

RESTRICTED

GENERAL AGREEMENT ON
TARIFFS AND TRADE

COM. IND/6/Add.6
11 December 1968

Limited Distribution

Committee on Industrial Products

INVENTORY OF NON-TARIFF BARRIERS

Addendum

Other Restraints on Imports

The barriers classified in this part are sub-classified as follows:

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MEASURES MAINTAINED BY SPECIFIC COUNTRIES¹

Country maintaining restriction and description	Products affected	Country notifying and comment
<u>A. Advertising and transportation restraints</u>		
FRANCE	Prohibition on advertising whisky and other grain spirits	Whisky and other grain spirits
		UNITED STATES: Wines and fruit-distilled spirits may be advertised in France.
		CANADA: This prohibition has been raised by Canadian exporters.
KOREA	"Ship-Korean": goods of foreign origin must be transported by Korean vessels except for exceptional cases such as importing goods which cannot be transported by Korean vessels.	UNITED KINGDOM: Advertising of alcoholic beverages distilled from cereals is totally banned, while it is permitted for other beverages such as rum and brandy. This discriminates against the sale in France of United Kingdom whisky and gin.
SPAIN	Imports of these items must come directly from the producing factory.	JAPAN: This causes a shortage of Korean vessels and the delay in the delivery of goods, and trade is adversely affected.
		Synthetic fibres, Customs Headings 51.01 A-1; 51.02 A-1; 56.01 A-2; 56.01 A-3; 56.02 A-2; 56.02 A-3; 56.04 A-2; 56.04 A-3
		UNITED STATES: --

¹Material appearing in either column which is underlined is counter-comment by the country maintaining the restriction.

MEASURES MAINTAINED BY SPECIFIC COUNTRIES

Country maintaining restriction and description

Country notifying and comment

B. Screen time requirements - Motion picture films

AUSTRALIA

Screen-time quota. Quota is applied in New South Wales which represents approximately half the theatre seating capacity of Australia, requiring by law that 15 per cent of all films shown be British and 2 per cent be Australian.

BRAZIL

Screen - time quota - 12 per cent.

UNITED STATES: --

UNITED STATES: --

GREECE

Screen-time quota.

UNITED STATES: First-run theatres in Athens and Thessaloniki area must show local films at least one week per quarter. Other theatres in these and other areas required to show a number of Greek films per quarter equal to their number or programme changes.

ITALY

Screen-time quota - 38 per cent.

UNITED STATES: Exhibitors must show Italian features at least 100 days per year. Italian short subjects must be included in each performance for at least 180 days per year.

MALAYSIA

Screen-time quota.

SPAIN

Screen-time quota.
(See also Add.4, section A, on dubbing licences)

UNITED STATES: --

UNITED STATES: One Spanish film must be exhibited for every three Spanish-dubbed foreign films.

MEASURES MAINTAINED BY SPECIFIC COUNTRIES

Country maintaining restriction and description	Country notifying and comment
B. Screen time requirements - Motion picture films (cont'd)	<p>UNITED STATES: —</p> <p>UNITED STATES: —</p> <p>UNITED KINGDOM Screen-time quota. TV films: screen-time quota 14 per cent for imported films.</p> <p>There is no quota, but both the BBC and the ITA are under a duty imposed by HMG to satisfy themselves that proper proportions of material shown are of British origin and performance.</p>

MEASURES MAINTAINED BY SPECIFIC COUNTRIES

Country maintaining restriction and description	Products affected	Country notifying and comment
<u>C. Local content and mixing requirements</u>		
<u>GENERAL</u>		
		INDIA: Mixing regulations. In some of the developed countries, licences are issued on condition that importers purchase at least a part of their requirement from domestic sources (for example, see Belgium, France, Italy).
<u>BENELUX</u>		
Mixing requirements. (Belgium)	Cotton yarn	INDIA: Manufacturers of carpets are required to purchase certain specified proportions of cotton yarn required by them from domestic producers and imports are allowed only for the balance of their requirements.
<u>BRAZIL</u>		
Import licences are based on proof of purchase of a certain amount of domestic caustic soda.	Caustic soda	UNITED STATES: --
	Zinc	UNITED KINGDOM: --
	A zinc importer must show that he has purchased a specific quantity from a local producer, before he is entitled to import in bulk.	Imports of caustic soda are free of restrictions at normal rate of duty. Importer may enjoy reduced rate of duty by proving purchase of a certain amount of nationally produced caustic soda. This legal provision is valid also for zinc, lead, asbestos, aluminium, and polyethylene.
<u>CEYLON</u>		
Domestic product must be purchased in specified ratio to imported product.	Textile products	UNITED STATES: --

