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SUBJECT TO LEGAL REVIEW FOR ACCURACY, CLARITY AND CONSISTENCY  
MARCH 1, 2004

**U.S. -Australia Free Trade Agreement**

Draft General Notes to U.S. Tariff Schedule

**ANNEX 2-B**  
**SCHEDULE OF THE UNITED STATES**  
**GENERAL NOTES**

**GENERAL NOTES**  
**TARIFF SCHEDULE OF THE UNITED STATES**

1. Relation to the Harmonized Tariff Schedule of the United States (HTSUS). The provisions of this schedule are generally expressed in terms of the Harmonized Tariff Schedule of the United States, and the interpretation of the provisions of this schedule, including the goods coverage of subheadings of this schedule, shall be governed by the General Notes, Section Notes, and Chapter Notes of the HTSUS. To the extent that provisions of this schedule are identical to the corresponding provisions of the HTSUS, the provisions of this schedule shall have the same meaning as the corresponding provisions of the HTSUS.
2. Base Rates of Customs Duty. The base rates of duty set forth in this schedule reflect the HTSUS Column 1 General rates of duty in effect January 1, 2004.
3. Rounding. For the purpose of the elimination of customs duties in accordance with this note, interim staged rates shall be rounded down, at least to the nearest tenth of a percentage point or, if the rate of duty is expressed in monetary units, at least to the nearest 0.001 of the official monetary unit of the Party.
4. Staging. The following staging categories apply to the elimination of customs duties by the United States pursuant to Article 2.2 (Elimination of Duties):

(NOTE: all staging category descriptions are subject to reformatting for consistency)

- (a) Duties on goods provided for subheadings 2918.90.20 and 8111.00.45 shall be removed in equal annual stages beginning on the date this Agreement enters into force, and such goods shall be duty free, effective January 1, 2010;
- (b) Duties on goods provided for in the items in staging category F in a Party's schedule shall be removed in eighteen equal annual stages beginning on the date this Agreement enters into force, and such goods shall be duty-free, effective January 1 of year eighteen.
- (c) Duties on goods provided for in the items in staging category G shall remain at base rates during years one through six. Duties on these goods shall be reduced by 5.6 percent of the base rate on January 1 of year seven and by an additional 5.6 percent of the base rate on January 1 of each year thereafter through year twelve. Beginning January 1 of year thirteen, duties on these goods shall be reduced by an additional 11.1 percent of the base rate annually through year eighteen and shall be duty-free effective January 1 of

year eighteen.

- (d) Duties on goods provided for in the items in staging category H shall remain at base rates during years one through eight. Duties on these goods shall be reduced by 6.7 percent of the base rate on January 1 of year nine and by an additional 6.7 percent of the base rate on January 1 of each year thereafter through year thirteen. Beginning January 1 of year fourteen, duties on these goods shall be reduced by an additional 13.3 percent of the base rate annually through year eighteen and shall be duty-free effective January 1 of year eighteen.
- (e) Duties on goods provided for in the items in staging category I shall remain at base rates.
- (f) Duties on goods provided for in items in staging category J shall be subject to the following provisions during the tariff elimination period until January 1, of year ten of the Agreement, at which time such goods shall be free of duty:
  - (i) For goods described in tariff category 9802.00.60, at the time of entry the duty imposed upon the value of the processing outside the United States to be applied in accordance with the procedures specified in U.S. note 3 of subchapter II, chapter 98, of the HTS, shall be the rate which would apply to the article itself under the staging obligations set forth for the appropriate provision in Chapters 1 to 97 of this schedule.
  - (ii) For goods described in tariff category 9802.00.80, at the time of entry the duty imposed upon the assembled article to be applied in accordance with the procedures specified in U.S. note 4 of subchapter II, chapter 98, of the HTS, shall be the rate applicable to the full value of the article itself under the staging obligations set forth for the appropriate provision in Chapters 1 to 97 of this schedule.
  - (iii) For goods described in tariff category 9818.00.05, at the time of entry the duty imposed upon the cost of such parts shall be the rate applicable to the full value of such parts under the staging obligations set forth for the appropriate provision in Chapters 1 to 97 of this schedule.

