CONTENTS

Pre	face to the Fourth Edition	xxix
Acl	knowledgments	xxxiii
Chapter 1 Political Economy and International Institutions		1
A.	What Is the Law of International Trade?	1
	Notes and Questions	3
	Problem 1-1	4
	Problem 1-2	5
B.	International Trade and Investment Flows	5
	1. Trade in Goods	6
	2. Trade in Services	7
	3. Foreign Investment	7
	4. Technology Trade	8
	5. Digital Trade	9
C.	Global Multilateral Economic Institutions	9
	1. The World Bank	11
	2. The International Monetary Fund	12
	3. The World Trade Organization	15
	a. The Law of the Global Multilateral Trading System	15
	b. Trade Negotiations	15
	c. The WTO: Functions and Operations	16
	Notes and Questions	18
D.	The Political Economy of Trade	20
	1. Theoretical Foundations for Free International Trade	20
	Problem 1-3	24
	Notes and Questions	25
	2. Arguments Against Free International Trade	25
	a. Jobs, Jobs, Jobs!	25
	b. Preserving America's Industrial and Manufacturing Base	27
	c. Trade Depresses Wages and Produces Economic Inequality	30
	d. The United States Trade Deficit Is Unsustainable	31

xii			Contents
E.	Tr	rade Policy Debate	33
		Liberal Internationalism	33
	2.	Globalization	34
	3.	Globalization in Retreat	35
	4.	Trade Populism and Nationalism	36
		Worker-Centered Trade Policy	37
		Notes and Questions	39
	6.	The Special Problem of U.SChina Trade	40
		Notes and Questions	43
F.	Bi	lateral and Regional Trade Agreements	45
	1.	Compatibility of Bilateral and Regional Trade Agreements with the Multilateral Trading System	46
		Turkey—Restrictions on Imports of Textile and Clothing Products	48
		Questions	49
		Problem 1-4	50
		Problem 1-5	50
	2.	The United States-Mexico-Canada Trade Agreement	50
		a. Trade in Goods	50
		b. Rules of Origin	51
	3.	Agricultural Products	53
	4.	Energy Products	54
	5.	Government Procurement	54
	6.	Digital Trade and E-Commerce	55
	7.	Technical Barriers to Trade	55
	8.	Safeguard Actions	55
	9.	Trade in Services	56
1	0.	Intellectual Property	56
1	1.	Investment	57
1	2.	The USMCA and China	58
1	3.	Administration	59
1	4.	Dispute Settlement	59
		a. State-to-State Disputes	59
		b. Binational Panel Review of Antidumping and Countervailing Duty Final Determinations	60
1	5.	Labor	60
1	6.	Environment	61
		Notes and Questions	62
		Problem 1-6	63
		Note: Sugar Is Not So Sweet	64

Coı	ntents	xiii
Ch	apter 2 Trade and Domestic Law	67
A.	Introduction	67
В.	International Trade Authority in the United States	67
	1. The Legislative Branch	68
	2. The Executive Branch	69
	3. The Judicial Branch	71
	4. State and Local Governments	73
	5. The Allocation of Governmental Power over Trade	73
	United States v. Capps, Inc.	73
	Dames & Moore v. Regan	76
	Notes and Questions	80
	Crosby v. National Foreign Trade Council	81
	Notes and Questions	84
	Problem 2-1	84
	Problem 2-2	85
C.	United States International Trade Agreement Authority	85
	1. Trade Promotion Authority	85
	2. Treaty or Executive Agreement?	86
	United States Department of State, Foreign Affairs Manual	87
	Notes and Questions	87
D.	International Trade Agreements and U.S. Domestic Law	88
	Problem 2-3	89
	Problem 2-4	89
	The Uruguay Round Agreements Act (1994) Title I—Approval of, and General Provisions Relating to, the Uruguay Round Agreements	90
	Notes and Questions	92
	Note on the Relationship Between the International and Domestic Legal Orders	93
Ch	apter 3 Dispute Settlement	95
A.	General Considerations	96
В.	Dispute Settlement in the GATT	96
	United States — Taxes on Petroleum and Certain Imported Substances	97
	Notes and Questions	99
	EEC—Payments and Subsidies Paid to Processors and Producers of Oilseeds and Related Animal-Feed Proteins	99
	Japan — Measures Affecting Consumer Photographic Film and Paper	101
	Notes and Questions	105

