

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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TRADE RESTRICTIONS ON ARTIFICIAL LIMBS AND ORTHOPAEDIC APPLIANCES

Request for the submission of information on customs duties and trade restrictions

The following replies have been received from the Governments of France, New Zealand, Norway and the Federation of Rhodesia and Nyasaland.

F R A N C E

1. Import duties

"Item 90-19 of the French customs tariff:

Orthopaedic appliances, surgical belts, trusses and the like; artificial limbs, eyes, teeth and other artificial parts of the body; deaf aids; splints and other fracture appliances:

- A. Orthopaedic appliances, including dental appliances 20%
- B. Artificial limbs, eyes, teeth and other artificial parts of the body:
 - Dental:
 - (a) Artificial teeth. 25%
 - (b) Other. 25%
 - Ocular. 15%
 - Other. 25%
- C. Deaf aids. 15%
- D. Splints and other fracture appliances. 20%

2. Suspension of duties:

"The duty rates quoted above are applied in full.

3. Import restrictions:

"The import system applicable to goods included in item 90-19 is as follows:

(a) Imports liberalized for OEEC countries

Sub-items A and D are liberalized for imports from OEEC countries, subject to presentation at the customs office of an "automatic licence" obtained from the Exchange Bureau.

The special temporary compensation tax is levied at the rate of 15 per cent on sub-items A and D in accordance with the Law of 17 August 1948, the Decree of 17 April 1956 and the Order of 15 March 1957.

An import licence is still required for such goods when imported from countries not members of the OEEC. These licences must be requested from the Exchange Bureau. Unlike the "automatic licence", they are only issued within quota limits.

(b) Non-liberalized imports

Sub-items B and C are not liberalized, i.e. an import licence issued by the Exchange Bureau is required for goods from any source (see (a) above, last paragraph).

In addition, an internal tax, the tax on added value, is levied by the customs at the rate of 24 per cent on all imports of goods included in item 90-19. This tax is also levied on such goods when manufactured in France.

Finally, the stamp tax is also levied, at the rate of 3 per cent of the amount of customs duty paid.

4. Formalities

No reply.

5. Statistical information:

"French imports in 1955

French import statistics for 1955 are based on the 1947 customs tariff and not on the 1956 tariff in which item 90-19 appears.

Goods covered by tariff item 90-19 were included in the 1947 tariff under the following items:

Item 1739: Electrical deaf aids

Total imports:	\$282,000
of which Denmark	30,000
Great Britain	100,000
Netherlands	66,000
United States	75,000

Items 1888 and 1889: Fracture appliances

Total imports:	\$12,000
of which Germany	6,000

Item 1895 B: Artificial eyes

Total exports:	\$100
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Item 1895 C: Other artificial parts of the body

Total exports:	\$3,000
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Possible modifications of the present system

"France is not in a position to consider removing the protection afforded to its domestic producers of orthopaedic appliances and prostheses."

NEW ZEALAND1. Import Duties:

<u>"Item No.</u>	<u>Item</u>
134(1)(a)	Appliances (including splints) for wear, even if medicated, peculiarly adapted to correct a deformity of the human body, to afford support to an abnormal condition of the human body, or to alleviate such condition, or to substitute any part of such body; stump socks; crutches, ear trumpets.

Duty: Free of duty from all sources.

Note: These goods are also exempted from the internal sales tax.

2. Suspension of Duties:

"Not applicable since the appliances are free of duty from all sources.

3. Import Restrictions:

"Item 134(1)(a) - Free of import control from all sources.

4. Formalities:

"The only formalities in the importation of these appliances are those connected with the necessity to enter them through the Customs.

5. Statistical Information:

"(a) Imports during 1955:

Current Domestic Value in the
country of export expressed in
US Dollars.

United Kingdom	142,069
Canada	118
Australia	8,781
Denmark	325
Germany - Federal Republic	1,312
Netherlands	717
United States	<u>87,497</u>
	<u>240,819</u>

(b) Exports during 1955:

Nil

(c) National Production:

There is some national production but no statistics are available.

"The New Zealand Government views with sympathy the proposals of the Council of Europe and the World Health Organization."

N O R W A Y

1. Import duties:

"There is no specific item in the Norwegian Customs Tariff for artificial limbs and orthopaedic appliances. For customs purposes these products are treated according to their nature. As the majority of the products in question are composed wholly or in part of leather, practice has tended to classify them under item 821 with a duty of sh.6, per kg. The incidence is very low on account of the rather high value. Artificial limbs and crutches of steel are classified under item 622 with a duty of sh.1.5d. per kg.

"If artificial limbs and orthopaedic appliances are composed of parts which are not specifically mentioned in the tariff they fall under item 1025 - all other articles - with a duty of 30 per cent ad valorem. The Ministry of Finance is authorised to grant duty-free entry for articles under this item when appropriate.

2. Suspension of duties:

"The Ministry of Finance is authorised to grant duty-free import or import at a reduced rate on application for all imported goods. In exceptional cases the Ministry has accorded such treatment for artificial limbs and orthopaedic appliances.

3. Import restrictions and 5. Statistical information:

"The products in question are classified under a variety of items so that reliable import statistics are difficult to procure. As far as can be seen these products and parts thereof are in the main not subject to import restrictions. In principle import regulations do not include artificial limbs and similar appliances.

4. Formalities:

"There are no other trade or customs regulations in force for these products.

