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EUROPEAN COMMUNITIES - MEASURES AFFECTING
LIVESTOCK AND MEAT (HORMONES)

Request for Consultations by Canada

The following communication, dated 28 June 1996, from the Permanent Mission of Canada to the Permanent Delegation of the European Commission and to the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

The Government of Canada requests consultations with the European Communities pursuant to Article XXII of the General Agreement on Tariffs and Trade 1994, Article 11 of the Agreement on the Application of Sanitary and Phytosanitary Measures, Article 14 of the Agreement on Technical Barriers to Trade, and Article 19 of the Agreement on Agriculture, regarding certain measures prohibiting the importation of livestock and meat from livestock that have been treated with certain substances having a hormonal action. These measures include, but are not limited to: Council Directive 88/146/EEC; the directives referenced in that directive (72/462/EEC, 81/602/EEC, 81/851/EEC, 81/852/EEC, 85/358/EEC), the decisions referred to in Article 6(2) of directive 88/146/EEC; the control program referred to in Article 6(7) of directive 88/146/EEC; the derogations referred to in Article 7 of directive 88/146/EEC; and any amendments or modifications, including Council Directives 96/22/EC and 96/23/EC.

These measures adversely affect the importation of livestock and meat from livestock. The Government of Canada is of the view that these measures are inconsistent with the obligations of the European Communities under the Agreement on the Application of Sanitary and Phytosanitary Measures, the General Agreement on Tariffs and Trade 1994, the Agreement on Technical Barriers to Trade, and the Agreement on Agriculture. The provisions of these agreements with which these measures are inconsistent include, but are not limited to, the following:

- (i) Agreement on the Application of Sanitary and Phytosanitary Measures, Articles 2, 3 and 5;
- (ii) General Agreement on Tariffs and Trade 1994, Article III or Article XI;
- (iii) Agreement on Technical Barriers to Trade, Article 2; and
- (iv) Agreement on Agriculture, Article 4.

These measures nullify or impair the benefits accruing to Canada directly or indirectly under the cited agreements.

In accordance with Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes, the Government of Canada requests consultations with the European Communities to discuss this matter with the intention of reaching a mutually satisfactory result. The Government of Canada welcomes any suggestions the European Communities may wish to make concerning dates on which the consultations could take place within thirty days from the date of receipt of this request.