- (g) Duties on goods provided for in the items in staging category T1 shall be treated as follows: If the base rate is greater than three percent , the United States will apply a rate of three percent, from entry into force through December 31, 2009. Such goods shall be duty-free effective January 1, 2010.
- (h) Duties on goods provided for in the items in staging category TX shall be treated as follows: If the base rate is greater than three percent and less than 5.5 percent the United States will apply a rate that is 0.9 percent of its base rate, from entry into force through December 31, 2009. Beginning on January 1, 2010, the United States will apply the lower of the rate that was in effect on December 31, 2009 or three percent . Such goods shall be duty-free effective January 1, 2015.
- (i) Duties on goods provided for in the items in staging category T2 shall be treated as follows: If the base rate is greater than three percent and less than eight percent , the United States will apply a rate that is 0.9 percent of its base rate, from entry into force through December 31, 2009. Beginning on January 1, 2010, the United States will apply the lower of the rate that was in effect on December 31, 2009, or three percent. Such goods shall be duty-free effective January 1, 2015.
- (j) Duties on goods provided for in the items in staging category T3 shall be treated as follows: If the base rate is greater than three percent and less than 15.5 percent the United States will apply a rate that is 0.9 percent% of its base rate, from entry into force through December 31, 2009. Beginning on January 1, 2010, the United States will apply the lower of the rate that was in effect on December 31, 2009, or eight percent. Such goods shall be duty-free effective January 1, 2015.

**ANNEX I**  
**TARIFF-RATE QUOTAS**

Notes

1. This annex contains temporary modifications of the provisions of the HTSUS pursuant to this Agreement. Originating goods of Australia described in the provisions of this annex are subject to duty at the rate set forth in this annex in lieu of the rate provided therefore in Chapters 1 through 97. Notwithstanding tariff-rate quota provisions provided for elsewhere in the HTSUS, originating goods of Australia shall be permitted to enter the United States in accordance with the provisions of this annex. Furthermore, any quantity provided for Australia on goods described in this annex shall not be counted toward any tariff-rate quota provided for such goods elsewhere in the HTSUS. Originating goods of Australia imported into the United States also shall not be subject to any of the provisions, duties or limitations of Subchapter IV of Chapter 99 of the HTSUS.

*Beef entered under Australia's country-specific WTO tariff-rate quota*

2. (a) Duties on goods entered from Australia for the quantities explicitly reserved for Australia pursuant to the provisions of Additional U.S. Note 3 in Chapter 2 of the HTSUS shall be removed in accordance with the provisions of staging category A in Annex 2-B, paragraph 2(a).

*Beef entered under FTA preferential tariff-rate quota*

3. (a) Whenever, in any calendar year, U.S. beef exports are equal to or exceed the total quantity of U.S. beef exported in 2003, but not later than the third year after the date of entry into force of the Agreement, the aggregate quantity of beef from Australia as defined in subparagraph (c) that is entered under the provisions listed in subparagraph (d) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

<u>Year</u>	<u>Quantity</u>
	(Metric tons)
1	0
2	15,000
3	20,000
4	20,000
5	25,000
6	25,000
7	30,000
8	30,000
9	35,000

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10	35,000
11	40,000
12	40,000
13	45,000
14	45,000
15	50,000
16	55,000
17	60,000
18	70,000
19	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 Australia is in effect for the goods. This arrangement continues beyond the 18- year transition period.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be removed in accordance with the provisions of staging category H in the General Notes to the Tariff Schedule of the United States, paragraph 3(c).
- (c) The provisions listed in subparagraph (a) apply only to beef other than carcasses and half carcasses and beef other than processed, as defined in Additional U.S. note 1(a) of Chapter 2 of the HTSUS.
- (d) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG02011050, AG02012080, AG02013080, AG02021050, AG02022080, and AG02023080.

*Creams and Ice Cream entered under FTA preferential tariff-rate quota*

- 4. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(000 liters)
1	7,500
2	7,950
3	8,427
4	8,933
5	9,469
6	10,037
7	10,639

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8	11,277
9	11,954
10	12,671
11	13,431
12	14,237
13	15,091
14	15,997
15	16,957
16	17,974
17	19,053

Starting in year 18 of the Agreement, the quantity shall increase at a compounded growth rate of 6 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraph (a) applies to the following Table 1 provisions: AG04013025, AG04039016 and AG21050020.

