

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Special Distribution

Committee on Import Licensing

INFORMATION AVAILABLE TO THE SECRETARIAT

Note by the Secretariat

CANADA

Canada's latest reply to the GATT Questionnaire on licensing is contained in the double symbol document COM.IND/W/55/Add.61/Rev.1-COM.AG/W/72/Add.61/Rev.1, dated of 26 June 1979.

1. Publication

- 1.1 Names of Publications:
1.1.1 Canada Gazette

1.2 Copies of publications received.

2. Public Notice

Information is provided through publication in the Canada Gazette, press releases, or importer notices.

3. Notifications

- 3.1 Document COM.IND/W/55/Add.61/Rev.1-COM.AG/W/72/Add.61/Rev.1 reads as follows: (English and French only)

Commodities subject to quantitative restrictions are largely related to domestic agricultural programmes; measures to safeguard domestic producers of textile, clothing and footwear products against injurious imports or; in the case of narcotics and endangered species of fauna and flora, because of international commitments. In these cases, import permits are required. Other products, although not limited as to amount, are also subject to import control on grounds of public interest. This is accomplished either through import licensing or through certain other formalities at the port of entry.

Replies have not been prepared in relation to licensing procedures for coffee and cocoa, which are maintained exclusively because of, and in accordance with, Canada's obligations under the respective international commodity agreements.

As the import controls are administered by a number of government departments, it is difficult to provide any overall description of the procedures involved. For this reason, the replies to the questionnaire have been organized by product groups.

I. NARCOTICS AND DRUGS

Outline of System

1. The importation into Canada of narcotics and controlled drugs is subject to import licensing to ensure that dealers' procedures are in conformity with Canada's international obligations and domestic regulations and meet Canadian medical requirements. The import control of controlled drugs is covered by the Food and Drugs Act and by the regulations thereunder (Section G010J1 (d) and (e), and Division 2 of the regulations under Part III of the Food and Drugs Act, and Division 1 of the regulations under Part IV of the same Act. The import control of narcotics is covered by the Narcotic Control Act and by the regulations thereunder (Section 2(d) and (e) and Sections 4 to 11 of the regulations), and in so far as the licensing of dealers of the movement of narcotics are concerned, the international conventions on narcotic drugs (1961) to which Canada is a party.

Purpose and Coverage of the Licensing

2. The prospective importers of controlled drugs (amphetamine, metamphetamine and their salts; barbituric acids, their salts and derivatives) must apply on a standard form for a permit to cover each importation, specifying the origin, quantity and type of the material required. When controlled drug medication is required for scientific evaluation, import permits may also be issued to appropriate government departments and occasionally to institutions and hospitals.

Prospective importers of narcotics must be firms domestically licensed to sell, manufacture, produce and distribute specified narcotics and must apply for and receive an import permit to cover each importation; such applications are made on a prescribed form specifying the origin; quantity and type of narcotics required.

3. The system applies to controlled drugs from all countries. Imports of narcotics are made from countries which are party to the International Narcotic Conventions to which Canada is a signatory.

4. The licensing of controlled drugs is intended to ensure that the importer is a licensed dealer (that he is in possession of an annual license from the Department of National Health and Welfare, authorizing him to sell or manufacture specified drugs), and that items stipulated are covered by his license. Normal medical needs and justification must also be shown on the import permit application.

The import licensing of narcotics is to ensure that the importer is a licensed dealer, that the material reported is for

medical purposes, that the items stipulated are covered by the license and that the quantities required are within the balance of estimate authorized by international narcotic authorities. All narcotic material is subject to quantitative restrictions by reason of Canada's international commitments, but in so far as controlled and restricted drugs there are no quotas.

5. The Narcotic Control Act (1961) as amended, Part III and IV of the Food and Drugs Act (1961) as amended. Licensing is statutorily required. The types of narcotics, controlled and restricted drugs, are covered in the schedules to the Acts, but products may be added or deleted by Order-in-Council.

Procedures

6. (a) Allocations of quotas of narcotics are not published. Dealers are advised in the event quantities requested are in excess of quotas. The allocation of quotas and granting of permits for imports of narcotics is based on the value of imports by the firms concerned in previous years and on expected medical demand. Permits to new importers are granted in conformity with the provisions of the regulations and with the international licensing system.
- (b) The quotas of narcotics are annual.
- (c) Permits to import narcotics are issued to licensed dealers only. There is a wide variety of narcotic products manufactured, such as Sedative, Hypnotics and Analgesics.
- (d) All narcotic quotas are on a calendar-year basis.
- (e) All the import permits are issued within five working days of receipt of application.
- (f) All permits are valid for six months from the date of issue.
- (g) All applications for import of narcotics are sent to the Bureau of Dangerous Drugs and the Department of National Health and Welfare, which examines each application, and permits are issued on authority of the Minister of the Department of National Health and Welfare.
- (h) First-come-first-served and past performance basis.
- (i) Under the international estimate system and the international licensing system, narcotics covered by an import permit must also be covered by an export permit issued by the narcotics authorities of the supplying country. Both permits are documented by narcotic authorities of the opposite country.

- (j) Not applicable.
- (k) This applies to narcotics imported from the United States.
7. (a) The importer of controlled and restricted drugs must be in possession of an import permit.
- (b) Import permits may be granted on request. A legitimate request from dealers in controlled drugs is accepted. In so far as restricted drugs are concerned, these are only imported for scientific evaluation.
- (c) All permits are valid for six months from the date of issue.
- (d) Yes, the Bureau of Dangerous Drugs, Health Protection Branch and Department of National Health and Welfare.
8. In the case of narcotics, an application for a license can be refused if there is an insufficient quota balance. Licensed dealers are routinely inspected by professional staff and no major administrative problems have been experienced with them.

Eligibility of Importers to Apply for License

9. Permits to import or export narcotics or controlled drugs may be issued to any licensed dealer subject to the qualifications in 6(a) and 7(b) above. In addition, and as a result of a special request, permits may be issued to appropriate government departments and to research branches of universities. A list of licensed dealers is published annually. Amendments to show additions and deletions are sent out periodically.

Documentational and Other Requirements for Application of License

10. Form attached.¹
11. The import permit.
12. No.
13. No.

Conditions of Licensing

14. Three months. The period of validity of a license can be extended on request from dealers.
15. No.
16. No.
17. No.

¹This sample form is not reproduced in this document.

Other Procedural Requirements

18. No.

19. Not applicable.

II. EXPLOSIVES

Outline of System

1. The importation of explosives is governed by the Explosives Act and Regulations. Before an explosive may be imported it must be declared an authorized explosive by the Minister of Energy, Mines and Resources. This consists of submitting the composition and a sample for testing in laboratory. The criteria for acceptance or rejection are based on safety characteristics.

Purpose and Coverage of the Licensing

2. There are two basic types of importation permits. One is called a general and the other an annual. A general importation permit is valid for one importation. An annual importation permit may be issued for explosives that, in the opinion of the Minister, constitute only a limited hazard to the general public or that are for use in a manufacturing process. This type of permit is valid for an unlimited number of importations. In addition, special permits may be issued for quantities not exceeding 2 lb. in weight if required for purposes of chemical analysis or scientific research.

3. The system applies to explosives from all countries.

4. The licensing is intended to only control the quality of the explosives as it relates to safety and to ensure that it is an authorized explosive.

5. The Explosives Act and Regulations. Yes, the licensing is statutorily required. No, the legislation does not leave designation of products to administrative discretion. The system requires legislative approval to be abolished.

Procedures

6. Not applicable.

7. (a) The import permit is normally issued within twenty-four hours if all is in order, but can be obtained within a shorter time. Permits should be on hand when shipment arrives at customs.

(b) Yes.

(c) No.

(d) Yes, Explosives Branch only.

8. Not applicable.

Eligibility of Importers to Apply for License

9. (a) No.
(b) Yes.

Documentational and Other Requirements for Application of License

10. See attached form.² No other document required.(Form P)
11. Completion and return of Importers Transmission Schedule.
(Form S)
12. Yes - \$1.00.
13. No.

Conditions of Licensing

14. A general permit is valid for six months from date of issue.
An annual is valid for a calendar year. Yes, the validity of a
general permit may be extended by amending the permit.
15. No.
16. No.
17. (a) No.
(b) No.

Other Procedural Requirements

18. No.
19. Not applicable.

²This sample form is not reproduced in this document.

