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KOREA - DEFINITIVE SAFEGUARD MEASURE ON  
IMPORTS OF CERTAIN DAIRY PRODUCTS

Request for Consultations by the European Community

The following communication, dated 12 August 1997, from the Permanent Delegation of the European Community to the Permanent Mission of Korea, is circulated in accordance with Article 4.4 of the DSU.

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My authorities have instructed me to request consultations with the Government of the Republic of Korea under Article XXII:1 of the General Agreement on Tariffs and Trade ("GATT 1994") and pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU") and Article 14 of the Agreement on Safeguards with regard to the definitive safeguard measure imposed by Korea on imports of certain dairy products.

Under the provisions of different governmental measures and in particular the decision made public through notification in the "Separated Notice of Export-Import" and in "Detailed Principle of Imports License on Imitation Milk Powder", Korea imposed a safeguard measure in the form of an import quota on imports of certain dairy products (Korea CN codes 0404.90.0000, 0404.10.2190, 0404.10.2900 and 1901.90.2000) effective as of 7 March 1997. The European Community considers that this measure, in having that effect, is in breach of the Republic of Korea's obligations under the provisions of the Agreement on Safeguards, in particular, but not necessarily exclusively, of Articles 2, 4, 5 and 12 of the said Agreement and in violation of Article XIX of GATT 1994.

I look forward to receiving the reaction of your authorities to this request so that we can arrange a mutually convenient date and place to begin consultations, which the European Community suggests to be held in Geneva during the week beginning 8 September 1997.