

SECTION IV

PREPARED FOODSTUFFS; BEVERAGES, SPIRITS AND VINEGAR;
TOBACCO AND MANUFACTURED TOBACCO SUBSTITUTES

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Note

- I. In this section the term "pellets" means products which have been agglomerated either directly by compression or by the addition of a binder in a proportion not exceeding 3 percent by weight.

Additional U.S. Note

1. In this section the term "canned" means preserved in airtight containers by heat processing to destroy or inactivate micro-organisms and enzymes that otherwise could cause spoilage.
2. For the purposes of this section, unless the context otherwise requires--
 - (a) the term "percent by dry weight" means the sugar content as a percentage of the total solids in the product;
 - (b) the term "capable of being further processed or mixed with similar or other ingredients" means that the imported product is in such condition or container as to be subject to any additional preparation, treatment or manufacture or to be blended or combined with any additional ingredient, including water or any other liquid, other than processing or mixing with other ingredients performed by the ultimate consumer prior to consumption of the product;
 - (c) the term "prepared for marketing to the ultimate consumer in the identical form and package in which imported" means that the product is imported in packaging of such sizes and labeling as to be readily identifiable as being intended for retail sale to the ultimate consumer without any alteration in the form of the product or its packaging; and
 - (d) the term "ultimate consumer" does not include institutions such as hospitals, prisons and military establishments or food service establishments such as restaurants, hotels, bars or bakeries.

CHAPTER 16

PREPARATIONS OF MEAT, OF FISH OR OF CRUSTACEANS, MOLLUSCS OR OTHER AQUATIC INVERTEBRATES

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Notes:

1. This chapter does not cover meat, meat offal, fish, crustaceans, molluscs or other aquatic invertebrates, prepared or preserved by the processes specified in chapter 2 or 3 or heading 0504.
2. Food preparations fall in this chapter provided that they contain more than 20 percent by weight of sausage, meat, meat offal, blood, fish or crustaceans, molluscs or other aquatic invertebrates, or any combination thereof. In cases where the preparation contains two or more of the products mentioned above, it is classified in the heading of chapter 16 corresponding to the component or components which predominate by weight. These provisions do not apply to the stuffed products of heading 1902 or to the preparations of heading 2103 or 2104.

Subheading Notes

1. For the purposes of subheading 1602.10, the expression "homogenized preparations" means preparations of meat, meat offal or blood, finely homogenized, put up for retail sale as infant food or for dietetic purposes, in containers of a net weight content not exceeding 250 g. For the application of this definition no account is to be taken of small quantities of any ingredients which may have been added to the preparation for seasoning, preservation or other purposes. These preparations may contain a small quantity of visible pieces of meat or meat offal. This subheading takes precedence over all other subheadings of heading 1602.
2. The fish and crustaceans specified in the subheadings of heading 1604 or 1605 under their common names only, are of the same species as those mentioned in chapter 3 under the same name.

Additional U.S. Notes:

1. For the purposes of this chapter, the term "in oil" means packed in oil or fat, or in added oil or fat and other substances, whether such oil or fat was introduced at the time of packing or prior thereto.
2. In assessing the duty on meats, no allowance shall be made for normal components thereof such as bones, fat, and hide or skin. The dutiable weight of meats in airtight containers subject to specific rates includes the entire contents of the containers.
3. For purposes of subheadings 1604.14.20 and 1604.14.30, tunas and skipjack from the freely associated states may be entered free of duty under the appropriate subheading in an aggregate quantity provided by, and under the terms set forth in, general note 10(c) to the tariff schedule. Goods from the freely associated states entered, or withdrawn from warehouse for consumption, in excess of such specified aggregate quantity shall be dutied under the appropriate subheading at the rate set forth in the "General" subcolumn of column 1.