III. RADIOACTIVE MATERIALS (Prescribed Substances)

Outline of system

1. The Atomic Energy Control Board has established a strict licensing system for the distribution and use of prescribed substances. Under this system, any person or organization proposing to deal in prescribed substances in Canada, in excess of exempt quantities, must apply to the Board, giving details of the material and quantity requested, the proposed use, the facilities and protection equipment available and the experience of the user. When satisfied, the Board issues a licence authorizing the applicant to obtain and use the material subject to any conditions which the Board deems necessary.

In addition to obtaining this authorization to acquire and use radioactive material, any person or organization wishing to import any quantity of a prescribed substance must, pursuant to section 5(1) of the Regulations under the Atomic Energy Control Act, obtain an import licence.

Purposes and coverage of the licensing

2. Section 5(1) of the Atomic Energy Control Regulations refers to importation into Canada of any prescribed substance. Prescribed substance refers to any radioactive material, i.e. uranium, thorium, plutonium, radioactive isotopes of other elements, deuterium and any other substances containing the said elements or isotopes.

3. This licensing system applies to prescribed substances from all countries.

4. The import licensing (permit) is intended to ensure that the material is destined to a person or organization authorized and equipped to use the materials safely and to effect government policy regarding such imports.

5. Import licensing is provided for by the Atomic Energy Control Act and pursuant regulations. Licensing procedures and the products coverage of the licensing requirements are prescribed by regulation. The licensing system cannot be abolished without the approval of the Governor-General in council.

Procedures

6. Quantity and value restrictions do not apply to imports of prescribed materials except as may from time to time be determined by Government Policy.

7. (a)(b) The application for an import license can be approved only if the applicant is already authorized by the Board to acquire and use the prescribed substances. Except for exempt quantities of materials, this prior authorization will take the form of a license issued by the Board.
- (c) No.
- (d) The Atomic Energy Control Board is the only body authorized to approve the application for an import license. Applications are made directly to and licenses issued by the Board.
8. The Board may revoke, suspend or amend the conditions of a license for reasons of health, safety or security. The holder of the affected license has a right of appeal.

Eligibility of importers to apply for license

9. Canadian residents, companies or institutions.

Documentational and Other Requirements for Application of License

10. Standard form attached.³
11. Approved import license.
12. Free of charge.
13. No.

Conditions of Licensing

14. An import license may be issued for single or multiple shipments. The period of validity is normally a maximum of one year. The validity of a permit may be extended.
15. No.
16. No, as the Board must be satisfied that the material is destined to an authorized user.
17. No.

Other Procedural Requirements

18. The importer has to obtain from the Board the authority to acquire as well as to use the prescribed substance it wishes to import.
19. Not applicable.

³This sample form is not reproduced in this document.

IV. PLANTS AND PLANT PRODUCTS

Outline of System

1. The importation of plants and plant products into Canada from all countries except the United States is subject to import licensing to ensure that the sanitary standards are met.

Purposes and Coverage of Licensing

2. Under the regulations pursuant to the Plant Quarantine Act, the prospective importer of plants must apply for an import permit for each shipment of living plants and plant parts for propagation, root crops from most countries, used bags, broom corn and certain other plant products. Importation of certain plant materials subject to particular diseases or pests, or from countries where certain diseases or insects are prevalent, may be restricted or prohibited. Regulations under the Fruit, Vegetable and Honey Act apply to root crops, and Health of Animals Regulations to certain used bags. Different procedures are applied for different groups of products in that the inspection of most plants is required on arrival; these are subject to treatment or refused if infested or infected. Used bags and broom corn from Europe are subject to fumigation unless otherwise specified in the permit.

3. The system applied to plants and plant products from all countries, except as otherwise mentioned in 2 above.

4. The licensing is intended to control the quality, i.e. that the import shipments meet the sanitary regulations.

5. Regulations under the Plant Quarantine Act; Fruits, Vegetables and Honey Act; Health of Animals Regulations. Yes. No. No.

Procedures

6. Not applicable.

7. (a)(b) Application for a permit may be made by letter, wire or telephone. For approved importation, permits are normally issued within twenty-four hours of application.

(c) No.

(d) Plant Quarantine Division, Department of Agriculture.

8. Not applicable.

Eligibility of Importers to Apply for License

9. All Canadian citizens or companies.

Documentational and Other Requirements for Application of License

10. The application for a permit must specify the quantity and kind, the country and locality of origin, name and address of consigner and consignee, destination and form and particulars of transportation. The importer must then advise the shipper of the permit number which must appear on each container and on the accompanying documents. Phytosanitary certification issued by the inspection authorities of the country of origin is required.

11. In addition to the import permit and the normal customs invoices, phytosanitary certification issued by the inspection authorities of the country of origin is required.

12. No.

13. No.

Conditions of licensing

14. The import permit is normally valid for one shipment or for one year from the date of issue. However, in cases of multiple shipments under the same conditions, the import permit may cover multiple shipments during a year. Yes, upon request by the importer.

15. No.

16. No.

17. No.

Other Procedural Requirements

18. No.

19. Not applicable.

V. LIVE ANIMALS, POULTRY, BIRDS AND VETERINARY BIOLOGICS

Outline of System

1. The importation into Canada of live animals, birds and poultry is subject to the issuance of an import permit for all countries except the U.S. to ensure that sanitary health standards are met. The importation of veterinary biologics is subject to the issuance of an import permit for all countries.

Purposes and Coverage of Licensing

2. Under the Animal Disease and Protection Act and the regulations thereunder, the prospective importer of live domestic and zoo animals (other than dogs and cats) as well as of veterinary biologics.

3. Imports are permitted only from countries which are free of serious animal diseases which may affect the species of animal or bird imported. The movement of live animals between Canada and the United States is excepted from this requirement because of the relatively disease-free status of the two countries and on the basis of an agreement with respect to certification procedures between the veterinary services of Canada and the U.S.A.

4. The permit system is intended to assure that only healthy livestock are imported, i.e., import shipments meet all of the sanitary health regulations.

5. The Animal Disease and Protection Act and Regulations thereunder.

Procedures

6. Not applicable.

7. (a) and (b) In the case of live animals or animal semen, an import permit must be issued prior to the importation and the permit describes the conditions of importation as it relates to health certification. On arrival at the port of entry in Canada:

(i) Live animals receive veterinary inspection and the accompanying permit and health certification are inspected to assure that import requirements are met, and,

(ii) In the case of animal semen, the permit and health certification are checked.

In the case of biologics, production protocols for each product must be submitted and approved prior to the issuance of

the permit. They are examined and reviewed to assure the product is safe, free from contaminants and that the label meets all requirements.

(c) No.

(d) The Health of Animals Branch, Department of Agriculture.

8. Not applicable.

Eligibility of Importers to Apply for License

9. All Canadian citizens or companies.

Documentational and Other Requirements for Application of License

10. Applications must show these specific animals or products to be imported. In the case of biologics, samples and protocols for each must be submitted and approved prior to the issuance of the permit.

11. In the case of animals or semen, the import permit and the certificate of health issued by the veterinary services of the country of origin, must accompany the shipment.

12. In the case of imported animals, when quarantine is required at a Canadian quarantine station immediately following arrival of the animals in Canada, a charge for the feeding and care of the animals in quarantine is assessed to the importer. The charge varies according to the species of animal imported.

13. No.

Conditions of Licensing

14. Usually three months. Yes, upon request by the importer.

15. No.

16. No.

17. No.

Other Procedural Requirements

18. No.

19. Not applicable.

VI. GRAINS

Outline of System

1. The importation into Canada of wheat, oats, barley and certain grain products are subject to import control pursuant to Part IV of the Canadian Wheat Board Act and the regulations thereunder depending on the supply situation.

Purposes and Coverage of the Licensing

2. The Canadian Wheat Board Act prohibits any person, other than the Board except if permitted under the regulations, from importing into Canada wheat or wheat products owned by a person other than the Board. This provision extends by regulations to include oats and oat products, barley and barley products. Wheat, oat and barley products include screenings and all substances produced by processing and manufacturing wheat, oats and barley that contain more than 25 per cent by weight of those grains (such as wheat starch and gluten, rolled and crushed oats, and crimped barley and barley meal).

3. The system applies to grains coming from all countries.

4. The import control is intended to restrict the quantity imported for orderly marketing and distribution of Canadian grains.
No.

