

NICARAGUA  
ANNEX 3.14

**Volume Agriculture Special Safeguard**

General Notes

For goods listed in this Annex for which the agricultural safeguard trigger volume is based on a percentage of the applicable tariff-rate quota (TRQ), the trigger volume in any year shall be based on the TRQ volume for that year as set forth in Annex 3.3. For goods listed in this Annex for which the agricultural safeguard trigger volume is based on a fixed initial trigger level with a yearly growth rate, the yearly growth rate shall be calculated, starting in year one, as a simple growth rate calculated as a percentage of the initial trigger level.

Nicaragua Product List

1. For **beef products** listed below, *subject to the annual volumes listed in table 1*, an agricultural safeguard measure in the form of an additional duty under Article 3.14 of the Agreement shall be impose according to the following schedule:
  - (a) for years one through seven, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good;
  - (b) for years eight through eleven, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good; and
  - (c) for year twelve through fourteen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good.
  
2. For **poultry products** listed below, *subject to the annual volumes listed in table 2*, an agricultural safeguard measure in the form of an additional duty under Article 3.14 of the Agreement shall be impose according to the following schedule:
  - (a) for years one through thirteen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good;
  - (b) for years fourteen through fifteen, a Party may impose an additional duty of less than or equal to 75 percent of the difference between the appropriate

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MFN rate as determined under Article 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good; and

- (c) for years sixteen through seventeen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good.

**3.** For **dairy products (milk powder, butter, cheese, other dairy and ice cream)** listed below, *subject to the annual volumes listed in table 3, 4, 5, 6, and 7*, an agricultural safeguard measure in the form of an additional duty under Article 3.14 of the Agreement shall be impose according to the following schedule:

- (a) for years one through fourteen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good;
- (b) for years fifteen through seventeen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good; and
- (c) for years eighteen through nineteen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good.

**4.** For **Onions, beans, and fructose** listed below, *subject to the annual volumes listed in table 8, 9, and 14*, an agricultural safeguard measure in the form of an additional duty under Article 3.14 of the Agreement shall be impose according to the following schedule:

- (a) for years one through five, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good;
- (b) for years six through ten, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good; and
- (c) for year eleven through fourteen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good.

**5.** For **yellow corn and sorghum** listed below, *subject to the annual volumes listed in tables 10 and 13*, an agricultural safeguard measure in the form of an additional duty under Article 3.14 of the Agreement shall be imposed according to the following schedule:

- (a) for years one through nine, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good;
- (b) for years ten through twelve, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good; and
- (c) for year thirteen through fourteen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good.

**6.** For **rough and milled rice** listed below, *subject to the annual volumes listed in table 11 and 12*, an agricultural safeguard measure in the form of an additional duty under Article 3.14 of the Agreement shall be imposed according to the following schedule:

- (a) for years one through thirteen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good;
- (b) for years fourteen through fifteen, 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good; and
- (c) for years sixteen through seventeen 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 3.3.1 and the applicable tariff rate in the Party's Schedule to Annex 3.3 on the agricultural good.

**7. Annual Trigger Level Chart**

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Commodity	Tariff codes subject to safeguards	Trigger Level	Trigger Growth Rate
Beef	0201.10.00; Ex0201.20.00; Ex0201.30.00; 0202.10.00; Ex0202.20.00; Ex0202.30.00	300 MT	10%
Poultry	0207.13.99.20; 0207.14.99.20; Ex1602.32.00	130% of TRQ, established in General Notes	
Dairy Products	0402.10.00; 0402.21.11; 0402.21.12; 0402.21.21; 0402.21.22; 0402.29.00 0405.10.00; 0406.10.00; 0406.20.90; 0406.30.00; 0406.40.00; 0406.90.10; 0406.90.90; 1901.90.90.91; 1901.90.90.99; 2202.90.90; 2105.00.00	130% of TRQ, established in General Notes	
Onions	0703.10.11; 0703.10.12	450 MT	10%
Beans	0713.32.00	700 MT	10%
Yellow corn	1005.90.20	115% of TRQ, established in General Notes	
Rough rice	1006.10.90	110% of TRQ, established in General Notes	
Milled rice	1006.20.00; 1006.30.10; 1006.30.90; 1006.40.00	110% of TRQ, established in General Notes	
Sorghum	1007.00.90	1,000 MT	10%
Fructose	1702.30.20; 1702.40.00; 1702.50.00; 1702.60.00	75 MT	10%

