Agro-Fisheries Product Tariff Rate Quota Recommendation and Import Management Guideline Pursuant to the Free Trade Agreement Between the Republic of Korea and the United States of America

[Enforcement date: January 1, 2013] [Partly Revised on December 18, 2012, Ministry for Food, Agriculture, Forestry and Fisheries Public Notice No. 2012-302]

Chapter 1. General Provisions

Article 1 (Purpose)

This Guideline aims to stipulate import management rules such as selection of importers, allocation of in-quota quantity for each importer, and standards and procedures for Tariff Rate Quota (TRQ) recommendation for agro-fisheries products that are to enter free of duty under the TRQ scheme in accordance with the Free Trade Agreement between the Republic of Korea and the United States of America (hereinafter referred to as "Korea-US FTA").

Article 2 (Definitions)

For the purpose of this Guideline:

- 1. "Tariff Rate Quota" means a certain quantity of each commodity within the set annual quota allowed to enter free of duty under the Korea-US FTA.
- 2. "Tariff Rate Quota Recommending Organization" means the Minister for Food, Agriculture, Forestry and Fisheries. "Agency for Tariff Rate Quota Recommendation" (hereinafter referred to as "the Agency") means the head of the agency delegated to allocate or recommend TRQs on behalf of the Minister for Food, Agriculture, Forestry and Fisheries in accordance with this Guideline.
- 3. "Import Rights Auction" means the method of auctioning the import rights for the in-quota quantities to traders, and allocating them to successful bidders.
- 4. "Auction Fee" means the amount to be paid by the successful bidders expressed in money terms within the tariff rate difference range for the import rights of in-quota quantities of the TRQ products.

- 5. "Allocation of Import License" means the method of distributing the rights to import in-quota quantities to historical or new importers either on a first-come first-served basis (or by the order of the applications registered), or by other specific criteria such as past import performance.
- 6. "First-come first-served basis" means that commodities enter free of duty up to the quota provided in the Agreement, according to the chronological order of customs clearance, without the process of TRQ allocation by the Agency. These products will be regulated pursuant to Article 4 Paragraph 2 of the Enforcement Decree of the Special Act on Customs Law for the Implementation of Free Trade Agreement.

Chapter 2. Tariff Rate Quota Allocation and Administration of Conventional Tariff

Article 3 (Products, Allocation Method and Agencies)

The products and quantities of TRQs, the Agencies, the allocation methods and annual quotas are as shown in Tables 1 and 2.

Article 4 (Deleted as of December 31, 2012))

Article 5 (Allocation of Tariff Rate Quotas)

The Agency shall allocate the TRQs in accordance with the allocation methods provided in Table 1 pursuant to Article 3 above and the Korea-US FTA provisions on TRQ import management. A person or entity that received TRQ allocation is prohibited from transferring or selling the quota allocation to another person or entity either in part or in whole.

Article 6 (Recommendation Limit for Tariff Rate Quotas)

- ① The recommended TRQs must be within the annual quotas as provided in Tables 1 and 2.
- ② The Minister for Food, Agriculture, Forestry and Fisheries may, where deemed necessary for stabilizing the domestic supply and demand and for the smooth administration of TRQs, etc., allow the Agency to administer and set a limit to the quantities of each recommendation or to make an early recommendation for TRQ

quantities that are to receive import clearance the following quota year. Such a case must be in accordance with the provisions stipulated in the Korea-US FTA.

Article 7 (Application for Tariff Rate Quota Recommendation)

The importers with allocated TRQs pursuant to Article 5 shall submit the following documents to the Agency:

- 1. Application Form for the Korea-US FTA Tariff Rate Quota Recommendation (Appendix Form 1); and
- 2. Other documents announced as required by the Agency.

Article 8 (Issuance of Recommendation for conventional tariff for the Tariff Rate Quota)

- ① If the submitted application for Tariff Rate Quota recommendation meets recommendation requirements, the Agency shall issue a *Korea-US FTA Tariff Rate Quota Recommendation* (hereinafter referred to as "Recommendation") in Appendix Form 2 within two days. In this case, the Agency shall notify the Commissioner of Korea Customs Service about the details of the Recommendation.
- ② Notwithstanding Paragraph 1 above, in the case of soybeans for human consumption, the Korea Agro-Fisheries & Food Trade Corporation (hereinafter referred to as "CEO of aT Corporation") shall issue a Recommendation in accordance with the import license allocation decision of the association of soybean processors and notify Korea Customs Service about the details of the Recommendation.