5. The Canadian Wheat Board Act and the regulations thereunder. The licensing is statutorily required for wheat and wheat products and is extended by regulations to include oats and barley and their products.

Procedures

6. (a)(b)(c)(d) If it appears that domestic supplies of any of these products at market prices are inadequate, applications for import permits may be forwarded to the Board which makes assessment of the supply situation and decides whether a permit will be granted. It may also happen that the Board, even in the absence of applications, may decide that imports are necessary and would advise the trade that applications for import permits would be entertained.

(c) Permits are issued immediately provided that the application is in order.

(f) One month. Permits are valid on issue.

(g) Yes, the Canadian Wheat Board.

(h) Quotas are allocated and permits granted on the basis of the market situation in Canada at the time. Permits are issued to new importers on the same basis as those of the previous importers.

(i) Not applicable.

(j) Not applicable.

(k) No.

7. Not applicable.

8. Not applicable.

Eligibility of Importers to Apply for License

9. Any Canadian citizens or companies.

Documentational and Other Requirements for Application of License

10. The prospective importer must specify the quantity required and the port of entry.

11. The import permit with the usual customs invoices.

12. No.

13. No.

Conditions of Licensing

14. Permits are normally valid for thirty days and if extension is required, new permits are issued.

15. No.

16. No.

17. No.

Other Procedural Requirements

18. No.

19. Not applicable.

VII. ENDANGERED SPECIES

Outline of System:

1. Endangered species of wild fauna and flora are on the Import Control List established under the Export and Import Permits Act and subject to general licensing.

Purposes and Coverage of Licensing:

2. Importers of endangered species or their by-products can import them under the authority of a general import permit provided they respect certain conditions such as the presentation to the Collector of Customs of an export permit from the country of origin and the presentation of an import permit obtained from the appropriate scientific authority.

3. The system applies to endangered species originating in and coming from all countries except Rhodesia.

4. The purpose of the system is to restrict trade in endangered species and as a consequence reduce the removal from the wilderness of these species.

- Not applicable

- Not applicable

5. The licensing is effected by regulations under the Export and Import Permits Act.

- Once an item has been placed on the Import Control List a license must be obtained in order for someone to import that item.

- The Minister of Industry, Trade and Commerce may or may not issue a license or permit for the importation of goods placed on the Import Control List.

- Yes, the Governor in Council may abolish this licensing system by removing the item from the Import Control List without the approval of Parliament.

Procedures:

6. (a) - Information as to the formalities for complying with the requirements of a general import permit is published in the Canada Gazette, in press releases, and in importers notifications distributed to associations and traders.

- Not applicable.

- (i) - Not applicable.
 - Not applicable.
 - (j) - Not applicable.
 - (k) - Not applicable.
- 7.
- (a) - Not applicable.
 - Not applicable.
 - (b) - Not applicable.
 - (c) - Not applicable.
 - Not applicable.
 - (d) - Not applicable.
 - Not applicable.
 - Not applicable.
 - Not applicable.

8. In the case of live specimens, an importer might not be able to benefit from a general import permit to import live endangered species if he cannot establish to the satisfaction of the scientific authority that he can take appropriate care of that particular species.

- Yes.

- There is no provision in the Act for an appeal against a refusal to import endangered species under the general import permit. However, reconsideration may be requested by writing to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License:

9. Any resident of Canada may apply for a license. Citizenship is not a criteria.

- Not applicable.
- Not applicable.
- Not applicable.
- Not applicable.

Documentational and Other Requirements for Application of License:

10. The importer is required to provide all the information requested in the general import permit depending on the type of species he intends to import.

- Not applicable.

- As stated above.

11. Documents required under the general import permit and the customs entry form.

12. There is no license fee.

- Not applicable.

13. There is no advance payment associated with the issue of licenses.

- Not applicable.

Conditions of Licensing:

14. The general import permit is valid until revoked by the Minister of Industry, Trade and Commerce.

- Yes, by virtue of the decision of the Minister of Industry, Trade and Commerce.

15. There is no penalty for the non-utilization of an import license.

16. Licenses are not transferable between importers.

- Not applicable.

17. Not applicable.

Other Procedural Requirements:

18. Importation is subject to requirements of customs regulations.

19. - Not applicable.

- Not applicable.

- Not applicable.

- Not applicable.

VIII. FOOTWEAR

Outline of System

1. Specified footwear products are on the Import Control List established under the Export and Import Permits Act and subject to either individual import licensing or open general licensing.

Purposes and coverage of Licensing

2. Footwear products are on the Import Control List and subject to individual import licensing. All footwear products are allowed entry into Canada under open general license if they are personal effects not exceeding six pairs, commercial samples not exceeding 200 pairs, acquired by virtue of medical prescription, sisal footwear, oriental type sandals, disposable paper slippers, and footwear used for and by performing arts organizations.

3. The system applies to goods originating in and coming from all countries except Rhodesia.

4. Individual import licensing for footwear products is intended to restrict quantities in accordance with Canadian market requirements.

- Not applicable.

- Not applicable.

5. Licensing is effected by regulations under the Export and Import Permits Act.

- Individual products are not designated in the Act.

- Once an item has been placed on the Import Control List, a license either individual or general is required by the Act to import such goods into Canada.

- Specific products can be added to or removed from the Import Control List by the Governor-in-Council and made subject to either individual licensing or open general licensing by the Minister of Industry, Trade and Commerce.

- This licensing system may be abolished by the Governor-in-Council by removing the items from the Import Control List. Only Parliament can alter or amend the Act.

Procedures

6. (a) - Information on quotas and formalities is published in the Canada Gazette, in press releases, and in importer notifications distributed to associations and traders.
- Not applicable.
 - Through publication in the Canada Gazette and distribution of importer notices.
 - Overall amounts are published.
 - The amount allocated to each country would appear in the notice to importers distributed to associations and traders.
 - The amount allocated to each importer is not published.
- (b) - Size of quotas is established on an annual basis.
- Quota periods may be divided into a number of licensing periods.
 - Where periods do not coincide, the importer will either request a new license or an extension of an existing license.
- (c) - Import license applications are considered on an individual basis without reference to whether or not the applicant is a producer of the like product. Generally the majority of import licenses for footwear products are issued to brokers of commercial importers rather than to producers.
- Not applicable.
 - Unused allocations are normally added to quota for a succeeding period.
 - Names of licensed importers are being treated on a confidential basis and as such are not made known to promotion bodies of exporting countries.
 - Information given on import licenses under the Export and Import Permits Act is confidential and cannot be revealed except to persons legally entitled thereto.

- (d) - There is no general provision in the Act prescribing the allowable period of time for submission of applications for import licenses. Such requirements in individual cases would normally be indicated at the time of the quota announcement.
- (e) - The average processing time for license applications will normally be five working days or less, but in some circumstances depending on the particular product involved, applications may be processed in more than five working days.
- (f) - Not applicable.
- (g) - License applications for footwear products are considered only by one organization.
 - Not applicable.
 - Not applicable.
 - The importer may approach only one administrative organization, i.e. the Export and Import Permits Division of the Department of Industry, Trade and Commerce, for its application for license.
- (h) - Any import quota and export restraint program allocations are normally made on the basis of past performance.
 - Not applicable.
 - Past performance is the most common basis on which allocations are made to applicants for import licenses.
 - A maximum amount, normally related to an amount in a base period, is allocated per applicant.
 - A minimum allocation is normally reserved for new importers.
 - Applications are examined on receipt.
- (i) - An import license is always required for products placed on the Import Control List under the Export and Import Permits Act.
 - In the case of an export restraint arrangement where export permits are issued by exporting countries, import licenses are issued automatically.
- (j) - Not applicable.
- (k) - Not applicable.

7. (a) - An application for a license must be made before the goods are entered into Canada.
- A license can be obtained within a very short time limit through a facsimile transmission system for goods arriving at port without a license.
- (b) - A license can be granted anywhere in Canada on very short notice upon request.
- (c) - Not applicable.
- Not applicable.
- (d) - License applications are processed by a single administrative organization.
- Not applicable.
 - Not applicable.
 - Not applicable.
8. Each application is considered on its own merits (e.g. a license may be refused if the application contains false information).
- Reason for refusal to grant license is not necessarily given.
 - There is no specific provision in the Act providing applicants with rights of appeal in the event of refusal to grant a license, however requests for reconsideration may be made to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License

9. Any resident of Canada may apply for a license. Citizenship is not a criteria.
- Not applicable.
 - Not applicable.
 - Not applicable.
 - Not applicable.

