



Committee on Agriculture

POINTS RAISED BY MEMBERS UNDER THE REVIEW PROCESS

COMPILATION OF QUESTIONS FOR THE MEETING ON 25-26 JUNE 2019¹

The present document compiles questions received by the Secretariat by the deadline of 11 June 2019 as specified in WTO/AIR/AG/36.

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.

TABLE OF CONTENTS

1 MATTERS RELEVANT TO THE IMPLEMENTATION OF COMMITMENTS: ARTICLE 18.6 ...6	
1.1 Brazil's wheat quota.....6	6
1.1.1 Question by Ukraine (AG-IMS ID 91001)6	6
1.2 Canada's compensation for farmers after trade concessions.....6	6
1.2.1 Question by Australia (AG-IMS ID 91002).....6	6
1.2.2 Question by European Union (AG-IMS ID 91018).....6	6
1.3 Canada's support to canola producers7	7
1.3.1 Question by European Union (AG-IMS ID 91019)7	7
1.3.2 Question by India (AG-IMS ID 91060)7	7
1.3.3 Question by Ukraine (AG-IMS ID 91003)7	7
1.4 China's rice policies7	7
1.4.1 Question by United States of America (AG-IMS ID 91133)7	7
1.4.2 Question by United States of America (AG-IMS ID 91134)8	8
1.4.3 Question by United States of America (AG-IMS ID 91135)8	8
1.4.4 Question by United States of America (AG-IMS ID 91136)8	8
1.5 Egypt's export subsidy and Arrears Program8	8
1.5.1 Question by United States of America (AG-IMS ID 91138)8	8
1.6 The EU's malting barley HS code8	8
1.6.1 Question by United States of America (AG-IMS ID 91142)8	8
1.7 The EU's fruit juices TRQ9	9
1.7.1 Question by United States of America (AG-IMS ID 91176)9	9
1.8 The EU's support package to Irish beef farmers..... 11	11
1.8.1 Question by Australia (AG-IMS ID 91004)..... 11	11
1.9 The EU's coupled payments 11	11
1.9.1 Question by India (AG-IMS ID 91061) 11	11
1.10 India's Transport and Marketing Assistance (TMA) 12	12
1.10.1 Question by Australia (AG-IMS ID 91006) 12	12
1.10.2 Question by United States of America (AG-IMS ID 91154) 12	12
1.11 India's support to rice exports 13	13
1.11.1 Question by United States of America (AG-IMS ID 91153) 13	13
1.12 India - Maharashtra State export subsidies 13	13
1.12.1 Question by United States of America (AG-IMS ID 91155) 13	13
1.13 India's increased budget on agriculture and rural development..... 13	13
1.13.1 Question by European Union (AG-IMS ID 91020) 13	13
1.14 India's PM-KISAN income guarantee scheme..... 14	14
1.14.1 Question by New Zealand (AG-IMS ID 91007) 14	14
1.15 India's wheat policies 14	14
1.15.1 Question by Ukraine (AG-IMS ID 91009)..... 14	14
1.16 India's wheat public stockpiling 14	14

1.16.1	Question by United States of America (AG-IMS ID 91141)	14
1.17	India - National Food Security Mission	14
1.17.1	Question by United States of America (AG-IMS ID 91157)	14
1.18	India's short-term crop loans	15
1.18.1	Question by United States of America (AG-IMS ID 91147)	15
1.19	India - Dairy Loans	15
1.19.1	Question by United States of America (AG-IMS ID 91149)	15
1.20	India - transparency with Green Box measures	15
1.20.1	Question by United States of America (AG-IMS ID 91150)	15
1.21	India - National Dairy Plan Phase I	16
1.21.1	Question by United States of America (AG-IMS ID 91152)	16
1.22	India - Rashtriya Krishi Vikas Yojana (RKVY)	16
1.22.1	Question by United States of America (AG-IMS ID 91156)	16
1.23	Indonesia's Measure 18 in DS477 and DS478	17
1.23.1	Question by New Zealand (AG-IMS ID 91010)	17
1.24	Russia's support to exporting industry in east of the country	17
1.24.1	Question by European Union (AG-IMS ID 91021)	17
1.25	Russia's Resolution #1104	17
1.25.1	Question by United States of America (AG-IMS ID 91161)	17
1.26	U.S. tariff rate quotas	17
1.26.1	Question by Russian Federation (AG-IMS ID 91026)	17
1.27	U.S. disaster bill	18
1.27.1	Question by European Union (AG-IMS ID 91025)	18
1.28	Canada's New Milk Ingredient Class	18
1.28.1	Question by United States of America (AG-IMS ID 91132)	18
1.29	Canada's wine sale policy	19
1.29.1	Question by United States of America (AG-IMS ID 91137)	19
1.30	European Union - Modification of agricultural schedule of commitments	20
1.30.1	Question by Canada (AG-IMS ID 91015)	20
1.31	India's pulses policies	21
1.31.1	Question by Australia (AG-IMS ID 91005)	21
1.31.2	Question by Canada (AG-IMS ID 91075)	21
1.31.3	Question by Canada (AG-IMS ID 91076)	21
1.31.4	Question by Canada (AG-IMS ID 91077)	22
1.31.5	Question by Russian Federation (AG-IMS ID 91008)	22
1.31.6	Question by United States of America (AG-IMS ID 91140)	22
1.32	India's skim milk powder export subsidies	23
1.32.1	Question by United States of America (AG-IMS ID 91151)	23
1.33	Japan's export subsidies	23
1.33.1	Question by United States of America (AG-IMS ID 91158)	23

1.34	Mexico's Strategic Programme of Guaranteed Prices.....	23
1.34.1	Question by Canada (AG-IMS ID 91084).....	23
1.34.2	Question by United States of America (AG-IMS ID 91159)	24
1.35	Mongolia's quota regime for importation	24
1.35.1	Question by Russian Federation (AG-IMS ID 91011).....	24
1.36	Pakistan's wheat export subsidies and domestic support.....	25
1.36.1	Question by United States of America (AG-IMS ID 91160)	25
1.37	Philippines' rice waiver	25
1.37.1	Question by Japan (AG-IMS ID 91012)	25
1.38	Russian Federation's railway subsidy for exports.....	25
1.38.1	Question by United States of America (AG-IMS ID 91162)	25
1.39	Thailand's import permits for feed wheat	25
1.39.1	Question by European Union (AG-IMS ID 91022)	25
1.40	U.S. Proposed domestic support measures.....	25
1.40.1	Question by Australia (AG-IMS ID 91013)	25
1.40.2	Question by Canada (AG-IMS ID 91080).....	26
1.40.3	Question by China (AG-IMS ID 91023)	26
1.40.4	Question by European Union (AG-IMS ID 91024)	27
1.40.5	Question by India (AG-IMS ID 91063)	27
1.40.6	Question by New Zealand (AG-IMS ID 91014)	27
1.40.7	Question by New Zealand (AG-IMS ID 91016)	28
1.40.8	Question by Ukraine (AG-IMS ID 91027).....	28
1.41	U.S. 2018 Farm Bill.....	28
1.41.1	Question by India (AG-IMS ID 91062)	28
1.42	Zimbabwe's tobacco export incentive	29
1.42.1	Question by United States of America (AG-IMS ID 91163)	29
2	POINTS RAISED IN CONNECTION WITH INDIVIDUAL NOTIFICATIONS	29
2.1	Imports under tariff and other quota commitments (Table MA:2)	29
2.1.1	Brazil (G/AG/N/BRA/49)	29
2.1.2	Canada (G/AG/N/CAN/120, G/AG/N/CAN/128)	29
2.1.3	Costa Rica (G/AG/N/CRI/72)	30
2.1.4	European Union (G/AG/N/EU/50).....	30
2.1.5	India (G/AG/N/IND/14)	31
2.1.6	Japan (G/AG/N/JPN/238).....	31
2.1.7	Kazakhstan (G/AG/N/KAZ/6).....	32
2.1.8	Norway (G/AG/N/NOR/104)	32
2.1.9	Panama (G/AG/N/PAN/49).....	33
2.1.10	Philippines (G/AG/N/PHL/54, G/AG/N/PHL/55, G/AG/N/PHL/56).....	33
2.1.11	Russian Federation (G/AG/N/RUS/23)	34
2.1.12	Thailand (G/AG/N/THA/83)	35

2.1.13	United States of America (G/AG/N/USA/125).....	35
2.2	Domestic support commitments (Table DS:1)	35
2.2.1	Botswana (G/AG/N/BWA/34).....	35
2.2.2	Brazil (G/AG/N/BRA/52)	36
2.2.3	Côte d'Ivoire (G/AG/N/CIV/3 to G/AG/N/CIV/21)	36
2.2.4	European Union (G/AG/N/EU/46, G/AG/N/EU/46/CORR.2 and G/AG/N/EU/55)	38
2.2.5	India (G/AG/N/IND/12, G/AG/N/IND/13, G/AG/N/IND/15).....	41
2.2.6	Israel (G/AG/N/ISR/66).....	47
2.2.7	Japan (G/AG/N/JPN/235, G/AG/N/JPN/236)	47
2.2.8	Korea, Republic of (G/AG/N/KOR/60, G/AG/N/KOR/61, G/AG/N/KOR/62, G/AG/N/KOR/63)	48
2.2.9	Malaysia (G/AG/N/MYS/43, G/AG/N/MYS/44, G/AG/N/MYS/45)	50
2.2.10	Mongolia (G/AG/N/MNG/10)	51
2.2.11	Chinese Taipei (G/AG/N/TPKM/173, G/AG/N/TPKM/174, G/AG/N/TPKM/175).....	52
2.2.12	Tajikistan (G/AG/N/TJK/1 to G/AG/N/TJK/6).....	52
2.2.13	Tunisia (G/AG/N/TUN/52, G/AG/N/TUN/56).....	53
2.2.14	Turkey (G/AG/N/TUR/21).....	54
2.3	New or modified Domestic Support measures (DS:2)	55
2.3.1	China (G/AG/N/CHN/48, G/AG/N/CHN/49).....	55
2.3.2	Norway (G/AG/N/NOR/103)	56
2.4	Export Subsidy notifications (Tables ES:1, ES:2 and ES:3)	56
2.4.1	Brazil (G/AG/N/BRA/50)	56
2.4.2	Canada (G/AG/N/CAN/125).....	56
2.4.3	Mexico (G/AG/N/MEX/39)	57
2.4.4	Norway (G/AG/N/NOR/106)	57
2.4.5	Turkey (G/AG/N/TUR/22 to G/AG/N/TUR/35)	57
3	DEFERRED REPLIES TO QUESTIONS ON NOTIFICATIONS.....	59
3.1	Domestic Support commitments (Table DS:1).....	59
3.1.1	India (G/AG/N/IND/11)	59
4	OVERDUE NOTIFICATIONS.....	59
4.1	Ghana	59
4.2	India.....	60
4.3	Kenya	60
4.4	Morocco	60
4.5	Pakistan	60
4.6	Tunisia	61
4.7	Ukraine	61
5	COUNTER NOTIFICATIONS.....	61
5.1	Philippines	61

1 MATTERS RELEVANT TO THE IMPLEMENTATION OF COMMITMENTS: ARTICLE 18.6

1.1 Brazil's wheat quota

1.1.1 Question by Ukraine (AG-IMS ID 91001)

According to the media (Reuters), Brazil has set up an import quota of 750,000 tonnes of wheat per year with zero in-quota tariffs. Ukraine kindly asks Brazil to provide information regarding:

- the annual quantity of import quota for wheat and the respective in-quota tariff;
- a description of import quota arrangements for wheat, including country-specific allocations;
- a citation to Brazil's published implementing regulations and guidance for wheat import quotas;
- an indication of when Members can expect notification of relevant information on this TRQ.

1.2 Canada's compensation for farmers after trade concessions

1.2.1 Question by Australia (AG-IMS ID 91002)

Australia notes the Canadian government announced an almost CAD 3.9 billion support package for its supply-managed sectors, compensating for the impact of the CPTPP and Canada-EU (CETA), upon their entry into force. Australia understands this announced package does not consider compensation for USMCA.

Australia acknowledges the importance of assisting farmers and producers adjust to new trade deals. However, this package appears significant, without the long-term structural reform called for by many WTO Members. Dairy Farmers of Canada (DFC) has said the package could compensate for around ten years' worth of losses from CPTPP and CETA – agreements which established comprehensive market access benchmarks.

Australia would appreciate if Canada can provide:

- a. an update on the announcement?
- b. Advice on whether the package will increase, or whether a new package will be announced, to compensate for the USMCA?
- c. Explain how this how this package will help Canadian supply-managed sectors adjust and integrate to new trade agreements, rather than simply protecting them from external market competition?

1.2.2 Question by European Union (AG-IMS ID 91018)

In March 2019, Prime Minister Trudeau announced an aid package to farmers. It included up to C\$2.15 billion for farmers "to deal with income losses" associated with trade deals with the EU and Pacific Rim nations. It also set aside C\$1.5 billion more to guarantee the value of production rights, known as quota, in the event that value were to decline as a result of the deals. That money would be paid out only in the event that any quota was sold.

- a. Can Canada explain in more detail what type of measures will be used for this compensation, and what the eligibility criteria will be for these different measures? When are the payments expected to be made to the farmers?
- b. Will sectors other than dairy, poultry and egg farmers operating under its system of quotas and tariffs, be eligible for this compensation?

1.3 Canada's support to canola producers

1.3.1 Question by European Union (AG-IMS ID 91019)

China's strengthened inspection measures of Canadian farm exports is leading to farmers having to sell Canola seed produce at discounted prices elsewhere and plant other crops such as wheat. The EU is aware of the current issues facing Canada's canola and soya bean markets. Does Canada intend to introduce any compensation for its farmers following this situation? Will this include any additional loan limits given under Advance Payments Program (APP)?

1.3.2 Question by India (AG-IMS ID 91060)

Reports suggest that Canada is offering financial assistance to canola growers to boost exports (<https://www.reuters.com/article/us-canada-china/canada-unveils-measures-to-help-canola-farmers-hit-by-china-ban-seeks-to-boost-asian-exports-idUSKCN1S740D>). As per this report, the government will increase the maximum amount of money available to individual producers under the Advance Payments Program (APP), from \$400,000 per year to \$1 million. Further, the interest-free portion for canola growers will be increased to \$500,000 from \$100,000.

- a. Please explain the duration of the above enhancements under the APP.
- b. Please explain the detailed eligibility criteria, including the components available to only canola growers, and the components available to other agricultural producers.
- c. What is the enforcement mechanism? What has been done to implement it and where can we find the supporting data available in this regard?
- d. Please explain how Canada will ensure that this measure is WTO-compliant.

1.3.3 Question by Ukraine (AG-IMS ID 91003)

Due to market access issues that impact Canadian canola exports to China the government of Canada announced support in favor of agricultural producers of canola. Specifically, changes in the Advance Payments Program are intended to help producers overcome difficulties facing market uncertainty.

- a. Could Canada please elaborate on specific changes made to the Advance Payments Program?
- b. Do these changes specifically aimed at enhancing access opportunities for Canadian canola exporters to enter new markets?

1.4 China's rice policies

1.4.1 Question by United States of America (AG-IMS ID 91133)

The United States notes that China has been auctioning off government stocks of rice.

- a. Please explain the processes and procedures for the auction.
- b. What entities are allowed to participate? Are STEs allowed to purchase auctioned rice?
- c. What is the quality of the rice that is being auctioned?
- d. Are there any requirements or restrictions on the eventual use of the auctioned rice? If the rice may not be used for human consumption, are the stocks of rice denatured in any way to keep them from going back into human consumption channels?
- e. The United States has observed that the auctioned prices are significantly lower than the procured minimum support prices. How are auction prices determined?

1.4.2 Question by United States of America (AG-IMS ID 91134)

In 2017, unit prices for Chinese exports of rice dropped and exports began to rise.

- a. Please explain why this may be happening.
- b. Are some stocks of auctioned rice available for export? If so, what volumes of auctioned rice are being exported? c. Are non-STEs allowed to export Chinese rice?

1.4.3 Question by United States of America (AG-IMS ID 91135)

Based on trade data, it appears the majority of low-price rice exports are being shipped from ports near Beijing compared to other provinces. The United States understand that STEs such as COFCO are located in Beijing. Is COFCO the main exporter of this rice? Are other STEs exporting rice?

1.4.4 Question by United States of America (AG-IMS ID 91136)

According to China's custom's data, the price for rice that has been exported to the United States was below \$400/MT and yet the minimum support price for paddy (not yet milled) rice has been consistently above \$400/MT.

Please explain how milled rice that was purchased well above \$400/MT was exported to the United States in a processed form for less than \$400/MT?

1.5 Egypt's export subsidy and Arrears Program

1.5.1 Question by United States of America (AG-IMS ID 91138)

The United States has seen press reports that the government of Egypt (GOE) is implementing export subsidy programmes, administered by the Egyptian Export Development Fund (ESF), to promote several economic sectors, including agriculture.

- a. Please explain how the export subsidy measure is implemented and provide eligibility criteria for agricultural products.
- b. Please provide the total value of export subsidy by agricultural product group and by destinations.
- c. Please provide the legislation and/or decision(s) for making this export subsidy available.
- d. When will the GOE provide all overdue Table ES:1 notifications, including Supporting Table ES:2, and respond to the export competition questionnaire?

1.6 The EU's malting barley HS code

1.6.1 Question by United States of America (AG-IMS ID 91142)

G/AG/N/EU/37/Corr.1 CY 2016 and G/AG/N/EU/41/Corr.1 -CY 2017

The EU noted that the Malting Barely code 1003 00 should be replaced with code ex 1003 00. There appears to be a different HS code listed for malting barley in the EU 28 Schedule; the EU tariff schedule provided by the EU for the Article XXVIII negotiation; the EU MA:1; the EU correction for the 2017 MA:2; and 2018 MA:2. Document G/MA/TAR/RS506/Add.2, which provides corrections to the EU 28's schedule, lists the HS Code ex 1003 90 for malting barley. Annex II of the EU's Article XXVIII negotiations document for Brexit lists 1003 90 and does not contain the prefix "ex".

- a. Please clarify whether 1003 90 was used rather than ex 1003 00.

- b. The Article XXVIII document does not contain the prefix "ex". Please explain if that export data is for the entire 100390 HS code for barley rather than just malting barley?
- c. The EU's CY 2016 MA:1 (G/AG/N/EU/31) lists HS codes ex1003 00 50, ex 1003 10 00, and ex 1003 90 00. Please explain why there are different HS

1.7 The EU's fruit juices TRQ

1.7.1 Question by United States of America (AG-IMS ID 91176)

- a. We have received the EU's response and thank the EU for noting that a corrigendum will be submitted for EU 28 schedule. In the meantime, please provide the exact list of HS codes for the fruit juice TRQ.
- b. Please confirm whether there have been any changes to this list since 2013.
- c. If the list has changed from the 2013-2015 period, please provide the accurate list for this period.
- d. Below are various HS codes listed across the EU's TRQ documents for Fruit Juice. While there may have been nomenclature updates, there still are a number of inconsistencies that need clarification.

