

**DRAFT**  
**Subject to Legal Review for Accuracy, Clarity and Consistency**  
**March 03, 2004**  
**Costa Rican Safeguard Annex**

**Costa Rican Product List**

1. Except as otherwise provided in paragraphs 2 through 7, an agricultural safeguard measure in the form of an additional duty under Article 3.14 shall be set according to the following schedule:

(a) for years one through 5, 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;

(b) for years 6 through 10, 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 11 through 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 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 sweet peppers listed below, an agricultural safeguard measure in the form of an additional duty under Article 3.14 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;

(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 3.14.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good.

3. For the vegetable oils and pork goods listed below, an agricultural safeguard measure in the form of an additional duty under Article 3.14 shall be set according to the following schedule:

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(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;

(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

(c) for years 13 through 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 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 beef goods listed below, an agricultural safeguard measure in the form of an additional duty under Article 3.14 shall be set according to the following schedule:

(a) for years one through 8, 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;

(b) for years 9 through 11, 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 12 through 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 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 poultry goods listed below, an agricultural safeguard measure in the form of an additional duty under Article 3.14 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;

(b) for years 14 through 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

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(c) for year 16, 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.

6. For the rice goods listed below, an agricultural safeguard measure in the form of an additional duty under Article 3.14 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;

(b) for years 14 through 16, 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 17 through 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.

7. For the cheese, butter, milk powder, ice cream, liquid dairy and other dairy goods listed below, an agricultural safeguard measure in the form of an additional duty under Article 3.14 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;

(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 through 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.

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8. Safeguard Chart

<b>Commodity</b>	<b>Tariff Codes Subject to Safeguard</b>	<b>Trigger Level</b>	<b>Trigger Growth Rate</b>
Beef	02011000, 02012000, 02013000, 02021000, 02022000, 02023000	150 MT	10.0%
Pork	02031100, 02031200, 02031900, 02032100, 02032200, 02032900	140% of TRQ established in CRI Annex 1	
Poultry	02071399, 02071499	130% of TRQ established in CRI Annex 1	
Milk Powder	04021000, 04022111, 04022112, 04022121, 04022122, 04022900	130% of TRQ established in CRI Annex 1	
Butter and Dairy Spreads	04051000, 04052000	130% of TRQ established in CRI Annex 1	
Cheese	04061000, 04062090, 04063000, 04069010, 04069020, 04069090	130% of TRQ established in CRI Annex 1	
Ice Cream	21050000	130% of TRQ established in CRI Annex 1	
Others Dairy Products	04029990, 22029090	130% of TRQ established in CRI Annex 1	
Tomatoes	07020000	50 MT	10%
Carrots	07061000	50 MT	10%
Sweet Peppers	07096010	50 MT	10%
Potatoes	07101000	50 MT	10%
Beans	07133200, 07133310, 07133390, 07133990	1,200 MT	10%
White Corn	10059030	9,000 MT	10%
Rough Rice	10061090	110% of TRQ established in CRI Annex 1	
Milled Rice	10062000, 10063010, 10063090, 10064000	110% of TRQ established in CRI Annex 1	
Vegetable Oil	15079000, 15121900, 15122900, 15152900, 15162090, 15171000, 15179010, 15179090	1,178 MT	5%
High Fructose Corn Syrup	17023020, 17024000, 17026000, 17029090	50 MT	10%

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**Beef**

HS 0201.10.00, 0201.20.00, 0201.30.00, 0202.10.00, 0202.20.00, 0202.30.00

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 02011000, 02012000, 02013000, 02021000, 02022000, 02023000 (%)</b>
1	--	--
2	--	--
3	--	--
4	--	--
5	225	15.0
6	240	15.0
7	255	15.0
8	270	15.0
9	285	13.5
10	300	13.1
11	315	12.8
12	330	9.8
13	345	9.0
14	360	8.3
15	N/A	N/A

**Pork**

HS 0203.11.00, 0203.12.00, 0203.19.00, 0203.21.00, 0203.22.00, 0203.29.00

<b>Year</b>	<b>Safeguard trigger</b>	<b>Safeguard tariff 02031100, 02032100</b>	<b>Safeguard tariff 02031200, 02031900, 02032200, 02032900</b>
	<b>(MT)</b>	<b>(%)</b>	<b>(%)</b>
1	--	--	--
2	--	--	--
3	--	--	--
4	--	--	--
5	--	--	--
6	--	--	--
7	2,450	46.0	47.0
8	2,625	46.0	47.0
9	2,800	46.0	47.0
10	2,975	40.9	41.8
11	3,185	39.6	40.5
12	3,395	38.3	39.2
13	3,605	28.1	28.7

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14	3,815	25.6	26.1
15	N/A	N/A	N/A