Documentational and Other Requirements for Application of License

10. - Information as required by regulations.
- A new import permit application form currently used.⁴
- The Minister of Industry, Trade and Commerce has the discretion to ask for relevant information.
11. Import permits and customs entry forms are required.
12. - There is no license fee.
- Not applicable.
13. There is no advance payment associated with the issue of licenses.

Conditions of Licensing

14. - The validity period for licenses is variable depending upon the commodity and the applicable quota regime. While a six month validity period is the norm, licenses for certain products are issued for shorter or longer periods.
- The validity period for licenses may be extended for a further period upon written request.
15. There is no penalty for non-utilization of an import license.
16. - Licenses are not transferable between importers.
- Not applicable.
17. Special conditions may be attached from time to time to import licenses.

Other Procedural Requirements

18. Importation is subject to requirements of customs regulations.
19. Not applicable.

⁴This sample form is not reproduced in this document.

IX. CLOTHING

Outline of System:

1. Specified clothing products are on the Import Control List established under the Export and Import Permits Act and subject to either individual import licensing or open general licensing.

Purposes and coverage of Licensing:

2. Clothing products on the Import Control List and subject to individual import licensing are: work gloves; outerwear garments; hosiery; pants; leisure suits; blouses and ladies' shirts; pyjamas and sleepwear; raincoats; sportswear; foundation garments; swimwear; underwear; topcoats and overcoats; suits and jackets; leather coats; men's and boys' shirts; and sweaters. All clothing products are allowed entry into Canada under open general license where they are imported for personal use of the importer or as a bona fide commercial sample and where their value does not exceed \$250.00.

3. The system applies to goods originating in and coming from all countries except Rhodesia. For details pertaining to individual clothing products, see the attached Annex A.

4. Individual import licensing for clothing products is intended to restrict quantities in accordance with Canadian market requirements, to implement the export restraint program, or to exercise import surveillance. For details pertaining to each individual clothing product, see the attached Annex 1.

- Not applicable.

- Not applicable.

5. Licensing is effected by regulations under the Export and Import Permits Act.

- Individual products are not designated in the Act.

- Once an item has been placed on the Import Control List, a license either individual or general is required by the Act to import such goods into Canada.

- Specific products can be added to or removed from the Import Control List by the Governor-in-Council and made subject to either individual licensing or open general licensing by the Minister of Industry, Trade and Commerce.

- This licensing system may be abolished by the Governor in Council by removing the items from the Import Control List. Only Parliament can alter or amend the Act.

Procedures:

6. (a) - Information on quotas and formalities is published in the Canada Gazette, in press releases, and in importer notifications distributed to associations and traders.

- Not applicable.

- Through publication in the Canada Gazette and distribution of importer notices.

- Overall amounts are published.

- The amount allocated to goods from each country would appear in the notice to importers distributed to associations and traders.

- The amount allocated to each importer is not published.

(b) - Size of quotas is usually established on an annual, six monthly, or quarterly basis.

- Quota periods may be divided into a number of licensing periods.

- Where periods do not coincide the importer will either request a new license or an extension of an existing license.

(c) - Import license applications are considered on an individual basis without reference to whether or not the applicant is a producer of the like product. Generally the majority of import licenses for clothing products are issued to brokers of commercial importers rather than to producers.

- Not applicable.

- Unused allocations are normally added to quota for a succeeding period.

- Names of licensed importers are being treated on a confidential basis and as such are not made known to promotion bodies of exporting countries.

- Information given on import licenses under the Export and Import Permits Act is confidential and cannot be revealed except to persons legally entitled thereto.

(d) - There is no general provision in the Act prescribing the allowable period of time for submission of applications for import licenses. Such requirements in individual cases would normally be indicated at the time of the quota announcement.

(e) - The average processing time for license applications will normally be five working days or less, but in some circumstances depending on the particular product involved, applications may be processed in more than five working days.

(f) - Not applicable.

(g) - License applications for clothing products are considered only by one organization.

- Not applicable.

- Not applicable.

- The importer may approach only one administrative organization, i.e. the Export and Import Permits Division of the Department of Industry, Trade and Commerce, for its application for license.

(h) - Any import quota and export restraint program allocations are normally made on the basis of past performance.

- Not applicable.

- Past performance is the most common basis on which allocations are made to applicants for import licenses.

- A maximum amount, normally related to an amount in a base period, is allocated per applicant.

- A minimum allocation is normally reserved for new importers.

- Applications are examined on receipt.

(i) - An import license is always required for products placed on the Import Control List under the Export and Import Permits Act.

- In the case of an export restraint arrangement where export permits are issued by exporting countries, import licenses are issued automatically.

(j) - Not applicable

(k) - Not applicable.

7. (a) - An application for a license must be made before the goods are entered into Canada.

- A license can be obtained within a very short time limit through a facsimile transmission system for goods arriving at port without a license.

(b) - A license can be granted anywhere in Canada on very short notice upon request.

(c) - Not applicable.

- Not applicable.

(d) - License applications are processed by a single administrative organization.

- Not applicable.

- Not applicable.

- Not applicable.

8. Each application is considered on its own merits (e.g. a license may be refused if the application contains false information).

- Reason for refusal to grant license is not necessarily given.

- There is no specific provision in the Act providing applicants with rights of appeal in the event of refusal to grant a license, however requests for reconsideration may be made to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License:

9. Any resident of Canada may apply for a license. Citizenship is not a criteria.

- Not applicable.

- Not applicable.

- Not applicable.

- Not applicable.

Documentational and Other Requirements for Application of License:

10. - Information as required by regulations.

- A new import permit application form currently used.⁵

- The Minister of Industry, Trade and Commerce has the discretion to ask for relevant information.

11. Import permits and customs entry forms are required.

12. - There is no license fee.

- Not applicable.

13. There is no advance payment associated with the issue of licenses.

Conditions of Licensing:

14. - The validity period for licenses is variable depending upon the commodity and the applicable quota regime. While a six month validity period is the norm, licenses for certain products are issued for shorter or longer periods.

- The validity period for licenses may be extended for a further period upon written request.

15. There is no penalty for non-utilization of an import license.

16. - Licenses are not transferable between importers.

- Not applicable.

⁵This sample form is not reproduced in this document.

17. Special conditions may be attached from time to time to import licenses.

Other Procedural Requirements:

18. Importation is subject to requirements of customs regulations.

19. Not applicable.

CLOTHING

Item No.	Product	Country	Type of measure
31	Work gloves	All sources	Global Import Quota
32	Outerwear garments	" "	" "
34	Hosiery	Taiwan Korea Singapore Poland	Export Restraints " " Import Surveillance " "
37	Pants	All sources	Global Import Quota
38	Leisure suits	" "	" " "
39	Blouses and ladies' shirts	" "	" " "
40	Pyjamas and sleepwear	" "	" " "
41	Raincoats	" "	" " "
42	Sportswear	" "	" " "
43	Foundation garments	" "	" " "
44	Swimwear	" "	" " "
45	Underwear	" "	" " "
46	Top coats overcoats	" "	" " "
47	Men's and boys' fine suits	" "	" " "
48	Leather coats	" "	" " "
49	Men's and boys' shirts	" "	" " "
50	Sweaters	" "	" " "

X. TEXTILESOutline of System:

1. Specified textile products are on the Import Control List established under the Export and Import Permits Act and subject to either individual import licensing or open general licensing.

Purposes and coverage of Licensing:

2. Textile products on the Import Control List and subject to individual import licensing are: polyester fabrics; acrylic yarns; worsted fabrics; nylon fabrics; cotton terry towels; cotton yarns; double knit fabrics; warp knit fabrics; sheets and pillow cases. All textile products are allowed entry into Canada under open general licenses where they are imported for personal use of the importer or as a bona fide commercial sample and where their value does not exceed in most cases \$250.00.

3. The system applies to goods originating in and coming from all countries except Rhodesia. For details pertaining to individual textile products, see the attached Annex A.

4. Individual import licensing for textile products is intended to restrict quantities in accordance with Canadian market requirements, to implement the export restraint program, or to exercise import surveillance. For details pertaining to each individual textile product, see the attached Annex 1.

- Not applicable.

