CHAPTER 12

OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL OR MEDICINAL PLANTS; STRAW AND FODDER

Notes

1. Heading 1207 applies, inter alia, to palm nuts and kernels, cotton seeds, castor oil seeds, sesame seeds, mustard seeds, safflower seeds, poppy seeds and shea nuts (karite nuts). It does not apply to products of heading 0801 or 0802 or to olives (chapter 7 or chapter 20).

2. Heading 1208 applies not only to non-defatted flours and meals but also to flours and meals which have been partially defatted or defatted and wholly or partially refatted with their original oils. It does not, however, apply to residues of headings 2304 to 2306.

3. For the purposes of heading 1209, beet seeds, grass and other herbage seeds, seeds of ornamental flowers, vegetable seeds, seeds of forest trees, seeds of fruit trees, seeds of vetches (other than those of the species Vicia faba) or of lupines are to be regarded as "seeds of a kind used for sowing".

   Heading 1209 does not, however, apply to the following even if for sowing:

   (a) Leguminous vegetables or sweet corn (chapter 7);

   (b) Spices or other products of chapter 9;

   (c) Cereals (chapter 10); or

   (d) Products of headings 1201 to 1207 or of heading 1211.

4. Heading 1211 applies, inter alia , to the following plants or parts thereof: basil, borage, ginseng, hyssop, licorice, all species of mint, rosemary, rue, sage and wormwood.

   Heading 1211 does not, however, apply to:

   (a) Medicaments of chapter 30;

   (b) Perfumery, cosmetic or toilet preparations of chapter 33; or

   (c) Insecticides, fungicides, herbicides, disinfectants or similar products of heading 3808.

5. For the purposes of heading 1212, the term "seaweeds and other algae" does not include:

   (a) Dead single-cell microorganisms of heading 2102;

   (b) Cultures of microorganisms of heading 3002; or

   (c) Fertilizers of heading 3101 or 3105.

Subheading Note

1. For the purposes of subheading 1205.10, the expression "low erucic acid rape or colza seeds" means rape or colza seeds yielding a fixed oil which has an erucic acid content of less than 2 percent by weight and yielding a solid component which contains less than 30 micromoles of glucosinolates per gram.

Additional U.S. Note

1. No allowance in weight shall be made for dirt or other impurities in seed of any kind provided for in this chapter.

Additional U.S. Note (con.)

2. The aggregate quantity of peanuts entered under subheadings 1202.30.40, 1202.41.40, 1202.42.40, 2008.11.25 and 2008.11.45 during the 12-month period from April 1 in any year through the following March 31, inclusive, shall not exceed the quantities specified herein (articles the product of Mexico shall not be permitted or included under this quantitative limitation and no such articles shall be classifiable therein).

	Quantity (metric tons) Entered in the 12-month period from April 1 in any year through the following March 31, inclusive
Argentina	43,901
Other countries or areas	9,005

For the purposes of this note, imports of peanuts in the shell shall be charged against the quantities in this note on the basis of 75 kilograms for each 100 kilograms of peanuts in the shell.

Imports of peanuts under this note are subject to such regulations as may be issued by the United States Trade Representative or other designated agency.

Statistical Note

1. For the purposes of this chapter, the expression “Certified organic” refers to a fresh or processed agricultural product that is certified to the United States Department of Agriculture National Organic Program Regulation (7 CFR 205), the Canadian Organic Products Regulations (SOR/2006-338 COPR), the European Union (EU) Council Regulation (EC) No.834/2007 and Commission Regulations (EC) No. 889/2008 and 1235/2008, the Japanese Agricultural Standard (JAS) for Organic Plants (Notification No. 1605 of 2005) and the JAS for Organic Processed Foods (Notification No. 1606 of 2005), or the Republic of Korea Act on Promotion of Environmentally-Friendly Agriculture and Fisheries and Management of and Support for Organic Food, and its implementing regulations for processed foods, or the Swiss Ordinance on Organic Farming and the Labeling of Organically Produced Products and Foodstuffs (910.18) and Federal Department of Economic Affairs, Education and Research (EAER) Ordinance on Organic Farming of 22 September 1997 (910.181) and its regulations.

