

IMPORT LICENSING SYSTEM OF ARGENTINA

Replies of ARGENTINA to the Questions from the UNITED STATES

The following communication, dated 30 July 2007, is being circulated at the request of the delegation of Argentina.

Question:

Argentina states that "footwear import licences are allocated to both foreign and domestic producers." Please describe how these licences are allocated.

In response to question 4 in this document, which asked whether import licensing is "intended to restrict the quantity or value of imports," Argentina answered "licensing does not restrict either the quantity or the value of imports." However, in reply to question 6.IV, Argentina stated "the current footwear quotas stem from the application of a safeguard measure." Does Argentina currently have a quota in place for footwear? Is this quota enforced through restricting the quantity of import licences granted for footwear? Please identify the safeguards or any other quantitative restrictions applied in conformity with WTO rules that would justify Argentina's efforts to control these imports.

Reply:

This question calls for certain clarifications. The non-automatic licensing system applied to footwear is not linked to any safeguard measure. Although Argentina's notification of 1999 (G/LIC/N/2/ARG/5) coincides with the application to that sector of a safeguard measure, which was notified to the Committee on Safeguards in document G/LIC/N/2/ARG/2/Rev.1, the two procedures are not linked. Moreover, that safeguard measure expired on 21 July 2003.

The requirement imposed on both importers and domestic producers is linked to the notification of Resolution 977/1999, which provides that such non-automatic licences shall be granted to importers that have complied with Resolution SIC.yM 508/99.

Resolution 508/99, in its turn, provides that any footwear marketed in Argentina must comply with certain labelling requirements aimed at protecting the right of consumers to adequate and truthful information in order to ensure that they have freedom of choice in selecting their purchases.

Question:

Argentina also states that "certificates are issued and must be presented together with the rest of the documentation required for inward customs clearance." Please explain how these certificates are issued.

Reply:

Footwear Import Certificates are issued in accordance with Annex I of Resolution 486/2005, which was notified to the Committee on Import Licensing.

Question:

Question 6.V asks Argentina to describe the lengths of time Argentina requires for processing applications; Argentina responds that import certificates for products including footwear and toys take "a maximum of 30 calendar days." However, US exporters have reported that in practice, the processing time-period was between 60-90 days. Please describe how Argentina processes non-automatic import licences to ensure that its system is WTO-compliant.

Reply:

Although Resolution 486/2005 does not set any time-period for processing Footwear Import Certificates, as notified to the Committee on Import Licensing, it usually takes from 10 to 30 days. In any case, the processing time for licences complies with Article 3.5(f) of the Agreement on Import Licensing procedures.