Article 9 (Validity Period of a Recommendation)

- ① The validity period for a Recommendation shall be 90 days and may not be carried over to the next quota year. Notwithstanding, the validity period for oranges shall be from September 1st of the year the public auction was held until the last day of February in the next calendar year. The validity period for soybeans for human consumption shall be from the time import licenses are allocated until December 31st of the next calendar year.
- ② The Agency may issue a Recommendation in advance for the quantity for the next quota year in accordance with Article 6 Paragraph 2 or set a different validity period where necessary. In this case, the Agency must obtain prior approval

from the Minister for Food, Agriculture, Forestry and Fisheries.

Article 10 (Extension of Validity Period and Deadline for Reporting Importation of Recommended Products)

- ① An importer who wishes to extend the validity period of the Recommendation shall submit the *Request Form to Extend Validity Period of Recommendation on Korea-US FTA TRQ* (Appendix Form 3) to the Agency prior to the expiration date of the Recommendation. In this case, the initially issued Recommendation must be attached to the request form.
- ② Where the request form described in Paragraph 1 above is submitted for reasons deemed appropriate, such as customs clearance delay, the Agency may reissue the Recommendation with the validity period extended by up to 30 days.
- ③ Notwithstanding Paragraphs 1 and 2 above, the validity period of Recommendations for oranges shall not be extended beyond the last day of February of the year following the auction; and the extension of validity period of Recommendations for soybeans for human consumption shall not be permitted.
- ④ The reporting period for importation of recommended products may not exceed the execution year, unless a Recommendation was issued in advance for the quota to be imported the following year pursuant to Article 6 Paragraph 2.

Article 11 (Division of Recommended Quota)

- ① The Agency may, where deemed appropriate, divide the initially recommended quota and reissue separate Recommendations for each divisional quantity upon request by the importer who has been issued a Recommendation by the Agency.
- ② The importer who wishes to have his recommended quota divided for import as provided in Paragraph 1 above shall submit the *Request Form for Korea-US FTA TRQ Division* (Appendix Form 4) to the Agency. In this case, the initial Recommendation must be attached to the request form.

Article 12 (Returning of Recommendation, etc.)

- ① The importer with allocated TRQs must return the Recommendation to the Agency without any delay if and when any of the following apply:
 - 1. The importer wishes to surrender the import rights of recommended quota;

- 2. The validity period of the Recommendation expires; or
- 3. The importation of recommended quota becomes impossible for any other reasons.

Notwithstanding, in the case of soybeans for human consumption, the Recommendation must be returned by April 1st of the year import licenses were allocated.

- ② In case the importer who has received the Recommendation intends to import only part of the allocated quota and surrender the rest, such importer shall notify the Agency immediately.
 - ③ The Agency must recommend the unused in-quota TRQs resulted from the reasons provided in Paragraphs 1 and 2 above, to historical or new applicants within that quota year. Notwithstanding, for barley, malt, malting barley, maize starch and dextrin that are separately stipulated in the Korea-US FTA, a new Recommendation for the unused quantities of the allocated quota shall be issued to applicants on a first-come first-served basis within 45 days from the date the initial Recommendation is returned.

Chapter 3. Import Rights Auction

Article 13 (Competent Authority for Import Rights Auction and Tariff Rate Quota Allocation)

- ① The CEO of Korea Agro-Fisheries & Food Trade Corporation (hereinafter referred to as "aT") shall oversee the Import Rights Auction for products subject to such Auction pursuant to Appendix Table 1.
- ② In the event a part or all of the quota is not successfully auctioned off, the CEO of aT shall hold a re-auction on such remaining quantity.
- ③ The schedule of the Import Rights Auction for products described in Appendix Table 1 is as follows:
 - 1. Products whose Auction schedule is provided for in the Korea-US FTA shall be governed by such provisions.
 - 2. For potatoes and ginseng, whose Auction schedule is not provided for in the Korea-US FTA, the Auction shall be held in January of the quota year. Notwithstanding, for quantities of such products with no successful bids, a re-auction shall be held at least once or more during the quota year.

3. Notwithstanding Subparagraphs 1 and 2, the Auction schedule for the first quota year may be adjusted depending on when the Korea-US FTA enters into effect.

Article 14 (Method and Procedure of Import Rights Auction)

- ① Import Rights Auction shall be implemented in the form of a public competitive bid, in accordance with the Act on Contracts To Which the Government Is A Party.
- ② When carrying out an Import Rights Auction, the CEO of aT shall make a public announcement on the details of the auctions such as the product items, quantities, and schedule, in accordance with the provisions of the Korea-US FTA. In addition to such details, he shall publicly announce specific information necessary for auction procedures, such as eligibility to participate, auction method, bid awarding methods, deposit of bidding bond, deposit for import performance bond, payment of auction fee, request for letter of undertaking, etc.

