

Original: English

KOREA - MEASURES CONCERNING THE TESTING AND  
INSPECTION OF AGRICULTURAL PRODUCTS

Request for Consultations by the United States pursuant to Article XXII  
of the GATT 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

The following communication dated 4 April 1995 from the Office of the United States Trade Representative in Geneva to the Permanent Mission of the Republic of Korea is circulated in accordance with Article 4.4 of DSU.

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My authorities have instructed me to request consultations with the Government of the Republic of Korea pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU"), 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 the measures of the Republic of Korea concerning the testing and inspection of imported agricultural products.

These measures impose testing and inspection requirements with respect to imports of agricultural products from the United States and other Members of the World Trade Organization that restrict imports of those products and appear to be inconsistent with the obligations of the Republic of Korea under the General Agreement on Tariffs and Trade 1994, the Agreement on the Application of Sanitary and Phytosanitary Measures, the Agreement on Technical Barriers to Trade, and the Agreement on Agriculture. The provisions of these agreements with which these measures appear to be inconsistent include, but are not limited to, the following:

- (i) General Agreement on Tariffs and Trade 1994 Article III or Article XI;
- (ii) Agreement on the Application of Sanitary and Phytosanitary Measures, Articles 2 and 5;
- (iii) Agreement on Technical Barriers to Trade, Articles 5 and 6; and
- (iv) Agreement on Agriculture, Article 4.

This is a case of urgency because the products concerned are perishable. Accordingly, pursuant to Article 4.8 of the DSU, we request that consultations commence within a period no later than ten days after the receipt of this request.