
hearings on January 15th, 1991 to obtain comments on options for developing a secretarial amendment to the Fishery Management Plan for Atlantic swordfish. The deadline for public comments was extended to February 1st, 1991.

Ice Cream and Yogurt

The USA has, on five occasions, including the last GATT Council meeting on February 6, 1991, raised the question of Canadian compliance with the recommendations of the Panel report, and has threatened to prepare a list of items for retaliatory action against Canadian products. Authorization would have to be given by the GATT Council for such retaliatory action.

Apple Industry Investigation

On October 16th, 1990, the Senate Finance Committee requested the U.S. International Trade Commission to conduct an investigation, under Section 332 of the Tariff Act of 1930, of the competitive conditions between the U.S. and Canadian apple industries. The Senate Committee has requested a report on the results of the ITC's investigation by August 1st, 1991. The International Trade Commission published a notice in the Federal Register November 19th, inviting written submissions by no later than May 3rd, 1991. Section 332 authorizes nothing more than the fact-finding investigation itself, and provides for no import restrictive action based on the findings of the investigation.

Beer and Wine Excise Tax

The Budget Reconciliation Bill passed by the U.S. Congress at the end of 1990 included a provision for increases in the excise taxes imposed on imported and domestically produced wine, but providing favourable and discriminatory tax treatment for U.S. small wineries and breweries. On February 6th, 1991, Canada requested GATT Article XXIII Consultations with the U.S.A. on these U.S. federal and state measures. In addition, the Canadian beer industry requested GATT action on a range of U.S. state measures on beer and wine. (These state measures include pricing, tax, availability of points of sale and distribution practices.)

At the same time, and in keeping with the GATT dispute settlement procedures, Canada accepted the U.S. request for the establishment of a GATT Panel to examine practices maintained by Canadian provincial liquor boards with respect to the import, distribution and sale of beer.