Article 15 (Import Responsibilities of Successful Bidders)

- ① Bidders who win the import rights through Import Rights Auctions must import the awarded quantity within the period pre-announced at the time of bidding.
- ② If the successful bidders fail to complete importation of the total TRQ quantity awarded to them within the period specified in Paragraph 1 above, the deposit for import performance bond described in Article 14 Paragraph 2 shall be attributed to the FTA Implementation Support Fund.
- ③ Successful bidders failing to fulfill the import responsibility as described in Paragraph 2 above may be prohibited from participating in Auctions governed by this Guideline for a period of two years from the day the bid was awarded. Notwithstanding, the following exceptions apply:
 - 1. If the bid winner failed to fulfill import responsibilities for reasons not attributable to him/herself; and
 - 2. If the quantity of unperformed quota is imperceptibly small, due to reduction during transportation, etc.

Article 16 (Re-auction of Unused Quantity of the Recommended Quota)

The CEO of aT, in accordance with Article 12, must assign the unused quantity of the allocated Tariff Rate Quota at subsequent auctions during the quota year through the Import Rights Auction method, implemented within the scope stipulated in the FTA.

Article 17 (Sanctions Against Collusion, etc.)

If bidders, both successful and unsuccessful, participating in the Import Rights Auction is found to have misstated information in relevant documents or have taken part in collusive acts, the winning shall be wholly or partially nullified and the deposited bidding bond shall be attributed to the FTA Implementation Support Fund. Such bidder(s) shall also be prohibited from participating in Import Rights Auctions governed by this Guideline for a period of two years from the day that the bid was awarded.

Chapter 4. Allocation of Import License

Article 18 (Announcement of Allocation Guideline)

The Agency shall announce specific guidelines regarding allocation of import license including eligibility to receive allocation, application period, allocation criteria and application documents for subject products described in Appendix Table 1 as provided for in the Korea-US FTA. Notwithstanding, the allocation schedule for the first quota year may be adjusted depending on when the Korea-US FTA enters into effect.

Article 19 (Allocation Criteria)

- ① In accordance with the Korea-US FTA, the Agency shall announce TRQ allocation criteria for import license-based products in Appendix Table 1 after establishing specific details upon consultation with the Minister for Food, Agriculture, Forestry and Fisheries.
- ② When the Agency receives the application for TRQ allocation in accordance with Article 20, it must allocate the TRQ to applicants based on the "TRQ Allocation Plan" (hereinafter referred to as "Allocation Plan") created using the information gathered through the application process.

Article 20 (Application for TRQ Allocation)

① The Agency shall receive "Applications for TRQ Allocation" over a sufficient period of time. Notwithstanding, where the Korea-US FTA specifically provides

for the application period, such provisions shall apply.

- ② The Agency that received applications according to Paragraph 1 above shall create and report the applicant-based "Allocation Plan" to the Minister for Food, Agriculture, Forestry and Fisheries within 15 days from the final application date.
- ③ The importer that received the TRQ allocation pursuant to Paragraph 1 shall without delay report to the Agency if the person wishes to surrender importation, in part or in whole, or if importation becomes impossible.
- 4 The Agency may adjust the established "Allocation Plan" based on applications for Recommendation, import performance and return of allocated quantity from applicants. In such a case, the details of the adjustment shall be reported to the Minister for Food, Agriculture, Forestry and Fisheries by the end of each quarter.

Article 21 (Special Provision on Soybeans for Human Consumption)

Notwithstanding Articles 18 or 20, allocation of import license for soybeans for human consumption shall be performed by the association of soybean processors in accordance with the Korea-US FTA.

Chapter 5. Supplementary Provisions

Article 22 (Announcement of Usage Rate and Available Remaining Quantity) The Agency shall regularly post the Usage Rate and Available Remaining Quantity of pertinent TRQ items on its website at least on a monthly basis.

Article 23 (Implementation Inspection and Reporting)

- ① The Minister for Food, Agriculture, Forestry and Fisheries may conduct inspection on the implementation of this Guideline on the part of the Agency or TRQ recommendee and may request data necessary for such inspection.
- ② Where deemed necessary, the Minister for Food, Agriculture, Forestry and Fisheries may request the Agency to report the status of TRQ allocation, recommendation, customs clearance record and auction results, etc.