2013 - G/AG/N/EU/24	2014 - G/AG/N/EU/30	2015 - G/AG/N/EU/33	Annex 2 -Article 28 document 2013-2015	2016 MA:2 - G/AG/N/EU/37	2016 MA:1 - G/AG/N/EU/31	2017 MA:2 - G/AG/N/EU/41	EU 28 Schedule - G/MA/TAR/RS506/Add.2
2009 11 11	2009 11 11	2009 11 11	20091111	2009 11 11	2009 11 11	2009 11 11	2009 11 11
2009 11 19	2009 11 19	2009 11 19	20091119	2009 11 19	2009 11 19	2009 11 19	2009 11 19
2009 19 11	2009 19 11	2009 19 11	20091919	2009 19 11	2009 19 11	2009 19 11	2009 19 11
2009 19 19	2009 19 19	2009 19 19	20092919	2009 19 19	2009 19 19	2009 19 19	2009 19 19
2009 20 11	2009 20 11	2009 20 11	20093911	2009 29 11	2009 29 11	2009 29 11	2009 29 11
2009 20 19	2009 20 19	2009 20 19	20093919	2009 29 19	2009 29 19	2009 29 19	2009 29 19
2009 30 11	2009 30 11	2009 30 11	20094919	2009 31 11	2009 39 11	2009 31 11	2009 39 11
2009 30 19	2009 30 19	2009 30 19	20097911	2009 31 19	2009 39 19	2009 31 19	2009 39 19
2009 40 11	2009 40 11	2009 40 11	20097919	2009 49 11	2009 49 11	2009 49 11	2009 49 11
2009 40 19	2009 40 19	2009 40 19	20098911	2009 49 19	2009 49 19	2009 49 19	2009 49 19
2009 70 11	2009 70 11	2009 70 11	20098919	2009 79 11	2009 79 11	2009 79 11	2009 79 11
2009 79 19	2009 79 19	2009 79 19	20098934	2009 79 19	2009 79 19	2009 79 19	2009 79 19
2009 80 11	2009 80 11	2009 80 11	20098935	2009 81 11	2009 89 11	2009 81 11	2009 89 11
2009 80 19	2009 80 19	2009 80 19	20098936	2009 81 19	2009 89 19	2009 81 19	2009 89 19
2009 80 34	2009 80 34	2009 80 34	20098938	2009 89 34	2009 89 34	2009 89 34	2009 89 34
2009 80 35	2009 80 35	2009 80 35	20099011	2009 89 35	2009 89 11	2009 89 35	2009 89 35
2009 80 36	2009 80 36	2009 80 36	20099019	2009 89 36	2009 89 35	2009 89 36	2009 89 36
2009 80 38	2009 80 38	2009 80 38	20099021	2009 89 38	2009 89 36	2009 89 38	2009 89 38
2009 90 11	2009 90 11	2009 90 11	20099029	2009 90 11	2009 81 19	2009 90 11	2009 90 11
2009 90 19	2009 90 19	2009 90 19	20099029	2009 90 19	2009 89 38	2009 90 19	2009 90 19
2009 90 21	2009 90 21	2009 90 21		2009 90 21	2009 90 11	2009 90 21	2009 90 21
2009 90 29	2009 90 29	2009 90 29		2009 90 29	2009 90 19	2009 90 29	2009 90 29
					2009 90 21		
					2009 90 29		

- i. There appears to be consistency across the EU's MA:2 for 2013, 2014, and 2015; however the EU's article XXVIII, annex 2 document, which is supposed to cover the 2013-2015 time period, has different HS codes. Please explain why there are different HS codes.
- ii. Annex 2 of the EU's Article XXVIII document appears to be missing HS code 20091911 and possibly HS codes 20098111 and 20098119, or 20098011 and 20098019. While small, there appear to have been imports for 20098111 and 20098119 for the time period 2013-2015. Please explain why these HS codes and corresponding imports were not included in the EU's Article XXVIII documents and why the list of HS codes differ from the various MA:2 submissions, as well as the EU 28 schedule and corresponding corrigenda?
- e. Please explain why 2009 31 11 and 2009 31 19 are listed under the EU's 2016 MA:2 (G/AG/N/EU/37) and 2017 MA:2 (G/AG/N/EU/41), while HS codes 2009 39 11 and 2009 39 19 appear in the EU's Annex 2 - Article XXVIII document 2013-2015, 2016 MA:1 - G/AG/N/EU/31 and EU 28 Schedule - G/MA/TAR/RS506/Add2.
- f. Column G of the EU 28 tariff schedule lists 2009 81 11, 2009 81 19, 2009 89 11, and 2009 89 19 as belonging to a Tariff Quota, but 2009 81 11 and 2009 81 19 are not listed under the TRQ section of the schedule. Please explain this inconsistency.

1.8 The EU's support package to Irish beef farmers

1.8.1 Question by Australia (AG-IMS ID 91004)

Australia notes that the EU will be compensating Irish beef farmers for the fall in beef prices suffered as a result of the UK's exit from the EU. This package would include EUR 50 million from the EU and the Irish government would be able to match EU funding, bringing the package to EUR 100 million.

Australia would appreciate if the EU could provide further information on the package, including:

- a. details of the package, including eligibility criteria and timelines?
- b. The WTO-basis under which the package will likely be notified in this Committee?
- c. The measures the EU will implement to ensure the package does not affect third markets and add to the already significant disruptions occurring within the global beef trade industry?

1.9 The EU's coupled payments

1.9.1 Question by India (AG-IMS ID 91061)

An impact assessment document by the European Commission in 2018 (Report available at <http://ec.europa.eu/transparency/regdoc/rep/10102/2018/EN/SWD-2018-301-F1-EN-MAIN-PART-3.PDF> -Page 68) recognizes that the CAP 2013 reintroduced coupled payments and acknowledges that "coupled payments have the intention to maintain production at current levels or bring it back to historical levels, so there is a positive impact on production associated". Moreover, the 2018 Omnibus Agricultural Provisions Regulation amended the 2013 CAP Regulation, removing Para. 5 from Article 52 that restricted the provision of coupled support to "the extent necessary to create an incentive to maintain current levels of production in the sectors or regions concerned". In this context, India requests the European Union to explain the following:

- a. How does the EU ensure that the "production limiting" criterion, which is a pre-requisite for any direct payment program under Article 6.5 of the Agreement on Agriculture, is met?

- b. With respect to the amendment of Article 52, how does this amendment ensure that coupled support now does not serve as an incentive to increase production beyond historical levels?
- c. What is the enforcement mechanism? What has been done to implement it and where can we find the supporting data available in this regard?

1.10 India's Transport and Marketing Assistance (TMA)

1.10.1 Question by Australia (AG-IMS ID 91006)

Australia refers to the Transport and Marketing Assistance (TMA) for Specified Agriculture Products scheme announced by the government of India's Press Information Bureau on 5 March 2019. This scheme's objective is to "provide assistance for the international component of freight and marketing of agricultural produce", which pursuant to Article 9, paragraph 1(d) of the Agreement on Agriculture is an export subsidy.

Australia notes that pursuant to paragraph 7 of the 2015 Nairobi Ministerial Decision on Export Competition, India as a Developing Member: "shall continue to benefit from the provisions of Article 9.4 of the Agreement on Agriculture until the end of 2023".

That said, India is also obliged by the subsequent paragraphs of the Nairobi Decision, which note:

"9. Members shall not apply export subsidies in a manner that circumvents the requirement to reduce and eliminate all export subsidies;

"10. Members shall seek not to raise their export subsidies beyond the average level of the past five years on a product basis; and

"11. Members shall ensure that any export subsidies have at most minimal trade distorting effects and do not displace or impede the exports of another Member. To that effect, Members using export subsidies shall give due consideration to the effects of any such export subsidies on other Members, and shall consult, upon request, with any other Member having a substantial interest as an exporter with respect to any matter related to the export subsidies in question. The Member applying such export subsidies shall provide, upon request, such a Member with necessary information."

Noting these relevant paragraphs of the Nairobi Decision, can India provide the following information with respect to the TMA:

- a. please advise how this new export subsidy scheme is consistent with the entire Nairobi Decision, notably paragraph 9's obligation to reduce export subsidies (rather than increase them)?
- b. Can India please provide information on the average level of export subsidies provided for those products covered by the TMA for the past five years?
- c. Can India provide advice on what steps and assessment it undertook in the development of the TMA to ensure it is consistent with paragraph 11 of the Nairobi Decision and has, at most, a minimal trade distorting effect on other Members?

1.10.2 Question by United States of America (AG-IMS ID 91154)

The United States understands that the government of India (GOI) has introduced a new export subsidy programme titled Transport and Marketing Assistance (TMA) for specified agriculture products.

- a. Please explain this new agriculture export subsidy measure implemented by the GOI.
- b. Please explain the process by which the subsidies are provided, eligible destinations, and the eligibility criteria, including the list of eligible agriculture products by HS code. In addition, please provide a separate list of excluded agricultural products by HS code.
- c. How much has the GOI budgeted for the TMA export subsidy programme for the present year?

- d. Please explain if agricultural products under the TMA are eligible for other forms of export subsidy or financing programs, such as the "Interest Equalization Scheme on Pre- and Post-Shipment Rupee Export Credit" or the "Merchandise Export from India Scheme." Please provide a comprehensive list of all eligible programmes.

1.11 India's support to rice exports

1.11.1 Question by United States of America (AG-IMS ID 91153)

The United States notes that in November 2018, India announced the introduction of an export subsidy for non-Basmati rice of 5%. Since India is by far the world's largest producer and exporter of rice:

- a. Please explain the nature of this export subsidy measure and its duration.
- b. Please explain how the current level of non-basmati rice public stockpiling for food security compares to its historical levels.
- c. Please provide a comprehensive list of the rice products under the subsidy by HS codes.
- d. Please provide a list of eligible export destinations.
- e. Please explain if non-basmati rice under this export subsidy is eligible for other forms of export subsidies, export financing (such as the "Interest Equalization Scheme on Pre- and Post-Shipment Rupee Export Credit"), or other export scheme maintained by GOI. Please provide a list with the names of all eligible programmes.

1.12 India - Maharashtra State export subsidies

1.12.1 Question by United States of America (AG-IMS ID 91155)

The United States notes that the Maharashtra State Agriculture Marketing Board (MSAMB) is providing transportation and freight subsidies to promote the export of fruit and vegetable products. According to <https://www.freshplaza.com/article/2200311/indian-agro-exporters-to-get-subsidy-on-sea-routes/>, MSAMB will provide a subsidy of INR 30,000 (USD 427.52) per container.

- a. Please explain how this measure is implemented and provide any eligibility criteria.
- b. In addition, please provide the legislation and/or decision(s) for making this export subsidy available. If not available now, when will these documents be made available?

1.13 India's increased budget on agriculture and rural development

1.13.1 Question by European Union (AG-IMS ID 91020)

India's Prime Minister has pledged to spend 100 trillion rupees on infrastructure in the next five years and 25 trillion rupees on agriculture and rural development, along with a goal of doubling farmer's income by 2022.

- a. Can India please provide further details on how it plans to allocate the spending of 25 trillion rupees on agriculture and rural development?
- b. India also announced plans to double farmers' income by 2022. How will this be done taking into account global market prices of produce and measures put in place to prevent excess production?
- c. Can India please give further detail on the increase of 410.29 million USD for the 2.(g) Infrastructural Services under Supporting Table DS:1 between 2016 and 2017 and what this included? (G/AG/N/IND/13 and G/AG/N/IND/15)

1.14 India's PM-KISAN income guarantee scheme

1.14.1 Question by New Zealand (AG-IMS ID 91007)

New Zealand notes the PM-KISAN (Pradhan Mantri Kisan Samman Nidhi Yojana) income guarantee scheme India has implemented to support small farmers.

- a. Can India advise how income support schemes will support the replacement of existing subsidies that India provides on agricultural inputs?
- b. How will India transition from providing indirect to direct income support for its small holder farmers?

1.15 India's wheat policies

1.15.1 Question by Ukraine (AG-IMS ID 91009)

Ukraine notes that India has continuously increased basic customs duty on wheat since 2017. Recently in the notification No. 13/2019-Customs, dated the 26 April 2019 the Central Board of Indirect Taxes and Customs announced an increase in the import duty on wheat from 30% to 40%. Could India please give background and give main reasons for India's on-going policy for wheat production and trade, both in general terms and specifically with regard to import duties? What export restrictions on wheat does India maintain, if any?

1.16 India's wheat public stockpiling

1.16.1 Question by United States of America (AG-IMS ID 91141)

The United States notes India is having back-to-back record domestic harvests of wheat, which along with higher procurement/minimum support prices has resulted in increased government procurement leading to higher government stocks of wheat in the last two years. In fact, GOI data already shows India is on track to reaching record stock levels of wheat in the 2019/20 season. The United States also notes that the government of India is procuring wheat minimum support prices (MSP) that are relatively higher compared to international prices.

- a. Please explain why the GOI has increased the minimum support price for wheat and is procuring record quantities of wheat.
- b. Please provide current, historical, and pre-determined targeted levels of wheat since 2010.
3. Please explain what steps India is taking to ensure these large and potentially record stockpiles of wheat do not impact global markets.
- c. Please explain what steps India will take to ensure these stocks do not enter international markets at prices less than procurement prices, whether as a result of sales from government stocks at lower prices or the use of other measures such as export subsidies and/or other export financing programmes for wheat.
- d. Noting Madhya Pradesh announced a bonus of INR 1,600 per MT for 2018/19, please indicate all states and bonuses amounts announced for wheat in 2016/17, 2017/18, and 2018/19.

1.17 India - National Food Security Mission

1.17.1 Question by United States of America (AG-IMS ID 91157)

In response to AG-IMS ID 88107 India stated the main focus of the government under the National Food Security Mission (NFSM) is plant protection and extension services, cluster demonstration, seed distribution, etc. Further, as noted in the U.S. question, India, under the NSFM, provides seed subsidies to various commodities, including but not limited to rice, wheat, arhar, moong, urd, gram, lentil, maize, and barley, in various states. Accordingly, the NSFM subsidies for certain types of seed

(e.g., hybrid, high yielding varieties) can be approximately 50% of the cost or a lower rate if an older variety. These subsidies do not appear to meet the criteria of a Green Box measure and it is unclear where India currently notifies such measures in the Green Box as indicated in its previous response.

- a. Please confirm what commodities receive seed subsidies under the NSFM or any other programme.
- b. Please indicate where such measures are currently notified, and if they are notified as exempt measures, please explain how they meet the relevant exemption criteria.

1.18 India's short-term crop loans

1.18.1 Question by United States of America (AG-IMS ID 91147)

In response to AGIMS ID 88107, India undertook to provide a response in due course. The United States resubmits Question 6 of that question: The United States understands that India provides farmers with subsidized interest rates for short-term credit under the Interest Subvention Scheme that has been implemented since 2006/07. Under the scheme, farmers are offered short-term crop loans at a subsidized rate of interest.

- a. Please provide additional details with regards to how this measure is implemented, including the effective interest rate subsidy rate and the value of loans covered by the measure in 2016/17.
- b. Please confirm whether this measure is notified by India in its domestic support notification. If so, where? If not, on what basis?

1.19 India - Dairy Loans

1.19.1 Question by United States of America (AG-IMS ID 91149)

In response to AG-IMS ID 89027, India acknowledged it is providing "soft loans" administered by the National Dairy Development Board (NDDB) for distribution to various state cooperatives dairy federations.

- a. Please explain the terms offered by the Government of India to NDDB under the soft loan, including the rate(s) of interest (including how it compares to the market rate of interest), repayment terms, grace periods, and any other terms.
- b. Please explain the process and requirements the cooperatives must fulfil for NDDB to extend the loan, including any contingency on export performance.
- c. Please explain how and when India intends to notify this support measure in its future notifications.

1.20 India – transparency with Green Box measures

1.20.1 Question by United States of America (AG-IMS ID 91150)

In response to AG-IMS ID 88107, India did not respond to a question originally asked in October 2017. The United States resubmits the question: In response to AG-IMS ID 85018 from October 2017, India stated an "answer will be submitted shortly" in relation to the part (f) of the question regarding measures that were also not notified in G/AG/N/IND/12 or G/AG/N/IND/13: "It is noted that a number of Green Box measures including", "dry land farming/rain-fed farming", "provision of loans at concession rates and debt waiver", "soil conservation in catchment areas of river valley projects", and "integrated watershed management" are no longer notified by India.

It is the U.S. understanding that all of these measures may not have been terminated after MY 2010/11. For example, it appears that India has continued to implement the "integrated watershed management" programme according to documentation in India's Union Budget and a 2015 India

Cabinet Committee on Economic Affairs approval of the consolidation of the program into a larger program."

a. Please indicate if and whether any or all of these measures have been replaced by other measures and if so, where these are notified in India's notification.

b. If not, please verify that all of these measures have been terminated.

1.21 India - National Dairy Plan Phase I

1.21.1 Question by United States of America (AG-IMS ID 91152)

In response to AG-IMS ID 88107, question 3, India stated it would submit a DS:2 notification with regard to the 2011 introduction of the National Dairy Plan Phase I (NDP I) for the period 2011/12 through 2018/19 and implemented by the National Dairy Development Board.

- a. Noting that NDP I has either concluded or is near conclusion, please indicate when a DS:2 notification will be submitted.
- b. As part of India's previous response, India indicated that the NDP I was "notified as a Green Box measure." Further, NDP I appears to provide funding for a broad array of policy measures, which may not all be categorized as the same type of Green Box measure.
 - i. Please provide additional details on how NDP I is implemented.
 - ii. Please indicate which specific Green Box notified measures relate to NDP I in G/AG/N/IND/13 and G/AG/N/IND/15.
 - iii. If NDP I measure(s) are aggregated with other measures, please provide break outs of the budgetary outlays for each NDP I scheme, as well as the name of each scheme/measure.
- c. Please provide details of what measures will be implemented following the conclusion of Phase I and whether India plans to submit any applicable DS:2 notifications for those measures.

1.22 India - Rashtriya Krishi Vikas Yojana (RKVY)

1.22.1 Question by United States of America (AG-IMS ID 91156)

In response to AGIMS ID 88107 (question 1 and 2), India noted that RKVY was initiated in 2007 and was an umbrella scheme for various types of development activities and noted the cost share between the Central and State/Union Territory governments. However, this response provided fewer details than had been described in the U.S. summary of its understanding of RKVY. Therefore, the United States resubmits its question with additional clarity as to what information is being sought.

In 2007, the Indian National Development Council launched RKVY, which supports the agricultural sector in a number of ways including: crop development, horticulture, agricultural mechanization, natural resource management, marketing and post-harvest management, animal husbandry, dairy development, extension, etc. The RKVY appears to provide funding for a broad array of policy measures.

- a. Please identify all major schemes that operate under this umbrella scheme. For each, please provide additional details on how each scheme is implemented.
- b. Noting India's response that all measures are Green Box, please indicate, which specific Green Box notified measures relate to the various RKVY schemes in G/AG/N/IND/13 and G/AG/N/IND/15.

- i. If such measures are aggregated with other measures, please provide breakouts of the budgetary outlays provided for each RKVY scheme, as well as the name of the scheme/measure.

From 2015-2017, RKVY was continued as the RKVY Remunerative Approaches for Agriculture and Allied sector Rejuvenation (RKVY-RAFTAAR) with 70% of outlays to be allocated for activities related to infrastructure and assets and production growth. An additional 20 % of RKVY-RAFTAAR funding is made available for other sub-schemes that related to national priorities, while the remaining funding is for innovation and agri-entrepreneur development.

- c. It is noted that India has never submitted any DS:2 notification for any new or modified exempt measures. Please indicate whether India will be providing a DS:2 notification for the introduction of the RKVY in 2007, the modification of RKVY to RKVY-RAFTAAR in 2015, or for any other new or modified exempt measure introduced whether related to RKVY or not.

1.23 Indonesia's Measure 18 in DS477 and DS478

1.23.1 Question by New Zealand (AG-IMS ID 91010)

Can Indonesia provide an update on progress toward the legislative change required to remove measure 18 in DS477; DS478 Indonesia — Importation of Horticultural Products, Animals and Animal Products?

1.24 Russia's support to exporting industry in east of the country

1.24.1 Question by European Union (AG-IMS ID 91021)

According to the submitted ES:1 notifications, the Russian Federation provides no export subsidies to agricultural products.

However, it was recently announced that 406 billion rubbles worth of subsidies will be spent under the Agribusiness Product Exports project, to boost the export potential of the Russian Far East.

- a. Can the Russian Federation provide more information about this programme?
- b. When did the programme start and when will it be notified under the ES1 notification? How does it comply with the Nairobi decision on Export Competition?

