



Committee on Agriculture

POINTS RAISED BY MEMBERS UNDER THE REVIEW PROCESS

COMPILATION OF QUESTIONS FOR THE MEETING ON 9-10 MARCH 2016¹

The present document compiles questions received by the Secretariat by the deadline specified in WTO/AIR/AG/8.

¹ This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights and obligations under the WTO.

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1 MATTERS RELEVANT TO THE IMPLEMENTATION OF COMMITMENTS: ARTICLE 18.6

1.1 Statement on consultations under Article 5.7

1.1.1 Question by the European Union (AG-IMS ID 79034)

The European Union will provide a statement on the consultations held with the United States under Article 5.7 of the Agreement on Agriculture following U.S. imposition of an additional Special Agricultural Safeguard (SSG) duty on imports of butter and cream.

1.2 Australia's Farm Insurance Advice Scheme

1.2.1 Question by India (AG-IMS ID 79085)

The Agriculture Competitiveness White Paper formulates a Farm Insurance Advice scheme which will "allow eligible farm businesses to access up to \$2,500 as a one-off grant based on a dollar-for-dollar matching of funds provided by the farmer."

- a. Could Australia elaborate on how eligibility for the above scheme will be determined?
- b. What is the total budgetary outlay (federal, state and territory governments) for this scheme?

1.3 Brazil's domestic support programmes

1.3.1 Question by the United States of America (AG-IMS ID 79001)

In previous responses by Brazil to questions from the United States, Brazil stated that the Prêmio para Escoamento do Produto (PEP) programme was suspended for a reassessment to address concerns regarding its control mechanism in order to prevent irregularities. Concerning the Prêmio de Equalização pago ao Produtor (PEPRO) programme, the United States notes that the programme was used for corn, cotton and wheat as recently as 2014. Brazil has not delivered PEP and PEPRO data that it agreed to provide in June 2014 (AG-IMS ID 74021). In the September 2015 meeting of this Committee, Brazil stated that it lacked a suitable system for collecting the information it said it would provide in September 2015.

What is the status of reporting the subject data? What specific steps have been taken since September 2015 to develop a suitable system to collate the data?

1.4 Canada's new milk ingredient class

1.4.1 Question by New Zealand (AG-IMS ID 79035)

New Zealand notes that the Ontario Farm Products Marketing Commission is expected to establish a new milk ingredient class in Ontario as of 1 April 2016. Media indicates that this new milk ingredient class will include skim milk solids in all forms that can be used as ingredients, including but not limited to skim milk, skim milk powder, ultrafiltered and diafiltered milk, whole milk powder and condensed or evaporated milk (not for retail). Can Canada provide the details of exactly which milk products will be covered by this new Ontario milk ingredient class, and information on whether it will affect any products covered by Canada's existing classes?

1.5 Canada's wine sale policy

1.5.1 Question by the United States of America (AG-IMS ID 79003)

Under British Columbia (B.C.) regulations, only B.C. wine may be sold on regular grocery store shelves. In contrast, non-B.C. wine, including imported wine, cannot be sold on regular store shelves, but only in a "store-within-a-store" with controlled access and with separate cash registers. Further, the location of the "store-within-a-store" and therefore the grocery store selling

imported wine is subject to geographical limitations. A "store-within-a-store" may not be located within one kilometer of another private or public liquor store. This dual channel retail system for the sale of wine in grocery stores in the province raises questions about whether the regulations are consistent with Canada's national treatment obligations under Article III:4 of the General Agreement on Tariffs and Trade 1994.

- a. Please explain how imported wine is not accorded less favorable treatment than that accorded to B.C. wine, given imported wine cannot be sold on regular grocery store shelves and is subject to "store-within-a-store" restrictions?

B.C.'s 6 March 2014 factsheet "B.C. Liquor Policy Review: Liquor in grocery stores" states: "A liquor store relocating to a grocery store must be a store within the grocery store with a controlled access point and separate till. This is to address public health and safety by ensuring strict controls to prevent minor access and minimize shoplifting."

- b. Is B.C. asserting that imported wine presents public health and safety concerns that B.C. wine does not, or, that imported wine presents different public health and safety concerns than B.C. wine?
- c. What measures address public health and safety concerns presented by B.C. wine and why are those measures different than the measures that address public health and safety concerns presented by imported wine ("store-within-a-store" restrictions)?

1.6 China's agriculture policy

1.6.1 Question by Canada (AG-IMS ID 79030)

Directives from the CPC Central Committee and the State Council on Implementing New Ideas to Accelerate Agricultural Modernization and Realize the Goal of Completing the Comprehensively Building of a Moderately Prosperous Society

The 2016 Central Government Number One Document provides a framework for agriculture policy in China.

- a. Paragraph 22 notes that China will "...continue to implement and improve the minimum procurement policy for rice and wheat..." Could China provide more information as to the additional improvements to the procurement for wheat?
- b. Paragraph 22 indicates that China "...will deepen reforms over state owned grain companies and develop diversified market players for procurement and sales."
 - i. Could China elaborate on the reforms currently in place and those anticipated for state owned grain companies?
 - ii. How does China intend to allow more private entities to participate in the procurement and sale of grains, for example would more private entities be able to import grains?
- c. Paragraph 25 indicates that additional agricultural insurance products will be developed including the "... introduction of target price insurance..." Could China elaborate as to which crops it expects to be eligible for this type of scheme and how would China determine the target price for those eligible crops?

1.7 China's maize subsidies

1.7.1 Question by the European Union (AG-IMS ID 79022)

The European Union requests an answer to the question AG-IMS ID 77043 raised during the 77th Committee on Agriculture on 4 June 2015.

According to World Perspectives Inc. newsletter, on 20 April 2015, China sold 38,700 tonnes of maize from state stocks. Further, the Heilongjiang Government supported this sale with a subsidy to grains processors participating in the state grain auction of 200 RMB/t (=32.6 \$/t). This subsidy level would be the double of the subsidy of 100 RMB/t granted in 2013/14.

- a. Can China confirm that the Heilongjiang Government has granted this type of subsidy? Who were the beneficiaries? For what quantity has this subsidy so far been granted in the current marketing year and the previous marketing year?
- b. Can China explain whether other local governments grant similar subsidies and if so what are the quantities concerned in 2013/14 and 2014/15?

1.8 Costa Rica's compliance with AMS commitments

1.8.1 Question by the United States of America (AG-IMS ID 79004)

The United States thanks Costa Rica for its transparency, though remains concerned by Costa Rica's continued lack of compliance with its WTO obligations.

In response to AG-IMS ID 78005, Costa Rica notes that "While Costa Rica hopes to be within its AMS limits, production levels for January and February 2015 - during which a fixed producer price was applied in accordance with Executive Decree 37.699-MEIC, revoked by the above-mentioned Decree No. 38.884-MEIC - will be known during the first months of 2016, when the National Rice Growers Corporation publishes the annual and monthly production data that is needed to calculate the AMS for 2015."

- a. Please explain how the administered support price under the new Executive Decree differs from the administered support price under the previous support policy.
- b. What was the last administered support price for a ton of rice under the previous support policy? What is the administered support price under the new policy?
- c. Is Costa Rica in a position to provide the production figures as indicated by its response to AG-IMS ID 78005? If not, when will this data be available?

1.9 European Union's dairy policies

1.9.1 Question by New Zealand (AG-IMS ID 79032)

New Zealand welcomes ongoing efforts by the European Union to adopt more market-focussed agriculture policies through reform of the CAP. In this regard, New Zealand recalls that at the September 2015 Committee on Agriculture meeting, New Zealand sought information on the design and implementation at both EU and member State level of the European Union's comprehensive dairy support package announced in September 2015.

- a. New Zealand would appreciate any further information the European Union is able to provide as to the allocation of this funding, noting that Commission Delegated Regulation (EU) 2015/1853 required Member States to notify the Commission without delay and no later than 31 December 2015 of the objective criteria used to determine the methods for granting targeted support and the measures taken to avoid distortion of competition.
- b. Against the background of weak global dairy demand and low prices which are affecting farmers across the world, New Zealand further notes that the Commission invited proposals from member States by 25 February 2016 for additional market support measures in light of the continuing difficulties facing the sector. Consistent with the direction and objectives of its agricultural reform programme, New Zealand once again urges the European Union, when considering any further measures, to avoid approaches that distort production and/or trade in favour of measures to address real financial hardship.

New Zealand would welcome any further comment from the European Union on how it intends to ensure that any further measures do not distort production and/or trade.

