

RESTRICTED

GENERAL AGREEMENT ON
TARIFFS AND TRADE

L/1899

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CONTRACTING PARTIES
Twentieth Session

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UNITED STATES RE COURSE TO ARTICLE XXIII WITH
REGARD TO FRENCH IMPORT RESTRICTIONS

Note by the United States Delegation

1. The Government of the United States is requesting that the CONTRACTING PARTIES consider pursuant to paragraph 2 of Article XXIII of the General Agreement import restrictions applied by the Government of France to products on which the European Economic Community has given tariff concessions to the United States in the recently concluded negotiations under the GATT.
2. The United States considers that these restrictions impair or nullify tariff concessions recently negotiated between the United States and the EEC within the meaning of Article XXIII. The United States considers also that these restrictions are applied in contravention of Article XI of the General Agreement, and hence deny to affected United States exporters the benefits of the General Agreement.
3. The attached annex contains a list of the products subject to restrictions on being imported into France from the United States, and on which the European Economic Community has given tariff concessions to the United States. France has notified these restrictions to the GATT secretariat. They appear in document L/1764 of 29 May 1962.
4. In several important cases the import restrictions have the effect of practically embargoing imports from the United States. In three cases the restrictions discriminate de jure against trade from the dollar area. In other cases, there is de facto discrimination since imports are admitted from other countries but prohibited from the United States.
5. The restrictions complained of have been carried forward from the period prior to June 1960, when the Government of France ceased to apply import restrictions for balance-of-payments reasons. In the interval since June 1960

the Government of the United States has made numerous bilateral representations seeking the relaxation of remaining import restrictions and, together with other interested contracting parties, consulted with the Government of France concerning import restrictions at Geneva, 4-6 April 1961 under paragraph 1 of Article XXII.

6. The United States Government considers that import restrictions applied by France are among those applied without authorization under the General Agreement. Accordingly, the United States Government made written representations to the Government of France on 3 May 1962, pursuant to the provisions of paragraph 1 of Article XXIII, asking about plans for the removal of import restrictions on products shown in the Annex. Satisfactory adjustment of the problem was not reached as a result of the written representations.

7. Accordingly the United States Government is requesting that the CONTRACTING PARTIES consider this matter pursuant to paragraph 2 of Article XXIII, and that they make appropriate findings under the Agreement.

ANNEX

Tariff Concession Items Subject to Restrictions on
Being Imported into France from the United States

<u>Tariff classification No.</u>	<u>Item</u>
07.04	Dried and dehydrated vegetables
08.05 B	Walnuts
08.06 A IIa	Fresh apples
08.06 A IIb	Fresh apples
08.06 B I	Fresh pears
08.06 B II	Fresh pears
08.12 B	Dried peaches
08.12 C	Prunes, packaged for retail
08.12 D	Dried apples and pears
08.12 E II	Mixtures with prunes
12.01 D	Soybeans
12.01 F	Linseed
12.01 exG	Cotton seed
12.06	Hop cones and lupulin
15.01	Rendered pig fat, industrial except for making foodstuffs
15.03 exB I	Tallow oil
15.04 exB	Menhaden oil
15.07 B Ia	Castor oil for industrial use
15.07 B I ex B	Crude linseed oil
15.07 B II exC	Cotton or soybean oil
15.07 B II exC	Cotton and soybean oil other than crude
16.02 B I	Other prepared or preserved meat or meat offals
17.04	Chewing gum
20.02	Preserved tomato products
20.02 D	*Canned asparagus
20.03	Frozen fruit with sugar
20.06 B	Canned fruit
20.07 A I	Grape juice
20.07 B II	Orange juice
20.07 B III	*Pineapple juice
20.07 B IV	*Apple and pear juice
20.07 B V	Tomato juice
20.07 B VI	Other concentrated fruit juices
20.07 B VII a	Fruit juice mixtures (citrus and pineapple)
20.07 B VII c	Other juice mixtures (mainly citrus)
27.14	Petroleum bitumen, petroleum coke, and other petroleum and shale oil residues

* Discrimination against dollar area.

<u>Tariff classification No.</u>	<u>Item</u>
34.03 A	Lubricating preparations consisting of mixtures of oils or fats or of mixtures with a basis of oils or fats, containing less than 70 per cent by weight of petroleum or shale oils
Ex 34.04 B I	Prepared waxes not emulsified or containing solvents: with a basis of products falling within sub-headings No. 27-13 B I and II
85.15 c II a	Assemblies of parts of radio electric apparatus containing elements falling within paragraph 85-21 C
85.21 C	Crystal diodes, crystal triodes, etc., including transistors
85.21 E I	Parts of diodes, triodes, etc., falling within 85.21 C
88.02	Airplanes, flying boats, kites, gliders, auto-gyros, helicopters, rotachutes, etc.
88.03 B	Parts of articles falling within headings No. 88-01 and 08-02