1.25 Russia's Resolution #1104

1.25.1 Question by United States of America (AG-IMS ID 91161)

In reference to paragraph three of the EXPLANATORY NOTE to the draft decree of the government of the Russian Federation on Amendments to the Resolution of the government of the Russian Federation of 15 September 2017 No. 1104 "On Granting subsidies from the federal budget to Russian organizations for compensation part of the cost of transporting agricultural and food products by land, including rail, transport (Resolution No. 1104)", please explain how the Russian Federation plans to handle excess agricultural production. Would those products be exported?

1.26 U.S. tariff rate quotas

1.26.1 Question by Russian Federation (AG-IMS ID 91026)

- a. The tariff rate quota for butter included in MA:1 notification (G/AG/N/USA/2, page 11) points that "pre-existing allocations for 320,689 kilograms for the EU, New Zealand and other countries will be retained. There are no country allocations for the remaining quantity". Additional note 6 to the Chapter 4 of the Harmonized Tariff Schedule of the United States (2019) Revision 5 (HTS US 2019 Rev.5) pertaining this tariff quota contains no information regarding country-specific allocation mentioned in G/AG/N/USA/2.

- i. Could USA please clarify whether these allocation for the EU, New Zealand and other countries still remain in force.
- ii. What countries are mentioned as "other countries" in G/AG/N/USA/2?
- b. The following sentences "Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval" often occurred throughout the HTS US 2019 Rev.5. For example, in additional notes 6, 7, 8, 12 and 14.
 - i. What is the meaning of "reallocation among supplying countries or areas of unfilled quantities" when tariff quotas included in additional notes are not country-specific?
 - ii. In what cases are the second sentence of the quote applied?
 - iii. Additional notes 16, 17, 18(b), 19, 20, 21, 22, 23 and 25 to the Chapter 4 concerning TRQs with country-specific allocations also contain mentioned sentences "Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval".

Could the United States describe the mechanism of reallocation of TRQs volumes among supplying countries under country-specific TRQs? What conditions trigger this mechanism? Has it ever been applied?

- c. In Additional note 12 of HTS US 2019 Rev.5 it is specified that import of goods subject to tariff quota shall not exceed 296,000 kg. Imports under these provisions not in excess of 224 981 kg in any calendar year require import licences. In other additional notes (for example, additional note 8 and additional note 14) the wording is "imports under these provisions require import licences".
 - i. Could the United States clarify why there is such a specificity for tariff quota in additional note 12?
 - ii. Why the rest part of TRQ of 71, 019 kg does not require import licences?

1.27 U.S. disaster bill

1.27.1 Question by European Union (AG-IMS ID 91025)

In early June 2019, Congress approved a \$19 billion disaster bill. Can the US explain in more detail how it intends to implement that the legislation, once signed by the president, gives the USDA the discretion to increase the prevented planting payment factor on crop insurance to 90% instead of 55% for corn and 60% for soybeans.

1.28 Canada's New Milk Ingredient Class

1.28.1 Question by United States of America (AG-IMS ID 91132)

- a. In AG-IMS ID 90039, Canada stated that verifications to ensure accuracy of the data related to milk class prices, utilization, and sales are required Canada also stated that once completed, this information will be provided. Is this information available? If not, please provide an update on when and where this information will become available.
- b. In AG-IMS ID 90039, Canada stated that it is not obliged to publish a full list of eligible Class 7 products. In AG-IMS ID 89020, Canada stated that it not in a position to confirm whether the full list of eligible Class 7 products is identical to the list included in Dairy

Farmers of Prince Edward Island Board Order DFPEI 2017-06, Nova Scotia Reg. 12/2017, and Saskatchewan Order No. 28/17. In AG-IMS ID 90039. Canada stated, "Information that will be published is currently the prerogative of industry and, as such, it would be inappropriate to specify what information will be published". Does Canada's federal government have legislative authorities to require provincial milk marketing boards to provide information, such as, which products are eligible for a class price? If so, please describe the authority.

1.29 Canada's wine sale policy

1.29.1 Question by United States of America (AG-IMS ID 91137)

Canada has not yet responded to the questions posed by the United States in AG-IMS ID 90040, AG-IMS ID 85012, AG-IMS ID 86034, AG-IMS ID 87016, AG-IMS ID 88096, and AG-IMS ID 89021. As such, the United States repeats its previous questions.

- a. In AG-IMS ID 84105, Canada states that "The LCBO will consider making wines from Vintages Essentials, a sub-category of Vintages comprising products that are continuously available, available to grocers by moving them to the LCBO Wines category".
 - i. Are Ontario and/or Canadian wines that are on the Vintages Essential list allowed to be sold in grocery stores?
 - ii. Would Ontario and/or Canadian wines that are on the Vintages Essential list need to move to the LCBO Wine category (and off of the Vintages Essential list) in order to be sold in grocery stores?
 - iii. If Ontario and/or Canadian wines are allowed to be sold in grocery stores without moving off the Vintages Essential list to the LBCO Wines category, but imported products are not, what is the policy justification?
- b. In the implementation of Ontario Regulation 232/16, how many restricted beer and wine authorizations and other beer and wine authorizations have been distributed to operators of grocery stores in Ontario?
- c. In the implementation of Ontario Regulation 232/16, how many authorizations have been distributed for a "wine boutique sales agent" (a single authorization that permits the operator of a grocery store to sell, as agent of a winery that operates a wine boutique inside the store, wine offered for sale in the boutique)?
- d. What is the rationale for the Liquor Control Board of Ontario (LCBO) product call that Canada provided in AG-IMS ID 82002 specifying different retail price parameters and size parameters for imported bag in box wine than for the category of existing Ontario bag in box wine? (<http://www.doingbusinesswithlcbo.com/tro/Forms-Documents/LettersToTheTrade/Downloads/LCBO%20Wines%20Bag%20in%20Box%20Tender.pdf>)
- e. Would Canada please confirm imported bag in box wine is limited to 4 stock keeping units (SKUs) in LCBO stores while Ontario bag in box wine is limited to 40 SKUs? If confirmed, please explain the rationale for this split between imported and Ontario products.
- f. According to Canada's STE notification (G/STR/N/16/CAN), Nova Scotia applies mark-ups to commercial wines that have been bottled in the province differently than commercial wine that have been bottled outside the province. Specifically, commercial wines that are bottled in Nova Scotia are afforded a mark-up reduction of 20 percentage points (from 140% to 120%).
 - i. Would Canada make available the Nova Scotia Liquor Corporation documents setting out mark-ups for commercial wines bottled in the province and bottled outside the province?

- ii. Given that only commercial wines bottled in Nova Scotia would appear to qualify for this benefit, could Canada please explain how this policy ensures non-discrimination against foreign products?
- g. The Nova Scotia Liquor Corporation maintains a preferential mark-up for Emerging Wine Regions (currently 43%). How does a producer from an emerging wine region, as defined by the NSLC, apply for recognition of their emerging wine region status?
- h. Please provide a list of non-Canadian Emerging Wine Region wines available for sale through the NLSC.

1.30 European Union - Modification of agricultural schedule of commitments

1.30.1 Question by Canada (AG-IMS ID 91015)

- a. In the context of Brexit, should the United Kingdom leave the European Union without a preferential trade agreement, trade between the United Kingdom and the European Union would return to most-favoured nation (MFN) terms. The EU's proposed apportionment methodology for its WTO tariff-rate quota (TRQ) volumes does not currently take into account trade flows between the EU-27 and the United Kingdom. Specifically, it does not provide for the fact that other WTO Members would compete with the United Kingdom for reduced EU-27 WTO TRQ volumes, should the United Kingdom leave without an agreement. Even if it were to leave the European Union without a preferential trade agreement, the United Kingdom would remain best positioned to enter the EU market, due to its proximity and regulatory compatibility with the European Union.

Can the European Union explain how it would adjust its apportionment methodology to account for UK agriculture exports that may enter the European Union through the EU's WTO TRQs?

- b. At the last Committee on Agriculture meeting in February 2019, the European Union stated that Article 2 of EU Regulation (EC) 2019/216, which concerns its apportionment methodologies, provides for flexibility to allow the EU to make changes once negotiations are concluded with other WTO Members (AG-IMS ID 90087). Article 2 of EC 2019/216 states that, while ensuring consistency with the apportionment methodology and in particular ensuring that the market access into the EU-27 does not exceed that which is reflected in the share of trade flows during a representative period, the European Commission can amend EU-27 WTO MFN TRQ volumes to take account the outcome of an GATT Article XXVIII process or pertinent information it may receive through that process or from other sources. Understanding that amendments to EU-27 WTO MFN TRQ volumes must be consistent with the apportionment methodology and not 'exceed' a share of trade flows during a representative period:
 - i. Would Article 2 allow the European Union to make changes to its MFN TRQ volumes to account for EU-27-UK trade flows (e.g., UK imports into the European Union) should the United Kingdom leave the European Union without a preferential trade agreement?
 - ii. How would the condition that 'market access not exceed the share of trade flows during a representative period' be interpreted in this context, understanding that it is looking at past trade flows from third parties, rather than at future trade flows between the EU-27 and the United Kingdom, as well as with other WTO Members?
 - iii. What actions will the European Union take to ensure WTO Members' market access is not diminished by having to compete with the United Kingdom for reduced EU-27 volumes, should the United Kingdom begin trading on an MFN basis with the European Union as a result of Brexit?

1.31 India's pulses policies

1.31.1 Question by Australia (AG-IMS ID 91005)

Australia's long-standing concerns with respect to India's quantitative restrictions (QRs) on certain pulses are well known. Australia acknowledges that India provided some responses to questions with respect to these measures at the 28 May Committee on Market Access, notably that the measures are under examination with respect to the specific WTO-basis under which India has imposed them. Australia looks forward to receiving India's prompt and fulsome response but want to register its concern that India still needs to examine the WTO-basis after nearly two years of these measures being in place (i.e. since August 2017).

Having noted that, Australia believes it is appropriate for India to provide an updated response to Australia's question at the 88th CoA (AG-IMS ID 88060) on the temporary nature of the QRs. In response to Australia's question, India stated its QRs on pulses were "...temporary and extension or removal of these QRs will be based on domestic demand-supply situations".

On 3 June 2019, the Indian Department of Agriculture, Cooperation and Farmers Welfare lowered its 2018-19 estimate for pulses production to 23.22 million tonnes (down from 24.02 million tonnes from the 2nd advanced estimate in February 2019). The latest production estimate for 2018-19 is 9% lower than the total level of production in 2017-18 and is similar to production levels in 2016-17 (when QRs were introduced).

- a. Given reduced production and lower buffer stocks have placed upward pressure on the price of some pulses, should Australia expect India to soon remove its QRs on certain pulses?
- b. If not, will India increase the import quota volumes from current levels?

1.31.2 Question by Canada (AG-IMS ID 91075)

On 29 March 2019, India re-established an import quota for dry peas for one year (from 1 April 2019, to 31 March 2020). During this period 150,000 MT of dried peas will be allowed for import. Canada notes that this amount represents only 5% of India's imports of dry peas in 2017 (3.1 million MT).

- a. Could India indicate which provision of the GATT or WTO Agreements is being used to support this quantitative restriction?
- b. Could India indicate when it will inform the Committee of the relevant provision of the GATT or WTO Agreements it believes supports this quantitative restriction?
- c. What factors did India use to determinate the volume of the quantitative restriction for dried peas? What specific elements were considered?
- d. Could India provide updated information on the utilization of this import quota?

1.31.3 Question by Canada (AG-IMS ID 91076)

In its answers to Canada AG-IMS ID 87071, India indicated that "the decision for the imposition of a quota was based on the domestic demand and supply situation of pulses in India". It was also noted that "mere increase in import tariffs of pulses was not sufficient in case of certain pulses" and that "the wholesale price index (WPI) for pulses in the country has come down".

- a. Please specify how the domestic situation has evolved over the last months?
- b. Please provide updated monthly numbers for the wholesale price index (WPI) for pulses since December 2018.

1.31.4 Question by Canada (AG-IMS ID 91077)

In an interview with the press, Consumer Affairs and Public Distribution Minister Ram Vilas Paswan said that: "Since 2016, we have been maintaining a pulse buffer stock of 20 lakh tonnes which is now successfully liquidated, without any wastage. This has helped us maintain the prices of pulses within limits. Now that this has been disposed of, we are building a new buffer stock of pulses in order to ensure that the prices are under check. We have already procured 12 lakh tonnes. An additional 4 lakh tonnes will be procured very soon,".

Source: <https://www.thehindubusinessline.com/economy/agri-business/govt-to-procure-4-lakh-tonnes-of-pulses-to-create-16-l-t-buffer-stock/article27394219.ece>

- a. Could India describe how this buffer stock was disposed i.e., through which channels and the associated quantities?
- b. Could India indicate if any of these buffer stock pulses disposed through e-auctions? If yes, please provide the quantity and information on the conditions
- c. Were any of these buffer stock pulses disposed through exports or sold to traders for exports? If yes, please provide the quantities and information on the conditions for export?

1.31.5 Question by Russian Federation (AG-IMS ID 91008)

In November 2017 the government of India increased the import tariffs on yellow peas up to 50%. In addition to this measure on 25 April 2018 India introduced a quantitative restriction on import of yellow peas. According to this new restriction the allowed amount of import of yellow peas to the territory of India shall be 100,000 MT from 1 April to 30 June 2018. After the expiry of this measure the quota was extended until 30 September 2018.

In late December 2018 the Ministry of Commerce and Industry of India issued a notice restricting the import of yellow peas from 1 January 2019 until 31 March 2019. In late March 2019 India issued a notification establishing a new quota of 150,000 MT for the period from 1 April 2019 until 31 March 2020.

Answering Russia's question AG-IMS ID 90029 India mentioned that 550,878 metric tonnes of yellow peas was imported into India from 1 April to 31 December 2018. It was also said that "imports were allowed due to court orders".

Could India clarify the following issues:

- a. What is the amount of yellow peas eligible to be imported from 1 January 2019 until 31 March 2019?
- b. Could India describe the mechanism of issuing court orders for import of yellow peas? What are the criteria for importers to be eligible to import under these court orders?
- c. How these measures (quantitative restrictions and import ban) are consistent with Article XI:1 of the GATT and Article 4.2 of the Agreement on Agriculture?

1.31.6 Question by United States of America (AG-IMS ID 91140)

On 1 April 2019, India again renewed quantitative restrictions on imports of mung beans, peas, black gram lentils, and pigeon peas for the Indian fiscal year (IFY) 2019/20 (April/March). Quantitative restrictions on these products have been in effect since the end of 2017 or the beginning of 2018. Indian imports of pulses classified under HS 0713 fell from \$4.0 billion in 2016 to \$1.1 billion in 2018, representing a 74% decrease in only two years. The IFY 2019/20 pigeon pea quota is set at 200,000 metric tons (MT) and the others are set at 150,000 MT, each.

- a. In past COA and other WTO Committee meetings, India has stated the quantitative restrictions would be temporary, yet they have now been renewed for another year. Please indicate when and how the restrictions will be brought to an end.

- b. In the April CTG meeting, India explained that the decision on imposition of quota was based on the domestic supply and demand situation of pulses in India. Please provide more details on how the supply and demand situation is assessed and how the decision is made to set the level of quantitative restriction for each pulse.
- c. Once again, the United States requests an explanation for how these measures comply with India's WTO commitments.

1.32 India's skim milk powder export subsidies

1.32.1 Question by United States of America (AG-IMS ID 91151)

In response to AG-IMS ID 89026, India stated it would respond in due course to parts b) and c) of the question. To date, no response has been provided, and therefore, the United States submits the following question: As a follow up to AG-IMS ID 88070, the United States notes that in September 2018, India announced another increase in export subsidies for dairy products to 20%, to further support the export price of dairy products, including skim milk powder. This is double the level of 10% announced in June 2018.

- a. Please provide the below budget outlay and quantity data for dairy products under the program during each month between June 2018 and May 2019 (or the latest month available), including data sources:
 - i. total cost of the export subsidy measure;
 - ii. total value of subsidized exports; and
 - iii. total quantity of subsidized exports.
- b. Please explain if the specific eligibility criteria for payments to dairy exporters allows for the subsidy to be provided in conjunction with export subsidies provided by the states of Gujarat and Maharashtra.

1.33 Japan's export subsidies

1.33.1 Question by United States of America (AG-IMS ID 91158)

In response to AG-IMS ID 89028, Japan stated that eligibility and level of payment are determined by local agricultural councils and prefecture governments, while national government funding allocations support local initiatives. The United States understands that these initiatives may include new market development overseas.

- a. Please explain how Japan ensures that eligibility or criteria determined by local agricultural councils are compliant with WTO rules?
- b. Please provide examples of relevant criteria from several major rice producing prefectures, such as Niigata, Hokkaido, and Akita that outline how the payment identified by the United States (i.e., 20,00 yen/10 acres for rice planted for new market development, domestic, or overseas market) are implemented and how farmers are determined to be eligible to receive the payment.

1.34 Mexico's Strategic Programme of Guaranteed Prices

1.34.1 Question by Canada (AG-IMS ID 91084)

At the 90th meeting of the Committee on Agriculture, Canada asked Mexico a question on how it will dispose of the corn, beans, wheat, rice and milk it will purchase under the Strategic Programme of Guaranteed Prices for small producers on the domestic market and asked further details on the Programme's operating procedures. (AG-IMS ID 90089) Mexico responded that it would provide more information once the programme's operating guidelines have been published.

Could Mexico provide an update on timelines for the publication of Seguridad Alimentaria Mexicana (SEGALMEX) guidelines for the Strategic Programme of Guaranteed Prices?

1.34.2 Question by United States of America (AG-IMS ID 91159)

Mexico recently created the Food Security Agency (Seglamex). According to Mexico, Seglamex will procure agri-food products at guaranteed prices from small- and medium-sized producers, sell and distribute fertilizers, seed, and other products, and carry out other functions. The United States understands that SEGALMEX oversees a guaranteed prices programme for maize, beans, milling wheat, rice, and fresh milk.

- a. Please provide additional details regarding the guaranteed price for each commodity, including the guaranteed price and any requirements, terms, and conditions receiving the guaranteed price.
- b. Please specify if there will be any limits placed on procurement activities.
- c. Please provide additional details as to how procured commodities will be disposed from government stocks.
- d. Please indicate how these new guaranteed prices for small- and medium-sized producers will operate in conjunction with other established price-related support policies in Mexico.
- e. Please explain if Mexico's SEGALMEX also intends to introduce input subsidies as well? If so, please provide additional details as to how this will be implemented.

1.35 Mongolia's quota regime for importation

1.35.1 Question by Russian Federation (AG-IMS ID 91011)

Follow up to questions AG-IMS ID 87094, ID 88104 and ID 90027:

In 2013 Mongolia established a quantitative regime for importation of certain agricultural products, including wheat flour and liquid milk. In late 2016 the Ministry of Food, Agriculture and Light Industry of Mongolia established an import prohibition on these two products. On 18 January 2019 the Ministry of Food, Agriculture and Light Industry of Mongolia issued a decree that opens the import of certain amounts of agricultural products, including wheat flour and liquid milk. The decision on allocation of quota volume among the importers of wheat flour for 2019 quota year was adopted only in late April 2019. Despite this fact Mongolia have not made this decision publicly available up to now.

As for the liquid milk quota, at this moment the Ministry of Food, Agriculture and Light Industry of Mongolia did not allocate the volume of this quota among the importers of liquid milk. The Russian Federation welcomes the intention of Mongolia to introduce a quota for import of wheat flour and milk in 2019. However, the Russian Federation is seeking further clarification from Mongolia regarding its quota regime, in particular:

- a. Could Mongolia explain the reasons for not allocating the liquid milk quota volume among the importers in 2019?
- b. When Mongolia is going to issue a decision allocating the quota volume among the importers of liquid milk?
- c. Please explain how Mongolia's import restrictions, both quotas and import prohibitions, are consistent with Article XI of the GATT 1994 and Article 4.2 of the Agreement on Agriculture.