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Heading/ Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
1601.00	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products:			
1601.00.20	Pork	0.8¢/kg	Free (CA,E,IL,J, MX)	7.2¢/kg
	Other:			
1601.00.40	Beef in airtight containers	3.4%	Free (CA,E*,IL, J,MX)	30%
1601.00.60	Other	3.2%	Free (CA,E*,IL, J,MX)	20%
1602	Other prepared or preserved meat, meat offal or blood:			
1602.10.00	Homogenized preparations	1.9%	Free (CA,E*,IL, J,MX)	30%
1602.20	Of liver of any animal:			
1602.20.20	Of goose	4.9¢/kg	Free (CA,E,IL, J,MX)	22¢/kg
1602.20.40	Other	3.2%	Free (CA,E*,IL, J,MX)	20%
	Of poultry of heading 0105:			
1602.31.00	Of turkeys	6.4%	Free (CA,E,IL,J, MX)	20%
1602.32.00	Of chickens	6.4%	Free (CA,E,IL,J, MX)	20%
1602.39.00	Other	6.4%	Free (CA,E,IL,J, MX)	20%
	Of swine:			
1602.41	Hams and cuts thereof:			
1602.41.10	Containing cereals or vegetables	6.4%	Free (CA,E,IL,J, MX)	20%
	Other:			
1602.41.20	Boned and cooked and packed in airtight containers	5.3¢/kg	Free (CA,E,IL,J, MX)	6.6¢/kg
1602.41.90	Other	1.4¢/kg	Free (CA,E,IL, J,MX)	7.2¢/kg
1602.42	Shoulders and cuts thereof:			
1602.42.20	Boned and cooked and packed in airtight containers	4.2¢/kg	Free (CA,E,IL,J, MX)	6.6¢/kg
1602.42.40	Other	1.4¢/kg	Free (CA,E,IL, J,MX)	7.2¢/kg
1602.49	Other, including mixtures:			
1602.49.10	Offal	3.2%	Free (CA,E,IL,J, MX)	20%
	Other:			
	Not containing cereals or vegetables:			
1602.49.20	Boned and cooked and packed in airtight containers	1.2¢/kg	Free (CA,E,IL,J, MX)	6.6¢/kg
1602.49.40	Other	1.4¢/kg	Free (CA,E,IL,J, MX)	7.2¢/kg
	Other:			
1602.49.60	Mixtures of pork and beef	3.2%	Free (CA,E*,IL, J,MX)	20%
1602.49.90	Other	6.4%	Free (CA,E,IL,J, MX)	20%

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Heading/ Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
1602 (con.)	Other prepared or preserved meat, meat offal or blood (con.):			
1602.50	Of bovine animals:			
1602.50.05	Offal	2.3%	Free (CA,E*,IL, J,MX)	20%
	Other:			
	Not containing cereals or vegetables:			
1602.50.09	Cured or pickled	4.5%	Free (CA,E*,IL, J,MX)	30%
	Other:			
	In airtight containers:			
1602.50.10	Corned beef	Free		30%
1602.50.20	Other	1.4%	Free (CA,E*,IL, J,MX)	30%
1602.50.60	Other	1.8%	Free (CA,E*,IL, J,MX)	20%
1602.50.90	Other	2.5%	Free (CA,E*,IL, J,MX)	20%
1602.90	Other, including preparations of blood of any animal:			
1602.90.10	Frog meat	2.7%	Free (CA,E,IL,J, MX)	20%
1602.90.90	Other	6.4%	Free (CA,E,IL,J, MX)	20%
1603.00	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates:			
1603.00.10	Clam juice	8.5%	Free (CA,E,IL, J,MX)	35%
1603.00.90	Other	Free		13%
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs:			
	Fish, whole or in pieces, but not minced:			
	Salmon:			
1604.11	In oil, in airtight containers	6%	Free (CA,E,IL,J, MX)	30%
1604.11.40	Other	Free		25%
	Herrings:			
1604.12	In oil, in airtight containers	4%	Free (CA,E,IL, J,MX)	30%
1604.12.61	Other	Free		25%
	Sardines, sardinella and brisling or sprats:			
	In oil, in airtight containers:			
1604.13.10	Smoked sardines, neither skinned nor boned, valued \$1 or more per kg in tin- plate containers, or \$1.10 or more per kg in other containers	Free		30%
	Other:			
1604.13.20	Neither skinned nor boned	15%	Free (CA,E,IL,J) 7.5% (MX)	30%
1604.13.30	Skinned or boned	20%	Free (CA,E,IL,J) 10% (MX)	30%
	Other:			
1604.13.40	In immediate containers weighing with their contents under 225 grams each	Free		25%
1604.13.90	Other	3.1%	Free (CA,E,IL,J, MX)	25%