Heading/ Subheading	Stat. Suf-fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1201		Soybeans, whether or not broken:				
1201.10.00	00	Seed	kg	Free		4.4¢/kg
1201.90.00		Other		Free		4.4¢/kg
	05	Seeds of a kind used as oil stock	kg			
		Other:				
	10	Certified Organic	kg			
	90	Other	kg			
1202		Peanuts (ground-nuts), not roasted or otherwise cooked, whether or not shelled or broken:				
1202.30		Seed:				
1202.30.05	00	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	kg	6.6¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	15.4¢/kg
1202.30.40	00	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions	kg	6.6¢/kg	Free (A, BH, CA, CL, CO, D, E, IL, JO, KR, MA, OM, P, PA, PE, SG)	15.4¢/kg
1202.30.80	00	Other 1/	kg	131.8%	Free (BH, CL, JO, MX, SG) 52.7% (KR, PE) 52.90% (P) 79% (CO) 118.6% (PA) See 9908.12.01 (IL) See 9912.12.05-9912.12.20 (MA) See 9913.12.05, 9913.12.20 (AU) See 9915.12.05, 9915.12.20, 9915.12.40 (P+) See 9916.12.05, 9916.12.20 (OM)	155%

1/ See subheadings 9904.12.01-9904.12.19.

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1202 (con.)		Peanuts (ground-nuts), not roasted or otherwise cooked, whether or not shelled or broken: (con.)				
		Other:				
1202.41		In shell:				
1202.41.05		Described in general note 15 of the tariff schedule and entered pursuant to its provisions	.....	9.35¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, MA, MX, OM, P, PA, PE, SG) 3.7¢/kg (KR)	9.35¢/kg
	20	For use as oil stock	kg			
	40	Other	kg			
1202.41.40		Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions	.....	9.35¢/kg	Free (A, BH, CA, CL, CO, D, E, IL, JO, KR, MA, OM, P, PA, PE, SG)	9.35¢/kg
	20	For use as oil stock	kg			
	40	Other	kg			
1202.41.80		Other 1/	.....	163.8%	Free (BH, CL, JO, MX, SG) 65.5% (KR, PE) 65.80% (P) 98.2% (CO) 147.4% (PA) See 9908.12.01 (IL) See 9912.12.05-9912.12.10 (MA) See 9913.12.05-9913.12.10 (AU) See 9915.12.05, 9915.12.10, 9915.12.30 (P+) See 9916.12.05-9916.12.10 (OM)	192.7%
	20	For use as oil stock	kg			
	40	Other	kg			

1/ See subheadings 9904.12.01-9904.12.19.

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1202 (con.)		Peanuts (ground-nuts), not roasted or otherwise cooked, whether or not shelled or broken: (con.)				
		Other: (con.)				
1202.42		Shelled, whether or not broken:				
1202.42.05		Described in general note 15 of the tariff schedule and entered pursuant to its provisions		6.6¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	15.4¢/kg
	20	For use as oil stock	kg			
	40	Other	kg			
1202.42.40		Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions		6.6¢/kg	Free (A, BH, CA, CL, CO, D, E, IL, JO, KR, MA, OM, P, PA, PE, SG)	15.4¢/kg
	20	For use as oil stock	kg			
	40	Other	kg			
1202.42.80		Other 1/		131.8%	Free (BH, CL, JO, MX, SG) 52.7% (KR, PE) 52.90% (P) 79% (CO) 118.6% (PA) See 9908.12.01 (IL) See 9912.12.05-9912.12.20 (MA) See 9913.12.05, 9913.12.20 (AU) See 9915.12.05, 9915.12.20, 9915.12.40 (P+) See 9916.12.05, 9916.12.20 (OM)	155%
	20	For use as oil stock	kg			
	40	Other	kg			
1203.00.00	00	Copra	kg	Free		Free
1204.00.00		Flaxseed (linseed), whether or not broken		0.39¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	2.55¢/kg
	10	For sowing	kg			
		For use as oil stock:				
	25	Certified organic	kg			
	35	Other	kg			
	90	Other	kg			

1/ See subheadings 9904.12.01-9904.12.19.

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1205		Rape or colza seeds, whether or not broken:				
1205.10.00		Low erucic acid rape or colza seeds		0.58¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	4.4¢/kg
	10	For sowing	kg			
	20	For use as oil stock	kg			
	90	Other	kg			
1205.90.00		Other		0.58¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	4.4¢/kg
	10	For sowing	kg			
	20	For use as oil stock	kg			
	90	Other	kg			
1206.00.00		Sunflower seeds, whether or not broken		Free		4.4¢/kg
	20	For use as oil stock	kg			
	31	For sowing	kg			
		Other:				
		For human use:				
	61	In-shell	kg			
	69	Other	kg			
	90	Other	kg			