1.36 Pakistan's wheat export subsidies and domestic support

1.36.1 Question by United States of America (AG-IMS ID 91160)

According to a recent International Food Policy Research Institute (IFPRI) study, during 2017-2018, public expenditures on wheat subsidies reached PKR 15.5 billion (approximately \$100 million). The United States is concerned that Pakistan's wheat subsidy programme is creating huge surpluses that Pakistan may not have the resources to store. In addition, the wheat subsidies discourage alternative cash crops and make the wheat extremely expensive and uncompetitive on the international market without significant export subsidies.

- a. Please provide an update on the current status of wheat export subsidy programmes and domestic support programmes. What is the current level of export subsidy being offered for wheat by the government of Pakistan? What is the current wheat support price being offered by the government of Pakistan?
- b. Does Pakistan have plans to modify its current wheat domestic support programme in a way that would discourage huge surpluses of wheat and encourage the production of other crops? If so, please explain.

1.37 Philippines' rice waiver

1.37.1 Question by Japan (AG-IMS ID 91012)

Regarding "An act liberalizing the importation, exportation and trading rice, lifting for the purpose the quantitative import restriction on rice and other purposes" (Republic Act 11203) enacted by the President in this February:

- a. Could the Philippines clarify if tariffication of rice has already applied?
- b. In addition, will the Philippines modify Schedule in accordance with paragraph 3 of the Decision of 26 March 1980 (BISD 27S/25)?
- c. If that is the case, when will the modification will be notified to Committee on Market Access?

1.38 Russian Federation's railway subsidy for exports

1.38.1 Question by United States of America (AG-IMS ID 91162)

Decree No. 1595

In response to AG-IMS ID 88073, the Russian Federation stated that the Decree has not had "any substantial effect on the agricultural production" but likely has demonstrated "positive effects in foreign trade". If a larger share of production is now allocated to foreign trade while production levels remain the same, how would this meet Russia's goal of increasing domestic distribution?

1.39 Thailand's import permits for feed wheat

1.39.1 Question by European Union (AG-IMS ID 91022)

Follow-up question AG-IMS ID 86106

Can Thailand give an update on developments regarding import permits for feed wheat since the last year's CoA meeting when this item was discussed?

1.40 U.S. Proposed domestic support measures

1.40.1 Question by Australia (AG-IMS ID 91013)

In response to Australia's questions at the 88th COA (AG-IMS ID 88030), the US stated the Market Facilitation Package (MFP) was intended as a one-time, short-term assistance package to assist

farmers affected by "unfair" treatment by the US' trading partners. U.S. Secretary of Agriculture, Sonny Perdue, also expressed these sentiments on 27 April, when he said he did not see any new MFP payments moving forward for 2019.

Australia would like to raise concerns with respect to the 23 May announcement to initiate a second MFP to assist farmers hurt by trade disruptions. Given a second tranche of funding (USD 16 billion) has now been announced, can the US please confirm the following:

- a. Total expenditure for the Market Facilitation Program (MFP) for the 2018/19 crop year (for applications from 4 September to 14 February)?
 - i. If less than USD 10.6 billion, were remaining funds carried over into the second tranche of funding
 - ii. Total administered funding by the Agricultural Marketing Service for the Food Purchase and Distribution Program. If less than USD 1.2 billion, were remaining funds carried over into the second tranche of funding?
 - iii. Total expenditure provided to exporters through the Agricultural Trade Promotion Program. If less than USD 200 million, were remaining funds carried over into the second tranche of funding?

Australia also has a number of questions regarding the second Market Facilitation Program (MFP) (USD 14.5 billion) announced on 23 May. Australia is concerned that this new programme covers a wider range of commodities and may provide farmers with an increased payment (per unit/head) per commodity.

- b. When will the USDA provide further details regarding eligibility and payment rates? (if these are available, could the US please provide further details)
- c. Why have the number of products and producers covered by the MFP increased between the first MFP (July/Aug 2018) and the second MFP (May 2019)?

1.40.2 Question by Canada (AG-IMS ID 91080)

The United States Department of Agriculture (USDA) on 23 May 2019 announced the authorization of up to USD 14.5 billion to be paid to producers between July 2019 and January 2020 under the Market Facilitation Program (MFP). A producer's payment amount will be based on a county-specific payment rate and the producer's total planted area of a specified set of 24 crops.

- a. Could the United States explain in detail how the Market Facilitation Program payments will be calculated at the county level and what the payment rate per county will be. In the announcement, the USDA mentioned that planting is required to receive payments and that the Market Facilitation Program (MFP) payments "will not distort planting decisions". Canada notes that due to weather-related events, planting has been delayed or even compromised in some part of the United States
- b. Could the United States elaborate as to how this announcement made in the middle of the U.S. planting season "will not distort planting decisions"?
- c. Could the United States clarify if there any plans to allow unplanted acres to qualify for payments?

1.40.3 Question by China (AG-IMS ID 91023)

USDA announced in May to provide up to \$16 billion for producers of certain agricultural products, including: alfalfa hay, barley, canola, corn, crambe, dry peas, extra-long staple cotton, flaxseed, lentils, long grain and medium grain rice, mustard seed, dried beans, oats, peanuts, rapeseed, safflower, sesame seed, small and large chickpeas, sorghum, soybeans, sunflower seed, temperate japonica rice, upland cotton, wheat, dairy, hog, tree nut, fresh sweet cherry, cranberry, fresh grape.

Some of the payments are said to be based on a single county rate multiplied by a farm's total plantings to those crops in aggregate in 2019, while other payments are based on production history or 2019 acres of production. These payments seem to be product-specific support.

According to China's preliminary assessment based on the VOPs of the products concerned lately notified by the United States, the proposed support for certain products could exceed the de minimis level of 5% if the productions and prices remain relatively stable, which would eventually cause the breach of the FBAMS commitment of \$ 19.1 billion.

If the United States could verify otherwise, please indicate how these payments should be categorized, i.e., whether the payments are product-specific or non-product-specific and what criteria could be considered in making such judgments and share with China U.S. compliance assessment on these payments.

1.40.4 Question by European Union (AG-IMS ID 91024)

On 23 May the USDA announced an aid package to assist farmers in response to trade damage from unjustified retaliation and trade disruption. \$14.5 billion (out of an overall \$16 billion trade package) is to be spent through the market facilitation Program (MFP) under CCC.

- a. Can the US indicate when these payments are expected to be made and the estimated amount foreseen for each of the three tranches?
- b. How much will be spent on each eligible sector and what will the eligibility criteria be for the farmers to get access to these payments?
- c. How does the US intend to notify these payments – Amber Box product specific or..? ..and in what year?

1.40.5 Question by India (AG-IMS ID 91063)

Reports suggest that the US Department of Agriculture plans to provide aid of \$16 billion to compensate farmers for lower prices and lost sales stemming from ongoing trade disputes (<https://www.usda.gov/media/pressreleases/2019/05/23/usda-announces-support-farmers-impacted-unjustified-retaliation-and>). Amongst the various programs, the Market Facilitation program provides for payments to the farmers' respective commodities depending on the severity of the trade disruption and the period of adjustment to new trade partners.

- a. How will these disruptions and period of adjustment be calculated?
- b. How have the eligibility criteria and initial payment rates of the commodities been determined under the programme?

1.40.6 Question by New Zealand (AG-IMS ID 91014)

On 23 May 2019, the US Department of Agriculture announced a package of up to USD 16 billion of "support for farmers impacted by unjustified retaliation and trade disruption". The proposed package comprises USD 14.5 billion of direct payments to producers, USD 1.4 billion for a Food Purchase and Distribution Program (FPDP) and USD 100 million to "assist in developing new export markets for producers".

In response to New Zealand's question at the Committee on Agriculture meeting in September 2018 (AG-IMS ID 88048), the US confirmed that the USD 12 billion farmer relief package comprising direct payments to offset the impacts of retaliatory tariffs on markets and assistance for trade promotion activities was a one-off payment and would not extend into future years.

- a. Can the US provide more detail about the second instalment of USD 16 billion in direct support for farmers announced in May 2019?

- b. How does the proposed USD 16 billion package differ to last year's USD 12 billion farmer relief package?
- c. Does the US maintain that last year's farmer relief package remains a one-off payment?
- d. When will the US notify the USD 16 billion domestic support programme to the WTO? Secretary of Agriculture Sonny Perdue, appearing on CNN News on 23 May 2019, encouraged US farmers to "plant for the market" and to "not plant for government programs".
- e. What steps has the US taken to ensure the USD 16 billion package does not influence US farmers in their planting decisions for the coming season?

1.40.7 Question by New Zealand (AG-IMS ID 91016)

New Zealand refers to the U.S. responses to Australia's question at the February 2019 Committee on Agriculture (AG-IMS ID 90035).

- a. With the Market Facilitation Program having closed on 14 February 2019, can the US confirm the final total expenditure under the programme?
- b. If the total expenditure is less than the USD 12 billion authorised by the USDA, will the remaining funding be spent on other programmes to support farmers, including the Food Purchase and Distribution Program, and the Agricultural Trade Promotion Program?
- c. Can the US provide a final breakdown of how the USD 12 billion relief package for farmers was spent on the three programs - the Market Facilitation Program, the Food Purchase and Distribution Program, and the Agricultural Trade Promotion Program?

1.40.8 Question by Ukraine (AG-IMS ID 91027)

Ukraine notes the United States is considering a second bailout package for producers. The first authorization in 2018 amounted to some \$12 billion. The second aid package in 2019 for producers will be approximately \$16 billion according to media reports. Could the US please provide information as to:

- a. Whether the criteria (current level of production of eligible commodities) used in the 2018 bailout to distribute aid to producers are under consideration for the proposed 2019 emergency assistance?
- b. The total number of producers determined eligible to receive funds from the 2018 bailout and if this number is expected to be roughly the same for the proposed 2019 emergency assistance?
- c. The commodities covered by the 2019 aid package, including the approximate percentage (or monetary amount) allocated for specific commodities?

1.41 U.S. 2018 Farm Bill

1.41.1 Question by India (AG-IMS ID 91062)

- a. The 2018 Farm Bill has maintained the USD 900,000 payment eligibility condition and has excluded farmers that earn more than this amount from any benefit (under Section 1605). But at the same time, the Bill has excluded Loan Deficiency Payments (LDPs) and Marketing Loan Gains (MLGs) from payment limitation or payment eligibility. This increases the total benefit that a farmer receives under the provisions of the Bill. In this context, could the United States please explain the rationale behind the exclusion of LDPs and MLGs from total payment limits. What is the enforcement mechanism? What has been done to implement it and where can India find the supporting data available in this regard?

- b. The Farm Bill of 2018 has provisions that are intended for the benefit of family farms such as the inclusion of "first cousin, niece, nephew," in the pool of potential family members that qualify for subsidies under the Bill. The Bill also permits farmers' children and spouses (without ever having set foot on the farm) to count as "actively engaged" in farming, thus qualifying them for \$125,000 worth of subsidy payments. Both these steps would extend the benefit to persons who are not directly involved in farming. In this regard, could the United States explain the reason and justification behind these two inclusions under the Farm Bill. What is the enforcement mechanism? What has been done to implement it and where can we find the supporting data available in this regard?

1.42 Zimbabwe's tobacco export incentive

1.42.1 Question by United States of America (AG-IMS ID 91163)

The United States requests a response from Zimbabwe for AG-IMS ID 90046, AG-IMS ID 89033, and AG-IMS ID 88076.

2 POINTS RAISED IN CONNECTION WITH INDIVIDUAL NOTIFICATIONS

2.1 Imports under tariff and other quota commitments (Table MA:2)

2.1.1 Brazil (G/AG/N/BRA/49)

AG-IMS ID 91029: Question by European Union - Transparency issues

In its notification, Brazil indicates that "Regarding the tariff rate quota (750.000 tonnes) for wheat, Brazil notified to the WTO, in April 1996, its intention to eliminate it. Negotiations with the United States (initial negotiating rights) and Canada (substantial supplier) are not concluded".

In March 2019, during a visit to the US, Brazilian President Bolsonaro's press release stated that Brazil would implement a tariff rate quota allowing for the annual tariff-free importation of 750,000 tonnes of U.S. wheat.

Without disclosing information on the on-going negotiations on Article XXVIII GATT, could Brazil indicate if these 750,000 tonnes of wheat correspond to Brazil commitment taken during the UR and since, subject to Article XXVIII GATT? Brazil commitment was to open an erga omnes (global) TRQ. Could Brazil confirm that it will honour this commitment?

2.1.2 Canada (G/AG/N/CAN/120, G/AG/N/CAN/128)

AG-IMS ID 91030: Question by European Union - Tariff quota fill

The European Union notes that the fill rate for "Margarine" fell from 47% in 2016 to 39.3% in 2017. Could Canada explain the reason behind the significantly lower fill rate of this tariff rate quota?

AG-IMS ID 91031: Question by Australia - Tariff quota fill

Australia welcomes Canada's notification (G/AG/N/CAN/128) concerning imports under tariff quotas (Table MA:2) during the marketing year 2016/2017, quota year 2016/2017, and calendar year 2017.

- a. Can Canada explain the reasons for the significant under-fill for beef and veal (CANQ004), dairy products (CANQ007 to CANQ011 inclusive), wheat (CANQ017), barley (CANQ018), margarine (CANQ021) and milk protein substances (CANQ022)?
 - i. for each underfilled quota, can Canada explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?
- b. For those tariff quotas which are chronically underfilled, has Canada considered moving to a tariff-only regime for those products?
- c. Can Canada explain what it is doing to increase utilisation of its under-filled tariff quotas, as per the objective of the Bali Decision on TRQ Administration?

AG-IMS ID 91017: Question by New Zealand - Tariff quota fill

New Zealand notes that although the following tariff quotas have frequently been underfilled by Canada over the past six years, in the latest notification (G/AG/N/CAN/128) the fill rate seems particularly low.

TRQ ID	Fill rate in notification (G/AG/N/CAN/*)					
	128	120	112	111	107	103
CANQ004	62.6%	78%	90%	77%	56.2%	61.1%
CANQ007	0%	0%	0%	0%	92.3%	92.3%
CANQ008	50.3%	57%	60%	61%	100%	100%
CANQ009	24.2%	40%	0%	0%	10.6%	74.7%
CANQ010	6.5%	13%	54%	35%	41%	50.7%
CANQ011	61.9	82%	86%	93%	73.1%	97.4%
CANQ022	27.3%	39%	72%	62%	56.3%	68.4%

- a. Given the extensive work this Committee is undertaking in reviewing the operation of the Bali Decision on tariff rate quota administration, can Canada provide an explanation as to why these products continue to be underfilled?
- b. Does Canada impose onerous non-tariff barriers that prevent the quota from being fulfilled by WTO Members?

AG-IMS ID 91032: Question by Russian Federation - Tariff quota fill

Russian Federation welcomes high fill rates for the most tariff quotas notified by Canada (G/AG/N/CAN/128). However, powdered butter milk (CANQ009), dry whey (CANQ010), barley (CANQ018) and milk protein substances (CANQ022) demonstrate fill rates lower than 30% while tariff rate quota for concentrated/condensed milk/cream (CANQ007) is filled at 0%. Could Canada please indicate the reasons for such low fill rates?

2.1.3 Costa Rica (G/AG/N/CRI/72)**AG-IMS ID 91033: Question by Australia - Tariff quota fill**

Australia welcomes Costa Rica's notification (G/AG/N/CRI/72) concerning imports under tariff quotas (Table MA:2) during the calendar year 2018.

- a. Can Costa Rica explain the reasons for the significant under-fill for all except one of the tariff quotas in G/AG/N/CRI/72?
 - i. for each underfilled quota, can Costa Rica explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?
- b. For those tariff quotas which are chronically underfilled, has Costa Rica considered moving to a tariff-only regime for those products?
- c. Can Costa Rica explain what it is doing to increase utilisation of its under-filled tariff quotas, as per the objective of the review of the Bali Decision on TRQ Administration?

AG-IMS ID 91034: Question by Russian Federation - Tariff quota fill

Russian Federation notes that only one tariff rate quota (CRIQ008) included in notification G/AG/N/CRI/72 reports fill rate higher than 50% (80,8%). CRIQ002, CRIQ010, CRIQ011 is filled by less than 50%, CRIQ025 is filled by less than 5% and CRIQ004, CRIQ005, CRIQ022 has zero fill rate. Could Costa Rica please clarify the reasons for such low fill rates?

2.1.4 European Union (G/AG/N/EU/50)**AG-IMS ID 91035: Question by Australia - Tariff quota fill**

Australia welcomes the European Union's notification (G/AG/N/EU/50) concerning imports under tariff quotas (Table MA:2) during the calendar year 2018.

- a. Can the EU explain the reasons for the significant under-fill of some tariff quotas opened during the 2018 calendar year
 - i. for each underfilled quota, can the EU explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?
- b. For those tariff quotas which are chronically underfilled, has the EU considered moving to a tariff-only regime or alternative TRQ administration on a temporary basis for those products? If not, why, not?

AG-IMS ID 91081: Question by Canada - Tariff quota fill

- a. Canada notes that the EU's TRQ for meat of swine, fresh, chilled or frozen is consistently very low, with a fill rate of 0.2% in 2018.
 Could the EU explain what circumstances, including market conditions or other factors, may consistently lead to such a low fill rate?
- b. Canada also notes that other TRQ fill rates, such as the one for wheat (other than common wheat), barley, malting barley and malt sprouts, as well as chemically pure fructose, are very low.
 Could the European Union explain what circumstances, including market conditions or other factors, may lead to these very low fill rates?

AG-IMS ID 91037: Question by Russian Federation - Tariff quota fill

Russian Federation welcomes the European Union's notification (G/AG/N/EU/50) regarding imports under tariff rate quotas during the calendar year 2018. Russian Federation noted that G/AG/N/EU/50 contains 16 tariff rate quotas with fill rates lower than 1%. Could EU please provide explanation for such low fill rates?

AG-IMS ID 91036: Question by Russian Federation - Country-specific allocation

Russian Federation welcomes notification (G/AG/N/EU/50) regarding imports under tariff rate quotas during the calendar year 2018. Could EU please explain whether TRQ for live sheep and goats still have country-specific allocation? If so, to what countries is it allocated? Where can one find this information on country-specific allocation?

2.1.5 India (G/AG/N/IND/14)

AG-IMS ID 91038: Question by European Union - Tariff quota fill

- a. The European Union notes the zero fill rate for "Milk and cream in powder" in marketing years 2012/2013, 2013/2014, 2014/2015, 2015/2016, 2016/2017. Could India explain the reason for the zero-fill rate of this tariff rate quota?
- b. The European Union notes that the fill rate for "Rape, colza or mustard oil" has consistently been under 5% with the exception of marketing year 2014/2015 when the fill rate reached 13%. Could India explain the reason for the low fill rate of the "Rape, colza or mustard oil" tariff rate quota?

2.1.6 Japan (G/AG/N/JPN/238)

AG-IMS ID 91039: Question by Australia - Tariff quota fill

Australia welcomes Japan's notification (G/AG/N/JPN/238) concerning imports under tariff quotas (Table MA:2) during the fiscal year from 1 April 2017 to 31 March 2018.

- a. Can Japan explain the reasons for the significant under-fill of some of its tariff quotas?
 - i. For each underfilled quota, can Japan explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?

- b. For those tariff quotas which are chronically underfilled, has Japan considered moving to a tariff-only regime or alternative TRQ administration on a temporary basis for those products?

AG-IMS ID 91082: Question by Canada - Tariff quota fill

- a. Canada notes that Japan's TRQ for dried leguminous vegetables (JPNQ013) shows a 61.3% fill rate in 2017/2018, with lower fill rates for 2015/2016 (58%) and 2016/2017 (54%)

Could Japan provide additional information as to the import circumstances regarding dried leguminous vegetables that may lead to these lower fill rates?

