

IMPOSING QUOTAS OR FEES ON IMPORTS OF CERTAIN DAIRY AND
OTHER PRODUCTS

June 8, 1953
[No. 3019]

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as added by section 31 of the act of August 24, 1935, 49 Stat. 773, reenacted by section 1 of the act of June 3, 1937, 50 Stat. 246, and as amended by section 3 of the act of July 3, 1948, 62 Stat. 1248, section 3 of the act of June 28, 1950, 64 Stat. 261, and section 8 (b) of the act of June 16, 1951, Public Law 50, 82d Congress (7 U. S. C. 624), the Secretary of Agriculture advised me that he had reason to believe that upon the expiration of section 104 of the Defense Production Act of 1950, as amended, the products included in the lists appended to and made a part of this proclamation are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, programs undertaken by the Department of Agriculture with respect to certain of such articles or with respect to products from which certain of such articles are processed, or to reduce substantially the amount of one or more of such articles processed in the United States from agricultural commodities with respect to which a program of the Department of Agriculture is being undertaken;

65 Stat. 75.

65 Stat. 132.
50 USC app. 2074.
Ante, p. 131; *post*,
p. c48.

WHEREAS, having agreed with the Secretary of Agriculture's reason for such belief, I caused the United States Tariff Commission to make an investigation under the said section 22 with respect to the said articles;

7 USC 624.

WHEREAS the said Tariff Commission has made such an investigation and has reported to me its findings and recommendations made in connection therewith;

WHEREAS, on the basis of the said investigation and report of the Tariff Commission, I find that in the event section 104 of the Defense Production Act of 1950, as amended, expires under its present terms, the articles included in the lists appended to and made a part of this proclamation are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, programs or operations undertaken by the Department of Agriculture or agencies operating under its direction, pursuant to sections 101, 201, 301, and 401 of the Agricultural Act of 1949, as amended, and Part VI of Title III of the Agricultural Adjustment Act of 1938, as amended, with respect to certain of such articles or with respect to products from which certain of such articles are processed, or to reduce substantially the amount of certain of such articles processed in the United States from agricultural commodities with respect to which the said programs or operations of the United States Department of Agriculture are being undertaken; and

Ante, p. 131.
Post, p. c48.

63 Stat. 1051.
7 USC 1441, 1446,
1447, 1421.
55 Stat. 88.
7 USC 1357-1359.

WHEREAS I find and declare that in the event section 104 of the Defense Production Act of 1950, as amended, expires under its present

Ante, p. 131.

terms, the imposition of the fees and quantitative limitations herein-after proclaimed is shown by such investigation of the Tariff Commission to be necessary in order that the entry, or withdrawal from warehouse, for consumption of such articles will not render or tend to render ineffective, or materially interfere with, the said programs or operations, or reduce substantially the amount of products processed in the United States from agricultural commodities with respect to which certain of the said programs or operations are being undertaken:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, acting under and by virtue of the authority vested in me by the said section 22 of the Agricultural Adjustment Act, as amended, do hereby proclaim that on and after July 1, 1953, articles included in the lists appended to and hereby made a part of this proclamation shall be subject to quantitative limitations and fees, as follows:

1. Articles included in Lists I and II (except peanuts) shall be permitted to be entered only by or for the account of a person or firm to whom a license has been issued by or under the authority of the Secretary of Agriculture, and only in accordance with the terms of such license. Such licenses shall be issued under regulations of the Secretary of Agriculture which he determines will, to the fullest extent practicable, result in (1) the equitable distribution of the respective quotas for such articles among importers or users and (2) the allocation of shares of the respective quotas for such articles among supplying countries, based upon the proportion supplied by such countries during previous representative periods, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned. No licenses shall be issued which will permit any such articles to be entered during any 12-month period beginning July 1 in excess of the respective quantities specified for such articles in Lists I and II and, in the case of articles included in List II, during the first 4 months and the first 8 months of any such 12-month period in excess of one-third and two-thirds, respectively, of such specified quantities.

2. No peanuts included in List II shall be entered during any 12-month period beginning July 1 in excess of the quantity specified for such peanuts in the said List II.

3. Articles included in List III shall, when entered, be subject to the fees respectively specified therefor in the said List III.

I hereby determine that the periods specified in the said report of the Tariff Commission for the purpose of the first proviso to section 22(b) of the Agricultural Adjustment Act, as amended, are representative periods for such purpose.

The provisions of this proclamation shall not apply to articles imported by or for the account of any department or agency of the Government of the United States.

As used in this proclamation, the word "entered" means "entered, or withdrawn from warehouse, for consumption".

This proclamation shall be without force and effect if section 104 of the Defense Production Act of 1950, as amended, is extended beyond June 30, 1953.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Articles subject to limitation and fees.

7 USC 624.

Post, p. C48.

Dairy products.

Peanuts.

Peanut and linseed oils, flaxseed.

7 USC 624.

Nonapplicability to Governmental imports.

Definition.

Force and effect.

Ante, p. 131.

DONE at the City of Washington this eighth day of June in the year of our Lord nineteen hundred and fifty-three, and of the Independence of the United States of America the one hundred and seventy-seventh.

DWIGHT D EISENHOWER

By the President:

JOHN FOSTER DULLES

Secretary of State

LIST I

ARTICLE	QUANTITY
Butter.....	707,000 pounds.
Dried whole milk.....	7,000 pounds.
Dried buttermilk.....	496,000 pounds.
Dried cream.....	500 pounds.
Dried skimmed milk.....	1,807,000 pounds.
Malted milk, and compounds or mixtures of or substitutes for milk or cream.....	6,000 pounds (aggregate quantity)

[Proclamation No. 3025, *post*, p. c54, proclaims this statement: "Each enumeration of an article in this list shall include any other article dutiable under the Tariff Act of 1930 as such enumerated article by reason of butterfat content."]

Post, p. c54.

LIST II

ARTICLE	QUANTITY
Cheddar Cheese, and cheese and substitutes for cheese containing, or processed from, Cheddar cheese.....	2,780,100 pounds (aggregate quantity)
Edam and Gouda cheese.....	4,600,200 pounds (aggregate quantity)
Blue-mold (except Stilton) cheese, and cheese and substitutes for cheese containing, or processed from, blue-mold cheese.....	4,167,000 pounds (aggregate quantity)
Italian-type cheeses, made from cow's milk, in original loaves (Romano made from cow's milk, Reggiano, Parmesano, Provoloni, Provolette, and Sbrinz).....	9,200,100 pounds (aggregate quantity)
Peanuts, whether shelled, not shelled, blanched, salted, prepared, or preserved (including roasted peanuts, but not including peanut butter).....	1,709,000 pounds (aggregate quantity): <i>Provided</i> , That peanuts in the shell shall be charged against this quota on the basis of 75 pounds for each 100 pounds of peanuts in the shell.

LIST III

ARTICLE	FEE
Peanut oil.....	25% ad valorem on peanut oil entered, or withdrawn from warehouse, for consumption during any 12-month period beginning July 1 in excess of 80,000,000 pounds.
Flaxseed (except flaxseed approved for planting pursuant to the Federal Seed Act).....	50% ad valorem
Linseed oil, and combinations and mixtures in chief value of such oil.....	50% ad valorem

53 Stat. 1275.
7 USC 1551.