Article 24 (Application of Other Legislations and Regulations)

Matters that are not provided for in this Guideline shall be governed by relevant laws including the Act on Distribution and Price Stabilization of Agricultural and Fishery Products, Plant Protection Act, and Agro-Fisheries Product Tariff Rate Quota (TRQs) Recommendation and Import Management Guideline (Public Notice of Ministry for Food, Agriculture, Forestry and Fisheries).

Article 25 (Announcement of Detailed Guideline)

The Agency may establish, announce and enforce Detailed Guideline about the matters required for allocation and recommendation of TRQs. In such a case, prior approval from the Minister for Food, Agriculture, Forestry and Fisheries is required and the same requirement applies when making changes to the announcement.

Addendum<2012-302, December 18, 2012>

Article 1 (Date of Enforcement)

This Public Notice shall be enforced starting from the day (January 1, 2013) the Korea-US FTA enters into effect.

Article 2 (Review Deadline)

This Public Notice shall be reviewed by December 31, 2015 in accordance with Article 7 Paragraph 3 Subparagraph 2 of the 「Regulations on the Issuance and Management of Directives and Administrative Rules, etc.」 (Presidential Decree No. 248).

| (Appendix Fo | rm 1) | | | | | | |
|--------------------------------|--------|-----------|-------------------------|-----------|-------------------|----------------------|-----------|
| | | | | | | Required | |
| Registration | n No.: | | | | | proces | ssing |
| | | | | | | 2 da | ıys |
| Application | ı Fori | n for the | e Korea-US | S FTA Tar | iff Rate Qu | iota Recomm | nendation |
| | | (Ta | Applican x Payment C | | | Importer | |
| Company n | ame | | | | | | |
| Address | | | | | | | |
| Name of company representative | | | | | | | |
| Busines Registration | | | | | | | |
| Phone No | 0. | (Mobile: | |) | (Mobile : | |) |
| Fax No. | • | | | | | | |
| Details of Rec | quest | | | | | | |
| HS Code | Produ | uct Item | Quantity | Price | Country of origin | Expected Import Date | Purpose |
| | | | | | | | |

| I hereby apply for the issuance of the Ministry for Food, Agriculture, F | - | |
|--|---------------------|---------------|
| | | mm. dd. year. |
| | Name of applicant _ | (signature) |
| To: Head of the Agency | | |

(Appendix Form 2) Recommendation No.: **Korea-US FTA Tariff Rate Quota Recommendation** Applicant Importer (Tax Payment Obligor) Company name Address Name of company representative **Business** Registration No. Phone No. (Mobile: (Mobile:)) Fax No. * Recommendation Details Country of Expected Quantity Purpose **HS** Code Product Item Price Import Date Origin

| Valid until: mm. dd.year |
|---|
| This is to confirm that the application above has been approved and thereby recommended in accordance with the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice No.2011-00. |
| mm. dd. year |
| Head of the Agency (signature) |
| |

* Valid until: mm .dd . year

(Appendix Form 2-1) Korea-US FTA Tariff Rate Quota Recommendation (for electronic data processing) ***** Recommendation No.: 1. Applicant (Tax Payment Obligor) Company Name: Address: Name: Business Registration No.: 2. Importer Company Name: Address: Name: Business Registration No.: Trader Registration No.: 3. Recommendation Details ①HS Code: ②Name of Item & Specifications: (4) Price: ③Recommended Quantity: 5 Country of Origin(supplier) **6**Purpose ①HS Code: 2Name of Item & Specifications: ③Recommended Quantity: (4) Price: 5 Country of Origin(supplier) **6**Purpose ①HS Code: 2Name of Item & Specifications: ③Recommended Quantity: 4)Price: 4 Country of Origin(supplier) ⑤ Purpose ***** Conditions of Recommendation:

| * | Relevant Regulation: Ministry for Food, Agriculture, Forestry and Fisheries | |
|---|---|--------|
| | Public Notice No.2011-00. | |
| | mm. dd. year. | |
| | The Head of the Agency (signal | ature) |

