STATE TRADING

Notifications Pursuant to Article XVIII:4(a)

Addendum

AUSTRALIA

I. Enumeration of State-trading enterprises

There are five instrumentalities within the framework of Commonwealth responsibility and a sixth which operates under complementary Commonwealth and Queensland legislation which are State-trading bodies within the terms of Article XVII of the GATT and which engage, or have power to engage, in export and/or import trade. These are:

(a) Australian Wheat Board
(b) Australian Dairy Produce Board
(c) Australian Egg Board
(d) Australian Canned Fruits Board
(e) Australian Honey Board
(f) Queensland Sugar Board (complementary Commonwealth and Queensland legislation places this Board in a privileged position regarding the export of sugar).

A number of Boards are constituted under legislation of the States of the Commonwealth for the purpose of orderly marketing of various primary products. These Boards usually operate on a co-operative basis and, with a few exceptions, e.g. the New South Wales Egg Marketing Board, Australian Barley Board, are concerned solely with domestic marketing. They are not maintained or established by the Government of the Commonwealth, and do not, therefore, come within the provisions of Article XVII. In some instances State Boards act as licensees for Commonwealth Boards for some purposes. Such arrangements are referred to in the information supplied hereunder in relation to eggs.

II. Reason and purpose for introducing and maintaining State-trading enterprises

(a) Australian Wheat Board

The Australian Wheat Board was set up at the outbreak of war in 1939 to assist the wheat industry in a period of low prices and difficulties created by war conditions, e.g. marketing and transport.
The Commonwealth Government, under the war-time Wheat Acquisition Regulation, constituted the Board on 21 September 1939, to acquire, with certain exceptions, all wheat held in Australia and to arrange for its disposal.

With the commencement of the first of the post-war Wheat Industry Stabilisation Plans in 1948 the Board was reconstituted under the Commonwealth Wheat Industry Stabilisation Act of 1948 (in fact, complementary Federal/State legislation was required). It was continued in existence under subsequent plans, the current Commonwealth enabling legislation being the Wheat Industry Stabilisation Act, 1968.

Under the complementary legislation the Board is the sole authority for the marketing of wheat in Australia and for the marketing of both wheat and flour for export. Growers are required to deliver to the Board all wheat grown by them except that retained by the grower for use on the farm where it is grown.

The Australian Wheat Board is empowered to purchase, sell or dispose of wheat and wheat products and to manage and control all matters connected with the handling, storage, protection, shipment, etc., of wheat acquired and to do all things that are necessary or convenient to be done by the Board for giving effect to the legislation. It is the instrument used to make effective the pooling and price stabilization elements of the Stabilisation Plan.

The Board has fourteen members, ten of whom are grower members, two from each of the five mainland producing States. The grower members are either elected by members or nominated by State Wheat Boards (in Queensland and Western Australia). The Chairman and remaining three members are Ministerial selections, one being a finance member and the other two representing respectively, flour millers and employees.

(b) Australian Dairy Produce Board

Commonwealth-sponsored marketing organizations have their origin in the Commonwealth's powers to regulate exports and in the difficulties met in export markets by primary industries after the First World War. In 1924, at the request of the industry, the Commonwealth Government introduced the Dairy Produce Export Control Act to regulate overseas marketing of butter and cheese. The Act was brought into force after receiving a majority of votes in a poll of producers and it set up a Dairy Produce Export Control Board. An amending act in 1935 renamed the Board the Australian Dairy Produce Board.

The Board decided that the policy to be adopted in carrying out the powers and functions for the organization of overseas marketing would be:

1. To improve the organization for marketing dairy produce in the United Kingdom and on the Continent and to open up fresh markets in any other countries.
2. To exercise supervision over the sale and distribution in all overseas markets and bring about co-ordination among distributors and selling agents chiefly in the United Kingdom.

3. To take action to establish and maintain the identity of Australian dairy produce in the retail shops and among consumers.

4. To ensure as far as practicable continuity of supplies.

5. To withhold butter and cheese when deemed necessary on overseas markets.

6. To use advertising and sales promotion to bring Australian butter and cheese directly under the notice of consumers.

7. To arrange with the Commonwealth Government for advances on butter and cheese.

30 June 1955 marked the end of sale by contract to the United Kingdom of Australia's surplus butter and cheese, an arrangement that originated during World War II and applied for approximately fifteen years. This meant that henceforth butter and cheese would be sold in the United Kingdom under "free" marketing conditions and would, in consequence, be obliged to contend with price-influencing factors such as supply and demand and the economic policies of countries concerned.

