

**GENERAL AGREEMENT ON  
TARIFFS AND TRADE**

RESTRICTED

L/6131

20 February 1987

Limited Distribution

---

Original: French

UNITED STATES - CUSTOMS USER FEE

Recourse to Article XXIII:2 by the European Economic Community

The following communication dated 19 February 1987 has been received from the Commission of the European Communities with the request that it be circulated to contracting parties and that the matter be placed on the Agenda of the Council meeting scheduled for 4 March 1987.

---

The European Economic Community wishes to refer to the CONTRACTING PARTIES, in pursuance of Article XXIII:2 of the General Agreement, the application of customs user fees on imports as from 1 December 1986 by the Government of the United States under the Omnibus Budget Reconciliation Act of 1985, as amended by the Tax Reform Act of 1986 and the Omnibus Budget Reconciliation Act of 1986.

The European Economic Community considers that this customs user fee, calculated on an ad valorem basis, is not consistent with the obligations of the United States under Articles II and VIII of the General Agreement.

This measure, which has a negative effect on Community exports to the United States market, has been the subject of recent consultations with the United States under Articles XXII:1 and XXIII:1. These consultations have not led to a satisfactory settlement of the matter.

Accordingly, the European Economic Community requests that the Council of Representatives, at its meeting on 4 March 1987, establish a panel to examine the matter, under Article XXIII:2 of the General Agreement.