Arrangement Concerning Certain Dairy Products

The Management Committee, at its meeting held on 23 April 1976, requested the secretariat to prepare, for its next meeting, a draft Decision incorporating elements for joint action (MCDP/29). The Australian, Canadian and New Zealand denaturing processes are annexed to this draft Decision.

Draft Decision by the Management Committee

1. The Management Committee approved the processes and control measures submitted by Governments of Australia, Canada, New Zealand and decided to record them in the Register of processes and control measures (L/3552, Addenda 5 to / ). The Management Committee thus authorized Australia, Canada, New Zealand and / / to resort to the provisions of Article III, paragraph 5 and, in particular, to the first sentence of this paragraph.

2. Should any participant, other than those mentioned in paragraph 1 of this Decision, wish to associate itself in the disciplines established under paragraph A below, such participant shall submit to the Committee a request providing indications as to the processes and control measures which it intends to apply. The Management Committee, after examining the request, may approve the processes and control measures submitted by the requesting participant and authorize it to resort to the provisions of Article III, paragraph 5 of the Arrangement.

3. The joint action approved by the Management Committee shall not prejudice in any way the existing derogations which have been granted to Australia as regards Malaysia and Singapore, to Japan and Spain.

4. Without prejudice to the rights devolving upon the participants under the provisions of the Arrangement, the Management Committee has made this Decision subject to the following qualifications:
(a) The Governments of Australia, Canada, New Zealand and New Zealand undertake to ensure that skimmed milk powder exported from their respective customs territories will be denatured according to one of the processes recorded in Addendum 5 (as regards Australia), Addendum 6 (as regards Canada), Addendum 7 (as regards New Zealand) to the Register (L/3552) and prior to export of the product concerned.

(b) In the event that observance of the provisions of sub-paragraph (a) above causes for a participant provided for in paragraph 1 or 2 above difficulties on the occasion of exports to an importing country not a participant in the Arrangement, the participant may present a request to the Committee giving a description of the processes and control measures applied by the importing country. After examination of the request, the Committee may grant the requesting country a derogation under Article VI, paragraph 5, of the Arrangement.

(c) The Decision shall remain in force for one year. The Committee shall meet not later than thirty days before the date of expiry, in order to determine, in the light of the market situation prevailing at that time, whether, and if so under what conditions, it should be extended.

(d) The Committee shall hold two meetings during each quarterly period, in addition to its regular session, in order to examine certain information and, generally, to follow the evolution of the situation. The participants provided for in paragraphs 1 and 2 above undertake to submit to the GATT secretariat, each month, the data relating to the transactions carried out in pursuance of this Decision and to indicate the conditions of sales, volumes, destinations and, to the extent possible, prices.

(e) This Decision shall enter into force on 5 May 1976.