

S 685 IS

112th CONGRESS
1st Session
S. 685

To repeal the Federal sugar program.

IN THE SENATE OF THE UNITED STATES

March 30, 2011

Mr. LUGAR (for himself and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To repeal the Federal sugar program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `Free Sugar Act of 2011'.

SEC. 2. SUGAR PROGRAM.

Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is repealed.

SEC. 3. ELIMINATION OF SUGAR PRICE SUPPORT AND PRODUCTION ADJUSTMENT PROGRAMS.

- (a) In General- Notwithstanding any other provision of law--
- (1) a processor of any of the 2012 or subsequent crops of sugarcane or sugar beets shall not be eligible for a loan under any provision of law with respect to the crop; and
 - (2) the Secretary of Agriculture may not make price support available, whether in the form of a loan, payment, purchase, or other operation, for any of the 2012 and subsequent crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or other funds available to the Secretary.
- (b) Termination of Marketing Quotas and Allotments-
- (1) IN GENERAL- Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

(2) CONFORMING AMENDMENT- Section 344(f)(2) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(2)) is amended by striking `sugar cane for sugar, sugar beets for sugar,'.

(c) General Powers-

(1) SECTION 32 ACTIVITIES- Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended in the second sentence of the first paragraph--

(A) in paragraph (1), by inserting `(other than sugar beets and sugarcane)' after `commodities'; and

(B) in paragraph (3), by inserting `(other than sugar beets and sugarcane)' after `commodity'.

(2) POWERS OF COMMODITY CREDIT CORPORATION- Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting `, sugar beets, and sugarcane' after `tobacco'.

(3) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES- Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking `milk, sugar beets, and sugarcane' and inserting `, and milk'.

(4) COMMODITY CREDIT CORPORATION STORAGE PAYMENTS- Section 167 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7287) is repealed.

(5) SUSPENSION AND REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY- Section 171(a)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(a)(1)) is amended--

(A) by striking subparagraph (E); and

(B) by redesignating subparagraphs (F) through (I) as subparagraphs (E) through (H), respectively.

(6) STORAGE FACILITY LOANS- Section 1402(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7971) is repealed.

(7) FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS- Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(d) Transition Provisions- This section and the amendments made by this section shall not affect the liability of any person under any provision of law as in effect before the application of this section and the amendments made by this section.

SEC. 4. ELIMINATION OF SUGAR TARIFF AND OVER-QUOTA TARIFF RATE.

(a) Elimination of Tariff on Raw Cane Sugar- Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 1701.11 through 1701.11.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.11, as in effect on the day before the date of the enactment of this section:

` 1701.11.00 Cane sugar Free 39.85>/kg ' .

(b) Elimination of Tariff on Beet Sugar- Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 1701.12 through 1701.12.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.12, as in effect on the day before the date of the enactment of this section:

` 1701.12.00 Beet sugar Free 42.05>/kg '.

(c) Elimination of Tariff on Certain Refined Sugar- Chapter 17 of the Harmonized Tariff Schedule of the United States is amended--

(1) by striking the superior text immediately preceding subheading 1701.91.05 and by striking subheadings 1701.91.05 through 1701.91.30 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.12.05, as in effect on the day before the date of the enactment of this section:

` 1701.91.02 Containing added coloring but not containing added flavoring matter Free 42.05>/kg ';

(2) by striking subheadings 1701.99 through 1701.99.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.99, as in effect on the day before the date of the enactment of this section:

` 1701.99.00 Other Free 42.05>/kg ';

(3) by striking the superior text immediately preceding subheading 1702.90.05 and by striking subheadings 1702.90.05 through 1702.90.20 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1702.60.22:

` 1702.90.02 Containing soluble non-sugar solids (excluding any foreign substances, including but not limited to molasses, that may have been added

to or developed in the product) equal to 6 percent or less by weight of the total soluble solids Free 42.05>/kg ';

and

(4) by striking the superior text immediately preceding subheading 2106.90.42 and by striking subheadings 2106.90.42 through 2106.90.46 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 2106.90.39:

` 2106.90.40 Syrups derived from cane or beet sugar, containing added coloring but not added flavoring matter Free 42.50>/kg '.

(d) Conforming Amendment- Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking additional U.S. note 5.

(e) Administration of Tariff-Rate Quotas- Section 404(d)(1) of the Uruguay Round Agreements Act (19 U.S.C. 3601(d)(1)) is amended--

(1) by inserting `or' at the end of subparagraph (B);

(2) by striking `; or' at the end of subparagraph (C) and inserting a period; and

(3) by striking subparagraph (D).

(f) Effective Date- The amendments made by this section apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 5. APPLICATION.

Except as otherwise provided in this Act, this Act and the amendments made by this Act shall apply beginning with the 2012 crop of sugar beets and sugarcane.

END