xiv		Contents
C.	Dispute Settlement in the WTO	106
	1. Bringing a Case	107
	2. Consultation	107
	3. The Panel Process	108
	4. Appeal to the Appellate Body	108
	a. Burden of Proof	109
	India—Additional and Extra-Additional Duties on Imports from the United States	109
	Notes and Questions	113
	b. Principles of Interpretation and Status of Adopted Reports	114
	Japan — Taxes on Alcoholic Beverages	114
	Notes and Questions	117
	5. Implementation and Enforcement of DSB Recommendations and Rulings	118
	United States — Standards for Reformulated and Conventional Gasolin	e 121
	Notes and Questions	122
D.	United States' Criticism and Blockage of the Appellate Body	123
	1. The Multiparty Interim Arbitration Arrangement	124
	2. U.S. Extreme Dissatisfaction with the Appellate Body	124
	3. Reform Alternatives	125
Ch	apter 4 Trade Rights Enforcement Through National Law	129
A.	Introduction	129
	Problem 4-1	130
В.	Section 301 of the Trade Act of 1974	130
	1. Overview	130
	2. Origin and Evolution of Section 301	132
	3. Subjects and Scope of Section 301 Investigations	133
	4. Section 301 Investigation Process	134
	a. Initiation of Investigation	134
	b. Section 301 Committee	135
	c. Request for Consultations with Targeted Foreign Government	135
	d. Determination	135
	(1) Mandatory Action	136
	(2) Discretionary Action	136
	e. Scope of Remedy or Relief	136
	f. Monitoring, Modification, and Termination	136

Co	ntents	XV
C.	Section 301 Investigations	137
	1. Large Civil Aircraft Dispute	137
	2. Digital Services Tax Investigations	138
	3. Vietnam: Currency Practices and Timber Trade	138
	4. China: Technology Transfer and Intellectual Property	139
	Notes and Questions	141
D.	Section 301 and Judicial Review	141
E.	Conformity of Section 301 with WTO Norms	143
	United States — Tariff Measures on Certain Goods from China	144
	Notes and Questions	146
	Problem 4-2	146
	United States—Sections 301-310 of the Trade Act of 1974	147
	Notes and Questions	150
Ch	apter 5 Trade in Goods: Customs and Tariff Law	151
A.	Introduction	151
	1. Tariff Concessions	151
	a. Types of Tariffs	152
	b. Calculation of Tariffs Under U.S. Law	152
	Problem 5-1	153
	2. Economic and Social Policy Implications of Tariffs	153
В.	GATT Rules on Tariffs and Customs	154
	Problem 5-2	154
	Problem 5-3	155
	Argentina — Measures Affecting Imports of Footwear,	
	Textiles, Apparel and Other Items	155
	Problem 5-4	157
	Notes and Questions	157
	Note on Freedom of Transit in International Trade	158
	Problem 5-5	159
C.	The Harmonized Tariff System	160
	Problem 5-6	161
	Problem 5-7	161
	Notes and Questions	166
D.	Customs Procedures	166
E.	Product Classification	168
	1. The WTO Rules	168

•	
XVI	Contents

	European Communities—Customs Classification of Frozen Boneless	
	Chicken Cuts	169
	Notes and Questions	170
	Problem 5-8	171
	Canada/Japan — Tariff on Import of Spruce, Pine, Fir (SPF)	
	Dimension Lumber	171
	Spain — Tariff Treatment of Unroasted Coffee	173
	Notes and Questions	174
	2. The United States	174
	Problem 5-9	175
	Problem 5-10	175
	Bausch & Lomb, Inc. v. United States	175
	Mead Corporation v. United States	178
	Problem 5-11	182
	Problem 5-12	182
F.	Valuation	183
	1. The WTO Rules	183
	2. United States Law	184
	Century Importers, Inc. v. United States	184
	Luigi Bormioli Corp., Inc. v. United States	187
	Notes and Questions	192
G.	Rules of Origin	192
	1. WTO Standards	192
	2. United States Law	193
	Problem 5-13	194
	Koru North America v. United States	195
	SDI Technologies, Inc. v. United States	199
	Notes and Questions	202
Ch	napter 6 Core Obligations of the WTO: Most-Favored-Nation and	
	National Treatment	205
A.	Introduction	205
В.	The Most-Favored-Nation Principle (MFN)	206
	Problem 6-1	207
	Problem 6-2	207
	Problem 6-3	208
	1. Scope of the MFN Obligations	208
	Problem 6-4	208

