

ment of this Act would be required to be paid into the general funds of the Treasury of the Philippines or would be held in separate or special funds and paid into the Treasury of the Philippines, shall be covered into the general fund of the Treasury of the United States.

(Apr. 30, 1946, ch. 244, title V, §506(a), 60 Stat. 157.)

#### SUSPENSION OF PROVISIONS

Section not applicable during such time as the revised agreement between the United States and the Philippines is in effect, see section 1373 of this title.

#### REFERENCES IN TEXT

Section 4 of the Act of March 8, 1902 (32 Stat. 54, ch. 140), referred to in text, was classified to section 123a of Title 19, Customs Duties, and was transferred to section 3343(b) of the Internal Revenue Code of 1939, and subsequently repealed by act Apr. 30, 1946, ch. 244, title V, §506(b), 60 Stat. 157, eff. July 4, 1946.

Section 19 of the Act of March 24, 1934 (48 Stat. 456, ch. 84), as added to such Act by section 6 of the Act of August 7, 1939 (53 Stat. 1232, ch. 502), referred to in text, was classified to section 1248 of Title 48, Territories and Insular Possessions, which was omitted from the Code.

Act of November 8, 1945 (59 Stat. 577, ch. 454), referred to in text, was classified to section 1249 of Title 48, Territories and Insular Possessions, which was omitted from the Code.

This Act, referred to in text, is act Apr. 30, 1946, ch. 244, 60 Stat. 141, known as the Philippine Trade Act of 1946, which is classified principally to subchapters I to IV of this chapter. Subchapters I, II, and III of this chapter were omitted from the Code. For complete classification of this Act to the Code, see Short Title note set out under section 1354 of this title and Tables.

### § 1357. Trade agreements with the Philippines

Until July 4, 1974, no trade agreement shall be made with the Philippines under section 1351 of title 19, unless, prior to such time, the President of the United States has made the proclamation provided for in section 1347 of this title, or the executive agreement provided for in subchapter III of this chapter has been terminated.

(Apr. 30, 1946, ch. 244, title V, §508, 60 Stat. 158.)

#### SUSPENSION OF PROVISIONS

Section not applicable during such time as the revised agreement between the United States and the Philippines is in effect, see section 1373 of this title.

#### REFERENCES IN TEXT

The executive agreement provided for in subchapter III of this chapter, referred to in text, expired July 4, 1974.

### § 1358. Rights of third countries

The benefits granted by subchapters I to IV of this chapter, and by the executive agreement provided for in subchapter III, to the Philippines, Philippine articles or products, and Philippine citizens, shall not, by reason of any provision of any existing treaty or agreement with any third country, be extended to such country or its products, citizens, or subjects.

(Apr. 30, 1946, ch. 244, title V, §509, 60 Stat. 158.)

#### SUSPENSION OF PROVISIONS

Section not applicable during such time as the revised agreement between the United States and the Philippines is in effect, see section 1373 of this title.

#### REFERENCES IN TEXT

Subchapters I to IV of this chapter, referred to in text, was in the original "this Act", meaning act Apr. 30, 1946, ch. 244, 60 Stat. 141, known as the Philippine Trade Act of 1946, which is classified principally to subchapters I to IV of this chapter. Subchapters I, II, and III of this chapter were omitted from the Code. For complete classification of this Act to the Code, see Short Title note set out under section 1354 of this title and Tables.

The executive agreement provided for in subchapter III of this chapter, referred to in text, expired July 4, 1974.

### § 1359. Omitted

#### CODIFICATION

Section, act Apr. 30, 1946, ch. 244, title V, §510, 60 Stat. 158, related to administration of subchapter I of this chapter. See Codification note for section 1352 of this title.

### § 1360. Definitions

(a) For the purposes of subchapters I to IV of this chapter—

(1) The term "person" includes partnerships, corporations, and associations.

(2) The term "United States", when used in a geographical sense, means the States, the District of Columbia, the Territories of Alaska and Hawaii, and Puerto Rico.

(3) The term "ordinary customs duty" means a customs duty based on the article as such (whether or not such duty is also based in any manner on the use, value, or method of production of the article, or on the amount of like articles imported, or on any other factor); but does not include—

(A) a customs duty based on an act or omission of any person with respect to the importation of the article, or of the country from which the article is exported, or from which it comes; or

(B) a countervailing duty imposed to offset a subsidy, bounty, or grant; or

(C) an anti-dumping duty imposed to offset the selling of merchandise for exportation at a price less than the prevailing price in the country of export; or

(D) any tax, fee, charge, or exaction, imposed on or in connection with importation unless the law of the country imposing it designates or imposes it as a customs duty or contains a provision to the effect that it shall be treated as a duty imposed under the customs laws; or

(E) the tax imposed by section 2491(c) of the Internal Revenue Code with respect to an article, merchandise, or combination, 10 per centum or more of the quantity by weight of which consists of, or is derived directly or indirectly from, one or more of the oils, fatty acids, or salts specified in section 2470 of the Internal Revenue Code; or the tax imposed by section 3500 of the Internal Revenue Code.

(4) The term "Philippine article" means an article which is the product of the Philippines, unless, in the case of an article produced with the use of materials imported into the Philippines from any foreign country (except the United States) the aggregate value of such im-