*Condensed milk entered under Australia’s country-specific WTO tariff-rate quota*

- 5. (a) Duties on goods entered from Australia for the quantities explicitly reserved for Australia pursuant to the provisions of Additional U.S. Note 11 in Chapter 4 of the HTSUS shall be removed in accordance with the provisions of staging category A in Annex 2-B, paragraph 2(a).

*Condensed milk entered under FTA preferential tariff-rate quota*

- 6. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	3,000

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2	3,180
3	3,371
4	3,573
5	3,787
6	4,015
7	4,256
8	4,511
9	4,782
10	5,068
11	5,373
12	5,695
13	6,037
14	6,399
15	6,783
16	7,190
17	7,621

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 6 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG04029170, AG04029190, AG04029945 and AG04029955.

*Butter entered under FTA preferential tariff-rate quota*

- 7. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	1,500
2	1,545
3	1,591



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4	1,639
5	1,688
6	1,739
7	1,791
8	1,845
9	1,900
10	1,957
11	2,016
12	2,076
13	2,139
14	2,203
15	2,269
16	2,337
17	2,407

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 3 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG04013075, AG04022190, AG04039065, AG04039078, AG04051020, AG04052030, AG04059020, AG21069026 and AG21069036.

*Non-fat Dried Milk Powder and Skim Milk Powder entered under FTA preferential tariff-rate quota*

- 8. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	100
2	103
3	106

4	109
5	113
6	116
7	119
8	123
9	127
10	130
11	134
12	138
13	143
14	147
15	151
16	156
17	160

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 3 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG04021050 and AG04022125.

*Other Milk Powder entered under Australia’s country-specific WTO tariff-rate quota*

- 9. (a) Duties on goods entered from Australia for the quantities explicitly reserved for Australia pursuant to the provisions of Additional U.S. Note 2 in Chapter 23 of the HTSUS shall be removed in accordance with the provisions of staging category A in Annex 2-B, paragraph 2(a).

*Other Milk Powders entered under FTA preferential tariff-rate quota*

- 10. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

<u>Year</u>	<u>Quantity</u>
	(Metric tons)
1	4,000
2	4,160
3	4,326
4	4,499
5	4,679
6	4,867
7	5,061
8	5,264
9	5,474
10	5,693
11	5,921
12	6,158
13	6,404
14	6,660
15	6,927
16	7,204
17	7,492

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 4 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG04022150, AG04039045, AG04039055, AG04041090, AG23099028 and AG23099048.

*Other Dairy Products entered under Australia’s country-specific WTO tariff-rate quota*

- 11. (a) Duties on goods entered from Australia for the quantities explicitly reserved for Australia pursuant to the provisions of Additional U.S. Note 10 in Chapter 4 and Additional U.S. Note 2 in Chapter 18 of the HTSUS shall be removed in accordance with the provisions of staging category A in Annex 2-B, paragraph 2(a).

*Other Dairy Products entered under FTA preferential tariff-rate quota*

12. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	1,500
2	1,590
3	1,685
4	1,787
5	1,894
6	2,007
7	2,128
8	2,255
9	2,391
10	2,534
11	2,686
12	2,847
13	3,018
14	3,199
15	3,391
16	3,595
17	3,811

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 6 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) 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.

*Cheddar Cheese entered under Australia's country-specific WTO tariff-rate quota*

13. (a) Duties on goods entered from Australia for the quantities explicitly reserved for Australia pursuant to the provisions of Additional U.S. Note 18 in Chapter 4 of the HTSUS shall be removed in accordance with the provisions of staging category A in Annex 2-B, paragraph 2(a).

*Cheddar Cheese entered under FTA preferential tariff-rate quota*

14. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	750
2	773
3	796
4	820
5	844
6	869
7	896
8	922
9	950
10	979
11	1,008
12	1,038
13	1,069
14	1,101
15	1,134
16	1,168
17	1,204

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 3 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG04061028, AG04062033, AG04062067, AG04063028, AG04063067, AG04069012 and AG04069078.

