

Several U.S. states require that imported beer and wine be sold through an in-state agent or middleman, whereas local breweries and wineries can sell product directly to retailers. Some states require that foreign beer be transported exclusively by private transport companies, while locally produced domestic beer can be shipped directly to retailers by the breweries themselves. Various other state measures impose higher licensing fees on foreign beer and dictate uniform prices for imported beers and wines for the entire U.S. market. Local producers, on the other hand, have the advantage of lower fees and the opportunity to be more price-competitive in local markets. Some states maintain listing practices which discriminate against imported wine and beer. Finally, the federal government and several state governments maintain tax measures designed to benefit local beer and wine producers.

Minimum Size Restrictions

U.S. federal legislation places limits on the size of live lobsters and various groundfish imported from Canada. Numerous states apply minimum size restrictions to imports of live lobsters, frozen lobsters and lobster products.

Marine Mammal Protection Act

The Marine Mammal Protection Act of 1972, prohibits the taking and importation of endangered marine mammals and marine mammal products, subject to some exceptions. The prohibition has been applied to products of species that are not endangered. In addition, the ban does not apply to marine mammals taken by Alaskan Aboriginal Peoples for subsistence or for the purpose of creating and selling authentic native articles of handicrafts and clothing. There is no such exception providing similar treatment for Canadian Aboriginal Peoples.

Newsprint Recycling

Several U.S. states have established programs to promote recycling newsprint. These programs are either voluntary or mandatory in nature, and specify the levels of recycled paper to be contained in newsprint. The recycling programs are intended to lead to the reduction in the amount of waste paper being collected in landfill sites. While the purpose of recycling programs is laudable, the effect may be discriminatory.