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Heading/ Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
1604 (con.)	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs (con.): Fish, whole or in pieces, but not minced (con.):			
1604.14	Tunas, skipjack and bonito (<u>Sarda</u> spp.): Tunas and skipjack:			
	In airtight containers:			
1604.14.10	In oil	35%	Free (CA,IL) 23.3% (MX)	45%
	Not in oil:			
1604.14.20	In containers weighing with their contents not over 7 kg each, and not the product of any insular possession of the United States, for an aggregate quantity entered in any calendar year not to exceed 20 percent of the United States pack of canned tuna during the immediately preceding year, as reported by the National Marine Fisheries Service	6%	Free (CA,IL) 4% (MX)	25%
1604.14.30	Other	12.5%	Free (CA,IL) 8.3% (MX)	25%
	Not in airtight containers:			
1604.14.40	In bulk or in immediate containers weighing with their contents over 6.8 kg each, not in oil	1.1¢/kg	Free (CA,E,IL, J)	2.8¢/kg
1604.14.50	Other	6%	0.7¢/kg (MX) Free (CA,E,IL, J,MX)	25%
1604.14.75	Bonito (<u>Sarda</u> spp.)	5.2%	Free (CA,E,IL,J) 2.4% (MX)	30%
1604.15.00	Mackerel	3%	Free (CA,E,IL, J,MX)	25%
1604.16	Anchovies:			
	In oil, in airtight containers:			
1604.16.10	For an aggregate quantity entered in any calendar year not to exceed 3,000 metric tons	Free		30%
1604.16.30	Other	Free		30%
	Other:			
1604.16.40	In immediate containers weighing with their contents 6.8 kg or less each	5%	Free (CA,E,IL,J, MX)	25%
1604.16.60	Other	Free		2.5%

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Heading/ Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
1604 (con.)	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs (con.):			
	Fish, whole or in pieces, but not minced (con.):			
1604.19	Other (including yellowtail):			
	In airtight containers:			
	Not in oil:			
1604.19.10	Bonito, yellowtail and pollock	4%	Free (CA,E,IL, J,MX)	25%
1604.19.20	Other	4%	Free (CA,E,IL,J MX)	25%
1604.19.27	In oil	4%	Free (CA,E,IL,J, MX)	30%
	Other:			
	Fish sticks and similar products of any size or shape, fillets or other portions of fish, if breaded, coated with batter or similarly prepared:			
1604.19.40	Neither cooked nor in oil	10%	Free (CA,E,IL, J,MX)	20%
1604.19.50	Other	7.5%	Free (CA,E,IL, J,MX)	30%
1604.19.65	Other	6%	Free (CA,E,IL,J, MX)	25%
1604.20	Other prepared or preserved fish:			
1604.20.05	Products containing meat of crustaceans, molluscs or other aquatic invertebrates; prepared meals	10%	Free (CA,E,IL,J, MX)	20%
	Other:			
1604.20.12	Pastes, balls, cakes and puddings	Free		30%
	Fish sticks and similar products of any size or shape, if breaded, coated with batter or similarly prepared:			
1604.20.40	Neither cooked nor in oil	10%	Free (CA,E,IL,J, MX)	20%
1604.20.50	Other	5%	Free (CA,E,IL,J, MX)	30%
1604.20.60	Other	Free		25%
1604.30	Caviar and caviar substitutes:			
1604.30.20	Caviar	15%	Free (CA,E,IL,J, MX)	30%
	Caviar substitutes:			
1604.30.30	Boiled and in airtight containers	Free		30%
1604.30.40	Other	Free		44¢/kg
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved:			
1605.10	Crab:			
1605.10.05	Products containing fish meat; prepared meals	10%	Free (CA,E,IL,J, MX)	20%
	Other:			
	Crabmeat:			
1605.10.20	In airtight containers	Free		22.5%
1605.10.40	Other	5%	Free (CA,E,IL,J, MX)	15%
1605.10.60	Other	Free		Free
1605.20	Shrimps and prawns:			
1605.20.05	Products containing fish meat; prepared meals	5%	Free (CA,E,IL,J, MX)	20%
1605.20.10	Other	Free		Free
1605.30	Lobster:			
1605.30.05	Products containing fish meat; prepared meals	10%	Free (CA,E,IL,J, MX)	20%
1605.30.10	Other	Free		Free
1605.40.00	Other crustaceans	Free		20%

