

ANNEX B

REFERRED TO IN ARTICLES 4 AND 5

CANADIAN MEASURES

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1. Without prejudice to the rights of the EFTA States under the WTO Agreement, Articles 4 and 5 of this Agreement shall, in accordance with paragraph 2 of this Annex, not apply to:

- (a) controls on the export of logs;
- (b) controls on the export of unprocessed fish pursuant to applicable provincial legislation;
- (c) the importation of any goods of the prohibited provisions of tariff items 9897.00.00, 9898.00.00 and 9899.00.00 referred to in the Schedule of Canada's *Customs Tariff*, S.C. 1997, c.36;
- (d) excise duties on absolute alcohol used in manufacturing under the existing provisions of Canada's *Excise Act, 2001*, S.C. 2002, c.22, as amended;
- (e) prohibitions on the use of foreign or non-duty paid ships in the coasting trade in Canada unless granted a licence under Canada's *Coasting Trade Act*, S.C. 1992, c. 31; and
- (f) measures concerning the internal sale and distribution of wine and distilled spirits.

2. For the measures referred to in sub-paragraphs 1(b) to 1(f), Articles 4 and 5 of this Agreement shall not apply to:

- (a) the continuation or prompt renewal of a non-conforming provision of any existing measure; and
 - (b) an amendment to a non-conforming provision of any existing measure to the extent that the amendment does not decrease its conformity with Articles 4 and 5 of this Agreement.
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