PUBLIC VERSION OF THE FIRST SUBMISSION OF CANADA TO THE WTO DISPUTE SETTLEMENT PANEL ON EUROPEAN COMMUNITIES - TRADE DESCRIPTION OF SCALLOPS

TABLE OF CONTENTS

SUMMARY OF THE CANADIAN SUBMISSION

I. BACKGROUND

II. FACTUAL ASPECTS

- A. Trade Items Affected
- B. The French Order and Subsequent Amendments
- C. Market Conditions
 - 1. The French scallop market
 - 2. Market differentiation between "coquilles Saint-Jacques" and "pétoncles"

III. ARGUMENT

A. The TBT Agreement

11

- 1. The Order is a technical regulation
- 2. The Order is inconsistent with Article 2.2
 - a. Objectives of the Order
 - b. The Order is more trade-restrictive than necessary to meet the stated objectives
 - i. There is no rational connection between the Order and the stated objectives