*American Cheese entered under Australia’s country-specific WTO tariff-rate quota*

- 15. (a) Duties on goods entered from Australia for the quantities explicitly reserved for Australia pursuant to the provisions of Additional U.S. Note 19 in Chapter 4 of the HTSUS shall be removed in accordance with the provisions of staging category A in Annex 2-B, paragraph 2(a).

*American Cheese entered under FTA preferential tariff-rate quota*

- 16. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
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

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 3 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG04061038, AG04062039, AG04062071, AG04063038, AG04063071, AG04069054, AG04069084.

*Swiss-type Cheese entered under Australia’s country-specific WTO tariff-rate quota*

- 17. (a) Duties on goods entered from Australia for the quantities explicitly reserved for Australia pursuant to the provisions of Additional U.S. Note 25 in Chapter 4 of the HTSUS shall be removed in accordance with the provisions of staging category A in Annex 2-B, paragraph 2(a).

*Swiss-type Cheese entered under FTA preferential tariff-rate quota*

- 18. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	500
2	525
3	551
4	579
5	608
6	638
7	670
8	704

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9	739
10	776
11	814
12	855
13	898
14	943
15	990
16	1,039
17	1,091

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 5 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provision: AG04069048.

*European-type Cheese entered under FTA preferential tariff-rate quota*

- 19. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	2,000
2	2,100
3	2,205
4	2,315
5	2,431
6	2,553
7	2,680
8	2,814
9	2,955
10	3,103



11	3,258
12	3,421
13	3,592
14	3,771
15	3,960
16	4,158
17	4,366

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 5 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions:  
AG04061018, AG04061048, AG04061058, AG04061068, AG04062028, AG04062048, AG04062053, AG04062063, AG04062075, AG04062079, AG04062083, AG04063018, AG04063048, AG04063053, AG04063063, AG04063075, AG04063079, AG04063083, AG04064070, AG04069018, AG04069032, AG04069037, AG04069042, AG04069068, AG04069074, AG04069088 and AG04069092.

*Other Cheeses entered under Australia’s country-specific WTO tariff-rate quota*

- 20. (a) Duties on goods entered from Australia for the quantities explicitly reserved for Australia pursuant to the provisions of Additional U.S. Note 16 in Chapter 4 of the HTSUS shall be removed in accordance with the provisions of staging category A in Annex 2-B, paragraph 2(a).

*Other Cheeses entered under FTA preferential tariff-rate quota*

- 21. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

<u>Year</u>	<u>Quantity</u>
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	(Metric tons)
1	3,500
2	3,675
3	3,859
4	4,052
5	4,254
6	4,467
7	4,690
8	4,925
9	5,171
10	5,430
11	5,701
12	5,986
13	6,285
14	6,600
15	6,930
16	7,276
17	7,640

Starting in year 18 of the Agreement, the quantity shall increase at a compounded annual growth rate of 5 percent.

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be treated in accordance with the provisions of staging category I in the General Notes to the Tariff Schedule of the United States, paragraph 3(d).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG04061008, AG04061088, AG04062091, AG04063091 and AG04069097

*Peanuts entered under FTA preferential tariff-rate quota*

- 22. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)

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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	unlimited

The quantities shall enter on a first-come, first-serve basis.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be removed in accordance with the provisions of staging category F in the General Notes to the Tariff Schedule of the United States, paragraph 3(a).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG12021080, AG12022080, AG20081115, AG20081135, and AG20081160.

*Tobacco entered under FTA preferential tariff-rate quota*

- 23. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity (Metric tons)
1	250
2	258
3	265
4	273
5	281
6	290
7	299

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8	307
9	317
10	326
11	336
12	346
13	356
14	367
15	378
16	389
17	401
18	unlimited

The quantities shall enter on a first-come, first-serve basis.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be removed in accordance with the provisions of staging category F in the General Notes to the Tariff Schedule of the United States, paragraph 3(a).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG24011065, AG24012035, AG24012087, AG24013070, AG24031090, AG24039147, AG24039990.