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Heading/ Subheading	Article Description	Rates of Duty		
		1		2
		General	Special	
1605 (con.)	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved (con.):			
1605.90	Other:			
1605.90.05	Products containing fish meat; prepared meals	Free		20%
	Other:			
	Clams:			
	In airtight containers:			
1605.90.11	Boiled clams, whether whole, minced chopped, and whether or not salted, but not otherwise prepared or preserved, in immediate containers, the contents of each container not exceeding 680 grams gross weight	10%	Free (CA,E,IL,J, MX)	110%
1605.90.21	Other	Free		35%
1605.90.30	Other	Free		Free
	Oysters:			
1605.90.40	Smoked	Free		7.5%
1605.90.50	Other	4.7%	Free (CA,E,IL, J,MX)	12.5%
1605.90.55	Snails, other than sea snails	5%	Free (CA,E,IL, J,MX)	20%
1605.90.60	Other	Free		Free

Tariff Simplification (Inv. 332-388)

Concordance and Change Record

(Changes Indicated with Bold Type)

Chapter 16

Chapter Note Changes:

Add:

Delete:

Modified:

1999 Tariff Line(s):	Proposed Tariff Line(s):	2004 Col. 1 Duty Rate:	Proposed Duty Rate:
1601.00.20	1601.00.20	0.8¢/kg	0.8¢/kg
1601.00.40	1601.00.40	3.4%	3.4%
1601.00.60	1601.00.60	3.2%	3.2%
1602.10.00	1602.10.00	1.9%	1.9%
1602.20.20	1602.20.20	4.9¢/kg	4.9¢/kg
1602.20.40	1602.20.40	3.2%	3.2%
1602.31.00	1602.31.00	6.4%	6.4%
1602.32.00	1602.32.00	6.4%	6.4%
1602.39.00	1602.39.00	6.4%	6.4%
1602.41.10	1602.41.10	6.4%	6.4%
1602.41.20	1602.41.20	5.3¢/kg	5.3¢/kg
1602.41.90	1602.41.90	1.4¢/kg	1.4¢/kg
1602.42.20	1602.42.20	4.2¢/kg	4.2¢/kg
1602.42.40	1602.42.40	1.4¢/kg	1.4¢/kg
1602.49.10	1602.49.10	3.2%	3.2%
1602.49.20	1602.49.20	1.2¢/kg	1.2¢/kg
1602.49.40	1602.49.40	1.4¢/kg	1.4¢/kg
1602.49.60	1602.49.60	3.2%	3.2%
1602.49.90	1602.49.90	6.4%	6.4%
1602.50.05	1602.50.05	2.3%	2.3%
1602.50.09	1602.50.09	4.5%	4.5%
1602.50.10	1602.50.10	Free	Free
1602.50.20	1602.50.20	1.4%	1.4%

