

DRAFT
Subject to Legal Review for Accuracy, Clarity and Consistency
March 18, 2004
TRANSLATION IN PROGRESS (SPANISH)

Annex 3.14

Special Agricultural Safeguard

General Notes

For the goods listed in this Annex for which the agricultural safeguard trigger volume is based on a percentage of the applicable tariff-rate quota (TRQ), the trigger volume in any year shall be based on the TRQ volume for that year as set forth in Annex 3.3. For the goods listed in this Annex for which the agricultural safeguard trigger volume is based on a fixed initial trigger level with a yearly growth rate, the yearly growth rate shall be calculated, starting in year one, as a simple growth rate calculated as a percentage of the initial trigger level.

Central American Product List

1. For the **dairy products** listed below, an agricultural safeguard measure in the form of an additional duty under Article 3.14 of the Agreement shall be set according to the following schedule:

- (a) for years one through 14, a Party may impose an additional duty of less than or equal to 100 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good; and
- (b) for years 15 through 17, a Party may impose an additional duty of less than or equal to 75 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and
- (c) for years 18 and 19, a Party may impose an additional duty of less than or equal to 50 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good;.

2. For the **rice (rough and milled) goods** listed below, an agricultural safeguard measure in the form of an additional duty under Article 3. 14 of the Agreement shall be set according to the following schedule:

- (a) for years 1 through 13, a Party may impose an additional duty of less than or equal to 100 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and

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- (b) for years 14 and 15, a Party may impose an additional duty of less than or equal to 75 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and
- (c) for years 16 and 17, a Party may impose an additional duty of less than or equal to 50 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good;

3. For the **poultry goods** listed below, an agricultural safeguard measure in the form of an additional duty under Article 3. 14 of the Agreement shall be set according to the following schedule:

- (a) for years one through 13, a Party may impose an additional duty of less than or equal to 100 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and
- (b) for years 14 and 15, a Party may impose an additional duty of less than or equal to 75 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and
- (a) for years 16 and 17, a Party may impose an additional duty of less than or equal to 50 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good.

4. For the **pork products** listed below, an agricultural safeguard measure in the form of an additional duty under Article 3. 14 of the Agreement shall be set according to the following schedule:

- (a) for years one through 9, a Party may impose an additional duty of less than or equal to 100 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and
- (b) for years 10 through 12, a Party may impose an additional duty of less than or equal to 75 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and
- (b) for years 13 and 14, a Party may impose an additional duty of less than or equal to 50 percent of the difference between the appropriate MFN rate as

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determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good.

5. For the **vegetable oil and canned meat** listed below, an agricultural safeguard measure in the form of an additional duty under Article 3. 14 of the Agreement shall be set according to the following schedule:

- (a) for years one through 4, a Party may impose an additional duty of less than or equal to 100 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and
- (b) for years 5 through 8, a Party may impose an additional duty of less than or equal to 75 percent of the difference between the appropriate MFN rate as determined under Article 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good; and
- (c) for years 9 through 11, a Party may impose an additional duty of less than or equal to 50 percent of the difference between the appropriate MFN rate as determined under Article 3. 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3. 3 on the agricultural good.

6. Annual Trigger Levels Charts

EL SALVADOR

Commodity	Tariff Codes Subject to Safeguard	Trigger Level	Trigger Growth Rate
Poultry	02071399, 02071499, 16023200,	130% of TRQ established in ES General Notes, Annex x	
Dairy	0401, 0402, 0403, 0405, 0406, 2105, 21069020	130% of TRQ established in ES General Notes, Annex x	
Pork	02031100, 02031200, 02031900, 02032100, 02032200, 02032900	130% of TRQ established in ES. General Notes, Annex x	
Rough Rice	10061090	110% of TRQ	

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		established in ES. General Notes, Annex x	
Milled Rice	10062000, 10063010, 10063090, 10064000	110% of TRQ established in ES. General Notes, Annex x	
Beans	07133200, 07133390, 07133310	60 MT	10.0%
Sorghum	10070090	110% of TRQ established in ES General Notes,	
Vegetable Oil	15079000, 15122900, 15152900, 15162090, 15121900	8,000 MT	5.0%
Canned Meat	16010010, 16010030, 16010080, 16010090, 16024990	400 MT	10.0%
High Fructose Corn Syrup	17023020, 17024000, 17025000, 17026000	75 MT	10.0%

Poultry

SAC 02071399, 02071499, 16023200 Only “leg quarters” (“cuartiles”) count toward the trigger quantity.

