,000
11	2,400
12	1,800
13	1,200
14	600

- (d) Goods entered in aggregate quantities in excess of the quantities specified pursuant to subparagraphs (b) and (c) shall continue to receive MFN tariff treatment.
- (e) Subparagraphs (a), (b) and (d) apply to the following Table 1 provisions: AG04015075, AG04022190, AG04039065, AG04039078, AG04051020, AG04052030, AG04059020, AG21069026 and AG21069036.
- (f) Subparagraph (c) applies to the following Table 1 provision: AG04059020.

**34. CSQ-US30: Organic Butter – Country-Specific Tariff-Rate Quota for New Zealand**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of New Zealand described in subparagraph (e). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US30”.

- (b) The aggregate quantity of originating goods of New Zealand described in subparagraph (e) that shall be permitted to enter free of duty in a particular year is specified below:

Year	Aggregate Quantity (MT)
1	500
2	515
3	530
4	546
5	563
6	580
7	597
8	615
9	633
10	652
11	672
12	692
13	713
14	734
15	756
16	779
17	802
18	826
19	851
20	877
21	903
22	930
23	958
24	987
25	1,016
26	1,047
27	1,078
28	1,111
29	1,144
30	1,178

Starting in year 31, the quantity shall increase by three per cent per year, compounded annually.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of New Zealand is in effect for the goods.

- (c) The United States shall require that, in order to be eligible to be imported into the United States free of duty pursuant to this paragraph, a good be labeled as “organic” and meet the requirements set out in U.S. regulations to be sold, labeled, or represented as “organic” in the United States, including those requirements related to the certification of operations involved in the production or handling of the good.
- (d) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (e) Subparagraphs (a) through (d) apply to the following Table 1 provision: AG04051020.

**35. CSQ-US31: Other Dairy Products – Country-Specific Tariff-Rate Quota for New Zealand**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of New Zealand described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US31”.
- (b) The aggregate quantity of originating goods of New Zealand described in subparagraph (d) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
1	5,500
2	5,775
3	6,064
4	6,367
5	6,685
6	7,020
7	7,371
8	7,739
9	8,126
10	8,532
11	8,959
12	9,407
13	9,877
14	10,371
15	10,890
16	11,434

17	12,006
18	12,606
19	13,236
20	13,898
21	14,593
22	15,323
23	16,089
24	16,893
25	17,738
26	18,625
27	19,556
28	20,534
29	21,561
30	22,639

Starting in year 31, the quantity shall increase by five per cent per year, compounded annually.

The above quantities shall only be eligible for duty-free treatment if the U.S. importer makes a declaration to U.S. Customs and Border Protection (Customs), in the form and manner determined by Customs, that a valid export certificate issued by the Government of New Zealand is in effect for the goods.

- (c) Goods entered in aggregate quantities in excess of the quantities listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions:
 

AG04022950,	AG04029990,	AG04031050,
AG04039095,	AG04041015,	AG04049050,
AG04052070,	AG15179060,	AG17049058,
AG18062026,	AG18062036,	AG18062038,
AG18062082,	AG18062087,	AG18062089,
AG18063206,	AG18063216,	AG18063218,
AG18063270,	AG18063280,	AG18069008,
AG18069010,	AG18069018,	AG18069020,
AG18069028,	AG18069030,	AG19012015,
AG19012050,	AG19019043,	AG19019047,
AG21050040,	AG21069009,	AG21069066,
AG21069087,	AG22029028,	

**36. CSQ-US32: Cheese – Country-Specific Tariff-Rate Quota for Peru**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Peru described in subparagraph (f). The TRQ set out in this paragraph is designated in the Schedule of the United

States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US32”.

- (b) Subject to subparagraphs (c) and (d), the aggregate quantity of originating goods of Peru described in subparagraph (f) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
2016	5,527
2017	6,190
2018	6,933
2019	7,765
2020	8,696
2021	9,740
2022	10,909
2023	12,218
2024	13,684
2025	Unlimited

- (c) In the year of entry into force of this Agreement as between the United States and Peru, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during that year, but prior to entry into force of this Agreement as between the United States and Peru, under paragraph (2) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States-Peru Trade Promotion Agreement.
- (d) Notwithstanding Article 2.30.4 (Allocation), upon entry into force of this Agreement as between the United States and Peru, and continuing for as long as this Agreement remains in force between the United States and Peru:
- (i) any quantity of goods imported into the United States under the TRQ set out in paragraph (2) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement shall count towards both:
- (A) the quantity of goods that may be imported under the TRQ set out in paragraph (2) of Appendix I to the General Notes to the Tariff Schedule of the United States in



