

GENERAL AGREEMENT ON

RESTRICTED

TARIFFS AND TRADE

DS20/2

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EEC - RESTRICTIONS ON IMPORTS OF PORK AND BEEF
UNDER THIRD COUNTRY MEAT DIRECTIVE

Request for the Establishment of a Panel
under Article XXIII:2 by the United States

The following communication, dated 7 June 1991, has been received from the United States Trade Representative in Geneva, with the request that it be circulated to contracting parties and inscribed on the Agenda for the Council meeting of 10 July.

Pursuant to the request of the United States (circulated in GATT document DS20/1), consultations under Article XXIII:1 of the General Agreement were held in November 1990 between the United States and the European Community regarding restrictions maintained by the European Community which effectively ban the importation of U.S. meat into the Community. These and subsequent bilateral consultations have not resulted in a satisfactory resolution of the matter.

Under Council Directive 72/462/EEC, as amended (the Third Country Directive), the European Community has prohibited the importation of certain United States meat. An analysis of the Third Country Directive shows that it and the import prohibition are inconsistent with the obligations of the European Community under the General Agreement, including Articles I and III or XI, and possibly others.

Therefore, the United States requests that, pursuant to Article XXIII:2 of the General Agreement and to paragraph F(a) of the Improvements to the GATT Dispute Settlement Rules and Procedures (L/6489), the Council establish a dispute settlement panel to determine whether benefits accruing to the United States under the General Agreement are nullified or impaired as a result of practices maintained by the European Community with respect to the importation of meat from the United States, pursuant to the EC Third Country Directive.

The United States is prepared to continue to work with the European Community to reach a mutually satisfactory solution of this matter.