

**GENERAL AGREEMENT
ON TARIFFS AND TRADE**

RESTRICTED
TBT/W/189
29 November 1994
Special Distribution

(94-2597)

Committee on Technical Barriers to Trade

DRAFT MINUTES OF THE MEETING HELD ON 28 OCTOBER 1994

Chairman: Mr. A. Meloni (Italy)

1. The Committee on Technical Barriers to Trade held its forty-eighth meeting on 28 October 1994.

2. The agenda contained in GATT/AIR/3627 was adopted:

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3. The Chairman welcomed Brunei Darussalam as an observer to the Committee.

A. Statement on implementation and administration of the Agreement

4. The Chairman drew attention to document TBT/1/Add.39 which had been submitted by Thailand in accordance with Article 15.7 of the Agreement, that "Each Party shall, promptly after the date on which the Agreement enters into force for the Party concerned, inform the Committee of measures in existence or taken to ensure the implementation and administration of this Agreement." On 1 November 1993, the Government of Thailand accepted the Agreement on Technical Barriers to Trade and it entered into force for Thailand on 1 December 1993. The Chairman welcomed the statement provided by the Thai authorities.

5. The representative of Thailand confirmed that his Government had appointed the Ministry of Industry to act as the coordinating agency for the implementation of the Agreement, the Thai Industrial Standard Institute (TISI) as the enquiry point and the Department of Commerce as the agency for consultation. He informed the Committee that a national Committee on the

TBT Agreement had been established to ensure the fulfilment of the obligations under the Agreement.

6. The Chairman informed the Committee that he had contacted the delegation of Israel, conveying the concern expressed at the last meeting by some delegations regarding the fact that Israel had never submitted a statement on the implementation and administration of the Agreement.

7. The representative of Israel said that his Government had complied with most of the provisions of the Agreement for sometime. The reason why Israel had not yet submitted the statement was due to an administrative procedural problem that certain ministries were legally in a position to decide independently the technical regulations in their domain. He said that on 18 September 1994, his government had decided to set up a higher coordinating committee attached to the Ministry of Commerce to which all the competent national authorities would have to submit in advance their new standards and regulations. This decision would make it possible for Israel to submit the statement to the Committee in accordance with Article 15.7 of the Agreement no later than the end of November 1994.

8. The Committee took note of the statement.

(i) Marks of Origin Requirements

9. The Chairman drew attention to Paragraph 28 of the minutes of the last meeting contained in TBT/M/46 in connection with Marks of Origin Requirements. He recalled that the Committee had agreed on the Chairman holding informal consultations to clarify the coverage of the Agreement with respect to marking requirements for marks of origin and that the issue would be put on the agenda of today's meeting. He reported that an informal meeting had been held, and he made the following statement regarding the coverage of the TBT Agreement with respect to mandatory marking requirements applied in the context of marking the origin of products:

"Discussions at the TBT Committee's meetings in 1994 indicated that there is a general understanding among signatories of the TBT Agreement that mandatory marking requirements applied in the context of marking the origin of products are covered by the provisions of the Agreement, but one signatory could not join a consensus on this issue and continues to question the applicability of the provisions of the Agreement to marks of origin requirements. These discussions have suggested that there may be value in clarifying the coverage of the provisions of the TBT Agreement with respect to mandatory marking requirements applied in the context of marking the origin of products."

10. The representative of Japan said that his delegation supported the Chairman's statement, but thought that the legal and substantive aspects of the issue should be addressed separately. Referring to the legal aspect, he said that the definition of the term "technical regulations" contained in Annex 1 of the Agreement did not make a distinction between the marking of origin and marking for other purposes. This suggested that the Korean marking requirement on Marks of Origin fell under the TBT Agreement and that Korea had the obligation under Article 2.1 of the Agreement to apply national and most-favoured-nation treatment, and under Article 2.5 to notify the measure.