It was realized that those factors would come prominently into the reckoning in the arrangement of the rates of finance for butter and cheese in determining equalization periods and interim equalization values and generally in planning the stability of the industry under the new conditions.

This called for maximum strength in selling and Australia decided to follow the example of major exporting countries in selling as a unit and co-operating as such with these countries in an endeavour to achieve stability in the United Kingdom, the world's major market for export butter and cheese.

The Dairy Produce Export Control Act was amended in 1954 to make the Board the sole exporter of butter and cheese to the United Kingdom. The Board as a trading authority does not physically handle the goods. It purchases butter and cheese destined for the United Kingdom from exporters who undertake to export and handle and sell through appointed agents in London.

In 1959, the Australian Dairy Produce Board commenced shipping cheese to Japan and since 1964 has assumed the position of sole exporter of cheese to that market.

The Board has in recent years also undertaken the export of butter-oil and skim milk to be used as raw materials in milk recombining plants in South-East Asia in which the Board has a controlling interest.
The Board’s functions in respect of other export markets continue to be regulatory and sales are made almost entirely on a trader-to-trader basis.

In 1958, at the request of dairy industry leaders, the Commonwealth Government passed legislation enabling the Dairy Produce Board to administer a Research and Sales Promotion Scheme in Australia. This programme is being financed by a levy on the production of butter and cheese and the Commonwealth is contributing on a $1 for $1 basis towards those funds actually expended on research. The purpose of this scheme is to increase efficiency where possible in the various sectors of the dairying industry and to promote the sale of butter and cheese on the local market.

Quantities of fancy cheeses have been and continue to be imported into Australia on a trader-to-trader basis. No butter has been imported into Australia for many years now and the Dairy Produce Board has no authority to import dairy produce or to regulate imports of dairy produce.

(c) Australian Egg Board

In 1943, under the National Security (Egg Industry) Regulations a scheme on a Commonwealth-wide basis was introduced to control the marketing of eggs commercially produced in Australia. The objects of the scheme, briefly, were to provide the needs of the Armed Forces and Australian civilian population on the most economic basis, and according to priority.

Exports, except for the use of the Services overseas virtually ceased until the end of hostilities in 1945, when the shipment of eggs and egg products to the United Kingdom was resumed. Shipments to the United Kingdom were then made under contract with the United Kingdom Ministry of Food.

Upon the expiry of the Commonwealth powers under the National Security Regulations, the marketing of eggs within Australia became once again the responsibility of the respective States. However, in order to ensure continuance of an orderly export marketing system for Australian eggs and to provide adequate safeguards in respect of the contracts entered into between the United Kingdom and Australian Governments, the Australian Egg Board was constituted to operate from 1 January 1948, under the Egg Export Control Act, 1947.

The Board purchased from the State Boards eggs and egg products for shipment to the United Kingdom at the equivalent contract prices. The contracts provided an assured market for surpluses of Australian eggs and egg products until the end of May 1953. For frozen eggs a further twelve months' contract with the United Kingdom Ministry of Food was arranged.

In 1954, the Egg Export Control Act was amended with the intention of giving the State Boards an opportunity to market their export eggs through a single authority, instead of in competition with each other as had been the practice pre-war.
The Australian Egg Board, as reconstituted, is empowered to conduct trading operations on behalf of any of the State Boards which wish to avail themselves of the Board's facilities. At present all State Boards market their exports through the Australian Egg Board.

(d) Australian Canned Fruits Board

The Australian Canned Fruits Board as previously constituted by the Canned Fruits Export Control Act 1926/1959 was financed by a levy on exports of canned apricots, peaches, pears, pineapples and mixtures of those varieties. This income enabled the Board to finance its administrative expenses and trade publicity programmes conducted in the principal United Kingdom market.

Faced with a need to diversify and expand overseas markets for canned deciduous fruits an overwhelming majority of the industry - both canners and growers - sought and obtained legislative backing from the Government in December 1963 for the Board to be reconstituted with enlarged representation and with new powers to enable it to assist the industry with the orderly development of exports.

The reconstituted Board in addition to retaining the authority of the old Board to prescribe the terms and conditions of trading in canned fruits by exporters licensed by the Board on the recommendation of the Minister, is empowered to purchase canned deciduous fruits for sale in export markets other than the United Kingdom (this authority has not been exercised) and it has also been given the function to "encourage, assist and promote the exportation of canned fruits from Australia and the consumption and sale outside Australia of Australian canned fruits".