**Poultry (“leg quarters” only)**  
HS 0207.13.99, 0207.14.99

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 02071399, 02071499 (%)</b>
1	--	--
2	--	--
3	--	--
4	--	--
5	--	--
6	--	--
7	--	--
8	--	--
9	--	--
10	--	--
11	819	151.0
12	858	151.0
13	897	151.0
14	936	130.2
15	975	124.6
16	1,014	86.8
17	N/A	N/A

**Milk Powder**

HS 0402.10.00, 0402.21.11, 0402.21.12, 0402.21.21, 0402.21.22, 0402.29.00

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 04021000, 04022111, 04022112, 04022121, 04022122, 04022900 (%)</b>
1	--	--
2	--	--
3	--	--
4	--	--
5	--	--
6	--	--
7	--	--

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8	--	--
9	--	--
10	--	--
11	424	66.0
12	445	66.0
13	467	66.0
14	490	66.0
15	515	57.8
16	541	56.1
17	568	54.5
18	596	39.6
19	626	36.3
20	N/A	N/A

**Butter and Dairy Spreads**  
HS 0405.10.00, 0405.20.00

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 04051000, 04052000 (%)</b>
1	--	--
2	--	--
3	--	--
4	--	--
5	--	--
6	--	--
7	--	--
8	--	--
9	--	--
10	--	--
11	318	66.0
12	334	66.0
13	350	66.0
14	368	66.0
15	386	57.8
16	405	56.1
17	426	54.5
18	447	39.6
19	469	36.3
20	N/A	N/A

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**Cheese**

HS 0406.10.00, 0406.20.90, 0406.30.00, 0406.90.10, 0406.90.20, 0406.90.90

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 04061000, 04063000 (%)</b>	<b>Safeguard Tariff 04062090 (%)</b>	<b>Safeguard Tariff 04069010, 04069020, 04069090 (%)</b>
1	--	--	--	--
2	--	--	--	--
3	--	--	--	--
4	--	--	--	--
5	--	--	--	--
6	--	--	--	--
7	--	--	--	--
8	--	--	--	--
9	--	--	--	--
10	--	--	--	--
11	868	66.0	38.0	51.0
12	912	66.0	38.0	51.0
13	957	66.0	38.0	51.0
14	1,005	66.0	38.0	51.0
15	1,055	57.8	33.3	44.6
16	1,108	56.1	32.3	43.4
17	1,163	54.5	31.4	42.1
18	1,222	39.6	22.8	30.6
19	1,283	36.3	20.9	28.1
20	N/A	N/A	N/A	N/A

**Ice Cream**

HS 2105.00.00

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 21050000 (%)</b>
1	--	--
2	--	--
3	--	--
4	--	--
5	--	--
6	--	--



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7	--	--
8	--	--
9	--	--
10	--	--
11	318	66.0
12	334	66.0
13	350	66.0
14	368	66.0
15	386	57.8
16	405	56.1
17	426	54.5
18	447	39.6
19	469	36.3
20	N/A	N/A

**Other Dairy Products**

HS 0402.99.90, 2202.90.90

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 04029990 (%)</b>	<b>Safeguard Tariff 22029090 (%)</b>
1	-	--	--
2	-	--	--
3	-	--	--
4	-	--	--
5	-	--	--
6	-	--	--
7	-	--	--
8	-	--	--
9	-	--	--
10	-	--	--
11	296	66.0	15.0
12	311	66.0	15.0
13	327	66.0	15.0
14	343	66.0	15.0
15	360	57.8	13.1
16	378	56.1	12.8
17	397	54.5	12.4
18	417	39.6	9.0
19	438	36.3	8.3

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20	N/A	N/A	N/A
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**Tomatoes**  
HS 0702.00.00

Year	Safeguard Trigger (MT)	Safeguard Tariff 07020000 (%)
1	55	15.0
2	60	15.0
3	65	15.0
4	70	15.0
5	75	15.0
6	80	13.5
7	85	13.3
8	90	13.0
9	95	12.8
10	100	12.5
11	105	9.5
12	110	9.0
13	115	8.5
14	120	8.0
15	N/A	N/A

**Carrots**  
HS 0706.10.00

Year	Safeguard Trigger (MT)	Safeguard Tariff 07061000 (%)
1	55	15.0
2	60	15.0
3	65	15.0
4	70	15.0
5	75	15.0
6	80	13.5
7	85	13.3
8	90	13.0
9	95	12.8
10	100	12.5
11	105	9.5

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12	110	9.0
13	115	8.5
14	120	8.0
15	N/A	N/A

**Sweet Peppers**  
HS 0709.60.10

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 07096010 (%)</b>
1	55	15.0
2	60	15.0
3	65	15.0
4	70	15.0
5	75	13.4
6	80	13.1
7	85	12.8
8	90	12.5
9	95	9.4
10	100	8.8
11	105	8.1
12	N/A	N/A

