

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Special Distribution

AGRICULTURE DOCUMENTATION INVENTORY OF NON-TARIFF MEASURES

UNITED STATES

Sanitary and Phytosanitary Regulations Notified in Respect of Products in CCCN Chapters 1-24

This document is one in a series which updates the information originally circulated in the MTN/3E/DOC/9 and Addenda series. For non-tariff measures (NTM) other than those covered by this document please refer to document AG/DOC/1 which provides an overview of the way in which NTM information is organized within the AG/DOC/-series.

Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Live animals of the bovine species (01.02)	United States	Switzerland

(a) Description:

Health and sanitary controls (ex 01.02 - cattle for breeding)

(b) Comments by other countries:

Switzerland - Veterinary inspection and quarantine arrangements are very exacting and expensive and this limits, or practically excludes, the possibility of exporting cattle to the United States.

Furthermore, the United States has quarantine stations to deal only with imports from the United Kingdom, Ireland and the Scandinavian countries and this amounts to discrimination against other exporting countries such as Switzerland.

(c) Comments by country maintaining the measures:

Veterinary inspection and quarantine arrangements are intentionally strict to prevent the entry of foot-and-mouth disease (FMD) into the United States. Until recently the United States has accepted cattle imports only from those countries listed as FMD-free in the Tariff Act of 1930 (19 USC 1306), including the United Kingdom, Ireland and the Scandinavian countries. The United States now operates the 'Harry S. Truman Quarantine Facility' on Fleming Key of the Key West Islands. This quarantine facility is equipped to provide veterinary inspection and quarantine arrangements for imports of cattle from those countries which have not been declared FMD-free. Use of this facility is allotted by lottery which Switzerland and other countries not declared FMD-free are eligible to participate in.

Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water (03.03)	United States	Japan

(a) Description:

Health and sanitary controls: Maryland State law requirements

(b) Comments by other countries:

Japan: Bilateral discussions have been held and have led to United States explanations similar to those here indicated. The requirement is too rigid. In the laws of other States (other than Maryland) Japanese exporters do not face such requirements. (Applies also to 16.05)

(c) Comments by country maintaining the measures:

The United States participates in a bilateral international agreement with Japan, and also with six other countries, which permits these countries to export their shellfish to the United States. The certification of the foreign importers is done by foreign or State (not federal) control officers. The 'Maryland State Shellfish and Food Products' Act does not allow imports of oysters, clams and mussels unless they have been certified for inter-State shipments. The law is designed as a protection against certain types of heat-resistant toxic bacteria which can be present in a pasteurized air-tight container. Contamination by metals, pesticides and marine toxins is reported to be increasingly evident. There is also a growing potential for radioactivity contamination and radionuclides.^{1/} None of these threats to human health can be eliminated purely by heat and sterilization. The United States administers an ongoing programme, The 'National Shellfish Sanitary Programme', which sets minimum sanitary requirements in the United States for fishery products. The minimum requirements apply equally to domestic and imported products. Since the programme is aimed at setting minimum requirements, however, the individual States may still maintain stricter sanitary controls.

^{1/} = radioisotope

Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Milk and cream, fresh, not concentrated or sweetened (04.01)	United States	Canada

(a) Description:

Health and sanitary controls: State and local regulations

(b) Comments by other countries:

Canada: The problem is with the State and local laws, which require inspection in person. The officials involved will not leave their local areas to do this, which effectively prohibits Canadian shipments, particularly to the north-eastern United States. It is difficult to see how a code of conduct would be of help.

(c) Comments by country maintaining the measures:

Both State and local legislation apply, in addition to federal laws. The Federal Milk Import Act, 1927, requires an import permit, which certifies that the animals are disease-free and also that the establishments where the animals are kept and the products handled meet sanitary requirements. The inspection leading to the permit must be conducted either by a United States veterinarian or an authorized veterinarian in the producing country. There is a formal agreement with the Canadian Government for the conduct of these inspections.

The "Definition of Standards of Identification for Milk and Milk Products" has been established to provide a uniform code for all the States. This code sets minimum standards required to be adopted by all States. However, each State can adopt more stringent standards. There are large areas, particularly in the north-eastern area, where there is a high degree of uniformity in local requirements.

Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Butter (04.03)	United States	Romania

(a) Description:

Health and sanitary regulations

(b) Comments by other countries:

(c) Comments by country maintaining the measures:

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Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Cheese and curd (04.04)	United States	Romania

(a) Description:

Health and sanitary regulations: (ex 04.04 - cheese)

(b) Comments by other countries:

(c) Comments by country maintaining the measures:

Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower (06.01)	United States	EEC

(a) Description:

Health and sanitary regulations

(b) Comments by other countries:

EEC: A second fumigation is compulsory for imports from certain countries. This seems discriminatory. (Applies also to 06.02)

(c) Comments by country maintaining the measures:

Second fumigations for these imports are not required in the United States. However, if living exotic plant pests are found upon arrival in the United States, fumigation may be required even though fumigation may have already been performed in the country of origin. (Applies also to 06.02)

Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Other live plants, including trees, shrubs, bushes, roots, cuttings and slips (06.02)	United States	EEC

(a) Description:

Health and sanitary regulations

(b) Comments by other countries:

See item 06.01.

(c) Comments by country maintaining the measures:

See item 06.01.

Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Other fruit, fresh, (08.09)	United States	Israel

(a) Description:

Health and sanitary regulations: (ex 08.09 - melons)

(b) Comments by other countries:

Israel: The United States demands would involve expensive experiments.

(c) Comments by country maintaining the measures:

In the past, Israel has been plagued by the presence of two melon pests, the Belugistan fly and a weevil, both of which are absent from the United States. The absence of these pests from the United States requires that all possible measures, including tests to develop satisfactory treatment techniques, be taken by Israeli authorities to ensure that these pests are not inadvertently introduced into the United States. As of December 1975, the United States accepts imports of melons from the Arava Valley of Israel.

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Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Fruit, dried, other than that falling within headings No. 08.01, 08.02, 08.03, 08.04, or 08.05 (08.12)	United States	Romania

(a) Description:

Health and sanitary regulations: (ex 08.12 - dried plums)

(b) Comments by other countries:

(c) Comments by country maintaining the measures:

Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Other prepared or preserved meat or meat offal (16.02)	United States	Romania

(a) Description:

Health and sanitary regulations: (ex 16.02 - preserved meat of the
bovine species or of swine)

(b) Comments by other countries:

(c) Comments by country maintaining the measures:

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Product: (CCCN)	Country or group maintaining measures:	Countries indicating an interest:
Crustaceans and molluscs, prepared or preserved (16.05)	United States	Japan

(a) Description:

Health and sanitary regulations: Maryland State law requirements

(b) Comments by other countries:

See item 03.03.

(c) Comments by country maintaining the measures:

See item 03.03.