

<p>Guatemala Cargo Preference (301-1)</p>	<p>Delta Steamship Lines, Inc. filed a petition on July 1, 1975, alleging that Guatemala's requirement 'mandating certain cargo to Guatemala or associated line carriers' constituted a discriminatory shipping practice (40 FR 29134).</p>	<p>STR completed public hearings on Sept. 26, 1975. Following bilateral negotiations between petitioner and National Shipping Line of Guatemala, petitioner withdrew the petition. STR terminated the investigation on June 29, 1976 (41 FR 26758).</p>
<p>Canada Egg Quota (301-2)</p>	<p>United Egg Producers and American Farm Bureau Federation filed petitions on July 17 and 21, 1975, alleging that a Canadian quota on the importation of US eggs constituted an unfair trade practice (40 FR 33749).</p>	<p>As a result of bilateral negotiations, Canada approximately doubled its quota for imports of US eggs. STR terminated the investigation on March 14, 1976 (41 FR 9430).</p>
<p>EC Supplementary Levies on Egg Imports (301-3)</p>	<p>Seymour Foods, Inc. filed a petition on Aug. 7, 1975, alleging that changes in the EC's supplementary levies on imports of egg albumin impaired the ability of US exporters to contract for sales in the EC (40 FR 34649).</p>	<p>Following informal consultations, supplementary levies were replaced with increased import charges. However, since US exports of egg albumin steadily increased, the Section 301 Committee determined that no further action was necessary. STR terminated the investigation on July 21, 1980 (45 FR 48758).</p>
<p>EC Minimum Import Price & License/Surety Deposit Systems on Canned Fruits, Juices and Vegetables (301-4)</p>	<p>The National Cannery Association filed a petition on Sept. 22, 1975, alleging that the EC's minimum import prices and an import license/surety deposit system with respect to canned fruits, juices and vegetables constituted an unfair trade practice (40 FR 44635).</p>	<p>STR initiated an investigation and held public hearings on Nov. 17, 1975. Consultations under GATT Art. XXIII:1(c) were held March 29, 1976. A GATT panel was appointed under Art. XXIII:2. As a result of the panel's report, the EC discontinued use of minimum import price mechanism. STR terminated the investigation on Jan. 5, 1979 (44 FR 1504).</p>

<p>EC Subsidies of Malt Exports (301-5)</p>	<p>Great Western Malting Company filed a petition on Nov. 13, 1975, alleging EC subsidies on malt to third countries (40 FR 54311).</p>	<p>In 1976, the EC reduced the subsidy. STR terminated the investigation on the advice of the Section 301 Committee and with petitioner's agreement on June 19, 1980 (FR 41558).</p>
<p>EC Export Subsidies on Wheat Flour (301-6)</p>	<p>Millers' National Federation filed a petition on Dec. 1, 1975, alleging violation by the EC of GATT Art. XVI:3 in using export subsidies to gain more than an equitable share of world export trade in wheat flour (40 FR 57249).</p>	<p>STR initiated an investigation on Dec. 8, 1975. Consultations under GATT Art. XXII:1 were held in 1977 and 1980, and technical discussions followed in 1981. On Aug. 1, 1980, the President directed USTR to pursue dispute settlement (45 FR 51169). The Subsidies Code dispute settlement process was initiated on Sept. 29, 1981. The Subsidies Code panel (established on Jan. 22, 1982) issued its conclusions on Feb. 24, 1983. The Code Committee considered the panel report on April 22, May 19, June 10, and Nov. 17, 1983. The issues raised by the panel report are the subject of Uruguay Round negotiations.</p>
<p>EC Variable Levy on Sugar Added to Canned Fruits and Juices (301-7)</p>	<p>The National Canners Association filed a petition on March 30, 1976, alleging that sudden changes in the variable levy assessed on sugars added to canned fruits and juices by the EC constitute unjustifiable and unreasonable import restrictions and impair the value of GATT-bound tariff rates to the US (41 FR 15384).</p>	<p>Following consultations during the MTN, the parties reached an agreement on July 11, 1979, which changed the variable levy to a fixed 2% levy on sugar added. USTR terminated the investigation with the advice of the Section 301 Committee and petitioner's agreement on June 18, 1980 (45 FR 41254).</p>

<p>EC Livestock Feed Mixing Requirement (301-8)</p>	<p>The National Soybean Processors Association and the American Soybean Association filed a petition on March 30, 1976, alleging that the EC's requirement that livestock feed be mixed with domestic nonfat milk constituted an unfair trade practice since it displaced other protein sources such as soybeans and cake imported primarily from the US (41 FR 15384).</p>	<p>STR initiated an investigation, and held a public hearing on June 22, 1976. The GATT panel appointed under Art. XXIII:2 met in February and March 1977. In the interim, the EC terminated its system. STR terminated the investigation on Jan 5, 1979 (44 FR 1504).</p>
<p>Republic of China Tariffs on Major Home Appliances (301-9)</p>	<p>Charles C. Rehfeldt, Executive Vice-President of Lai Fu Trading Co., Ltd., filed a petition on March 15, 1976, alleging unfair trade practices by the Republic of China, in the form of confiscatory tariff levels on imports of major home appliances (41 FR 15452).</p>	<p>STR held public hearings on May 18, 1976. The Republic of China reduced subject duties. STR terminated the investigation on Dec. 1, 1977 (42 FR 61103).</p>
<p>EC and Japan Diversion of Steel to US (301-10)</p>	<p>The American Iron and Steel Institute filed a petition on Oct. 6, 1976, alleging that the EC and Japan had engaged in an unfair trade practice by agreeing to divert significant quantities of Japanese steel exports to the US (41 FR 45628).</p>	<p>STR held public hearings on Dec. 9, 1976. STR terminated the investigation on Jan. 30, 1978, on the ground that there was not sufficient justification to the claim that the EC-Japan agreement created an unfair burden on the US (43 FR 3962).</p>

<p>EC Citrus Tariff Preferences for Certain Mediterranean Countries (301-11)</p>	<p>Florida Citrus Commission et al. filed petitions on Nov. 12, 1976, alleging that the EC's preferential tariffs on orange and grapefruit juices and fresh citrus fruits from certain Mediterranean countries have an adverse effect on US citrus exports to the EC (41 FR 52567).</p>	<p>STR initiated an investigation on Nov. 30, 1976, and held public hearings on Jan. 25, 1977. During the MTN, the US obtained duty reductions on fresh grapefruit only. GATT Art. XXII:1 consultations were held in October 1980, followed by informal discussions. Formal consultations under GATT Art. XXIII:1 were held April 20, 1982. Conciliation efforts in September 1982 failed. On Nov. 2, 1982, the GATT Council agreed to establish a panel. The panel composition and terms of reference of the panel took some months to resolve. The panel met on Oct. 31 and Nov. 29, 1983, and Feb. 13 and Mar. 12, 1984. The factual portion of the panel report was submitted to the parties on Sept. 27. The full report was submitted on Dec. 14, 1984.</p> <p>The GATT Council considered the panel's findings and recommendations on March 12 and April 30, 1985, but the EC blocked any action. On April 30, the US considered the dispute settlement concluded. On May 10 USTR held a public hearing on the substance of our recommendations to the President (50 FR 15266). USTR transmitted his recommendation on May 30, and on June 20 the President determined that the EC</p>
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<p>Brazil, Korea and PRC Thrown Silk Agreements with Japan (301-12)</p>	<p>George F. Fisher, Inc. filed a petition on Feb. 14, 1977, alleging that Japanese agreements with Brazil, Korea and the PRC permitting imports of thrown silk effectively prevented the entry of such imports from the United States, and that this constituted discriminatory conduct (40 FR 11935).</p>	<p>STR held a public hearing on March 29, 1977. Following the failure of accelerated discussions with Japan, the US filed a complaint under GATT XXIII:2. A dispute settlement panel heard the case in the fall, 1977. Before the GATT panel issued its report, Japan adjusted the restrictions. STR terminated the investigation on March 3, 1978 (43 FR 8876).</p>
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<p>Japan Leather (301-13)</p>	<p>The Tanners Council of America filed a petition on Aug. 4, 1977, alleging violation by Japan of GATT Art. XI in imposing quantitative restrictions on imports of leather from the U.S., and excessively high tariffs (42 FR 42413).</p>	<p>STR initiated an investigation on Aug. 23, 1977. The US consulted with Japan under GATT Art. XXIII:1 in January 1979, which resulted in an understanding to expand the quota on imported leather. In light of this understanding, the President decided not to take retaliatory action; however, on Aug. 1, 1980 (45 FR 51171), he directed USTR to monitor implementation of the understanding.</p> <p>Since the results of the 1979-82 bilateral leather understanding were unsatisfactory, USTR pursued GATT dispute settlement. The US and Japan consulted under GATT Art. XXIII:1 on Jan. 27-28, March 30 and April 12, 1983. A dispute settlement panel under GATT Art. XXIII:2 was authorized on April 20, 1983. That panel heard the case in the fall and winter of 1983-84. In February 1984, the panel found that Japan's leather quotas violated GATT Art. XI and caused nullification or impairment of US GATT benefits. The GATT Council adopted the panel report on May 16, 1984. The US rejected as inadequate Japan's mid-1985 proposal to replace the quota by a high tariff.</p> <p>On Sept. 7, 1985, the President directed USTR to</p>
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<p>USSR Marine Insurance (301-14)</p>	<p>The American Institute of Marine Underwriters filed a petition on Nov. 10, 1977, alleging that the USSR unreasonably required that marine insurance on all trade between the US and the USSR be placed with a Soviet state insurance monopoly (43 FR 3635).</p>	<p>In June 1978, the President determined that the Soviet practice is unreasonable (43 FR 25212). On July 12, 1979, USTR suspended the investigation pending review of the operation of the U.S.-Soviet agreement (44 FR 40744). The suspension remains in effect (45 FR 49428).</p>
<p>Canada Border Broadcasting (301-15)</p>	<p>Certain US television licensees filed a petition on Aug. 29, 1978, alleging that certain provisions of the Canadian Income Tax Act were unreasonable in denying tax deductions to any Canadian taxpayer for advertising time purchased from a U.S. broadcaster for advertising aimed at the Canadian market, when deductions were granted for the purchase of advertising time from a Canadian broadcaster (43 FR 39610).</p>	<p>STR held public hearings in November 1978 and July 1980. The President determined on Aug. 1, 1980, that the most appropriate response was legislation to mirror in US law the Canadian practice (45 FR 51173). That proposal was sent to Congress on Sept. 9, 1980, and again in November 1981. Legislation was enacted on Oct. 30, 1984. Trade and Tariff Act of 1984, Sec. 232, Pub. L. No. 98-573.</p>
<p>EC Wheat Export Subsidies (301-16)</p>	<p>Great Plains Wheat, Inc. filed a petition on Nov. 2, 1978, alleging that EC export subsidies were enabling exports of wheat from the EC to displace US exports in third country markets (43 FR 59935).</p>	<p>STR held public hearings in February 1979, and consulted with the EC in July 1979. Both parties agreed to monitor developments in the wheat trade, exchange information, and consult further to address any problems that might arise. USTR terminated the investigation on Aug. 1, 1980 (45 FR 49428).</p>

<p>Japan Cigars (301-17)</p>	<p>The Cigar Association of America, Inc. filed a petition on March 14, 1979, alleging that Japan imposes unreasonable import restrictions, internal taxes or charges on imports in excess of those placed on domestic products, and discriminatory restrictions on the marketing, advertising, and distribution of imported cigars (44 FR 19083).</p>	<p>During panel deliberations under GATT Art. XXIII:2 in March 1980, Japan repealed its internal tax on imported cigars and applied an import duty of 60% ad valorem. Prior to completion of panel action, the US and Japan reached agreement that liberalized market restrictions and reduced the import duty. USTR terminated the investigation on Jan. 6, 1981 (46 FR 1389). GATT proceedings terminated in April 1981.</p>
<p>Argentina Marine Insurance (301-18)</p>	<p>The American Institute of Marine Underwriters filed a petition on May 25, 1979, alleging that Argentina's requirement that marine insurance on trade with Argentina be placed with an Argentine insurance firm is unreasonable and burdens US commerce (44 FR 32057).</p>	<p>STR initiated an investigation on July 2, 1979, and held a public hearing on Aug. 29, 1979. Upon Argentina's commitment to participate in multilateral negotiations, a goal of which was the elimination of restrictive practices in the insurance sector, USTR suspended the investigation on July 25, 1980 (45 FR 49732).</p>
<p>Japan Pipe Tobacco (301-19)</p>	<p>The Associated Tobacco Manufacturers filed a petition on Oct. 22, 1979, alleging that Japan set unreasonable prices for imported pipe tobacco and restricted its distribution and advertising (44 FR 64938).</p>	<p>In November 1979, USTR consolidated this case with 301-17 alleging identical practices with respect to cigars. USTR terminated the investigation on Jan. 6, 1981 (46 FR 1388).</p>