Co	ntents	xvii
	Belgian Family Allowances (Allocations Familiales)	208
	Notes and Questions	209
	2. The "Like Product" Issue	210
	Treatment by Germany of Imports of Sardines	210
	Notes and Questions	213
	3. De Facto Discrimination	213
	Canada — Certain Measures Affecting the Automotive Industry	213
	Notes and Questions	216
	4. Exceptions to MFN Obligations	218
C.	National Treatment	219
	Problem 6-5	220
	Notes and Questions	221
	Problem 6-6	221
	Problem 6-7	221
	1. Internal Taxes and Charges	221
	Japan — Taxes on Alcoholic Beverages	222
	Note on Philippines—Taxes on Distilled Spirits	228
	Canada — Certain Measures Concerning Periodicals	229
	Notes and Questions	236
	2. Government Regulation	237
	Problem 6-8	237
	Italian Discrimination Against Imported Agricultural Machinery	237
	Problem 6-9	240
	Korea—Measures Affecting Imports of Fresh, Chilled and Frozen Beef	241
	Notes and Questions	248
	Problem 6-10	250
	3. Government Procurement	250
	Norway—Procurement of Toll Collection Equipment for the City of Trondheim	252
	Notes and Questions	255
Ch	napter 7 Market Access and Non-Tariff Trade Barriers	257
Α.	Introduction	257
	Quotas	257
	1. Background	257
	Problem 7-1	259
	2. GATT Rules on Quotas	260
	a. Overview	260

xvi	ii	Contents
	b. Article XI: The "General Elimination" Rule	262
	Problem 7-2	262
	Japan — Trade in Semi-Conductors	263
	Problem 7-3	266
	Problem 7-4	266
	Notes and Questions	266
	Problem 7-5	267
	Problem 7-6	268
	Canada—Import Restrictions on Ice Cream and Yoghurt	268
	Notes and Questions	271
	c. The Administration of Quotas	272
	European Communities—Regime for the Importation, Sale and Distribution of Bananas	273
	Notes and Questions	277
C.	Agricultural Trade	279
	1. Overview of the AoA	280
	a. Quotas and NTBs	281
	b. Domestic Support	281
	(1) Green Box Subsidies	282
	(2) Blue Box Subsidies	282
	(3) De Minimis Exceptions	282
	(4) Special and Differential Treatment Box Subsidies	282
	(5) Amber Box Subsidies	282
	c. Export Subsidies	283
	Notes and Questions	283
	Problem 7-7	284
	Chile—Price Band System and Safeguard Measures Relating to Certain Agricultural Products	285
	Notes and Questions	288
D.	Technical Regulations and Product Standards	288
	1. The WTO Technical Barriers to Trade (TBT) Agreement: General	
	Considerations	288
	Problem 7-8	289
	Problem 7-9	290
	European Communities — Trade Description of Sardines	290
	Notes and Questions	300
	2. Public Health Regulations	301
	a. The Clove Cigarettes Case	301
	b. The Australia Plain Packaging Case	303
	3. Environmental Regulations	303

Conte	ents	xix
4	4. Country of Origin Regulations	306
	Question	308
E. S	State Trading Enterprises	308
	Canada—Measures Relating to Exports of Wheat and Treatment of	
	Imported Grain	309
	Notes and Questions	312
Cha	pter 8 General Exceptions for National Security and Civil Society	315
A. I	Introduction	315
B. N	National Security	315
1	1. Section 232 of the Trade Expansion Act of 1962	315
	Notes and Questions	317
2	2. Securing U.S. Critical Supply Chains	317
2	3. Trump Administration Section 232 Investigations and Actions	317
	Notes and Questions	321
4	4. Judicial Review of Section 232	321
	a. Constitutional Review	322
	American Institute for International Steel, Inc. (AIIS) v. United States	322
	Notes and Questions	324
	b. Statutory Review	325
	Notes and Questions	326
	c. Agency Review	327
5	5. Article XXI of the GATT	327
	Russia—Measures Concerning Traffic in Transit	329
	Notes and Questions	330
C. (GATT Article XX General Exceptions	331
	Article XX General Exceptions	331
	Tuna-Dolphin Dispute	332
D. I	Environmental Protection	334
	United States — Standards for Reformulated and Conventional Gasoline	334
	United States—Import Prohibition of Certain Shrimp and Shrimp Products (Shrimp/Turtle Case)	338
	United States—Import Prohibition of Certain Shrimp and Shrimp	2.45
	Products, Recourse to Article 21.5 by Malaysia	345
	Notes and Questions	349
	European Communities — Measures Prohibiting the Importation and Marketing of Seal Products	349
	Notes and Questions	356