1.10 France's amendment No. 367 to the proposed law on biodiversity

1.10.1 Question by Indonesia (AG-IMS ID 79066)

Indonesia has received information that the French Senate has adopted Amendment No. 367 to the proposed law on biodiversity on 21 January 2016. The amendment proposes to impose a special tax for importation of palm oil and its derivatives in the amount of EUR 300 per tonne in 2017, gradually increasing to EUR 900 per tonne in 2020. To put it into perspective, this would be a steep hike from the current duty for palm oil, which is EUR 130 per tonne at the average price of EUR 550 per tonne. Indonesia notes with concerns that if the policy become applicable it could present an unnecessary barrier to trade, for example in terms of competitiveness among like products in the market. Moreover, this could set a precedent for implementation of similar policy and potential non-compliance to Members commitment within the WTO.

- a. Please provide explanation on the reasons behind this amendment to the proposed law on biodiversity? What is the correlation between imposing tax for palm oil and the protection of biodiversity?
- b. Please provide explanation on the elements and method used to calculate the proposed amount of tax to be applied and its gradual increase from 2017 to 2020.
- c. Would this proposed policy also be applicable to other like products which are produced domestically or imported from other Members? Please provide examples.
- d. Please explain how the amendment to the proposed law on biodiversity is consistent with its obligations under Article 4.2 of the Agreement on Agriculture?
- e. Please explain how such a measure is consistent with WTO principles of national treatment and non-discrimination under Article III of the GATT?
- f. Please provide further information about the operation (entry into force) of Amendment No.367 and its intended purpose in the future?
- g. Please give latest updates on the administrative provisions being developed to prepare the implementation of the amendment?

1.11 India's importation of apples

1.11.1 Question by New Zealand (AG-IMS ID 79067)

Since the last Committee on Agriculture meeting India has reopened access, for the import of apples, to ports in Kolkata, Chennai, Mumbai&Cochin, and Delhi. New Zealand is pleased to see these ports reopen to apple imports, but notes that Visakhapatnam Port and Tuticorin Port remain close. Can India confirm this is correct, and if so, advise the reason why these two ports remain closed?

1.12 India's new crop insurance scheme

1.12.1 Question by Canada (AG-IMS ID 79051)

Canada understands that India has recently announced a new crop insurance scheme that is to be delivered at the state level in partnership with private insurance companies and whereby the farmer's share of the premiums would be reduced to 1.5% or 2% depending on the type of crop. This new scheme is scheduled to launch in June.

- a. Could India indicate what crops will be covered under this new crop insurance scheme?

- b. Could India indicate if producers under this new crop insurance scheme will be able to choose the level of coverage?

1.12.2 Question by the European Union (AG-IMS ID 79024)

The Indian government has recently announced that it will introduce a new harvest insurance tool, which should cover 50% of the Indian farmers within 2 years.

- a. Can India explain more in detail how this insurance scheme works, the eligibility criteria for farmers and what risks are covered by this scheme?
- b. Does India intend to notify this scheme to WTO?

1.13 India's export assistance programmes

1.13.1 Question by the United States of America (AG-IMS ID 79002)

The United States asked several detailed questions in September 2015 (AG-IMS ID 78007) and received a general response from India. The United States resubmits the following questions, noting the U.S. interest in historical data.

The United States is concerned about a possible Indian export subsidy programme. Specifically, it is the U.S. understanding that from 2004-2014 the Indian government operated an export assistance programme for a number of agricultural products called the Vishesh Krishi Gram Upaj Yojana (VKGUY – or "Special Agriculture Produce Scheme"). In 2014 another programme, the Merchandise Export from India Scheme (MEIS), was introduced and appears to have some similar components to the VKGUY programme.

- a. Did India include the VKGUY programme in India's latest export subsidy notification (G/AG/N/IND/9)?
- b. The United States understands that under the VKGUY programme, the Indian government provides a "duty scrip" equivalent to 5% of FOB value of an exported dairy product. Please provide an explanation of how the scrip is used?
- c. According to "Foreign Trade Policy, 27 August 2009 – 31 March 2014" published by India's Ministry of Commerce and Industry, under the VKGUY programme duty scrip benefits are granted with an aim to compensate high transport costs, and to offset "other disadvantages". Please explain what these "other disadvantages" are?
- d. According to that same document, the subsidies provided under VKGUY are provided based on the FOB value of the product exported. In light of that, how does India effectively link the subsidies to specific transportation costs?
- e. What is the relationship, if any, between the exported product and the imported product on which the scrip is used to reduce the import duty?
- f. When skim milk product (SMP) was eligible, how was the scrip used for imports?
- g. Could the duty scrip be used as a credit against any other tax charges, or other government arrears, other than import duties?
- h. Given that VKGUY terminated 31 March 2015, and the Merchandise Export from India Scheme (MEIS) became effective 1 April 2015, was the VKGUY programme replaced by the MEIS?
- i. Scrips provided under both VKGUY and MEIS are described as "fully transferrable." What does "fully transferrable" mean - to whom can they be transferred and for what?
- j. How much revenue was foregone by the government under the programme?

- k. Will India notify benefits provided under the MEIS in its export subsidy notifications?
- l. From 2010-2014, which agricultural products received export assistance under the VKGUY programme, and in what amounts?
- m. Since 2014, have any agricultural products received export assistance under the MEIS programme, and if so, in what amounts?

1.14 India's sugar export subsidies

1.14.1 Question by Australia (AG-IMS ID 79047)

Australia thanks India for the responses to date in relation to India's sugar export subsidy programme, as introduced under the Sugar Development Fund (Amendment) Rules in February 2014. Can India please:

- a. Provide an update on the status of this programme.
- b. Provide the total annual budgetary outlays and the total annual volume of subsidised sugar exported under the programme, since the inception of the programme in February 2014.
- c. Advise when the programme, as introduced under the Sugar Development Fund (Amendment) Rules in February 2014, will be formally notified to the Committee on Agriculture.
- d. Provide an update on the status of the Maharashtra State sugar export subsidy programme, included the total budgetary outlay and volume of sugar exports subsidised under the programme to date.

Australia notes that India has not yet submitted a written response to the questions raised by Australia (AG-IMS ID 77035) at the 78th Committee on Agriculture in relation to the Indian minimum indicative export quota programme which was introduced on 1 October 2015, and respectfully asks that India provides a response. In addition to those questions, can India please:

- e. Provide the total volume of sugar exported to date, in relation to the 2015-16 quota target of 4 million tonnes.
- f. Provide the total amount of subsidy paid to cane growers to date, under the minimum indicative export quota programme.
- g. Confirm that the subsidy is not in fact payable, unless production is exported?

1.14.2 Question by the European Union (AG-IMS ID 79023)

In its reply to the EU question (AG-IMS ID 78017) addressed in the context of the 25 September 2015 Committee on Agriculture meeting, India states that the payment to sugarcane farmers through sugar mills is not an export subsidy but is purely aimed at compensating the farmers for supply of sugarcane to the sugar mills. As a follow-up to that clarification, could India explain if the compensation to the farmers for the supply of sugarcane to the sugar mills covers all sugar produced by the farmers or only exported quantities of sugar.

Could India also confirm media reports from September last year announcing India's decision to make it compulsory for sugar producers to ramp up exports to at least 4 million tonnes in the forthcoming crushing season.

- a. Can India explain in detail how this new policy is applied and the functioning of this new policy?

- b. How does India see this initiative relate to the definition of export subsidy in Article 1(e) of the Agreement on Agriculture?

1.15 Japan's MARUKIN Stabilization Programme

1.15.1 Question by Canada (AG-IMS ID 79052)

Canada understands that Japan maintains a "MARUKIN" Stabilization Program, which covers the difference between production costs and retail prices/gross earnings (net income) for hog and cattle producers. Based on media reports, Canada understands that proposed Japanese legislative changes as voted on by Cabinet on 25 November 2015 would, for hog production, increase the rate of support from 80% to 90% of the difference between income and production costs, and change the contribution ratio between the hog producer and government from 1:1 to 1:3.

Canada understands that the change in the contribution ratio for hog production would match that which exists for the equivalent programme for feeder cattle production.

- a. Could Japan provide details regarding the proposed changes to its MARUKIN programme for hogs and cattle, including with regards to the eligibility criteria for producers, rate of support, contribution ratios, and any limitations or other criteria for participation in the programme?
- b. Could Japan confirm that indeed the proposed support is not a new programme, and includes only changes to an existing programme?
- c. Through its WTO domestic support notifications, Japan notifies two forms of support for pork: Market Price Support and Deficiency Payments (or Non-Exempt Direct Payments). Would the changes to the programme affect the level of support entered under deficiency payments or market price support, or both?
- d. Could Japan describe the anticipated impacts from their proposed changes on its domestic support-related government outlays/payments and in relation to its Total AMS commitments?

1.16 Japan's increased support to pig producers through income protection programme

1.16.1 Question by the European Union (AG-IMS ID 79025)

The Diet is currently considering a proposal from the Japanese government to increase the support from 80% to 90% of the difference between production cost and average gross earnings. Can Japan explain more in detail about this proposal and whether it is expected to have any impact on the quantity of pig meat imported into Japan?