<p>Korea Insurance (301-20)</p>	<p>The American Home Assurance Company filed a petition on Nov. 5, 1979, alleging that the Republic of Korea was discriminating against petitioner by failing to issue a license permitting petitioner to write insurance policies covering marine risks; not permitting petitioner to participate in joint venture fire insurance; and failing to grant retrocessions from Korea Reinsurance Corp. to petitioner on the same basis as Korean insurance firms (44 FR 75246).</p>	<p>On Dec. 19, 1979, USTR initiated an investigation. On Nov. 26, 1980, USTR invited public comments on, inter alia, proposals for retaliation (45 FR 78850). Beginning in June 1980, several rounds of consultations were held, resulting in Korea's commitment to promote more open competition in the insurance market. Upon withdrawal of the petition on Dec. 19, USTR terminated the investigation on Dec. 29, 1980 (45 FR 85539). See Docket No. 301-51.</p>
<p>Switzerland Eyeglass Frames (301-21)</p>	<p>Universal Optical Co., Inc. filed a petition on Dec. 6, 1979, alleging that the Swiss Customs Service engaged in unreasonable practices by requiring an assay to be done to determine the gold content of the trim in eyeglass frame examples before their importation (45 FR 7654).</p>	<p>Petitioner withdrew its petition on Nov. 10, 1980. USTR terminated the investigation on Dec. 11, 1980 (45 FR 81703).</p>

<p>EC Sugar Export Subsidies (301-22)</p>	<p>Great Western Sugar Company filed a petition on Aug. 20, 1981, alleging EC violation of GATT Art. XVI and the Subsidies Code in using export subsidies to obtain more than an equitable share of world export trade in sugar (46 FR 49697).</p>	<p>USTR initiated an investigation on Oct. 5, 1981, and held a public hearing on Nov. 4, 1981. The US consulted with the EC under Art. 12:3 of Subsidies Code on Feb. 16, 1982. The conciliation phase was completed by April 30, 1982. USTR submitted a recommendation to the President on June 7, 1982. On June 28, 1982, the President directed USTR to continue international efforts to eliminate or reduce EC subsidies (47 FR 28361).</p> <p>On July 29, 1987 the petitioners requested that the investigation be reactivated. USTR denied their request; agricultural export subsidies are being addressed in the Uruguay Round negotiations.</p>
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<p>EC Poultry Export Subsidies (301-23)</p>	<p>The National Broiler Council filed a petition on Sept. 17, 1981, alleging EC violation of GATT Art. XVI and the Subsidies Code in using export subsidies that displace US poultry exports to third country markets (46 FR 54831).</p>	<p>USTR initiated an investigation on Oct. 28, 1981. Consultations with the EC under Art. 12:3 of the Subsidies Code were held Feb. 16, 1982. On June 11, the US submitted requests for information under Art 17 of the Code to the EC and Brazil. USTR submitted a recommendation to the President on June 28, 1982. On July 12, the President directed expeditious examination of Brazilian subsidies (47 FR 30699). The US informally consulted with Brazil on Aug. 30, 1982, and additionally consulted with the EC on Oct. 7, 1982. Formal Art. 12 consultations with Brazil were held April 1, 1983, and the US met again with the EC and Brazil on June 23. Since these consultations did not resolve the problem, the US requested conciliation. The Subsidies Code Committee held the first conciliation meeting on Nov. 18, 1983. Conciliation continued on April 4, May 4, June 20, and Oct. 16, 1984. No further action has taken place in the Subsidies Code Committee; agricultural export subsidies are being addressed in the Uruguay Round negotiations.</p>
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<p>Argentina Hides (301-24)</p>	<p>The National Tanners' Council filed a petition on Oct. 9, 1981, alleging breach by Argentina of a U.S.-Argentina hides agreement, and unreasonable restrictions on commerce imposed by Argentine hide export controls (46 FR 59353).</p>	<p>USTR initiated an investigation on Nov. 24, 1981. The US consulted with Argentina on Feb. 23 and April 15, 1982. USTR held a public hearing on Oct. 6, 1982, on a proposed recommendation to the President concerning termination (47 FR 40959). The US terminated the hides agreement effective Oct. 29, 1982, and the President increased the US tariff on leather imports effective Oct. 30 (47 FR 49625). Petitioner withdrew its petition on Nov. 9, 1982. USTR terminated the investigation on Nov. 16, 1982 (47 FR 52989).</p>
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<p>EC Pasta Export Subsidies (301-25)</p>	<p>The National Pasta Association filed a petition on Oct. 16, 1981, alleging EC violation of GATT Art. XVI and the Subsidies Code in using pasta export subsidies, resulting in increased imports into the US (46 FR 59675).</p>	<p>USTR initiated an investigation on Nov. 30, 1981. Beginning on Dec. 2, 1981, the US consulted with the EC several times. On March 1, 1982, the US referred this matter to the Subsidies Code Committee for conciliation. The US later requested a dispute settlement panel, and on April 7 the Committee authorized its establishment. The panel began its work on July 12. On July 21, the President directed USTR expeditiously to complete dispute settlement (47 FR 31841). The panel met again on Oct. 8 and issued factual findings on Jan. 20, 1983. At the EC's request, an additional panel meeting was held March 29. The panel report (3-1 in favor of the U.S.) was submitted to the Subsidies Code Committee May 19. The Committee considered the report on June 9 and Nov. 18, but deferred decision on adoption of the report.</p> <p>In 1985 and 1986, the US increased duties on pasta imports in retaliation against the EC's discriminatory citrus tariffs 50 FR 26143, 33711; 51 FR 30146). The EC counter-retaliated by raising its duties on lemons and walnuts. See the Citrus case, Docket No. 301-11.</p> <p>Under the agreement reached</p>
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<p>EC Canned Fruit Production Subsidies (301-26)</p>	<p>The California Cling Peach Advisory Board et al. filed a petition on Oct. 23, 1981, alleging violation by the EC of GATT Art. XVI in granting production subsidies on EC member states' canned peaches, canned pears and raisins, that displace sales of non-EC products within the EC and impair tariff bindings on those products (46 FR 61358).</p>	<p>USTR initiated an investigation on Dec. 10, 1981. The US consulted with the EC under GATT Art. XXIII:1 on Feb. 25, 1982. The US requested a dispute settlement panel under Art. XXIII:2 on March 31, 1982. On Aug. 17, 1982, the President directed USTR to expedite dispute settlement (47 FR 36403). The panel met on Sept. 29 and Oct. 29, 1982. The panel report was submitted to the US and EC on Nov. 21, 1983. The panel met again with the parties on Feb. 27, 1984. A revised panel report was submitted to both parties on April 27, 1984. An additional panel meeting was held on June 28. A final panel report was issued on July 20. The US requested adoption of the panel report in GATT Council meetings of April 30, May 29, June 5 and July 16, but Council action was deferred because the EC was not yet ready to act on the report. On Sept. 7, 1985, the President directed USTR to recommend retaliation unless this case was resolved by Dec. 1, 1985. In December 1985 the US and the EC reached a settlement under which, in addition to subsidy reductions already implemented on canned pears, the EC agreed to phase out processing subsidies for canned peaches.</p>
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<p>Austria Specialty Steel Domestic Subsidies (301-27)</p>	<p>The Tool and Stainless Steel Industry Committee et al. filed a petition on Dec. 2, 1981, and refiled on Jan. 12, 1982, alleging that domestic subsidies for specialty steel industries in Belgium, France, Italy, U.K., Austria, Brazil and Sweden violate the GATT and Subsidies Code, and that imports from those countries adversely affect the US industry (47 FR 10107).</p>	<p>USTR initiated an investigation on Feb. 26, 1982, with respect to allegations against Austria, France Italy, Sweden, and the U.K. The US consulted informally with those governments in March 1982. USTR held a public hearing on April 14, 1982. Consultations under the Subsidies Code were held in October 1982. On Nov. 16, 1982, the President directed USTR to: (1) request the ITC to conduct an expedited investigation under section 201 of the 1974 Trade Act; (2) initiate multilateral and/or bilateral discussions aimed at eliminating all trade distortive practices in the specialty steel sector; and (3) monitor US imports of specialty steel products subject to the Sec. 201 investigation (47 FR 51717). The ITC found injury. USITC Pub. 1377 (May 1983). Effective July 20, 1983, the President imposed a combination of tariffs and quotas (48 FR 33233).</p>
<p>France Specialty Steel Domestic Subsidies (301-28)</p>	<p>See 301-27.</p>	<p>See 301-27.</p>
<p>Italy Specialty Steel Domestic Subsidies (301-29)</p>	<p>See 301-27.</p>	<p>See 301-27.</p>
<p>Sweden Specialty Steel Domestic Subsidies (301-30)</p>	<p>See 301-27.</p>	<p>See 301-27.</p>
<p>U.K. Specialty Steel Domestic Subsidies (301-31)</p>	<p>See 301-27.</p>	<p>See 301-27.</p>

<p>Canada Railcar Export Subsidies (301-32)</p>	<p>The AFL-CIO et al. filed a petition on June 3, 1982, alleging that the Canadian Government's export credit financing for subway cars to be exported to the US violates the Subsidies Code and is unreasonable and a burden on US commerce (47 FR 31764).</p>	<p>USTR initiated an investigation on July 19, 1982. The US had already consulted with Canada under the Subsidies Code on July 5, 1982. USTR terminated the investigation on Sept. 23, 1982, because the same allegations were the subject of a countervailing duty investigation (47 FR 42059).</p>
<p>Belgium Specialty Steel Domestic Subsidies (301-33)</p>	<p>The Tool and Stainless Steel Industry Committee et al. filed a petition on June 23, 1982, alleging that domestic subsidies for Belgian steel production violate the GATT and Subsidies Code, and that imports of Belgian steel adversely affect the US industry (47 FR 35387).</p>	<p>USTR initiated an investigation on Aug. 9, 1982. The US consulted under the Subsidies Code in October 1982. The Presidential determination of Nov. 16, 1982 (see 301-27 above), covers this petition as well.</p>
<p>Canada Front-End Loaders Duty Remissions (301-34)</p>	<p>The J.I. Case Company filed a petition on July 27, 1982, alleging that Canada's regulations allowing remission of customs duties and sales tax on certain front-end loaders violate the GATT and Subsidies Code, are unreasonable and discriminatory and burden and restrict US commerce. Petitioner amended and refiled a petition on Sept. 13, 1982 (47 FR 51029).</p>	<p>USTR initiated an investigation on Oct. 28, 1982, and held a public hearing on Dec. 14, 1982. The US consulted with Canada under GATT Art. XXII on Dec. 21, 1982.</p>

<p>Brazil Non-rubber Footwear Import Restrictions (301-35)</p>	<p>The Footwear Industries of America, Inc. et al. filed a petition on Oct. 25, 1982, alleging that import restrictions on non-rubber footwear by the EC and the governments of France, Italy, the United Kingdom, Spain, Brazil, Japan, Taiwan and Korea deny US access to those markets, are inconsistent with the GATT, and are unreasonable and/or discriminatory and a burden on US commerce (47 FR 56428).</p>	<p>On Dec. 8, 1982, USTR initiated investigations of the alleged restrictive practices (other than allegations that GATT-bound tariffs are excessive) made against Brazil, Japan, Korea and Taiwan. Consultations under GATT Art. XXII were held April 4, 1983. In November 1985, Brazil offered to liberalize its import surcharge and to reduce tariffs.</p>
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<p>Japan Non-Rubber Footwear Import Restrictions (301-36)</p>	<p>See 301-35.</p>	<p>See 301-35. The US consulted on Jan. 27, 1983, and requested GATT Art. XXIII consultations in February 1984. Consultations under Art. XXIII:1 were held in April 1985. In July 1985, the US decided to proceed under Art. XXIII:2 and requested application of the conclusions reached by a dispute settlement panel in 1984 on the leather quota to the Japanese leather footwear quota as well (See 301-13).</p> <p>On Sept. 7, 1985, the President directed USTR to recommend retaliation unless the leather and leather footwear restrictions were satisfactorily resolved by Dec. 1. In December 1985 Japan agreed to provide an estimated \$236 million in compensation through reduced (or bound) Japanese tariffs. Also the US has raised tariffs on an estimated \$24 million in imports into the US of leather and leather goods from Japan (51 FR 9435).</p>
<p>Korea Non-Rubber Footwear Import Restrictions (301-37)</p>	<p>See 301-35.</p>	<p>See 301-35. The US and Korea consulted on Feb. 5, 1983, and in August 1983. Korea reduced tariffs on footwear items and removed all leather items from the import surveillance list.</p>