11. Referring to the substantive matters, he said that although his delegation welcomed Korea's expansion of exemption from marking origin on products such as machinery parts and raw materials, there was still a wide range of consumer products covered by the system, including

some machinery. He said that there were two problems facing Japanese exporters: (i) the requirement of submitting documents regarding the origin of parts, if the value of the parts exceeded five per cent of the f.o.b price; and (ii) the requirement of putting the markings on goods rather than on packagings or containers. He urged Korea to solve those problems as soon as possible because they were creating substantial barriers to trade. He reiterated his delegation's concerns on the issue, and said that Japan would continue bilateral consultations with Korea and reserved the right to revert to the issue in the TBT Committee if necessary.

12. The representative of Switzerland supported the Chairman's statement. He recalled that during several common interventions of the EFTA countries in the framework of the Committee, Korea had been informed of concerns that its marks of origin system and the related labelling requirements constituted unnecessary obstacles to trade. He appreciated the information provided by Korea, but regretted that the information did not meet fully his delegation's concerns and that the legal status of the information was not clear. He said that after closer examination, his authorities still thought the currently applied Korean marking and labelling requirements were not consistent with Article IX of the GATT, the recommendation of 21 November 1958 on Marks of Origin, or the Agreement on Technical Barriers to Trade. He said that negotiating history and previous discussions in the Committee had made it clear that marks of origin and related labelling requirements were covered by the Tokyo Round and Uruguay Round TBT Agreements. He reiterated that the Korean measures constituted unnecessary obstacles to international trade because the difficulties and inconveniences created for exporters were not kept to a minimum.

13. He added that the Korean marks of origin system violated two fundamental principles: (i) the principle of non-discrimination, because the Korean system applied only to imported goods, and he questioned whether the rationale behind the Korean system could really be for consumer protection if Korean products were not covered; and (ii) the justification and proportionality of the Korean measures which covered 800 to 900 four-digit items or about 50 per cent of all tariff lines. He said that even if the rationale of the Korean regulation was consumer protection, for most cases customs documentation or an indication of origin on the packaging or the container would be sufficient. He recalled that at the last meeting the representative of Korea had said that several exemptions were made in July 1993 and January 1994 so that at present only consumer goods were listed as covered by the system. He urged Korea to provide that updated list and the revised legislation.

14. He recalled that at the last meeting the representative of Korea had said that Korea was ready to hold bilateral discussions with any exporting country encountering practical difficulties in complying with the Korean marking requirements. His Government had raised the issue during different bilateral meetings with Korea in Seoul. Written comments were submitted concerning not only the problem of marking origin but also the origin regulations for watches and marking regulations for woollen fabrics and home appliances. He said that those marking regulations, notified in TBT/Notif.91.345 and TBT/Notif.92.220, required marking to be made in the Korean language and in a permanent way on 206 different home electrical appliances, including hi-fi equipment, before they could be imported to Korea. He thought the requirement to mark in the Korean language was excessive and created unnecessary obstacles to trade. He questioned whether those measures were to provide better consumer information or to discourage imports and protect local production. He thought that consumers could be well informed with a manual in Korean and with the home appliance marked in an international language, such as English.

15. He reported that in April 1992, his authorities had asked Korea for discussions to solve the problems for a few specific products, but no solution had been reached. His delegation had proposed an experts' meeting at the margin of today's meeting, but no expert from Seoul was

available. He urged Korea to take into consideration the Swiss concerns with a view to finding a satisfactory solution as soon as possible. He said that his delegation would continue to pursue the matter bilaterally and in the framework of the Committee.

16. The delegation of the European Communities supported the Chairman's statement and welcomed the reference to marking the origin of "products" rather than "imported products" so that the discussion of the issue in relation to national treatment would not be prejudged. Regarding matters of substance, he said that his delegation was looking into the information received from the Korean authorities and hoped that progress would be made. If not, his delegation would continue pursuing the matter.

17. The representative of Korea supported the Chairman's statement. He recalled that at the last meeting he had explained that the Japanese concern was related to the Agreement of Rules of Origin and he had informed the Committee that his authorities had expanded the exemption of the system. He said that Korea would continue bilateral discussions with Japan on these issues.