1.17 Russian Federation's trade measures affecting Ukrainian transit of agricultural products to Kazakhstan

1.17.1 Question by Ukraine (AG-IMS ID 79084)

According to Russian Federation's Presidential Decree No.1 and Government Resolution No.1 of 1 January 2016, from this date all international transit of cargo by automotive and railway transportation from the territory of Ukraine to Kazakhstan can only be carried out via two check points at the Russian-Belarusian state border.

The requirement to use specific transit checkpoints via Belarus lengthens the shipping distance, adding burdensome requirements that result in days of time delays and additional transit and permitting costs. These border measures negatively affect all trade, but particularly adversely affect trade in perishable agricultural goods. Additionally, Ukraine notes that the significant delays caused by the need to find alternative transit routes is having a negative effect upon trade flows throughout Central Asia, and beyond to China.

These measures are seriously disrupting not only bilateral trade but international trade as whole.

Ukraine kindly requests the Russian Federation:

- a. To explain the policy rationale for these restrictive measures that are being applied to agricultural goods;
- b. To provide WTO Members with all operational details, including subsidiary legislation or enforcement orders for customs authorities regarding its implementation;
- c. To confirm whether any similar trade restrictions on transit are being applied to agricultural goods of any other WTO Member. If so, please provide details;
- d. To confirm how Russian authorities enforce these measures, and in particular if the country of origin of an agricultural good is the basis for applying the measure?;
- e. To explain why the additional transit time and expense for agricultural product trade is considered necessary?;
- f. To explain how the measures are not "similar border measures other than ordinary customs duties" limiting market access under the meaning of footnote 1 of Article 4, paragraph 2 of the Agreement on Agriculture?

1.18 Thailand's rice policies

1.18.1 Question by the United States of America (AG-IMS ID 79005)

The Paddy-Pledging Scheme has been reported to result in the government of Thailand purchasing an estimated 17.8 million tonnes of grain of rice that it was unable to sell. Since its termination in February 2014, the government of Thailand introduced various short-term support measures including the Rice Farmer Assistance Program, the on-farm pledging programme (the "Farmer Loans to Delay the sale of Rice Paddy for 2014/15"), special loan interest rates, various rice marketing schemes, and an insurance program for seasonal rice.

- a. What programmes does Thailand currently provide to benefit rice producers?
- b. For each programme, please explain how the programme is implemented.
- c. Do any programmes currently provide an administered price support mechanism for rice, including at the sub-national level? If yes, please explain how the programme is implemented.
- d. Please provide the most recent overall rice stock tonnage.
- e. Please explain how much rice was released or sold into the domestic and international markets over the period 2014/2015.

On August 10, 2015, the Thai Commerce Ministry announced it would sell one million tonnes of Thai rice (Jasmine and 5% broken) from government stocks in a government-to-government transaction with China. It was reported that these sales would be made at market prices. It was also reported that an additional one million tonnes would be negotiated for sale beginning in September 2015.

- f. Has Thailand completed the negotiations and sales of the second one million tonnes of rice? If so, were these also made at market prices?
- g. Please identify what the market prices were for these transactions totalling two million tonnes of rice from government reserves.

The United States notes that the average market price for Thai rice has been below USD 400 since August 2015, while government stocks have been procured at USD 450 per tonne under the Rice Farmer Assistance Program.

- h. Please confirm that all sales of Thai rice from government stocks were made at no less than the price at which they were acquired.

1.19 Turkey's domestic support and export subsidies

1.19.1 Question by the European Union (AG-IMS ID 79027)

The European Union requests an answer to the question AG-IMS ID 78044 raised during the 78th Committee on Agriculture meeting on 25 September 2015.

The European Union has still not received any substantive answer to questions AG-IMS ID 77047, AG-IMS ID 75069 and AG-IMS ID 73056 asked during the 73rd, 75th and 77th Meeting of Committee on Agriculture, and invites Turkey to present its reply to these questions.

Further, the US Department of Agriculture in its Citrus Report for the year 2013 indicates (as in the 2011 report) that "the Turkish Government makes support payments to exporters and the rates vary each year. The Ministry of Finance is providing a subsidy to citrus exporters of 200 YTL/MT in 2013. There is also a minimum price requirement for this specific subsidy. The Government makes payments to a special account, which the exporter can only use to make tax and social security payments as well as utilities such as telecommunications, electricity, and natural gas. In order to protect domestic producers, the government kept the customs duty rates at 2007 levels for orange juice and citrus imports, which are 54%."

- a. Could Turkey confirm that since 2001 its budgetary outlays and eligible quantity as regards export subsidies, notably for citrus fruits, have remained below its commitments?
- b. Could Turkey indicate the level of AMS support in absolute amounts since 2002 per budget year or at least for the budget years 2010 to 2014?
- c. Does this level respect Turkey's *de minimis* commitment?
- d. When will Turkey make its DS:1 notifications for the years after 2002?

1.20 Turkey's destination of wheat flour sale

1.20.1 Question by the United States of America (AG-IMS ID 79033)

The United States appreciates Turkey's response to its question AG-IMS ID 78008. However, the response was not clear.

- a. Are any Members of the Turkish Grain Board (TMO) Board of Directors appointed by or employed by the government of Turkey?

The United States has the following additional questions:

- b. Public records indicate annual sales of TMO wheat sales to inward processing certificate holders over the past several years. In the past, Turkey has cited U.S. Department of Commerce countervailing duty decisions on pasta and steel pipes and tubes. These decisions do not provide the information requested.

Does Turkey confirm that TMO sells domestic wheat to Turkey flour millers that export flour and hold inward processing certificates? If so, please provide wheat purchase and wheat sales prices for these transactions for the last three years.

- c. The United States appreciates Turkey's response on exported flour and imported wheat as shown in the table (Annex 2 in G/AG/W/106; AG-IMS ID 73042).
 - i. Are all of the quantities listed imported and exported through the inward processing system? If not, please elaborate on this table by stating how much of the imports and exports were through the inward processing system.

- ii. Turkey has responded that "vast majority of Turkish wheat imports and wheat flour exports were made under IPR." Please state precisely how much of the imports and exports were through the inward processing system.
- d. In AG-IMS ID 73042, the United States requested data concerning both the quantity and quality of wheat imports and flour exports under Turkey's inward processing system. In response, Turkey provided data concerning only the quantity of such imports and exports and did not have data to share on quality. Please share any information regarding the quality of the wheat imports over the last three years that Turkey can provide, even if not data.

1.21 Turkey's support scheme to certain agricultural sectors

1.21.1 Question by the European Union (AG-IMS ID 79026)

The US Department of Agriculture in its Citrus Report for the year 2015 states the following regarding, this time, to domestic support: "The Turkish government supports the citrus farmers who are registered in the "Farmers Registration System" and offers these farmers the following supports for the year 2015, these are in Turkish Lira (TL) per hectare (ha): 500 TL/ha for Good Agricultural Practices, 700 TL/ha for organic agriculture; 1500 TL/ha for standard orchards with small fruit scion and 400 TL/da if it is certified, 1500 TL/ha for standard orchards with half-small fruit scion and 350 TL/da if it is certified, 25 TL/ha for soil analysis; 48 TL/ha for fuel; 47 TL/ha for fertilizer.

Can Turkey indicate by measure the total budgetary outlay executed for these schemes in the 2014 and 2015 budget years?

1.22 Turkey's rice support

1.22.1 Question by the European Union (AG-IMS ID 79029)

On 17 December 2015 the government of Turkey has announced the paddy purchasing price for 2015-2016 at around TL 1,580 (around USD 534) per tonne.

- a. Can Turkey indicate have many tonnes benefitted from this price and the total cost for TMO for this measure?
- b. How does Turkey intend to notify this support in its DS:1 notification?

1.23 Turkey's fruit and vegetable export subsidies

1.23.1 Question by the European Union (AG-IMS ID 79031)

Media reports refer to Turkish government subsidizing of fruit and vegetable exports to compensate for the loss of the Russian market². The aid seems to be regulated by a Turkish law applicable from 1 January 2016 and consists of subsidies per tonne of fruits (fresh, canned or frozen), dried fruit, fruit juice and vegetable.

- a. Could Turkey provide clarifications if such type of export subsidy is currently in place?
- b. Will Turkey notify the use of such export subsidy in accordance to the WTO transparency obligations?

