

8 January 1998

(98-0037)

Original: Spanish

UNITED STATES - TARIFF RATE QUOTA FOR IMPORTS
OF GROUNDNUTS

Request for Consultations by Argentina

The following communication, dated 19 December 1997, from the Permanent Mission of Argentina to the Permanent Mission of the United States and to the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

I have the honour to contact you on instruction from my Government to request consultations with the United States pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Article XXII:1 of the GATT 1994, Article 19 of the Agreement on Agriculture, Article 7 of the Agreement on Rules of Origin and Article 6 of the Agreement on Import Licensing Procedures with respect to the trade damage sustained by my country as a result of the way in which the United States administers the tariff-rate quota for the import of groundnuts (peanuts) for confectionary and peanut paste negotiated between the two Governments during the Uruguay Round.

The Government of Argentina considers that the particularly narrow interpretation by the United States both of the obligation contained in its national schedule and of the requirements for Argentina to benefit fully from the concessions granted, nullifies or impairs the benefits accruing to Argentina directly or indirectly under the GATT 1994 and various WTO Agreements, and impedes its attainment of the objectives of those Agreements and of the GATT 1994.

In Argentina's view, the way in which the quota is administered could be inconsistent with certain provisions including, but not limited to, the following:

- (a) Articles II, X and XIII of the GATT 1994;
 - (b) Articles 1, 4 and 15 of the Agreement on Agriculture;
 - (c) Article 2 of the Agreement on Rules of Origin; and
 - (d) Article 1 of the Agreement on Import Licensing Procedures.
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