- Not applicable.

5. Licensing is effected by regulations under the Export and Import Permits Act.

- Individual products are not designated in the Act.

- Once an item has been placed on the Import Control List, a license either individual or general is required by the Act to import such goods into Canada.

- Specific products can be added to or removed from the Import Control List by the Governor-in-Council and made subject to either individual licensing or open general licensing by the Minister of Industry, Trade and Commerce.

- This licensing system may be abolished by the Governor in Council by removing the items from the Import Control List. Only Parliament can alter or amend the Act.

Procedures:

6. (a) - Information on quotas and formalities is published in the Canada Gazette, in press releases, and in importer notifications distributed to associations and traders.

- Not applicable.

- Through publication in the Canada Gazette and distribution of importer notices.

- Overall amounts are published.

- The amount allocated to goods from each country would appear in the notice to importers distributed to associations and traders.

- The amount allocated to each importer is not published.

(b) - Size of quotas is usually established on an annual, six monthly, or quarterly basis.

- Quota periods may be divided into a number of licensing periods.

- Where periods do not coincide the importer will either request a new license or an extension of an existing license.

(c) - Import license applications are considered on an individual basis without reference to whether or not the applicant is a producer of the like product. Generally the majority of import licenses for textile products are issued to brokers of commercial importers rather than to producers.

- Not applicable.

- Unused allocations are normally added to quota for a succeeding period.

- Names of licensed importers are being treated on a confidential basis and as such are not made known to promotion bodies of exporting countries.

- Information given on import licenses under the Export and Import Permits Act is confidential and cannot be revealed except to persons legally entitled thereto.

(d) - There is no general provision in the Act prescribing the allowable period of time for submission of applications for import licenses. Such requirements in individual cases would normally be indicated at the time of the quota announcement.

(e) - The average processing time for license applications will normally be five working days or less, but in some circumstances depending on the particular product involved, applications may be processed in more than five working days.

(f) - Not applicable.

(g) - License applications for textile products are considered only by one organization.

- Not applicable.

- Not applicable.

- The importer may approach only one administrative organization, i.e. the Export and Import Permits Division of the Department of Industry, Trade and Commerce, for its application for license.

(h) - Any import quota and export restraint program allocations are normally made on the basis of past performance.

- Not applicable.

- Past performance is the most common basis on which allocations are made to applicants for import licenses.

- A maximum amount, normally related to an amount in a base period, is allocated per applicant.

- A minimum allocation is normally reserved for new importers.

- Applications are examined on receipt.

(i) - An import license is always required for products placed on the Import-Control List under the Export and Import Permits Act.

- In the case of an export restraint arrangement where export permits are issued by exporting countries, import licenses are issued automatically.

(j) - Not applicable

(k) - Not applicable.

7. (a) - An application for a license must be made before the goods are entered into Canada.

- A license can be obtained within a very short time limit through a facsimile transmission system for goods arriving at port without a license.

(b) - A license can be granted anywhere in Canada on very short notice upon request.

(c) - Not applicable.

- Not applicable.

(d) - License applications are processed by a single administrative organization.

- Not applicable.

- Not applicable.

- Not applicable.

8. Each application is considered on its own merits (e.g. a license may be refused if the application contains false information).

- Reason for refusal to grant license is not necessarily given.

- There is no specific provision in the Act providing applicants with rights of appeal in the event of refusal to grant a license, however requests for reconsideration may be made to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License:

9. Any resident of Canada may apply for a license. Citizenship is not a criteria.

- Not applicable.
- Not applicable.
- Not applicable.
- Not applicable.

Documentational and Other Requirements for Application of License:

10. - Information as required by regulations.
- A new import permit application form currently used.⁶

- The Minister of Industry, Trade and Commerce has the discretion to ask for relevant information.

11. Import permits and customs entry forms are required.

12. - There is no license fee.
- Not applicable.

13. There is no advance payment associated with the issue of licenses.

Conditions of Licensing:

14. - The validity period for licenses is variable depending upon the commodity and the applicable quota regime. While a six month validity period is the norm, licenses for certain products are issued for shorter or longer periods.

- The validity period for licenses may be extended for a further period upon written request.

15. There is no penalty for non-utilization of an import license.

16. - Licenses are not transferable between importers.
- Not applicable.

⁶This sample form is not reproduced in this document.

17. Special conditions may be attached from time to time to import licenses.

Other Procedural Requirements:

18. Importation is subject to requirements of customs regulations.

19. Not applicable.

Item No.	Products	Country	Type of Measure
14	Cotton Yarns	Taiwan, Poland, India, Korea China, Spain, Argentina, Yugoslavia, Mexico, Brazil, Columbia, Portugal, Greece, Egypt, Hungary, Pakistan, El Salvador	Import Surveillance
22	Polyester fabrics	Taiwan Korea Japan Hong Kong Singapore Philippines Spain	Export Restraints " " " " Import Quotas Import Surveillance " " " "
24	Acrylic Yarns	All sources	Global Import Quota
25	Worsted fabrics	a) All sources (except U.K., France, West Germany, Netherlands, Switzerland, Italy, U.S.A., Japan) b) China Korea Japan Romania Czechoslovakia Argentina Yugoslavia	Import Surveillance Import Quota Export Restraints " " " " " " " "
26	Nylon fabrics	Korea China Hong Kong Japan Poland Taiwan	Import Quota Import Surveillance " " Export Restraints " " " "
29	Cotton terry towels	China Poland	Import Quota Export Restraints
35	Double knit fabrics	All sources	Global Import Quota
36	Warp knit fabrics	" "	Import Surveillance
51	Sheets	Taiwan, Poland, China Hong Kong	Export Restraints Import Quota
52	Pillow cases	Taiwan, China, Romania, Poland	Export Restraints Import Surveillance

XI. MEATS

Outline of System

1. The importation of meats into Canada is subject to the provisions of the Canada Meat Inspection Act and Regulations.

Purposes and Coverage of Licensing

2. The Canada Meat Inspection Act and Regulations permit the importation of meats which originate in countries whose meat inspection system is recognized as being equal to the Canadian system. Only plants which operate under the national system of Meat Inspection in such countries and are approved for export to Canada may export meat products to Canada. It is understood that the meat products have been inspected according to the laws of the country of origin and are prepared, packed and marked according to prescribed Canadian standards. The markings of meat products are to receive approval from the Meat Inspection Division prior to any shipments being made. All import shipments of meat are subject to inspection on arrival in Canada and must be covered by a certificate, a form approved by Canada and signed by an official veterinarian of the country of origin. The importation of uncooked meats is only permitted from countries where no foot and mouth disease, rinderpest or any other epizootic diseases are prevalent. This restriction under the Animal Disease and Protection Act and Regulations does not apply to canned meats or cooked meat.

3. The restriction of importation of meat products which are not in cooked or canned forms under the Animal Disease and Protection Act and Regulations do not apply to the following countries which are considered free of foot and mouth disease, rinderpest and other serious epizootic diseases: Australia, Belize, Iceland, Mexico, Northern Ireland, New Zealand, Norway, Republic of Ireland and United States of America.

4. The licensing is intended to ensure that only wholesome meat products prepared under sanitary conditions are imported into Canada as a consumer protection.

5. The Meat Inspection Act and Regulations thereunder. Yes. No. No.

Procedures

6. Not applicable.

7. (a) (b) It varies according to conditions specified in 2 above.
(c) No.
(d) Only the Meat Inspection Division of the Health of Animals Branch, Agriculture Canada.
8. Not applicable.

Eligibility of Importers to Apply for License

9. All Canadian citizens, residents or Canadian companies.

Documentational and Other Requirements for Application of License

10. Attached⁷ is a copy of Divisional circular 8L dealing with label requirements and approval, outlining the present position for dealing with the Canadian as well as imported meat products. Also attached is a small folder for foreign companies outlining basic label requirements for meat and meat food products together with a label submission form which is used when labels are submitted for approval for domestic as well as imported meat products.
11. Satisfactory meat certificate signed by an official veterinarian of the country of origin.
12. No.
13. No.

Conditions of Licensing

14. License to export meat products to Canada is subject to review at any time. Only periodic reviews and inspections of foreign firms are made unless there is a problem with non-compliance with Canadian requirements.
15. No. But shipments if not properly certified or not in compliance with Canadian requirements are refused entry.
16. Not applicable.
17. No.

