UNITED STATES - COUNTERVAILING DUTY AND ANTI-DUMPING ACTIONS ON SALMON

Request for Consultations under Article XXIII:1 by Norway

The following communication, dated 16 April 1991, sent by the Permanent Representative to GATT of Norway to the United States Trade Representative in Geneva, is circulated in accordance with paragraph C.3 of the CONTRACTING PARTIES' 1989 Decision on Improvements to the GATT Dispute Settlement Rules and Procedures (BISD 36S/62).

I have been instructed by my authorities to request consultations under Article XXIII:1 of the General Agreement concerning the imposition by the United States of countervailing and anti-dumping duties on imports of fresh and chilled Atlantic salmon from Norway.

The final determinations by the Department of Commerce (anti-dumping duties ranging from 15.65% to 31.81% and countervailing duty of NOK 0.71 or 2.27%) which have been followed by an affirmative injury determination (cf. orders published in Federal Register 12 April 1991), have led to a virtual halt of the export of fresh and chilled Atlantic salmon to the US market.

Norway believes that these actions nullify and impair benefits accruing to it under the General Agreement and that they are inconsistent with the obligations of the United States under the General Agreement i.a. Articles I, II and VI, as interpreted and implemented.

Our two governments on 15 March 1991 held bilateral consultations on this matter under Article XXII:1.

I request that consultations be held as a matter of urgency in accordance with para. C.4 of the CONTRACTING PARTIES' 1989 Decision on Improvements to the GATT Dispute Settlement Rules and Procedures (L/6489).