18. Regarding the Swiss concerns, he said that there were bilateral consultations in Seoul but some of the issues discussed, such as the woollen fabric marking requirement, did not have close links with the marks of origin system but with some other legal systems. He said that the woollen fabric marking requirement which had been notified required both domestic and foreign manufacturers to indicate the name of the producer for consumers' information. He added that three years ago, the system had been changed and the marking requirement was lifted in cases where Korean clothing manufacturers imported fabric from abroad. Regarding concern over the requirement of marking in the Korean language, he said that there was a misunderstanding because internationally used languages, such as English, were also allowed to indicate the function of electrical appliances. He said that his delegation would further explain the situation to the Swiss delegation on a bilateral basis, and that a bilateral consultation would be held after the Committee meeting.

19. The Committee took note of the statements made and agreed with the Chairman's statement on this issue.

(ii) Other business

20. The representative of Canada expressed concern about a new French regulation on scallop labelling which required Canadian scallops to be labelled "pétoncles" while for more than 40 years they had been labelled as "coquilles Saint-Jacques" or "noix de Saint-Jacques". She said that in 1993, France had prepared two regulations which had negative effects on Canada's exports of scallops without notifying the Committee under Article 2.5.2 of the Agreement. In August 1994, following Canadian complaints, France had notified a draft regulation similar to that of the earlier regulations, but covering a wider range of products. Canada had submitted comments similar to those made earlier. She regretted that the French authorities published a regulation exactly the same as that in draft three days after the end of the comment period without taking into account the Canadian comments. She added that France had not met the obligation under Article 2.8 of the Agreement which required signatories to allow a reasonable interval between the publication of a technical regulation and its entry into force in order to allow time for producers in exporting countries to adapt their packaging to meet the new labelling requirements. She thought that the sales of Canadian scallops would be disadvantaged and exports impaired as a result of the artificial distinction created by the French regulation.

21. The representative of Chile said that for many years, Chilean scallops had been sold under the name of "coquilles Saint-Jacques" to the French market without any problems as they belonged to the same species as the French scallop. In March 1993, France adopted a regulation requiring Chilean scallops to be labelled "pétoncles". In January 1994, France had published a transitional regulation under which Chilean scallops could keep the traditional description until 31 December 1995. However, on 12 October 1994, France had published another new regulation modifying the transitional labelling system. As a result, the selling price of Chilean scallops had significantly declined, and their marketing in France had been adversely affected.

22. She said that France had only notified the last draft regulation to the Committee on 9 August 1994 (TBT/Notif.94.259), allowing a period for comments until 15 September 1994 which was subsequently extended to 30 September 1994. Her authorities had submitted comments within the comment period. However, on 3 October 1994, France had adopted the regulation, three days after the comment period and put it into force on 12 October without taking into account the comments submitted by Chile and other countries. The objective and rationale of the regulation, as stated in the notification, was to provide better information to the consumer. She questioned whether the requirement was necessary as consumers would not be able to distinguish the product. She asked whether the regulation was really for the protection of consumers or the protection of the French market.

23. She thought the French regulation created unnecessary barriers to trade and thus was incompatible with Article 2.1 of the Agreement. She said that, in addition, time had not been allowed for traders to incorporate the new name on the label, thus hindering the entry of scallops already shipped to France. She added that in accordance with Article 2.5.4 of the Agreement, France should have taken into account Chile's comments. She regretted that neither the Chilean comments had been considered nor any explanation had been given. She therefore requested the delegation of the European Communities to provide an explanation as to why the Chilean comments had not been taken into account and also a solution for products which were "en route" for the French market. She concluded that her delegation reserved its rights under the TBT Agreement and the provisions of the General Agreement with respect to the substantive problem.

24. The representative of Peru, speaking as an observer, shared the concerns expressed by the delegations of Canada and Chile. He said that the Peruvian scallop or *Argopecten Purpuratus*, given its morphological, chemical and organoleptic characteristics, had been exported to France and the European Communities under the name "coquilles Saint-Jacques" for many years. He said that his authorities had already urged France to withdraw the French regulations of 22 March and 29 December 1993. On 21 September 1994, at its second extraordinary meeting, the Conference of Ministers of the Latin American Organization for Fishery Development (OLDEPESCA) also adopted resolution 113-CM conveying to the French and European Community authorities its objection to the above-mentioned measures and drawing attention to the injury caused to Peru's export of scallops.

