
Wine and Distilled Spirits

The two governments agree to provide national treatment in listing and distribution practices, with certain exceptions for B.C. wineries and private wine outlets in British Columbia and Ontario. Canada will eliminate the price mark-up differential between Canadian and U.S. wines over a seven-year period, and immediately for distilled spirits. The Agreement does not apply to current restrictions on beer. All other price discrimination in Canada and the United States will be eliminated immediately.

Energy

Both governments agree to prohibit most restrictions on energy exports and imports, subject to existing GATT reasons for which such restrictions may be applied, including those related to supply or conservation. In the event of short supply export controls, however, the exporting country will allow for access up to the historical proportion for energy commodities and will not impose higher prices for export. As with the general quantitative restrictions, there is no obligation to supply.

Automotive Trade

The Agreement retains the Auto Pact and its safeguards for current participants. Canadian value-added commitments by the Auto Pact manufacturers are not changed in any way by the Agreement. Rules of origin in the Agreement encourage the sourcing of more parts in North America. Automotive duty waivers and remissions will be phased out, as will the Canadian embargo on used vehicle imports.

Emergency Measures

Both governments agree to more stringent standards in the application of safeguard measures (quotas or restrictions) to bilateral trade. Global import quotas or surtaxes imposed by either government under Article XIX of the GATT will exempt the other party if its shipments are not substantial (less than five to 10 per cent of total imports). During the period of transition of this Agreement if imports from the other country alone are a substantial cause of serious injury, duty reductions provided by the Agreement may be suspended for a maximum of three years, but only one such action per product can be taken.

Government Procurement

Canada and the United States agree to expand access of each other's suppliers to purchases by governments at the federal level, building on the GATT Government Procurement Code. The coverage of the Code will be broadened to purchases between US \$25,000 (about Can \$33,000) and US \$171,000 (Can \$238,000). Further bilateral negotiations will be resumed once the GATT Code is renegotiated.

Trade in Services

The Agreement provides, for the first time, a set of disciplines covering many service sectors. In the future, both governments will extend the principles of national treatment, right of commercial presence and right of establishment, consistent with the investment chapter, to each other's providers of services. Sectoral annexes spell out these obligations for Tourism, Architects, and Computer and Enhanced Telecommunications Services.