- b. Canada also notes a much lower fill rate in 2017/2018 (25.5%) and 2016/2017 (27%) for Japan's TRQ for barley and its processed products (JPNQ015), which have dropped sharply from 71% in 2015/2016.

Could Japan provide additional information as to the circumstances, including market conditions or otherwise, that would explain this sharp drop in imports of barley and its processed products these past two years?

AG-IMS ID 91040: Question by European Union - Tariff quota fill

Could Japan explain the exceptional fill rate for Designed Dairy Products for General Use (JPNQ012)?

2.1.7 Kazakhstan (G/AG/N/KAZ/6)

AG-IMS ID 91041: Question by Australia - Tariff quota fill

Australia welcomes Kazakhstan's notification (G/AG/N/KAZ/6) concerning imports under tariff quotas (Table MA:2) during the calendar year 2018.

- a. Can Kazakhstan explain the reasons for the significant under-fill of tariff quotas for beef (KAZQ001) and poultry (KAZQ003)?
 - i. For each underfilled quota, can Kazakhstan explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?
- b. For those tariff quotas which are chronically underfilled, has Kazakhstan considered moving to a tariff-only regime for those products?
- c. Can Kazakhstan explain what it is doing to increase utilisation of its under-filled tariff quotas, as per the objective of the review of the Bali Decision on TRQ Administration?

AG-IMS ID 91083: Question by Canada - Tariff quota fill

Canada notes that Kazakhstan's fill rate for its fresh, chilled or frozen beef TRQ (KAZQ001) has been consistently at or below 10% since Kazakhstan started providing MA:2 notifications (2016), with the latest fill rate at 9.3% (2018).

Could Kazakhstan provide additional information that would explain why its beef TRQ fill rates remain consistently low, including import licencing or other related requirements that could affect imports?

2.1.8 Norway (G/AG/N/NOR/104)

AG-IMS ID 91043: Question by European Union - Transparency issues

The European Union notes that in the notification for 2018, Norway, in contrast to previous practice, does not include any information about the tariff rate quotas for "meat of deer" (NORQ015) and "meat of elk" (NORQ016). Additionally, Norway has included an additional tariff rate quota not previously notified for corned beef (NORQ174) in the notification.

What are the reasons for these changes in notification practice?

AG-IMS ID 91042: Question by Australia - Tariff quota fill

Australia welcomes Norway's notification (G/AG/N/NOR/104) concerning imports under tariff quotas (Table MA:2) during the calendar year 2018.

- a. Can Norway explain the reasons for the significant under-fill of a number of its tariff quotas?
 - i. for each underfilled quota, can Norway explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?
- b. For those tariff quotas which are chronically underfilled, has Norway considered moving to a tariff-only regime for those products?
- c. Can Norway explain what it is doing to increase utilisation of its under-filled tariff quotas, as per the objective of the review of the Bali Decision on TRQ Administration?

AG-IMS ID 91044: Question by Russian Federation - Country-specific allocation

The notification on tariff rate quota administration G/AG/N/NOR/1 contains no information about country-specific allocation for any quota. At the same time 3 country-specific quotas are listed in Norway's Schedule of concessions. Moreover, footnotes 1, 3 and 4 of the most recent MA:2 notification (G/AG/N/NOR/104) also refer to the same TRQs listed in Norway's Schedule. Does Norway intend to update its MA:1 notification?

2.1.9 Panama (G/AG/N/PAN/49)**AG-IMS ID 91045: Question by Australia - Tariff quota fill**

Australia welcomes Panama's notification (G/AG/N/PAN/49) concerning imports under tariff quotas (Table MA:2) during the calendar year 2018.

- a. Can Panama explain the reasons for the significant under-fill of tariff quotas for a number of its tariff quotas, including dairy products, poultry, potatoes and tomatoes?
 - i. For each underfilled quota, can Panama explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?
- b. For those tariff quotas which are chronically underfilled, has Panama considered moving to a tariff-only regime for those products?
- c. Can Panama explain what it is doing to increase utilisation of its under-filled tariff quotas, as per the objective of the review of the Bali Decision on TRQ Administration?

2.1.10 Philippines (G/AG/N/PHL/54, G/AG/N/PHL/55, G/AG/N/PHL/56)**AG-IMS ID 91047: Question by Australia - Tariff quota fill**

Australia welcomes the Philippines' notifications (G/AG/N/PHL/54, G/AG/N/PHL/55, G/AG/N/PHL/56) concerning imports under tariff quotas (Table MA:2) during calendar years 2016, 2017 and 2018.

- a. Can the Philippines explain the reasons for the significant under-fill of tariff quotas for beef, goat meat, live poultry, live goat, live swine, cattle and horses?
 - i. For each underfilled quota, can the Philippines explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?
- b. For those tariff quotas which are chronically underfilled, has the Philippines considered moving to a tariff-only regime for those products?

- c. Can the Philippines explain what it is doing to increase utilisation of its under-filled tariff quotas, as per the objective of the review of the Bali Decision on TRQ Administration?

AG-IMS ID 91046: Question by European Union - Tariff quota fill

The European Union notes the low fill rate for "Live animal" tariff rate quotas, in particular "swine" which dropped to zero in 2018, "goat" which dropped to zero in years 2013, 2014, 2015, 2016, 2017 and 2018, and "poultry" which dropped to zero in years 2014, 2015, 2016, 2017 and 2018.

- a. Can the Philippines explain the reason for the low fill rate of these tariff rate quotas?

The European Union notes the low fill rate of the "Sugar" tariff quota at 1.1% in 2016 and 25% in 2017.

- b. Can the Philippines explain the reason for the low fill rate of this tariff rate quota in these years?

2.1.11 Russian Federation (G/AG/N/RUS/23)

AG-IMS ID 91048: Question by Australia - Tariff quota fill

Australia welcomes the Russian Federation's notification (G/AG/N/RUS/23) concerning imports under tariff quotas (Table MA:2) during the calendar year 2018.

- a. Can the Russian Federation explain the reasons for the significant under-fill of all the tariff quotas in G/AG/N/RUS/23 including beef, pork, poultry and whey?
 - i. for each underfilled quota, can the Russian Federation explain whether the under-fill was due to market circumstances, the existence of SPS measures for the product, or restrictive tariff quota administration?
- b. For those tariff quotas which are chronically underfilled, has the Russian Federation considered moving to a tariff-only regime or alternative TRQ administration on a temporary basis for those products?

AG-IMS ID 91049: Question by European Union - Tariff quota fill

The European Union notes that the combined fill rate for the tariff rate quotas for "Fresh, Chilled or Frozen Pork" (RUSQ003) and "Pork Trimming" (RUSQ004) has decreased from 61% in 2017 to 11.7% in 2018. Could the Russian Federation please explain the reason for this significant reduction in fill rate?

AG-IMS ID 91085: Question by Canada - Tariff quota fill

- a. Canada notes that the Russian Federation's fill rate for its fresh and chilled beef TRQ (RUSQ001) has remained under 2% for the past three years, with a fill rate of 1.9% in 2018. The fill rate for the Russian Federation's frozen beef TRQ (RUSQ002) has also remained under 40% during the same period, with a fill rate of 35.1% in 2018. In an answer to a similar question by Australia at the 87th meeting of the Committee on Agriculture (AG-IMS ID 87085), the Russian Federation refers to a decreasing domestic consumption of beef as a reason explaining the low fill rates.

Could the Russian Federation provide additional details on its domestic consumption of beef, including data that would show this downward trend in the 2016-2018 period?

- b. Canada also notes a sharp decline in the Russian Federation's fill rate for its fresh, chilled or frozen pork, and pork trimmings TRQs (RUSQ002 and RUSQ003), trending close to 60% in 2016 and 2017, and dropping to 11.7% in 2018.

Could the Russian Federation explain why its imports of pork products suddenly dropped in 2018?

2.1.12 Thailand (G/AG/N/THA/83)

AG-IMS ID 91128: Question by Indonesia - Tariff quota fill

Based on the data Indonesia obtained from the WTO database, Indonesia found Thailand's bound tariffs for coffee and coconuts are as follow:

- a. Coconuts, fresh or dried, whether or not shelled or peeled: Other (HS 0801.19.90): 54%
- b. Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing any portion of coffee (HS 0901): 90%
- c. Instant coffee and other extracts, essences and concentrated, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee (HS 2101.10): 49%

Indonesia then checked the applied tariffs of those products at <http://www.thailandntr.com> and found results as follow:

- d. Coconuts, fresh or dried, whether or not shelled or peeled: Other (HS 0801.19.90): 60%
- e. Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing any portion of coffee (HS 0901): 40% or 4 Baht/kg
- f. Instant coffee and other extracts, essences and concentrated, of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee (HS 2101.10): 60%

Indonesia noticed that Thailand has TRQ for all of those products, yet after checked Thailand latest MA:2 notification (G/AG/N/THA/83) Indonesia found that in 2015 those 3 products' fill rates are below 65%, which can be categorized as underfill.

Thus Indonesia would like to seek clarifications from Thailand on these matters:

- g. Why do the applied tariffs of coconuts and instant coffee exceed the bound tariff of those products?
- h. Would Thailand give explanation on why the fill rates of those product are below 65%?

2.1.13 United States of America (G/AG/N/USA/125)

AG-IMS ID 91050: Question by European Union - Tariff quota fill

- a. The European Union notes the persistently low fill rate of the "American type cheese" quota and the "Lowfat cheese" quota, as reflected by the fill rate of 11% and 1% respectively in 2017. Could the United States explain the reason behind the low fill rate of these tariff rate quotas?
- b. The European Union notes the zero-fill rate of the "Green ripe olives" tariff quota in 2017. Could the United States explain the reason behind the zero-fill rate of this tariff rate quota?

2.2 Domestic support commitments (Table DS:1)

2.2.1 Botswana (G/AG/N/BWA/34)

AG-IMS ID 91164: Question by United States of America - Article 6.2 (Special and Differential Treatment / Development Programmes)

Supporting Table DS:2

The United States thanks Botswana for submitting its 2017 notification.

- a. It appears the Agriculture Services Support Project (ASSP) is a newly notified programme in 2017. According to Article 18.3 of the Agreement on Agriculture, this programme should have a corresponding Table DS:2 notification. Does Botswana intend to provide a DS:2 notification for this measure?
- b. Can Botswana please explain the 135% increase in spending on the "Livestock Management and Infrastructure Development (LIMID) and Integrated Support Programme for Arable Development (ISPAAD)" as compared to its previous notification?

2.2.2 Brazil (G/AG/N/BRA/52)

AG-IMS ID 91165: Question by United States of America - Transparency issues (including Table DS:2)

Brazil's notified expenditures under Green Box measures decreased significantly between 2016 and 2017 across a number of areas that included significant declines in Agricultural research programme, Educational services for rural areas, Extension services on agricultural production, Support for irrigation programmes, Acquisition of rural land for agrarian organization, and Program of acquisition of agricultural products from family farming.

- a. Please explain the reason for the drop in expenditures for each of the identified measures?
The United States, along with several other Members, has expressed concern at previous meetings of the COA over the potentially trade-distorting effects of PEP and PEPRO programmes.
- b. Brazil stated in its response to AG-IMS ID 87014 that both PEP and PEPRO "are not contingent on export or on export performance". Would Brazil consider removing proof of export as a criteria for qualifying for payments under PEP and PEPRO?
- c. Brazil stated in its response to AG-IMS ID 87014 that "there is no new forecast for new PEP/PEPRO auctions for the 2017/2018 crop." Are any PEP or PEPRO auctions expected for agricultural commodities in 2019?

Brazil notified calendar year 2017 payments under PEP and PEPRO in its DS:1 notification dated 28 January 2019 as Product-Specific Aggregate Measure of Support: Non-Exempt Direct Payment.

- d. In recent years, several million tonnes of corn in the state of Mato Grosso received support under the PEPRO programme. Given that most of the corn in the state is exported, will Brazil notify this programme under ES:1?
- e. Why are wheat outlays under PEPRO so much lower compared with Brazil's previous notification?

2.2.3 Côte d'Ivoire (G/AG/N/CIV/3 to G/AG/N/CIV/21)

AG-IMS ID 91051: Question by Australia - Transparency issues (including Table DS:2)

Australia welcomes Côte d'Ivoire's submission of 18 domestic support notifications for the periods 2000-2012 and 2014-2018 (G/AG/N/CIV/4-G/AG/N/CIV/21).

The submission of notifications by all Members, regardless of how long ago the reporting year was, is a demonstration of a Member's commitment to transparency and to the effective and efficient operation of this Committee.

While Australia acknowledges Côte d'Ivoire's efforts, Australia is aware of a number of agriculture support and investment programs within the Côte d'Ivoire's National Agricultural Investment Programme (PNIA). References to these programmes were included in the 2017 Trade Policy Review for Members of the West African Economic and Monetary Union. Australia notes these programmes have not been included in any of Côte d'Ivoire's DS notifications.

- a. Australia would like to understand why Côte d'Ivoire has not considered these programmes as domestic support under the Agreement on Agriculture, including possibly under S&DT or Green Box?
- b. Will Côte d'Ivoire consider revisions in due course?

AG-IMS ID 91052: Question by European Union - Transparency issues (including Table DS:2)

The EU thanks Côte d'Ivoire for their DS:1 notifications (G/AG/N/CIV/4-G/AG/N/CIV/21), covering years up to and including 2019. However, the EU would like to know, whether there is absolutely NO domestic support granted.

According to the web-site of the agricultural Ministry http://www.agriculture.gouv.ci/uploads/Presentation_Reforme-WCC.pdf Côte d'Ivoire has a support scheme for cacao. The government has fixed a minimum price cacao at 725 F CFA/Kg (p 15):

- investment is also foreseen;
- establishment of PPPP in May 2012;
- implementation of FIMR projects;
- on average 10 billion a year and specifically for the 2012/2013 campaign, 15 billion FCFA of work planned;

Can Côte d'Ivoire explain why these measures were not included in their DS:1 notifications.

AG-IMS ID 91086: Question by Canada - Transparency issues (including Table DS:2)

The following questions concern notifications G/AG/N/CIV/3 to G/AG/N/CIV/21: Canada would like to thank Côte d'Ivoire for its efforts to update its notifications. From Côte d'Ivoire's notifications, Canada notes that the country has not notified any support to its agricultural industry for the last 19 years. Côte d'Ivoire did, however, notify support programmes under the Green Box and under Article 6.2 in its AGST supporting tables at the time of its accession.

- a. Can Côte d'Ivoire confirm that it has no agricultural programmes to notify in its domestic support notifications?
- b. Upon its accession to the WTO, Côte d'Ivoire notified a number of programmes in its AGST supporting tables. Were these programmes still in force between 2000 and 2018?
- c. In its AGST supporting tables, Côte d'Ivoire indicated that agricultural input subsidies were used. Did Côte d'Ivoire use agricultural input subsidy programmes between 2000 and 2018?
- d. According to the Ministry of Agriculture and Rural Development website (<http://www.agriculture.gouv.ci/accueil/pages/la-politique-de-reliance-agricole>), Côte d'Ivoire implemented the National Agricultural Investment Programme (PNIA) between 2012 and 2016. The programme was estimated at 2,040 billion CFA francs (some 3.5 billion US dollars). Could Côte d'Ivoire please explain why this programme was not notified, fully or in part, in its domestic support notifications between 2012 and 2016?
- e. According to the WTO Secretariat's report for Côte d'Ivoire's 2017 Trade Policy Review (WT/TPR/S/362), Côte d'Ivoire applies guaranteed minimum price policies, including a guaranteed minimum price policy for cocoa crops that has been in place since the 2012/2013 season. Could Côte d'Ivoire please explain why it has not notified any price support in its domestic support notifications since 2012?

AG-IMS ID 91139: Question by United States of America - Transparency issues (including Table DS:2)

It is noted that Côte d'Ivoire has notified zero domestic support of any kind between 2000 and 2018 (G/AG/N/CIV/4 - G/AG/N/CIV/21). It is understood that Côte d'Ivoire may fund or implement several measures that support the agricultural sector. For example, the government of Côte d'Ivoire has

implemented and providing funding for a National Rice Development Strategy since 2008. As another example, the United States understands the minimum guaranteed price for cocoa growers was raised by 7% to 750 CFA francs per kg for the 2018/19 growing season.

Taking into account the information noted above, the United States seeks confirmation regarding whether the Government of Côte d'Ivoire has provided funding for any support measures, including research, extension, input subsidies or price supports of any kind.

2.2.4 European Union (G/AG/N/EU/46, G/AG/N/EU/46/CORR.2 and G/AG/N/EU/55)

AG-IMS ID 91053: Question by New Zealand - Transparency issues (including Table DS:2)

G/AG/N/EU/46

The EU's overall domestic support spending has decreased by about EUR5 billion over the past five years, however, during this time period, both its total AMS and blue-box spending has increased. The EU's AMS spending as per its most recent notification for MY 2016/17 is EUR1 billion more than it was in MY 2013/14. Over the same period Blue Box spending increased by EUR 2 billion. The EU's proposed CAP for the next cycle focuses on 'greening' agriculture. How does the EU propose to reform its currently highly trade-distorting domestic support spending under the next CAP, noting that Amber and Blue box support does not encourage environmentally sustainable farming practices?

AG-IMS ID 91079: Question by Russian Federation - Transparency issues (including Table DS:2)

G/AG/N/EU/55

Could European Union please provide further information explaining the decrease in "Other general services" in 2016/2017 in comparison to 2015/2016 and the simultaneous increase in "Regional assistance programmes"?

AG-IMS ID 91074: Question by Thailand - Public stockholding for food security purposes

Please kindly refer to the European Union Domestic Support Notification marketing year 2015/2016 (G/AG/N/EU/46/Corr.2), the EU notified Public stock holding for food security purposes of 2015/2016 valued 21 Million Euro which increased from the amount of the same programme notified in 2014/2015 approximately 100%. Could the EU please clarify the description of the programme and reasons for the substantial increase of the subsidies to this programme?

AG-IMS ID 91058: Question by Australia - Direct payments: payments under environmental programmes

Australia seeks further information on specific environmental measures included in the EU's DS:1 notification (G/AG/N/EU/55).

In 2016/17, the EU provided EUR 6.48 billion of Green Box domestic support for environmental measures. This included "...support and protection of organic production by creating conditions of fair competition".

- a. Of the EUR 6.48 billion of total environmental programme support, could the EU please provide the amount (in euros) provided for organic production?
- b. Can the EU please provide the eligibility criteria to access the organics programme and explain how it aligns with the EU's broader environmental policy?
- c. Strong demand for organic food from EU consumers is causing pressures on supply. Could the EU please explain how support payments under this programme are limited only to the extra costs or loss of income (Annex 2 paragraph 12 (b)) in complying with the EU's broader environmental policy objectives and are not merely input subsidies?
- d. How does the EU create conditions of fair competition?

AG-IMS ID 91090 and 91113: Question by Canada and Paraguay - Direct payments: payments under environmental programmes

G/AG/N/EU/46

The European Union stated in its response to Canada's question at the September 2018 meeting (AG-IMS ID 88077) that: "For the budget year 2016 in total EUR 1.27 billion was paid out to organic production". The EU also stated: "As regards the type of extra costs that are eligible, examples of eligible costs can be found in each Rural Development Programmes, for example: the extra costs of purchasing organic fertilisers and/or organic pesticides, ...". Canada is interested in further details regarding the EU's organic programme.

- a. What was the amount of support provided under this measure to support organic production by commodity for the budget year 2016?
- b. Could the European Union provide amount of support against the various eligible costs for budget year 2016?
- c. Could the European Union provide the total income of all the farms that have received support for organic production for the budget year 2016?
- d. Could the European Union provide the total income of all the farms that have not received support for organic production for the budget year 2016?

AG-IMS ID 91054: Question by Australia - Direct payments: payments under regional assistance programmes

Australia thanks the EU for submitting its domestic support notification for marketing year 2016-2017 (G/AG/N/EU/55).