1.24 U.S. farm support programmes

1.24.1 Question by India (AG-IMS ID 79086)

- a. According to the Environmental Working Group Farm Subsidy Database, top 20% of recipients accounted for 78% of commodity subsidies in 2012. The glaring inequality in

² <http://www.fruitnet.com/eurofruit/article/167897/turkey-helps-out-exporters>.

farm payments is reflected in the fact that while a recipient in the top 1% category received USD 84,200 as farm subsidy, a recipient in the below 80% category received USD 1,555 in the year 2012. One of the top beneficiaries of a farm subsidy- namely DNRC Trust Land Management- Exem got USD 703,805 in 2012 alone. India requests the United States to explain the reasons for the high concentration of farm payments in favour of big farmers and the steps taken by the US Government in Farm Act 2014 to reduce this inequality.

- b. The Environmental Working Group Farm Subsidy Database also shows the top ten States of USA accounted for 58% of commodity subsidy in 2012. For example, Iowa State accounted for 9.1% of total farm subsidy payment in 2012. India requests the United States to also explain this inter-state disparity in farm payments.

In light of the GSM 102 programme continued by the United States, India wishes to raise the following questions:

- c. What are the products covered by this programme and what is the current outlay made by the United States towards this programme?
- d. What is the method of repayment prescribed under the programme?
- e. What is the basis for defining the rate of interest under the programme and could the United States confirm that in each case the rate of interest under the programme is greater than the commercially available rate of interest?

Price Loss Coverage programme (PLC)

- f. Under the PLC, farmers will be given direct payments if the national average price of their crop falls below the statutorily defined "reference price" of that crop. Section 1113 (d) of the Agriculture Act of 2014 offers farmers a one-time option to update their yield that can be used as the base for making PLC payments. Updating the yield is "[a]t the sole discretion of the owner of a farm, the owner of a farm shall have a 1- time opportunity to update, on a covered commodity-by-covered-commodity basis, the payment yield that would otherwise be used in calculating any price loss coverage payment for each covered commodity on the farm for which the election is made."

To the extent that the PLC programme provides the flexibility to re-allocate their base across covered crops on annual basis, could the United States confirm that PLC payments will be treated as coupled payments and subject to AMS calculation?

- g. The "reference price" (Section 1116, PL 113-79) serves as a trigger to make deficiency payments under the PLC programme. Considering that individual prices are statutorily set for each covered crop, could the United States confirm that payments made under the PLC programme will be notified as product-specific support under Amber Box?
- h. Considering that the reference price for each covered crop is set at a level well above the extant average farm prices in the United States and is also markedly above the trigger prices under the CCP programme (which the PLC replaces) could the United States show why such a programme will not distort global agricultural markets and how it is consistent with the reform process provided for in Article 20 of the Agreement on Agriculture?

Supplemental Coverage Option (SCO) programme

- i. Under the SCO programme (Section 11003 (b) of the U.S Agriculture Act 2014), while formulating the "level of coverage" it is provided that the said coverage will be triggered if the "losses in the area exceed 14 per cent of normal levels (as determined by the Corporation". However, that WTO Agreement on Agriculture (Annex 2, Para 7(a) provides that: "eligibility for such payments shall be determined by an income loss, taking into account only income derived from agriculture, which exceeds 30 per cent of average gross income or the equivalent in net income terms (excluding any payments from the same or similar schemes) in the preceding three-year period or a three-year average based on the preceding five-year period, excluding the highest and the lowest entry.") (emphasis added). In light of this could the United States confirm that the Supplemental Coverage Option would be notified under the Amber Box?

"WTO circuit breaker provision"

- j. The Agriculture Act of 2014 contains a "WTO circuit breaker provision" that, in the unlikely scenario that payments are expected to exceed commitment levels, gives the secretary of agriculture the authority to ensure the United States does not exceed those commitments. Section 1601 (d)(1) states that: "If the Secretary determines that expenditures under this title that are subject to the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)) will exceed such allowable levels for any applicable reporting period, the Secretary shall, to the maximum extent practicable, make adjustments in the amount of such expenditures during that period to ensure that such expenditures do not exceed the allowable levels" (emphasis added).

Should there be significant world market price falls for certain agricultural commodities, given the highly price-contingent model of the Agriculture Act of 2014, the United States could potentially be at risk of exceeding its allowable levels. As opposed to ensuring that the Secretary makes adjustments to the full extent necessary, the Agriculture Act of 2014 states that the Secretary shall, "to the maximum extent practicable", make adjustments in the amount of such expenditures. Could the United States clarify what conditions could limit the Secretary to only making adjustment to "to the maximum extent practicable" given that exceeding such allowable levels of domestic support would place the United States in violation of its obligations to the WTO?

2 POINTS RAISED IN CONNECTION WITH INDIVIDUAL NOTIFICATIONS

2.1 IMPORTS UNDER TARIFF AND OTHER QUOTA COMMITMENTS (TABLE MA:2)

2.1.1 China (G/AG/N/CHN/30)

AG-IMS ID 79048: Question by Australia - Tariff quota fill

Australia notes that while China's TRQ imports for wheat and corn improved in 2013, they fell again in 2014. Wheat and corn imports in 2014 were approximately one third the in-quota amounts. Similarly, the fill-rate for rice was below half the in-quota amount. Could China please outline the reasons for these under-fills, and the steps it will take to improve the fill rate for these TRQs?

AG-IMS ID 79068: Question by Canada - Tariff quota fill

Canada welcomes the improvements in the fill rate for wheat in 2013, reaching 54% which is the highest fill rate for wheat since 2004. However, in 2014 the fill rate for wheat dropped to 31.2%. Canada recalls comments from the United States during the 78th meeting of the Committee on Agriculture (AG-IMS ID 78004), that with high domestic prices and falling world prices, China continues to significantly under-fill its tariff-rate quotas (TRQs). Canada would also like to note that China has notified an export quota and licensing administration for wheat under its notification of quantitative restrictions to the Committee on Market Access (G/MA/QR/N/CHN/3) citing food security reasons under Article XI, XX of GATT 1994.

- a. Could China please explain the drop in fill rate for wheat between 2013 and 2014?

- b. Given that world wheat import prices are low, China's exports to the world are minimal, and the fill rate for its import quota is low, could China please explain how an export quota and licensing administration for wheat addresses its food security concerns?

AG-IMS ID 79006: Question by the United States of America - Tariff quota fill

The United States notes that there continues to be significant TRQ under-fill for grains, specifically wheat, corn, and rice. The United States is concerned that issues affecting TRQ administration may be the cause for chronic TRQ under-fill. To allay these concerns, please provide information on the following:

- a. the percent of unused private sector quota allocations returned by 15 September and then re-allocated by 1 October as per China's TRQ measures; and, the percent of unused STE quota allocations returned by 15 September and then re-allocated by 1 October, as per China's TRQ measures?
- b. the percent of private sector initial TRQ allocations by metric tonne (MT); and, the percent of STE initial TRQ allocations by MT ?
- c. the percent of private sector TRQ re-allocations by MT; and, the percent of STE sector TRQ re-allocations by MT?
- d. the percent of private sector TRQ imports under initial TRQ allocations by MT; and, the percent of STE TRQ imports under initial TRQ allocations by MT?
- e. the percent of private sector TRQ imports under private sector TRQ re-allocations by MT; and, the percent of private sector and STE TRQ imports under STE TRQ re-allocations by MT?
- f. Where does China publish information on the reallocation of wheat, corn, and rice quotas, and how soon is this information available after 1 October?

2.1.2 Costa Rica (G/AG/N/CRI/53)

AG-IMS ID 79078: Question by Switzerland - Tariff quota fill

In its answer to Switzerland's question at the 61st Committee on Agriculture Meeting (AG-IMS ID 61008), Costa Rica highlighted the fact that new applicants may be allocated with more than 20% of the tariff quota if the volume allocated to the historical applicants is less than 80%. With DR-CAFTA coming into force, this has been the case for several TRQs including the ones for cheese and other dairy products in multiple consecutive years. Nonetheless, the fill rates for these TRQs remained very low. Is Costa Rica considering any measures to increase its WTO tariff rate quota fill rates?

2.1.3 Guatemala (G/AG/N/GTM/50)

AG-IMS ID 79007: Question by United States of America - Transparency issues

The United States notes that Guatemala's notification does not provide information for all commodities in all years. A footnote states that other more attractive provisions were provided. Please provide more detail as to what is considered a more attractive provision?

2.1.4 Ukraine (G/AG/N/UKR/21)

AG-IMS ID 79049: Question by Australia - Tariff quota fill

In relation to Ukraine's latest MA:2 notification (G/AG/N/UKR/21) could Ukraine please advise the reason for the continued zero fill-rates for its raw sugar cane tariff rate quota?

2.2 DOMESTIC SUPPORT COMMITMENTS (TABLE DS:1)

2.2.1 Australia (G/AG/N/AUS/89)

AG-IMS ID 79092: Question by India - Direct payments: income insurance and income safety-net programmes

In response to India's question (AG-IMS ID 76040), Australia has clarified that the Farm Management Deposit Scheme (FMDS) allows "farmers to prepare financially for loss of income as a consequence of low income events like drought." However there still remains some inconsistency between the impugned scheme and Paragraph 7 of Annex 2.

