



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

OFFICE OF FOREIGN ASSETS CONTROL

Executive Order _____ of December 19, 2014
Blocking Property of Certain Persons and Prohibiting Certain
Transactions With Respect to the Crimea Region of Ukraine

GENERAL LICENSE NO. 4

**Authorizing the Exportation or Reexportation of
Agricultural Commodities, Medicine, Medical Supplies, and Replacement Parts**

(a) Exportation or reexportation of agricultural commodities, medicine, medical supplies, and replacement parts.

(1) Agricultural commodities, medicine, and medical supplies. Except as provided in paragraphs (a)(3) – (a)(5), the exportation or reexportation, from the United States or by a U.S. person, wherever located, of agricultural commodities, medicine, and medical supplies to Crimea, or to persons in third countries purchasing specifically for resale to Crimea, and the conduct of related transactions, including the making of shipping and cargo inspection arrangements, the obtaining of insurance, the arrangement of financing and payment, shipping of the goods, receipt of payment, and the entry into contracts (including executory contracts), are hereby authorized.

(2) Replacement parts. Except as provided in paragraph (a)(3), the exportation or reexportation, from the United States or by a U.S. person, wherever located, of replacement parts for medical supplies exported or reexported pursuant to paragraph (a)(1) of this general license to Crimea, or to persons in third countries purchasing specifically for resale to Crimea, and the conduct of related transactions, including the making of shipping and cargo inspection arrangements, the obtaining of insurance, the arrangement of financing and payment, shipping of the goods, receipt of payment, and the entry into contracts (including executory contracts), are hereby authorized, provided that such replacement parts are designated as EAR99, or, in the case of replacement parts that are not subject to the Export Administration Regulations, 15 CFR parts 730 *et seq.* (EAR), would be designated as EAR99 if they were located in the United States; and further provided that such replacement parts are limited to a one-for-one export or reexport basis (i.e., only one replacement part can be exported or reexported to replace a broken or non-operational component).

(3) Excluded persons. Paragraphs (a)(1) and (a)(2) of this general license do not authorize the exportation or reexportation of agricultural commodities, medicine, medical supplies, or replacement parts to military or law enforcement purchasers or importers.



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(4) Excluded agricultural commodities. Paragraph (a)(1) of this general license does not authorize the exportation or reexportation of the following items: castor beans, castor bean seeds, certified pathogen-free eggs (unfertilized or fertilized), dried egg albumin, live animals (excluding live cattle), embryos (excluding cattle embryos), Rosary/Jequiry peas, non-food-grade gelatin powder, peptones and their derivatives, super absorbent polymers, western red cedar, or all fertilizers.

(5) Excluded medicines. Paragraph (a)(1) of this general license does not authorize the exportation or reexportation of the following medicines: non-NSAID analgesics, cholinergics, anticholinergics, opioids, narcotics, benzodiazapenes, and bioactive peptides.

(b) Other excluded items.

(1) Agricultural commodities. For the purposes of this general license, agricultural commodities do not include furniture made from wood; clothing manufactured from plant or animal materials; agricultural equipment (whether hand tools or motorized equipment); pesticides, insecticides, or herbicides; or cosmetics (unless derived entirely from plant materials).

(2) Medicine. For the purposes of this general license, medicine does not include cosmetics.

(c) Limitations.

(1) Nothing in this general license relieves the exporter from compliance with the export license application requirements of another Federal agency.

(2) Nothing in this general license authorizes the exportation or reexportation of any agricultural commodity, medicine, or medical device controlled on the United States Munitions List established under section 38 of the Arms Export Control Act (22 U.S.C. 2778); controlled on any control list established under the Export Administration Act of 1979 or any successor statute (50 U.S.C. App. 2401 et seq.); or used to facilitate the development or production of a chemical or biological weapon or weapon of mass destruction.

(3) Nothing in this general license affects prohibitions on the sale or supply of U.S. technology or software used to manufacture agricultural commodities, medicine, or medical devices, such as technology to design or produce biotechnological items or medical devices.

(4) Nothing in this general license affects U.S. nonproliferation export controls, including the end-user and end-use controls maintained under Part 744 of the Export Administration Regulations, 15 CFR part 744.

(5) Nothing in this general license authorizes any transaction or dealing with a person whose property and interests in property are blocked under, or who is designated or otherwise



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subject to any sanctions under, the terrorism, proliferation of weapons of mass destruction, or narcotics trafficking programs administered by OFAC, 31 CFR parts 536, 544, 594, 595, 597, and 598, or with any foreign organization, group, or person subject to any restriction for its involvement in weapons of mass destruction or missile proliferation, or involving property blocked pursuant to 31 C.F.R. chapter V or any other activity prohibited by that chapter not otherwise authorized in or pursuant to 31 C.F.R. part 589.

(6) Nothing in this general license authorizes the exportation or reexportation of any agricultural commodity, medicine, or medical device that is not designated as EAR99 or, in the case of any agricultural commodity, medicine, or medical device not subject to the EAR, would not be designated as EAR99 if it were located in the United States.

(d) Covered items. For the purposes of this general license, agricultural commodities, medicine, medical devices, and medical supplies are defined below.

(1) Agricultural commodities. For the purposes of this general license, agricultural commodities are:

(i) In the case of products subject to the EAR, 15 CFR part 774, products that are designated as EAR99, and, in the case of products not subject to the EAR, products that would be designated as EAR99 under the EAR if they were located in the United States, in each case that fall within the term “agricultural commodity” as defined in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602); and

(ii) In the case of products subject to the EAR, products that are designated as EAR99, and in the case of products not subject to the EAR, products that would be designated as EAR99 if they were located in the United States, in each case that are intended for ultimate use in Crimea as:

(A) Food for humans (including raw, processed, and packaged foods; live animal; vitamins and minerals; food additives or supplements; and bottled drinking water) or animals (including animal feeds);

(B) Seeds for food crops;

(C) Fertilizers or organic fertilizers; or

(D) Reproductive materials (such as live animals, fertilized eggs, embryos, and semen) for the production of food animals.



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(2) Medicine. For the purposes of this general license, medicine is an item that falls within the definition of the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) and that, in the case of an item subject to the EAR, is designated as EAR99 or, in the case of an item not subject to the EAR, that would be designated as EAR99, if it were located in the United States.


Note to paragraph (d)(2): The Department of Commerce’s Bureau of Industry and Security provides a list on its website of medicines that are not designated as EAR99 and therefore not eligible for this general license.

(3) Medical devices. For the purposes of this general license, a medical device is an item that falls within the definition of “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) and that, in the case of an item subject to the EAR, is designated as EAR99, or in the case of an item not subject to the EAR, that would be designated as EAR99 if it were located in the United States.

(4) Medical supplies. For purposes of this general license, the term medical supplies means those medical devices, as defined in paragraph (d)(3) of this general license, that are included on the List of Medical Supplies on OFAC’s website (www.treasury.gov/ofac) on the Ukraine-related Sanctions page.

Note to paragraph (d)(4): The List of Medical Supplies is maintained on OFAC’s website (www.treasury.gov/ofac) on the Ukraine-related Sanctions page. The list also will be published in the Federal Register, as will any changes to the list.

Note to General License 4: Specific licenses may be issued on a case-by-case basis to authorize the export or reexport of medical devices that are not medical supplies (and therefore not authorized pursuant to section (a)(1) of this general license) to Crimea, or to persons in third countries purchasing specifically for resale to Crimea.



John E. Smith
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Dated: December 19, 2014