<p>Taiwan Non-Rubber Footwear Import Restrictions (301-38)</p>	<p>See 301-35.</p>	<p>See 301-35. The US consulted with Taiwan on Jan. 17, 1983. On Dec. 19, 1983, the President determined that Taiwan does not impose unfair barriers on US imports; he nevertheless directed USTR to pursue offers regarding marketing assistance for US exporters (48 FR 56561). The issues raised in the petition are no longer the subject of an investigation.</p>
<p>Korea Steel Wire Rope Subsidies and Trademark Infringement (301-39)</p>	<p>The Committee of Domestic Steel Wire Rope and Specialty Cable Manufacturers filed a petition on March 16, 1983, alleging that production and export of Korean steel wire rope is subsidized, that Korea limits imports of steel wire rope from Japan thereby causing diversion to the US market, and that Korean rope producers are infringing US trademarks (48 FR 20529).</p>	<p>USTR initiated an investigation on May 2, 1983, with respect to claims of production subsidies. USTR held a hearing on June 2, 1983, and requested consultations under the Subsidies Code. Petitioner withdrew its petition on Nov. 29, 1983, and effective Dec. 15, 1983, USTR terminated the investigation (48 FR 55790).</p>

<p>Brazil Soybean Oil and Meal Subsidies (301-40)</p>	<p>The National Soybean Processors Association filed a petition on April 16, 1983, alleging that the governments of Argentina, Brazil, Canada, Malaysia, Portugal and Spain engage in unfair practices, including export and production subsidies and quantitative restrictions that restrict US exports of soybean oil and meal (48 FR 23947).</p>	<p>On May 23, 1983, USTR initiated an investigation involving Brazil, Portugal, and Spain. USTR held a public hearing on June 29 and 30. The US and Brazil consulted under Art. 12 of the Subsidies Code on Nov. 21. USTR submitted a recommendation to the President on Jan. 23, 1984; on Feb. 13, the President directed USTR to pursue dispute settlement procedures under the Subsidies Code (49 FR 5915). The US has requested additional consultations.</p>
<p>Portugal Soybean Oil and Meal Subsidies (301-41)</p>	<p>See 301-40.</p>	<p>The US and Portugal consulted under GATT Art. XXII on Nov. 29, 1983. In June 1984, Portugal began lifting its restrictions on soymeal imports.</p>
<p>Spain Soybean Oil and Meal Subsidies (301-42)</p>	<p>See 301-40.</p>	<p>The US and Spain consulted under GATT Art. XXII on Dec. 1, 1983.</p>
<p>Taiwan Rice Export Subsidies (301-43)</p>	<p>The Rice Millers Association filed a petition on July 13, 1983, which it withdrew on Aug. 26. It refiled on Sept. 29, 1983, alleging that Taiwan subsidizes exports of rice that restrict US exports and burden the US support program (48 FR 56289).</p>	<p>On Oct. 11, 1983, USTR initiated an investigation. Consultations were held Dec. 8-9, 1983, and Jan. 17-18 and Feb. 20-22, 1984. Based on an understanding reached during those discussions providing for limits on subsidized rice exports from Taiwan, petitioner withdrew its petition on March 9, 1984, and USTR terminated the investigation on March 22 (49 FR 10761).</p>

<p>Argentina Air Couriers (301-44)</p>	<p>The Air Courier Conference of America filed a petition on Sept. 21, 1983, alleging that Argentina has acted unreasonably in granting exclusive control over the international air transportation of time-sensitive commercial documents to the Argentine postal system (48 FR 52664).</p>	<p>On Nov. 7, 1983, USTR initiated an investigation and requested consultations. Consultations were held March 22, 1984. USTR held a public hearing on proposals for action under Sec. 301 on Oct. 24. On Nov. 16, 1984, the President determined that Argentine practices were unreasonable and a restriction on US commerce. He directed USTR again to consult, as requested by Argentina, and to submit proposals for action under Sec. 301 within 30 days. Prior to the 30-day period, Argentina lifted its prohibition for a 90-day period (49 FR 45733).</p> <p>In March 1985, the restrictions were lifted, but were replaced by heavy discriminatory taxes which became the subject of renewed consultations. Following additional consultations on September 1, 1988, Argentina reduced the tax further and improved the transparency of its air courier regulations. However, consultations continued in 1989 regarding the application and level of the tax.</p> <p>On May 25, 1989, the U.S. and Argentina reached an agreement with respect to Argentina's fees and providing for non-discriminatory treatment of</p>
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Taiwan Films (301-45)	The Motion Picture Exporters Association of America filed a petition on Dec. 19, 1983, alleging that Taiwan discriminates against foreign film distributors (49 FR 5404).	On Jan. 30, 1984, USTR initiated an investigation. Petitioner withdrew its petition on April 17, 1984, and USTR terminated the investigation on April 26 (49 FR 18056).
European Space Agency Satellite Launching Services (301-46)	Transpace Carriers, Inc. filed a petition on May 25, 1984, alleging that the member governments of the European Space Agency (ESA)-- Belgium, Denmark, France, Germany, Ireland, Italy, the Netherlands, Sweden, Spain, Switzerland and the United Kingdom-- and their space-related instrumentalities subsidize satellite launching services offered by Arianespace (49 FR 28643).	On July 9, 1984, USTR initiated an investigation and requested consultations with the European Space Agency. Consultations were held Nov. 12-13 and Dec. 17-18, 1984, and Feb. 21-22 and May 20, 1985. The US consulted with Arianespace on May 21, 1985. On July 9, USTR submitted a recommendation to the President. On July 17, the President found that ESA's practices were not unreasonable, and terminated the investigation (50 FR 29631).
EC Triple Superphosphate Water Solubility Standard (301-47)	The Fertilizer Institute filed a petition on Aug. 17, 1984, alleging that a technical water solubility standard for triple superphosphate adopted by the EC is inconsistent with the Standards Code.	On Oct. 1, 1984, USTR initiated an investigation. The US and EC consulted under the Standards Code on Dec. 5-6, 1984.

<p>Japan Semiconductors (301-48)</p>	<p>The Semiconductor Industry Association filed a petition on June 14, 1985, alleging that the Japanese government has created a protective structure that acts as a major barrier to the sale of foreign semiconductors in Japan (50 FR 28866).</p>	<p>USTR initiated an investigation on July 11, 1985. USTR asked parties to submit comments regarding the petition by Aug. 26, 1985. The US and Japan consulted in August, September, November and December 1985, followed by technical discussions in January and February 1986, and further consultations in March, April, May, June and July. On July 31, 1986, the US and Japan reached agreement ad referendum under which Japan would increase access for US firms to the Japanese semiconductor market, and help prevent dumping of semiconductors in US and third country markets. The President approved this agreement in a determination under Sec. 301 and suspended the investigation (51 FR 27811), and the USTR signed the final agreement Sept. 2, 1986.</p> <p>In March 1987, the Section 301 Committee requested public comment on possible US actions in response to Japan's failure to fulfill its obligations under the semiconductor agreement (52 FR 10275). A hearing was held April 13, 1987. On April 17, the President determined that Japan had not implemented or enforced major provisions of the agreement (52 FR 13419), and in response proclaimed</p>
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<p>Brazil Informatics (301-49)*</p>	<p>On Sept. 16, 1985, USTR self-initiated an investigation at the President's direction into all aspects of Brazil's informatics policy, including investment restrictions, subsidies, and import restrictions (50 FR 37608).</p>	<p>After extensive discussions with US industry, the US consulted with Brazil in February, July, August and Sept. 1986. On Oct. 6, the President determined that Brazil's informatics policy is unreasonable, and continued the case until Dec. 31, 1986. He directed the Trade Representative to notify the GATT of our intention to suspend tariff concessions for Brazil under Art. XVIII, and to effect such suspension when appropriate (51 FR 35993).</p> <p>On Dec. 30, the Trade Representative announced the President's determination to suspend the investigation with respect to Brazil's administration of its informatics policy and import restrictions, in light of improvement in these areas. However, because of insufficient progress to date in negotiations on related intellectual property protection and investment restrictions, the President announced he would determine the appropriate response of the US within six months unless a satisfactory resolution was reached (52 FR 1619).</p> <p>On Feb. 10, 1987, USTR announced a hearing and invited public comment on specified intellectual property and investment issues in this</p>
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<p>Japan Tobacco Products (301-50)*</p>	<p>On Sept. 16, 1985, at the President's direction, USTR self- initiated an investigation of Japanese practices (including high tariffs, Japan Tobacco Institute's manufacturing monopoly, and distribution restrictions) that act as a barrier to US cigarette exports (50 FR 37609).</p>	<p>After discussions with US industry, on Feb. 3, 1986, USTR requested consultations with Japan. The US presented a lengthy questionnaire on Feb. 11, and held technical discussions Feb. 21. The US raised this case during Sub-Cabinet meetings on Feb. 28, and consulted in Tokyo on March 4 and on April 16-17. The US received answers to its questionnaire on March 21. The US consulted with Japan May 27-28; August 13, 18, and 28-29; Sept. 8, 9, 11, 25, 26 and 29; and Oct. 1-3. On Oct. 3, the US and Japan concluded an agreement under which Japan will reduce its tariff on cigarettes to zero, eliminate the discriminatory deferral in excise tax payment, and terminate discriminatory distribution practices. On Oct. 6, 1986, the President approved this agreement and suspended the investigation, directing that it be terminated when Japan fully implements the agreement (51 FR 35995).</p>
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<p>Korea Insurance (301-51)*</p>	<p>On Sept. 16, 1985, at the President's direction, USTR self-initiated an investigation of Korean practices that restrict the ability of US insurers to provide insurance services in the Korean market (50 FR 37609).</p>	<p>See 301-20. The US consulted with Korea in November and December 1985 and February, March and July 1986. On July 21, 1986, the White House announced the conclusion of an agreement with Korea that will increase US firms' access to the Korean insurance market by enabling them to underwrite both life and non-life insurance. The President approved the agreement and terminated the investigation on Aug. 14 (51 FR 29443). The final agreement was signed Aug. 28.</p> <p>It was amended on Sept 10, 1987, setting forth more detailed requirements regarding insurance operations through joint ventures.</p> <p>In January, 1988, the US and ROK further clarified the Sept. 10 amendment to specify the terms under which some Korean firms could participate in joint ventures.</p>
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<p>Korea Intellectual Property Rights (301-52)*</p>	<p>On Nov. 4, 1985, USTR self-initiated an investigation of Korea's lack of effective protection of US intellectual property rights (50 FR 45883).</p>	<p>The US consulted with Korea in November and December 1985 and throughout February-July 1986. On July 21, 1986, the White House announced the conclusion of an agreement with Korea that will dramatically improve protection of intellectual property rights in Korea. The President approved the agreement and terminated the investigation on Aug. 14, 1986 (51 FR 29445). The final agreement was signed Aug. 28, 1986. Implementation of the agreement continues to be monitored, and on June 13, 1988, the Trade Representative formed an interagency task force to examine Korean practices related to obtaining and enforcing patent rights. The task force made a preliminary report to USTR in December 1988. Followup discussions are being held with the Korean Government.</p>
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<p>Argentina Soybeans and Soybean Products (301-53)</p>	<p>The National Soybean Processors Association filed a petition on April 4, 1986, alleging that the differential in Argentine export taxes (higher for soybeans than for soybean products) provides Argentine crushers with an unfair cost advantage that burdens US exports in third-country markets.</p>	<p>USTR initiated an investigation on April 25, 1986 (51 FR 16764). Following bilateral consultations with Argentina, the President suspended this investigation on May 14, 1987, based upon Argentina's assurance that it planned to eliminate these export taxes and thus any differential (52 FR 18685).</p> <p>In February 1988, Argentina reduced the export tax differential by 3 percent. However, on July 29, 1988, Argentina established a tax rebate on oil and meal exports to third countries which subsidize these products, so consultations with Argentina resumed in August 1988. The Government of Argentina only provided a few rebates under that scheme before it was suspended in December 1988. USTR continues to consult with Argentina, which is considering other options to aid its soybean crushing and exporting industry.</p>
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<p>EC Enlargement (301-54)*</p>	<p>On March 31, 1986, the President announced his intention to (1) impose quotas on EC products if the EC did not remove certain quantitative restrictions on oilseeds and grains in Portugal; and (2) increase tariffs on EC products if the EC did not provide compensation for US losses resulting from the EC's imposition of variable levies on corn and sorghum imports into Spain in breach of prior tariff commitments.</p>	<p>On May 15, 1986, the President imposed quotas on EC imports in response to the EC's quantitative restrictions in Portugal (51 FR 18294). On Oct. 14, 1987, the level of these quota restrictions was increased to avoid a more damaging effect on EC trade than is warranted by the current operation of the EC restrictions in Portugal (52 FR 38167).</p> <p>On July 2, 1986, an interim solution was reached with the EC with regard to the import levy restrictions in Spain. That solution provided that any shortfall in US corn, sorghum, and corn gluten feed exports to Spain below a monthly EC average of 234,000 metric tons through the remainder of 1986 would be compensated for through reduced import levy quotas in the EC.</p> <p>On Dec. 30, 1986, the US announced that unless the EC agreed to compensate the US satisfactorily by the end of January for \$400 million in lost corn and sorghum exports to Spain, the President would be compelled to impose duties of 200% ad valorem on imports into the US of certain EC cheeses, ham, carrots, endive, white wine, brandy and gin-accounting for \$400 million in EC exports to the US. The President</p>
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<p>Canada Fish (301-55)</p>	<p>Icicle Seafoods and nine other seafood processors filed a petition on April 1, 1986, alleging that the Canadian prohibition on the export of unprocessed herring and salmon violates GATT Article XI and provides Canadian processors with an unfair cost advantage that burdens US exports in third country markets.</p>	<p>USTR initiated an investigation on May 16, 1986 (51 FR 19648), and requested comments on certain economic issues relating to the investigation. The US consulted with Canada under Art. XXIII:1 of the GATT Sept. 3 and Oct. 27, 1986, and presented arguments before a GATT dispute settlement panel on June 18 and July 10, 1987. The US won the case, and the favorable panel report was adopted by the GATT Council in February 1988. Canada announced that it would terminate its export restrictions by Jan. 1, 1989, but would adopt some new landing requirements.</p> <p>On August 30, 1988, a Federal Register notice (53 FR 33207) requested comments on the unfairness determination required under the Omnibus Trade and Competitiveness Act of 1988. Canada failed to remove its export prohibition by January 1, 1989, and in early 1989 the US and Canada continued to consult on Canada's plans to introduce new landing requirements. The USTR determined on March 28, 1989, that Canada's export prohibition denied U.S. rights under the GATT. At the same time the USTR sought public comment on possible trade action as a result of this determination, and directed</p>
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<p>Taiwan Customs Valuation (301-56)*</p>	<p>On Aug. 1, 1986, the President determined that Taiwan's use of a duty paying system to calculate customs duties violated a trade agreement and was unjustifiable and unreasonable and a burden or restriction on US commerce (51 FR 28219). He directed the Trade Representative to propose an appropriate method for retaliation.</p>	<p>By an exchange of letters dated Aug. 11, the Taiwan authorities agreed to take actions by Sept. 1, 1986, to abolish the duty paying schedule effective Oct. 1, 1986. USTR confirmed that Taiwan did so, and therefore advised the public that no retaliatory action would be proposed as earlier directed by the President (51 FR 37527).</p>
<p>Taiwan Beer, Wine & Tobacco (301-57)*</p>	<p>On Oct. 27, 1986, the President determined that acts, policies and practices of Taiwan regarding the distribution and sale of US beer, wine and tobacco products in Taiwan are actionable under Section 301 (51 FR 39639). He decided to take proportional countermeasures so long as Taiwan continues these practices, and directed the Trade Representative to propose appropriate and feasible actions.</p>	<p>On Dec. 5, 1986, Taiwan agreed to cease the unfair practices complained of. As a result, USTR announced that no retaliatory action would be proposed as previously directed by the President (51 FR 44958).</p>