**Frozen Potatoes**  
HS 0710.10.00

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 07101000 (%)</b>
1	55	47.0
2	60	47.0
3	65	47.0
4	70	47.0
5	75	47.0
6	80	42.3
7	85	41.5
8	90	40.7
9	95	40.0
10	100	39.2
11	105	29.8

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12	110	28.2
13	115	26.6
14	120	25.1
15	N/A	N/A

**Beans**

HS 0713.32.00, 0713.33.10, 0713.33.90, 0713.39.90

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 07133200, 07133310 (%)</b>	<b>Safeguard Tariff 07133390 (%)</b>	<b>Safeguard Tariff 07133990 (%)</b>
1	1,320	47.0	11.0	15.0
2	1,440	47.0	11.0	15.0
3	1,560	47.0	11.0	15.0
4	1,680	47.0	11.0	15.0
5	1,800	47.0	11.0	15.0
6	1,920	42.3	9.9	13.5
7	2,040	41.5	9.7	13.3
8	2,160	40.7	9.5	13.0
9	2,280	40.0	9.4	12.8
10	2,400	39.2	9.2	12.5
11	2,520	29.8	7.0	9.5
12	2,640	28.2	6.6	9.0
13	2,760	26.6	6.2	8.5
14	2,880	25.1	5.9	8.0
15	N/A	N/A	N/A	N/A

**White Corn**

HS 1005.90.30

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 10059030 (%)</b>
1	9,900	15.0
2	10,800	15.0
3	11,700	15.0
4	12,600	15.0
5	13,500	15.0
6	14,400	13.5
7	15,300	13.3
8	16,200	13.0
9	17,100	12.8
10	18,000	12.5

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11	18,900	9.5
12	19,800	9.0
13	20,700	8.5
14	21,600	8.0
15	N/A	N/A

**Rough Rice**  
HS 1006.10.90

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 10061090 (%)</b>
1	--	--
2	--	--
3	--	--
4	--	--
5	--	--
6	--	--
7	--	--
8	--	--
9	--	--
10	--	--
11	67,100	36.0
12	68,200	36.0
13	69,300	36.0
14	70,400	33.1
15	71,500	32.4
16	72,600	31.3
17	73,700	24.5
18	74,800	22.3
19	75,900	20.2
20	N/A	N/A

**Milled Rice**  
HS 1006.20.00, 1006.30.10, 1006.30.90, 1006.40.00

<b>Year</b>	<b>Safeguard Trigger (MT)</b>	<b>Safeguard Tariff 10062000, 10063010, 10063090, 10064000 (%)</b>
1	--	--
2	--	--

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3	--	--
4	--	--
5	--	--
6	--	--
7	--	--
8	--	--
9	--	--
10	--	--
11	8,525	36.0
12	8,800	36.0
13	9,075	36.0
14	9,350	33.1
15	9,625	32.4
16	9,900	31.3
17	10,175	24.5
18	10,450	22.3
19	10,725	20.2
20	N/A	N/A

**Vegetable Oils**

HS 1507.90.00, 1512.19.00, 1512.29.00, 1515.29.00, 1516.20.90, 1517.10.00,  
1517.90.10, 1517.90.90

Year	Safeguard Trigger	Safeguard Tariff 15079000, 15121900, 15122900, 15152900, 15162090, 15171000, 15179010	Safeguard Tariff 15179090
	(MT)	(%)	(%)
1	--	--	--
2	--	--	--
3	--	--	--
4	--	--	--
5	--	--	--
6	1,531	15.0	10.0
7	1,590	15.0	10.0
8	1,649	15.0	10.0
9	1,708	15.0	10.0
10	1,767	13.5	9.0
11	1,826	13.1	8.7
12	1,885	12.6	8.4
13	1,944	9.3	6.2

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14	2,003	8.4	5.6
15	N/A	N/A	N/A

**High fructose corn syrup**

HS 1702.30.20, 1702.40.00, 1702.60.00, 1702.90.90

Year	Safeguard Trigger  (MT)	Safeguard Tariff 17023020, 17024000, 17026000  (%)	Safeguard Tariff 17029090  (%)
1	55	10.0	15.0
2	60	10.0	15.0
3	65	10.0	15.0
4	70	10.0	15.0
5	75	10.0	15.0
6	80	9.0	13.5
7	85	8.8	13.3
8	90	8.7	13.0
9	95	8.5	12.8
10	100	8.3	12.5
11	105	6.3	9.5
12	110	6.0	9.0
13	115	5.7	8.5
14	120	5.3	8.0
15	N/A	N/A	N/A