25. He regretted that France had adopted the new measure in August 1994 without taking into consideration the comments made by other governments, which was one of the obligations under the TBT Agreement. He urged France to withdraw the measure immediately because it had placed Peruvian scallops in a lower retail price range and thus affected the consumers' image of them. As a result, it had caused injury to the Peruvian exports and created social problems in Peru because there were many people employed in the scallop harvesting industry. He added that his authorities would submit the related technical and scientific arguments to the French Ministry of Agriculture and Fisheries.

26. The representative of the United States associated her delegation with the concerns expressed by the previous speakers on the French regulation. She said that her delegation had also submitted comments during the comment period, but regretted that the French authorities had adopted the regulation unchanged. She thought that France had not given proper recognition to the procedures under the Agreement. She said that her authorities would continue to pursue the matter.

27. The representative of the European Communities made a general remark that if any Party wanted to hold discussions with another Party on a particular issue during the Committee meeting, in order to make the discussion more fruitful the other Party should be informed in advance because the issues might be complicated. He said that work at the level of enquiry points might also help to solve technical problems of this nature. He thought that issues should be brought back to the Committee meeting only when problems could not be solved bilaterally. He regretted that he had not had enough time to prepare for a discussion on the matter.

28. Referring to the French regulation, he thought that, as a matter of procedures, France had complied with the obligations under the TBT Agreement. The French authorities had notified the measures, and provided a reasonable period for comments, and the decision had not been taken before the end of the comment period. Concerning the substance of the issue, he stressed that it was important to distinguish the difference between taking comments into account and accepting comments, because under the Agreement there was no obligation to accept comments. He could not find a link between the TBT Agreement and the definition of scallops, if there was in fact a scientific distinction between "pétoncles" and "coquilles Saint-Jacques". He said that bilateral contacts were proceeding on this issue, and he took note of the statements made and said he was open for further discussion.

29. The representative of Canada, responding to the delegation of the European Communities, said that the intention of Canada's intervention at the Committee meeting was not to raise matters of substance which might be beyond the resources of the Committee but to link the issue with Article 2.8 of the TBT Agreement due to the fact that France had not provided a transitional period for Canadian exporters.

30. The representative of Chile shared the view expressed by Canada and said there was a link between the issue and the TBT Agreement since the French regulation was related to labelling requirements. She said that although there was no obligation under the Agreement to accept comments, there was an obligation to give responses to requests. She questioned why there had not been any answer nor explanation from the French authorities to the Chilean comments.

31. The representative of Australia urged the Committee to reflect on the fact that the TBT Agreement was closely related to the real commercial world. He thought that if decisions were taken for commercial reasons faster than the Committee could deal with, then there would be conflicts and difficulties. He foresaw a more serious situation under the WTO when the Committee would become larger. He stressed the importance of Members fulfilling their notification obligations to overcome those potential problems.

32. The representative of New Zealand drew attention to two TBT notifications (TBT/Notif.94.226 and TBT/Notif.94.231) notified by Mexico of draft technical regulations NOM-051-SCFI-1994 and NOM-050-SCFI-1994. He said that the first draft regulation of which the objective was to ensure consumers had adequate information on a range of matters for pre-packaged foodstuffs and non-alcoholic beverages raised several problems, most importantly

the requirement of providing the information in Spanish, and affixed to the product in the country of origin. He said that in his delegation's view, that was unnecessary to achieve the stated objective and was inconsistent with Article 2.1 of the Agreement. His delegation thought that the draft regulation would adversely affect and possibly restrict or halt exports or potential exports of certain products from New Zealand. He said that the requirement to mark in Spanish and to meet the detailed specifications in the regulation would restrict exporters' flexibility of product destination and inventory management, because at the time the product was packed it was frequently not known what the country of final destination might be. He added that the amount of information required in the draft regulations was so extensive that it tended to spoil the normal packaging design, and thus limit saleability of the product even in other Spanish speaking markets.