The FMDS operates by triggering a tax deduction on that part of the income that is deposited in farm management deposits by eligible farmers during high income years. In other words, the subsidy, which is in the form of "revenue foregone", is available in the income year that the deposit is made and the eligibility for the subsidy has no relationship with "income loss" as contained in Paragraph 7 of Annex 2. The eligibility criteria, for the purpose of claiming a tax deduction under the FMDS are:

- a. The farmer should be carrying on a primary production business as defined in Sub-section 995-1 (1) of ITAA, 1997 at the time of making the deposit, provided the taxable non-primary production income of the farmer is \$100,000 or less.
- b. Individual deposits under the scheme are not less than \$1,000 and total deposits not more than \$400,000. (It is understood that this upper ceiling has been raised vide Agricultural Competitiveness White Paper, 2015 published by the Australian Government which would further expand the coverage of the scheme).
- c. Individual deposits do not exceed taxable primary production income.
- d. Deposits are held for at least 12 months or should qualify for one of the early repayment exceptions.

In essence, the eligibility for tax deduction is determined, inter alia, by the nature of farm activity carried on by the farmer and the quantum of deposits made. There is no demonstrable requirement to show actual income loss accruing to the farmer to claim tax deduction on the deposits. In light of this, India wishes to reiterate its former question: could Australia clarify how this scheme complies with the requirements of paragraph 7 of Annex 2 of the Agreement on Agriculture?

AG-IMS ID 79093: Question by India - Direct payments: payments for relief from natural disasters

In response to India's question (AG-IMS ID 76041), Australia noted that "historically in Australia, such droughts have resulted in production losses consistent with all of the criteria in Annex 2 of the WTO Agreement on Agriculture." Australia has however not confirmed that if production losses are less than those described in Annex 2, paragraph 8, such payments will not be classified under Annex 2 of the Agreement on Agriculture. Could Australia, therefore, kindly clarify what would be Australia's treatment of production losses that are less than 30%?

2.2.2 Botswana (G/AG/N/BWA/23)

AG-IMS ID 79039: Question by the European Union - Input subsidies available to low-income or resource-poor producers

Can Botswana explain what measures it has taken to ensure that the programmes "Livestock Management and Infrastructure Development (LIMID) and Integrated Support Programme for Arable Development (ISPAAD) only benefit low-income farmers and not the country's important commercial producers?

2.2.3 Brazil (G/AG/N/BRA/40)

AG-IMS ID 79054: Question by Australia - Transparency issues (including Table DS:2)

Brazil has notified a substantial increase (approximately 80%) in expenditure for development programmes under Article 6.2. Can Brazil explain why there has been such a significant increase since the preceding notification?

AG-IMS ID 79038: Question by the European Union - Transparency issues (including Table DS:2)

- a. Can Brazil confirm that no programme of the Brazilian States has been included (Rural Development, technical assistance or otherwise)?
- b. Does Brazil intend to include these programmes later in the notification?

AG-IMS ID 79053: Question by Australia - Public stockholding for food security purposes

- a. In relation to the 2013/14 notification from Brazil (G/AG/N/BRA/40) Australia notes that expenditure under public stockholding for food security purposes increased by over 15% from the previous year. Could Brazil please explain the reason for this substantial increase?
- b. Could Brazil please explain how the government operates these programmes, including, where relevant, how Brazil determines the price at which the government buys and sells agricultural produce under this public stockholding for food security programme? Where relevant, can Brazil confirm that food for public stockholding purposes are procured at current market prices, and not administered prices, in accordance with Annex 2, paragraph 3 of the Agreement on Agriculture?

AG-IMS ID 79069: Question by Canada - Investment subsidies generally available to agriculture

Canada notes that the monetary value of its measures under "funds for agricultural investments" has increased from USD 892.8 million in 2012/2013 to USD 1.6 billion in 2013/2014 and that the Investment Enhancement Program (PRI) has been added to the list of measures in Footnote 2, and which was not included in Brazil's notification for the reporting period 2012/2013.

- a. Could Brazil clarify if the increase in the amount of support claimed under "Funds for agricultural investment" is attributed to the PRI?
- b. As it appears that the PRI is a new measure, could Brazil please provide additional information on it, e.g., producer eligibility criteria, initiatives that are eligible for funding?

AG-IMS ID 79036: Question by the European Union - Investment subsidies generally available to agriculture

- a. For the different measures based on interest support Brazil has used the SELIC rate as reference rate, which is fixed by the Brazilian Central Bank. However the commercial rate is much higher. Can Brazil indicate a representative average interest rate applied by commercial banks during 2013-2014, and the rate for SELIC during the same period?
- b. Can Brazil indicate how non-payments/forfeitures from farmers on these loans/credits are included in the amounts notified?

AG-IMS ID 79037: Question by the European Union - Market price support: Eligible production

Regarding Supporting Table DS:5,

- a. Can Brazil indicate the total production of the products mentioned (coffee, edible beans, maize and wheat) and whether this information is publicly available?
- b. Why the amount notified is not based on total production volume?

AG-IMS ID 79070: Question by Canada - Other product-specific AMS/EMS

Canada notes that payments to wheat under the PEPRO programme resumed in 2013/2014 in the amount of USD 32.89 million after no payments were made in 2012/2013. Could Brazil indicate the volume of wheat acquired through under PEPRO and if this wheat was exported what was the destination?

2.2.4 China (G/AG/N/CHN/28)**AG-IMS ID 79009: Question by the United States of America - Transparency issues (including Table DS:2)**

The United States appreciates China's responses in the September 2015 meeting and wishes to follow-up.

As noted in China's response to AG-IMS ID 78062, despite its intended purpose to stabilize production and provide food security, the programmes are de facto market support prices. Therefore, under WTO rules, they should be notified as administered prices.

- a. The United States requests that China revise its notification to reflect this.

In response to AG-IMS ID 66050, China indicated that total payments only compensated for a small part of farmers' losses.

- b. Please provide an indication of the level of compensation provided to farmers compared to losses of income.
- c. Please provide a list of the individual programmes included under this subheading.

AG-IMS ID 79055: Question by Australia - Public stockholding for food security purposes

China reported in its notification for the calendar years 2009 and 2010 (G/AG/N/CHN/28) a 10% increase in expenditure under public stockholding. Australia notes the European Union had also sought further detail at the 77th and 78th Committees on Agriculture.

- a. Can China explain how expenditure under this programme is determined and what is the method by which wheat, corn, rice, vegetable oils and sugar are procured and distributed?
- b. What is the price that these products are procured at and how much production is procured?
- c. What is the total production of these commodities?
- d. What is the explanation for the increase in public stockholding expenditure between 2009 and 2010?

AG-IMS ID 79079: Question by the European Union - Public stockholding for food security purposes

The European Union noticed reply to question AG-IMS ID 78055 point b is missing and requests an answer. This question was originally raised during the 77th Committee on Agriculture meeting on 4 June 2015 and repeated during the Committee on Agriculture meeting on 25 September 2015.

The European Union would underline the importance to receive answers to the questions asked at the 77th meeting of the Committee, therefore the European Union repeats its question AG-IMS ID 77052.

- b. A continued upward trend in China's spending on public stockholding for food security purposes is seen in Supporting Table DS:1. Could China indicate what type of expenditure is included in the notified amount?

AG-IMS ID 79080: Question by the European Union - Domestic food aid

The European Union noticed reply to question AG-IMS ID 78056 is missing and requests an answer. This question was originally raised during the 77th Committee on Agriculture meeting on 4 June 2015 and repeated during the Committee on Agriculture meeting on 25 September 2015.

The European Union would underline the importance to receive answers to the questions asked at the 77th meeting of the Committee, therefore the European Union repeats its question AG-IMS ID 77053.

Amounts notified under domestic food aid vary annually during the notified years 2005-2010. There is a substantial variation between 2009 and 2010 in particular in the current notification. Could China explain why the amount notified for 2010 decreased so substantially compared to the previous years? Is this related to a policy change?

AG-IMS ID 79081: Question by the European Union - Direct payments: decoupled income support

The European Union noticed reply to question AG-IMS ID 78057 is missing and requests an answer. This question was originally raised during the 77th Committee on Agriculture meeting on 4 June 2015 and repeated during the Committee on Agriculture meeting on 25 September 2015.

The European Union would underline the importance to receive answers to the questions asked at the 77th meeting of the Committee, therefore the European Union repeats its question AG-IMS ID 77054.

The European Union notes a decrease in the amount notified under decoupled income support compared to the previous notification G/AG/N/CHN/21. Could China explain why this spending is decreasing? Is this related to a policy change?