Heading/ Subheading	Stat. Suf-fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1207		Other oil seeds and oleaginous fruits, whether or not broken:				
1207.10.00	00	Palm nuts and kernels	kg	Free		Free
		Cotton seeds:				
1207.21.00	00	Seed	kg	0.47¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	0.73¢/kg
1207.29.00	00	Other	kg	0.47¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	0.73¢/kg
1207.30.00	00	Castor oil seeds	kg	Free		Free
1207.40.00	00	Sesame seeds	kg	Free		2.6¢/kg
1207.50.00	00	Mustard seeds	kg	Free		4.4¢/kg
1207.60.00	00	Safflower (Carthamus tinctorius) seeds	kg	Free		Free
1207.70.00		Melon seeds		0.83¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	13.2¢/kg
	20	Cantaloupe	kg			
	40	Watermelon	kg			
	75	Other	kg			
		Other:				
1207.91.00	00	Poppy seeds	kg	0.06¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	0.7¢/kg
1207.99.03		Other		Free		Free
	10	Niger seed	kg			
	20	Hemp seed	kg			
	91	Other	kg			
1208		Flours and meals of oil seeds or oleaginous fruits, other than those of mustard:				
1208.10.00	00	Of soybeans	kg	1.9%	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	20%
1208.90.00	00	Other	kg	1.4%	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	20%

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1209		Seeds, fruits and spores of a kind used for sowing:				
1209.10.00	00	Sugar beet seeds	kg	Free		Free
		Seeds of forage plants:				
1209.21.00		Alfalfa (lucerne) seeds		1.5¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	17.6¢/kg
	20	Certified	kg			
	40	Other	kg			
1209.22		Clover (Trifolium spp.) seeds:				
1209.22.20	00	White and ladino	kg	1.6¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	13¢/kg
1209.22.40		Other		Free		18¢/kg
	20	Alsike	kg			
	30	Crimson	kg			
		Red:				
	41	Double cut	kg			
	49	Other	kg			
	60	Sweet	kg			
	95	Other	kg			
1209.23.00		Fescue seeds		Free		4.4¢/kg
	20	Tall	kg			
		Creeping red:				
	31	Certified	kg			
	39	Other	kg			
	60	Meadow	kg			
	90	Other	kg			
1209.24.00	00	Kentucky blue grass (Poa pratensis L.) seeds	kg	1.2¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	11¢/kg
1209.25.00		Rye grass (Lolium multiflorium Lam., Lolium perenne L.) seeds		1.4¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	6.6¢/kg
	20	Annual	kg			
	40	Perennial	kg			

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1209 (con.)		Seeds, fruits and spores of a kind used for sowing: (con.)				
		Seeds of forage plants: (con.)				
1209.29		Other:				
1209.29.10	00	Beet	kg	Free		9¢/kg
1209.29.91		Other		Free		8%
	20	Bent grass (genus *Agrostis*)	kg			
		Bermuda grass for sowing:				
	25	Husked	kg			
	26	Other	kg			
	30	Birdsfoot trefoil	kg			
		Bromegrass:				
	36	Meadow	kg			
	37	Smooth	kg			
	38	Other	kg			
	40	Orchard grass	kg			
	60	Sudan grass	kg			
		Wheatgrass:				
	71	Crested	kg			
	74	Other	kg			
	76	Wild rye	kg			
	79	Other grass	kg			
	96	Other	kg			
1209.30.00		Seeds of herbaceous plants cultivated principally for their flowers		1¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	13.2¢/kg
	10	Petunia	kg			
	90	Other	kg			

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1209 (con.)		Seeds, fruits and spores of a kind used for sowing: (con.)				
		Other:				
1209.91		Vegetable seeds:				
1209.91.10	00	Cauliflower	kg	5.9¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	55¢/kg
1209.91.20	00	Celery	kg	Free		4.4¢/kg
1209.91.40	00	Onion	kg	Free		33¢/kg
1209.91.50	00	Parsley	kg	0.68¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	4.4¢/kg
1209.91.60		Pepper		Free		33¢/kg
	10	Sweet pepper	kg			
	90	Other	kg			
1209.91.80		Other		1.5¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	13.2¢/kg
	05	Broccoli	kg			
		Cabbage:				
	08	Green cabbage	kg			
	09	Other	kg			
	10	Carrot	kg			
	20	Radish	kg			
	30	Spinach	kg			
	40	Cucumber	kg			
	45	Kale	kg			
	47	Kohlrabi	kg			
	50	Lettuce	kg			
	54	Parsnip	kg			
	55	Pumpkin	kg			
	60	Squash	kg			
	70	Tomato	kg			
	74	Turnip	kg			
	90	Other	kg			
1209.99		Other:				
1209.99.20	00	Tree and shrub	kg	Free		17.6¢/kg
1209.99.41		Other		0.83¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	13.2¢/kg
	70	Tobacco	kg			
	90	Other	kg			