The Board's income is derived from an export levy on canned fruits and an excise duty on apricots, peaches, pears and mixtures of these fruits sold for consumption within Australia. The excise duty was sharply reduced by legislation enacted in March 1969, and is now at the rate of 0.42 cents per 30 oz. can yielding revenue of about $300,000 per annum.

The Board provides assistance to the canned fruit exporting industry in the form of trade publicity and market development allowances in some overseas markets. This promotional activity includes contributions for store promotions in consuming centres as well as for the usual advertising media, e.g. television, trade press, point of sale, and posters. For the calendar year 1969 approximately $206,000 will be spent by the Board in the various overseas markets on trade promotion programmes.

(e) Australian Honey Board

The Australian Honey Board was established by the Honey Industry Act 1962, with functions described below in relation to trade in honey. The Act was amended in 1965 to extend the powers of the Board as stated hereunder.
The Australian Honey Board was established in 1962 at the request of the Australian honey industry. The industry through the Federal Council of Australian Apiarists' Associations, asked the Government to provide for the establishment of a board to conduct promotional and research activities and to regulate Australian exports of honey.

By providing for regulatory export control, the first attempt was made at organizing the export marketing of Australian honey which, before the establishment of the Board, was conducted without any Government regulations. To facilitate this regulatory function, the exportation of honey is prohibited unless terms and conditions prescribed by Government regulations are complied with.

Australia in recent years has produced more honey than is required for local needs, so that the surplus (about 35 per cent of production in a normal year) finds its way into export markets.

The Board's control over exports extends to the licensing of Australian exporters and the issuing of export permits in respect of each shipment. Private traders are free to import honey and, subject to the regulatory conditions determined by the Board, to export honey to all destinations. Quantities to be exported are restricted only by availability and overseas demand.

The Board can negotiate long-term contracts, but it rests with individual exporters to decide whether to accept the conditions negotiated.

The Board has appointed two agents to handle imports of Australian honey into the United Kingdom and Ireland.

The Board has power to determine minimum export prices for honey. It does in fact determine such prices, after consultation with the British agents, for all exports to European destinations. These prices are published weekly in an Australian national newspaper.

In 1965 the Board was given an extension of its powers to enable it to acquire and make advances against stocks of honey voluntarily offered to it for orderly marketing purposes. It has no power to acquire honey compulsorily.

The Board was also in 1965 given the power to borrow from the Commonwealth Reserve Bank under Commonwealth Government guarantee. The purpose of this was to enable the Board to obtain finance for the holding of stocks during periods of depressed prices in overseas markets. The first Board pool commenced on 1 September 1967. The Board sells the honey on export markets.

The Board does not exercise any control over imports of honey. As Australia produces many varieties of honey and uses domestically-only two thirds of its production, imports are small. Imported honey is usually of a selected variety or quality and enjoys a price premium over most locally-produced honey.
Intense competition to dispose of the Australian honey output ensures that domestic returns are no higher and, in fact, are often less than export returns for those grades that are comparable.

(f) Queensland Sugar Board

The Queensland Sugar Board is constituted under the Queensland Sugar Acquisition Act. Under this Act, the Board acquires all raw sugar produced in Queensland and also purchases all raw sugar produced in New South Wales (by arrangement with the Colonial Sugar Refining Co. Ltd. which owns all three raw sugar mills operating in that State). Sugar is not produced in other States of the Commonwealth. The acquisition and marketing of all Australian raw sugar by the Sugar Board has been recognized for many years in the Commonwealth-Queensland Sugar Agreement which was renewed in 1962 and was scheduled to operate until 30 June 1969.

The reason for the Board's acquisition of all Australian-produced sugar is to control the production and marketing of sugar. By means of the acquisition the domestic price of sugar in Australia is controlled and this provides a stabilizing influence on the return to the raw sugar industry (i.e. growers and millers). Also control over exports is maintained and compliance with the Commonwealth Sugar Agreement and the International Sugar Agreement is facilitated.

Under the Commonwealth/Queensland Agreement the Queensland Government (through the agency of the Sugar Board) undertakes to make sugar and sugar products available in Australia at specified wholesale prices, to control the production of cane sugar and to supply sugar used in exported goods at the Australian equivalent of the world's parity price.