33. He said that the second draft regulation, which required minimum commercial information on origin to be given to consumers of domestic or foreign manufactured products, also required information to be given in Spanish and affixed to the product in the country of origin prior to entry into Mexico. He thought the two draft regulations were unnecessary changes from present practices. His authorities had taken up their concerns bilaterally in Mexico and had submitted written comments, and therefore he did not expect a substantive response at today's meeting. He reiterated that the chief problem was the requirement of having the label affixed in the country of origin. He urged the Mexican authorities to take into account these comments before publishing the regulations as required under Article 2.5.4 of the Agreement.

34. The representative of Mexico said that since it was only today that her delegation had been informed of the issue, she was not in a position to give substantive answers to the New Zealand delegation but she would forward the concerns expressed to her authorities and hoped that the matter would be clarified bilaterally.

35. The representative of the United States reported that her delegation had also submitted comments and held bilateral consultations with the Mexican authorities on the Mexican regulations and hoped that the final regulations would be reasonable.

36. The representative of Canada voiced concern over a proposed ban by Finland on the sale of products containing more than 5 per cent methanol. The ban affected Canada's interest with respect to a methanol based wind shield washer fluid. His delegation thought the proposed ban was inconsistent with Article 2.1 of the Agreement which required members to provide treatment no less favourable than that accorded to like products produced domestically. In October 1993, a Canadian company, after receiving clearance from the Finnish Ministry of Social Affairs and Health, had started to sell a wind shield washing product composed of 47 per cent methanol in Finland. However, just a month later, the Finnish Government had issued a circular proposing to prohibit the retail sale of products containing more than 5 per cent methanol.

37. He said that the wind shield washer fluid market was dominated by products containing ethyl alcohol produced in Finland. He added that Finland's membership in the European Economic Area required Finland to accept European Union directives in trade which allowed both ethyl and methanol to be sold with proper labelling. He said that the Finnish government had approached the European Commission with a view to obtaining a derogation under the Directive dealing with classification, packaging and labelling of dangerous substances. He thought that the circumstances did not warrant Finland having a discriminatory ban on the product.

38. The representative of Finland said that his government and Canada had had bilateral consultations on the draft ban published in December 1994. So far there had not been any ban on the Canadian product and the fact that the draft ban had not been adopted proved that the

Finnish Government was taking seriously the comments received from Canada. He thought that it was not necessary for Canada to take up the issue at today's meeting. He reported that Finland was also discussing the matter with its counterparts in the European Union to clarify Finnish obligations under the Agreement on European Economic Area.

39. The representative of the European Communities drew attention to a notification from the United States on the US Motor Vehicle Information Act which required all new passenger motor vehicles to bear labels that provided information about the domestic and foreign content of their equipment. The labels had to show the percentage of American and Canadian parts. He thought the proposal much more trade restrictive than necessary to fulfil the objective of consumer information. His delegation had repeatedly asked the US enquiry point to react to its comments, but regretted that there had not been any reaction. He urged the US delegation to react and to provide the requested information promptly.

40. The representative of Japan indicated Japan's interest in the issue.

41. The representative of the United States said that she had some information responding to the procedural difficulties encountered by the European Communities in providing comments and getting a response from the United States regulatory authorities. On the substance, her authorities were reviewing the matter and additional information would be provided when it was available.

42. The Committee took note of the statements made.

B. Notification Procedures and Practices

43. The Chairman drew attention to paragraphs 48-60 of the minutes of the last meeting concerning notification procedures and practices. He said that the Secretariat had been requested to prepare a paper regarding different aspects of notifications. He drew attention to document TBT/W/188 in which the Secretariat reviewed: (i) the existing notification obligations under the Tokyo Round TBT Agreement, the decisions and recommendations of the Committee related to them and a summary of the notifications made by Signatories; (ii) the notification obligations under the WTO TBT Agreement and how the notification procedures and practices would have to be adapted upon entry into force of the WTO; (iii) how the Secretariat was following up the Ministerial decision on establishing a WTO-ISO information system; and (iv) the possibilities of finding the most efficient and cost effective way of undertaking the distribution of notifications.