AG-IMS ID 79011: Question by the United States of America - Direct payments: payments for relief from natural disasters

Regarding AG-IMS ID 78064, China's "payments for relief from natural disasters" have increased substantially since 2005, reaching CNY 583.84 hundred million in 2010. Per paragraph 8(a) of Annex 2 of the Agreement on Agriculture "...payments shall arise only following a formal recognition by government authorities that a natural or like disaster has occurred."

- a. Please provide a list of all relevant formal recognitions by either the central government or local governments that provided eligibility for payments in 2010.

In response to AG-IMS ID 78064, China stated that it was not in a position to provide any specific resources related to other specific policy and implementing guidance regarding the notified programmes.

- b. Is China now in a position to do so? If not, what resources are available to help Members better understand programmes notified under this subheading?

AG-IMS ID 79056: Question by Australia - Direct payments: payments under environmental programmes

Can China please inform Members as to the types of programmes that receive funding for environmental programmes (under Other General Services) and who are the recipients? How are environmental programmes allocated across geographic areas?

AG-IMS ID 79012: Question by the United States of America - Direct payments: payments under environmental programmes

Since China has not supplied formal written responses, the United States resubmits its question AG-IMS ID 78065. The United States notes that China's notification of environment programme expenditures has increased over time. China, in response to AG-IMS ID 59032, stated that it was impossible to determine whether the payments under the various programme notified under these programme are dependent on the fulfilment of specific criteria, a requirement outlined in paragraph 12(a) of the Agreement on Agriculture. Further, China stated that all the support at the time was used solely for compensation to the farming households affected by the afforestation and reforestation program.

- a. Is this notification still accurate in that all support is still for afforestation and reforestation programmes?
- b. Is China now able to provide the details of such criteria? In particular, what exactly are the payments compensating farmers for with regards to afforestation and reforestation?
- c. If China is still unable to provide the specific criteria, on what basis is China able to notify this program under paragraph 12?

AG-IMS ID 79057: Question by Australia - Direct payments: payments under regional assistance programmes

China reported an increase in expenditure from 2009 to 2010 of approximately 15% for Regional assistance programmes (under Other General Services). This continues a trend from previous notifications showing significant increases in expenditure for these programmes (more than double from 2005).

- a. Can China please explain what eligibility requirements are needed to receive payments under these programmes?
- b. What types of activities receive funding and can China explain how these activities are in accordance with Annex 2 of the Agreement on Agriculture?

AG-IMS ID 79010: Question by the United States of America - Market price support

Given China's response to AG-IMS ID 78067, an updated notification continues to be warranted. Please provide an estimated submission date for the updated notification?

AG-IMS ID 79013: Question by the United States of America - Market price support: Eligible production

With China's answer to AG-IMS ID 78068, the United States understands that the entire production of wheat and rice in the targeted regions should be used to calculate China's AMS for wheat and rice. The United States requests that China revise its notification to reflect this.

AG-IMS ID 79059: Question by Australia - Other product-specific AMS/EMS

In Supporting Table DS:7 China reports that support to the cotton industry includes a "subsidy for reserve cost". Can China please inform Members as to what this "reserve cost" is and what is the rationale for subsidizing this "reserve cost"?

AG-IMS ID 79082: Question by the European Union - Other product-specific AMS/EMS

The European Union noticed reply to question AG-IMS ID 78060 is missing and requests an answer. This question was originally raised during the 77th Committee on Agriculture meeting on 4 June 2015 and repeated during the Committee on Agriculture meeting on 25 September 2015.

The European Union would underline the importance to receive answers to the questions asked at the 77th meeting of the Committee, therefore the European Union repeats its question AG-IMS ID 77057.

Can China explain in detail the reason for the sizeable variations for cotton between the years 2009 and 2010 in Supporting Table DS: 7?

AG-IMS ID 79014: Question by the United States of America - Other product-specific AMS/EMS

Since China has not supplied formal written responses, the United States resubmits its question AG-IMS ID 78069. As has been previously noted by multiple Members, China's inclusion of negative market price support in the summation of product-specific AMS in Supporting Table DS: 7 is a serious concern and should be reported as a zero for purposes of summation. The United States would note that the intent of negative support in the AMS is to account for "specific agricultural levies or fees paid by producers" per Annex 3 of the Agreement on Agriculture.

- a. Please state the intended objective of China's price support programmes. Please clarify how these objectives are in line with providing a negative level of support as purported by China in its notification.
- b. China has previously indicated that it refers to the "rules of the WTO Secretariat" as a basis for notifying in this way. Please provide the relevant Secretariat documentation and specific rules that China believes permits this.

The United States appreciates the transparency provided by China in noting the various programmes notified in Supporting Table DS:7. The United States suggests China notify these programmes on a disaggregated basis.

- c. Please provide a breakdown of the product-specific programs notified in the footnotes with their respective outlays by commodity.

AG-IMS ID 79058: Question by Australia - Non-product-specific AMS

- a. China reported in its notification (G/AG/N/CHN/28) input subsidies that are primarily for the means of production. Could China please disaggregate these input subsidies by type of input and the associated individual expenditure for each item?
- b. China reported in its notification (G/AG/N/CHN/28) non- product-specific interest rate subsidies. Can China inform Members with answers to the following questions:
 - i. what eligibility criteria is required for recipients to access these interest rate subsidies?
 - ii. How was the interest rate subsidy calculated?
 - iii. Who provides the investment loans for such activities where interest rate subsidies are provided? Who are the recipients of such loans?

AG-IMS ID 79083: Question by the European Union - Non-product-specific AMS

The European Union noticed reply to question AG-IMS ID 78061 is missing and requests an answer. This question was originally raised during the 77th Committee on Agriculture meeting on 4 June 2015 and repeated during the Committee on Agriculture meeting on 25 September 2015.

The European Union would underline the importance to receive answers to the questions asked at the 77th meeting of the Committee, therefore the European Union repeats its question AG-IMS ID 77058.

- a. Input subsidies: Can China elaborate on the functioning of the system aid for mechanisation which is given to the distributors of agricultural machinery for certain types of material which has to be produced for at least half in China? How can non-China based producer participate in this scheme?
- b. Is the aid given as tax rebates (for instance in the horticultural sector) included in this table?

2.2.5 European Union (G/AG/N/EU/26)

AG-IMS ID 79060: Question by Australia - Direct payments: structural adjustment assistance provided through investment aids

- a. The European 2012/13 notification (G/AG/N/EU/26) identified in the Supporting Table DS:1 a number of generic activities in relation to Structural Adjustment Assistance provided through Investment Aids. Could the European Union please explain what programmes were involved, including the expenditure for each programme, for the following two activities:
 - i. the restructuring of the sugar industry, and

- ii. the national restructuring programmes for the cotton sector.
- b. Can the European Union explain why these programmes are exempt from reduction commitments and how they are consistent with Annex 2 of the Agreement of Agriculture?

AG-IMS ID 79061: Question by Australia - Direct payments: payments under environmental programmes

The EU 2012/13 notification (G/AG/N/EU/26) identified in the Supporting Table DS:1 a number of generic activities under Environmental Programmes. Can the European Union please explain what activities producers are required to undertake under the following notified programme headings and what amount of expenditure relates to programmes under each heading:

- a. protection of the environment and preservation of the countryside; and
- b. conservation and improvement of rural heritage.

2.2.6 India (G/AG/N/IND/10, G/AG/N/IND/10/CORR.1)

AG-IMS ID 79015: Question by the United States of America - Transparency issues (including Table DS:2)

The United States appreciated India's responses and wishes to follow-up on the response to AG-IMS 78035, that "The original data source [for establishing India's FERP] is as indicated in India's AGST document. The calculations can be confirmed using widely available standard sources of trade statistics". However, as noted in the original question, using widely standard sources of trade statistics, the United States have not been able to confirm India's FERP calculation of USD 240 per metric tonne for wheat. The U.S. calculations show that wheat prices during that period ranged from USD 100-160 per metric tonne. Therefore the United States respectfully would like additional clarification. Please specifically cite sources for these trade statistics?

2.2.7 Mauritius (G/AG/N/MUS/5)

AG-IMS ID 79071: Question by Canada - General services: infrastructural services

Could Mauritius confirm that payments under the category "Irrigation Services" and "Field Operations Regrouping Irrigation Project" exclude subsidies of on-farm infrastructure or subsidising the cost of operations?

