

IMPORT LICENSING SYSTEM OF INDIA

Questions to INDIA from the UNITED STATES

Addendum

The following communication, dated 3 November 2009, is being circulated at the request of the delegation of the United States.

Following the 19 October 2009 meeting of the Committee on Import Licensing Procedures, the United States would like to request the following information from India:

In its response contained in G/LIC/Q/IND/14, India states that the import license procedure for boric acid is automatic. However, later in the document, India indicates that the quantity that can be imported under the import license is based upon a recommendation of the Nodal Ministry and the quantity imported by the applicant during the preceding five years.

- India appears to exercise discretion in granting the quantity that can be imported under the license. We would therefore appreciate clarification from India regarding how India considers this to be to be an automatic import license procedure.

We also continue to be concerned about the questions on the import license application that relate to the precise end-use of boric acid and the impact that the end-use requirement is having on the ability of intermediaries to sell non-insecticidal boric acid in India.

- We therefore request that India explain in greater detail why this information is necessary. Additionally, how does the import license procedure ensure that the good is not being misused once imported into India?

We would like to reiterate our previous request that India update its questionnaire submission to provide product-specific replies to each question. While we appreciate Indian's reference to its website, this does not provide to the Committee the basic information normally provided by Members to the Committee under Article 7.3 of the Agreement. We therefore request that India submit a list of those products subject to import licensing procedures, as well as an indication of whether the procedures for each product are automatic or non-automatic.