XX		Contents
E.	Product Safety	356
	European Communities — Measures Affecting Asbestos and Asbestos-Containing Products	356
	Note on the "Necessary" Requirement in GATT Article XX	361
	Notes and Questions	363
	Note on Domestically Prohibited Goods and Dangerous Products in International Trade	363
F.	Food Safety: Sanitary and Phytosanitary Measures	364
	1. Introduction	364
	Problem 8-1	365
	Problem 8-2	365
	Problem 8-3	365
	Problem 8-4	366
	European Communities—Measures Concerning Meat and Meat Products (Hormones Case)	366
	Notes and Questions	373
	Problem 8-5	376
	Note on the EC—Biotech Products Case	377
G.	Waste Minimization and Disposal	378
	Brazil—Measures Affecting Imports of Retreaded Tyres	379
	Notes and Questions	385
Н.	Culture and Trade	385
	China—Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products	<i>386</i>
	Notes and Questions	394
I.	Climate Change, Multilateral Environmental Agreements, and Trade	396
	Ulrich Hoffman, Specific Trade Obligations in Multilateral Environmental Agreements and Their Relationship with the Rules	200
	of the Multilateral Trading System	398
	Notes and Questions	403
	Note on Climate Change and Trade	404
J.	Workers' Rights	406
	Problem 8-6	407
	Problem 8-7	408
	Note on Human Rights and International Trade	408

Co	ntents	xxi
Ch	apter 9 Safeguards	411
A.	Introduction	411
В	Safeguards Under U.S. Law	412
	1. Initiation	412
	2. ITC Investigation	413
	3. Presidential Action	413
	Notes and Questions	414
	Note on the U.S. Auto Safeguards of 1981	415
	4. Judicial Review	416
	Corus Group PLC v. International Trade Commission	417
	Notes and Questions	420
	5. Safeguard Relief in the Trump Administration	421
	a. Large Residential Washing Machines (LRWM) Safeguard	421
	b. Solar Products Safeguard	423
	c. WTO Challenges to Safeguards	424
C.	Safeguards Under the WTO	425
	1. Requirements for Safeguard Relief under GATT Article XIX and the Safeguard Agreement	425
	2. U.S. Accusations of Appellate Body Errors in Safeguard Litigation	427
	Problem 9-1	428
	Problem 9-2	429
	3. The U.S. Steel Safeguards Case of 2002	429
	United States—Definitive Safeguard Measures on Imports of Certain Steel Products	430
	Notes and Questions	435
D.	Import Restrictions to Safeguard Balance of Payments	437
	Note on the Relationship of GATT Article XV with the Articles	490
	of Agreement of the International Monetary Fund	439
	Problem 9-3	440
Ch	apter 10 Unfair Trade Remedies: Anti-Dumping and	
	Countervailing Duties	441
A.	Introduction	441
В.	The Economic and Political Debate on Dumping and Subsidies	443
	1. The Economic and Political Rationales for Policies in Favor of and Against Dumping	443
	Notes and Questions	444
	The Economic and Political Rationales for Policies in Favor of and Against Subsidies	445
	a. Types of Subsidies	445
	/1	

XXI	ii .	Contents
	b. The Economic Debate over Subsidies	446
	Notes and Questions	447
C.	The Operation of the U.S. Anti-Dumping and Countervailing Duty Laws	448
	1. Procedural Aspects of Anti-Dumping and Countervailing	
	Duty Actions	448
	2. The Calculation of Anti-Dumping Duties	454
	Problem 10-1	455
	Problem 10-2	455
	Problem 10-3	455
	Problem 10-4	455
	a. How Dumping Is Determined	456
	Notes and Questions	458
	b. Dumping Calculations	459
	Notes and Questions	463
	Problem 10-5	464
	3. The Determination of Countervailable Subsidies	465
	Problem 10-6	467
	Problem 10-7	467
	Problem 10-8	467
	Problem 10-9	468
	Problem 10-10	468
	4. ITC Injury Analysis in Anti-Dumping and Countervailing Duty Investigations	468
	a. Material Injury	470
	b. Threat of Material Injury	472
	c. Material Retardation	473
	Sandvik AB v. United States	474
	d. Causation	477
	Nucor Corporation v. United States	478
	Notes and Questions	481
D.	International Law Discipline on Anti-Dumping and	
	Countervailing Duty Proceedings	482
	1. The WTO Antidumping Agreement	482
	a. WTO Challenges to U.S. Anti-Dumping Law: Policy Issues	482
	Problem 10-11	483
	United States—Anti-Dumping Act of 1916	483
	Notes and Questions	485
	b. Procedural Aspects Under the WTO Rules	487

