

GENERAL AGREEMENT ON  
TARIFFS AND TRADE

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Special Distribution

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Multilateral Trade Negotiations

GROUP 3(e) - BASIC DOCUMENTATION

Inventory of Sanitary and Phytosanitary  
Regulations Notified

Addendum

UNITED STATES

Import Restrictions

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

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(a) Description:

HS: 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 (than Maryland) Japanese exporters do not face such requirements. (Applies also to 16.05)

(c) Comments by country maintaining the measures:

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 by the United States Public Health Department. At the present time the State of Maryland has recognized one Japanese plant as meeting the requirements. The law is designed as a protection against certain types of heat-resistant toxic bacteria which can be present in a pasteurized air 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. None of these threats to human health can be eliminated purely by heat and sterilization. The U.S. Food and Drug Administration has begun an ongoing programme to set uniform minimum sanitary requirements in the United States for fishery products. These minimum requirements would 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.

Import Restrictions

| Product:<br>(BTN)   | Country or group<br>maintaining measures: | Countries indicating<br>an interest: |
|---|---|--------------------------------------|
| Milk and cream, fresh,<br>not concentrated or<br>sweetened<br>(04.01) | United States                             | Canada                               |

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(a) Description:

HS: 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. Canadian dairy plants have been approved in past years and have allowed such approvals to lapse.

An effort is being made to obtain a uniform code for all the States. There are large areas, particularly in the north-eastern area where there is a high degree of uniformity in local requirements even though the federal recommended standards have not been adopted by all State governments there.

Import Restrictions

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

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(a) Description:

HS

(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.)

Import Restrictions

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

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(a) Description:

HS

(b) Comments by other countries:

See item 06.01.

(c) Comments by country maintaining the measures:

See item 06.01.

Import Restrictions

| Product:<br>(BTN)  | Country or group<br>maintaining measures: | Countries indicating<br>an interest: |
|--|---|--------------------------------------|
| Dates, bananas, coconuts,<br>Brazil nuts, cashew nuts ...<br>mangoes, ... etc., fresh or<br>dried, shelled or not<br>(08.01) | United States                             | India                                |

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(a) Description:

HS: Mangoes

(b) Comments by other countries:

India: The United States authorities have recently indicated that bromide residues in mango pulp would have toxic effects, which Indian studies have shown to be absent since the residues are negligible. Feeding trials seem to be needed. The lack of facilities for such trials in India would appear to justify a request for some United States assistance in conducting them.

(c) Comments by country maintaining the measures:

Mangoes are not permitted into the United States from India because of several exotic plant pests infesting fresh mangoes in India but which do not occur in fruits in the United States. There are no known treatments effective against all the pests concerned. Since mangoes are not permitted into the United States from India even after a bromide treatment, there appears to be no problem with toxic effects of bromides in fresh mangoes. If pureed mango pulp is considered, again there seems to be no problem since no treatments are required for pest-free mango puree from India.

Import Restrictions

| Product:<br>(BTN)            | Country or group<br>maintaining measures: | Countries indicating<br>an interest: |
|------------------------------|---|--------------------------------------|
| Other fresh fruit<br>(08.09) | United States                             | Israel                               |

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(a) Description:

HS: Melons

(b) Comments by other countries:

Israel: The United States demands would involve involved and expensive experiments.

(c) Comments by country maintaining the measures:

The Plant Quarantine Act, 1912 as amended in 1923 requires specific permits to import fruits or vegetables into the United States. The presence of two melon pests in Israel (the Belugistan fly and the weevil). The Plant Quarantine Division that administers the law knows of no treatment to ensure that Israeli-grown melons will be completely free of these pests. Dilateral discussions have brought out that the absence of the pests in the United States would make it necessary that tests be carried out by the Israeli authorities to develop satisfactory treatment techniques.

Import Restrictions

| Product:<br>(BTN)   | Country or group<br>maintaining measures: | Countries indicating<br>an interest: |
|---|---|--------------------------------------|
| Crustaceans and molluscs,<br>prepared or preserved<br>(16.05) | United States                             | Japan                                |

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(a) Description:

HS: Maryland State law requirements

(b) Comments by other countries:

See item 03.03.

(c) Comments by country maintaining the measures:

See item 03.03.