1. Beef: 0201.10.00; Ex0201.20.00; Ex0201.30.00; 0202.10.00;  
Ex0202.20.00 y Ex0202.30.00

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	300	15%
2	330	15%
3	360	15%
4	390	15%
5	420	15%
6	450	15%
7	480	15%
8	510	13.8%
9	540	13.4%
10	570	13.0%

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11	600	12.7%
12	630	9.6%
13	660	8.9%
14	690	8.2%
15	N/A	N/A

2. Poultry: 0207.13.99.20; 0207.14.99,20; Ex1602.32.00

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	0	164.4
2	0	164.4
3	412	164.4
4	826	164.4
5	1,238	164.4
6	1,650	164.4
7	2,063	164.4
8	2,475	164.4
9	2,889	164.4
10	3,301	164.4
11	3,713	164.4
12	4,126	164.4
13	TBD	164.4
14	TBD	150.7
15	TBD	143.9
16	TBD	109.6
17	TBD	95.9
18	N/A	N/A

3. Milk powder: 0402.10.00; 0402.21.11; 0402.21.12; 0402.21.21;  
 0402.21.22; 0402.29.00

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	845	60%
2	887	60%
3	932	60%
4	978	60%
5	1,027	60%
6	1,078	60%
7	1,132	60%
8	1,189	60%
9	1,248	60%
10	1,311	60%

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YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
11	1,376	60%
12	1,445	60%
13	1,517	60%
14	1,593	60%
15	1,673	52.5%
16	1,757	45.4%
17	1,845	38.5%
18	1,937	25.3%
19	2,034	15.6%
20	N/A	0%

4. Butter: 0405.10.00

YEAR	TRIGGER LEVEL (Metrics Tons)	DUTY RATE
1	195	40%
2	205	40%
3	215	40%
4	226	40%
5	237	40%
6	249	40%
7	261	40%
8	274	40%
9	288	40%
10	303	40%
11	318	40%
12	334	40%
13	350	40%
14	368	40%
15	386	35%
16	405	30.3%
17	426	25.7%
18	447	16.8%
19	469	10.4%
20	N/A	0%

5. Cheese: 0406.10.00; 0406.20.90; 0406.30.00; 0406.40.00; 0406.90.10; 0406.90.90

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YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE 0406.10.00 0406.30.00 0406.90.10 0406.90.90	DUTY RATE 0406.20.90	DUTY RATE 0406.40.00
1	748	40%	35%	15%
2	785	40%	35%	15%
3	824	40%	35%	15%
4	865	40%	35%	15%
5	909	40%	35%	15%
6	954	40%	35%	15%
7	1,002	40%	35%	15%
8	1,052	40%	35%	15%
9	1,104	40%	35%	15%
10	1,160	40%	35%	15%
11	1,218	40%	35%	15%
12	1,278	40%	35%	15%
13	1,342	40%	35%	15%
14	1,410	40%	35%	15%
15	1,480	35%	30.6%	13.1%
16	1,554	30.3%	26.5%	11.3%
17	1,632	25.7%	22.5%	9.6%
18	1,713	16.8%	14.7%	6.3%
19	1,799	10.4%	9.1%	3.9%
20	N/A	0%	0%	0%

6. Other dairy: 1901.90.90.91; 1901.90.90.99; 2202.90.90

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	65	15%
2	68	15%
3	72	15%
4	75	15%
5	79	15%
6	83	15%
7	87	15%
8	91	15%
9	96	15%
10	101	15%
11	106	15%
12	111	15%
13	117	15%
14	123	15%

