

# WORLD TRADE ORGANIZATION

RESTRICTED

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## UNITED STATES - STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE

### Request for Consultations under Article XXII:1 of GATT 1994 by Brazil

The following communication from the Permanent Mission of Brazil to the Office of the United States Trade Representative in Geneva was received by the Secretariat on 10 April 1995 and is circulated in accordance with Article 4 of the DSU.

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The Government of Brazil hereby requests that the Government of the United States enter into consultations concerning the discriminatory application of the "Regulation of Fuels and Fuel Additives: Standards for Reformulated and Conventional Gasoline" (Gasoline Regulation) published by the United States Environmental Protection Agency February 16, 1994. This request is made pursuant to Article XXII:1 of the General Agreement on Tariffs and Trade 1994 and Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) and Article 14:1 of the Agreement on Technical Barriers to Trade incorporated as annexes in the Agreement Establishing the World Trade organization (WTO).

The Government of Brazil is requesting these consultations because it believes that the Gasoline Regulation is inconsistent with the United States' obligation to provide national treatment, in the sense of Article III of the GATT 1994, to Brazilian gasoline imported into the United States. The Gasoline Regulation also violates the United States' obligations under the Agreement on Technical Barriers to Trade, including the requirement to ensure that in applying its technical standards to imported products they are accorded treatment no less favorable than that accorded to like products of national origin.

Pursuant to Article 4 of the DSU the Government of Brazil asks that the United States respond to its request within 10 days and that consultations be held within 30 days from the date of the receipt of this request. In accordance with paragraph 4 of Article 4 of the DSU the government of Brazil is notifying this request for consultations to the Dispute Settlement Body, to the Council for Trade in Goods and to the Committee on Technical Barriers to Trade.