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**U.S. TRADE REPRESENTATIVE CANCELS ANTICIPATED MODIFICATIONS TO  
100% TARIFF LIST COVERING CERTAIN EU-ORIGIN GOODS**

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In 1999, the WTO Dispute Settlement Body authorized the United States to impose increased tariffs on EU products up to a total annual trade value of \$116.8 million. Pursuant to this authorization, the US created a “retaliation” list subjecting certain EU goods to a 100% *ad valorem* tariff rate. In January 2009, the US Trade Representative announced modifications to the 100% tariff list—these amendments included adding additional goods to the list, while removing others. The effective date of the modifications was initially scheduled for March 23, 2009. To permit additional time for resolution of the trade dispute through negotiations, the effective date was delayed until May 9, 2009, although the scheduled removal of certain items was effected. Prior to the final changes being implemented, however, the US and EU have reached a provisional agreement under which the US will not modify the current list of EU products subject to the 100% tariffs.

Under this agreement, the US will simply maintain its current 100% tariff list, meaning that there will no longer be increased duties imposed on the following products:

- certain meat, decorative foliage, oats, chewing gum, chocolate, pears and peaches from EU member countries
- certain frozen meat of swine from Finland, France, Ireland, the Netherlands and Sweden
- certain chestnuts and wool grease from France
- certain fruit juices and juice mixtures from Austria, Cyprus, France and Poland
- certain mineral waters from Italy

In addition, the duty on Roquefort cheese from the EU will not be increased to 300%, as planned.

The tariff rates which are currently provided for on the US retaliation list (i.e., the duties in effect since the March 23 removal modifications) will remain in effect. A summary list of the current duty rates is appended to this email. In accordance with the US-EU understanding, the US will not increase sanctions on EU products during the initial three-year period of the agreement. The parties hope to achieve a long-term resolution to the dispute by the fourth year.

We are available to provide further details on the changes and to answer any questions regarding the duty treatment of EU-origin products.

**APPENDIX**

The products on the United States Trade Representative's 100% tariff list are provided below, arranged according to origin country(ies) and Harmonized Tariff System Number.

**GOODS ON THE CURRENT 100% AD VALOREM DUTY RATE LIST**

*Articles the product of Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain or Sweden:*

9903.02.21	Meat of bovine animals, fresh or chilled (provided for in heading 0201) – articles of subheading 0201.10.05, 0201.10.10, 0201.20.02, 0201.20.04, 0201.20.06, 0201.20.10, 0201.20.30, 0201.20.50, 0201.30.02, 0201.30.04, 0201.30.06, 0201.30.10, 0201.30.30, or 0201.30.50	100%
9903.02.22	Meat of bovine animals, fresh or chilled (provided for in heading 0201) – articles of subheading 0201.10.50, 0201.20.80, or 0201.30.80	100%
9903.02.23	Meat of bovine animals, frozen (provided for in heading 0202) – articles of subheading 0202.10.05, 0202.10.10, 0202.20.02, 0202.20.04, 0202.20.06, 0202.20.10, 0202.20.30, 0202.20.50, 0202.30.02, 0202.30.04, 0202.30.06, 0202.30.10, 0202.30.30, or 0202.30.50	100%
9903.02.24	Meat of bovine animals, frozen (provided for in heading 0202) – articles of subheading 0202.10.50, 0202.20.80, or 0202.30.80	100%
9903.02.25	Meat of swine, fresh or chilled (provided for in subheading 0203.11, 0203.12, or 0203.19)	100%
9903.02.26	Carcasses and half-carcasses of swine, frozen (provided for in subheading 0203.21)	100%
9903.02.27	Hams, shoulders, and cuts thereof, with bone in, of swine, frozen (provided for in subheading 0203.22)	100%
9903.02.28	Edible offal of bovine animals, fresh or chilled (provided for in subheading 0206.10)	100%
9903.02.29	Edible offal of bovine animals, frozen (provided for in subheading 0206.21, 0206.22, or 0206.29)	100%
9903.02.30	Roquefort cheese (provided for in subheading 0406.40.20 and 0406.40.40)	100%
9903.02.32	Truffles, fresh or chilled (provided for in subheading 0709.59.10)	100%
9903.02.34	Other prepared or preserved meat, meat offal or blood, of liver of any animal (provided for in subheading 1602.20)	100%

*Articles the product of France:*

9903.02.43	Hams, shoulders and cuts of meat of swine, with bone in, salted, in brine, dried or smoked (provided for in subheading 0210.11)	100%
9903.02.44	Wool grease (other than crude wool grease) and fatty substances derived from wool grease (including lanolin) (provided for in subheading 1505.00.90)	100%
9903.02.45	Chocolate and other food preparations containing cocoa, in blocks, slabs or bars, filled, weighing 2 kg or less each (provided for in subheading 1806.31)	100%
9903.02.46	Lingonberry and raspberry jams (provided for in subheading 2007.99.05)	100%

*Articles the product of Austria or France:*

9903.02.83	Juice of any other single fruit, not elsewhere specified or included, not fortified with vitamins or minerals, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter (provided for in subheading 2009.80.60)	100%
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