1999 Tariff Line(s):	Proposed Tariff Line(s):	2004 Col. 1 Duty Rate:	Proposed Duty Rate:
1602.50.60	1602.50.60	1.8%	1.8%
1602.50.90	1602.50.90	2.5%	2.5%
1602.90.10	1602.90.10	2.7%	2.7%
1602.90.90	1602.90.90	6.4%	6.4%
1603.00.10	1603.00.10	8.5%	8.5%
1603.00.90	1603.00.90	Free	Free
1604.11.20	1604.11.20	6%	6%
1604.11.40	1604.11.40	Free	Free
1604.12.20	1604.12.20	4%	4%
1604.12.40	1604.12.61	Free	Free
1604.12.60	1604.12.61	Free	Free
1604.13.10	1604.13.10	Free	Free
1604.13.20	1604.13.20	15%	15%
1604.13.30	1604.13.30	20%	20%
1604.13.40	1604.13.40	Free	Free
1604.13.90	1604.13.90	3.1%	3.1%
1604.14.10	1604.14.10	35%	35%
1604.14.20	1604.14.20	6%	6%
1604.14.30	1604.14.30	12.5%	12.5%
1604.14.40	1604.14.40	1.1¢/kg	1.1¢/kg
1604.14.50	1604.14.50	6%	6%
1604.14.70	1604.14.75	4.9%	5.2%
1604.14.80	1604.14.75	6%	5.2%
1604.15.00	1604.15.00	3%	3%
1604.16.10	1604.16.10	Free	Free
1604.16.30	1604.16.30	Free	Free
1604.16.40	1604.16.40	5%	5%
1604.16.60	1604.16.60	Free	Free
1604.19.10	1604.19.10	4%	4%
1604.19.20	1604.19.20	4%	4%

1999 Tariff Line(s):	Proposed Tariff Line(s):	2004 Col. 1 Duty Rate:	Proposed Duty Rate:
1604.19.25	1604.19.27	5%	4%
1604.19.30	1604.19.27	4%	4%
1604.19.40	1604.19.40	10%	10%
1604.19.50	1604.19.50	7.5%	7.5%
1604.19.60	1604.19.65	Free	6%
1604.19.80	1604.19.65	6%	6%
1604.20.05	1604.20.05	10%	10%
1604.20.10	1604.20.12	Free	Free
1604.20.15	1604.20.12	Free	Free
1604.20.20	1604.20.12	Free	Free
1604.20.25	1604.20.12	Free	Free
1604.20.30	1604.20.12	Free	Free
1604.20.40	1604.20.40	10%	10%
1604.20.50	1604.20.50	5%	5%
1604.20.60	1604.20.60	Free	Free
1604.30.20	1604.30.20	15%	15%
1604.30.30	1604.30.30	Free	Free
1604.30.40	1604.30.40	Free	Free
1605.10.05	1605.10.05	10%	10%
1605.10.20	1605.10.20	Free	Free
1605.10.40	1605.10.40	5%	5%
1605.10.60	1605.10.60	Free	Free
1605.20.05	1605.20.05	5%	5%
1605.20.10	1605.20.10	Free	Free
1605.30.05	1605.30.05	10%	10%
1605.30.10	1605.30.10	Free	Free
1605.40.05	1605.40.00	Free	Free
1605.40.10	1605.40.00	Free	Free
1605.90.05	1605.90.05	Free	Free
1605.90.06	1605.90.11	Free	10%

1999 Tariff Line(s):	Proposed Tariff Line(s):	2004 Col. 1 Duty Rate:	Proposed Duty Rate:
1605.90.06	1605.90.21	Free	Free
1605.90.10	1605.90.11	10%	10%
1605.90.20	1605.90.21	Free	Free
1605.90.30	1605.90.30	Free	Free
1605.90.40	1605.90.40	Free	Free
1605.90.50	1605.90.50	4.7%	4.7%
1605.90.55	1605.90.55	5%	5%
1605.90.60	1605.90.60	Free	Free