

ARTICLE XXVIII:5 NEGOTIATIONS

Schedule V – Canada

Addendum

The following communication, dated 2 February 2011, is being circulated at the request of the delegation of Canada.

With reference to the negotiations and related consultations held by Canada in connection with its notification, circulated in documents G/SECRET/29 of 18 April 2007 and G/SECRET/29/Corr.1 of 14 December 2007, in which it notified its intent to modify its concession on tariff item 3504.00.00 included in Schedule V of Canada and replace its concession with respect to the milk protein substances part of tariff item 3504.00.00 with a tariff rate quota, in accordance with the provisions of Article XXVIII, paragraph 5 of GATT 1994, and pursuant to paragraph 5 of the Guidelines on Procedures for Negotiations under Article XXVIII (documents C/113 and Corr.1 of 10 November 1980, hereinafter referred to as the Guidelines), and with reference to the Decision on Procedures for Modification and Rectification of Schedules of Tariff Concessions (Decision of 26 March 1980, document L/4962), Canada has the honour to submit herewith the following documents:

- (i) Conclusion of negotiations with New Zealand, the European Union (formerly the European Communities), and Switzerland, which include a report setting out the results of those negotiations drafted along the lines of the model in Annex B referred to in paragraph 5 of the Guidelines;
- (ii) A final report, drafted along the lines of the model in Annex C referred to in paragraph 6 of the Guidelines, as required upon completion of all the negotiations under paragraph 1 of Article XXVIII.

The agreed modifications will be reflected in Canada's Schedule V. Modifications will be submitted in accordance with the certification procedures referred to in paragraph 1 of the Procedures for Modification and Rectification of Schedules of Tariff Concessions (L/4962).

To the Director General,
WTO
Geneva.

SECRET

June 15, 2010

NEGOTIATIONS RELATING TO THE SCHEDULE OF CANADA

The delegations of Canada and New Zealand have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in the Schedule of Canada as set out in the report attached.

signed for the delegation of Canada

H.E. Mr. John Gero
Ambassador
Permanent Representative to the WTO

signed for the delegation of New Zealand

H.E. Mr. David Walker
Ambassador
Permanent Representative to the WTO

Results of the Negotiations under Article XXVIII for the Modification or Withdrawal of
Concessions in the Schedule of Canada

A. Concession to be withdrawn

Tariff item number	Description of products	Base duty	Bound duty	Implementation Period	Special safeguard
3504.00.00	Peptones and their derivatives; other protein substances and their derivatives, not elsewhere specified or included; hide powder, whether or not chromed.	10.2%	6.5%	1995/2000	

B. Reduction of rates bound in the existing Schedule

Tariff item number	Description of products	Base duty	Bound Duty	Implementation Period	Special safeguard
0404.90.10	--- Within access commitment		3%		

C. New concession on items not in existing Schedule

Tariff item number	Description of products	Base duty	Bound Duty	Implementation Period	Special safeguard
3504.00	Peptones and their derivatives; other protein substances and their derivatives, not elsewhere specified or included; hide powder, whether or not chromed.				
	---Milk protein substances:				
3504.00.11	----Within access commitment		Free		
3504.00.12	----Over access commitment		270% but not less than \$3.15/kg		
3504.00.90	---Other		6.5%		

New Canadian Note to be added to Schedule:

Milk protein substances with a milk protein content of 85% or more by weight, calculated on the dry matter, are classified in tariff item No. 3504.00.11 or 3504.00.12. Milk protein substances with a milk protein content of less than 85% by weight, calculated on the dry matter, are classified in Chapter 04 (subheading 0404.90).

D. New and Modified Tariff Rate Quotas

Description of products	Tariff item number	Initial quota quantity	Rate of duty applicable	Final quota quantity	Rate of duty applicable
Milk protein substances, within access commitment	3504.00.11			10,000 tonnes	Free
Products consisting of natural milk constituents whether or not containing added sugar or other sweetening matter, not elsewhere specified or included, within access commitment	0404.90.10			4,345 tonnes	3%

CONCLUSION OF NEGOTIATIONS ON AN AGREEMENT BETWEEN CANADA AND THE
EUROPEAN COMMUNITIES
FOR COMPENSATION UNDER GATT ARTICLE XXVIII

GENEVA, SWITZERLAND
12 JUNE 2008

An understanding for compensation under GATT Article XXVIII has been reached between Canadian and European negotiators. The attached document reflects the final understanding reached in these negotiations.

For the Government of Canada

For the European Communities

H.E. Mr. Don Stephenson
Ambassador
Permanent Representative to the WTO

H.E. Mr. Eckart Guth
Ambassador
Permanent Delegation to the International
Organisations in Geneva

Results of the Negotiations under Article XXVIII for the Modification or Withdrawal of
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CONCLUSION OF NEGOTIATIONS ON AN AGREEMENT BETWEEN CANADA AND
SWITZERLAND FOR COMPENSATION UNDER GATT ARTICLE XXVIII

GENEVA, SWITZERLAND
12 JUNE 2008

An understanding for compensation under GATT Article XXVIII has been reached between Canadian and Swiss negotiators. The attached document reflects the final understanding reached in these negotiations.

For the Government of Canada

For the Government of Switzerland

H.E. Mr. Don Stephenson
Ambassador
Permanent Representative to the WTO

H.E. Mr. Luzius Wasecha
Ambassador
Permanent Representative to the WTO

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Report on Negotiations under Article XXVIII

Report by the delegation of Canada relating to negotiations under Article XXVIII with respect to Schedule V of Canada.

1. Negotiations resulted in agreement with:

New Zealand;
European Union (formerly the European Communities);
Switzerland.

2. Agreement was not reached with:

None.

3. Consultations have been held with:

United States;
Australia.