Other Procedural Requirements

18. Importation is subject to requirements of customs regulations and in the case of beef and veal, fresh and frozen forms, (excluding offals), entry is allowed under individual import permit under the Export and Import Permits Act.
19. Not applicable.

⁷This copy is not reproduced in this document.

XII. TURKEYS

Outline of System:

1. Turkeys are on the Import Control List established under the Export and Import Permits Act and subject to either individual import licensing or open general licensing.

Purposes and Coverage of Licensing:

2. Individual import licenses are required for turkeys including live turkeys, eviscerated carcasses, and parts. However, non-commercial importation is allowed under open general licensing for turkeys not exceeding one per non-commercial importation, and for turkeys poults and turkeys contained in jars or cans not exceeding ten pounds.

3. The system applies to goods originating in and coming from all countries, except Rhodesia.

4. Quota for calendar year 1978 has been established at 3.9 million lbs. (in terms of carcass weight equivalent).

- Not applicable

- Not applicable

5. - The licensing is effected by regulations under the Export and Import Permits Act.

- Individual products are not designated in the Act.

- Specific products can be added to or removed from the Import Control List by the Governor-in-Council and made subject to either individual licensing or open general licensing by the Minister of Industry, Trade and Commerce.

Only Parliament can alter or amend the Act.

Procedures:

6. (a) - Information on quotas and formalities is published in the Canada Gazette and usually in press releases and in importer notifications distributed to associations and traders.

- Not applicable

- Through publication in the Canada Gazette and by distribution of importer notices.

- Overall amounts are published.

- Not applicable

(b) - Size of quota is established on an annual basis.

- Licenses are issued quarterly.

- The importer would request a new license.

(c) - Import license applications are considered on an individual basis without reference to whether or not the applicant is a producer of the like product.

- Not applicable

- Unused quarterly allocations are added to allocations in succeeding periods.

- Names of licensed importers are not made known to exporters.

- Information given on import licenses under the Export and Import Permits Act is confidential and cannot be revealed except for persons legally entitled thereto.

(d) - Not applicable.

(e) - The average processing time for license applications will normally be five working days or less although in some circumstances applications may be processed in more than 5 working days.

(f) - Not applicable

(g) - License applications may be considered by more than one organization.

- Applications may be considered by the Department of Industry, Trade and Commerce, the Department of Agriculture and, where licenses are supplemental to the global quota, by the Canadian Turkey Marketing Agency. However, licenses are issued under the sole authority of the Minister of Industry, Trade and Commerce.

- The importer approaches only one administrative body: The Export and Import Permits Division, Office of Special Import Policy, Department of Industry, Trade and Commerce.

(h) - If the demand for licenses under the global quota cannot be fully satisfied, they are normally allocated on the basis of past performance.

- A maximum amount under the global quota is allocated per applicant, normally related to an amount in a base period.

- A minimum allocation under the global quota is reserved for new importers.

- Applications are examined on receipt.

(i) - Not applicable

(j) - Not applicable

(k) - Occasionally

7. - Not applicable

8. - Each application is considered on its own merits (e.g. a license may be refused if the application contains false information).

- A reason for refusal to grant a license is not necessarily given.

- There is no specific provision in the Act providing applicants with rights of appeal in the event of refusal to grant a license. However, requests for reconsideration may be made to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License:

9. - Any resident of Canada may apply for a license. Citizenship is not a criteria.

- Not applicable

- Not applicable
- Not applicable
- Not applicable

Documentational and Other Requirements for Application of License:

10. - Information as required by Regulations
- Attached⁸ is the import application form currently used (Annex I).
- The processing organ has the discretion to ask for relevant information.
11. - Import permits and customs entry forms are required.
- A health and grading certificate from exporting country.
12. - There is no licence fee
- Not applicable
13. - There is no advance payment associated with the issue of licenses.

Conditions of Licensing:

14. - The validity period for individual import licenses under the global quota is three months. As well licenses for supplementary imports are generally valid for a three month period as determined on an individual application basis.
- The validity period for licenses may be extended for a further period upon written request.
15. - There is no penalty for non-utilization of an import license.
16. - Licenses are not transferable between importers.
- Not applicable
17. - Special conditions may from time to time be attached to import licenses.

Other Procedural Requirements:

18. - Importation is subject to requirements of customs regulations.
19. - Not applicable.

⁸This sample form is not reproduced in this document.

XIII. EGGS AND EGG PRODUCTS

Outline of System:

1. Eggs and egg products are on the Import Control List established under the Export and Import Permits Act and subject to either individual import licensing or open general licensing.

Purposes and Coverage of Licensing:

2. Individual import licenses are required for shell eggs, egg powder and egg melange. For non-commercial importation where the amount does not exceed 2 dozen eggs per importation, hatching eggs for direct use by registered hatching operations and eggs encased in mud or other material which preserves their quality for specialty foods, imports are allowed under open general license.

3. The system applies to goods originating in and coming from all countries, except Rhodesia.

4. Quota for calendar year 1978 has been established at:

103,250 cases of 30 dozen	for shell eggs
940,000 <u>pounds</u>	for egg powder
2,416,000 <u>pounds</u>	for egg melange

- Not applicable

- Not applicable

5. - The licensing is effected by regulations under the Export and Import Permits Act.

- Individual products are not designated in the Act.

- Specific products can be added to or removed from the Import Control List by the Governor-in-Council and made subject to either individual licensing or open general licensing by the Minister of Industry, Trade and Commerce.

- Only Parliament can alter or amend the Act.

Procedures

6. (a) - Information on quotas and formalities is published in the Canada Gazette and usually in press releases, and in importer notifications distributed to associations and traders.

- Not applicable

- Through publication in the Canada Gazette and distribution of importer notices.

- Overall amounts are published.

- Not applicable

- The amount allocated to each importer is not published.

(b) - Size of quotas is established on an annual basis.

- Quota periods may be divided into a number of license periods.

- Where quota and license periods do not coincide, the importer would either request a new license or an extension of an existing license.

(c) - Import license applications are considered on an individual basis without reference to whether or not the applicant is a producer of the like product.

- Not applicable

- Quota utilization may be a factor in allocating licenses for succeeding periods.

- Names of licensed importers are not made known to exporters.

- Information given on import licenses under the Export and Import Permits Act is confidential and cannot be revealed except for persons legally entitled thereto.

(d) - The allowable time for submission of applications for import licenses will normally be indicated at the time of quota announcement.

(e) - The average processing time for license applications will normally be five working days or less although in some circumstances applications may be processed in more than 5 working days.

(f) - Not applicable

(g) - License applications may be considered by more than one organization.

- Applications may be considered by the Department of Industry, Trade and Commerce, the Department of Agriculture and, where licenses are supplemental to the global quota, by the Canadian Egg Marketing Agency. However, licenses are issued under the sole authority of the Minister of Industry, Trade and Commerce.

- The importer approaches only one administrative body: The Export and Import Permits Division, Office of Special Import Policy, Department of Industry, Trade and Commerce.

(h) - Licenses under the global quota are normally allocated on the basis of past performance.

- A maximum amount under the global quota is allocated per applicant, normally related to an amount in a base period.

- A minimum allocation under the global quota is reserved for new importers.

- Applications are examined on receipt.

(i) - Not applicable

(j) - Not applicable

(k) - Occasionally

7. Not applicable

8. Each application is considered on its own merits (e.g. a license may be refused if the application contains false information).

- A reason for refusal to grant a license is not necessarily given.

- There is no specific provision in the Act providing applicants with rights of appeal in the event of refusal to grant a license. However, requests for reconsideration may be made to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License:

9. - Any resident of Canada may apply for a license. Citizenship is not a criteria.

- Not applicable

- Not applicable

- Not applicable

- Not applicable

Documentational and Other Requirements for Application of License:

10. - Information as required by Regulations

- Attached⁹ is the import application form currently used (Annex I).

- The processing organ~~has~~ the discretion to ask for relevant information.

11. - Import permits and customs entry forms are required.

- A grading certificate from exporting country.

12. - There is no license fee

- Not applicable

13. - There is no advance payment associated with the issue of licenses.

⁹This sample form is not reproduced in this document.

Conditions of Licensing:

14. - The validity period for individual import licences under the global quota is one month for shell eggs and three months for egg products. Licences for supplementary imports are valid for 2 weeks for shell eggs and determined on an individual application basis for egg products.