MEASURES MAINTAINED BY SPECIFIED COUNTRIES

Country maintaining restrictions and description	Products affected	Country notifying and comment
C. Local content and mixing requirements (cont'd)		
FRANCE		
Mixing requirements.	Jute sacks	INDIA: Re-export from France to the franc-zone area is permitted on the condition that for each three units exported, one should be the product of the French jute industry.
FRENCH TERRITORIES		
Exports from Hong Kong must be covered by certificate of origin specially endorsed to show a 50 per cent Commonwealth content. (French Africa)		HONG KONG: This is a discriminatory requirement and occasions considerable inconvenience and expense to Hong Kong exporters.
HAITI		
State Licensing.	Television sets	UNITED STATES: --
ISRAEL		
Mixing requirement: certain percentage of content of imported tractors required to be Israeli produced.	Tractors	UNITED STATES: --
ITALY		
Mixing requirements.	Vegetable oils	INDIA: Imports are licensed on the basis of purchase of a proportion of vegetable oil of indigenous origin.

MEASURES MAINTAINED BY SPECIFIC COUNTRIES

Country maintaining restriction and description	Products affected	Country notifying and comment
D. Restrictive business practices		
AUSTRALIA	Grey cotton and rayon fabrics;	JAPAN: In 1958 the Noordwijk agreement was concluded among private business bodies in the European countries for the purpose of restricting the re-export of finished fabrics, made from grey cotton and rayon staple fabrics imported from Japan and Mainland China, to member countries of the agreement and their overseas territories in Africa.
BEHAVIJK	finished fabrics*	
FRANCE		Although the agreement is non-intergovernmental, it is clear that governments concerned support the operation of the agreement by restricting the re-export.
FEDERAL REPUBLIC OF GERMANY		Exports of grey cotton and rayon staple fabrics have significantly decreased because of this agreement.
ITALY		
NORMANDY		
SWITZERLAND		
FRANCE	"Finished fabrics" specified only for Switzerland, where "grey cotton and rayon fabrics" not specified.	Newsprint It is understood that French newspaper publishers operate a single newsprint buying agency which has agreed to purchase 80 per cent of the production of French newsprint mills before seeking import quotations.
UNITED KINGDOM		
	Port regulations.	Ammonium nitrate fertilizers
UNITED STATES		CANADA: Port regulations preclude the use of bags, although ocean shipping companies and British Railways accept this form of packing.
		CANADA: ... limit the freedom of particular affiliates to make purchases and sales decisions on the basis of commercial considerations alone. In some cases in the US private firms including utilities follow an apparent "buy national" policy. There has been experience of refusals by labour unions to use or handle imported products.

Country maintaining restriction and description	Products affected	Country notifying and comment
X. Other regulations or practices restraining imports		
AUSTRALIA	Pulp and newsprint	CANADA: -- We consider that the reference pulp and newsprint should be omitted because Australia has no non-tariff barriers in force in regard to these products.
Australia and New Zealand have agreed to make special arrangements regarding access for New Zealand pulp and newsprint in the Australian market.		
CAMEROON	All imports	UNITED STATES: --
To be eligible for foreign exchange, commercial enterprises must:		
(1) be inscribed in Trade Register and have valid import licence; (2) must possess in Cameroon a regular, permanent trading establishment; (3) have had during preceding year a turnover of imports of at least CFAF 5 million (approximately \$20,000) based on c.i.f. value of imports, or a turnover in internal trade of at least CFAF 15 million (approximately \$60,000).		
ITALY	Various	UNITED KINGDOM: This constitutes a barrier to trade in that importers are reluctant to run the risk of losing patent protection.
Article 5(A)(3) of the Paris Convention for the Protection of Industrial Property provides: "Forfeiture of the patent shall not be prescribed except in cases where the grant of compulsory licences would not have been sufficient to prevent such abuses. No proceeding for the forfeiture or revocation of a patent may be instituted before the expiration of two years from the grant of a first compulsory licence."		
		Italian Patent Law, Decree No. 1127, amended by Law 514 of 1959, conflicts with Article 5 of the Paris Convention of 1959, which both Italy and the United Kingdom are members. The Decree provides that a patent may be declared invalid if the invention has not been worked within three years from the date of the grant or, if started, working is discontinued for three years: it provides also that importation of goods manufactured abroad does not constitute working. There is no provision for compulsory licensing.

MEASURES MAINTAINED BY SPECIFIC COUNTRIES

Country maintaining restriction and description	Products affected	Country notifying and comment
X. <u>Other regulations or practices restraining imports (cont'd)</u>		

JAPAN

Control on activities of branches of foreign companies.

UNITED KINGDOM: Although there is in law no barrier to the establishment of a branch of a foreign firm in Japan, strict governmental control over the activities of branches of foreign firms inhibits the establishment of branches which may be needed for the distribution of foreign goods.

POLAND

Marketing practices: foreign businessmen and firms are restricted in gaining access to potential buyers.

ALL products

UNITED STATES: --