Annex 2.3 to the United States-Peru Trade Promotion Agreement; and

- (B) the quantity of goods that may be imported under this TRQ; and
- (ii) any quantity of goods imported into the United States under this TRQ shall count towards both:
  - (A) the quantity of goods that may be imported under this TRQ; and
  - (B) the quantity of goods that may be imported under the TRQ set out in paragraph (2) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement.
- (e) The rate of duty on goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) through (d) shall be equal to the rate of duty applicable pursuant to paragraph 2(b) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement for goods entered in aggregate quantities in excess of the quantities listed in paragraph 2(a) of that Appendix.
- (f) Subparagraphs (a) through (e) apply to the following Table 1 provisions:

AG04061008,	AG04061018,	AG04061028,
AG04061038,	AG04061048,	AG04061058,
AG04061068,	AG04061078,	AG04061088,
AG04062028,	AG04062033,	AG04062039,
AG04062048,	AG04062053,	AG04062063,
AG04062067,	AG04062071,	AG04062075,
AG04062079,	AG04062083,	AG04062087,
AG04062091,	AG04063018,	AG04063028,
AG04063038,	AG04063048,	AG04063053,
AG04063063,	AG04063067,	AG04063071,
AG04063075,	AG04063079,	AG04063083,
AG04063087,	AG04063091,	AG04064070,
AG04069012,	AG04069018,	AG04069032,
AG04069037,	AG04069042,	AG04069048,
AG04069054,	AG04069068,	AG04069074,
AG04069078,	AG04069084,	AG04069088,
AG04069092,	AG04069094,	AG04069097 and
AG19019036.		

**37. CSQ-US33: Condensed and Evaporated Milk – Country-Specific Tariff-Rate Quota for Peru**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Peru described in subparagraph (f). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US33”.
- (b) Subject to subparagraphs (c) and (d), the aggregate quantity of originating goods of Peru described in subparagraph (f) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
2016	13,264
2017	14,856
2018	16,638
2019	18,635
2020	20,871
2021	23,376
2022	26,181
2023	29,323
2024	32,841
2025	Unlimited

- (c) In the year of entry into force of this Agreement as between the United States and Peru, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during that year, but prior to entry into force of this Agreement as between the United States and Peru, under paragraph (3) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States-Peru Trade Promotion Agreement.
- (d) Notwithstanding Article 2.30.4 (Allocation), upon entry into force of this Agreement as between the United States and Peru, and continuing for as long as this Agreement remains in force between the United States and Peru:
  - (i) any quantity of goods imported into the United States under the TRQ set out in paragraph (3) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement shall count towards both:
    - (A) the quantity of goods that may be imported under the TRQ set out in paragraph (3) of Appendix I to the General Notes to the

Tariff Schedule of the United States in Annex 2.3 to the United States-Peru Trade Promotion Agreement; and

- (B) the quantity of goods that may be imported under this TRQ; and
- (ii) any quantity of goods imported into the United States under this TRQ shall count towards both:
  - (A) the quantity of goods that may be imported under this TRQ; and
  - (B) the quantity of goods that may be imported under the TRQ set out in paragraph (3) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement.
- (e) The rate of duty on goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) through (d) shall be equal to the rate of duty applicable pursuant to paragraph 3(b) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement for goods entered in aggregate quantities in excess of the quantities listed in paragraph 3(a) of that Appendix.
- (f) Subparagraphs (a) through (e) apply to the following Table 1 provisions: AG04029170, AG04029190, AG04029945 and AG04029955.

**38. CSQ-US34: Processed Dairy Products – Country-Specific Tariff-Rate Quota for Peru**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Peru described in subparagraph (f). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US34”.
- (b) Subject to subparagraphs (c) and (d), the aggregate quantity of originating goods of Peru described in subparagraph (f) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
2016	3,897
2017	4,287
2018	4,716
2019	5,187
2020	5,706
2021	6,277
2022	6,905
2023	Unlimited

- (c) In the year of entry into force of this Agreement as between the United States and Peru, the in-quota quantity set out in subparagraph (b) for that year shall be reduced by the in-quota amount imported during that year, but prior to entry into force of this Agreement as between the United States and Peru, under paragraph (4) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States-Peru Trade Promotion Agreement.
- (d) Notwithstanding Article 2.30.4 (Allocation), upon entry into force of this Agreement as between the United States and Peru, and continuing for as long as this Agreement remains in force between the United States and Peru:
- (i) any quantity of goods imported into the United States under the TRQ set out in paragraph (4) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement shall count towards both:
    - (A) the quantity of goods that may be imported under the TRQ set out in paragraph (4) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States-Peru Trade Promotion Agreement; and
    - (B) the quantity of goods that may be imported under this TRQ; and
  - (ii) any quantity of goods imported into the United States under this TRQ shall count towards both:
    - (A) the quantity of goods that may be imported under this TRQ; and

