

[Billing Code 3190-W9-P]

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. USTR-2008-0036]

**Additional Delay in Modification of Action Taken in Connection with WTO Dispute
Settlement Proceedings on the European Communities' Ban on Imports of U.S. Beef and
Beef Products**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice and modification of action.

SUMMARY: On January 15, 2009, the United States Trade Representative (“Trade Representative”) announced modifications (“January 15 modifications”) to the action taken in July 1999 in connection with the World Trade Organization (“WTO”) authorization of the United States in the *EC-Beef Hormones* dispute to suspend concessions and related obligations with respect to the European Communities (“EC”). See 74 FR 4265 (Jan. 23, 2009). The January 15 modifications initially had an effective date of March 23, 2009. The Trade Representative subsequently delayed the effective date of the additional duties imposed under the January 15 modifications until April 23, 2009. The effective date of the removal of duties under the January 15 modifications remained March 23, 2009. See 74 FR 11613 (March 18, 2009); 74

FR 12402 (March 24, 2009). In order to allow additional time to reach agreement with the EC on an interim solution that would provide benefits to the U.S. beef industry, the Trade Representative has decided to delay the effective date of the additional duties imposed under the January 15 modifications from April 23, 2009 until May 9, 2009.

EFFECTIVE DATE: The additional duties under the January 15 modifications shall be effective with respect to products that are entered, or withdrawn from warehouse, for consumption on or after May 9, 2009.

FOR FURTHER INFORMATION CONTACT: Roger Wentzel, Director, Agricultural Affairs, (202) 395-6127 or David Weiner, Director for the European Union, (202) 395-4620 for questions concerning the *EC-Beef Hormones* dispute; or William Busis, Associate General Counsel and Chair of the Section 301 Committee, (202) 395-3150, for questions concerning procedures under Section 301.

SUPPLEMENTARY INFORMATION

For background concerning the *EC-Beef Hormones* WTO dispute; the January 15 modifications; and the initial delay in the effective date of the modifications, see 74 FR 4265 (Jan. 23, 2009), 74 FR 11613 (March 18, 2009), and 74 FR 12402 (March 24, 2009).

Pursuant to Section 305 of the Trade Act of 1974, the Trade Representative has determined that a further delay in implementation of the January 15 modifications would be desirable to obtain a

satisfactory solution with respect to the EC's ban on U.S. beef. Accordingly, the Trade Representative has decided to delay the effective date of the additional duties imposed under the January 15 modifications from April 23, 2009 until May 9, 2009. The actions to be delayed are: (i) the imposition of increased duties on additional products, (ii) the application to products of additional EC member States of the increased duties on currently covered products, and (iii) the increase in the level of duties on one of the products that is being maintained on the product list. These are the same actions that were previously delayed until April 23, 2009.

The increased duties under the January 15 modifications are set out in Annex II of the notice published at 74 FR 12402 (March 24, 2009). In order to delay the effective date of the increased duties until May 9, 2009, (i) the date of "April 23, 2009" set out in the second line of Part A of Annex II of the notice published at 74 FR 12402 is hereby changed to "May 9, 2009"; and (ii) the date of "April 23, 2009" set out in the second line of Part B of Annex II of the notice published at 74 FR 12402 is hereby changed to "May 9, 2009". Any merchandise covered under Part B of Annex II of the notice published at 74 FR 12402 that is admitted to a U.S. foreign-trade zone on or after May 9, 2009 must be admitted in "privileged foreign status" as defined in 19 C.F.R. 146.41. Questions concerning customs matters may be directed to Renee Chovanec, International Coordination, Office of International Trade, U.S. Customs and Border Protection, 202-863-6384.



William Busis

Chair, Section 301 Committee