*Cotton entered under FTA preferential tariff-rate quota*

- 24. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	250
2	258
3	265
4	273
5	281
6	290
7	299
8	307
9	317
10	326
11	336
12	346
13	356
14	367

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15	378
16	389
17	401
18	unlimited

The quantities shall enter on a first-come, first-serve basis.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be removed in accordance with the provisions of staging category F in the General Notes to the Tariff Schedule of the United States, paragraph 3(a).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provisions: AG52010018, AG52010028, AG52010038, AG52010080, AG52029930, AG52030030.

*Avocados entered under FTA preferential tariff-rate quota – February 1 to September 15*

- 25. (a) The aggregate quantity of goods entered under the provision listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	0
2	1,500
3	1,650
4	1,815
5	1,997
6	2,196
7	2,416
8	2,657
9	2,923
10	3,215
11	3,537
12	3,891
13	4,280
14	4,708
15	5,178
16	5,696
17	6,266
18	unlimited

The quantities shall enter on a first-come, first-serve basis.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be removed in accordance with the provisions of staging category G in the General Notes to the Tariff Schedule of the United States, paragraph 3(b).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provision:  
AG08044000a.

*Avocados entered under FTA preferential tariff-rate quota – September 16 to January 31*

- 26. (a) The aggregate quantity of goods entered under the provision listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	0
2	2,500
3	2,750
4	3,025
5	3,328
6	3,660
7	4,026
8	4,429
9	4,872
10	5,359
11	5,895
12	6,484
13	7,133
14	7,846
15	8,631
16	9,494
17	10,443
18	unlimited

The quantities shall enter on a first-come, first-serve basis.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be removed in accordance with the provisions of staging category G in the General Notes to the Tariff Schedule of the United States, paragraph 3(b).

- (c) Subparagraphs (a) and (b) apply to the following Table 1 provision:  
AG08044000b.

*Goya Cheese entered under FTA preferential tariff-rate quota*

27. (a) The aggregate quantity of goods entered under the provisions listed in subparagraph (c) shall be free of duty in any calendar year specified herein, and shall not exceed the quantity specified below for each such year:

Year	Quantity
	(Metric tons)
1	2,500
2	2,625
3	2,756
4	2,894
5	3,039
6	3,191
7	3,350
8	3,518
9	3,694
10	3,878
11	4,072
12	4,276
13	4,490
14	4,714
15	4,950
16	5,197
17	5,457

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.

- (b) Duties on goods entered in aggregate quantities in excess of the quantities listed in subparagraph (a) shall be removed in accordance with the provisions of staging category F in the General Notes to the Tariff Schedule of the United States, paragraph 3(a).
- (c) Subparagraphs (a) and (b) apply to the following Table 1 provision:  
AG04069033.

*Wine*

28. (a) The duty on goods provided for in Table 1 provision AG22041000 shall remain at the base rate for years one through seven. Beginning January 1 of year eight, the duty shall be reduced by 7.7 percent from the base rate. Beginning January 1 of year nine, the duty shall be reduced by 35.9 percent from the base rate. Beginning January 1 of year ten, the duty shall be reduced by 64.1 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.
- (b) The duty on goods provided for in Table 1 provision AG22042120 shall remain at the base rate for years one through seven. Beginning January 1 of year eight, the duty shall be reduced by 7.7 percent from the base rate. Beginning January 1 of year nine, the duty shall be reduced by 35.9 percent from the base rate. Beginning January 1 of year ten, the duty shall be reduced by 64.1 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.
- (c) The duty on goods provided for in Table 1 provision AG22042130 shall remain at the base rate for years one through seven. Beginning January 1 of year eight, the duty shall be reduced by 7.7 percent from the base rate. Beginning January 1 of year nine, the duty shall be reduced by 35.9 percent from the base rate. Beginning January 1 of year ten, the duty shall be reduced by 64.1 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.
- (d) The duty on goods provided for in Table 1 provision AG22042150 shall remain at the base rate for years one through ten. Such goods shall be duty-free effective January 1 of year 11.
- (e) The duty on goods provided for in Table 1 provision AG22042160 shall remain at the base rate for years one through seven. Beginning January 1 of year eight, the duty shall be reduced by 7.7 percent from the base rate. Beginning January 1 of year nine, the duty shall be reduced by 35.9 percent from the base rate. Beginning January 1 of year ten, the duty shall be reduced by 64.1 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.
- (f) The duty on goods provided for in Table 1 provision AG22042180 shall remain at the base rate for years one through seven. Beginning January 1 of year eight, the duty shall be reduced by 7.7 percent from the base rate. Beginning January 1 of year nine, the duty shall be reduced by 35.9 percent from the base rate. Beginning January 1 of year ten, the duty shall be reduced by 64.1 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.