III. Description of the functioning of the State-trading enterprises

(a) Australian Wheat Board

The Australian Wheat Board is the sole constituted authority for the marketing of wheat within Australia and of wheat and wheat products for export.

The Board has been set up as an instrument to make effective the orderly marketing and stabilization arrangements attaching to the wheat industry. Its general powers are contained in Section 13 (1) of the Wheat Industry Stabilization Act, 1968. This Commonwealth Act and complementary State legislation gives it sole power to receive such part of the Australian crop as is to be marketed, and to store and trade in wheat and wheat products for local and export trade.
The Board arranges export sales on the most profitable terms available to it. Because Australia is a large exporter and a low-cost producer, it is only in the most unusual circumstances that imports are made, and then they are comparatively small. There have been no imports of wheat since 1957-58. The Board is given no specific powers with respect to imported wheat.

The Act provides that, except with the consent of the Board, a private trader shall not export wheat or wheat products (other than bran or pollard). In practice, however, export sales are made not only by the Board direct, but also in a number of ways involving intermediaries. For example, the Australian Wheat Committee in London sells on behalf of the Board to United Kingdom and continental buyers. Commercial grain houses also act as principals and re-sell to their overseas clients. While the Board's position as final authority does not permit free competition between it and private traders, it is to be noted that there is competition among the latter for business. There are no restrictions on wheat imports, subject to quarantine and duty requirements being met.

The quantity of wheat exported is determined by normal commercial supply and demand factors. The criterion applied is simply that the full surplus after meeting local needs will be available for overseas markets.

Export prices received by the Board are determined also by normal commercial supply and demand factors, subject to the price provisions of the International Grains Arrangement. They may be higher or lower than the prices received for wheat sold domestically.

No contracts involving firm delivery over a long term have been entered into by the Australian Wheat Board. However, some contracts negotiated have required shipment over a period of twelve months.

(b) Australian Dairy Produce Board

(i) The Australian Dairy Produce Board is a producer controlled body empowered to regulate the export of butter, butter-oil, dry butterfat and mixtures not less than 40 per cent butter-oil and dry butterfat, cheese, skim milk powder, casein and caseinates.

It is constituted under the Dairy Produce Control Act, 1924-1966. Under the Dairy Produce Research and Sales Promotion Act enacted in 1958 provision was made for the Board to administer research and sales promotion programmes within Australia. The Board has no authority to import dairy produce or to regulate imports of dairy produce.

(ii) Exports may be effected only by those persons licensed to do so by the Minister for Primary Industry on the recommendation of the Board. In practice licences are issued only to traders who have been appointed agents by butter and cheese factories. However, unlicensed private traders may export through one of
these agents. The Board is the sole exporter by statute of butter and cheese to the United Kingdom and also exports all butter and cheese to Japan and butter-oil and skim milk powder to milk reconstitution plants in South-East Asia with which the Board is associated. Exports to other markets are carried out by private traders subject to terms and conditions (e.g. minimum export prices) laid down by the Board.

(iii) The criteria used in determining the quantity of dairy products to be exported depends entirely upon availability over and above domestic requirements. Thus export sales are governed by supply and demand, except where quotas are imposed by the overseas market. Large domestic surpluses preclude the necessity for any appreciable importation of dairy products. Relatively small quantities of Cheddar and fancy varieties of cheese are imported to Australia, although these quantities have been increasing.

(iv) The Board ships butter and cheese to the United Kingdom and Japan on consignment. On the recommendation of the Board the Minister for Primary Industry fixes interim purchase prices at a time of shipment. By arrangement with manufacturers, a further adjustment is made after determination by the Board, through agents, of the final prices realized for each particular shipment (or sales over a determined period). In such accounting, only approved marketing charges such as freight, port dues, insurance, cold storages charges, commission and promotion are deducted from the final sale price to obtain the realized return to the manufacturer. For most other markets the Board periodically determines minimum export prices below which traders may not export. This is designed to prevent price instability for Australian butter and cheese in export markets. Export prices in most markets have been below domestic prices.

(v) No long-term contracts have been negotiated by the Board.

(c) Australian Egg Board

(i) The Australian Egg Board deals with exports only.

(ii) As the State Boards are the only other bodies licensed to export, it cannot be said that there is free competition, in the export field, though private traders export small quantities through the State Boards which may compete with one another on export markets. However, if all the State Boards elected to export through the Australian Egg Board to specified destinations, the Australian Board would then become the sole exporting authority to those destinations. If any State Board elects to export on its own behalf to those destinations in competition with the Australian Board, the latter may fix minimum prices below which sales may not be made.