(Appendix Form 3) Required time for processing Registration No.: 2 days Request Form to Extend Validity Period of Recommendation on **Korea-US FTA TRQ** Applicant (Tax Payment Obligor) Importer Company name Address Name of company representative **Business** Registration No. Phone No. (Mobile: (Mobile: Fax No. oInitial Recommendation (Recommendation No.:) Country of Expected Purpose **HS** Code **Product Item** Price Quantity Origin Import Date

| °Details for requesting extension of term of validity: |
|---|
| •Reasons for requesting extension of term of validity: |
| I hereby request the extension of the validity period of the recommendation based on the Ministry for Food, Agriculture, Forestry and Fisheries Public Notice No.2011-00. |
| mm. dd. year. |
| Name of Applicant (signature) |
| To: Head of Agency |
| Attachment: Original copy of previously issued recommendation. |

| (Appendix Fo | rm 4 | 4) | | | | | |
|---|--|------------|-------------|--------------------|------------|----------|-----------------|
| Registration | n No |).: | | | | _ | time for essing |
| Request Form for Division of Korea-US FTA TRQ | | | | | | | |
| | ŀ | Request Fo | orm for Di | vision of K | Korea-US F | TA TRQ | |
| | | Applicant | t (Tax Paym | ent Obligor |) | Importer | |
| Company Na | me | | | | | | |
| Address | | | | | | | |
| Name of company representative | ve | | | | | | |
| Business registration N | Vo. | | | | | | |
| Phone No. | | (Mobile: | |) | (Mobile : | |) |
| Fax No. | | | | | | | |
| oInitial Reco | Applicant (Tax Payment Obligor) Importer Imp | | | | | | |
| HS Code | | Item | Quantity | Price | • | _ | Purpose |
| | | | | | | | |

| Details for requesting division of quota: | |
|---|-------|
| •Reasons for requesting division of quota: | |
| I hereby request the division of the recommended quantity based on the Ministry for Agriculture, Forestry and Fisheries Public Notice No. 2011-00. mm. dd. year. | Food |
| Name of Applicant (signa | ture) |
| To: Head of Agency | |
| Attachment: Original copy of previously issued recommendation. | |

[Appendix Table 1] TRQ Products, Quantities, Agencies and Methods of Quota Allocation under the Korea-US FTA (Regarding Article 3)

| | Products | HSK | HS 2012 Code | Description | Year 1 TRQ | Agency | Method of TRQ Allocation |
|---|---|--------------|------------------------------|---|-------------|-------------------------|--|
| 1 | Flatfish | 0303-39-0000 | 0303-34-0000 0303-39-0000 | Turbots (Psetta maxima) Flatfish (Other) | 1,530 tons | - | First-come first-served basis at customs clearance |
| 2 | Alaska Pollack | 0303-79-1000 | 0303-67-0000 | Alaska Pollack (Theragra chalcogramma) Other | 4,000 tons | - | First-come first-served basis at customs clearance |
| 3 | Croaker (micropogonias undulates) | 0303-79-9095 | 0303-89-9091 | Croaker | 1,000 tons | - | First-come first-served basis at customs clearance |
| 4 | | 0402-10-1010 | Same as left | Skim milk powder (Not containing added sugar or other sweetening matter / concentrated / fat content not exceeding 1.5%) | 3 HILL TONG | | |
| | Milk or cream powder less than 1.5 percent fat and buttermilk | 0402-10-1090 | Same as left | Other milk powder (Not containing added sugar or other sweetening matter / concentrated / fat content not exceeding 1.5%) | | Korea Agro-Fisheries | Imports Rights |
| | | 0402-10-9000 | Same as left | Other milk powder (Containing added sugar or other sweetening matter / concentrated / fat content not exceeding 1.5%) | | & Food Trade | Auction |
| | | 0403-90-1000 | Same as left | Buttermilk | | | |
| | Milk and cream powder sweetened and | 0402-21-1000 | Same as left | Whole milk powder (Not containing added sugar or other sweetening matter / concentrated / fat content | | | |

| unsweetened over 1.5 percent | | | exceeding 1.5%) | | | |
|------------------------------|--------------|--------------|---|------------|---------------------------|---------------|
| fat (whole milk powder) | 0402-21-9000 | Same as left | Other milk powder (Not containing added sugar or other sweetening matter / concentrated / fat content exceeding 1.5%) | | | |
| | 0402-29-0000 | Same as left | Other milk powder (Containing added sugar or other sweetening matter / concentrated / fat content exceeding 1.5%) | | | |
| Milk and cream(evaporate | 0402-91-1000 | Same as left | Evaporated milk, not containing added sugar or other sweetening matter | | | |
| d) sweetened or unsweetened | 0402-91-9000 | Same as left | Other | | | |
| and/or not concentrated | 0402-99-1000 | Same as left | Evaporated milk, containing added sugar or other sweetening matter | | | |
| | 0402-99-9000 | Same as left | Other | | | |
| | 0404-10-1010 | 0404-10-1019 | Whey powder(other) | | | |
| | 0404-10-1090 | 0404-10-1099 | Whey(other) | | | |
| | 0404-10-2110 | 0404-10-2119 | Modified whey (Lactose removed/other) | | | |
| | 0404-10-2120 | 0404-10-2129 | Modified whey (Demineralized/other) | 2.000 / | Korea Dairy | Allocation of |
| | 0404-10-2130 | 0404-10-2139 | Modified whey(Whey protein concentrates/other) | 3,000 tons | Industries Association | import rights |
| | 0404-10-2190 | 0404-10-2199 | Modified whey(Whey from which all or part of the lactose, proteins or minerals have been removed/other) | | | |
| | 0404-10-2900 | 0404-10-2990 | Other modified whey (other) | | | |