2.2.8 Mexico (G/AG/N/MEX/28)

AG-IMS ID 79073: Question by Canada - Transparency issues (including Table DS:2)

- a. Canada notes that under "structural adjustment assistance provided through investment aids" and "payments under regional assistance programmes", Mexico indicates that the Countryside Alliance Programme (last notified under reporting period 2008) was replaced by the Productive Assets Programme in reporting period 2009 which from reporting period 2010 becomes the Programme for the Acquisition of Productive Assets.
 - i. Could Mexico indicate if these are the same programme or if these are three different programmes? Could Mexico describe how each programme meets the relevant criteria in paragraph 11, Annex 2?
 - ii. In reporting period 2010, a number of different measures are listed i.e., agricultural component, livestock component, Support for the Maize and Bean Producers' Production Chain (PROMAF). Could Mexico elaborate as to what structural adjustments are being addressed by each and how these measures meet the relevant criteria in paragraph 11, Annex 2?
- b. Canada notes that there are a number of new measures notified as Green Box payments for which a DS:2 notification is missing. Would Mexico please advise when it expects to provide an associated DS:2 notification for these new measures?

AG-IMS ID 79074: Question by Canada - Direct payments: payments under environmental programmes

Canada notes that starting in reporting year 2010 under the "payment under environmental programmes", that support is provided to the "construction of small scale hydraulic works". Could Mexico elaborate as to how this type of project meets the criteria in paragraph 12, Annex 2 including a description of the clearly-defined government environmental or conservation programme?

AG-IMS ID 79075: Question by Canada - Direct payments: payments under regional assistance programmes

Canada notes that in reporting year 2010, a new measure called Strategic Food Security Programme is reported under "Payments under regional assistance programmes".

- a. Could Mexico please indicate which regions are disadvantaged and the objective criteria used?
- b. Could Mexico advise that the payments limited to the extra costs or loss of income involved in undertaking agricultural production in the prescribed area?

AG-IMS ID 79076: Question by Canada - Investment subsidies generally available to agriculture

For the years 2007 to 2012, there have been many changes to the Investment subsidies generally available to agriculture under Special and Differential Treatment – Development Programmes as described below:

- a. Transfers through interest rates:
 - i. Mexico lists the Programme for the Promotion and Development of Financing for the Rural Sector in the reporting periods 2008-2010. Would this be the same as the Support Programme for Access to the Rural Financial System (PAASFIR) described in its previous notification for the reporting period year 2007? If not, please describe how it is different.
 - ii. The Programme for the Promotion and Development of Financing for the Rural Sector included the following sub-programmes/measures as listed in the reporting period 2010:
 - Support for Instruments for the Promotion and Development of Rural Financing;
 - Technical Assistance Programme for Rural Microfinance (PATMIR);
 - Shared Risk Trust (FIRCO);
 - Agricultural and Fertilizer Price Risk Management Fund;
 - National Guarantee Fund for the Agricultural, Forestry, Fisheries and Rural Sectors;
 - Humid Tropics Programme (Financing component).

As these are not reported in the following years, has the Programme for the Promotion and Development of the Financing for the Rural Sector been terminated, along with its sub-programmes?

- iii. Canada notes that a number of items have received support which no amounts were provided prior to the dates listed for each measure listed below:
 - Rural development finance corporation "Financiera Rural" and some of its programmes during the reporting periods 2009 and 2012;

- Guarantee and Development Fund for Agriculture and Livestock and Poultry Farming for the reporting periods 2009 to 2012;
- Fund for Encouraging Investment in Localities with Medium, High and Very High Levels of Marginalization and Guarantee Programme (SAGARPA) for the reporting period 2011 and 2012;
- Technical Assistance Programme for Rural Microfinance (PATMIR) for the reporting period 2011 and 2012.

Is the provided support a result of new initiatives? Would Mexico please advise when it expects to provide an associated DS:2 notification providing the necessary details regarding these programmes? Are these programmes still in force?

b. Transfers through insurance:

In the 2008 reporting period Mexico notified a measure under "transfer through insurance" called "insurance premium subsidy available to all producers" while in the 2009 to 2012 reporting period, there are two insurance related measures i.e., "agricultural insurance premium subsidy" and "Support programme for agriculture Insurance Funds".

- i. Could Mexico please provide additional information on the "support programme for agriculture insurance funds"?
- ii. Could Mexico provide information as to the government share of the agricultural insurance premium subsidy?

AG-IMS ID 79077: Question by Canada - Other product-specific AMS/EMS

Could Mexico please clarify what the term "Promotion of production patterns" means for canola?

AG-IMS ID 79062: Question by Australia - Non-product-specific AMS

In Supporting Table DS:9 for reporting period 2012 a new measure type called "Market risk management through rural financial intermediaries" was introduced. Could Mexico please explain what this activity does, what the eligibility requirements are, and how the expenditure is calculated?

2.2.9 Norway (G/AG/N/NOR/85)

AG-IMS ID 79041: Question by the European Union - Transparency issues (including Table DS:2)

From information provided in Norway's answers to questions asked during previous meetings of the Committee on Agriculture, the European Union understands that Norway has eliminated the administered target prices for sheep meat and eggs from 1 July 2013 and for beef from 1 July 2009. Has Norway since then eliminated the administered target prices for any additional products or are there currently any plans to do so?

AG-IMS ID 79063: Question by Australia - Direct payments: payments under environmental programmes

Norway's Supporting Table DS:1 notification for calendar year 2014 (G/AG/N/NOR/85) includes a number of environmental programmes as being exempt from reduction commitments in accordance with Annex 2 of the Agreement on Agriculture. Can Norway please explain what activities producers are required to undertake under the following notified programme headings and what amount of expenditure relates to programmes under each heading:

- a. Subsidy to ecological production;
- b. National environmental programme; and
- c. Regional environmental programme, including those covering valuable agricultural landscapes, including World Heritage Areas.

2.2.10 Switzerland (G/AG/N/CHE/72)

AG-IMS ID 79016: Question by the United States of America - Direct payments: structural adjustment assistance provided through investment aids

Under the category of Structural Adjustment Assistance Provided Through Investments Aids, the United States notes that CHF 35.57 million is provided to improve livestock breeding.

- a. Please explain how these funds are used by the government to improve livestock breeding?
- b. Are funds provided to Swiss breed associations or private companies that supply livestock genetics? If so, please explain how these funds are used by such associations or companies.
- c. Further, please explain the relationship between breed associations that receive such funds and the government.

AG-IMS ID 79017: Question by the United States of America - Market price support

The United States notes increases in 2013 in product-specific support for many animal products. For example, milk and milk products, bovine meat, swine meat, and poultry all received increased support compared to 2012. For each of these products, the applied administered price increased in 2013.

- a. Please explain the reason for the increases in the administered price?

The United States notes, in particular, that the swine meat administered price increased 28% from the previous year.

- b. Is Switzerland taking any steps to limit increases in administered prices given that support now comprises 66% of the value of production for bovine meat, 58% for swine meat, and 80% for poultry meat? If so, please explain these steps.

2.2.11 Tunisia (G/AG/N/TUN/45)

AG-IMS ID 79065: Question by Australia - Transparency issues (including Table DS:2)

Australia notes that Tunisia is a major exporter of "other agricultural products". Can Tunisia please advise if any of the products that have market price support applied to them are utilized in the production of other agricultural products that Tunisia exports?

AG-IMS ID 79064: Question by Australia - Constituent data and methodology (AGST)

In Tunisia's latest domestic support notification (G/AG/N/TUN/45) Tunisia has modified the fixed external reference price by which market price support is calculated. There is no legal basis in the Agreement of Agriculture for modifying the fixed external reference price in this way. Accordingly, can Tunisia please resubmit its domestic support notification to show the fixed external reference price without modification and alterations and also please amend the domestic support calculations accordingly so they show the amount of market price support?

2.2.12 United Arab Emirates (G/AG/N/ARE/7, G/AG/N/ARE/8)

AG-IMS ID 79019: Question by the United States of America - Transparency issues (including Table DS:2)

The United States resubmits its questions.

Regarding G/AG/N/ARE/7,

- a. In Under sub-headings "Pest and disease control" and "extension advisory services" the United Arab Emirates notified two values of support for each year; however, it is unclear from the notification the difference between the two values. Please explain what each value represents.

- b. It is noted that compared to G/AG/N/ARE/5 for the years 2000 and 2001, the United Arab Emirates introduced in 2002 a number of new programmes that are considered exempt under Annex 2 of the Agreement on Agriculture. In addition, United Arab Emirates introduced one new programme in 2003 under subheading "Inspection". When does the United Arab Emirates plan on submitting its DS:2 notifications for these new programs?

Regarding G/AG/N/ARE/8,

- c. Why is there a significant increase in monetary value for pest/disease control and extension/advisory service support measures from the previous calendar years?
- d. Why was the inspection support measure not reported for calendar year 2014? Is the United Arab Emirates no longer using this support measure or has it been replaced by another support measure? Why?

AG-IMS ID 79018: Question by the United States of America - General services: infrastructural services

The United States resubmits its questions.

Regarding G/AG/N/ARE/8:

- a. How does the new infrastructure support measure meet the policy-specific criteria in Annex 2 of the Agreement on Agriculture, such as the eligibility criteria to receive the payment, the conditions applying to the payments, or the rules governing the amount of the payment?
- b. When will the Table DS:2 notification for the new infrastructure support measure be submitted?

