

RESTRICTED

RBC/10/Add.1

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Original: French

The Uruguay Round
Surveillance Body

ROLLBACK

Communication

The following communication, dated 4 January 1988, has been received from the European Communities.

Prohibition on Hormonal Substances for Fattening Purposes

Comments by the European Community on the Canadian
Communication to the Surveillance Body (RBC/10)

1. The measure is entirely in conformity with the Punta del Este rollback commitment since it does not constitute a trade restrictive or distorting measure inconsistent with the relevant provisions of the General Agreement or the instruments negotiated within the framework of GATT or under its auspices:

- (a) the measure does not now, and until 31 December 1988, apply to imports from third countries, which continue to be governed by the national provisions of member States previously in force, which have never been challenged in GATT in the past;
- (b) the purpose of the measure is to protect consumers of meat or meat-based products against the risks presented by substances having a thyrostatic, oestrogenic, androgenic or gestagenic action that are dangerous for human health;
- (c) the measure is to be applied in a non-discriminatory manner both within the Community and with respect to supplier third countries, which will simply be required to guarantee, by means to be negotiated with the proper authorities, that animals or meat have not been treated with such substances except in authorized and supervised cases;

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- (d) the notification by Canada does not include any indication of the provision or provisions of the General Agreement or of the negotiated instruments which are supposed to be incompatible with the measure. The sole reference to Article XX of the Agreement on Technical Barriers to Trade is manifestly mistaken since that Agreement has only fifteen articles.

2. The Community emphasizes that the notifying participant itself likewise prohibits the use in stock-farming of certain substances having a hormonal action such as diethylstilbestrol (D.E.S.) on health protection grounds.