| 6 | Butter and other fats and oils derived from milk | 0405-10-0000 0405-90-0000 | Same as left Same as left | Butter Butter (Other) | 200 tons | Korea Agro-Fisheries Imports Rights & Food Trade Corporation |
|----|--|------------------------------|---------------------------|---|------------|---|
| | | 0406-10-1010 | Same as left | Cheese(Fresh/Mozzarella) | | |
| | | 0406-10-1020 | Same as left | Cheese(Fresh/Cream cheese) | | |
| | | 0406-10-1090 | Same as left | Cheese(Fresh/Other) | | |
| | Fresh, curd | 0406-20-0000 | Same as left | Cheese(Grated or powdered cheese, of all kinds) | | |
| 7 | grated or powdered, | 0406-30-0000 | Same as left | Cheese(Processed/not grated or powdered) | 7,000 tons | Korea Dairy Industries Allocation of import rights |
| | processed, and all other cheeses | 0406-90-1000 | Same as left | Other cheese(Cheddar cheese) | | Association |
| | an other enceses | 0406-90-2000 | Same as left | Other cheese(Gouda cheese) | | |
| | | 0406-90-3000 | Same as left | Other cheese(Camembert cheese) | | |
| | | 0406-90-4000 | Same as left | Other cheese(Emmental cheese) | | |
| | | 0406-90-9000 | Same as left | Other cheese(Other) | | |
| 8 | Honey, natural | 0409-00-0000 | Same as left | Natural honey | 200 tons | Korea Agro-Fisheries Imports Rights & Food Trade Corporation |
| 9 | Potatoes fresh or chilled | 0701-90-0000 | Same as left | Potatoes(excludes seed potatoes) | 3,000 tons | Korea Agro-Fisheries Imports Rights & Food Trade Corporation |
| 10 | Oranges | 0805-10-0000 | Same as left | Oranges | 2,500 tons | Imports Rights Auction Agro-Fisheries (*unilyear 10) & Food Trade Corporation to end-user (*from year 11) |

| | T | 1 | | | | | 1 |
|-----|--|------------------------------|--|--|--------------|---|-----------------------------|
| | | 1003-00-9010 | 1003-10-2000 | Hulled barley (Seed) | | Korea | |
| 1 | Barley, excluding | | 1003-90-2000 | Hulled barley (Other) | 2.500.45.55 | A ama Eighaniag | Allocation of |
| 1 | malting barley and cereals of barley | | 1003-10-3000 | Naked barley (Seed) | 2,500 tons | & Food Trade | import rights |
| | | 1003-00-9020 | 1003-90-3000 | Naked barley (Other) | | Corporation | import rights |
| | | 1003-00-1000 | 1003-10-1000 | Malting barley (Seed) | | Korea | |
| 12 | Malt and malting | 1003-00-1000 | 1003-90-1000 | Malting barley (Other) | 9,000 tons | Agro-Fisheries | Allocation of |
| ,12 | barley | 1107-10-0000 | Same as left | Malt (not roasted) |),000 tons | & Food Trade Corporation | import rights |
| | | | 1108-12-1000 | Corn starch(for food) | | Korea | |
| 13 | Maize starch | 1108-12-0000 | 1108-12-9000 | Corn starch(other) | 10,000 tons | Agro-Fisheries & Food Trade Corporation | Allocation of import rights |
| 14 | Soybeans for (for processing) * Identity Preserved | 1201-00-9000 | 1201-10-1000 1201-10-9000 1201-90-2000 1201-90-3000 1201-90-9000 | Soybean for bean sprouts (seed) Soybean for other use (seed) Soybean (for feed) Soybean (for bean sprouts) Other | 10,000 tons | Korea Agro-Fisheries & Food Trade Corporation | Allocation of import rights |
| | | 1211-20-1100 | 1211-20-1110 | Raw ginseng(wood-cultivated ginseng) | | Korea Agro-Fisheries & Food Trade | Imports Rights Auction |
| _ | Ginseng (raw, | | 1211-20-1190 | Raw ginseng (other) | | | |
| 15 | white) | 1211-20-1210 | Same as left | White ginseng (whole ginseng) | 5.7 tons | | |
| | | 1211-20-1220 1211-20-1240 | 1211-20-1290 | White ginseng (other) | | Corporation | |
| 16 | Fodder | 1214-90-9090 | Same as left | Other fodder (excludes Lucerne bale) | 200,000 tons | Korea Feed Ingredients Association, Korea Feed Association, National Agricultural | Allocation of import rights |

