

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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EEC - IMPORTS OF POULTRY FROM THE UNITED STATES

Recourse to Article XXIII:2 by the United States

The following communication dated 29 September 1980 has been received from the United States Trade Representative in Geneva with the request that it be circulated to contracting parties.

Since 1 May 1980 the United Kingdom has prevented the importation into the United Kingdom of United States poultry not in compliance with Statutory Instrument 1979, Number 693, Schedule I, Part II. (This instrument implements EC Directive 71/118 as supplemented by EC Directive 78/50.) At the same time, poultry produced in the United Kingdom has not been required to comply with this statutory instrument because United Kingdom plants have received a derogation from the instrument until 15 August 1982.

The United States considers that benefits accruing to it under the General Agreement are being nullified and impaired as a result of this discriminatory action by the United Kingdom. In particular, the United States considers the United Kingdom action to be a violation of GATT Article III. As a result of the United Kingdom action, United States poultry exports to the United Kingdom have been sharply reduced since 1 May 1980.

Pursuant to Article XXIII:1, the United States has made written representations to, and held consultations with, the United Kingdom and the European Communities with a view to arriving at a satisfactory adjustment of the matter. These consultations have not, however, led to a satisfactory adjustment of the matter.

The United States, therefore, requests, pursuant to Article XXIII:2, that a panel be established by the CONTRACTING PARTIES to examine this matter and to make such findings as will assist the CONTRACTING PARTIES in making recommendations and rulings as appropriate.

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