Australia seeks further information on measures contained in Supporting Table DS:1 regarding regional assistance programmes. In 2016-17, the value of support for specific measures benefiting certain disadvantaged areas increased to EUR 5.9 billion, up from EUR 4.4 billion in 2015-16 (revised from EUR 2.3 billion via corrigendum in April 2019 (G/AG/N/EU/46/Corr.2)).

- a. Can the EU please provide information for the significant revision (over 90% increase) to the measure in 2015-16?
- b. In 2016-17, the value of support has increased significantly again. Could the EU please provide a detailed breakdown (by disadvantaged area) of the EUR 5.9 billion in regional assistance?
- c. What are the definable criteria for a region to be both classified as disadvantaged and eligible to receive payments?

AG-IMS ID 91089: Question by Canada - Direct payments: payments under regional assistance programmes

- a. In G/AG/N/EU/46/Corr.2, the European Union revised the domestic support amounts it provided in 2015 under Supporting Table DS:1, item (j), environmental programmes, and item (k), regional assistance programs. Looking at the amount the European Union notified under regional assistance programmes in 2014 (G/AG/N/EU/43) and the revised number for 2015, Canada notes an increase in spending of 2.4 billion EUR in 2014 to 4.4 billion EUR in 2015, i.e., an increase of over 80% in one year. At the 88th meeting of the Committee on Agriculture, Canada asked the European Union about a similar increase in spending under its environmental programmes (AG-IMS ID 88077). The EU responded that the increase in environmental programme expenditures was a consequence of the gradual implementation of the 2013 EU Common Agricultural Policy (CAP) reform, which became only fully visible during the 2016 budget year in the case of rural development programs. With G/AG/N/EU/46/Corr.2, this increase now occurs within regional assistance programmes, and not environmental programmes.

- b. Could the European Union confirm whether this increase is due to the later budgetary implementation of rural development initiatives under the 2013 EU CAP reform? If so, could the European Union explain why rural development programmes were reported under environmental programs?
- c. G/AG/N/EU/46/Corr.2 also mentions that an amount of 409 million EUR was omitted under item (k), regional assistance programmes.
- d. Could the European Union clarify to which programme or policy aspect of the 2013 EU CAP this amount is related?

AG-IMS ID 91078: Question by New Zealand - Market price support

G/AG/N/EU/55

The EU is a major producer and exporter of SMP.

- a. Why does it spend EUR1.5 billion on market price support for this product?
- b. Why did the EU increase its market price support to producers for SMP from MY 2015/2016 to MY 2016/17, a period in which the global SMP market was already distorted due to the EU's intervention stocks?
- c. How will the EU reform its interventionist approach to the SMP market, including its use of market price support?

During 2016, 2017 and 2018, the average domestic price for butter in the EU was significantly higher than the average world price. In the first half of 2019 the EU domestic butter price converged with the average world price.

- d. Why does the EU continue to provide market price support for butter given that doing so falsely inflates the price its producers receive?
- e. Alternatively, is the price convergence this year an indication that that EU is currently reducing and removing its price support? The EU increased its spending on "extraordinary support measures" for milk for MYs 2015/16 and 2016/17.
- f. What are these measures and why does the EU provide them?

AG-IMS ID 91091: Question by Canada - Non-product-specific AMS

G/AG/N/EU/55

Canada notes that the EU's non-product specific AMS went from 742.4 million EUR in 2015 to 1,053.7 million EUR in 2016, with an increase in insurance subsidies from 507.9 million EUR to 816.8 million EUR in the same period. At the 83rd Committee on Agriculture, Australia noted a recent upward trend in spending under the same programme and inquired about the reasons behind this trend and related impacts on the 2013 Common Agricultural Policy reform (AG-IMS ID 83108). The European Union responded that the measure comprised of general insurance subsidies paid out of EU Member State budgets, which have been increasingly used in recent years.

- a. Could the European Union provide more details as to the reasons why usage has been increasing? What type of insurance subsidy (e.g., discounted premium) is provided to producers?
- b. Could the European Union provide information on product coverage as well as risk coverage for these insurance subsidies? What products are eligible, and in which EU Member State? At the 24th Committee on Agriculture, the United States inquired about the EU's insurance subsidy program provided by EU Member States (AG-IMS ID 24043). At the time, the European Union responded that the insurance subsidy covered hail insurance.

- c. Is this the same insurance subsidy? If not, how does it differ?

AG-IMS ID 91059 and 91116: Question by Brazil and Paraguay - Classification of measures

In document G/AG/N/EU/55, Supporting Table DS:1, the European Union has notified, as environmental programmes, expenditures related to "support and protection of organic production by creating conditions of fair competition". The European Union had already done so in document G/AG/N/EU/46. Despite the EU's previous replies to Canada in this Committee (AG-IMS ID 88077), Brazil is not convinced that the elements on which the EU based its decision to notify such programmes as Green Box measures meet the requirements of paragraph 12 of Annex 2 of the AoA.

First, as regards to policy-specific criteria and conditions, there is no direct exclusive relation between organic production and environmental conservation. Since it is almost impossible to completely sever agriculture from the environment, if a broad interpretation of paragraph 12 of Annex 2 becomes the rule, the indiscriminate notification of allegedly environmental programmes could ensue.

Still related to policy-specific criteria and condition, the notion of "compensate beneficiaries for all or part of the additional costs and income foregone resulting from the commitments made" (AG-IMS ID 88077) is questionable, given that so-called organic products tend to have higher selling prices. The market itself compensates for the eventual loss of productivity inherent to organic goods systems. The farmers would thus receive double compensation: from the market and from the government, which would imply that such domestic support programmes have more than minimal trade-distorting effects or effects on production.

Brazil asks if the European Union could please provide:

- a. An updated amount of domestic support expenditure that was provided to organic production;
- b. Information on the organic market in the European Union as compared to the regular agricultural market (growth, average selling prices);
- c. Information on which crops are most supported;
- d. Information on what is the treatment organic production is expected to receive in the Common Agricultural Policy Post-2020;
- e. How the organic production contributes to the conservation of the environment in a manner that is different from other forms of agricultural production.

2.2.5 India (G/AG/N/IND/12, G/AG/N/IND/13, G/AG/N/IND/15)

AG-IMS ID 91098: Question by Canada - Transparency issues (including Table DS:2)

G/AG/N/IND/15

In its 2017/2018 domestic support notification, India reintroduced a new programme under the payment for relief from natural disasters (paragraph 8, Annex 2), and a new programme described as "Waving off Agricultural loans" under paragraph 11, Annex 2

- a. Could India indicate when it will provide the relevant DS:2 notification with additional information on how these two programmes which provide a total of USD 9.8 billion in support satisfy the criteria in Annex 2 of the Agreement on Agriculture?
- b. Could India elaborate on the trigger for payments under the measure described as "payments for relief from natural disasters"?
- c. Regarding the programme described as "Waving off Agricultural loans":

- i. could India provide additional information on objective criteria used to determine the structural disadvantages that this programme is intended to address.
- ii. Could India elaborate on the criteria used to determine the amount of payment required to compensate for the structural disadvantages.
- iii. Paragraph 11. (d) indicates that payments are only to be given for the "period of time necessary for the realization of the investment...". Could India provide information on the duration of these payments?

AG-IMS ID 91092: Question by European Union - Transparency issues (including Table DS:2)

G/AG/N/IND/12 and G/AG/N/IND/13 - Total VoP for the agricultural sector

In question AG-IMS ID 88068 and others, India indicated the amount for VoP for the different crops, but not the total VoP for the agricultural sector for the years 2015/16 and 2017/18. Can India indicate the total VoP for the years in question?

AG-IMS ID 91174: Question by United States of America - Transparency issues (including Table DS:2)

G/AG/N/IND/15

Please provide value of production data for all commodities listed in Supporting Table DS:4. For those commodities that have been aggregated (e.g., coarse cereal and pulses), please provide the value of production for each individual commodity for which an announced minimum support price exists.

AG-IMS ID 91171: Question by Russian Federation - Transparency issues (including Table DS:2)

Could India please provide product-specific value of production for all products reported in Supporting Table DS:4 for 2016-2017 and 2017-2018?

AG-IMS ID 91168: Question by United States of America - Transparency issues (including Table DS:2)

G/AG/N/IND/15

India's notification of measures included in Supporting Table DS:1 provides no information regarding what schemes or programmes India is notifying. Further, it appears that India may be aggregating all schemes or programmes that qualify under different measure types. This, in combination with India having never notified any DS:2 notifications with regards to the introduction or modification of any scheme or programme, has made it difficult for Members of this Committee to review India's domestic support measures or be able to ascertain even the most basic aspects of what schemes or programmes India operates.

For each measure type listed in Supporting Table DS:1, please provide a name and description for each measure that is included in the notified value of support.

AG-IMS ID 91170: Question by United States of America - Transparency issues (including Table DS:2)

G/AG/N/IND/15

India has notified a new measure as an exempt measure under Annex 2, paragraph 8 of the Agreement on Agriculture (i.e., payments for relief from natural disasters). Based on the note to the question, it is presumed that this support is entirely related to agricultural insurance.

- a. Please identify what specific schemes are included under this measure type, including the names of each insurance scheme if more than one.

- b. Please confirm whether there is any relationship between the insurance scheme(s) notified under Supporting Table DS:1 and Supporting Table DS:9. If so, please explain.
- c. Will India be providing a DS: 2 notification for this (these) new measure(s)?
- d. How is formal government recognition of a natural disaster determined and declared?
- e. Please describe how these measures meet the criteria set out in paragraph 8 of Annex 2.
- f. If any non-insurance scheme is included, please provide the name(s) and details with regards to how the measures are implemented.

AG-IMS ID 91177: Question by United States of America - Transparency issues (including Table DS:2)

G/AG/N/IND/15

India has notified a market price support for "pulses." However, upon reviewing the Minimum Support Price (MSP) announcements for Marketing Year 2017/18, India does not provide a "pulses" price support, but rather individual price supports for several coarse cereal commodities.

- a. Please confirm what "pulses" had an announced Minimum Support Price in MY 2017/18.
- b. Please confirm the announced MSP for each.
- c. The United States understands that the "pulses" fixed external reference price does not include a lentils value in its calculation as it was not included in India's AGST even when support for lentils is undertaken. Please explain the basis for not calculating the external reference price for 1986-88 for lentils when a price support for lentils is provided.
- d. Please explain what change in policy occurred between when India undertook its commitments and now that has resulted in the change in how India notifies support for various "pulses" commodities.
- e. Did India undertake procurement in all of these "coarse cereal" commodities in MY 2017/18? If not, how is this consistent with India's position that it does not notify market price support if no procurement occurred, as is the case with a number of commodities that the Indian government announces Minimum Support Prices for but are absent from this notification?

AG-IMS ID 91093: Question by European Union - General services: infrastructural services

G/AG/N/IND/13 and G/AG/N/IND/15

Can India please give further detail on the increase of 410.29 million USD for the 2.(g) Infrastructural Services under Supporting Table DS:1 between 2016 and 2017 and what this included in this amount? Which type of measures, eligibility criteria and type of farmers concerned?

AG-IMS ID 91088: Question by Australia - Direct payments: structural adjustment assistance provided through investment aids

Australia thanks India for submitting its domestic support notifications for marketing year 2017-18 (G/AG/N/IND/15). Australia is seeking further information on measures relating to the "waiving of Agricultural loans". Australia also notes that India has provided supplementary information regarding this measure for earlier marketing years (2014/15, 2015/16 and 2016/17).

- a. Were the initial loans related to the Ministry of Agriculture & Farmers Welfare 'Agriculture Credit Flow Targets'?
- b. Are the initial loans available to all farmers?
 - i. if not, could India please outline the eligibility requirements to receive the initial loans?

- c. In providing financial assistance to waive outstanding loans, does the government require evidence that the loan is to assist operations in response to objectively demonstrated structural disadvantages (AoA Annex 2 para 11 (a))?

AG-IMS ID 91087: Question by European Union - Direct payments: structural adjustment assistance provided through investment aids

India submitted a DS:1 notification on 26 March 2019 for the marketing year 2017-2018. On page one, India provides supplemental information on Green Box support (Supporting Table DS:1) reported earlier in G/AG/N/IND/12 for the marketing years 2014/15, 2015/16 and in G/AG/N/IND/13 for the marketing year 2016/17. The information states the waiving off of agricultural loans under the following measure type "Structural adjustment assistance provided through investment aids".

Can India please provide further information on the DS:1 notification G/AG/N/IND/12 submitted for the marketing year 2017-2018. In particular, the methodology behind the waiving off of the agricultural loans and its impact on its Green Box classification, the eligibility criteria and the type of farmers concerned.

AG-IMS ID 91094: Question by European Union - Direct payments: structural adjustment assistance provided through investment aids

G/AG/N/IND/15

The European Union notes the Green Box measure "Waiving off Agricultural loan" that India introduced in 2014-2015 and that it increased substantially to 8,072 million USD in 2017-2018.

- a. How does this measure fulfil the criteria for "structural adjustment assistance provided through investment aids" (paragraph 11) in Annex 2 to the Agreement on Agriculture?
- b. What are the reasons for the major increase in support level for the measure between 2016-2017 and 2017-2018?

AG-IMS ID 91145: Question by Japan - Direct payments: structural adjustment assistance provided through investment aids

G/AG/N/IND/15

In relation to India's DS:1 notification on 2017, significant increases of Waiving off Agricultural loan were observed once every few years, namely 2014 and 2017. Such financial support may help farmers out of their accumulated unpaid loan, it would also help farmers to invest on their production in excess. How does the Indian Government ensure that such impacts will be avoided?

AG-IMS ID 91096: Question by Thailand - Direct payments: structural adjustment assistance provided through investment aids

Thailand would like to thank India to submit Domestic Support Notification of 2017/2018 (G/AG/N/IND/15). In the said notification, India notified measure namely "Waiving off Agricultural Loan" valued 8,072 Million USD under the measures exempt from the reduction commitment. Please provide more detailed information and related regulations on these matters.

AG-IMS ID 91169: Question by United States of America - Direct payments: structural adjustment assistance provided through investment aids

India has notified for 2014/15 through 2017/18 "waiving off agricultural loan" as a structural adjustment assistance provided through investment aids. The United States understands these measures to be new and ad hoc measures, primarily or often provided by State governments. For example, the United States understands that in 2014 Andhra Pradesh state government provided more than 70% of farmers in the state a debt relief subsidy. It is reported that the verification process in Andhra Pradesh was determined based on which farmers exceeded a certain debt threshold with payment made over several years. A similar programme in 2014 also was initiated in Telangana with approximately 3.6 million beneficiaries.

- a. Please confirm whether the identified measures are those being reported in India's most recent notification.
 - i. If not, please explain the basis for not including in India's domestic support notification.
- b. Please explain how the notified measures are implemented, including eligibility requirements to receive the waiver.
- c. Please explain if, and if so how, the programmes meet the criteria of paragraph 11 of Annex 2 of the Agreement on Agriculture.
- d. Please explain whether the annual budgetary outlays are part of a single scheme/programme or if payments are made on an ad hoc annual basis and represent more than one program.
- e. Please confirm whether budgetary outlays notified include all relevant State waivers or only represent outlays made by the central government.

AG-IMS ID 91173: Question by United States of America - Input subsidies available to low-income or resource-poor producers

G/AG/N/IND/15

Members have repeatedly asked India to provide breakdowns in its notification of "other input subsidies", which constitute several vastly different programmes operated by different Ministries.

- a. Please provide a breakdown of budgetary outlays or monetary outlays for each scheme.
- b. Please confirm whether there are one or more schemes contributing to each of the following types of inputs: irrigation, fertilizer, and electricity.

AG-IMS ID 91100: Question by Canada - De minimis

G/AG/N/IND/15

At the 87th Committee on Agriculture, India indicated that product-specific value of production data would be included in its future domestic support notifications. However, in Supporting Table DS:4, Canada notes that product-specific value of production data were once again not included. The inclusion of value of production data greatly improves the transparency of Supporting Table DS:4.

Could India provide the value of production for all products reported in Supporting Table DS:4 for 2017-2018?

AG-IMS ID 91095: Question by European Union - De minimis

G/AG/N/IND/15

According to the notification, India has increased market price support for several products in 2017/2018, including rice, wheat and pulses. This support is claimed to be below the de minimis level of India (10% of the value of production). However, that claim is hard to verify, since India does not include information about value of production in its notification.

Could India please provide information about the value of production for the products notified in Supporting Table DS:4?

AG-IMS ID 91178: Question by United States of America - De minimis

G/AG/N/IND/15

For commodities such as rice, cotton, soybeans, sorghum, and millet, India announces several different Minimum Support Prices based on varietal or quality differences.

- a. Please confirm whether notified support for any of these commodities or the value of production used for calculating de minimis has been aggregated or if simply no procurement was undertaken for certain varieties/qualities.
 - i. As one example, please confirm the value of production for soyabean yellow refers to production data solely for soyabean yellow rather than total national production and that no procurement occurred for soyabean black.
- b. If no aggregation occurred, please specify for the identified commodities, as well as any others, the value of production data that corresponds to each variety/quality type.

AG-IMS ID 91099: Question by Australia - Market price support

In Supporting Table DS:5 (G/AG/N/IND/15), India indicated it provided USD 3.96 million and USD 17.6 million in market price support for rapeseed/mustard and soyabeans respectively in 2017/18. These measures were saw procurement in 2016/17 for the first time in a number of years.

- a. What was total production of rapeseed/mustard (in both value and volume) in marketing year 2017/2018?
- b. What was total production of soyabean yellow (in both value and volume) in marketing year 2017/2018?
- c. For both rapeseed/mustard and soybean yellow, what is the eligibility criteria to receive the minimum support price?
 - i. Is it available to all producers?

AG-IMS ID 91175: Question by United States of America - Market price support

G/AG/N/IND/15

India has notified a market price support programme for "coarse cereals". However, upon reviewing the Minimum Support Price (MSP) announcements for Marketing Year 2017/18, India does not provide a "coarse cereals" price support, but rather individual price supports for several coarse cereal commodities.

- a. Please confirm what "coarse cereals" had an announced MSP in MY 2017/18.
- b. Please confirm the announced MSP for each.
- c. Please explain how a "coarse cereals" fixed external reference price was developed, given that India made its commitments on the basis of each individual commodity.
- d. Noting recent "consistency" in how India notifies market price support for "coarse cereals", please explain what change in policy occurred between when India undertook its commitments and now that has resulted in the change in how India notifies support for various "coarse cereals" commodities.
- e. Did India undertake procurement in all of these "coarse cereal" commodities in MY 2017/18?

AG-IMS ID 91101: Question by Canada - Market price support: Eligible production

G/AG/N/IND/15

In its 2017/2018 notification, India reported USD 792 million in market price support for pulses. India also reported 1.83 million of tonnes in eligible production.

- a. Please confirm that the 1.83 million tonnes reported as eligible production in supporting table DS:5 represents government procurement of pulses at the applied administered price by India.

- b. Could India explain why it did not take into account the Korea-beef Appellate Body ruling and the panel report finding of the DS511 case (China — Domestic Support for Agricultural Producers) for establishing the eligible production for pulses.

AG-IMS ID 91179: Question by United States of America - Non-product-specific AMS

G/AG/N/IND/15

The insurance premium subsidy notified in Supporting Table DS:9 decreased substantially in MY 2017/18.

- a. Please explain the decrease in support between MY 2016/17 and MY 2017/18.
- b. It is noted that there is a new footnote in MY 2017/18. Please confirm whether there was a change in the implementation of agricultural insurance in MY 2017/18 and explain.
- c. Please confirm whether India has moved support previously notified in Supporting Table DS:9 to Supporting Table DS:1 with no corresponding change in policy.

2.2.6 Israel (G/AG/N/ISR/66)

AG-IMS ID 91102: Question by Canada - Scheduled commitment level

Canada notes that Israel has reported domestic support over its annual commitment for 2017. Canada appreciates the transparency and the information provided in the notification G/AG/N/ISR/66 for 2017 and that this information was previously provided in G/AG/N/ISR/55 when Israel reported an excess of domestic support for the years 2011, 2012, 2013 and 2014. Could Israel indicate the progress it is making with respect to the additional reforms in its dairy and egg sectors so that future notifications are within its WTO obligations?