<p>Canada Softwood Lumber (301-58)*</p>	<p>On Dec. 30, 1986, the US and Canada concluded an agreement under which the Department of Commerce terminated a pending countervailing duty investigation (based upon withdrawal of the petition) after Canada agreed to impose a tax of 15% ad valorem on exports of certain softwood lumber products to the U.S.</p>	<p>Pending Canada's imminent imposition and collection of that tax as agreed, on Dec. 30, 1986, the President proclaimed--under Section 301 authority--a temporary additional duty of 15% ad valorem on imports of Canadian softwood lumber products (52 FR 229). On the same date, as the necessary predicate for the exercise of Section 301 authority, he determined that Canadian practices regarding the federal and provincial governments' terms and conditions for the harvest of stumpage (standing timber) were unjustifiable or unreasonable and a burden or restriction on US commerce (52 FR 231). Effective Jan. 8, Commerce suspended the import duty based on the Secretary's determination that Canada has begun to collect the export surcharge on exports to the US of certain softwood lumber products (52 FR 1311). On May 26, 1987, the Government of Canada passed legislation providing for this tax.</p>
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<p>India Almonds (301-59)</p>	<p>The California Almond Growers Exchange filed a petition on Jan. 6, 1987, alleging that India's licensing requirements and steep tariffs on almonds are actionable under section 301.</p>	<p>On Feb. 20, 1987, USTR initiated an investigation and requested consultations with India (52 FR 6412 and 7057). The US consulted with India under GATT Art. XXIII:1 in June and September. USTR requested the establishment of a panel under Art. XXIII:2 at the GATT Councils in July, October and November. The US also raised almonds issues in the full consultations with India held in the GATT Balance of Payments Committee in October. In November 1987, the GATT Council agreed to the establishment of a panel. In May 1988, a satisfactory bilateral settlement was reached and USTR terminated the investigation (53 FR 21757). The Indian Government established a separate quota for almonds, which increases access to that market, to the satisfaction of US industry. Moreover, India agreed to eliminate the quota in three years if its balance of payment position improves as specified in the Agreement. India also reduced and bound its tariff for shelled almonds and bound its tariff on unshelled almonds.</p>
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<p>EC Third Country Meat Directive (301-60)</p>	<p>On July 14, 1987, the American Meat Institute, US Meat Export Federation, American Farm Bureau Federation, National Pork Producers Council and National Cattlemen's Association filed a petition complaining of the EC's Third Country Meat Directive as a violation of GATT Art. III and an unjustifiable, unreasonable or discriminatory practice that burdens US commerce.</p>	<p>On July 22, 1987, USTR initiated an investigation and requested consultations with the EC (52 FR 28223). The US consulted with the EC twice under GATT Art. XXIII:1, in September and November, 1987. USTR requested the establishment of a panel at the GATT Councils in October and November, but the EC blocked it. The EC acquiesced to that request at the December GATT Council. Since then, the EC has taken steps to provide access for a number of US meat packers.</p>
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<p>Brazil Pharmaceuticals (301-61)</p>	<p>On June 11, 1987, the Pharmaceutical Manufacturers Association filed a petition complaining of Brazil's lack of process and patent protection for pharmaceutical products as an unreasonable practice that burdens or restricts US commerce.</p>	<p>On July 23, 1987, USTR initiated an investigation and requested consultations with Brazil (52 FR 28223). Consultations were held on Feb. 29, 1988, and additional discussions resulted in no resolution. On July 21, 1988, the President determined Brazil's policy to be unreasonable and a burden and restriction on US commerce, and he directed USTR to hold public hearings (See 53 FR 28100 and 30894) on certain products exported from Brazil. Hearings were held September 8-9, 1988.</p> <p>On October 20, 1988 the President used section 301 authority to proclaim tariff increases to 100 % ad valorem on certain paper products, non-benzenoid drugs, and consumer electronics items, effective October 30, 1988 (53 FR 41551).</p> <p>On June 26, 1990, the Government of Brazil announced that the President of Brazil had decided to seek legislation to provide patent protection for pharmaceutical products and the process of their production. The Brazilian Administration will ensure the presentation of a bill to the Brazilian National Congress for this purpose by March 20, 1991, and will seek its approval and</p>
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<p>EC Hormones (301-62)*</p>	<p>On Nov. 25, 1987, the President announced his intention to raise customs duties to a prohibitive level on as much as \$100 million in EC exports to the US. This action was in response to the implementation scheduled for Jan. 1, 1988 of the Animal Hormone Directive. Without valid scientific evidence, this directive would ban imports of meat produced from animals treated with growth hormones. However, the President said he would suspend increased duties if EC member states continued to allow such imports for a 12-month transition period.</p>	<p>On Dec. 24, 1987, on his own motion, the President proclaimed but immediately suspended increased duties on specified products of the EC (52 FR 49131), pending EC implementation of its Directive. He delegated authority to modify, suspend or terminate the increased duties (including to terminate the suspension of such increased duties) to the Trade Representative. The EC implemented its directive on January 1, 1989. In response, the USTR terminated the suspension of the increased duties, effective January 1, 1989, with some modifications (53 FR 53115). The US and EC agreed on January 12 to allow a grace period for goods exported, or meat certified for export, prior to January 1, if they entered before February 1 (54 FR 3032).</p> <p>On February 18, the US and EC established a task force of high-level government officials to seek a resolution to the hormones dispute by May 4, 1989. In May the task force's mandate was extended and its work continues.</p> <p>Effective July 28, 1989, the USTR suspended the additional duty on pork hams and shoulders (54 FR 31398), since the EC had enabled non-treated U.S. beef to enter the EC. Effective December</p>
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<p>EC Oilseeds (301-63)</p>	<p>On Dec. 16, 1987, the American Soybean Association filed a petition complaining that the EC's policies and practices relating to oilseeds and oilseed substitutes nullified and impaired benefits accruing to the United States under the GATT and, specifically, are inconsistent with a zero tariff binding agreed to by the EC. ASA alleged that the practices also are unjustifiable, unreasonable and burden or restrict US commerce.</p>	<p>On Jan. 5, 1988, USTR initiated an investigation and requested consultations with the EC (53 FR 984). The US consulted with the EC several times, both informally and formally, under GATT Art. XXIII:1. The EC blocked the US request for a panel at the May 1988 GATT Council, but acquiesced at the June 1988 Council. However, the EC delayed composition of the panel for several months with a number of procedural maneuvers. The first oral arguments before the panel were held June 27, 1989.</p> <p>On July 5, 1989, USTR determined that there was reason to believe that rights of the United States under a trade agreement were being denied by the EC's production and processing subsidies on oilseeds and animal feed proteins. USTR delayed implementation of any action to be taken under section 301 and may reconsider these determinations in light of the GATT Panel's findings. The panel ruled in favor of the United States, in a report that was circulated to GATT Contracting Parties on December 14, 1989.</p> <p>Following release of the report, the EC Foreign Affairs Council expressed its readiness to accept the GATT panel conclusions and to</p>
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<p>Korea Cigarettes (301-64)</p>	<p>On Jan. 22, 1988, the US Cigarette Export Association filed a petition complaining that the policies and practices of the Korean Government and its instrumentality the Korean Monopoly Corporation unreasonably denied access to the Korean cigarette market and were a burden or restriction on US commerce.</p>	<p>On Feb. 16, 1988, USTR initiated an investigation and requested consultations with the Government of Korea (53 FR 4926). The USTR signed an agreement with Korea on May 27, 1988, providing open, non-discriminatory access to the Korean cigarette market. Based on this agreement, the investigation was terminated on May 31, 1988.</p>
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<p>Korea Beef (301-65)</p>	<p>On Feb. 16, 1988, the American Meat Institute filed a petition alleging that the ROK maintains a restrictive licensing system on imports of all bovine meat, in violation of GATT Article XI, which is unjustifiable, unreasonable, and burdens or restricts US commerce.</p>	<p>On March 18, 1988, USTR initiated an investigation (53 FR 10995). The US had already consulted with the ROK under GATT Art. XXIII:1. On May 4, 1988, GATT Council established a panel under Art. XXIII:2. Australia was also authorized a panel on the same matter, so consultations on panel selection included coordination between two panels. The first panel meeting was November 28, 1988; the second meeting was January 20, 1989. The panel issued a report favorable to the US on May 27. However, at GATT Council meetings in June and July 1989, Korea did not agree to adoption of the panel report. Public comment on section 304 determinations was requested August 25, 1989 (54 FR 35422).</p> <p>Effective September 28, 1989, the USTR determined under section 304 that rights to which the U.S. is entitled are being denied by Korea and that the appropriate action under section 301 is to suspend tariff concessions. (54 FR 40769.)</p> <p>Implementation of such action was delayed to allow additional time for the GATT process. The USTR announced that if there were no substantial movement toward a resolution by mid-November, a proposed</p>
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<p>Japan Citrus (301-66)</p>	<p>On May 6, 1988, Florida Citrus Mutual, et al. filed a petition alleging that Japan's import quotas on fresh oranges and orange juice contravene GATT Article XI, and their domestic content mixing requirements violate Art. III:5.</p>	<p>On May 25, 1988, USTR initiated an investigation. The US had already consulted with Japan under GATT Article XXIII:1, and a panel under Art. XXIII:2 had been authorized by GATT Council on May 4, 1988. Intensive settlement negotiations followed, and on July 5, 1988, a bilateral agreement was reached to settle the issue. Among other issues settled, import quotas on fresh oranges will end April 1, 1991, and on April 1, 1992 for orange juice; the blending requirement will be phased out in 1988-89 and eliminated as of April 1, 1990. Based upon this agreement, the citrus industry withdrew its petition and USTR terminated the investigation on July 5, 1988 (53 FR 25714).</p>
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<p>Korea Wine (301-67)</p>	<p>On April 27, 1988, the Wine Institute and the Association of American Vintners filed a petition complaining of policies and practices of the Korean Government that unreasonably deny access to the Korean wine market and are a burden or restriction on US commerce.</p>	<p>On June 11, 1988, USTR initiated an investigation (53 FR 22607) and requested consultations with the Korean Government. Consultations were held October 11-12 in Washington and October 25 in Seoul. Further consultations finally resulted in an agreement, reached on January 18, 1989, in which Korea agreed to provide foreign manufacturers of wine and wine products non-discriminatory and equitable access to the Korean market. The investigation was terminated on January 18, 1989.</p>
<p>Argentina Pharmaceuticals (301-68)</p>	<p>On August 10, 1988, the Pharmaceutical Manufacturers Associations (PMA) filed a petition complaining of Argentina's denial of product patent protection for pharmaceuticals and discriminatory product registration practices. PMA alleged these practices are unreasonable and discriminatory and burden or restrict US commerce.</p>	<p>On September 25, 1988, USTR initiated an investigation (53 FR 37668), and requested public comments in order to request consultations with the Argentine government. Consultations were held in Buenos Aires in December 1988 and August 1989. Public comments on section 304 determinations were requested on August 16, 1989 (54 FR 33809).</p> <p>On September 23, 1989, the PMA withdrew its petition on the basis of Argentina's willingness to modify its pharmaceutical product registration procedures, and to address constructively the issue of patent protection for pharmaceutical products.</p>