- The validity period for licences may be extended for a further period upon written request.

15. - There is no penalty for non-utilization of an import licence.

16. - Licences are not transferable between importers.

- Not applicable

17. - Special conditions may from time to time be attached to import licences.

Other Procedural Requirements:

18. - Importation is subject to requirements of customs regulations.

19. - Not applicable.

XIV. DAIRY PRODUCTS

Outline of System:

1. Specified dairy products are on the Import Control List established under the Export and Import Permits Act and subject to either individual import licensing or open general licensing.

Purposes and Coverage of Licensing:

2. Dairy products on the Import Control List and subject to individual import licensing are: butter; butterfat in any form, except any combination in which the presence of other substances renders the combination unsuitable as a butterfat ingredient; dry buttermilk, dry casein or caseinates, dry skimmed milk; animal feed containing more than 40 per cent of non-fat milk solids, and cheese of all types. All dairy products are allowed entry into Canada under open general license where they are imported for the personal use of the importer and his household and where the value of each importation does not exceed \$20.00.

3. The system applies to goods originating in and coming from all countries, except Rhodesia.

4. Quota established at 45 million pounds for the 1978/79 "quota" (not "dairy") year.

- Not applicable

- Not applicable

5. The licensing is effected by regulations under the Export and Import Permits Act.

- Individual products are not designated in the Act.

- Specific products can be added to or removed from the Import Control List by the Governor-in-Council and made subject to either individual licensing or open general licensing by the Minister of Industry, Trade and Commerce.

- Only Parliament can alter or amend the Act.

Procedures:

6. (a) - Information on quotas and formalities is published in the Canada Gazette, and usually in press releases, and in importer notifications distributed to associations and traders.

- Not applicable

- Through publication in the Canada Gazette and distribution of importer notices.

- Overall amounts are published

- Not applicable

- The amount allocated to each importer is not published.

(b) - Size of quotas is usually established on an annual basis.

- Where periods do not coincide, the importer would either request a new license or an extension of an existing license.

(c) - Except for butter (where all import licenses are allocated to the Canadian Dairy Commission) import license applications are considered on an individual basis without reference to whether or not the applicant is a producer of the like product. Generally the majority of import licenses for dairy products are issued to brokers of commercial importers rather than to producers.

- Not applicable

- Quota utilization may be a factor in allocation of licenses in succeeding periods.

- Names of licensed importers are not made known to exporters.

- Information given on import licenses under the Export and Import Permits Act is confidential and cannot be revealed except for persons legally entitled thereto.

(d) - There is no general provision in the Act prescribing the allowable period of time for submission of applications for import licenses. Such requirements in individual cases would normally be indicated at the time of quota announcement.

(e) - The average processing time for license applications will normally be five working days or less though in some circumstances depending on the particular commodity involved, applications may be processed in more than 5 working days.

(f) - Not applicable

(g) - License applications may be considered by more than one organization.

- Applications may be considered by the Department of Industry, Trade and Commerce and the Department of Agriculture. However, licenses are issued under the sole authority of the Minister of Industry, Trade and Commerce.

(h) - If the demand for licenses cannot be fully satisfied they are normally allocated on the basis of past performance.

- A maximum amount, normally related to an amount in a base period, is allocated per applicant.

- A minimum allocation is normally reserved for new importers.

- Applications are examined on receipt

(i) - Not applicable

(j) - Not applicable

(k) - Not applicable

7. - Not applicable

8. - Each application is considered on its own merits (e.g. a license may be refused if the application contains false information).

- Reason for refusal to grant license is not necessarily given.

- There is no specific provision in the Act providing applicants with rights of appeal in the event of refusal to grant a license, however requests for reconsideration may be made to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License:

9. - Any resident of Canada may apply for a license. Citizenship is not a criteria.

- Not applicable

- Not applicable

- Not applicable

- Not applicable

Documentational and Other Requirements for Application of License:

10. - Information as required by Regulations

- Attached¹⁰ is the new import permit application form currently used (Annex I).

- The Minister of Industry, Trade and Commerce has the discretion to ask for relevant information.

11. Import permits and customs entry forms are required.

12. - There is no license fee

- Not applicable

13. - There is no advance payment associated with the issue of licenses.

Conditions of Licensing:

14. - The validity period for licenses is variable depending upon the commodity and the applicable quota regime. While a six month validity period is the norm, licenses for certain dairy commodities are issued for shorter periods.

- The validity period for licenses may be extended for a further period upon written request.

15. There is no penalty for non-utilization of an import license.

¹⁰This sample form is not reproduced in this document.

16. - Licenses are not transferable between importers.
 - Not applicable

17. Special conditions may be attached from time to time to import licenses.

Other Procedural Requirements:

18. Importation is subject to requirements of customs regulations.

19. Not applicable

XV. HANDBAGS

Outline of System:

1. Handbags as described in paragraph 2 have been placed on the Import Control List as established under the Export and Import Permits Act and are subject to global import surveillance through the issuance of import permits. In addition, bilateral export restraint arrangements have been concluded with Taiwan for both coated and uncoated handbags and with the Philippines for uncoated handbags. In 1979, bilateral restraint measures will also come into effect respecting exports of uncoated handbags from the Republic of Korea and the People's Republic of China as well as coated handbags originating in the Republic of Korea. The bilateral arrangements are administered through a back to back licencing system whereby import permits are issued upon submission of export licences.

Purposes and Coverage of Licensing:

2. Both global surveillance and export restraint measures affecting above mentioned countries apply to

"Handbags, made of fabrics, whether uncoated, coated or bonded, containing natural or man-made fibres or blends of these fibres, with a body area, excluding handles, between 40 and 190 square inches (258 cm² and 1226 cm²), in the manufacture of which leather and plastic materials may be used as trim and finish but not a major component of the shell." Non-commercial importations, i.e. handbags imported as gifts, or for personal use, or bona fide commercial samples, and not exceeding two hundred and fifty dollars in declared value are permitted from any country except Rhodesia under a general import license.

3. The import surveillance applies to imports of handbags from all sources. Export restraint measures apply as stated in paragraph 1.

4. In the context of the surveillance system, import licensing is intended to provide information on the levels of imports from all sources. Licensing in relation to the arrangements ensures the agreed quantitative limits are observed.

- The Canadian government sought export restraints on handbags under the auspices of the ITA, after it was found that a limited number of suppliers accounted for a substantial proportion of disruptive imports.

5. Licensing is effected by regulations under the Export and Import Permits Act.

- Once an item has been placed on the Import Control List, a permit must be obtained in order to import that item.

- No, the Act provides for the considerations and circumstances under which products can be placed on the Import Control List and as such subject to licensing.

- Yes, the Governor in Council may abolish this licensing system by removing the item from the Import Control List without the approval of Parliament.

Procedures:

6. (a) - Information pertaining to formalities for complying with the requirements of the licensing system is published in the Canada Gazette, in press releases, and in notifications sent to associations and traders.

- Not applicable.

- Amounts negotiated with each country are published.

- Not applicable.

(b) - Not applicable, see paragraph 1

Export licenses and import permits are issued on a per shipment basis.

(c) - Not applicable.

- Not applicable

- Not applicable

- Not applicable

(d) - Not applicable.

(e) - The time required to process applications may vary from half a day to a week. This turn around time will however be further reduced in 1979 with the computerization of permit issuance.

(f) - Not applicable since permits are issued on a per shipment basis.

(g) - Yes.

- No.

- No.

(h) - Refer to paragraph 1.

(i) - See paragraph 1.

(j) - Not applicable.

(k) - Not applicable to handbags.

7. (a) - Under the global surveillance outlined in paragraph 1, import permits are issued on a per shipment basis. As these permits have a life span of two months, applications are usually made shortly prior to the arrival of the goods.

- Permits can be obtained within a very short time limit through a facsimilated system for goods arriving at port without a permit.

(b) - Refer to 7 a) above. With the computerization of the system permits will be granted anywhere in Canada upon very short notice.

(c) - No.

(d) - Yes.

- No.

8. As long as all necessary criteria are met, applications for import permits will be accepted.

Eligibility of Importers to Apply for License

9. Any resident of Canada may apply for a license. Citizenship is not a criteria.

- Not applicable.

- Not applicable.

- Not applicable.

- Not applicable.

Documentational and Other Requirements for Application of License:

10. The importer is required to provide all the information requested in the application for a permit. A sample is attached for reference.