- (g) The duty on goods provided for in Table 1 provision AG22042920 shall remain at the base rate for years one through seven. Beginning January 1 of year eight, the duty shall be reduced by 2.7 percent from the base rate. Beginning January 1 of year nine, the duty shall be reduced by 32.4 percent from the base rate. Beginning January 1 of year ten, the duty shall be reduced by 62.2 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.
- (h) The duty on goods provided for in Table 1 provision AG22042940 shall remain at the base rate for years one through nine. Beginning January 1 of year 10, the duty shall be reduced by 41.7 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.
- (i) The duty on goods provided for in Table 1 provision AG22042960 shall be reduced by 16.3 percent from the base rate beginning on the date this Agreement enters into force. Beginning January 1 of year two, the duty shall be reduced by 24.4 percent from the base rate. Beginning January 1 of year three, the duty shall be reduced by 32.6 percent from the base rate. Beginning January 1 of year four, the duty shall be reduced by 40.7 percent from the base rate. Beginning January 1 of year five, the duty shall be reduced by 48.8 percent from the base rate. Beginning January 1 of year six, the duty shall be reduced by 57.0 percent from the base rate. Beginning January 1 of year seven, the duty shall be reduced by 65.1 percent from the base rate. Beginning January 1 of year eight, the duty shall be reduced by 73.3 percent from the base rate. Beginning January 1 of year nine, the duty shall be reduced by 81.4 percent from the base rate. Beginning January 1 of year ten, the duty shall be reduced by 89.6 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.
- (j) The duty on goods provided for in Table 1 provision AG22042980 shall be reduced by 16.3 percent from the base rate beginning on the date this Agreement enters into force. Beginning January 1 of year two, the duty shall be reduced by 24.4 percent from the base rate. Beginning January 1 of year three, the duty shall be reduced by 32.6 percent from the base rate. Beginning January 1 of year four, the duty shall be reduced by 40.7 percent from the base rate. Beginning January 1 of year five, the duty shall be reduced by 48.8 percent from the base rate. Beginning January 1 of year six, the duty shall be reduced by 57.0 percent from the base rate. Beginning January 1 of year seven, the duty shall be reduced by 65.1 percent from the base rate. Beginning January 1 of year eight, the duty shall be reduced by 73.3 percent from the base rate. Beginning January 1 of year nine, the duty shall be reduced by 81.4 percent from the base rate. Beginning January 1 of year ten, the duty shall be reduced by 89.6 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.
- (k) The duty on goods provided for in Table 1 provision AG22043000 shall remain at the base rate for years one through nine. Beginning January 1 of

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year ten the duty shall be reduced by 33.3 percent from the base rate. Such goods shall be duty-free effective January 1 of year 11.