<p>Japan Construction-related Services (301-69)*</p>	<p>Section 1305 of the Omnibus Trade and Competitiveness Act of 1988, enacted August 23, 1988, required the USTR to initiate an investigation regarding the acts, policies, and practices of the Government of Japan, and of entities owned, financed, or otherwise controlled by the Government of Japan, that are barriers in Japan to the offering or performance by US persons of architectural, engineering, construction and consulting services in Japan.</p>	<p>USTR initiated an investigation on November 21, 1988, and requested public comment by December 20, 1988 (53 FR 47897). Consultations with Japan were requested, to be scheduled following a public hearing. A hearing was held March 13, 1989 (54 FR 2033), and consultations with the Japanese began on May 23, 1989.</p> <p>On November 21, 1989, the USTR determined, pursuant to section 304(a)(1)(A) of the Trade Act, that certain acts, policies and practices of the Government of Japan with respect to the procurement of architectural, engineering and construction services and related consulting services by the Japanese Government are unreasonable and burden or restrict U.S. commerce (54 FR 49150).</p> <p>The USTR further determined, pursuant to section 304(a)(1)(B) of the Trade Act, that no responsive action under section 301 of the Act was appropriate at that time in light of certain commitments made by the Government of Japan. The USTR announced that she would monitor Japan's implementation of these commitments pursuant to section 306 of the Trade Act, and would seek a satisfactory resolution of all remaining</p>
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<p>EC Copper Scrap (301-70)</p>	<p>The Copper and Brass Fabricators Council, Inc., filed a petition on November 14, 1988, alleging that export restrictions on copper scrap and zinc scrap maintained by the European Community, the United Kingdom and Brazil violate the GATT and burden and restrict US commerce. On December 27 petitioners withdrew the allegations regarding Brazil and zinc scrap.</p>	<p>USTR initiated an investigation on December 29, 1988, involving the practices of the EC and UK. Comments were requested and a public hearing was held on January 27, 1989 (54 FR 338). USTR advised the EC of its intention to schedule GATT consultations after the public hearing. On January 25, 1989, USTR informed the UK that the investigation would proceed only as to the EC, since the UK had represented that its regulations merely implemented the EC export controls and did not constitute separate restrictions.</p> <p>Consultations with the EC under GATT Article XXIII:1 were held on April 26, 1989, and a dispute settlement panel was established by the GATT Council on July 19, 1989. The first panel meeting was held in November 1989, after which the US and EC resumed settlement negotiations, resulting in a satisfactory agreement concluded on January 4, 1990.</p> <p>On the basis of this trade agreement with the EC, the United States withdrew its complaint from the GATT dispute settlement panel. The petitioner expressed satisfaction with this resolution, and on February</p>
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<p>EC Canned Fruit (301-71)*</p>	<p>On May 8, 1989, USTR self-initiated an investigation regarding compliance by the European Community with a trade agreement (see Docket 301-26) in which the EC agreed to limit processing subsidies granted on canned fruit.</p>	<p>USTR requested public comment and on June 9, 1989 held a public hearing (54 FR 20219) on whether the EC practice is actionable under section 301, including whether it violates a trade agreement; and, if so, on the appropriateness of subjecting certain products of the EC to increased US tariffs. In June 1989 the EC agreed to reduce its 1989-90 subsidy levels on canned peaches and pears and to modify its regulations for future years; and the U.S. and EC clarified their interpretation of the 1985 Canned Fruit Agreement. The investigation was, therefore, terminated October 1, 1989 (54 FR 41708).</p>
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<p>Thailand Cigarettes (301-72)</p>	<p>On April 10, 1989, the US Cigarette Export Association (CEA) filed a petition alleging that the Royal Thai Government and its instrumentality, the Thailand Tobacco Monopoly (TTM) engage in practices that are unreasonable or discriminate against imports and burden and restrict US commerce.</p>	<p>USTR initiated an investigation on May 25, 1989 (54 FR 23724), and requested public comment. Consultations with Thai government officials began July 31. A public hearing was held September 19, 1989 (54 FR 32731). Further consultations were held in October 1989. On December 22, the United States requested consultations under Article XXIII:1 of the GATT. Since those consultations failed to result in a satisfactory solution, the United States requested the establishment of panel under GATT Article XXIII:2. The panel was established on April 3, 1990, and issued its report on September 21, 1990, concluding that Thailand's import restrictions on cigarettes are contrary to the provisions of GATT Article XI. On November 7, 1992, the GATT Council adopted this report</p> <p>Pursuant to section 304 of the Trade Act, the deadline for determining actionability under section 301 in this case was November 25, 1990. On October 15, public comment was requested on the section 304 determinations (55 FR 41781).</p> <p>On November 23, 1990, the USTR determined that U.S. rights under the GATT were violated by Thailand's</p>
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<p>Brazil Import Licensing (301-73)*</p>	<p>On June 16, 1989, USTR initiated an investigation of certain import restrictions maintained by the Government of Brazil, including its 'suspended list,' company and sector-specific import quotas, and lack of transparency of its import licensing regime. This investigation resulted from identification of this practice as a 'priority practice' under section 310 of the Trade Act of 1974, as amended.</p>	<p>USTR requested public comments on Brazil's policies and practices and on the amount of burden or restriction on US commerce caused by these practices (54 FR 26135). On October 6, 1989, the US requested formal consultations with Brazil under Article XXIII:1 of the GATT. Those consultations were held in Geneva on December 11, 1989.</p> <p>During consultations, Brazil indicated its intent to significantly reduce the 'prohibited' import list and expand the de facto quotas. Some minor liberalization of the de facto quotas occurred in February 1990. However, when action to reduce the 'prohibited' import list did not occur, the United States informed Brazil of its intention to request dispute settlement proceedings under GATT Article XXIII:2 if no resolution was forthcoming.</p> <p>On May 14, 1990, the USTR was informed by the Government of Brazil that its Ministry of Economy had implemented Resolution Number 56, issued March 15, 1990, which eliminates quantitative restrictions on imports. In particular, the 'prohibited list' of imports that was the subject of this investigation (Annex C of CACEX Communique 205,</p>
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<p>Japan Satellites (301-74)*</p>	<p>On June 16, 1989, USTR initiated an investigation of the Government of Japan's ban on government procurement of foreign satellites. This investigation resulted from identification of this practice as a 'priority practice' under section 310 of the Trade Act of 1974, as amended.</p>	<p>USTR requested public comments on Japan's policies and practices and on the amount of burden or restriction on US commerce caused by these practices (54 FR 26136), and thereafter began consultations with the Government of Japan. On April 3, 1990, the USTR announced that the United States had reached an understanding with the Government of Japan on an agreement which, when finalized, will provide open access to the Japanese public satellite market for U.S. companies.</p> <p>The investigation was suspended, pursuant to section 310(c) of the Trade Act, on June 15, 1990 (55 FR 25761).</p>
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<p>Japan Supercomputers (301-75)*</p>	<p>On June 16, 1989, USTR initiated an investigation of the Government of Japan's procurement practices with respect to supercomputers. This investigation resulted from identification of this practice as a 'priority practice' under section 310 of the Trade Act of 1974, as amended.</p>	<p>USTR requested public comments on Japan's policies and practices and on the amount of burden or restriction on US commerce caused by these practices (54 FR 26137), and thereafter began consultations with the Government of Japan.</p> <p>On March 23, 1990, the USTR announced that an understanding had been reached ad referendum with the Japanese on a basic text of an agreement to supercede a 1987 bilateral agreement on supercomputers and that work would continue to finalize the new agreement and to ensure market opportunities for U.S. supercomputer suppliers. On June 15, 1990, USTR executed an exchange of letters with the Japanese Ambassador regarding actions by the Government of Japan to improve access for U.S. firms to its supercomputer market.</p> <p>The investigation was suspended, pursuant to section 310(c) of the Trade Act, on June 15, 1990 (55 FR 25764).</p>
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<p>Japan Forest Products (301-76)*</p>	<p>On June 16, 1989, USTR initiated an investigation of Japan's policies and practices affecting imports of forest products, including technical barriers to trade. This investigation resulted from identification of this practice as a 'priority practice' under section 310 of the Trade Act of 1974, as amended.</p>	<p>USTR requested public comments on Japan's policies and practices and on the amount of burden or restriction on US commerce caused by these practices (54 FR 26137), and thereafter began consultations with the Government of Japan.</p> <p>After extensive consultations, on April 25, 1990, the United States and Japan reached agreement on a comprehensive package of measures that will greatly improve market access for US exporters of forest products and substantially expand the opportunities for wood construction in Japan. On June 15, 1990, USTR executed an exchange of letters with the Japanese Ambassador regarding actions the Government of Japan is taking and will take to improve access for U.S. wood products to its market.</p> <p>The investigation was suspended, pursuant to section 310(c) of the Trade Act, on June 15, 1990 (55 FR 25763).</p>
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<p>India Investment (301-77)*</p>	<p>On June 16, 1989, USTR initiated an investigation of trade- restricting measures imposed by the Government of India on foreign investors. This investigation resulted from identification of this practice as a 'priority practice' under section 310 of the Trade Act of 1974, as amended.</p>	<p>USTR requested public comments on India's policies and practices and on the amount of burden or restriction on US commerce caused by these practices (54 FR 26136), and thereafter began talks with the Government of India.</p> <p>On April 27, 1990, USTR renewed the identification of India as a 'priority country' and of its investment barriers as a 'priority practice' (55 FR 18693). A request for public comment on section 304 determinations was published on May 11, 1990 (55 FR 19818).</p> <p>On June 14, 1990, the USTR determined that India's practices were unreasonable and burdened or restricted U.S. Commerce. The USTR further determined that no responsive action under Section 301 was appropriate at that time, given the potential for results through India's participation in Uruguay Round GATT negotiations on these issues. The USTR will review the status of India's practices after the conclusion of the Uruguay Round and determine at that time whether action under section 301 would be warranted.</p> <p>The investigation was terminated on June 14, 1990 (55 FR 25765).</p>
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<p>India Insurance (301-78)*</p>	<p>On June 16, 1989, the USTR initiated an investigation under section 302(b)(1) of the Trade Act of 1974 concerning India's barriers to foreign insurance providers. These practices had been identified on May 26, 1989, as 'priority practices' of a 'priority country' under section 310(a)(1) of the Trade Act. Under Section 310(c)(1) of the Trade Act, the United States consulted with the Government of India, seeking to negotiate an agreement which provides for (a) the elimination of, or compensation for, India's practices the priority practices identified under subsection (a)(1)(A) by no later than the close of the 3-year period beginning on the date on which such investigation is initiated, and '(b) the reduction of such practices over a 3-year period with the expectation that United States exports to the foreign country will, as a result, increase incrementally during each year within such 3-year period.' On June 16, 1989, USTR initiated an investigation of barriers to foreign insurance providers imposed by the Government of India. This investigation resulted from identification of this practice as a 'priority practice' under section 310 of the Trade Act of 1974, as amended.</p>	<p>USTR requested public comments on India's policies and practices and on the amount of burden or restriction on US commerce caused by these practices (54 FR 26135), and thereafter began talks with the Government of India.</p> <p>On April 27, 1990, USTR renewed the identification of India as a 'priority country' and of insurance market barriers as a 'priority practice' (55 FR 18693). A request for public comment on section 304 determinations was published on May 11, 1990 (55 FR 19818).</p> <p>On June 14, 1990, the USTR determined that India's practices were unreasonable and burdened or restricted U.S. Commerce. The USTR further determined that no responsive action under Section 301 was appropriate at that time, given the potential for results through India's participation in Uruguay Round GATT negotiations on these issues. The USTR will review the status of India's practices after the conclusion of the Uruguay Round and determine at that time whether action under section 301 would be warranted.</p> <p>The investigation was terminated on June 14, 1990 (55 FR 25766).</p>
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<p>Norway Toll Equipment (301-79)</p>	<p>On July 11, 1989, a petition was filed on behalf of Amtech Corporation alleging, inter alia, that practices by the Government of Norway deny U.S. rights under the GATT Government Procurement code, adversely affecting United States trade in the sale of highway toll electronic ID system.</p>	<p>USTR initiated an investigation August 25, 1989, (54 FR 36089) and requested public comments. On August 25, the U.S. also requested consultations with Norway under the GATT Procurement Code, and informed Norway that if continuing consultations did not result in a settlement, the United States would request the establishment of a dispute settlement panel under Code procedures after April 19, 1990.</p> <p>In an exchange of letters between the United States and Norway on April 26, 1990, Norway agreed to take actions that offset the negative impact of this procurement on the Petitioner. These include clarification that the AMTECH system met the requirements of the Oslo Toll Ring project and a statement that the AMTECH system was found to be proven, reliable, competitive, type-approved by the Norwegian PTT and commercially available.</p> <p>Norway will also take steps to ensure that Procurement Code procedures are followed in its future government procurements and that the award of the Oslo Toll Ring contract to a Norwegian firm does not prejudice the ability of foreign companies to win</p>
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<p>Canada Import Restrictions on Beer (301-80)</p>	<p>G. Heileman Brewing Company, Inc. filed a petition on May 15, 1990, alleging that Canada's import restrictions on beer -- including listing requirements, discriminatory mark-ups, and restrictions on distribution -- are inconsistent with the GATT and the US-Canada Free Trade Agreement.</p>	<p>On June 29, 1990, the USTR initiated an investigation and requested public comment on the allegations in the petition (55 FR 27731). Also on that date the US requested consultations with Canada under Article XXIII:1 of the GATT. Consultations were held July 20, 1990.</p> <p>On September 14, 1990, the Stroh Brewing Company filed a petition complaining about the distribution and pricing practices of the Province of Ontario with respect to imported beer. On October 17, 1990, the USTR decided to investigate the allegations contained in the Stroh petition in the context of this investigation.</p> <p>On February 6, 1991, the matter was referred to a GATT dispute settlement panel, which issued its report on October 16, 1991. On December 29, 1991, USTR determined consistent with a GATT panel finding that acts, policies, or practices of Canada violate the provisions of a trade agreement (specifically, the GATT) and that action shall be taken in the form of substantially increased duties on beer and malt beverages from Canada sufficient to offset fully the nullification or impairment of GATT rights resulting from these Canadian acts, policies or practices. The USTR</p>
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<p>EC Enlargement (301-81)*</p>	<p>On November 15, 1990, the USTR initiated an investigation under section 302(b) of the Trade Act with respect to denial of benefits under trade agreement by the European Communities (EC), arising from accession of Spain and Portugal into the EC (see 301-54).</p>	<p>On November 19, 1990, USTR requested public comments and a public hearing was held November 26, 1990 (55 FR 48197). On December 5, 1990, USTR published a notice of notification to the GATT contracting parties of the U.S. intent to suspend tariff concessions in response to actions by the EEC under Article XXIV of the GATT (55 FR 50269). A settlement agreement was reached with the EC on December 21, 1990, and the investigation was terminated on that date (55 FR 53376).</p>
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<p>Thailand Copyright Enforcement (301-82)</p>	<p>On November 15, 1990, the International Intellectual Property Alliance (IIPA), Motion Picture Export Association of America, Inc. (MPEAA), and the Recording Industry Association of America (RIAA) filed a petition under section 302(a) of the Trade Act of 1974, as amended, alleging that the Government of Thailand inadequately enforces its copyright laws, thereby denying market access opportunities to those who rely upon copyrights.</p>	<p>On December 21, 1990, USTR initiated an investigation under section 302(a) of the Trade Act with respect to the Thai government's acts, policies and practices relating to the enforcement of copyrights. USTR also requested consultations with the Royal Thai Government (56 FR 292). Several rounds of consultations on this issue were held with the Thai Government. On December 20, 1991, USTR determined that acts, policies, and practices of the Government of Thailand concerning the enforcement of copyrights in that country are unreasonable and burden or restrict U.S. commerce. The Thai government, however, is taking steps to improve enforcement procedures and combat copyright piracy. The Thai government has also begun the process of amending its copyright laws. The ultimate results of these efforts will not be known immediately. Thus, pursuant to section 301(b)(19 U.S.C. 2411(b)), USTR determined that the appropriate action in this case was to terminate the investigation and to monitor Thai government implementation of measures to eliminate those acts, policies, and practices. (56 FR 67114).</p>
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<p>EC Third Country Meat Directive (301-83)</p>	<p>On November 28, 1990, the National Pork Producers Council and the American Meat Institute filed a petition for action under section 301 of the Trade Act, as amended by the 1988 Omnibus Trade and Competitiveness Act, alleging that the EC Third Country Meat Directive, restricting exports of U.S. pork and beef products, denies the rights of the United States under the GATT and is otherwise unreasonable and burdens or restricts United States commerce. (An earlier suspended investigation had been initiated prior to the enactment of the 1988 amendments to Section 301. See 301-60.)</p>	<p>On January 10, 1991, USTR initiated an investigation under section 302(a) of the Trade Act, and invoked the provisions of section 303(a)(2)(A) to delay GATT consultations for up to 90 days. (56 FR 1663). Further bilateral consultations were held with the EC. On June 7, 1991, as required by section 303(a)(2)(B), USTR requested that a GATT dispute settlement panel be convened to examine the EC's practice. The EC blocked the request for a panel on July 10, 1991. The U.S. and EC continued to negotiate, however, and various U.S. plants were relisted.</p>
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<p>Thailand Pharmaceuticals (301-84)</p>	<p>On January 30, 1991, the Pharmaceutical Manufacturers Association filed a petition under section 302 of the Trade Act, alleging that the Government of Thailand does not provide adequate and effective patent protection for pharmaceutical products.</p>	<p>On March 15, 1991, USTR initiated an investigation under section 302(a) of the Trade Act and requested public comment on the allegations in the petition (56 FR 11815). Also on that date, the US requested consultations with the Thai Government. On February 11, 1992, the USTR requested further public comment on whether the Government of Thailand's acts, policies, and practices with respect to providing patent protection are unreasonable and burden or restrict U.S. commerce, and if so, what responsive action, if any, should be taken pursuant to section 301 of the Trade Act of 1974, as amended. (57 FR 5030). On March 15, 1992, USTR determined pursuant to section 304(a)(1)(A)(ii) of the Trade Act that the Government of Thailand's acts, policies, and practices related to the protection of patents are unreasonable and burden or restrict U.S. commerce. The USTR has further determined, pursuant to section 304(a)(1)(B) of the Trade Act, that action in response to these unreasonable acts, policies, and practices is appropriate, but also determined, pursuant to section 305(2)(A)(ii), that a delay of implementation of such action is desirable to obtain a satisfactory solution</p>
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<p>India Intellectual Property Protection (301-85)*</p>	<p>On May 26, 1991, USTR self-initiated an investigation under section 302(b)(2)(A) of the Trade Act with respect to certain acts, policies and practices of the Government of India that deny adequate and effective protection of intellectual property rights and fair and equitable market access to United States persons that rely upon intellectual property protection.</p>	<p>On May 31, 1991, USTR invited public comments on the matters being investigated (56 FR 24877), and requested consultations with the Government of India. On November 26, 1991, USTR determined that complex or complicated issues were involved in the investigation that it required additional time, thus USTR's determinations under section 304(a)(1) on actionability and what action, if any, should be taken in response must be made no later than February 26, 1992 (56 FR 61447). On January 29, 1992, the USTR requested further public comment on acts, policies, and practices of the Government of India. In particular, USTR is requesting comments on whether such acts, policies, and practices are unreasonable and burden or restrict U.S. commerce, and if so, what responsive action, if any, should be taken pursuant to section 301 of the Trade Act. (57 FR 3457). On February 26, 1992, the USTR has determined pursuant to section 304(a)(1)(A)(iii) of the Trade Act that the Government of India's denial of adequate and effective protection of patents is unreasonable and burdens or restricts U.S. commerce. The USTR has further determined pursuant to section 304(a)(1)(B) of the Trade Act</p>
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<p>People's Republic of China Intellectual Property Protection (301-86)*</p>	<p>On May 26, 1991, USTR self-initiated an investigation under section 302(b)(2)(A) of the Trade Act with respect to certain acts, policies and practices of the People's Republic of China (PRC) that deny adequate and effective protection of intellectual property rights and fair and equitable market access to United States persons that rely upon intellectual property protection.</p>	<p>On May 31, 1991, USTR invited public comments on the matters being investigated (56 FR 24878), and requested consultations with the PRC government. On November 26, 1991, USTR determined that complex or complicated issues were involved in the investigation that it required additional time, thus USTR's determinations under section 304(a)(1) on actionability and what action, if any, should be taken in response must be made no later than February 26, 1992 (56 FR 61447). On December 2, 1991, USTR requested public comment on a proposed determination that certain acts, policies and practices of the People's Republic of China with respect to its protection and enforcement of intellectual property rights are unreasonable and constitute a burden or restriction on United States commerce (56 FR 61278). The USTR also sought public comment on appropriate action under section 301 in response to these acts, policies, and practices. A public hearing was held on January 6-7, 1992, for the purpose of hearing views on possible action being considered in response to the People's Republic of China's intellectual property laws, policies, and practices (56 FR 64280). On January 17, 1992, USTR decided to</p>