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YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
15	129	13.1%
16	135	11.3%
17	142	9.6%
18	149	6.3%
19	156	3.9%
20	N/A	0%

7. Ice Cream: 2105.00.00

YEAR	TRIGGER LEVEL (Liters)	DUTY RATE
1	94,660	40%
2	99,393	40%
3	104,362	40%
4	109,581	40%
5	115,060	40%
6	120,813	40%
7	126,853	40%
8	133,196	40%
9	139,856	40%
10	146,848	40%
11	154,191	40%
12	161,900	40%
13	169,995	40%
14	178,495	40%
15	187,420	35%
16	196,791	30.3%
17	206,631	25.7%
18	216,962	16.8%
19	227,810	10.4%
20	N/A	0%

8. Onions: 0703.10.11; 0703.10.12

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	450	15%
2	495	15%
3	540	15%
4	585	15%
5	630	15%



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YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
6	675	13.5%
7	720	13.3%
8	765	13%
9	810	12.8%
10	855	12.5%
11	900	9.5%
12	945	9%
13	990	8.5%
14	1,035	8%
15	N/A	0%

9. Beans: 0713.32.00

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	700	30%
2	770	30%
3	840	30%
4	910	30%
5	980	30%
6	1,050	27%
7	1,120	26.5%
8	1,190	26%
9	1,260	25.5%
10	1,330	25%
11	1,400	19%
12	1,470	18%
13	1,540	17%
14	1,610	16%
15	N/A	0%

10. Yellow corn: 1005.90.20

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	78,488	15%
2	82,225	15%
3	85,963	15%
4	89,700	15%
5	93,438	15%
6	97,175	15%

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YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
7	100,913	15%
8	104,650	15%
9	108,388	15%
10	112,125	13.8%
11	115,863	13.3%
12	119,600	12.8%
13	123,338	9.5%
14	127,075	8.5%
15	N/A	0%

11. Rough rice: 1006.10.90

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	101,970	45
2	104,940	45
3	107,910	45
4	110,880	45
5	113,850	45
6	116,820	45
7	119,790	45
8	122,760	45
9	125,730	45
10	128,700	45
11	131,670	45
12	134,640	45
13	137,610	45
14	140,580	41.3
15	143,550	39.4
16	146,520	30
17	149,490	26.3
18	N/A	N/A

12. Milled rice: 1006.20.00; 1006.30.10; 1006.30.90; 1006.40.00

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	15,015	62
2	15,730	62
3	16,445	62
4	17,160	62

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YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
5	17,875	62
6	18,590	62
7	19,305	62
8	20,020	62
9	20,735	62
10	21,450	62
11	22,165	62
12	22,880	62
13	23,595	62
14	24,310	56.8
15	25,025	54.3
16	25,740	41.3
17	26,455	36.2
18	N/A	N/A

13. Sorghum: 1007.00.90

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	1,000	20.0
2	1,100	20.0
3	1,200	20.0
4	1,300	20.0
5	1,400	20.0
6	1,500	20.0
7	1,600	20.0
8	1,700	20.0
9	1,800	20.0
10	1,900	14.6
11	2,000	13.9
12	2,100	13.3
13	2,200	10.2
14	2,300	8.8
15	N/A	N/A

14. Fructose: 1702.30.20; 1702.40.00; 1702.50.00; 1702.60.00

YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
1	75	40%
2	82.5	40%

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YEAR	TRIGGER LEVEL (Metric Tons)	DUTY RATE
3	90	40%
4	97.5	40%
5	105	40%
6	112.5	36%
7	120	35.3%
8	127.5	34.7%
9	135	34%
10	142.5	33.3%
11	150	25.3%
12	157.5	24%
13	165	22.7%
14	172.5	21.3%
15	N/A	0%