A. General questions

1. According to the information available to the Community, a new sugar régime was adopted by the United States Government in December last.

Do the American authorities consider that they have fulfilled all their information obligations vis-à-vis the CONTRACTING PARTIES, in particular those under Article X:1 of the General Agreement?

Do the American authorities consider that they have fulfilled their obligations of "publication before enforcement" of the new sugar régime as resulting from Article X:2 of the General Agreement?

2. Does the United States consider that the addition of sugar was consistent with the spirit of the waiver granted to it by the Decision of the CONTRACTING PARTIES of 5 March 1955?

It is appropriate to recall that the waiver was granted subject to certain conditions and procedures, for example, that the United States Government would make every effort to reduce surpluses, that it would give due consideration to any representations made to it, and that its intention was to remove each restriction as soon as it found that "the circumstances requiring such restriction no longer exist".

- Can the United States justify maintenance of the waiver?
- At what date does the United States envisage ending it?

Does the United States Government not consider that this waiver - received without any counterpart - generates an imbalance in the rights and obligations of contracting parties to the advantage of the United States?

B. Production

1. Can the United States furnish any details regarding its domestic price régime?
2. It would appear that United States producers of sugar beet and sugar cane benefit under a price support loan programme.

What has the loan rate been since 1977?

What conditions are required of producers to be eligible for the loan programme?

What is the quantity of sugar forfeited to the CCC under the price support programme since 1977?

Has the new sugar régime changed the modalities of the price support programme?

3. Does the United States consider that the price support and income protection régime constitutes an integral part of its obligations under Article XVI:1?

Does the United States consider that its annual report under the Decision of 5 March 1955 corresponds to a notification under Article XVI:1? If so, on the basis of which precise provisions does it so contend?

4. Can the United States furnish information on production of isoglucose and on the effects on the sugar régime of production and consumption of isoglucose?

5. Can the United States furnish information on the trend in sugar production in the United States before and after the entry into force of the price support programme?

Can the United States still state in writing, as it did in 1980, that in recent years it has sought "to maintain a proper balance between domestic and imported supplies and has not attempted to attain an uneconomically high degree of self-sufficiency" (cf. L/5084, page 23).

C. Imports

1. "The import fee/levy system has remained in force in order to provide any necessary protection for the domestic support programme for sugar cane and sugar beets" (document L/5084 of 6 January 1981). Does this sentence refer to the United States régime or the Community régime? In what respect are those régimes different from one another?

2. The United States is temporarily released from its obligations under Article II and Article XI.

Are the "fees" in question to be assimilated with customs duties (cf. Article II) or with quantitative restrictions (cf. Article XI)?
3. Can the United States authorities furnish the elements for calculating these import fees?

4. Can the United States Government explain in detail the reasons currently justifying the charging of anti-dumping and/or countervailing duties on sugar exported by the leading sugar-exporting country on the free market?

   Does the United States Government consider that it has fulfilled via-à-vis that country all the obligations deriving from the Code on Subsidies and Countervailing Duties and the Anti-Dumping Code?

   If so, can the United States Government furnish a written explanation?

D. Exports

1. Is it the desire of the United States, traditionally a sugar importer, to become a sugar exporter?

2. Can the United States give indications as to the trend in its sugar exports and in particular confirm the figures mentioned in the request for consultations on sugar addressed to the Community under Article 12 of the Code on Subsidies and Countervailing Duties?

   What is the concept of "traditional exporter" in the case of sugar? Can that interpretation be extended to other agricultural products?

3. Does the United States not consider, having regard to the development of its exports, that it has "more than an equitable share of world export trade" in sugar?

4. What special terms would the United States have granted to the USSR to export to the latter country in 1981 the 234,000 tons reported in the press?

5. Taking into account its own production, export and import régime, does the United States see no difficulty in justifying a request to the Community for consultations under Article 12 of the Code on Subsidies and Countervailing Duties?