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ROMANIA – MEASURES ON MINIMUM IMPORT PRICES

Request for Consultations by the United States

The following communication, dated 30 May 2000, from the Permanent Mission of the United States to the Permanent Mission of Romania and to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

My authorities have instructed me to request consultations with the Government of Romania pursuant to Articles 1 and 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 (GATT 1994), Article 19 of the Agreement on Implementation of Article VII of the GATT 1994 (Agreement on Customs Valuation), Article 19 of the Agreement on Agriculture, and Article 8.4 of the Agreement on Textiles and Clothing with respect to Romania's use of minimum import prices for customs valuation purposes.

Pursuant to its Customs Code of 1997 (L141/1997), the Ministry of Finance General Customs Directive (Ordinance No. 5, 4 August 1998), and other related statutes and regulations, Romania has arbitrarily established minimum and maximum import prices for such products as meat, eggs, fruits and vegetables, clothing, footwear and certain distilled spirits. Additionally, Romania has instituted burdensome procedures for investigating import prices when the c.i.f. value falls below the minimum import price. This situation appears inconsistent with Articles 1 through 7, and 12 of the Agreement on Customs Valuation; general notes 1, 2 and 4 of Annex 1 of the Agreement on Customs Valuation; Articles II, X and XI of the GATT 1994; Article 4.2 of the Agreement on Agriculture; and Articles 2 and 7 of the Agreement on Textiles and Clothing.

We look forward to receiving your reply to the present request and to fixing a mutually convenient date for consultations.
