

Listing Practices

The Parties will grant immediate national treatment for listings on products covered by this chapter. Listing measures will be non-discriminatory, transparent, based on normal commercial considerations, and will not create disguised barriers to trade. All listing criteria shall be published and generally available to the public. There shall be an administrative appeal process for listing decisions. Automatic listing practices for the British Columbia estate wineries existing on October 4, 1987, meeting the current local content rule and producing less than 30,000 gallons annually are grandfathered.

Pricing Practices

Where the distributor is a public entity, the entity may charge producers the actual cost of service differential for product imported from the other Party. The differential which may be charged for imported product may only reflect the audited difference between the cost of service for the imported product which exceeds the cost of service for domestic product.

For wine, 25% of the differential in markup between the product of Canada and the United States will be eliminated at the beginning of the first year, 25% at the beginning of the second year, and the remaining will be phased out in equal steps over the following five years. Cost of service differential will be permitted as defined above.

All discriminatory markups on distilled spirits will be eliminated immediately. Cost of service differentials will be permitted as defined above.

All other discriminatory pricing measures will be eliminated immediately.