

Appendix A

Elements of the Canada-U.S. Free Trade Agreement — Synopsis

On October 4, 1987, Canada and the United States agreed in principle on the elements to be included in the Canada-U.S. Free Trade Agreement. The legal text of the Agreement was tabled in the House of Commons on December 11, 1987. The main elements of the Agreement are the following:

Tariffs and Rules of Origin

All bilateral tariffs will be removed, starting January 1, 1989 when the Agreement enters into force, on the basis of three formulas: a) some will be eliminated immediately; b) some will be eliminated in five equal annual steps; c) some will be eliminated in 10 equal annual steps.

Goods which originate entirely in Canada or the United States will qualify for the new tariff treatment. Goods incorporating offshore materials or components that have been sufficiently changed to warrant a change in tariff classification will also qualify. In certain cases, goods will need to incur 50 per cent of manufacturing cost in either country before they qualify.

Quantitative Restrictions

GATT provisions governing quantitative restrictions on imports or exports will continue to apply. Existing quantitative restrictions will be eliminated, either immediately or according to an agreed timetable, or will be grandfathered. With respect to export measures for short supply or conservation reasons, the Agreement goes beyond the GATT to allow for proportional access to supplies on a historical basis without any price discrimination being imposed by governments. The Agreement provides for co-operation on implementing any such export measures to prevent diversion to third parties.

Technical Standards

The two governments agree to build on the GATT Standards Code. They will endeavour to make federal standards more compatible in order to reduce technical barriers which interfere with trade, while still protecting health and safety, environmental, national security and consumer interests. Increased compatibility of standards at the state, provincial and private levels will be encouraged.

Agriculture

Both governments agree to eliminate tariffs on agricultural trade within 10 years and not to use direct export subsidies on their bilateral agricultural trade. There is a special tariff provision for fresh fruit and vegetables which enables the temporary reimposition of current tariffs under certain circumstances. Both governments will exclude each other from their respective meat import laws, and Canadian import licences for wheat, barley and oats will be eliminated once grain support levels are equivalent in both countries. Canada will be exempt from any future U.S. quantitative restrictions on products containing 10 per cent or less sugar. The Agreement retains the Canadian supply management and marketing board system and provides for a slight increase in Canadian import quotas for poultry and eggs. Both countries agree to reduce technical regulations which interfere with trade, while still protecting human, animal and plant health.