

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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## EUROPEAN ECONOMIC COMMUNITIES - IMPORT RESTRICTIVE MEASURES ON VIDEO TAPE RECORDERS

### Recourse to Article XXIII:1 by Japan

The following communication, dated 21 December 1982, has been received from the Permanent Mission of Japan.

1. On 22 October 1982 the French Government announced in its official journal (Journal Officiel) that customs clearance for video tape recorders (tariff No. 92.11 B, hereinafter referred to as "VTRs") would thereafter be effected solely at the customs house in Poitiers. Since that date suppliers have been denied access to customs procedures at such places as the port of Le Havre and Charles de Gaulle Airport where clearance had been effected previously, and have been forced to transport all their products a considerable distance inland to the customs house in Poitiers for clearance. In addition to the physical limitation in clearance capacity at this small customs house, actual clearance of VTRs at Poitiers has been conducted in such a manner as to cause undue delay.
2. As a result, French imports of VTRs from Japan have declined drastically - from 53,013 sets during the month of August according to French statistics to 14,500 sets during the period 22 October-7 November, and to 900 sets during the period 8 November-30 November (the latter two figures are Japanese statistics). Suppliers have suffered financial losses such as additional costs of transportation to Poitiers and increased warehouse charges resulting from accumulating stocks awaiting customs clearance. It is clear from the foregoing that this series of measures recently taken by the French Government have a restrictive effect on the importation of VTRs.
3. The Government of Japan believes that these French measures with respect to VTRs constitute a violation of Article XI:1 of the General Agreement providing for the elimination of quantitative restrictions, and also are inconsistent with Article VIII:1(c) which provides for the need for minimizing the incidence and complexity of import and export formalities. It considers that these measures constitute a prima facie case of nullification and impairment of the benefits accruing to Japan under the GATT.
4. In view of the above, Japan hereby requests prompt consultations with the Commission of the European Communities under GATT Article XXIII:1 with a view to the satisfactory solution of this matter through the immediate withdrawal of the French measures.

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