44. He invited the Committee to address in particular the following matters: (i) the revised notification form to accommodate new notification obligations in the WTO Agreement; (ii) the draft Memorandum of Understanding on WTO Standards Information Service operated by ISO; and (iii) the estimates made by the Secretariat of the additional costs to the WTO in circulating notifications by telefax. He said that the Committee might wish to forward its own reflections on these matters to the WTO Committee on Technical Barriers to Trade for consideration on the most efficient and cost effective way of undertaking the notification procedures. Priority should be given to the first two points regarding the new notification form and the WTO Information System.

45. The Chairman said that the Secretariat would take it upon its own responsibility to circulate copies of the notification form as proposed on an *ad interim* basis from the date of entry into force of the WTO, pending further discussion, as necessary, in the WTO TBT Committee.

46. With regard to the draft Memorandum of Understanding on WTO Standards Information Service Operated by ISO, the Chairman informed the Committee that a revision had been received from the ISO Secretariat, and under item 3 it now read: "The standards work programme of a standardizing body that has accepted the above-mentioned Code shall for each standard contain the following attributes: (a) a classification which indicates the subject matter of a given standard or draft; for this purpose, the International Classification for Standards (ICS) should be used ...".

47. The representative of ISO, speaking as an observer, said that the tasks distributed to the ISO/IEC Information Centre according to the text of paragraphs C and J of the Code of Good Practice for the Preparation, Adoption and Application of Standards contained in Annex 3 of the TBT Agreement had made it possible for ISO to prepare with the GATT Secretariat the Memorandum of Understanding on WTO Standards Information Service Operated by the ISO. The ISO Secretariat, which managed the ISO/IEC information centre, had had to obtain from its competent authorities, the ISO Council, the authorization to finalize the Memorandum of Understanding with the future WTO. He informed the Committee that consultations had been undertaken in this respect and had led to the revised draft Memorandum dated 26 October 1994 which had taken into account the comments made by all members of the ISO Council. He said that the text as circulated to the TBT Committee might be officially transmitted to the GATT Secretariat by 15 November 1994 for consideration by the future Director-General of the WTO. In ISO's view, questions of principle would then have been settled and ISO would be in a position to prepare the notification form to be used in the framework of ISONET to ensure the implementation of the Code of Good Practice by standardizing bodies which accepted the Code.

48. The representative of Japan welcomed the changes made to paragraph 3(a) of the revised draft Memorandum. Referring to paragraph 3(b) of the document, he noted that the International Harmonized Stage Code System for the Development of Standards was not well-known among standardizing bodies, and for this reason he thought it was premature to use the system. He proposed that the last sentence of the paragraph be deleted for the time being and that the Stage Code System should be circulated through the Secretariat to members of the TBT Committee for evaluation before being recommended to standardizing bodies.

49. The representative of the European Communities thought that the ISO and IEC who were the specialists regarding the Stage Code System should know what was the best system for application. He said that for practical reasons, it would be a pity if from the beginning of implementing the Code, standardizing bodies could not have an internationally harmonized system to provide information in their work programmes. He urged the Japanese delegation to support the system which was suggested in the text.

50. The Chairman reminded the Committee that it had no specific mandate to negotiate with the ISO with respect to the WTO Standards Information System. He drew attention to the fact that the word "should" was used in paragraph 3(b) of the text and said that the Committee and the Secretariat had taken note of the Japanese statement.

51. The representative of New Zealand questioned the reason for the change of wording from "shall" to "should" under item 3(a) of the Memorandum of Understanding.

52. The representative of the ISO replied that according to the ISO constitution, ISO was only to make recommendations to its members and not to give mandatory requirements.

Recommendations on notification procedures during the period between entry into force of the WTO TBT Agreement and the first meeting of the WTO TBT Committee

53. The Chairman proposed that the Committee endorse recommendations which aimed at ensuring that adequate procedures would be in place to allow notifications to be made and processed during the period between entry into force of the WTO TBT Agreement and the first meeting of the WTO TBT Committee. He said that those recommendations would be transmitted to the Chairman of the Sub-Committee on Institutional, Procedural and Legal Matters with a suggestion that the Chairman of that Sub-Committee invite the Sub-Committee to endorse them and to instruct the Secretariat pending the first meeting of the WTO TBT Committee to undertake the work that will be necessary to implement them.

