

WORLD TRADE ORGANIZATION

RESTRICTED

WT/DS2/1

2 February 1995

(95-0199)

Original: Spanish

UNITED STATES - STANDARDS FOR REFORMULATED AND CONVENTIONAL GASOLINE

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

The following communication, dated 24 January 1995, sent by the Permanent Mission of Venezuela to the Director-General of the WTO is circulated in accordance with Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes.

The Government of Venezuela hereby requests the Government of the United States to hold consultations concerning the "Regulation of Fuels and Fuel Additives - Standards for Reformulated and Conventional Gasoline" (Gasoline Regulation) adopted by the Environmental Protection Agency on 15 December 1993. This request is made pursuant to Article XXII:1 of the General Agreement on Tariffs and Trade (GATT) and Articles 14.1 of the Agreement on Technical Barriers to Trade and 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (Understanding), incorporated as annexes in the Agreement Establishing the World Trade Organization (WTO).

In this connection, I wish to inform you that on 11 January 1995 the Government of Venezuela informed the GATT Secretariat that it had decided to suspend definitively¹ the proceedings of the panel examining the matter of the Gasoline Regulation, initiated in 1994 under Article XXIII of GATT 1947.

As you are aware, the Government of Venezuela considers that the Gasoline Regulation violates the United States' obligation to grant national treatment to Venezuelan gasoline imported by the United States. Apart from violating this principle and other fundamental obligations of the GATT, the regulation in question is inconsistent with the United States' obligations under the Agreement on Technical Barriers to Trade.

Venezuela wishes to conduct consultations concerning these violations as rapidly as possible, in view of the fact that the Regulation in question is currently in force and adversely affecting Venezuela's exports to the United States.

Lastly, in accordance with Article 4.4 of the Understanding, the Government of Venezuela is notifying this request for consultations to the WTO General Council and Dispute Settlement Body.

¹Secretariat note: see documents circulated as DS47/5 and DS47/6.