Year	Trigger Quantity (MT)	Safeguard Tariff
1	0	164.4
2	0	164.4
3	603	164.4
4	1,206	164.4
5	1,808	164.4
6	2,412	164.4
7	3,015	164.4
8	3,618	164.4
9	4,221	164.4
10	4,824	164.4
11	5,426	164.4
12	6,029	164.4
13	TBD	164.4
14	TBD	150.7
15	TBD	143.9

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16	TBD	109.6
17	TBD	95.9
18	N/A	N/A

Dairy

Trigger quantity (MT) of headings

Year	0401	0402	0403	0405	0406	2105	19, 21 y 22
1	13	390	13	130	533	156	156
2	14	410	14	137	560	164	164
3	14	430	14	143	588	172	172
4	15	451	15	150	617	181	181
5	16	474	16	158	648	190	190
6	17	498	17	166	680	199	199
7	17	523	17	174	714	209	209
8	18	549	18	183	750	220	220
9	19	576	19	192	787	230	230
10	20	605	20	202	827	242	242
11	21	635	21	212	868	254	254
12	22	667	22	222	912	267	267
13	23	700	23	233	957	280	280
14	25	735	25	245	1,005	294	294
15	26	772	26	257	1,055	309	309
16	27	811	27	270	1,108	324	324
17	28	851	28	284	1,163	341	341
18	30	894	30	298	1,222	358	358
19	31	939	31	313	1,283	375	375
20	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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Dairy

Safeguard tariff (%)

	0401	0402	0403	0405			0406	2105	19, 21 y 22	
		04022111, 04022121, 04022122, 04022900	04021000, 04022112		04059010	04059090	04051000, 04052000			21069020
Tariff:	40	15	20	40	5	20	30	40	15	15
Year 1	40	15	20	40	5	20	30	40	15	15
2	40	15	20	40	5	20	30	40	15	15
3	40	15	20	40	5	20	30	40	15	15
4	40	15	20	40	5	20	30	40	15	15
5	40	15	20	40	5	20	30	40	15	15
6	40	15	20	40	5	20	30	40	15	15
7	40	15	20	40	5	20	30	40	15	15
8	40	15	20	40	5	20	30	40	15	15
9	40	15	20	40	5	20	30	40	15	15
10	40	15	20	40	5	20	30	40	15	15
11	40	15	20	40	5	20	30	40	15	15
12	40	15	20	40	5	20	30	40	15	15
13	40	15	20	40	5	20	30	40	15	15
14	40	15	20	40	5	20	30	40	15	15
15	35.0	13.1	17.5	35.0	4.4	17.5	26.3	35.0	13.1	13.1
16	34.0	12.8	17.0	34.0	4.3	17.0	25.5	34.0	12.8	12.8
17	33.0	12.4	16.5	33.0	4.1	16.5	24.8	33.0	12.4	12.4
18	24.0	9.0	12.0	24.0	3.0	12.0	18.0	24.0	9.0	9.0
19	22.0	8.3	11.0	22.0	2.8	11.0	16.5	22.0	8.3	8.3
20	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Pork

SAC 02031100, 02031200, 02031900, 02032100, 02032200, 02032900

Year	Trigger Quantity (MT)	Safeguard Tariff
1	2,145	40
2	2,340	40
3	2,535	40
4	2,730	40
5	2,925	40
6	3,120	40
7	3,315	40
8	3,510	40
9	3,705	40

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10	3,900	36.8
11	4,095	36
12	4,290	34.5
13	4,485	26
14	4,680	23
15	N/A	N/A