- (B) the quantity of goods that may be imported under the TRQ set out in paragraph (4) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement.
- (e) The rate of duty on goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (b) through (d) shall be equal to the rate of duty applicable pursuant to paragraph 4(b) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement for goods entered in aggregate quantities in excess of the quantities listed in paragraph 4(a) of that Appendix.
- (f) Subparagraphs (a) through (e) apply to the following Table 1 provisions: AG04022950, AG04029990, AG04031050, AG04039095, AG04041015, AG04049050, AG04052070, AG15179060, AG17049058, AG18062082, AG18062083, AG18063270, AG18063280, AG18069008, AG18069010, AG19011040, AG19011085, AG19012015, AG19012050, AG19019043, AG19019047, AG21050040, AG21069009, AG21069066, AG21069087 and AG22029028.

**39. CSQ-US35 & CSQ-US36: Sugar and Sugar-Containing Products – Country-Specific Tariff-Rate Quotas for Peru**

- (a) This paragraph sets out country-specific tariff-rate quotas for the originating goods of Peru described in subparagraphs (g) and (n).
- (b) Subparagraph (c) sets out a country-specific tariff-rate quota for the originating goods of Peru described in subparagraph (g). The TRQ set out in subparagraph (c) is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US35”.
- (c) Subject to subparagraphs (d), (e), and (h), the aggregate quantity of originating goods of Peru described in subparagraph (g) that shall be permitted to enter free of duty in a particular year is specified below:

<u>Year</u>	<u>Aggregate Quantity (MT)</u>
2016	10,260
2017	10,440

2018	10,620
2019	10,800
2020	10,980
2021	11,160
2022	11,340
2023	11,520

After 2023, the in-quota quantity grows at 180 MT per year.

The quantities of goods under the following tariff items shall be entered on a raw-value-equivalent basis: AG17011250, AG17011350, AG17011450, AG17019130, AG17019950, AG17029020, and AG21069046. Raw-value equivalents for sugar goods are contained in Chapter 17, U.S. Additional Note 5(c) to the HTSUS.

The United States may administer the duty-free quantities established in this subparagraph through regulations, including licenses.

- (d) In the year of entry into force of this Agreement as between the United States and Peru, the in-quota quantity set out in subparagraph (c) for that year shall be reduced by the in-quota amount imported during that year, but prior to entry into force of this Agreement as between the United States and Peru, under paragraph (5a) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States-Peru Trade Promotion Agreement.
- (e) Notwithstanding Article 2.30.4 (Allocation), upon entry into force of this Agreement as between the United States and Peru, and continuing for as long as this Agreement remains in force between the United States and Peru:
  - (i) any quantity of goods imported into the United States under the TRQ set out in paragraph (5a) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement below shall count towards both:
    - (A) the quantity of goods that may be imported under the TRQ set out in paragraph (5a) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States-Peru Trade Promotion Agreement; and

- (B) the quantity of goods that may be imported under the TRQ set out in subparagraph (c) of this Paragraph; and
- (ii) any quantity of goods imported into the United States under the TRQ set out in subparagraph (c) of this Paragraph shall count towards both:
  - (A) the quantity of goods that may be imported under that TRQ; and
  - (B) the quantity of goods that may be imported under the TRQ set out in paragraph (5a) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement.
- (f) Goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (c) through (e) and (h) shall continue to receive MFN tariff treatment.
- (g) Subparagraphs (a) through (f) and (h) apply to the following Table 1 provisions: AG17011250, AG17011350, AG17011450, AG17019130, AG17019148, AG17019158, AG17019950, AG17022028, AG17023028, AG17024028, AG17026028, AG17029020, AG17029058, AG17029068, AG17049068, AG17049078, AG18061015, AG18061028, AG18061038, AG18061055, AG18061075, AG18062073, AG18062077, AG18062094, AG18062098, AG18069039, AG18069049, AG18069059, AG19012025, AG19012035, AG19012060, AG19012070, AG19019054, AG19019058, AG21011238, AG21011248, AG21011258, AG21012038, AG21012048, AG21012058, AG21039078, AG21069046, AG21069072, AG21069076, AG21069080, AG21069091, AG21069094 and AG21069097.
- (h) In any year, duty-free tariff treatment under subparagraph (c) for Peru shall be accorded to the lesser of (i) the aggregate quantity set out in subparagraph (c) for Peru, or (ii) a quantity equal to the amount by which Peru’s exports to all destinations exceeds its imports from all sources (“trade surplus”) for goods classified under the following subheadings: HS1701.11, HS1701.12, HS1701.91, HS1701.99, HS1702.40, and HS1702.60, except that Peru’s exports to the United States of goods classified under subheadings HS1701.11, HS1701.12, HS1701.91, and HS1701.99 and its imports of goods of the United States, whether or not originating, classified under HS1702.40 and HS1702.60 shall not

be included in the calculation of its trade surplus. Peru's trade surplus will be calculated using the most recent annual data available.