- An export permit or a contract depending on whether under surveillance or restraint.

11. Valid import permit and the Customs entry forms.

12. Starting January 1979, \$5.00.

13. There is no advance deposit associated with the issue of licenses.

- Not applicable.

Conditions of Licensing:

14. Normally 60 days or unless revoked by the Minister of Industry, Trade and Commerce.

- Yes, provided that the request is made prior to the expiration of the permit.

- By a simple amendment to the permit.

15. - No.

16. - No. The transfer of permits is prohibited by Section 16 of the Export and Import Permits Act.

17. (a) - Not applicable.

(b) - Not applicable.

Other Procedural Requirements:

18. There may be other administrative procedures required by Customs.

19. Licensing has no bearing on procurement of foreign exchange.

XVI. WHALE PRODUCTS AND BY-PRODUCTS

Outline of System:

1. Whale products have been placed on the Import Control List (established under the Export and Import Permits Act) and are subject to general licensing. This action has been taken in order to implement a Resolution of International Whaling Commission of which Canada is a member.

Purposes and Coverage of Licensing:

2. Importers of whale products can import these products under the authority of a general import permit provided the whale or whale products originate from a member country of the International Whaling Commission. In all other cases the importer must present an application for an individual permit to import. For the purpose of this control, whale products or by-products are being defined as readily recognizable products and, in all cases, the content of whale substance included in the whale product must be in excess of 50 percent.

3. The system applies to whale and whale products originating from all countries except Rhodesia.

4. The purpose of the system is to restrict trade in whale products and by-products from countries not members of the International Whaling Commission.

- Not applicable.

- Not applicable.

5. The licensing is effected by regulations under the Export and Import Permits Act.

- Once an item has been placed on the Import Control List a license must be obtained in order for someone to import that item.

- No, the Act provides for the considerations and circumstances under which products can be placed on the Import Control List and as such subject to licensing.

- Yes, the Governor in Council may abolish this licensing system by removing the item from the Import Control List without the approval of Parliament.

Procedures:

6. (a) - Information as to the formalities for complying with the requirements of this control is published in the Canada Gazette, in press releases, and in importers notifications distributed to associations and traders.

- Not applicable.

- Through publication in the Canada Gazette, distribution of importer notices, and publicity made by exporting countries party to the International Whaling Commission.

- Not applicable.

- Not applicable.

- Not applicable.

(b) - Not applicable.

- Not applicable.

- Not applicable.

(c) - Not applicable.

(d) - Not applicable.

(e) - Not applicable.

(f) - Not applicable.

(g) - Not applicable.

- Not applicable.

- Not applicable.

- Not applicable.

(h) - Not applicable.

(i) - Not applicable.

- Not applicable.

(j) - Not applicable.

(k) - Not applicable.

7. (a) - An application for a license must be made before the goods are entered in Canada.

- License can be obtained within a very short time limit through a facsimilated system or through a computerized permit system for goods arriving at port without a license.

(b) - A license can be granted upon request anywhere in Canada upon very short notice.

(c) - Not applicable.

- Not applicable.

(d) - License applications are processed by two administrative organizations.

- Application for license to import whales or whale products must be referred to another Department for its concurrence.

- Department of Fisheries, Fisheries and Marine Services, 240 Sparks Street, 7th Floor, Ottawa, K1A 0E6.

- No.

8. Each application is considered on its own merits (e.g. a license may be refused if the application contains false information).

- Reason for refusal to grant license is not necessarily given.

- Requests for reconsideration may be made to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License:

9. Any resident of Canada may apply for a license. Citizenship is not a criteria.

- Not applicable.

- Not applicable.

- Not applicable.

- Not applicable.

Documentational and Other Requirements for Application of License:

10. The importer is required to provide all the information requested in the application for permit depending on the type of product he intends to import.

- Not applicable.

- As stated above.

11. Valid import permit and the customs entry forms.

12. Yes.

- \$5.00 (five dollars)

13. There is no advance deposit associated with the issue of licenses.

- Not applicable.

Conditions of Licensing:

14. An import permit is valid until revoked by the Minister of Industry, Trade and Commerce.

- Yes.

- By a simple amendment to the permit.

15. - No.

16. - No. The transfer of permits is prohibited by Section 16 of the Export and Import Permits Act.

17. (a) - If the product is subject to quota there may be quantitative or other restrictions.

(b) - Not applicable.

Other Procedural Requirements:

18. There may be other administrative procedures required by Customs.

19. - Not applicable.

XVII. SUGAR

Outline of System:

1. Sugar has been placed on the Import Control List as established under the Export and Import Permits Act and is subject to general licensing. This action has been taken to implement an intergovernmental commitment, i.e. The International Sugar Agreement, 1977.

Purposes and Coverage of Licensing:

2. Importers can import sugar under a general permit from any country (except Rhodesia) where the sugar to be imported does not exceed one tonne (2,204.6 lbs) in weight or where the sugar is imported as ships stores for direct consumption on board a conveyance. Any importations of sugar in any of its recognized commercial forms, i.e. derived from sugar cane or sugar beet, including edible and fancy molasses, syrups and any other form of liquid sugar used for human consumption (other than exceptions noted above), requires an individual import permit.

3. The system applies to sugar originating from all countries except Rhodesia.

4. The licensing is intended to restrict imports from countries that are not members of the International Sugar Agreement in the event that the world price of sugar falls below 19 U.S. cents per lb. Licensing is also required to ensure a contribution has been paid on sugar being imported into Canada.

- Not applicable.

- Not applicable.

5. The licensing is effected by regulations under the Export and Import Permits Act.

- Once an item has been placed on the Import Control List a permit must be obtained in order for someone to import that item.

- No, the Act provides for the considerations and circumstances under which products can be placed on the Import Control List and as such subject to licensing.

- Yes, the Governor in Council may abolish this licensing system by removing the item from the Import Control List without the approval of Parliament.

Procedures:

6. (a) - Information as to the formalities for complying with the requirements of this control is published in the Canada Gazette, in press releases, and in importers notifications distributed to associations and traders.

- Not applicable.

- Through publication in the Canada Gazette, distribution of importer notices, and notices issued to the International Sugar Organization.

- Yes

- No

- Not applicable.

(b) - Article 57 of 28A.

- Not applicable.

- Not applicable.

(c) - Not applicable.

- Customs verification.

- Not applicable.

- Not applicable.

- Not applicable.

(d) - Not applicable.

(e) - Approximately 2 days.

(f) - Not applicable.

(g) - Yes

- No

- No

- No

(h) - Not applicable.

(i) - Not applicable.

- Not applicable.

(j) - Not applicable.

(k) - No.

7. (a) - Applications for permits must be authorized before the goods are entered in Canada.

- License can be obtained within a very short time limit through a facsimilated system or through a computerized permit system for goods arriving at port without a license.

(b) - A license can be granted upon request anywhere in Canada upon very short notice.

(c) - No.

- No.

(d) - Yes.

8. Each application is considered on its own merits (e.g. a license may be refused if the application contains false information).

- Reason for refusal to grant license is not necessarily given.

- Requests for reconsideration may be made to the Minister of Industry, Trade and Commerce.

Eligibility of Importers to Apply for License:

9. Any resident of Canada may apply for a permit. Citizenship is not a criteria.

- Not applicable.

- Not applicable.

- Not applicable.

- Not applicable.

Documentational and Other Requirements for Application of License:

10. The importer is required to provide all information and a valid Certificate of Contribution as approved by the International Sugar Organization (Form ISG-1) as requested in the application for permit.

- As stated above.
- 11. Valid import permit and the customs entry forms.
- 12. Yes.
 - \$5.00 (five dollars)
- 13. There is no advance deposit or payment associated with the issue of licenses (permits)
 - Not applicable.

Conditions of licensing:

- 14. An import permit is issued for a specific period of time. It is valid during that period of time unless revoked by the Minister of Industry, Trade and Commerce.
 - Yes.
 - A license may be extended by an amendment to the permit.
- 15. - No.
- 16. - No. The transfer of permits is prohibited by Section 16 of the Export and Import Permits Act.
- 17. (a) - If the product is subject to quota there may be quantitative and other restrictions.
 - (b) - Not applicable (see 10)

Other procedural requirements:

- 18. There may be other administrative procedures required by Customs.
- 19. - Not applicable.