AG-IMS ID 79020: Question by the United States of America - Input subsidies available to low-income or resource-poor producers

The United States resubmits its questions.

Regarding G/AG/N/ARE/7:

- a. It is noted that all measures notified under the criteria of Article 6.2 were eliminated in 2006. What was the basis for the elimination of these measures and did the United Arab Emirates introduce any other measures as part of this reform? If so, what?
- b. How did the United Arab Emirates define low-income or resource-poor producers at the time these measures were operational?

2.2.13 United States of America (G/AG/N/USA/93)

AG-IMS ID 79089: Question by India - Transparency issues (including Table DS:2)

Follow up question to AG-IMS ID 76048. In response to India's question, the United States has responded that for the calculation of Fixed External Reference Price for butter, non-fat dry milk and cheddar cheese it has selected f.o.b. price because the United States was a net-exporter of all three products during the 1986-88 period. Could the United States clarify the source of this data?

AG-IMS ID 79090: Question by India - Direct payments: decoupled income support

Follow up question to AG-IMS ID 75110. In response to India's question regarding the exclusion of certain crops from the programme- Farm Service Agency Direct Payments under the definition of "covered commodity" in Section 1001 (4) of the 2008 Farm Act and the resulting ambiguity in notifying direct payments within the Green Box, the United States responded that they meet the fundamental requirements of Annex 2.

However India wishes to reiterate that Section 1001 (4) read along with Subtitle A-Direct Payments and Counter-Cyclical Payments of the 2008 Farm Act expressly limits the availability of

Direct Payments to wheat, corn, grain sorghum, barley, oats, upland cotton, long grain rice, medium grain rice, pulse crops, soybeans, and other oilseeds. In light of this, could the United States explain how it is justified to notify Direct Payments within the Green Box?

AG-IMS ID 79087: Question by India - Direct payments: income insurance and income safety-net programmes

Follow-up question to AG-IMS ID 76044. In response to India's question, the United States claimed that Administrative and Operating (A&O) reimbursements are provided by the Federal Crop Insurance Corporation to private crop insurers in exchange for delivery of insurance services. Could the United States further clarify whether the farmer is absolved of the burden to make A&O payments completely and why this will not result in trade distorting effects or effects on production?

AG-IMS ID 79088: Question by India - Non-product-specific AMS

Follow up question to AG-IMS ID 76046. In response to India's request, the United States responded that it requires additional time to compile data on per unit rate of electricity charged for participants in the Federal irrigation projects and power rates charged for industrial, agricultural and residential users of electricity. India requests the United States again to provide this information based on the current status.

AG-IMS ID 79091: Question by India - Non-product-specific AMS

Follow up Question to AG-IMS ID: 75112

- a. In response to India's question regarding how obligations of irrigators and other beneficiaries of a water project are determined (sub-question "a"), the United States responded that "a project purpose's total cost is the sum of the specific and allocated costs". In this context, India requests the United States to provide the following details:
 - i. Is there a specific formula for allocating the remaining costs, which cannot be allocated to specific costs, over different project purposes?
 - ii. If there is such a formula for allocation, does it vary from project to project?
 - iii. Could the United States specify the projects where the purpose for which maximum costs have been allocated to irrigation?
- b. In response to India's question regarding how obligations of irrigators and other beneficiaries of a water project are determined (sub-question "a"), the United States responded that "generally the net result of this allocation is that project purposes which have higher economic benefits, such as M&I uses, are allocated a greater share of the costs on a per-acre foot basis than a project purpose with lower economic benefits". In this context, India requests the United States to clarify the following details:
 - i. Within the framework of the cost-allocation method highlighted herein, on what grounds has the United States made a determination that project purposes such M&I uses have higher economic benefits than other purposes?
 - ii. Is there a fixed percentage of economic benefit allocated for each project purpose after the deduction of specific costs from its total benefits? If yes, could the United States furnish the details?
- c. In response to India's question regarding shifting of repayments due from irrigators to other beneficiaries of water projects (sub-question "b"), the United States has responded that the benefit provided by irrigation assistance was realised by the original land owners and the value of this benefit was capitalised when the lands were sold to new owners and thereby eliminated the assistance.

Even if it is assumed that the value of this benefit was capitalised when the lands were sold, the subsidies that are currently notified by the United States should take into account the price support for irrigation water supply. As an example, according to several studies, the irrigation water users of the Central Valley Project pay an average of USD 6.15 per acre foot, while the cost

to the Federal Government is USD 72.99. This implies a subsidy of at least 91%. In light of this could the United States explain how the shifting of repayments is justified?

2.3 EXPORT SUBSIDY NOTIFICATIONS (TABLES ES:1, ES:2 AND ES:3)

2.3.1 Brazil (G/AG/N/BRA/39)

AG-IMS ID 79042: Question by the European Union - Quantity of total exports

Why has Brazil in Table ES:2, under section II - Products (G/AG/2/Add.1 - List of "Significant Exporters") notified only total exports of oilseeds whereas data on coarse grains, oilcakes, sugar, bovine meat, pig meat, poultry meat, live animals, tobacco and cotton seems to be missing?

2.3.2 China (G/AG/N/CHN/29)

AG-IMS ID 79043: Question by the European Union - Quantity of total exports

Does China intend to separately submit ES:2 notifications for 2013 and 2014 including total exports of eggs, fruits, vegetable and tobacco for which China is a significant exporter according to document G/AG/W/123?

2.3.3 Ecuador (G/AG/N/ECU/40)

AG-IMS ID 79040: Question by the European Union - Quantity of total exports

Does Ecuador intend to separately submit an ES:2 notification for 2013 including total exports of fruits for which Ecuador is a significant exporter according to document G/AG/W/123?

2.3.4 Hong Kong, China (G/AG/N/HKG/39)

AG-IMS ID 79045: Question by the European Union - Quantity of total exports

Does Hong Kong, China intend to separately submit an ES:2 notification for 2015 including total exports of poultry meat for which Hong Kong, China is a significant exporter according to document G/AG/W/123?

2.3.5 Israel (G/AG/N/ISR/53)

AG-IMS ID 79044: Question by the European Union - Transparency issues

Israel has considerably increased export subsidies in 2014, compared to 2013. How would Israel explain this policy development in light of the Bali Ministerial commitment to exercise utmost restraint with regard to any recourse to all forms of export subsidies?

2.3.6 Russian Federation (G/AG/N/RUS/10)

AG-IMS ID 79021: Question by the European Union - Quantity of total exports

Does Russian Federation intend to separately submit an ES:2 notification for 2015 including total exports of wheat and wheat flour for which Russian Federation is a significant exporter according to document G/AG/W/123?

2.3.7 Ukraine (G/AG/N/UKR/22)

AG-IMS ID 79046: Question by the European Union - Quantity of total exports

Does Ukraine intend to separately submit an ES:2 notification for 2015 including total exports of wheat and wheat flour for which Ukraine is a significant exporter according to document G/AG/W/123?

2.4 NOTIFICATIONS IN THE CONTEXT OF THE NFIDC DECISION (TABLE NF:1)

2.4.1 Russian Federation (G/AG/N/RUS/7)

AG-IMS ID 79050: Question by the European Union - Quantity and concessionality of food aid

The notified amounts of Russia's food aid in notification G/AG/N/RUS/7 differ for certain products and destinations from the information found in Secretariat background document G/AG/W/125/Rev.3/Add.3 (dated 27 July 2015). For example, in G/AG/W/125/Rev.3/Add.3 the Russian Federation notifies the use of in-kind food aid to certain countries in 2014. There are no indications of such food aid in G/AG/N/RUS/7. What are the reasons behind these discrepancies?

2.4.2 United States of America (G/AG/N/USA/105)

AG-IMS ID 79028: Question by the European Union - Quantity and concessionality of food aid

The European Union notices that for certain products, such as beans, emergency food product meal replacements, potatoes, rice, soy fortified cornmeal, wheat and wheat soy blends, the United States notifies larger amounts of in-kind food aid to least developed and net food-importing developing countries for fiscal year 2013 than what has previously been notified to all destinations (see G/AG/W/125/Rev.3/Add.3, dated 27 July 2015). What are the reasons behind these discrepancies?

3 OVERDUE NOTIFICATIONS

3.1 Turkey

AG-IMS ID 79072: Question by Canada

In response to Canada's question (AG-IMS ID 78026) on overdue notifications at the 78th Committee on Agriculture Meeting on 25 September 2015, Turkey indicated that work was underway to prepare the outstanding notifications on export subsidies and domestic support. Could Turkey please update the Committee on the progress towards submitting these overdue notifications? In the meantime, could Turkey provide information on its domestic support as well as the use of export subsidies provided to the wheat sector?