- (i) Subparagraph (j) sets out a country-specific tariff-rate quota for the originating goods of Peru described in subparagraph (n). The TRQ set out in subparagraph (j) is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation "CSQ-US36".
- (j) Subject to subparagraphs (k) and (l), the aggregate quantity of goods of Peru entered under the provisions listed in subparagraph (n) shall be free of duty in any calendar year and shall not exceed 2,000 MT in any year.
- (k) In the year of entry into force of this Agreement as between the United States and Peru, the in-quota quantity set out in paragraph (j) for that year shall be reduced by the in-quota amount imported during that year, but prior to entry into force of this Agreement as between the United States and Peru, under paragraph (5e) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement.
- (l) Notwithstanding Article 2.30.4 (Allocation), upon entry into force of this Agreement as between the United States and Peru, and continuing for as long as this Agreement remains in force between the United States and Peru:
  - (i) any quantity of goods imported into the United States under the TRQ set out in paragraph (5e), Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement below shall count towards both:
    - (A) the quantity of goods that may be imported under the TRQ set out in paragraph (5e) of Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States-Peru Trade Promotion Agreement; and
    - (B) the quantity of goods that may be imported under the TRQ set out in subparagraph (j) of this Paragraph.



- (ii) any quantity of goods imported into the United States under the TRQ set out in subparagraph (j) of this Paragraph shall count towards both:
  - (A) the quantity of goods that may be imported under that TRQ; and
  - (B) the quantity of goods that may be imported under the TRQ set out in paragraph (5e), Appendix I to the General Notes to the Tariff Schedule of the United States in Annex 2.3 to the United States – Peru Trade Promotion Agreement.
- (m) Goods entered in aggregate quantities in excess of the quantities provided under subparagraphs (j) through (l) shall continue to receive MFN tariff treatment.
- (n) Subparagraphs (i) through (m) apply to specialty sugars as provided for in Additional U.S. Note 5 to Chapter 17 of the Harmonized Tariff Schedule of the United States and classified in the following Table 1 provisions: AG17011210, AG17011310, AG17011410, AG17019110, AG17019910, AG17029010 and AG21069044.

**40. CSQ-US37: Sugar and Sugar-Containing Products – Country-Specific Tariff-Rate Quota for Vietnam**

- (a) This paragraph sets out a country-specific tariff-rate quota for the originating goods of Vietnam described in subparagraph (d). The TRQ set out in this paragraph is designated in the Schedule of the United States to Annex 2-D (Tariff Commitments) with the designation “CSQ-US37”.
- (b) The aggregate quantity of originating goods of Vietnam described in subparagraph (d) that shall be permitted to enter free of duty in each year is 1,500 MT.
- (c) Goods entered in aggregate quantities in excess of the quantity listed in subparagraph (b) shall continue to receive MFN tariff treatment.
- (d) Subparagraphs (a) through (c) apply to the following Table 1 provisions: AG17011250, AG17011350, AG17011450, AG17019130, AG17019148, AG17019158, AG17019950, AG17022028, AG17023028, AG17024028, AG17026028, AG17029020, AG17029058, AG17029068, AG17049068,

AG17049078, AG18061015, AG18061028, AG18061038,  
AG18061055, AG18061075, AG18062073, AG18062077,  
AG18062094, AG18062098, AG18069039, AG18069049,  
AG18069059, AG19012025, AG19012035, AG19012060,  
AG19012070, AG21012038, AG21012048, AG21069046 and  
AG21069094.

**Table 1**

<u>Heading</u>	<u>Article Description</u>
AG02011050	Provided for in tariff item 02011050
AG02012080	Provided for in tariff item 02012080
AG02013080	Provided for in tariff item 02013080
AG02021050	Provided for in tariff item 02021050
AG02022080	Provided for in tariff item 02022080
AG02023080	Provided for in tariff item 02023080
AG04014025	Provided for in tariff item 04014025
AG04015025	Provided for in tariff item 04015025
AG04015075	Provided for in tariff item 04015075
AG04021050	Provided for in tariff item 04021050
AG04022125	Provided for in tariff item 04022125
AG04022150	Provided for in tariff item 04022150
AG04022190	Provided for in tariff item 04022190
AG04022950	Provided for in tariff item 04022950
AG04029170	Provided for in tariff item 04029170
AG04029190	Provided for in tariff item 04029190
AG04029945	Provided for in tariff item 04029945
AG04029955	Provided for in tariff item 04029955
AG04029990	Provided for in tariff item 04029990
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AG18069018	Provided for in tariff item 18069018
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