
Original: English

**UNITED STATES - SAFEGUARD MEASURE ON IMPORTS OF FRESH, CHILLED OR
FROZEN LAMB FROM NEW ZEALAND**

Request for Consultations by New Zealand

The following communication, dated 16 July 1999, from the Permanent Mission of New Zealand to the Permanent Mission of the United States and to the Chairman of 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 United States pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Article 14 of the Agreement on Safeguards and Article XXII:1 of the General Agreement on Tariffs and Trade 1994 (GATT 1994) with regard to the safeguard measure imposed by the United States on imports of lamb meat.¹

Under the "Proclamation 7208 of 7 July 1999 - To Facilitate Positive Adjustment to Competition from Imports of Lamb Meat" and the "Memorandum of 7 July 1999 - Action Under Section 203 of the Trade Act of 1974 Concerning Lamb Meat" by the President of the United States, published in the Federal Register, Vol. 64, N° 131 (at pages 37389-37390) on 9 July 1999 and the Federal Register, Vol. 63, N° 132 (at pages 37393-37394) on 12 July 1999 respectively, the United States imposed a definitive safeguard measure in the form of a tariff-rate quota on imports of fresh, chilled, or frozen lamb meat effective as of 22 July 1999.²

New Zealand considers that this measure is inconsistent with the obligations of the United States, *inter alia*, as set out under Articles 2, 4, 5, 11 and 12 of the Agreement on Safeguards, and Articles I and XIX of the GATT 1994.

New Zealand reserves the right to raise additional factual matters and legal claims during the course of consultations.

We look forward to receiving your reply to the present request and to setting a mutually convenient date for the consultations. We would suggest that such consultations could be held some time during the week beginning 9 August 1999.

¹ As provided for in subheadings 0204.10.00, 0204.22.20, 0204.23.20, 0204.42.20, and 0204.43.20 of the Harmonized Tariff Schedule of the United States.

² Some of this information has also been contained in the U.S. Article 12.1(c) Notification to the Committee on Safeguards (G/SG/N/10/USA/3 and G/SG/N/11/USA/3).