Contents	xxiii
United States—Anti-Dumping Measures on Certain Hot-Rolled Steel	
Products from Japan	487
Notes and Questions	491
c. Dumping Determinations	493
United States—Measures Relating to Zeroing and Sunset Reviews	493
Notes and Questions	499
d. The Material Injury Analysis	501
European Communities—Anti-Dumping Duties on Malleable Cast Iron Tube or Pipe Fittings from Brazil	502
Notes and Questions	508
2. The WTO Subsidies and Countervailing Measures Agreement	509
a. Defining Subsidies	510
b. Specificity	510
c. General Framework	510
d. Agricultural Subsidies	511
e. Prohibited Subsidies	512
Problem 10-12	512
United States—Tax Treatment for "Foreign Sales Corporations"	513
Notes and Questions	516
f. Actionable Subsidies	519
Problem 10-13	520
Indonesia — Certain Measures Affecting the Automobile Industry	520
g. WTO Remedies for Subsidization	526
United States—Tax Treatment for "Foreign Sales Corporations"	526
Notes and Questions	529
Note on the Aircraft Subsidy Trade War Between the United States and the European Union	530
h. WTO Standards for Countervailing Duty Investigations	530
United States—Countervailing Duty Investigation on Dynamic Random Access Memory Semiconductors (DRAMS) from Korea	530
Notes and Questions	535
Note on the U.SCanada Softwood Lumber Case	535
Chapter 11 Trade in Services	539
A. Introduction	539
B. GATS Overview	540
C. The Definitions of "Services" and "Modes of Supply"	541
Notes and Questions	542

XX	iv	Contents
D.	GATS Obligations	543
	1. General Obligations	543
	Problem 11-1	545
	Problem 11-2	545
	2. Obligations for Committed Sectors	545
	Problem 11-3	546
	Problem 11-4	547
	Problem 11-5	547
	Notes and Questions	547
	Note on the Lists of Article II (MFN) Exemptions	550
E.	Market Access Commitments	550
	Problem 11-6	551
	United States—Measures Affecting the Cross-Border Supply of Gambling and Betting Services	<i>553</i>
	Notes and Questions	563
F.	Sectoral Annexes to the GATS	565
	1. Financial Services	565
	2. Telecommunications	566
	Mexico — Measures Affecting Telecommunications Services	567
	Questions	573
	Note on GATS Services Negotiations	574
	Note on Negotiations for a Plurilateral Services Agreement	574
Ch	apter 12 Export Controls and Sanctions	577
A.	WTO Rules on Exports	578
	1. Article XXI: National Security	578
	2. Article XI:1 of GATT	579
	3. Article XI:2(a) of GATT	579
	4. Article 12 of the Agreement on Agriculture (AoA)	579
	5. Article XX of the GATT	580
	China—Measures Related to the Exportation of Various	
	Raw Materials	580
	Notes and Questions	587
В.	U.S. Export Control Laws	588
	1. Introduction	588
	2. Dual Use System of Controls for Goods and Technologies	591
	a. What Is Being Exported?	593
	b. Where Is the Destination of the Export?	595

Contents	XXV
c. Who Will Receive the Item?	596
d. What Use Will Be Made of the Item?	597
e. Is There a License Exception?	597
f. So You Need a License. How Do You Get One?	598
Notes and Questions	599
Problem 12-1	599
Problem 12-2	600
Problem 12-3	600
Excerpts from U.S. Export Administration Regulations	600
3. Military Export Controls	603
Problem 12-4	607
Problem 12-5	607
Problem 12-6	607
4. Nuclear Controls	608
Problem 12-7	610
Problem 12-8	611
C. U.S. Trade Sanctions on Foreign Individuals and Countries	611
Problem 12-9	614
Problem 12-10	614
Problem 12-11	615
D. Anti-Boycott Regulations	615
Problem 12-12	616
United States v. Meyer	616
Notes and Questions	620
E. Enforcement	620
1. Voluntary Self-Disclosure Procedures	621
2. Administrative Penalties	625
Problem 12-13	626
Problem 12-14	627
Chapter 13 Investment	629
A. FDI and World Trade	629
1. Controversial History of FDI	630
Notes and Questions	633
2. The Agreement on Trade-Related Investment Measures (TRIMS)	633
Canada—Administration of the Foreign Investment Review Act	634
Indonesia—Certain Measures Affecting the Automobile Industry	638
Notes and Questions	646

