

August 30, 2018

ATP 18-001



United States  
Department of  
Agriculture

Trade and Foreign  
Agricultural  
Affairs

Foreign  
Agricultural  
Service

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Ave, SW  
Stop 1052  
Washington, DC  
20250-1052

**SUBJECT: List of Restricted Countries – Prohibition of U.S. Assistance and Financing**

**TO: All Agricultural Trade Promotion (ATP) Program Participants**

This program notice is effective immediately.

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**BACKGROUND:** Based on U.S. foreign policy and national security goals, the U.S. Government implements various economic sanctions and trade embargoes against targeted foreign countries and regimes. The Foreign Agricultural Service (FAS) publishes a list of blocked countries and periodically updates this list to inform all Participants in the Agricultural Trade Promotion (ATP) Program that no activities funded under the ATP may be conducted in any country that appears in this program notice.

**POLICY:** Commodity Credit Corporation (CCC) funds may not be used for any market development or export promotion activities in the following countries or regions:

Crimea Region of Ukraine  
Cuba  
Iran  
North Korea  
Syria

Expenditures on any activities conducted by Participants in these blocked countries using private funds cannot be counted as contributions towards CCC funded programs. Therefore, no expenses in these countries should be reported in any FAS or CCC financial reporting. See below for additional guidance on Sudan.

**AUTHORITY:** Section 908(a)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 USC 7207) (TSRA) states, “Notwithstanding any other provision of law, no United States Government assistance, including United States foreign assistance, United States export assistance, and any United States credit or guarantees shall be available for exports to Cuba or for commercial exports to Iran, Libya, North Korea, or Sudan.” This provision does not apply to the Republic of South Sudan. In 2004, Presidential Determination No. 2004-49 waived this prohibition for Libya. In 2017, Executive Order 13761, as amended by Executive Order 13804, waived this prohibition for Sudan.

In 2011, Executive Order 13582 significantly expanded U.S. sanctions on Syria by blocking new investment in Syria and prohibiting the direct or indirect exportation, re-exportation, sale, or supply of any services to Syria from the United States or by a U.S. person, wherever located. The Treasury Department’s Office of Foreign Assets Control (OFAC) administers the Syrian Sanctions Regulations, 31 CFR Part 542, and the Department of Commerce’s Bureau of Industry and Security (BIS) administers the Export Administration Regulations for the Syrian embargo, 15 CFR 746.9.

In 2014, Executive Order 13685 imposed similar sanctions on the Crimea Region of Ukraine. OFAC administers the Ukraine–Related Sanctions Regulations, 31 CFR Part 589, and BIS administers the Export Administration Regulations for the Ukraine embargo, 15 CFR 746.6.

**GENERAL GUIDANCE:** All Program Participants planning to conduct activities funded by ATP are required to check OFAC’s Special Designated Nationals and Blocked Persons list to ensure they are not dealing with prohibited individuals, groups, or entities. This information can be accessed on OFAC’s website at: <https://sanctionssearch.ofac.treas.gov/>. Program Participants should also refer to OFAC’s active sanctions programs and country information that can be found at: <https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx>.

Program Participants must also comply with the Export Administration Regulations administered by BIS, which can be found at 15 CFR parts 730 through 774. Participants should pay special attention to 15 CFR part 746, “Embargoes and other Special Controls.”

**GUIDANCE ON SUDAN:** Executive Order 13761 did not remove the statutory requirements imposed by section 906 of TSRA (22 USC 7205) regarding exports of agricultural commodities, medicine, and medical devices to Sudan. OFAC has therefore issued a corresponding general license in the Sudanese Sanctions Regulations for the export of such agricultural commodities, medicine, and medical devices to Sudan. The OFAC general license authorizes exports or re–exports of agricultural commodities to the Government of Sudan, to any individual or entity in Sudan, or to persons in third countries purchasing specifically for resale to any of the foregoing, provided that the exports and re–exports are shipped within the 12–month period beginning on the date of the signing of the contract for export or re–export.<sup>1</sup> Each year, OFAC will determine whether to revoke this general license. Unless revoked, the general license will remain in effect.

Participants are encouraged to contact their marketing specialists for additional guidance.

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Mark A. Slupek  
Deputy Administrator  
Office of Trade Programs

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<sup>1</sup> The OFAC Sudan general license, General License A, may be found at: [https://www.treasury.gov/resource-center/sanctions/Programs/Documents/tsra\\_gla.pdf](https://www.treasury.gov/resource-center/sanctions/Programs/Documents/tsra_gla.pdf). This new general license does not eliminate the need to comply with other provisions of 31 CFR chapter V, including those parts related to terrorism, the proliferation of weapons of mass destruction, or narcotics trafficking, or other applicable provisions of law, including any requirements of agencies other than OFAC. Such requirements include the Export Administration Regulations (15 CFR parts 730 through 774 administered by the Bureau of Industry and Security of the Department of Commerce) and the International Traffic in Arms Regulations (22 CFR parts 120 through 130) administered by the Department of State.