
Temporary Access for Business Persons

A major achievement for services and goods under free trade is the increased ease of cross-border mobility. The temporary access provisions for business persons will reduce impediments to the temporary entry by Canadian service industry personnel into the United States in support of service and goods exports. Measures affecting the movement of personnel have been among the most frequently cited sources of difficulty for commercial service exporters. The adoption of procedures to simplify cross-border travel for business visitors, professionals, traders and investors and to facilitate intra-company transfers will encourage increased activity on both sides of the border.

Standards

The Agreement builds on the GATT Standards Code covering technical regulations and standards to provide that these should not be used as disguised barriers to trade. The new rules do not inhibit in any way the capacity of either party to regulate standards for purposes of health and safety, consumer and environmental protection, or security. Under the Code, no country is prevented from taking such measures so long as they are not applied to cause arbitrary or unjustifiable discrimination between imported or domestic products. Nothing in the Agreement prevents Canada from requiring bilingual labelling of goods, for example, as long as the requirement exists for both domestic and imported goods. Both countries have undertaken to

carry out additional negotiations to make standards-related measures and product approval procedures more compatible; to work toward common accreditation rules; and to facilitate the acceptance of each other's test data.

For many firms, especially those involved in areas such as health care products, processed foods, electrical appliances and the construction industries, norms and standards requirements imposed by the various jurisdictions between and within the two countries can constitute important obstacles to doing business in a normal commercial sense. Whatever justifications may exist for differing standards between jurisdictions, it is mutually advantageous for both Canada and the United States to take whatever steps possible to cooperate in reducing and removing barriers that impede efficient trade between the two countries. The Agreement establishes such a framework for the future.

Specific Industry Elements of the Agreement

The Agreement incorporates a number of provisions directed specifically to particular industries. Some, such as agriculture, forestry and energy, have been dealt with in separate publications.¹³ The following is an overview of certain of these provisions as they relate to particular industries.

¹³ See *The Canada-U.S. Free Trade Agreement and Agriculture: An Assessment*; *The Canada-U.S. Free Trade Agreement and Forestry: An Assessment*; and *The Canada-U.S. Free Trade Agreement and Energy: An Assessment*.