"The import of artificial limbs and orthopaedic appliances is practised in such a liberal way that the rates of duty and other restrictions are reduced to a minimum. The Norwegian Government considers, therefore, that it has taken every possible step to facilitate the import of these products."

FEDERATION OF RHODESIA AND NYASALAND

1. Import Duties:

"In all indentifiable cases orthopaedic equipment, etc., would fall under Federal tariff items 329(1), (4), (5) and (6), or tariff item 251(c), all of which are duty-free from any source. The wording of these tariffs is quoted below for easier reference:-

- 329. (1) Surgical, medical, dental, ophthalmic, physiotherapeutic and veterinary apparatus, appliances and instruments, for use in the diagnosis, prevention or treatment of disease or affections of the human or animal body.
 - (4) Artificial limbs, artificial eyes and artificial teeth not set up; contact lenses and spectacles for sight correction, including frames and lenses for such spectacles; aids to hearing for the partially deaf, but not including batteries therefor imported separately.
 - (5) Invalid chairs, mechanically propelled or otherwise.
 - (6) Chiropractic adjusting tables.
251. Footwear:
- (c) Surgical.

"In addition, importations by hospitals fall under Federal tariff item 326, which also provides for duty-free importation from all sources.

2. Suspension of Duties:

"In view of the tariff provisions as detailed in 1 above, no answer is required to this question.

3. Import Restrictions:

"Imports of goods originating in the sterling area are not subject to control. Imports of non-sterling origin are dealt with as follows:-

(i) OECD Countries:

Open General Licences;

(ii) Dollar Countries:

Unrestricted (i.e. licences are automatically issued on demand, and are not subject to any quota or other limitation);

(iii) Other Sources:

A formal import control applies, but no applications for import licences for the goods in question have been refused.

4. Formalities:

"The normal requirements of the Bill of Entry refer; in the case of private importations a receipt in the form 49 takes the place of the normal Bill of Entry, thus further facilitating, to the maximum extent possible, the importation of the goods in question.

5. Statistical Information:

"The Federation's imports and exports, by countries, of the items detailed in 1 above are shown below. Separate figures of the trade in items 329(4), (5) and (6) are not available; and the statistics for this group include also talking book machines and other articles specially designed for the use and advancement of the blind (these fall under tariff item 329 (7), and are also admitted duty-free from all sources).

"From the information detailed above, it will be seen that the Federation already grants to imports of artificial limbs and orthopaedic appliances, the maximum freedom as regards customs duties, prohibitions, restrictions, and import formalities."

I M P O R T S

<u>COMMODITY AND COUNTRY OF ORIGIN</u>	1955.	1956.
	f.o.b. Value	
<u>Tariff Item 327(1) : Surgical, Medical and Dental instruments and apparatus:</u>		
	L	L
United Kingdom	191,812	222,103
Canada	2,376	3,192
Australia	800	750
Union of South Africa	52,115	55,825
Belgium	663	900
France	668	1,048
German Federal Republic	9,148	14,071
Netherlands	1,246	1,601
Italy	1,912	3,777
Sweden	1,517	4,000
Switzerland	2,361	3,986
United States	18,255	35,915
Other Countries	472	610
TOTAL:	283,345	347,778
<u>Tariff Item 329(4), (5), (6) and (7):</u> <u>Artificial limbs, eyes, teeth, etc.;</u> <u>Invalid chairs; Chiropractic adjusting</u> <u>tables and talking book machines for</u> <u>the use of the blind:</u>		
United Kingdom	18,781	20,423
Australia	701	645
British West Indies	414	-
Union of South Africa	14,409	16,806
German Federal Republic	1,189	2,064
Netherlands	2	866
United States	1,461	526
Other Countries	784	1,918
TOTAL:	37,741	43,248
<u>Tariff Item 251(c) : Surgical Footwear:</u>		
United Kingdom	53	135
Union of South Africa	256	227
United States	32	29
TOTAL:	341	391

EXPORTS

<u>COMMODITY AND COUNTRY OF DESTINATION</u>	<u>DOMESTIC EXPORTS</u>		<u>RE-EXPORTS</u>	
	1955.	1956.	1955.	1956.
	f.c.r. Value			
<u>Tariff Item 329(1) : Surgical, Medical Dental instruments and apparatus:</u>	£	£	£	£
United Kingdom	2	3	263	2,476
Union of South Africa	113	6	2,920	4,671
Bechuanaland	8	-	117	202
Mozambique	-	-	796	177
Other Countries	-	-	64	482
TOTAL:	123	9	4,160	8,008
<u>ARTICLE AND COUNTRY OF DESTINATION</u>	<u>DOMESTIC EXPORTS</u>		<u>RE-EXPORTS</u>	
	1955.	1956.	1955.	1956.
	f.c.r. Value			
<u>Tariff Item 329(4), (5), (6) and (7): Artificial limbs, eyes, teeth, etc.; Invalid chairs; Chiropractic adjusting tables and talking book machines for the use of the blind:</u>	£	£	£	£
United Kingdom	4	8	164	689
Australia.	-	-	396	-
Union of South Africa	68	55	-	3,769
Bechuanaland.	116	53	-	15
Other Countries.	26	24	-	762
TOTAL:	214	140	560	5,235
<u>Tariff Item 251(c) : Surgical Footwear:</u>				
United Kingdom.	-	-	8	20
Union of South Africa	-	-	4	-
Other Countries.	-	-	-	2
TOTAL:	-	-	12	22