XX	vi	Contents
	Problem 13-1	646
	Problem 13-2	647
	Note on the Role of the WTO in International Investment Law	647
В.	The Rise of CFIUS	648
	1. CFIUS Evolution	649
	2. FIRRMA Changes	650
	a. Investments	651
	b. Critical Technologies	651
	c. Critical Infrastructure	652
	d. Personal Sensitive Data	652
	e. Exclusions	653
	f. Excepted Investors	654
	g. Real Estate	655
	h. Process and Mandatory Declarations	656
	Problem 13-3	660
	Problem 13-4	660
	Problem 13-5	660
	Problem 13-6	660
	Problem 13-7	661
Ch	apter 14 Intellectual Property and TRIPS	663
A.	Introduction	663
	1. Intellectual Property and International Trade	663
	2. Intellectual Property and the WTO	665
	3. TRIPS: An Overview	666
	4. TRIPS, Civil Society, and Developing Countries	667
В.	Copyright	669
	Phil Collins v. Imtrat Handelsgesellschaft GmbH	670
	Notes and Questions	673
C.	Patents	674
	1. Introduction	674
	Problem 14-1	676
	Notes and Questions	676
	Problem 14-2	676
	Problem 14-3	677
	2. TRIPS, Pharmaceutical Patents, and Access to Medicines	677
	Problem 14-4	678
	a. The Doha Declaration	678

Cont	ents	xxvii
	Doha WTO Ministerial Conference 2001: TRIPS and Public Health	679
	Problem 14-5	680
	b. The Implementation Decision	680
	Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health	680
	Notes and Questions	682
D. 7	Trademarks	682
	United States — Section 211 Omnibus Appropriations Act of 1998	683
	Notes and Questions	688
E. I	Enforcement Under TRIPS	688
]	1. Commercial Piracy	688
	Statement of Professor Daniel Chow Before the Senate Government Oversight and Management Subcommittee	690
	Oral Testimony of Professor Daniel Chow Before the United States-China Economic and Security Review Commission	692
	Note on Trade Sanctions Under U.S. Special 301	693
	Problem 14-6	693
2	2. TRIPS Enforcement Obligations	694
	a. General Obligations	694
	Problem 14-7	694
	b. Criminal Enforcement	695
	China—Measures Affecting the Protection and Enforcement of Intellectual Property Rights	695
	Notes and Questions	699
	c. Civil and Administrative Enforcement	700
	Notes and Questions	701
	d. Border Controls	701
	(1) Border Controls Under TRIPS	701
	Problem 14-8	701
	China—Measures Affecting the Protection and Enforcement of Intellectual Property Rights	702
	Notes and Questions	705
	(2) Border Controls Under U.S. Law	705
	Notes and Questions	706
	(3) Section 337 Remedial Orders at the U.S. International Trade Commission	706
	Fuji Photo Film Co., Ltd. v. International Trade Commission	709
	Notes and Questions	713
	Problem 14-9	714
	Problem 14-10	714

xxviii	Contents
Chapter 15 Developing Countries	715
A. Introduction	715
1. Overview of Developing Countries	715
2. What Is a Developing Country?	716
3. The History of Developing Countries within the GATT/WTO	718
Note on the Application of Safeguards and Quotas Concerning Textiles and Clothing	722
B. The GATT and Developing Countries	722
Problem 15-1	723
Problem 15-2	723
Notes and Questions	723
C. Developing Country Preference Systems Under the WTO	723
1. The Generalized System of Preferences for the Trade in Goods	724
a. The United States	724
Problem 15-3	724
Generalized System of Preferences	725
Torrington Co. v. United States	727
Notes and Questions	730
b. The European Union	731
Problem 15-4	732
European Communities — Conditions for the Granting of Tariff Preferences to Developing Countries	732
Notes and Questions	738
2. Special and Differential Treatment Under Other WTO Agreements	738
D. Agricultural Trade Subsidies	740
Problem 15-5	741
European Communities—Export Subsidies on Sugar	741
Note on U.S.—Upland Cotton	748
Postscript: The Growing Clout of Developing Countries—Implications for the Future of the WTO	751
Table of Cases	753
Index	767