| | | | | | | Cooperative Federation | |
|----|-----------------------------|--------------|--------------|--|-------------|---|-----------------------------|
| 17 | Prepared dry milk and other | | Same as left | Prepared dry milk (for toddlers) | 700 tons | Korea Dairy Industries | Allocation of import rights |
| | (for toddlers) | 1901-10-1090 | Same as left | Prepared dry milk for toddlers(other) | | Association | import rights |
| | | 2309-90-2010 | Same as left | Supplementary feeds(Chiefly on the basis of inorganic substances or minerals) Supplementary feeds(Chiefly on the | | Korea Feed Ingredients Association, | |
| | Supplemental | 2309-90-2020 | Same as left | basis of flavorings) | | | Allocation of |
| 18 | feeds (Other) | 2309-90-2099 | Same as left | Supplementary feeds(Other) | 5,500 tons | Korea Feed | import rights |
| | | 2309-90-9000 | Same as left | Other feed additives (Except for dog or cat feed, compound feeds, supplementary feeds and feed additives) | | Milk Replacer Association | |
| | | 3505-10-4000 | 3505-10-4010 | Pregelatinised or swelling starch(for food) | 14,000 tons | & Hood Trade | |
| 19 | Dextrins (modified starch) | | 3505-10-4090 | Pregelatinised or swelling starch(other) | | | Allocation of import rights |
| | | 3505-10-5000 | 3505-10-5010 | Etherfied or esterified starches(for food) | , | | |
| | | | 3505-10-5090 | Etherfied or esterified starches(other) | | | |

[Appendix Table 2] Yearly TRQ by Products under the Korea-US FTA (Regarding Article 3)

| | Duoduot | HSK (2012 HS code) | Yearly Quota (tons) | | | | | | | | | | | | | | | | | |
|---|--|--|---------------------|-------|-------|-------|-------|-------|----------|----------|--------|---------|----------|---------|--------|----------|---------|-------|--------|----|
| | Product | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 1 | Flatfish | 0303-34-0000 0303-39-0000 | 1,530 | 1,652 | 1,785 | 1,927 | 2,082 | 2,248 | 2,428 | 2,622 | 2,832 | 3,058 | 3,303 | Unlimi | ted | | | | | |
| 2 | Alaska Pollack | 0303-67-0000 0303-69-0000 | 4,000 | 4,360 | 4,752 | 5,180 | 5,646 | 6,154 | 6,708 | 7,312 | 7,970 | 8,688 | 9,469 | 10,322 | 11,251 | 12,263 | Unlimit | ted | | |
| 3 | Croaker | 0303-89-9091 | 1,000 | 1,050 | 1,103 | 1,158 | 1,216 | 1,276 | 1,340 | 1,407 | 1,477 | 1,551 | 1,629 | Unlimi | ted | | | | | |
| 4 | Milk or cream powder less than 1.5 percent fat and buttermilk Milk and cream powder sweetened and unsweetened over 1.5 percent fat (whole milk | 0403-90-1000 0402-21-1000 0402-21-9000 0402-29-0000 | 5,000 | 5,150 | 5,305 | 5,464 | 5,628 | After | · year 5 | , the in | -quota | quantit | y increa | ases 3% | per y | ear, con | npounde | d anı | nually | |
| | powder) Milk and cream(evaporat ed) sweetened or unsweetened and/or not | 0402-91-9000 | | | | | | | | | | | | | | | | | | |