54. The proposed recommendations were as the following:

"(i) Notifications made under the obligations of the Tokyo Round TBT Agreement shall continue to be made and processed in accordance with the existing procedures.

(ii) In cases where the final date for comments of a notification made and distributed under the Tokyo Round TBT Agreement by a Party to the Agreement which has become a WTO Member falls after the date of entry into force of the WTO TBT Agreement, the notification shall be distributed without modification by the WTO Secretariat to Members of the WTO TBT Agreement who have not already received the notification as a signatory of the Tokyo Round Agreement.

(iii) Notifications made under the obligations of the WTO TBT Agreement should, from the date of entry into force of the Agreement for the Members concerned:

- be made using a new notification form (copy attached);
- be submitted to the WTO Secretariat.

WTO Members shall follow the recommendations and guidelines relating to notification procedures contained in TBT/16/Rev.7.

The notifications shall be processed expeditiously by the Secretariat and distributed to other Members of the WTO TBT Agreement.

(iv) In accordance with the recommendations and guidelines contained in TBT/16/Rev.7:

- (a) Members of the WTO TBT Agreement shall inform the WTO Secretariat as soon as possible of the address to which they wish notifications sent. Pending receipt of this information, the WTO Secretariat shall distribute notifications to the addresses of the delegations of the Members of the WTO TBT Agreement.
- (b) Members of the WTO TBT Agreement shall inform other Members via the WTO Secretariat as soon as possible of the names, addresses, telephone and telefax numbers of their Enquiry Points to whom enquiries regarding notifications may be addressed and of the appropriate authority to whom requests for consultation may be addressed, as necessary. Pending receipt of this information, enquiries and requests for consultation may be addressed to the delegations of the

Members of the Agreement who shall ensure they are transmitted expeditiously to the appropriate authority.

(v) The Director-General of the WTO is invited to enter expeditiously into an agreement with the ISO Central Secretariat to establish a WTO Standards Information Service operated by ISO."

55. The representative of Austria welcomed the change of wording from "should" to "shall" regarding WTO Members following the recommendations and guidelines relating to notification procedures contained in TBT/16/Rev.7. Referring to recent notifications, he regretted that in most cases reasonable comment periods were not provided and he reiterated the importance of members providing 60 days for comments.

56. The Committee took note of the statements made and accepted the Chairman's proposal to endorse the recommendations regarding notification procedures.

C. Report (1994) to the CONTRACTING PARTIES

57. The Chairman drew attention to the draft report that had been prepared by the Secretariat (TBT/Spec/27).

58. The Committee asked the Secretariat to update the draft in the light of developments at the current meeting and agreed to adopt its Report (1994) to the CONTRACTING PARTIES.

D. Fifteenth annual review of the implementation and operation of the Agreement under Article 15.8

59. The Chairman drew attention to the Secretariat's background document contained in TBT/38 and Add.1 and 2.

60. The representative of Japan, regarding page 9 of the document, pointed out that Japan had paid much attention to allowing reasonable periods for comments as recommended by the Committee and he invited other members to act correspondingly.

61. The representative of Austria pointed out that on page 12 of the document, it should read "... one request for forwarding information".

62. The Committee took note of the statements made and agreed that corrections to the background document would be made by the Secretariat and issued as a corrigendum to TBT/38.

E. Other business

63. The representative of Canada recalled that at the previous meetings, Canada had discussed the issue of Mexico's restrictions on seed potatoes. He informed the Committee that discussions on a technical level were taking place and hoped that the issue could be resolved in the near future.

64. The representative of Mexico reported that the bilateral discussion between Canada and Mexico was moving ahead and hoped that it would come to a prompt settlement.

65. The Committee took note of the statements made.

66. The Chairman expressed the hope on behalf of the Committee that this would be the last meeting and that the next one to be held some time next spring would be under the auspices of the World Trade Organization.