(iii) The determination of the quantities to be exported is a matter for each State Board having regard to the surplus of production over domestic requirements. Each year there is a seasonal surplus of eggs in Australia, and, in the interests
of the orderly marketing of this surplus, the Australian Egg Board is empowered to regulate the timing of shipments for overseas markets. There is no commercial demand for import of eggs into Australia.

(iv) Export prices are determined on a normal competitive commercial basis. As no eggs for commercial purposes are imported into Australia, the question of retail prices for imported eggs does not arise. Domestic prices are fixed by the respective State Boards.

(v) The Australian Egg Board does not enter into long-term contracts but it is empowered to do so.

(d) *Australian Canned Fruits Board*

As indicated above, the Canned Fruits Board is not currently exercising its authority to trade in canned deciduous fruits.

(e) *Australian Honey Board*

Due to low seasonal production the Board has acquired only small quantities of honey, which have been sold to the United Kingdom. It is not anticipated that the Board will be a major trader in honey, but that most honey will continue to be sold on a trader-to-trader basis.

(f) *Queensland Sugar Board*

(i) Exports - under the Customs Prohibited Export Regulations the export of sugar from Australia is prohibited except with the consent of the Commonwealth Minister for Primary Industry. This ensures retention of sufficient sugar for domestic requirements and enables compliance with the export quota provisions of the International Sugar Agreement. As the Sugar Board becomes the owner of all raw sugar produced it is the sole exporter of raw sugar from Australia.

Imports - the importation of sugar is prohibited (except with the consent of the Minister) under the Sugar Agreement Act which enacts the agreement between the Commonwealth (Australian Federal) and Queensland Governments.

(ii) Raw sugar in excess of domestic requirements is exported by the Sugar Board through the agency of the Colonial Sugar Refining Company Limited. Private trade in the export of sugar is confined, under permit, to refined sugar exported in small quantities (about 22,000 tons annually) to the islands and territories adjacent to Australia. Traders have to obtain their requirements from the Sugar Board's agents and there is no competition between private traders and the State-trading enterprise.
(iii) As for criteria used in determining the quantities of sugar to be exported, the Board is governed by the restrictions imposed by the International Sugar Agreement, commitments under the British Commonwealth Sugar Agreement, and the Australian entitlement under the United States Sugar Act. Details of these are included below.

(iv) Domestic prices -- the maximum wholesale prices are fixed under the terms of the Commonwealth Queensland Agreement.

Export prices - Australia exports 335,000 long tons of sugar to the United Kingdom under the British Commonwealth Sugar Agreement at negotiated prices and to the United States under the United States Sugar Act quota. The remainder of export sales are determined by quota in effect under the International Sugar Agreement (a basic export tonnage of 1,100,000 metric tons), all sold on the basis of world prices.

(v) The Board is at liberty to enter into long-term contracts but would not enter into a trading arrangement with another government unless with the sanction of the Australian Government. The Australian Government for its part would not enter into contractual obligations for the sale of sugar without prior consultation with the Queensland Government and the Board.

IV. Statistical information

Statistical figures concerning the relevant products are contained in the attached annex.

V. Reasons why no foreign trade has taken place (if this is the case) in products affected

Exports have taken place of all the products in question.

Imports of wheat and flour do not normally take place because Australia is a competitive producer and a large exporter and has no need to import wheat.

Large domestic supplies preclude the necessity for any appreciable imports of dairy products. Relatively small but increasing quantities of Cheddar and fancy varieties of cheese are imported.

The level of domestic production renders imports of eggs unnecessary. For animal health reasons, the imports of eggs or egg products from any source except New Zealand is prohibited.
In the interests of orderly marketing of the Australian surplus, the import of sugar is prohibited.

There are minor imports of a variety of canned fruits into Australia although large local production limits the necessity for imports in any quantity to mostly speciality lines.

VI. Additional information

None.
# Annex

## State Trading

(Years ended 30 June) (Values in $A million)

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*Exports are shown as tel quel, production in tons 94 net titre.*
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<th>Unit</th>
<th>Year</th>
<th>Imports by trading organization</th>
<th>Other</th>
<th>Exports by trading organization</th>
<th>Other</th>
<th>Re-exports</th>
<th>Production</th>
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\(1\) Quantity and value of imports for 1962/63 are not available but the figures are small.