**TABLE 1**

<b>HEADING</b>	<b>ARTICLE DESCRIPTION</b>
AG02011010	PROVIDED FOR IN SUBHEADING 02011010
AG02011050	PROVIDED FOR IN SUBHEADING 02011050
AG02012010	PROVIDED FOR IN SUBHEADING 02012010
AG02012030	PROVIDED FOR IN SUBHEADING 02012030
AG02012050	PROVIDED FOR IN SUBHEADING 02012050
AG02012080	PROVIDED FOR IN SUBHEADING 02012080
AG02013010	PROVIDED FOR IN SUBHEADING 02013010
AG02013030	PROVIDED FOR IN SUBHEADING 02013030
AG02013050	PROVIDED FOR IN SUBHEADING 02013050
AG02013080	PROVIDED FOR IN SUBHEADING 02013080
AG02021010	PROVIDED FOR IN SUBHEADING 02021010
AG02021050	PROVIDED FOR IN SUBHEADING 02021050
AG02022010	PROVIDED FOR IN SUBHEADING 02022010
AG02022030	PROVIDED FOR IN SUBHEADING 02022030
AG02022050	PROVIDED FOR IN SUBHEADING 02022050
AG02022080	PROVIDED FOR IN SUBHEADING 02022080
AG02023010	PROVIDED FOR IN SUBHEADING 02023010
AG02023030	PROVIDED FOR IN SUBHEADING 02023030
AG02023050	PROVIDED FOR IN SUBHEADING 02023050
AG02023080	PROVIDED FOR IN SUBHEADING 02023080
AG04013025	PROVIDED FOR IN SUBHEADING 04013025
AG04013075	PROVIDED FOR IN SUBHEADING 04013075
AG04021050	PROVIDED FOR IN SUBHEADING 04021050
AG04022125	PROVIDED FOR IN SUBHEADING 04022125
AG04022150	PROVIDED FOR IN SUBHEADING 04022150
AG04022190	PROVIDED FOR IN SUBHEADING 04022190
AG04022910	PROVIDED FOR IN SUBHEADING 04022910
AG04022950	PROVIDED FOR IN SUBHEADING 04022950
AG04029170	PROVIDED FOR IN SUBHEADING 04029170
AG04029190	PROVIDED FOR IN SUBHEADING 04029190
AG04029910	PROVIDED FOR IN SUBHEADING 04029910
AG04029945	PROVIDED FOR IN SUBHEADING 04029945
AG04029955	PROVIDED FOR IN SUBHEADING 04029955
AG04029970	PROVIDED FOR IN SUBHEADING 04029970
AG04029990	PROVIDED FOR IN SUBHEADING 04029990
AG04031010	PROVIDED FOR IN SUBHEADING 04031010
AG04031050	PROVIDED FOR IN SUBHEADING 04031050
AG04039016	PROVIDED FOR IN SUBHEADING 04039016
AG04039045	PROVIDED FOR IN SUBHEADING 04039045
AG04039055	PROVIDED FOR IN SUBHEADING 04039055
AG04039065	PROVIDED FOR IN SUBHEADING 04039065
AG04039078	PROVIDED FOR IN SUBHEADING 04039078
AG04039090	PROVIDED FOR IN SUBHEADING 04039090
AG04039095	PROVIDED FOR IN SUBHEADING 04039095
AG04041011	PROVIDED FOR IN SUBHEADING 04041011

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AG04041015	PROVIDED FOR IN SUBHEADING 04041015
AG04041090	PROVIDED FOR IN SUBHEADING 04041090
AG04049030	PROVIDED FOR IN SUBHEADING 04049030
AG04049050	PROVIDED FOR IN SUBHEADING 04049050
AG04051020	PROVIDED FOR IN SUBHEADING 04051020
AG04052030	PROVIDED FOR IN SUBHEADING 04052030
AG04052060	PROVIDED FOR IN SUBHEADING 04052060
AG04052070	PROVIDED FOR IN SUBHEADING 04052070
AG04059020	PROVIDED FOR IN SUBHEADING 04059020
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AG04061018	PROVIDED FOR IN SUBHEADING 04061018
AG04061024	PROVIDED FOR IN SUBHEADING 04061024
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AG04061038	PROVIDED FOR IN SUBHEADING 04061038
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AG04063063	PROVIDED FOR IN SUBHEADING 04063063
AG04063065	PROVIDED FOR IN SUBHEADING 04063065
AG04063067	PROVIDED FOR IN SUBHEADING 04063067

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AG04063069	PROVIDED FOR IN SUBHEADING 04063069
AG04063071	PROVIDED FOR IN SUBHEADING 04063071
AG04063075	PROVIDED FOR IN SUBHEADING 04063075
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AG04063089	PROVIDED FOR IN SUBHEADING 04063089
AG04063091	PROVIDED FOR IN SUBHEADING 04063091
AG04064070	PROVIDED FOR IN SUBHEADING 04064070
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AG04069012	PROVIDED FOR IN SUBHEADING 04069012
AG04069018	PROVIDED FOR IN SUBHEADING 04069018
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AG18063204	PROVIDED FOR IN SUBHEADING 18063204

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AG18063206	PROVIDED FOR IN SUBHEADING 18063206
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AG22042130	PROVIDED FOR IN SUBHEADING 22042130

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AG22042920	PROVIDED FOR IN SUBHEADING 22042920
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