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<p>Canada Softwood Lumber (301-87)*</p>	<p>On October 4, 1991, USTR self-initiated an investigation under section 302(b)(1)(A) of the Trade Act with respect to certain acts, policies, and practices of the Government of Canada affecting exports to the United States of softwood lumber.</p>	<p>On October 4, 1991, USTR invited public comments on the matters being investigated (56 FR 50738). Because expeditious action was required, the USTR made these determinations prior to receiving public comment in accordance with section 304(b)(1). The Administration announced the following action: (1) intention to self-initiate a countervailing duty investigation of softwood lumber imports from Canada (which was in fact initiated on October 31, 1991); and (2) until preliminary results of that investigation are available, interim customs suspension of liquidation to prevent disruption of the U.S. lumber market as a consequence of the abrupt termination of the MOU undertaking.</p> <p>On March 6, 1992, the Department of Commerce issued an affirmative preliminary determination in the countervailing duty investigation. Consequently, the bond requirement imposed by the Section 301 investigation was terminated. Meanwhile, Canada challenged the initiation of the 301 and countervailing duty investigations before the GATT.</p> <p>On October 19, 1994, USTR terminated Section 301 action</p>
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<p>People's Republic of China Market Access (301-88)*</p>	<p>On October 10, 1991, USTR self-initiated an investigation under section 302(b)(1)(A) of the Trade Act with respect to certain acts, policies and practices of the People's Republic of China that restrict or deny imports into the Chinese market of products from the United States.</p>	<p>On October 10, 1991, USTR invited public comments on the matters being investigated (56 FR 51943) and requested consultations with the PRC government. On August 27, 1992, USTR requested public comment on a proposed determination that certain acts, policies and practices of the People's Republic of China that are barriers to market access are unreasonable and constitute a burden or restriction on United States commerce (57 FR 38912). The USTR held a public hearing on September 23-25, 1992, for the purpose of hearing views on possible action being considered in response to the People's Republic of China's barriers to market access. On October 10, 1992, USTR terminated the investigation initiated under section 302 of the Trade Act of 1974, as amended, having reached a satisfactory resolution of the issues.(57 FR 47889)</p>
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<p>Taiwan Intellectual Property (301-89)*</p>	<p>On May 29, 1992, USTR self-initiated an investigation under section 302(b)(2)(A) of the Trade Act with respect to certain acts, policies and practices of the authorities on Taiwan that deny adequate and effective protection of intellectual property rights.</p>	<p>On May 29, 1992, USTR invited public comments on the matters being investigated (57 FR 23605) and requested consultations with the Taiwan government.</p> <p>On June 5, 1992, USTR terminated the investigation after reaching an agreement on providing improved levels of protection for patents, copyrights, trade secrets, layout designs of integrated circuits and industrial designs. In addition, pursuant to section 182(c)(1)(A) of the Trade Act, the USTR has decided that the information in the Agreement warrants revocation of the identification of Taiwan as a 'priority foreign country.' The USTR will monitor compliance with this trade agreement pursuant to section 306 of the Trade Act. (57 FR 25091).</p>
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<p>Indonesia Pencil Slats (301-90)</p>	<p>On August 18, 1992, P&M Cedar Products, Inc. and Hudson ICS filed a petition pursuant to section 302(a) of the Trade Act alleging that various Indonesian practices concerning pencil slats are unreasonable and burden or restrict United States commerce. The petition alleges that the following practices by Indonesia have the effect of enhancing exports of Indonesian pencil slats to third-country markets and are actionable under section 301: (1) the imposition of differential export taxes, with an extremely high tax on logs and no tax on finished products such as pencil slats; (2) underpricing of government-owned timber stock; and (3) failure to enforce the terms of timber concession arrangements.</p>	<p>On October 2, 1992, USTR initiated an investigation under section 302 of the Trade Act and requested public comment on the allegations in the petition. Also on that date, the US requested consultations with the Indonesian Government.</p> <p>On December 31, 1992, the USTR terminated the investigation after determining that there was no evidence that the alleged practices are having the adverse trade effects asserted by the petition. Thus, even assuming that the alleged practices exist and would otherwise be considered actionable under section 301(b), there is no basis for concluding that they are burdening or restricting United States commerce. (58 FR 610).</p>
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<p>Brazil Intellectual Property Rights (301-91)*</p>	<p>On May 28, 1993, USTR self-initiated an investigation under section 302(b)(2)(A) of the Trade Act with respect to certain acts, policies and practices of the Government of the Republic of Brazil that deny adequate and effective protection of intellectual property rights.</p>	<p>On May 28, 1993, USTR invited public comment on the matters being investigated and requested consultations with the Brazilian Government(58 FR 31788). On November 26, 1993, USTR determined that complex or complicated issues were involved in the investigation and that it required additional time, thus the deadline for USTR's determinations under section 304(a)(1) on actionability and what action, if any, should be taken was extended until no later than February 28, 1994 (58 FR 64351). On January 28, 1994, USTR requested further public comment on whether the acts, policies, and practices under investigation are unreasonable and burden or restrict U.S. commerce, and if so, what responsive action, if any, should be taken pursuant to section 301 of the Trade Act (59 FR 4135). On February 28, 1994 on the basis of measures and assurances offered, the USTR decided to terminate this investigation. Pursuant to section 182(c)(1)(A) of the Trade Act, the USTR decided that the information received warrants revocation of Brazil's identification as a priority foreign country. The USTR is monitoring Brazil's implementation of these measures under section 306(a)(2) of the Trade Act</p>
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<p>China Intellectual Property Rights (301-92)*</p>	<p>On June 30, 1994, USTR self-initiated an investigation under section 302(b)(2)(A) of the Trade with respect to certain acts, policies, and practices of the Government of the People's Republic of China that deny adequate and effective protection of intellectual property rights.</p>	<p>On June 30, 1994, USTR invited public comment on the matters being investigated and requested consultations with the Chinese government (59 FR 35558).</p> <p>On December 31, 1994, USTR determined that as complex or complicated issues were involved in the investigation, requiring additional time, the investigation should be extended to February 4, 1995 (60 FR 1829). On the same date, the USTR also requested public comment on proposed determinations on the actionability under section 301 of the practices under investigations and on appropriate action under section 301 in response to them. A public hearing was held on January 24-25 to hear views on the proposed action. On February 4, 1995, the USTR determined pursuant to section 304(a) that certain acts, policies and practices of China with respect to its protection of intellectual property rights and the provision of market access to persons who rely on intellectual property rights protection was unreasonable and discriminatory and constituted a burden or restriction on U.S. commerce. The USTR also determined that the appropriate action in response was, pursuant to section 301 (b) and (c), to</p>
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<p>Japan Auto Parts *(301-93)</p>	<p>On October 1, 1994, USTR self-initiated an investigation under Section 302(b)(1)(a) of the Trade Act with respect to certain acts, policies and practices of the Government of Japan that restrict or deny U.S. auto parts suppliers' access to the auto parts replacement and accessories market in Japan.</p>	<p>On October 13, 1994, USTR invited public comment on the matters being investigated (59 FR 52034-35) and on November 10, 1994 USTR extended the comment period (59 FR 56099). On May 10, 1995, the USTR determine that acts, policies and practices of Japan that restrict or deny suppliers of U.S. auto parts access to the auto replacement and accessories market in Japan are unreasonable and discriminatory and burden or restrict commerce. On May 18, 1995, USTR requested public comment and held a public hearing on June 8, 1995, on a proposed determination that the appropriate action in response would be to impose 100% tariff on luxury motor vehicles from Japan (60 FR 26745).</p> <p>Effective June 28, 1995, having reached a satisfactory resolution of the issues under investigation, the USTR determined that the appropriate action in this case was to terminate the investigation and monitor compliance with the agreement in accordance with section 306 of the Trade Act (60 FR 35253).</p>
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<p>European Community Banana Import Regime (301-94)</p>	<p>Chiquita Brands International, Inc. and the Hawaii Banana Industry Association filed a petition on September 2, 1994 pursuant to section 302(a) of the Trade Act alleging that various policies and practices of the European Union, Colombia, Costa Rica, Nicaragua and Venezuela concerning trade in bananas are discriminatory, unreasonable and burden or restrict United States commerce. The petition alleges that the following acts, policies and practices are discriminatory and unreasonable: (1) Council Regulation (EEC) No. 404/93 and related rules implementing a Community banana policy and the framework agreement on bananas between the European Union and the four above mentioned Latin American countries are discriminating.</p>	<p>On October 17, 1994, USTR initiated an investigation under Section 302 of the Trade Act of the European Union's practices, invited public comment on the matters being investigated and requested consultations with the EU (59 FR 53495). USTR decided not to initiate an investigation under Section 302 at that time against Colombia, Costa Rica, Nicaragua and Venezuela. On November 21, 1994 USTR extended the comment period (59 FR 60026).</p> <p>On January 9, 1995, USTR requested public comment on a proposed determination that the acts, practices and policies of the EU with respect to bananas are unreasonable and discriminatory and burden or restrict US commerce and on what action in response is appropriate (60 FR 3285).</p> <p>On September 27, 1995 USTR terminated this investigation and initiated a second investigation, (60 FR 52027) see 301-100.</p>
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<p>Korean Agricultural Market Access Restrictions(301-95)</p>	<p>On November 18, 1994, the National Pork Producers Counsel, the American Meat Institute and the National Cattlement filed a petition under section 302(a) of the Trade Act with respect to Korean practices regarding the importation of certain U.S. agricultural products. The petition alleges that certain practices of the Government of Korea regarding the importation of U.S. beef and pork products violates three U.S. Korea bilateral trade agreements and are unreasonable and burden or restrict U.S. commerce.</p>	<p>On November 22, 1994, USTR initiated an investigation under Section 302(a) and invited public comment on the matter being investigated (59 FR 61006).</p> <p>On July 20, 1995, the USTR terminated its investigation following an agreement between the U. S. and Korea. The USTR will monitor Korea's implementation of the agreement pursuant to section 306 of the Trade Act (60 FR 42925).</p>
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<p>Colombia Exportation of Bananas to EU (301-96)*</p>	<p>On January 9, 1995, USTR self-initiated an investigation under Section 302(b)(1)(A) of the Trade Act to determine whether, as a result of Colombia's implementation of the Framework Agreement, the policies and practices of Colombia regarding the exportation of bananas to the EU are unreasonable and discriminatory and burden or restrict U.S. commerce.</p>	<p>On January 9, 1995, USTR invited public comment on the matters being investigated and requested consultations with the Colombia Government (50 FR 3283). On January 10, 1996, the USTR determined that the practices under investigation were unreasonable or discriminatory and burdened or restricted U.S. commerce, and that, because Colombia has not fully addressed all the acts, policies, and practices found actionable pursuant to section 301 (b)(1), the appropriate action at this time is to direct USTR officials to implement a process aimed at addressing the remaining burden or restriction on U.S. commerce while monitoring, under section 306, Colombia's commitments made on January 9, 1996, during bilateral consultations, and to terminate the investigation.</p>
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<p>Costa Rica Exportation of Bananas to the EU (301-97)*</p>	<p>On January 9, 1995, USTR self-initiated an investigation under section 302(b)(1)(A) of the Trade Act to determine whether, as a result of Costa Rica's implementation of the Framework agreement, the policies and practices of Costa Rica regarding the exportation of bananas to the EU are unreasonable and discriminatory and burden or restrict U.S. commerce.</p>	<p>On January 9, 1995, USTR invited public comment on the matters being investigated and requested consultation with the Government of Costa Rica (60 FR 3284-85). On January 10, 1996, the USTR determined that the practices under investigation were unreasonable or discriminatory and burdened or restricted U.S. commerce, and that, because Costa Rica has not fully addressed all the acts policies, and practices found actionable pursuant to section 301 (b)(1), the appropriate action at this time was to direct USTR officials to implement a process aimed at addressing the remaining burden or restriction on U.S. commerce while monitoring, under section 306, Costa Rica's commitments made on January 6, 1996, during bilateral consultations, and to terminate the investigations.</p>
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<p>Canadian Communications Practices (301-98)</p>	<p>On December 23, 1994, Country Music Television (CMT), filed a petition pursuant to section 302(a) of the Trade Act alleging that acts, policies and practices of the Canadian government regarding the authorization for distribution via cable carriage of U.S.-owned programming services are unreasonable and discriminatory and burden or restrict U.S. commerce.</p>	<p>On February 6, 1995, USTR initiated an investigation, invited public comment on the matters being investigated and requested consultations with the Government of Canada (60 FR 8101-2). USTR also requested public comment concerning a proposed determination that certain acts, policies and practices of Canada with respect to the granting or termination of authorizations for U.S.-owned programming services to be distributed in Canada via cable carriage are unreasonable or discriminatory and constitute a burden or restriction on U.S. commerce.</p> <p>On February 6, 1996, the USTR determined pursuant to section 304(a)(1)(A)(ii) of the Trade Act that certain acts, policies and practices of the Government of Canada with respect to the granting or termination of authorization for US owned programming services to be distributed in Canada via cable carriage deny market access for such services and are unreasonable and discriminatory and constitute a burden or restriction on US commerce. As negotiations to restore CMT's access were ongoing and Canada had taken no subsequent action to terminate the authorizations of other U.S. -owned programming services, the</p>
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<p>Barriers to Access to the Japanese Market for Consumer Photographic Film and Paper (301-99)</p>	<p>On May 18, 1995, the Eastman Kodak Company filed a petition pursuant to section 302(a) of the Trade Act alleging that certain acts, policies and practices of Japan deny access to the market for photographic film and paper in Japan and are unjustifiable, unreasonable and discriminatory and actionable under section 301.</p>	<p>On July 2, 1995, the USTR initiated an investigation with respect to barriers to access to the Japanese market for consumer photographic film and paper. USTR invited public comment on the matters being investigated and the determinations to be made under section 304 of the Trade Act and requested consultations with the Government of Japan (60 FR 35447).</p> <p>On June 13, 1996, the Acting USTR determined, pursuant to section 304(a)(1)(A) of the Trade Act, that certain acts, policies, and practices of the Government of Japan with respect to the sale and distribution of consumer photographic materials in Japan are unreasonable and burden or restrict U.S. commerce and that these acts should be addressed by: (1) seeking recourse to the dispute settlement procedures of the WTO to challenge Japanese Government liberalization countermeasures; (2)(a) requesting consultations with the Government of Japan under the WTO provision for consultations on restrictive business practices; (b)(i) requesting that Kodak provide information for submission to the Japan Fair Trade Commission (JFTC) concerning anticompetitive practices in this sector,(ii)</p>
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<p>European Community Banana Import Regime (301-100)*</p>	<p>Pursuant to section 302(b)(1) of the Trade Act, the USTR self-initiated a new investigation concerning the European Union's (EU) acts, policies and practices relating to the importation, sale and distribution of bananas. (See 301-94)</p>	<p>The USTR invited public comment on the acts, policies and practices of the EU and pursuant to section 303(a) of the Trade Act, requested consultations with the EU pursuant to the WTO's Understanding on Rules and Procedures Concerning the Settlement of Disputes (DSU) (60 FR 52027 of 10/04/95).</p> <p>On May 8, 1996, the DSB established a panel in response to the April 11, 1996, panel request filed jointly and severally by Ecuador, Guatemala, Honduras, Mexico, and the United States. A WTO dispute settlement Panel was subsequently formed to address this dispute, and, in a report circulated in May 1997 found in favor of the United States. The findings in the report were affirmed by the WTO Appellate Body on September 9, 1997, and adopted by the WTO Dispute Settlement Body on September 25, 1997.</p>
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<p>EU Enlargement (301-101)</p>	<p>On October 24, 1995, USTR self-initiated an investigation under section 302(b)(1) of the Trade Act with respect to the denial of benefits under a trade agreement by the European Union arising from the accession of Austria, Finland and Sweden.</p>	<p>On October 27, 1995, USTR requested public comment, while a public hearing was held on November 21, 1995, on a proposed determination (60 FR 55076). On December 22, 1995, the European Union Council approved the U.S.-E.U. Agreements on EU Enlargement and Grains which provides full compensation to the United States for tariff increases that occurred when the three countries acceded to the EU.</p> <p>Effective October 21, 1996, having reached an agreement that provided a satisfactory resolution of the issues under investigation, the Acting USTR decided to terminate this investigation and to monitor EU implementation pursuant to section 306 of the Trade Act (61 FR 56082 of 10/30/96).</p>
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<p>Canadian Practices Affecting Periodicals (301-102)</p>	<p>On March 11, 1996, the USTR self-initiated an investigation under section 302(b)(1) of the Trade Act with respect to certain acts, policies and practices of the Government of Canada that restrict or prohibit imports of certain periodicals into Canada and apply discriminatory treatment to certain imported periodicals.</p>	<p>The USTR requested public comment and requested consultations with the Government of Canada pursuant to Article XXII of GATT, 1994, and Article 4 of the WTO DSU (61 FR 11067 of 3/18/96). A WTO dispute settlement Panel was subsequently formed and, in a report circulated in March 1997, found in favor of the United States. The findings of this report were upheld by the WTO's appellate body on June 30, 1997. Because Canada announced its intention to comply with the Panel and Appellate Body reports, this investigation was terminated on September 11, 1997 (62 FR 50651 of 9/26/97).</p>
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<p>Portugal's Practices Regarding Term of Patent Protection (301-103)</p>	<p>On April 30, 1996, USTR self-initiated an investigation under section 302(b)(1) of the Trade Act with respect to certain act, policies and practices of the Government of Portugal relating to the term of existing patents.</p>	<p>The USTR requested public comment concerning the acts, policies and practices of Portugal being investigated and requested consultations with the Government of Portugal pursuant to Article XXII of GATT, 1994, and Article 4 of the WTO DSU (61 FR 19971 of 5/3/96).</p> <p>On May 30, 1996, the United States and Portugal held formal consultations. On August 23, 1996, Portugal issued Decree-Law 141/96 to implement properly its patent term related obligations under the TRIPS agreement. Having reached a satisfactory resolution of the issues under investigation, the USTR terminated the investigation on October 21, 1996, and will monitor implementation of the agreement under section 306 of the Trade Act. Accordingly, on October 21, 1996 USTR terminated this investigation (61 FR 55352 of 10/26/97).</p>
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<p>Pakistan's Practices Regarding Patent Protection for Pharmaceuticals and Agricultural Chemicals (301-104)</p>	<p>On April 30, 1996 USTR self-initiated an investigation under section 302(b)(1) of the Trade act with respect to certain acts, policies and practices of the Government of Pakistan that may result in the denial of patents and exclusive marketing rights to U.S. individuals and firms involved in the development of innovative pharmaceutical and agricultural chemicals products.</p>	<p>The USTR invited public comment on the matters being investigated and requested consultations with the Government of Pakistan pursuant to Article XXII of GATT, 1994, and Article 4 of the WTO DSU(61 FR 19971 of 5/3/97). Consultations were held on May 30, 1996. On July 4, 1996 the U.S. requested establishment of a Panel.</p> <p>After consultations between the United States and Pakistan, Pakistan issued Ordinance No. XXVI of 1997. On February 28, 1997, the United States and Pakistan jointly notified the WTO Dispute Settlement Body (DSB) of the settlement of this matter in light of Pakistan's planned implementation of Ordinance No. XXVI. Having reached a satisfactory resolution of the issues under investigation, the USTR terminated this section 302 investigation and will monitor implementation of the agreement under section 306 of the Trade Act. This investigation was terminated June 8, 1997 (62 FR 33695 of 6/20/97).</p>
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<p>Turkey's Practices Regarding the Imposition of a Discriminatory Tax on Box Office Revenues (301-105)</p>	<p>On June 12, 1996, USTR self-initiated an investigation under section 302(b)(1) of the Trade act with respect to certain acts, policies and practices of the Government of Turkey that may result in the discriminatory treatment of U.S. films in Turkey.</p>	<p>The USTR invited public comment on the matters being investigated (61 FR 32883) and requested consultations with the Government of Turkey pursuant to Article XXII of GATT, 1994, and Article 4 of the WTO DSU (61 FR 32883 of 6/25/96). Although a WTO dispute settlement Panel was subsequently formed to address this dispute, the Panel did not proceed because Turkey agreed to eliminate its discriminatory practice. This settlement was notified to the WTO Dispute Settlement Body on July 17, 1997.</p>
<p>India's Practices Regarding Patent Protection for Pharmaceuticals and Agricultural Chemicals (301-106)</p>	<p>On July 2, 1996, USTR self-initiated an investigation under section 302(b)(1) of the Trade Act with respect to certain acts, policies and practices of the Government of India that may result in the denial of patents and exclusive marketing rights to U.S. individuals and firms involved in the development of innovative pharmaceutical and agricultural chemical products.</p>	<p>The USTR invited public comment on the matters being investigated and requested consultation with the Government of India pursuant to Article XXII of GATT, 1994, and Article 4 of the WTO DSU and Article 64 of the TRIPs Agreement (61 FR 35857 of 7/8/96). Subsequently, a WTO dispute settlement panel was formed to address this dispute and, in a report circulated September 5, 1997, found in favor of the United States. India appealed this decision to the WTO's Appellate Body on October 15, 1997.</p>

