

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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SPAIN - TARIFF TREATMENT OF UNROASTED COFFEE

Brazil - Request for Consultations under Article XXIII:1

The following communication, dated 18 February 1980, has been received from the Brazilian Permanent Delegation, with the request that it be circulated to contracting parties.

1. I am instructed by my Government to request consultation with Spain under Article XXIII:1 of the GATT, on the tariff treatment for imports of unroasted non-decaffeinated unwashed arabica coffee into Spain, as provided for in "Real Decreto" 1764/1979, of 8 July 1979, which, as indicated in GATT document L/4832, Brazil considers to be discriminatory against imports of coffees originating in, and produced by Brazil.
2. The above request is based upon the claim by the Government of Brazil that the "Real Decreto" 1764/1979, by providing such discriminatory tariff treatment for different groups of coffee, is in violation of Article I:1 of the GATT, in as much as it constitutes an infringement of the obligation to accord MFN treatment to the like product originating in the territories of all contracting parties and thus, under Article XXIII:1(a), constitutes a prima facie case of nullification or impairment and impedes the attainment of the objective of non-discrimination of the General Agreement.
3. In view of the above, the Brazilian Government expresses the hope that, as a result of the consultation under Article XXIII:1 that I am now requesting to be held at the earliest convenience, the Spanish Government will act promptly to bring the tariff treatment for imports of unroasted coffee into Spain into conformity with the provisions of Article I:1 of the General Agreement.

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