

Decision of the Canada-U.S. Trade Commission
on the Elements of an Agreement in respect of the
matter of West Coast Salmon and Herring

The Commission having received the Final Report of the Panel on Salmon and Herring on October 16, 1989, and having considered the report together with other aspects concerning these fisheries in accordance with Article 1807.8 of the FTA, agrees on the following resolution of the dispute:

1. a) Canada will retain its present landing requirement for salmon except that 20% of the total allowable catch of British Columbia salmon will be exempted from the requirement that such salmon be landed in British Columbia during 1990, and that 25% will be exempted during each of 1991, 1992, and 1993. These percentages will be made available to U.S. buyers for direct sea exports in each of the three British Columbia fisheries, south, central and north on the basis of an aggregate of the total allowable catch in each of those three areas.
- b) The quantities of salmon made available to U.S. buyers for direct sea exports in any year in each of the northern, central and southern regions would not be less than the amount of unprocessed U.S. salmon purchased for direct sea export to Canada in a previous representative period.
2. a) Canada will retain its present landing requirement for herring except that 20% of the total allowable catch of British Columbia herring will be exempted from the requirement that such herring be landed in British Columbia during 1990, and that 25% will be exempted during each of 1991, 1992, and 1993. These percentages will be made available to U.S. buyers for direct sea exports. These percentages will be made available in each of the three British Columbia fisheries, south, central and north, on the basis of an aggregate of the total allowable catch in each of those three areas.
- b) The quantities of herring made available to U.S. buyers for direct sea exports in any year in each of the northern, central and southern regions will not be less than the amount of unprocessed U.S. herring purchased for direct sea export to Canada in a previous representative period.
- c) The Commission further agrees that, notwithstanding the provisions of paragraphs 2) a) and b), above, Canada may institute a system of export licences under its Export and Import