<p>Australian Subsidies Affecting Leather (301-107)</p>	<p>On August 19, 1996, the Coalition Against Australian Leather Subsidies filed a petition pursuant to section 302(a) of the Trade Act alleging that certain subsidy programs of the Government of Australia constitute acts, policies and practices that violate, or are inconsistent with and otherwise deny benefits to the United States under GATT 1994 and the SCM Agreement.</p>	<p>On October 3, 1996, the USTR initiated an investigation pursuant to section 302(a) to determine whether certain acts, policies or practices of the Government of Australia regarding subsidies available to leather under the Textile, Clothing and Footwear Import Credit Scheme and another subsidies to leather granted or maintained in Australia which are prohibited under Article 3 of the SCM Agreement are actionable under section 301. The USTR sought public comment on this matter and requested consultations with the Government of Australia pursuant to Articles 1 and 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Article 4.1 of the SCM Agreement, and Article XXIII:1 of GATT 1994 as incorporated in Article 30 of the SCM Agreement (61 FR 55063 of 10/23/96). Consultations were held on October 31, 1996, and a settlement of this dispute was reached on November 25, 1996. Due to a new, replacement subsidies package put in place by the Government of Australia, new consultations were requested on November 10, 1997.</p>
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<p>Argentine Specific Duties and Non-Tariff Barriers Affecting Apparel, Textiles, Footwear (301-108)</p>	<p>On October 4, 1996, the USTR self-initiated an investigation under section 302(b)(1) of the Trade Act with respect to certain acts, policies and practices of the Government of Argentina concerning the imposition of (1) specific duties on apparel, textiles, footwear and other ad valorem; (2) a discriminatory statistical tax and (3) a burdensome labeling requirement on apparel, textiles and footwear.</p>	<p>The USTR requested public comment and also requested consultations with the Government of Argentina pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Article XXII:1 GATT, 1994, Article 14 of the Agreement on Technical Barriers to Trade, Article 19 of the Agreement on the Implementation of Article VII of the GATT 1994, and Article 7 of the Agreement on Textiles and Clothing (61 FR 53776 of 10/15/96). Because these consultations failed to resolve this dispute, a WTO dispute settlement panel was established on February 25, 1997. The WTO Panel ruled in favor of the United States in November, 1997.</p>
<p>Indonesian Practices Re: Promotion of Motor Vehicle Sector (301-109)</p>	<p>On October 8, 1996, the USTR self-initiated an investigation under section 302(b)(1) of the Trade Act with respect to certain acts, policies and practices of the Government of Indonesia concerning the grant of conditional tax and tariff benefits intended to develop a motor vehicle sector in Indonesia.</p>	<p>The USTR invited public comment on the matters being investigated and requested consultation with the Government of Indonesia pursuant to Article 1 and 4 of the DSU, Article XXII:1 of the GATT 1994, Article 8 of TRIMs Agreement, Articles 7 and 30 of the SCM Agreement, and Article 64 of the TRIPS Agreement (61 FR 54247 of 10/17/96). Because subsequent consultations proved unsuccessful, a WTO dispute panel has been formed to address this dispute.</p>