| | concentrated | | | | | | | | | | | | | | | | |
|----|---|--|-------|-------|-------|-------|-------|---------|---------|----------|---------|---------|---------|--------|---------|---------|-------------------|
| 5 | Food whey | 0404-10-1019 0404-10-1099 0404-10-2119 0404-10-2129 0404-10-2139 0404-10-2199 0404-10-2990 | 3,000 | 3,090 | 3,183 | 3,278 | 3,377 | 3,478 | 3,582 | 3,690 | 3,800 | Unlim | ited | | | | |
| 6 | Butter and other fats and oils derived from milk | 0405-10-0000 0405-90-0000 | 200 | 206 | 212 | 219 | 225 | 232 | 239 | 246 | 253 | Unlim | ited | | | | |
| 7 | Fresh, curd grated or powdered, | 0406-10-1010 0406-10-1020 0406-10-1090 0406-20-0000 0406-30-0000 0406-90-1000 0406-90-2000 0406-90-3000 0406-90-4000 0406-90-9000 | 7,000 | 7,210 | 7,426 | 7,649 | 7,879 | 8,115 | 8,358 | 8,609 | 8,867 | 9,133 | 9,407 | 9,690 | 9,980 | 10,280 | Unlimited |
| 8 | Honey, natural | 0409-00-0000 | 200 | 206 | 212 | 219 | 225 | After : | year 5, | the in-c | quota q | uantity | increas | ses 3% | per yea | r, comp | pounded annually. |
| 9 | Potatoes fresh or chilled | 0701-90-0000 | 3,000 | 3,090 | 3,183 | 3,278 | 3,377 | After | year 5, | the in-c | quota q | uantity | increas | ses 3% | per yea | r, comp | pounded annually. |
| 10 | Oranges | 0805-10-0000 | 2,500 | 2,575 | 2,652 | 2,732 | 2,814 | After | year 5, | the in-c | quota q | uantity | increas | ses 3% | per yea | r, comp | pounded annually. |
| 11 | Barley, excluding malting barley and cereals of barley | 1003-10-2000 1003-10-3000 1003-90-2000 1003-90-3000 | 2,500 | 2,550 | 2,601 | 2,653 | 2,706 | 2,760 | 2,815 | 2,872 | 2,929 | 2,988 | 3,047 | 3,108 | 3,171 | 3,234 | Unlimited |
| 12 | Malt and malting barley | 1003-10-1000 1003-90-1000 | 9,000 | 9,180 | 9,364 | 9,551 | 9,742 | 9,937 | 10,135 | 10,338 | 10,545 | 10,756 | 10,971 | 11,190 | 11,414 | 11,642 | Unlimited |

| | | 1107-10-0000 | | | | | | | | | | | | | | | | | | |
|----|---|--|---------|---------|----------|----------|---------|---------|---------|---------|----------|---------|---------|---------|---------|---------|-------|---------|--------|---------------|
| 13 | Maize starch | 1108-12-1000 1108-12-9000 | 10,000 | 10,300 | 10,609 | 10,927 | 11,255 | 11,593 | 11,941 | 12,299 | 12,668 | 13,048 | 13,439 | 13,842 | 14,258 | 14,685 | Unli | mited | | |
| 14 | Soybeans for Human Consumption * Identity Preserved | 1201-10-1000 1201-10-9000 1201-90-2000 1201-90-3000 1201-90-9000 | 10,000 | 20,000 | 25,000 | 25,750 | 26,523 | After | year 5, | the in- | quota q | uantity | increa | ses 3% | per yea | ar, com | pound | led ann | ually. | |
| 15 | Ginseng(raw, white) | 1211-20-1110 1211-20-1190 1211-20-1210 1211-20-1290 | 5.7 | 5.9 | 6.0 | 6.2 | 6.4 | 6.6 | 6.8 | 7.0 | 7.2 | 7.4 | 7.7 | 7.9 | 8.1 | 8.4 | 8.6 | 8.9 | 9.1 | Unlim ited |
| 16 | Fodder | 1214-90-9090 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | 200,000 | Unli | mited | | |
| 17 | Prepared dry milk and other (for toddlers) | 1901-10-1010 1901-10-1090 | 700 | 721 | 743 | 765 | 788 | 811 | 836 | 861 | 887 | Unlim | ited | | | | | | | |
| 18 | Supplementary feeds | 2309-90-2010 2309-90-2020 2309-90-2099 2309-90-9000 | 5,500 | 5,665 | 5,835 | 6,010 | 6,190 | 6,376 | 6,567 | 6,764 | 6,967 | 7,176 | 7,392 | Unlim | nited | | | | | |
| 19 | Modified starch (Dextrin) | 3505-10-4010 3505-10-4090 3505-10-5010 3505-10-5090 | 14,000 | 14,420 |) 14,853 | 3 15,298 | 15,757 | 16,230 | 16,717 | 17,218 | 3 17,735 | 18,267 | 18,815 | Unlim | nited | | | | | |

^{*} Beginning in year 10, cheddar cheese will no longer be subject to a TRQ.