

WORLD TRADE ORGANIZATION

RESTRICTED

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JAPAN - MEASURES AFFECTING CONSUMER PHOTOGRAPHIC FILM AND PAPER

Request for Consultations by the United States

The following communication, dated 13 June 1996, from the Permanent Mission of the United States to the Permanent Mission of Japan and to the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

My authorities have instructed me to request consultations with the Government of Japan pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), and Article XXIII:1 of the General Agreement on Tariffs and Trade 1994 (GATT 1994) regarding laws, regulations, and requirements of the Government of Japan affecting the distribution, offering for sale, and internal sale of imported consumer photographic film and paper, including: liberalization countermeasures, distribution guidelines and related measures; the Law Pertaining to Adjustment of Business Activities of the Retail Industry for Large Scale Retail Stores; the Law Against Unjustifiable Premiums and Misleading Representations; measures regarding dispatched employees; the application of the Law to Promote Business Reform for Specified Industries and the Ministry of International Trade and Industry Establishment Law; and related legislation, regulations, and administrative measures.

The United States considers that these measures violate the obligations of the Government of Japan under the GATT 1994, including Article III and Article X. The United States also considers that these measures nullify or impair benefits accruing to the United States directly or indirectly under the GATT 1994, within the meaning of Article XXIII:1(a) and (b). The United States reserves the right to raise additional factual claims and legal matters during the course of the consultations.

We look forward to receiving your reply to this request and to fixing a mutually convenient date for consultations.