<p>Brazilian Practices Regarding Trade and Investment in the Auto Sector (301-110)</p>	<p>On October 11, 1996, the USTR self-initiated an investigation under section 302(b)(1) of the Trade Act of 1974, with respect to certain acts, policies and practices of the Government of Brazil concerning the grant of tariff-reduction benefits contingent on satisfying certain export performance and domestic content requirements.</p>	<p>In August 1996, the USTR sought consultations with Brazil regarding its auto regime. Subsequently, Brazil agreed to enter into intensive talks with the United States to discuss the removal of the discriminatory impact of the Brazilian practices on U.S. exports. Pending the successful outcome of these talks, the USTR decided, pursuant to section 303(b)(1)(A) of the Trade Act of 1974, to delay for up to 90 days requesting WTO dispute settlement procedures (required under section 303(a) of the Trade Act) for the purpose of ensuring and adequate basis for such consultations. The USTR also invited written comments on the matters being investigated (61 FR 54485 of 10/18/96). On January 10, 1997 the United States requested formal consultations pursuant to Articles 1 and 4 of the WTO, DSU, Article XXIII:1 of the GATT 1994, Article 8 of the TRIMS Agreement, and Articles 4.1, 7.1 and 30 of the SCM Agreement.</p>
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<p>Certain Subsidies Affecting Access to the European Communities' Market for Modified Starch (301-111)</p>	<p>On January 22, 1997, the U.S. Wheat Gluten Industry Council filed a petition pursuant to 302(a) of the Trade Act alleging that certain subsidy schemes of the EC constitute acts, policies and practices that violate, or are inconsistent with and otherwise deny benefits to the United States under the GATT of 1994 and the Agreement on Subsidies and Countervailing Measures.</p>	<p>On March 8, 1997 the USTR initiated an investigation with respect to certain act, policies and practices of the European Union (EC); more specifically the provision of subsidies that affect access to the EC modified starch market. The Acting USTR invited written comments from the public on the matters being investigated and the determinations to be made under section 304 of the Trade Act, and postponed requesting WTO consultations under Section 303 for a period up to 90 days for the purpose of ensuring an adequate basis for such consultations (62 FR 12264 of 3/14/97).</p> <p>Following consultations with the petitioners, on June 6, 1997, the Acting USTR announced her intention to consult with the European Communities (EC) regarding wheat gluten exports from the EC to the United States pursuant to a bilateral agreement with the EC on grains (signed July 22, 1996). Pending the outcome of these consultations, the USTR will not pursue consultations under the WTO agreements and terminated, effective June 6, 1997, the investigation initiated on March 8, 1997, under section 302(a) of the Trade Act of 1974 (62 FR 32398 of 6/13/97).</p>
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<p>Japan Market Access Barriers to Agricultural Products (301-112)</p>	<p>On October 7, 1997, the USTR self-initiated an investigation with respect to certain acts, policies and practices of the Government of Japan concerning Japan's prohibition on imports of certain agricultural products.</p>	<p>The USTR requested consultations with the Government of Japan pursuant to Article 4 of the WTO DSU, Article 11 of the Agreement on the Application of Sanitary and Phytosanitary Measures, Article XXIII of GATT 1994, and Article 19 of the Agreement on Agriculture, to address the matters being investigated. The USTR also invited written comments from the public on these matters (62 FR 53853 of 10/16/97).</p>
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<p>Canadian Export Subsidies and Market Access for Dairy Products (301-113)</p>	<p>On September 5, 1997, the National Milk Producers Federation, the U.S. Dairy Export Council, and the International Dairy Foods Association filed a petition pursuant to section 302(a) of the Trade Act alleging that certain export subsidies of the Government of Canada and Canada's failure to implement a TRQ for fluid milk constitute acts, policies and practices that violate, or are inconsistent with and otherwise deny benefits to the United States under the Uruguay Round Agreement on Agriculture and GATT 1994.</p>	<p>On October 8, 1997, the USTR initiated an investigation under section 302(a) of the Trade Act of 1974 with respect to certain acts, policies and practices of the Government of Canada with respect to export subsidies on dairy products, and the operation of Canada's tariff rate quota (TRQ) for fluid milk. The USTR invited written comments from the public on the matters being investigated and the determinations to be made under Section 304 of the Trade Act of 1974 (62 FR 53851 of 10/16/97). In addition, the USTR requested consultations with Canada regarding the issues under investigation pursuant to Article 4 of the WTO DSU, Article XXII of the GATT 1994, and Article 30 of the Agreement on Subsidies and Countervailing Measures.</p>
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<p>EU Circumvention of Export Subsidy Commitments on Dairy Products (301-114)</p>	<p>On October 8, 1997, The USTR self-initiated an investigation with respect to certain acts, policies and practices of the European Union (EU) concerning export subsidies on processed cheese.</p>	<p>The USTR invited public comment on the matters being investigated (62 FR 53852 of 10/16/97) and requested consultations with the EU regarding the issues under investigation. The request was made pursuant to Article 4 of the WTO DSU, Article 19, of the Agreement on Agriculture to the extent it incorporates Article XXII of the GATT 1994, and Article 30 of the Agreement on Subsidies and Countervailing Measures to the extent it incorporates Article XXII of the GATT 1994.</p>
<p>Korean Barriers to Auto Imports (115)</p>	<p>On October 20, 1997, the USTR initiated an investigation with respect to certain acts, policies and practices of the Government of the Republic of Korea that pose barriers to imports of U.S. autos into the Korean market.</p>	<p>The USTR invited public comment on the matters being investigated (62 FR 55843 of 10/28/97).</p>
<p>Honduran Protection of Intellectual Property Rights (301-116)</p>	<p>On October 31, 1997, the USTR initiated an investigation with regard to acts and policies of the Government of Honduras with respect to the protection of intellectual property rights, and proposed to determine that these acts, policies and practices are actionable under section 301(b) and that the appropriate response is a partial suspension of tariff preferences.</p>	<p>The USTR invited public comments on the matters being investigated and participation in a public hearing concerning the proposed determinations and action. (62 FR 60299 of 11/7/97)</p>