



**U.S. Customs and
Border Protection**

January 07, 2008

08-044
MAN-1-CL:PD:CO SC

CLEVELAND AREA PORT PIPELINE

TO: All Importers, Brokers, Customs and Border Protection Officers and
Other Interested Parties

SUBJECT: QBT-07-566: 2008 Tariff Rate Quota - Milk and Cream,
Condensed or Evaporated

COMMODITY:

Milk or cream, condensed or evaporated, provided for in Chapter 4, Additional U.S. Note 11, of the Harmonized Tariff Schedule.

QUOTA PERIOD:

January 1, 2008, through December 31, 2008

OPENING DAY:

Wednesday, January 2, 2008, at 12 noon E.S.T., or its equivalent in other time zones

THE QUOTA IS EXPECTED TO OVERSUBSCRIBE ON OPENING DAY.

RESTRAINT LEVELS:

Aggregate 6,857,300 kgs.

Of the quantitative limitations provided for in this note, the countries listed below shall have access to a quantity of not less than:

Australia

Condensed, in airtight containers 91,625 kg.

Canada

Evaporated, in airtight containers 31,751 kg.

Condensed, in airtight containers 994,274 kg.

Condensed, other 2,267 kg.

Denmark

Evaporated, in airtight containers 4,989 kg.

Condensed, in airtight containers 605,092 kg.

Germany
Evaporated, in airtight containers 9,979 kg.

Netherlands
Evaporated, in airtight containers 548,393 kg.
Condensed, in airtight containers 153,314 kg.

HTS NUMBERS:

Low Rate

First Tariff Field	Second Tariff Field
0402.91.1000	Blank
0402.91.3000	Blank
0402.99.1000	Blank
0402.99.3000	Blank

High Rate

First Tariff Field	Second Tariff Field
9904.05.02	0402.91.7000 or
9904.05.03	0402.91.9000
9904.05.04	
9904.05.05	
9904.05.07	
9904.05.08	
9904.05.09	0402.99.4500 or
9904.05.10	0402.99.5500
9904.05.11	
9904.05.12	
9904.05.13	
9904.05.14	
9904.05.15	
9904.05.16	
9904.05.17	

REPORTING INSTRUCTIONS

Use entry type code 02, 06, 07, 12, 23, 32, 38, or 52.

Report in kilograms (kg)

SPECIAL INSTRUCTIONS

The TRQ for milk and cream, condensed or evaporated in Chapter 4, Additional U.S. Note 11, is expected to oversubscribe at opening. The entry summaries presented at opening moment must be reported to the ACS quota module (QUSP) no later than COB January 2, 2008.

The appropriate time zone should be indicated in the “Remarks” field of the QSUP. The system response will indicate that the entry is on “HOLD”.

Entries presented after opening moment for this quota should NOT be reported in ACS until the status of the opening is determined and instructions issued.

Filers are hereby advised that it would not be advantageous to file entries for merchandise subject to the TRQ described in Chapter 4, Additional U.S. Note 11 utilizing the Automated Clearing House (ACH) as a form of payment. Filers who opt to pay their duties via ACH are locked into paying the total amount of duty for the quantity of merchandise presented for entry.

Products from Mexico are not to be permitted or included in the quantitative limitation and shall not be classified using the in-quota HTS numbers.

For the purpose of administering tariff rate quotas containing a minimum access quantity for a specific country, imports entered from that country under the low tier tariff will first be applied to the minimum access quantity for that country until it is filled. When that quantity has filled, subsequent imports may be applied to the balance of the remaining quota.

Please refer to chapter 99, subchapter IV, U.S. note 1 for the list of countries that are not subject to additional agricultural safeguard duties under heading 9904. Imports from these countries should be presented as a type 02 entry using the high rate (over-quota) tariff number provided for in chapter 4, without the chapter 99 HTS number. These entries must still be reported through the ACS quota module.

Any questions should be directed to team 314 at (440) 891-3824.



Marc A. Hurteau
Area Port Director