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1210		Hop cones, fresh or dried, whether or not ground, powdered or in the form of pellets; lupulin:				
1210.10.00	00	Hop cones, neither ground nor powdered nor in the form of pellets	kg	13.2¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	53¢/kg
1210.20.00		Hop cones, ground, powdered or in the form of pellets; lupulin		13.2¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	53¢/kg
	20	Hop cone pellets	kg			
	40	Other	kg			

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1211		Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh, chilled, frozen or dried, whether or not cut, crushed or powdered:				
1211.20		Ginseng roots:				
1211.20.10		Fresh or dried	.....	Free		Free
	20	Cultivated	kg			
	90	Wild	kg			
1211.20.15	00	Chilled or frozen	kg	6%	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%
1211.30.00	00	Coca leaf	kg	Free		Free
1211.40.00	00	Poppy straw	kg	Free		Free
1211.50.00	00	Ephedra	kg	Free		Free
1211.90		Other:				
		Mint leaves:				
1211.90.20	00	Crude or not manufactured	kg	Free		Free
1211.90.40		Other	.....	4.8%	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	25%
	20	Herbal teas and herbal infusions (single species, unmixed)	kg			
	40	Other	kg			
1211.90.60	00	Tonka beans	kg	6.6¢/kg	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	55¢/kg
		Other:				
1211.90.92		Fresh or dried	.....	Free		Free
		Substances having anesthetic, prophylactic or therapeutic properties and principally used as medicaments or as ingredients in medicaments:				
	20	Psyllium seed husks	kg			
	31	Other	kg			
	40	Basil	kg			
	50	Sage	kg			
		Other:				
	80	Herbal teas and herbal infusions (single species, unmixed)	kg			
	90	Other	kg			
1211.90.93	00	Chilled or frozen	kg	6%	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	35%

Heading/ Subheading	Stat. Suf- fix	Article Description	Unit of Quantity	Rates of Duty 1 General	Rates of Duty 1 Special	Rates of Duty 2
1212		Locust beans, seaweeds and other algae, sugar beet and sugar cane, fresh, chilled, frozen or dried, whether or not ground; fruit stones and kernels and other vegetable products (including unroasted chicory roots of the variety Cichorium intybus sativum) of a kind used primarily for human consumption, not elsewhere specified or included:				
		Seaweeds and other algae:				
1212.21.00	00	Fit for human consumption	kg	Free		Free
1212.29.00	00	Other	kg	Free		Free
		Other:				
1212.91.00	00	Sugar beet	t	39.7¢/t	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	88.2¢/t
1212.92.00	00	Locust beans (carob)	kg	Free		4.4¢/kg
1212.93.00	00	Sugar cane	t	$1.24/t	Free (A, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	$2.76/t
1212.94.00	00	Chicory roots	kg	Free		4.4¢/kg
1212.99		Other:				
		Apricot, peach (including nectarine) or plum stones and kernels:				
1212.99.20	00	Nectarine	kg	Free		4.4¢/kg
1212.99.30	00	Other	kg	1.5¢/kg	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	6.6¢/kg
1212.99.92	00	Other	kg	Free		4.4¢/kg
1213.00.00	00	Cereal straw and husks, unprepared, whether or not chopped, ground, pressed or in the form of pellets	t	Free		$1.65/t
1214		Rutabagas (swedes), mangolds, fodder roots, hay, alfalfa (lucerne), clover, sainfoin, forage kale, lupines, vetches and similar forage products, whether or not in the form of pellets:				
1214.10.00		Alfalfa (lucerne) meal and pellets		1.4%	Free (A+, AU, BH, CA, CL, CO, D, E, IL, JO, KR, MA, MX, OM, P, PA, PE, SG)	20%
		Dehydrated:				
	10	Cubes	t			
	15	Other	t			
		Other:				
		Sun-cured:				
	30	Cubes	t			
	50	Other	t			
	60	Other	t			
1214.90.00		Other		Free		$5.51/t
		Hay:				
	10	Alfalfa, whether or not double compressed	t			
	18	Timothy	t			
	25	Other	t			
	30	Clover	t			
	90	Other	t			