2.2.7 Japan (G/AG/N/JPN/235, G/AG/N/JPN/236)

AG-IMS ID 91180: Question by United States of America - Payments based on 85% or less of the base level of production

For CY 2015 and CY 2016, Japan notified a direct payment for rice producers under a production limiting programme. Upon reviewing G/AG/N/JPN/192 regarding the description of the measure, it remains unclear how the programme meets the overarching criteria of Article 6.5, as set out in the chapeau, which requires such measures to be "production-limiting."

Please provide additional details with regards to how this programme is in fact "production-limiting" taking note that Japan described the programme in the following context: "the new direct payment programme has been introduced in order to create an environment where motivated farmers can continue rice production in paddy fields."

AG-IMS ID 91146: Question by India - Payments based on 85% or less of the base level of production

Japan in its DS:1 Notification for 2016-2017 (G/AG/N/JPN/236) has notified "Direct Payment for Rice" under Article 6.5 under which payments are made based on 85% or less of the base level of production. As per the DS:2 notification for the year 2014 (G/AG/N/JPN/192), the Direct Payment program consists of two components:

- i. the fixed component calculated based on the historical gap between the national average cost of production and farm gate price, and
- ii. the variable component which is paid only in the year when the farm gate price goes below a fixed threshold.

According to information in public domain, it is learnt that the components of the programme were phased out in 2014 and 2018 respectively. In this respect, kindly clarify:

- i. If Japan has a blue box program for rice in operation at present?

- ii. What is the enforcement mechanism of the blue box program? What has been done to implement it and where can we find the supporting data available in this regard?
- iii. If not, how has Japan adjusted its blue box program for rice? Kindly provide a detailed list of the programmes that are targeted towards rice, after the removal of the blue box programme.

2.2.8 Korea, Republic of (G/AG/N/KOR/60, G/AG/N/KOR/61, G/AG/N/KOR/62, G/AG/N/KOR/63)

AG-IMS ID 91103: Question by Canada - Transparency issues (including Table DS:2)

In comparing the overall value of production provided in Korea's Supporting Table DS:4 for 2011 and 2012, and for previous and subsequent years, Canada notes that Korea's value of production sharply increased from 43,214 billion KRW in 2011, to 51,616 billion KRW in 2012, and that it remained more or less stable in subsequent years (e.g., 50,843 billion KRW in 2015).

- a. Could the Republic of Korea explain how its value of production increased by almost 20% in one year, despite following a more steady growth before and after 2011 and 2012? Did the Republic of Korea change its calculation methodology?
- b. Could the Republic of Korea provide the source(s) of data it used in 2011 and in 2012 to calculate its value of production, including statistical reports or databases?
- c. In the years 2012-2015, Canada sees that the Republic of Korea has reported domestic support spending in its Supporting Table DS:9 under "Other" and "Self-help fundraising".

Could the Republic of Korea provide additional information as to the types of programmes that are currently reported under those categories? What products are covered under these programs?

AG-IMS ID 91184: Question by United States of America - Transparency issues (including Table DS:2)

The United States understands the National Agricultural Cooperative Federation provides interest free or low interest loans to Rice Processing Complexes to incentivize purchases of rice from producers. In addition, the United States understands that the Korean Ministry of Agriculture, Food and Rural Affairs also provides similar interest-free or reduced benefits to Rice Processing Complexes for the purchase of rice from producers. The total amount of money floated by the National Agricultural Cooperative Federation is understood to be approximately 1.9 trillion Korean Won and the payments made by the Korean Ministry of Agriculture, Food and Rural Affairs totaled approximately 1.2 trillion Korean Won.

- a. Please confirm whether these interest reductions are accounted for in Korea's most recent domestic support notifications. If so, where?
- b. If not, please explain.

AG-IMS ID 91193: Question by Australia - Public stockholding for food security purposes

Australia notes that in Supporting Table DS:1 of G/AG/N/KOR/63, the Republic of Korea notified spending on public stockholding for food security purposes of KRW 174.05 billion in CY 2015.

Annex 2, paragraph 3 of the Agreement of Agriculture (AoA) states, "The volume and accumulation of such stocks shall correspond to predetermined targets related solely to food security."

- a. Can the Republic of Korea explain the policy basis for these measures and how it pre-determines the targets?

Annex 2, paragraph 3 of the AoA further states, "Food purchases by government shall be made at current prices and sales from food security stocks shall be made at no less than

the current domestic market price for the product and quality in question". Can the Republic of Korea provide:

- b. A breakdown of commodities covered by the notified spending?
- c. The prices and volumes of the commodities when they were purchased and sold?
- d. Confirmation the purchase and sale of commodities were made at domestic market prices?

AG-IMS ID 91192: Question by Australia - Direct payments: decoupled income support

Australia seeks further information regarding the Republic of Korea's notified 'decoupled income support' reported in G/AG/N/KOR/63.

- a. 1. Can the Republic of Korea please advise how much of the KWN 1,369.09 billion was directed to the "Fixed payment scheme for paddy fields"?
- b. 2. Can the Republic of Korea please provide eligibility criteria for the measure (under AoA Annex 2 paragraph 6)?

AG-IMS ID 91148: Question by Australia - Investment subsidies generally available to agriculture

Australia thanks the Republic of Korea for submitting its domestic support notification for the reporting periods 2012-2015. During these periods, the Republic of Korea increased the value of special and differential treatment investment (S&DT - AoA Article 6.2) subsidy exemptions from KRW 1.56 billion to KRW 2.73 billion. Can the Republic of Korea provide information with respect to:

- a. Can the Republic of Korea provide information regarding these investment subsidies including the specific eligibility criteria and breakdown of expenditure, and explain how they support agricultural and rural development?
- b. As a major G20 economy, boasting an annual trade portfolio of around USD 1 trillion and GDP per capita comparable to many developed Members, and given the Republic of Korea's total value of S&DT exemptions is at less than 0.2% of its total AMS entitlement, when will the Republic of Korea cease to apply S&D agricultural exemptions?

AG-IMS ID 91172: Question by Australia - Market price support

Australia thanks the Republic of Korea for submitting its domestic support notification for 2015 (G/AG/N/KOR/63).

Australia seeks further information regarding product-specific support for soybeans, noting that support for soybeans rose from KRW 0.13 billion to KRW 47.31 billion in the period CY 2012 to 2015, and in 2015 support as a percentage of value of production of soyabean was in notified as being in excess (12.35% of value of production) of the Republic of Korea's de minimis limit.

- a. What was the total volume of soybean production (in tonnes) in calendar year 2015?
- b. Please confirm whether all soybean production was eligible to receive the administered price?
 - i. If not, could the Republic of Korea please outline the eligibility criteria to receive the administered price and whether eligible production was limited or capped?

AG-IMS ID 91183: Question by United States of America - Market price support

The United States notes that since Korea's last domestic support notification for the calendar year 2009, barley is no longer notified as a commodity receiving a price support and a price support for soybeans was notified for all years except 2010. Further, the notified eligible production for the soybean price support measure appears to be a fraction of the total quantity of soybean production in the Republic of Korea.

- a. Please explain how the Republic of Korea defines eligible production for purposes of its soybean price support.
- b. Please provide relevant legislation or other official government documents that support this definition. For example, if notified eligible production is less than total production, please identify the relevant official documents that prevent additional procurement from being undertaken.
- c. Please confirm that the Republic of Korea does not announce minimum prices for barley or any other commodity.

AG-IMS ID 91189: Question by European Union - Non-product-specific AMS

G/AG/N/KOR/63

Supporting Table DS:9 includes an amount of KRW 187.92 bio. Can the Republic of Korea provide more details about this measure and how it is granted to farmers?

2.2.9 Malaysia (G/AG/N/MYS/43, G/AG/N/MYS/44, G/AG/N/MYS/45)

AG-IMS ID 91186: Question by United States of America - Transparency issues (including Table DS:2)

- a. Malaysia appears to have two price-related policies for rice. The first is a Guaranteed Minimum Price established under the Control of Padi and Rice Act of 1994. The United States understands the minimum price in 2014 was RM 750 per tonne. According to BERNAS, the entity enforces the Guaranteed Minimum Price and is a buyer of last resort, which "buys all paddy delivered, even if it is operating at full capacity".

In addition, producers receive a direct payment subsidy for each tonne of rice produced, which was RM 248.1 per tonne in 2014.

- i. For each measure, please specify how each is notified in Malaysia's domestic support notifications, and how each meets the criteria outlined in the Agreement on Agriculture. b. For each measure, please provide additional details on how each measure is implemented, such as how the payment rates are determined and who is eligible.
- b. The United States understands Malaysia implemented a rice miller subsidy of approximately RM 600-750 per tonne in 2014.
 - i. Please specify how the measure is notified in Malaysia's domestic support notifications, and how the measure meets the criteria outlined in the Agreement on Agriculture.
 - ii. Please explain how this measure is implemented, including how payment rates are determined.

AG-IMS ID 91185: Question by United States of America - Direct payments: decoupled income support

Malaysia notifies a "Paddy Price Subsidy" as decoupled income support measure exempt under the criteria of paragraph 6 of Annex 2 of the Agreement on Agriculture. It is noted that any measure notified as a Green Box measure must meet the basic criteria of Annex 2 to be considered in conformity. Specifically, this includes ensuring such measures "do not have the effect of a providing a price support to producers." Noting the programme objectives and criteria for payment eligibility set out in Malaysia's response to AG-IMS ID 90104 and 90124:

- a. Please specify how the value of payments to eligible producers is determined, including whether the type or volume of current production is taken into account in determining the benefit received by a producer.

- b. Please specify how this measure meets the Green Box criteria including paragraph 1 of Annex 2.

2.2.10 Mongolia (G/AG/N/MNG/10)

AG-IMS ID 91194: Question by Australia - Transparency issues (including Table DS:2)

Australia welcomes Mongolia's submission of its domestic support notification for Calendar Years 2014 and 2015 (G/AG/N/MNG/10). Although, we note that Mongolia did not submit domestic support notifications for years 2000 through to 2013.

Can Mongolia update the Committee on its progress to submit domestic support notifications outstanding?

AG-IMS ID 91188: Question by United States of America - Transparency issues (including Table DS:2)

- a. The United States would like to thank Mongolia for its recent contribution to this effort by providing its DS:1 notification covering the years 2014 and 2015.

Noting Mongolia's last DS:1 notification was for 1999, please explain whether Mongolia is currently preparing additional overdue notifications for all other and if so, when these are to be expected.

- b. In Mongolia's previous notification, it had notified a number of Green Box (Annex 2) measures that are not included in this most recent notification, including agricultural services such as research, extension, plant and animal protection, etc. It is noted in Mongolia's most recent Trade Policy Review (WT/TPR/S/297) that the Ministry of Industry and Agriculture operated several agriculture-related services including the National Agricultural Extension Center, the Veterinary and Animal Breeding Agency, the National Centre for Livestock Gene Bank, and Biocombinat, which appear to be examples of some continuation or modification to measures that had been notified in Mongolia's previous notification for 1999.

Please explain the basis for not including these measures in Mongolia's most recent notification.

- c. Mongolia's most recent notification includes a number of new programmes that are exempt from reduction commitments as Development Programs.

When will Mongolia submit a DS:2 notification that explains how each of these measures meets the exemption criteria under Article 6.2?

- d. Mongolia's National Programme for Food Security had a total budget of \$1.2 billion from 2008-16, which includes non-governmental donors providing a minority share of the funding for programs such as loans/grants for agricultural producers and processors, an irrigation crop production program, and a farm machinery subsidy.

Please confirm if these measures are included in Mongolia's DS:2 notification and if so, how they meet the criteria of Article 6.2.

- e. The United States understands Mongolia operates a livestock crop insurance program.
 - i. Please explain whether this programme was implemented during 2014-2015.
 - ii. Please explain how the measure was implemented and whether it was included in Mongolia's notification. If not, why?
- f. The United States notes Mongolia has changed the currency in its notifications in on two occasions. Please explain the rationale for these changes.

2.2.11 Chinese Taipei (G/AG/N/TPKM/173, G/AG/N/TPKM/174, G/AG/N/TPKM/175)

AG-IMS ID 91166: Question by United States of America - Market price support

- a. Each year Chinese Taipei notifies three market price support measures for different types of rice, namely "government planned purchase," "government supplementary purchase," and "government additional purchase."
 - i. Please summarize how these three programmes operate and are interrelated.
 - ii. Please explain how and when the applied administered prices for each is announced.
 - iii. Please explain how eligible production quantities are determined for each of the three types notified. If eligible quantities are announced, please specify when in comparison to planting and harvesting.
 - iv. For each type notified, if there are any limitations such as production regions or quality, please specify and provide details regarding which regions and what quality specifications.
 - v. Please also identify corresponding share of total production meeting these limitations for each year covered by notifications G/AG/N/TPKM/173-175.
- b. For sugar and tobacco leaves, Chinese Taipei notifies market price support for "contract guaranteed purchase."
 - i. Please summarize how this measure is implemented for sugar and tobacco leaves.
 - ii. Please explain how and when the applied administered prices are announced.
 - iii. Please explain how eligible production quantities are determined. If eligible quantities are announced, please specify when in comparison to planting and harvesting.
 - iv. If there are any limitations such as production regions or quality, please specify and provide details regarding which regions and what quality specifications. Please also identify corresponding share of total production meeting these limitations for each year covered by notifications G/AG/N/TPKM/173- G/AG/N/TPKM/175.

2.2.12 Tajikistan (G/AG/N/TJK/1 to G/AG/N/TJK/6)

AG-IMS ID 91104: Question by Canada - Transparency issues (including Table DS:2)

Between 2013 and 2018, Tajikistan, notified that it has not provided any domestic support to its agricultural sector. Canada notes that in its AGST tables, Tajikistan included a number of programs classified as Green Box, as Special and Differential Treatment – "Development Programmes", as product-specific AMS and non product-specific AMS.

- a. Could Tajikistan please clarify if the programmes listed in its AGST tables were still in operation between 2013 and 2018? If yes, could Tajikistan provide an explanation as to why these programmes were not included in its recent domestic support notifications.
- b. The measures listed in Tajikistan's AGST tables include general services such as inspection services and, pest and disease control. Could Tajikistan clarify that these general services are still in operation?
- c. According to the FAO website (<http://www.fao.org/3/a-bp563e.pdf>), in 2012 Tajikistan put in place the Agricultural Reform Programme of the Republic of Tajikistan. The Agricultural Reform Programme of the Republic of Tajikistan includes a list of 22 objectives to reform its agricultural sector. Could Tajikistan clarify if there were any agricultural programmes launched as part of this Agricultural Reform Programme to meet the 22 agricultural objectives? If yes, please provide the names of the programmes and the

amounts expended. Also, could Tajikistan clarify why these measures were not included in Tajikistan's recent domestic support notifications.

2.2.13 Tunisia (G/AG/N/TUN/52, G/AG/N/TUN/56)

AG-IMS ID 91195: Question by United States of America - Transparency issues (including Table DS:2)

- a. The United States notes that Tunisia only notifies product specific support for milk in the form of market price support. However, the United States understands that Tunisia operates several additional programmes related to milk. For three measures identified below by the United States, please identify how the measure is notified in Tunisia's most recent domestic support notification or provide the basis for exclusion. Please also provide the same information for any other programmes related to milk not already identified.
 - i. Tunisia provides a subsidy for dairy projects that total 7-25% of the project cost.
 - ii. Tunisia provided government funding of approximately USD 17 million for milk collection and cooling.
 - iii. In 2016, Tunisia had a budget of approximately USD 8 million to process milk stocks when there is overproduction. Please also confirm for the most recent five notified years whether such funding was used and if so, how much.
- b. The United States understands for certain commodities (e.g., sugar and tobacco) the government operates a public storage programme intended to stabilize market prices at a targeted price level.
- c. Please provide additional details as to how this programme is operated. b. Please specific how this programme is notified in Tunisia's domestic support notifications.
- d. Tunisia provides support to farmers in the form of agricultural input subsidies for items such as fertilizer, pesticide, and irrigation at rates below cost. For each type of input, fertilizer, pesticide, and irrigation, as well as any others not identified by the United States, please explain how the subsidy is provided and the basis for not including such measures in Tunisia's domestic support notification.

AG-IMS ID 91191: Question by United States of America - Market price support: Eligible production

In Tunisia's response to AG-IMS ID 87041 regarding production levels in 2016 compared to notified eligible production, Tunisia indicated that it would provide a response at a later stage. The United States repeats the question in the context of both 2016 and 17 noting that for 2017, eligible production figures notified by Tunisia were 10,300 MT of durum wheat, 1,000 MT of common wheat, 9,000 MT of barley, and 892,000 MT of milk. It is the United States understanding that Tunisia produced 840,000 MT of durum, 150,000 MT of common wheat, 390,000 MT of barley and over 900,000 MT of milk in 2016.

- a. Please explain the reasons for using eligible production of 5,300 MT for durum, 500 MT for common wheat, 1,100 MT of barley and 865,000 MT of milk in 2016.
- b. Please provide any regulations, laws, or other implementing legislation that shows that a limit is placed on the quantity of production of each of these commodities that can receive the announced applied administered price.

AG-IMS ID 91190: Question by United States of America - Excessive rates of inflation

- c. In Tunisia's response to AG-IMS ID 87040, Tunisia indicated that it would provide a response at a later stage. The United States repeats the question and notes that Tunisia has also adjusted the fixed external reference price for 2017 for the same commodities. For the reporting period of 2016, Tunisia has adjusted the fixed external reference prices for durum wheat, common wheat, barley and milk to take account of inflation and

exchange rates. The same was done for products notified for 2014 in G/AG/N/TUN/47, at which time, in response to AG-IMS ID 62036, Tunisia stated that it considered the rate of inflation between 1998-2014 to be excessive, which justifies an adjustment of the FERP. The Agreement on Agriculture states Members shall give due consideration of excessive inflation, but a Member cannot unilaterally determine that it has excessive rates of inflation and then make adjustments as reflected in their notifications.

- i. Please provide additional information, including data that substantiates Tunisia's claims that its rates of inflation are "excessive," noting that Tunisia's inflation rates are well within the range of most other Members' rates.
 - ii. Please provide information and data that shows all calculations regarding inflation in Tunisia's most recent notification (G/AG/N/TUN/52).
 - iii. Please submit a revised notification, which shows the unadjusted FERP and calculation of domestic support.
- d. In addition, the United States notes that Tunisia indicated in response to AG-IMS ID 81087, Tunisia was undertaking an investigation to identify alternative options for notifying support. Please provide an update on this investigation and whether reforms to Tunisia's policies are being considered.

AG-IMS ID 91105: Question by Canada - Excessive rates of inflation

G/AG/N/TUN/56

- a. In response to question AG-IMS ID 82022, Tunisia provided its current total aggregate measurement of support level between 2002 and 2015 without any changes to its external reference prices. Could Tunisia please update this table by including the current total aggregate measurement of support for the years 2016 and 2017 without any changes to its external reference prices?
- b. Canada wishes to remind Tunisia that under Article 18.4 of the Agreement on Agriculture, it is the responsibility of the Membership as a whole, and not of Tunisia, to give consideration to excessive rates of inflation. In response to question AG-IMS ID 82048 from Canada, Tunisia stated as follows: "Regarding the steps to be taken to address this situation so that the external reference prices will no longer be adjusted in the future, the investigations under way will identify alternative options for notifying support and the steps to be taken".
 - i. Could Tunisia please provide an update on its investigations under way to identify alternative options for notifying support and the steps to be taken?
 - ii. Could Tunisia please indicate when it will notify its domestic support without adjustments to its external reference prices?