Rough Rice
SAC 10061090

Year	Trigger Quantity (MT)	Safeguard Tariff
1	68,442	40
2	69,784	40
3	71,126	40
4	72,468	40
5	73,810	40
6	78,452	40
7	79,794	40
8	81,136	40
9	82,478	40
10	83,820	40
11	85,162	40
12	86,504	40
13	87,846	40
14	89,188	36.7
15	90,530	35
16	91,872	26.7
17	93,214	23.3
18	N/A	N/A

According to the Annex 3.3, note 10 of El Salvador, for any calendar year, the trigger quantity shall be 3,300 MT of “parboiled rough” rice or its equivalent in “parboiled milled” rice, every year until the tariff elimination program reaches to zero.

White Milled Rice
SAC 10062000, 10063010, 10063090, 10064000

Year	Trigger Quantity (MT)	Safeguard Tariff
1	6,188	40
2	6,600	40

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3	7,013	40
4	7,425	40
5	7,838	40
6	8,938	40
7	9,290	40
8	9,642	40
9	9,994	40
10	10,346	40
11	10,698	40
12	11,050	40
13	11,402	40
14	11,754	36.7
15	12,106	35
16	12,458	26.7
17	12,810	23.3
18	N/A	N/A

Beans

SAC 07133200, 07133390, 07133310

Year	Trigger Quantity (MT)	Safeguard Tariff 07133200	Safeguard Tariff 07133310, 07133390
1	66	15	20
2	73	15	20
3	80	15	20
4	88	15	20
5	97	15	20
6	106	13.5	18
7	117	13.3	17.7
8	129	13	17.3
9	141	12.8	17
10	156	12.5	16.7
11	171	9.5	12.7
12	188	9	12
13	207	8.5	11.3
14	228	8	10.7
15	N/A	N/A	N/A

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Sorghum
SAC 10070090

Year	Trigger Quantity (MT)	Safeguard Tariff
1	289	15
2	303	15
3	316	15
4	330	15
5	344	15
6	358	13.5
7	371	13.3
8	385	13
9	399	12.8
10	413	12.5
11	426	9.5
12	440	9
13	454	8.5
14	468	8
15	N/A	N/A

Vegetable Oils
SAC 15079000, 15121900, 15122900, 15152900, 15162090

Year	Trigger Quantity (MT)	Safeguard Tariff 15121900	Safeguard Tariff 15079000, 15122900, 15152900, 15162090
1	8,400	15	15
2	8,800	15	15
3	9,200	15	15
4	9,600	15	15
5	10,000	15	13.4
6	10,400	13.5	13.1
7	10,800	13.3	12.8
8	11,200	13	12.5
9	11,600	12.8	9.4
10	12,000	12.5	8.8
11	12,400	9.5	8.1
12	12,800	9	N/A
13	13,200	8.5	N/A
14	13,600	8	N/A
15	N/A	N/A	N/A

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Canned Meat

SAC 16010010, 16010030, 16010080, 16010090, 16024990

Year	Trigger Quantity (MT)	Safeguard Tariff 16010030, 16024990	Safeguard Tariff 16010010, 16010080, 16010090
1	440	40	40
2	480	40	40
3	520	40	40
4	560	40	40
5	600	40	35.8
6	640	36	35
7	680	35.3	34.2
8	720	34.7	33.3
9	760	34	25
10	800	33.3	23.3
11	840	25.3	21.7
12	880	24	N/A
13	920	22.7	N/A
14	960	21.3	N/A
15	N/A	N/A	N/A

High Fructose Corn Syrup

SAC 17023020, 17024000, 17025000, 17026000

Year	Trigger Quantity (MT)	Safeguard Tariff
1	83	40
2	90	40
3	98	40
4	105	40
5	113	40
6	120	36
7	128	35.3
8	135	34.7
9	143	34
10	150	33.3
11	158	25.3
12	165	24

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13	173	22.7
14	180	21.3
15	N/A	N/A