

No. 20814

**UNITED STATES OF AMERICA
and
NORWAY**

**Trade Arrangement concerning cheeses, reached on the
Tokyo Round of the Multilateral Trade Negotiations
(with annexes and related letter dated 30 January
1980). Signed at Geneva on 17 May 1979**

Authentic text: English.

Registered by the United States of America on 1 March 1982.

**ÉTATS-UNIS D'AMÉRIQUE
et
NORVÈGE**

**Arrangement commercial relatif aux fromages convenu lors
des négociations commerciales multilatérales dites de
Tokyo (avec annexes et lettre connexe en date du
30 janvier 1980). Signé à Genève le 17 mai 1979**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 1^{er} mars 1982.

ARRANGEMENT¹ BETWEEN THE UNITED STATES AND NORWAY CONCERNING CHEESES

The United States and Norway agree on an arrangement concerning cheese, as set forth in the enclosure.

[Signed — Signé]²
For the Delegation
of Norway

[Signed — Signé]³
For the Delegation
of the United States

Geneva, May 17, 1979

ARRANGEMENT¹ BETWEEN THE UNITED STATES AND NORWAY CONCERNING CHEESES

The United States agrees to bind in schedule XX of the General Agreement on Tariffs and Trade⁴ the quota levels by type of cheese listed in annex I. These quotas will be established under the authority of Section 22 of the Agricultural Adjustment Act of 1933 in conformity with the GATT waiver of 1955.

The United States will take all reasonable measures to assure that the quotas listed in annex I are filled by cheese imports from Norway. It is, however, understood that, in the event Norway is unable to supply a given annual quota, the United States may authorize a temporary country of origin adjustment for the remainder of the quota year so that U.S. importers and licensees may be able to use their import licenses elsewhere.

In addition, the United States will allow imports free of quota of sheep's and goat's milk cheeses and soft-ripened cow's milk cheeses in retail packages as listed in annex II.

For its part, Norway agrees not to grant subsidies on the production or export of cheese shipped to the United States under quota in such a manner so as to result in the sale of such cheese on the U.S. wholesale market at prices below those offered for like U.S. products. A mechanism to ensure compliance with this commitment will be established under which the United States will consult promptly with Norway in the event imports are priced below U.S. wholesale levels by reason of subsidy. Such consultations will be undertaken in order to give Norway an adequate opportunity to take remedial action to terminate the price undercutting.

As long as the above stated price condition is met, the United States agrees not to take countervailing action on cheese imports from Norway under quota.

¹ Came into force on 30 January 1980, with retroactive effect from 1 January 1980, the date on which schedules XIV (Norway) and XX (United States) to the Geneva (1979) Protocol* became schedules to the General Agreement on Tariffs and Trade,** in accordance with the provisions of the related letter.

* United Nations, *Treaty Series*, vols. 1187 to 1193, No. A-814XC.

** *Ibid.*, vol. 55, p. 187.

² Signed by Eric Selmer — Signé par Eric Selmer.

³ Signed by Ernest Koenig — Signé par Ernest Koenig.

⁴ United Nations, *Treaty Series*, vol. 55, p. 187.

However, it is understood that, should these assurances not be met, the United States will take appropriate countermeasures.

ANNEX I

CHEESE QUOTAS
NORWAY

<i>TSUS Appendix Item No.</i>	<i>Commodity</i>	<i>Annual Import Quota Jan. 1 - Dec. 31 (MT)</i>
950.09 B	Cheese and substitutes for cheese containing, or processed from, Edam and Gouda cheese	167
950.10 B	Swiss or Emmenthaler cheese with eye formation	6,883
950.10 D	Cheese and substitutes for cheese provided for in items 117.75 and 117.85, part 4 C Schedule 1 of the Tariff Schedules of the United States (except cheese not containing cow's milk; cheese, except cottage cheese, containing 0.5 percent or less by weight of butterfat, and articles within the scope of other import quotas provided for in this part)	150

ANNEX II

In accordance with the Arrangement, the cheeses covered by the following tariff categories of the Tariff Schedules of the United States shall not be subject to quota:

<i>TSUS No.</i>	<i>Description</i>
117.0020	Stilton cheese, in original loaves, product of England
117.0520	Stilton cheese, other, product of England
117.1000	Bryndza cheese
117.3000	Gjetost cheese, made from goat's milk whey or from whey obtained from a mixture of goat's milk and not more than 20 percent of cow's milk
117.3500	Gjetost cheese, other
ex 117.4060	Goya cheese, in original loaves
117.4500	Roquefort cheese, in original loaves, product of France
117.5000	Roquefort cheese, other, product of France
117.6060	Gammelost and Nokkelost cheeses
117.6500	Cheeses made from sheep's milk, in original loaves and suitable for grating
117.6700	Pecorino cheese, made from sheep's milk, in original loaves, not suitable for grating
117.7000	Other sheep's milk cheese
117.7575	Other goat's milk cheese valued not over 25 cents per pound
117.8575	Other goat's milk cheese valued over 25 cents per pound
(to be established)	Soft ripened cow's milk cheeses meeting the following definition: "Soft ripened cheese is cured or ripened by biological curing agents such as molds, yeasts, and other organisms which have formed a prominent crust on the surface of the cheese. The curing or ripening is conducted so that the cheese visibly cures or ripens from the surface toward the center. Fat content in the dry matter is not less than fifty (50) percent. Moisture-content, calculated by weight of the non-fatty matter, is not less than sixty-five (65) percent.

"The term soft ripened cheese does not include cheeses with mold, blue or otherwise, distributed throughout the interior of the cheese."

The following non-comprehensive list is given for illustrative purposes only. Administrative cooperation should be established at the technical level concerning any difficulty related to the classification of these cheeses:

Bibress	Limbourg	St.-Marcellin
Brie	Livarot	Taleggio
Camembert	Maroilles	(Examples offered for sale
Cambré	Munster (from France and	under commercial names)
Carré de l'Est	Germany along both	Boursault
Chaource	sides of the Rhine)	Caprice des Dieux
Coulommiers	Pont-l'Évêque	Ducs (Suprême des)
Epoisses	Reblochon	Explorateur

RELATED LETTER

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS
 EXECUTIVE OFFICE OF THE PRESIDENT
 WASHINGTON

January 30, 1980

Dear Mr. Ambassador:

I refer to the Arrangement concerning cheeses of May 17, 1979, and to the Norwegian letter of June 28, 1979, with its enclosure, regarding turkey rolls, negotiated during the Multilateral Trade Negotiations.

In order to comply with certain technical legal requirements, the United States intends to treat these documents as agreements between our two Governments as contracting parties to GATT, effective January 1, 1980, when schedules XIV (Norway) and XX (United States) to the Geneva (1979) Protocol¹ both became schedules to GATT.

Sincerely,

[Signed]
 ROBERT C. CASSIDY, Jr.
 General Counsel

His Excellency Knut Hedemann
 Ambassador of the Royal Norwegian Embassy
 Washington, D.C.

¹ United Nations, *Treaty Series*, vols. 1187 to 1193, No. A-814XC.