2.2.14 Turkey (G/AG/N/TUR/21)

AG-IMS ID 91196: Question by United States of America - Transparency issues (including Table DS:2)

The United States understands Turkey is continuing to work to bring its domestic support notifications up to date and the United States appreciates Turkey's effort. While the United States waits for more current notifications, the United States notes Turkey's most recent domestic support notification (G/AG/N/TUR/21) for 2009 does not include any product-specific or non-product specific support for fruits, vegetables, or individual fruits/vegetables. However, the United States understands that such measures may exist, such as a subsidy for certified saplings for any new fruit orchards.

- a. Please confirm if the subsidy for certified saplings for any new fruit orchards was in force in 2009. If so, how it was classified?

- b. Please confirm whether any other payments, whether product specific or non-product specific, went to supporting the following sectors for 2017, 2018, or 2019: Fruit Juices, Homogenized fruit preparations, Frozen Fruits and Vegetables (dehydrated), or any individual fruit or vegetable fresh or processed/prepared. If so, please explain how such measures are implemented.
- c. Please also indicate any other measures in 2009 or in the most recent three years that may be classified as Green Box by Turkey for any of these sectors or individual products. If so, please explain how such measures are implemented.

2.3 New or modified Domestic Support measures (DS:2)

2.3.1 China (G/AG/N/CHN/48, G/AG/N/CHN/49)

AG-IMS ID 91199: Question by European Union - Transparency issues (including Table DS:2)

Could China indicate the overall amount of expenditure it estimates that it will spend on the measures in each of the years of application for the two sectors in question.

AG-IMS ID 91197: Question by Brazil - Payments based on 85% or less of the base level of production

Brazil thanks China for the answers provided for questions AG-IMS ID 90069 and AG-IMS ID 90070 but understands that further clarification is needed for Members to assess the adequacy of Chinese policies to Article 6.5 of the AoA (blue box). Regarding corn subsidies, China claimed that "As a result, the planting area and production of corn of the four provinces was reduced, compared with the production in the base period." (AG-IMS ID 90070)

- a. Could China provide data on the corn planting area and production of the four provinces both in the base period and in the following period. Regarding cotton subsidies, China explained that "statistics will be provided later." (AG-IMS ID 90069).
- b. Could China provide data on cotton production from 2011 to 2018?
- c. Could China provide details on the cap eligibility (what is the cap and how was it established)?
- d. Could China provide an expenditure comparison, by Chinese region, between the minimum price support programs that were in place before and the "Deepening the Target Price Policy Reform of Cotton" program that is in place now?

AG-IMS ID 91106: Question by Canada - Payments based on fixed areas or yields

G/AG/N/CHN/49

Canada appreciates China's response to the question Canada posed at the 90th meeting of the Committee on Agriculture regarding China's new Blue Box payments for corn (AG-IMS ID 90086). Canada has follow-up questions on the calculation of the payment rate, as well as on the basis through which payments are delivered to each producer. Canada understands from China's response that the total amount of the subsidy is determined by the fixed area of the four eligible provinces (autonomous regions) in the base period (2014), a fixed yield, a payment rate that is revised annually and considers the production costs and farmers' reasonable income to sustain their livelihood.

- a. Could China provide additional details on the calculation of the payment rate:
 - i. how is the cost of production determined?
 - ii. How is a 'reasonable income' determined?
 - iii. what considerations are taken into account in the yearly revisions, other than variations in the cost of production?

- b. How are single payments to individual producers determined, i.e., how is a producer's share of the total subsidy determined, once the total amount of the subsidy has been established? Is a corn producer's share of the subsidy based on the share of the fixed area that it cultivated in 2014?
- c. To obtain a payment through the "Corn Producer Subsidy System", do producers have to go through an application process, if so, please describe the steps?

2.3.2 Norway (G/AG/N/NOR/103)

AG-IMS ID 91108: Question by Canada - Payments based on 85% or less of the base level of production

Canada appreciates Norway providing information on its new Article 6.5 (Blue Box) domestic support programme to small and medium size dairy farms. Based on information in G/AG/N/NOR/103, Canada understands that this program meets the criteria under Article 6.5 (a)(ii) that is, "such payments are made on 85% or less of the base level of production". However, it appears that the conditions of the programme do not directly relate to a percentage of the base level of production, but rather to the number of cows per individual dairy farm, i.e., the payment is made per milk cow, to farms that have 6 to 50 milk cows, independently of the yield per cow. The maximum amount of support is granted to farms with 23 cows. Norway explains that the programme meets the criteria, as the number of cow eligible for the payment in 2018 was of 154,438, which was 69.1% of the average base level of 223,501 cows for the 2015 – 2017 period. In addition, Canada notes that in its notification, Norway did not provide a period of application for the programme.

- a. Could Norway provide more information on the operation of the programme, including the level of annual payments per cow and the application process?
- b. How does Norway expect the number of eligible cows to remain under 189,975 over the duration of the programme, given that there is no specified duration, and that the total number of eligible cows is not itself fixed?
 - i. For example, could there be an incentive for dairy farms that have a marginal number of cows over 50 to reduce their number of cows to benefit from programme payments?
 - ii. Could this provide an incentive for new producers to enter the market and hold 23 cows for the maximum level of payments, including by purchasing the extra cows from farmers looking to reduce their herd size to benefit from the payments?

2.4 Export Subsidy notifications (Tables ES:1, ES:2 and ES:3)

2.4.1 Brazil (G/AG/N/BRA/50)

AG-IMS ID 91201: Question by European Union - Export subsidies subject to reduction commitments (Article 9.1)

Over three years after Nairobi, Brazil did not provide its updated schedule. Currently, 16 product-specific export subsidy reduction commitments still appear in Brazil's schedule.

When will Brazil comply with the commitments undertaken in this respect in Nairobi?

2.4.2 Canada (G/AG/N/CAN/125)

AG-IMS ID 91204: Question by New Zealand - Export subsidies subject to reduction commitments (Article 9.1)

New Zealand notes that Canada has, for the first time since 2011 (G/AG/N/CAN/92), subsidised its exports of butter in marketing year 1 August 2017 to 31 July 2018.

- a. Can Canada provide an explanation of the domestic policy changes that led to it utilising its scheduled commitment to subsidise butter?

- b. Does Canada expect this practice to become a trend in the time remaining before export subsidies on butter must be eliminated?
- c. Does Canada intend to notify export subsidies for butter in its ES:1 notification for marketing year 1 August 2018 to 31 July 2019?

2.4.3 Mexico (G/AG/N/MEX/39)

AG-IMS ID 91198: Question by United States of America – Transparency issues

The United States notes that Mexico implemented three temporary incentive programmes for the export of 1.0 million metric tonnes of white corn due to oversupply in key Mexican regions. The intended incentive has a budget of approximately USD \$15.4 million (see titles of notices).

Titles of the Notices: A) Notice to announce the incentive to address specific marketing problems of white corn growing in the 2017 spring-summer crop cycle, under the Commercialization Support Program. B) Notice to announce the incentives to address specific marketing problems of corn growing in the 2017 spring-summer crop cycle, for the states of Guanajuato, Jalisco and Michoacan, for livestock consumption, under the Commercialization Support Program. C) Notice to announce the incentive to address specific marketing problems of the surplus volume of white corn from the 2016/17 fall-winter crop cycle for the state of Sinaloa, under the Commercialization Support Program.

Under the Nairobi Decision developing country Members can benefit from the provisions of Article 9.4 of the Agreement on Agriculture until the end of 2023.

- a. Please explain whether Mexico considers these programmes Article 9.4 export subsidies.
- b. If so, please submit a Supporting Table ES:2 for calendar year 2017.

2.4.4 Norway (G/AG/N/NOR/106)

AG-IMS ID 91205: Question by European Union - Export subsidies subject to reduction commitments (Article 9.1)

The European Union notes that Norway's export subsidies for processed agricultural products increased by 18% between 2017 and 2018. Considering that Norway will not be allowed to use export subsidies for those products after 2020, is Norway planning any alternative measures to promote Norwegian exports of processed agricultural products post 2020?

2.4.5 Turkey (G/AG/N/TUR/22 to G/AG/N/TUR/35)

AG-IMS ID 91206: Question by Australia - Transparency issues

Australia acknowledges Turkey has submitted export subsidy commitment – ES:1 notifications for 2005 through to 2009.

While Australia appreciates the notifications, Australia would like to express its concern with Turkey's remaining overdue notifications on export subsidy commitments. With those for 2010 onwards remaining overdue.

Australia welcomes Turkey's advice on when it will submit its outstanding notifications.

Noting that Turkey is limited by the Nairobi Decision to providing export subsidies beyond 2018 only for those products for which it was providing export subsidies in its 1998-2000 reporting period, can Turkey confirm what, if any, export subsidies it has provided since the end of 2018?

AG-IMS ID 91107: Question by Canada - Transparency issues

Questions apply to G/AG/N/TUR/26 to G/AG/N/TUR/30

Canada appreciates Turkey providing more recent export subsidy notifications to this Committee. Since the last year notified refers to programmes that were in force 10 years ago, Canada is concerned with the fact that the current situation of Turkey's export subsidy measures remains hard

to assess, including their compliance with export subsidy elimination commitments contained in the 2015 Nairobi Decision on Export Competition. Canada notes that Turkey has notified export subsidies for apples (TURX021) for the years 2005, 2006 and 2009, but that apples were omitted from the 2007 and 2008 notifications.

- a. Could Turkey explain why apples were omitted from the 2007 and 2008 notifications? Were budgetary outlays and quantities for those years nil?
- b. If so, will Turkey provide revised notifications that would show that no export subsidies were provided for apples during that period (a nil)?
- c. Were apples excluded from Turkey's export subsidy programmes during those years? If so, how and why?
- d. When will Turkey provide more recent export subsidy notifications, so that other Members may be able to understand how Turkey complies with the 2015 Nairobi Decision on Export Competition?

AG-IMS ID 91207: Question by European Union - Transparency issues

Turkey has recently submitted their due notifications up to 2009. Over three years after Nairobi, Turkey still did not provide its updated schedule. Notifications 2010-2018 are also outstanding. When will Turkey comply with its obligations under the Nairobi Decision on Export Competition?

AG-IMS ID 91097: Question by Thailand - Transparency issues

Thailand would like to thank Turkey for submitting the export subsidy notifications (G/AG/N/TUR/26, G/AG/N/TUR/27, G/AG/N/TUR/28, G/AG/N/TUR/29 and G/AG/N/TUR/30). According to the 10th Ministerial Decision in 2015 (Nairobi Ministerial Decision), developing country Members shall eliminate their export subsidy entitlements by the end of 2018 or by the end of 2022 for products that it has notified export subsidies in one of its three latest export subsidy notifications examined by the Committee on Agriculture before the date of adoption of Nairobi Ministerial Decision.

In this regard, could Turkey please:

- a. Clarify whether it is still currently providing export subsidies? and if so please elaborate its plan to reduce export subsidies commitment to meet Nairobi Ministerial Decision.
- b. Provide information as to when the subsequent notifications will be provided.
- c. Elaborate on Direct Export Subsidies and provide examples of such programmes implemented by Turkey.

AG-IMS ID 91187: Question by United States of America - Transparency issues

The United States thanks Turkey for its recent transparency effort in bringing its export subsidy notifications up-to-date.

- a. Please provide an update on when additional notifications for more recent periods will be submitted.
- b. Please indicate for 2017, 2018, and 2019 what products are eligible to still receive export subsidies.
- c. In G/AG/N/TUR/25, for the year 2004, Turkey notified that it provided export subsidies for Fruit Juices, Homogenized fruit preparations, Frozen Fruits and Vegetables (dehydrated). Please provide a breakdown of the specific types of fruits or vegetables (or HS-6/HS-8 tariff lines) that received support for each of these categories along with the associated outlay. If such information is not readily available, please indicate whether any specific types of fruits or vegetables (or HS-6/HS-8 tariff lines) are known to receive a large share of the notified support level.

3 DEFERRED REPLIES TO QUESTIONS ON NOTIFICATIONS

3.1 Domestic Support commitments (Table DS:1)

3.1.1 India (G/AG/N/IND/11)

AG-IMS ID 91167: Question by United States of America - Market price support

According to press reports, the Consumer Affairs and Public Distribution Minister recently announced plans to procure an additional 400,000 MT of pulses in the coming weeks to build a reserve of approximately 1.6 million metric tonnes.

In light of this development, the United States repeats AG-IMS ID 86108:

- a. It is noted in G/AG/N/IND/11 that India notified market price support for the Tur, Moong, Urad, Gram, and Lentil pulses for all years notified with the exception of 2011/12; however, India announced a Minimum Support Price for each commodity for each of the years notified, including 2011/12.
 - i. Please confirm whether India procured any of these commodities in 2011/12.
 - ii. Please also confirm whether India would have procured the commodities that year if market prices had fallen below the administered (announced) Minimum Support Prices.
 - iii. If India did not procure these commodities in 2011/12, please explain how the programme was implemented differently in 2012/13 and 2013/14, when market price support was also notified, as compared to 2011/12 when no market price support was notified. Please include citations to any government decrees, regulations, or other communications that explain this difference.
- b. It is noted in G/AG/N/IND/11 that India aggregated gram, arhar, urad, moong, and lentils as "pulses" in Supporting Table DS:5 as a single market price support measure. However, it is also noted that India announced distinct Minimum Support Prices (applied administered prices) for each of the separate pulses and are disaggregated in India's AGST. For example, in 2012/13, India announced the following distinct Minimum Support Prices:
 - o Tur: INR 38,500/tonne;
 - o Moong: INR 44,000/tonne;
 - o Urad: INR: 43,000/tonne;
 - o Gram: INR 28,000/tonne; and
 - o Lentil: INR 28,000/tonne.

However, the Minimum Support Price /applied administered price notified is approximately INR 36,900/tonne (converted to INR using the notified exchange rate for 2012/13).

- i. Please explain the reason for aggregating these pulses despite announcing distinct applied administered prices for each.
- ii. Please provide market price support calculations for each commodity that separately receives a distinct announced applied administered price for each year covered by G/AG/N/IND/11.

4 OVERDUE NOTIFICATIONS

4.1 Ghana

AG-IMS ID 91131: Question by United States of America

As a follow up to AG-IMS ID 88084, the United States would like to reiterate the following question, for which Ghana has not provided a written answer: The United States notes that Ghana's last

notification (G/AG/N/GHA/2) concerning export subsidy commitments (Table ES:1) is for the year 2000 and has not yet responded to the export competition questionnaire.

Please provide all overdue Table ES:1 notifications and respond to the export competition questionnaire.

4.2 India

AG-IMS ID 91143: Question by United States of America

As a follow up to AG-IMS ID 88085, the United States would like to reiterate the following question, for which India has not provided a timely answer: The United States notes that India owes the Committee on Agriculture seven years of overdue notifications (Table ES:1 and Supporting Table ES:2), and responses to the export competition questionnaire ECQ from calendar year 2016 to the present. In addition, India owes the Committee on Agriculture several years of notifications (Table ES:3) after providing bilateral in-kind food aid, in particular rice and wheat, in response to emergency appeals, consistent with India's Nairobi commitments.

- a. Please provide all overdue Table ES:1 and Supporting Table ES:2 notifications, and a response to the ECQ on operational changes in export subsidy measures.
- b. Please proceed to notify Table ES:3 for relevant years. If not, please explain.

4.3 Kenya

AG-IMS ID 91144: Question by United States of America

As a follow up to AG-IMS ID 88086, the United States would like to reiterate the following question, for which Kenya has not provided a written answer:

- a. The United States notes that Kenya's last notification (G/AG/N/KEN/1) concerning export subsidy commitments (Table ES:1) is for the year 1995 and has not yet responded to the export competition questionnaire.
- b. Please provide all overdue export subsidy notifications, Table ES:1.

4.4 Morocco

AG-IMS ID 91208: Question by Australia

Australia notes Morocco has not submitted an export subsidy notification (ES:1) since the 2011 reporting period.

Can Morocco please inform Member when it plans to submit its notably overdue export subsidy notifications?

AG-IMS ID 91182: Question by United States of America

The United States notes that Morocco is overdue in notifying (Table ES:1 and Supporting Table ES:2), and responses to the export competition questionnaire ECQ from calendar year 2016 to the present.

Please provide all overdue Table ES:1 and Supporting Table ES:2 notifications, and a response to the ECQ on operational changes in export subsidy measures.

4.5 Pakistan

AG-IMS ID 91209: Question by Australia

Australia notes Pakistan has not submitted a domestic support notification (DS:1) for any year since the 2011 reporting period. Can Pakistan please inform Members when it plans to submit their notably overdue DS:1 notifications?

AG-IMS ID 91181: Question by United States of America -

As a follow-up to AG-IMS ID 88087: When Pakistan will provide all overdue export subsidy notifications to the Committee on Agriculture, Table ES:1, including Supporting Table ES:2, Table ES:2, and Table ES:3?

4.6 Tunisia**AG-IMS ID 91203: Question by Australia**

Australia thanks Tunisia for submitting its domestic support notification (DS:1) for the reporting period 2017. However, Australia notes that Tunisia has not submitted an Export Subsidy (ES:1) notification since the 2014 reporting period.

Can Tunisia please inform Members when it plans to submit its notably overdue export subsidy notifications?

4.7 Ukraine**AG-IMS ID 91202: Question by Australia**

Australia notes Ukraine has not submitted a domestic support notification (DS:1) since the 2012 reporting period.

In its response to the EU's question at 89th CoA (AG-IMS ID 89088), Ukraine acknowledged it was currently preparing DS:1 notifications for the reporting periods 2013-2015. It also indicated that these notifications were expected to be completed in early 2019 and submitted prior to the 91st CoA meeting.

Can Ukraine please inform Members when it plans to submit its notably overdue DS:1 notifications?

5 COUNTER NOTIFICATIONS**5.1 Philippines****AG-IMS ID 91210: Question by Indonesia - Trigger calculations**

Indonesia would like to thank the Philippines for its continued cooperation.

Referring back to Indonesia's question (AG-IMS ID 88126) in the 88th CoA meeting, 25-26 June 2018 and the Philippines' response contained in document G/AG/W/187, Indonesia noted that the omission of reference price for the year 1987 and 1988 was due to the fact that no commercial importation of the concerned products took place in both year 1987 and 1988.

According to the Foreign Trade Statistics of the Philippines for year 1986-1988 published by the National Statistics Office of the Republic of the Philippines, Indonesia found that the Philippines imported instant coffee exist both in 1986 (PHP 203.74/kg) and 1988 (PHP 106.13/kg). However, in its notifications to the WTO through the document G/AG/N/PHL/27 and G/AG/N/PHL/53, the Philippines determined the trigger price for instant coffee (HS 2101.11.10) only based on the import and price data in 1986 since the Philippines claimed that there was neither any commercial importation in 1987 nor in 1988 of the concerned products. We have submitted our findings to the Philippines on this issue.

As a follow up, Indonesia would like to seek further clarifications from the Philippines regarding this matter:

- a. Why did the Philippines omit the import and price data in 1988 in its calculation of the average reference price for determining trigger price?

This omission has resulted in grave disadvantage not only for Indonesia, but also other Members.

- b. With the availability of 1988 data, the trigger price of Instant Coffee and Extract Coffee, which according to Article 5.1 (b) of Agreement on Agriculture (AoA) shall be based on the average of 1986 to 1988, which is to be reduced from PHP 203.74/kg to PHP 154.85/kg.

In light of this important finding, the present Philippines' trigger price has far exceeded the correct trigger price and accordingly, to be consistent with the AoA, correction to the existing trigger price of Instant Coffee and Extract Coffee as per WTO notifications by the Philippines is required.

As one of the main exporters of this agriculture product category, Indonesia hopes that the Philippines will seriously consider Indonesia's finding on this important matter. Indonesia eagerly looks forward to a productive discussion on the correct determination of the Philippines' trigger price of Instant Coffee and Extract Coffee.

Thus, Indonesia would like to seek further clarifications from the Philippines regarding this matter.
