

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/3212/Add.3

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Limited Distribution

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## NOTIFICATIONS OF IMPORT RESTRICTIONS APPLIED INCONSISTENTLY WITH THE PROVISIONS OF GATT AND NOT COVERED BY WAIVERS<sup>1</sup>

### Addendum

#### UNITED STATES

1. For the purpose of this report the United States considers actions taken by it under section 22 of the United States Agricultural Adjustment Act, 1933, as amended (see waiver decision of 3 March 1955, BISD Third Supplement, page 32) and under the Long-Term Arrangement Regarding Trade in Cotton Textiles, as extended, as generally authorized by the contracting parties. Moreover, in conformity with applicable GATT procedures, the United States reports separately actions taken under these provisions.

2. List of restrictions:

- (a) Restrictions on certain publications covered by United States copyrights  
(Tariff items 270.25, 270.55, 270.63, 273.10, 737.52)

The "manufacturing clause" of the United States copyright legislation limits to 1,500 copies the importation of some books in the English language for which a United States copyright has been obtained. 17 U.S.C. sec. 16. This prohibition applies to books, including composite and cyclopedic works, directories, gazetteers and other compilations, and periodicals, including newspapers. 17 U.S.C. sec. 5(a) and (b). Except for works by a citizen of or a person domiciled in the United States, or that were first published in the United States, works by citizens or subjects of or first published in other countries party to the Universal Copyright Convention are not subject to this restriction. 17 U.S.C. sec. 9. Also excepted are certain special types of publications such as non-piratical (a) works in raised characters for the use of the blind, (b) foreign newspapers or magazines containing no copyrighted matter printed or re-printed without the authorization of the copyright proprietor, and (c) material imported for special uses such as for the use of the United States Government or certain libraries or educational institutions. 17 U.S.C. sec. 107. This provision first appeared in United States legislation in 1891 and reappeared in the current Copyright law, enacted in 1909. It has been liberalized in recent years. A proposed copyright revision bill now before the Congress would further liberalize certain aspects of the "manufacturing clause".

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<sup>1</sup>For previous report see L/2981/Add.13.

(b) Import restrictions on refined sugar (Tariff item 155.20)

The restrictions on imports of sugar imposed under 7 U.S.C. sections 1101-1161, as amended, (generally permitted under Article XI of the GATT) include restrictions on the amount of refined sugar that can be imported into the United States as a part of a country's general United States sugar import quota. In 1947, the date of the Protocol of Provisional Application, Cuba and the Philippines were restricted by such refined sugar quotas but no such restrictions applied to other foreign countries which were assigned only a very small portion of the general sugar quotas available at that time. This restriction on refined sugar has been accompanied by an expansion of most general sugar quotas so that today most foreign suppliers are permitted to supply more sugar to the United States both absolutely and proportionately to the domestic producing areas than was the case in 1947.