

EXECUTIVE OFFICE OF THE PRESIDENT  
THE UNITED STATES TRADE REPRESENTATIVE  
WASHINGTON, D.C. 20508  
February 17, 2010


Constance E. Tipton  
President and CEO  
International Dairy Foods Association  
1250 H Street, N.W., Suite 900  
Washington, D.C. 20005

Dear Ms. Tipton:

Thank you for your letter dated January 14, 2010, regarding new data reporting requirements for imports of dairy products and foods with dairy ingredients. These requirements were implemented by the U.S. Customs and Border Protection (CBP) in response to a change in the U.S. Harmonized Tariff Code (HTS), effective January 1, 2010.

My staff has been in contact with officials from the U.S. Department of Agriculture (USDA), CBP and the International Trade Commission (ITC) to address this issue. As a result of these efforts, I am pleased to inform you that, since the data collected by this new reporting requirement is not needed by USDA, the requirement will be suspended effective March 1, 2010. The International Trade Commission will change the HTS to reflect the removal of the associated data field. On February 3, 2010, CBP provided notice to importers that the requirement will be removed.

Thank you for sharing your concerns about this issue. I trust the action outlined above addresses those concerns, and removes any confusion created by the changes to the HTS.

Sincerely,  
  
Ambassador Ron Kirk

**From:** KEELING, JENNIFER L [mailto:jennifer.keeling@dhs.gov]  
**Sent:** Monday, January 11, 2010 1:45 PM  
**To:**  
**Subject:** RE: HSU 0904 Query

Please see message 10-000006 for further information regarding the affected dairy fee HTS numbers. I have copied the message below.

Due to modified information this message supersedes message #10-000004.

HTS Update 0904 (described in message 09-000364) contained changes made as a result of the Committee for Statistical Annotation of Tariff Schedules, the 484(F) Committee. The revisions took effect on January 1, 2010, and included a request by the USDA (United States Department of Agriculture) to report cow's milk solids content of dairy products in the kilogram unit of measure. Dairy related tariff numbers, which are subject to the reporting of cow's milk solids content of dairy products, have a second reporting unit of measure indicating 'CKG' (Content in Kilograms). 'CKG' refers to the weight in kilograms of cow's milk solids content, including butterfat and nonfat milk solids. If the cow's milk solids content cannot be determined from a commercial invoice, packing list, bill of lading, etc., the filer may contact the manufacturer for the information. The actual quantity of cow's milk solids in kilograms is to be reported, not a percentage. Cow's milk solids of U.S. origin are to be excluded in the reporting. To view a list of all modified HTS records for 2010, including those affected by this change, see

<http://www.usitc.gov/publications/docs/tata/hts/bychapter/1000chgs.pdf>.

For further information contact Jerry Cessna, Senior Agricultural Economist, USDA Agricultural Marketing Service (AMS) Dairy Programs, at (202) 720-1959 or via email at Jerry.Cessna@ams.usda.gov.

The change record on the USITC's website lists the modified records for 2010, including those affected by this change. If you need anything else, please let me know. Thank you.

Regards,

Jennifer Keeling  
ESAR, CSPO  
Revenue and Account Management  
Jennifer.Keeling@dhs.gov  
571.468.5391