



POINTS RAISED BY MEMBERS UNDER THE REVIEW PROCESS

COMPILATION OF QUESTIONS FOR THE MEETING ON 15-16 MARCH 2022

The present document compiles questions received by the Secretariat by the deadline of noon of 2 March 2022 as specified in WTO/AIR/AG/55.

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1 MATTERS RELEVANT TO THE IMPLEMENTATION OF COMMITMENTS: ARTICLE 18.6

NEW SPECIFIC IMPLEMENTATION MATTERS (SIM)

1.1 Argentina's export restrictions of wheat (SIM 717)

1.1.1 Question by Japan (AG-IMS ID 100062)

- a.
 - i. Japan recognizes that Argentina introduced export restriction on wheat on 17 December 2021. However, the required notification to the Committee on Agriculture has not been made in accordance with Article 12 of the Agreement on Agriculture. Could Argentina provide the reason behind and please make the notification on this measure in near future.
 - ii. Could Argentina explain how it has given due consideration to the effects of the measure on importing Members' food security, as required in Article 12 of the Agreement on Agriculture.
- b.
 - i. According to Bolsa de Comercio de Rosario, BCR, the wheat production in 2021/2022 will record the highest amount ever. Could Argentina explain how the measure meets the conditions required in Article 11 of General Agreement on Tariffs and Trade (GATT): namely i) essentiality of the products, ii) criticalness of the shortages, and iii) temporality of the measure.

1.2 Australia's ethanol tax (SIM 718)

1.2.1 Question by United States of America (AG-IMS ID 100002)

According to the Australian Taxation Office webpage on excise duty rates, domestically produced denatured ethanol for use as fuel in an internal combustion engine is taxed at the rate of AUD 0.142 per liter.

(Source: <https://www.ato.gov.au/business/excise-on-fuel-and-petroleum-products/lodging,-paying-and-rates---excisable-fuel/excise-duty-rates-for-fuel-and-petroleum-products/>)

According to the Australian Border Force webpage, the rate charged for imported items under subheading 2207.20.10, ethanol for use as fuel in an internal combustion engine, is \$0.433 AUD per liter.

(<https://www.abf.gov.au/importing-exporting-and-manufacturing/tariff-classification/current-tariff/schedule-5> and <https://www.abf.gov.au/importing-exporting-and-manufacturing/tariff-classification/current-tariff/schedule-3/section-iv/chapter-22>)

This appears to subject imported ethanol for use as fuel in a combustion engine to a different customs duty rate than the rate applied to domestically produced denatured ethanol for use as fuel in an internal combustion engine.

Please explain why imported ethanol for use as fuel in an internal combustion engine is subject to a higher duty rate than domestically produced denatured ethanol for use as fuel in an internal combustion engine.

1.3 EU's agricultural policies funded by national resources (SIM 719)

1.3.1 Question by Brazil (AG-IMS ID 100072)

The Italian Government, through its *Ministro delle Politiche Agricole Alimentari e Forestali*, Stefano Patuanelli, has announced a series of additional measures to support its agricultural producers:

"Se com la PAC l'Italia ha a disposizione, final al 2027, oltre 50 miliardi di euro, il PNRR contempla interventi in ambito agricolo per un ammontare pari a 7,9 miliardi di euro (...)".

"A queste risorse si aggiungono ulteriori 2 miliardi di euro messi a disposizione dall'ultima Legge di Bilancio".

(Sources:

[https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/17528#:~:text=%2D%2054%20milioni%20di%20euro%20nel,qli%20agricoltori%20diretti%20under%2040%3B&text=%2D%20Proroga%20del%20Bonus%20Verde%2C%20per,e%20la%20cura%20del%20verde](https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/17528#:~:text=%2D%2054%20milioni%20di%20euro%20nel,qli%20agricoltori%20diretti%20under%2040%3B&text=%2D%20Proroga%20del%20Bonus%20Verde%2C%20per,e%20la%20cura%20del%20verde;);
https://m.facebook.com/story.php?story_fbid=5123724144352946&id=932754746783261;
https://m.facebook.com/story.php?story_fbid=5007240626001299&id=932754746783261).

Brazil would appreciate if the EU could provide a clarification, in what regards the information contained in its notification, of the relationship between agricultural policies funded by the CAP and agricultural policies funded by national resources.

In that sense, is the domestic support provided through national resources, not related to the CAP, discernible in the EU's DS:1 notification (for instance, Brazil notices that some policies are described as "national aid" or "national support" type of measures)?

1.4 Guyana's Prohibition of rice exports (SIM 720)

1.4.1 Question by European Union (AG-IMS ID 100110)

European importers of paddy rice from Guyana were informed in mid-November that exports of paddy rice from this origin are prohibited by the government, reportedly due to high domestic rice prices. This measure was not notified to the CoA as obliged by Article 12 paragraph 1(b) of the WTO AoA.

- a. Is Guyana planning to notify this measure a posteriori?
- b. Can Guyana explain the need for this restriction terms of its domestic market? When will the restriction be lifted? Does Guyana have any clear policy guidelines in place for possible future occurrences of perceived food shortages?

1.5 India's mung beans import restrictions (SIM 721)

1.5.1 Question by Australia (AG-IMS ID 100100)

Australia welcomes the Indian Government's announcement of 12 February regarding the temporary reduction in the effective tariff rate for lentil imports from 11% to zero until 30 September 2022. Notwithstanding this, Australia notes the announcement from the Gazette of India on 11 February 2022, notification (S.O. 624 E) that restricts the import of mung beans.

- a. Could India please explain why it is restricting imports of these pulses?
- b. Could India please outline what other less trade-distorting measures could be adopted to address the underlying objectives of India's decision to implement these import restrictions on pulses?

1.5.2 Question by Brazil (AG-IMS ID 100111)

Brazil would like to consult India on its decision to restrict the import of moong beans with immediate effect as of 11 February, reverting a decision from December 2021 to allow imports under the "free" category provided that the bill of lading is issued by 31 March 2022 and customs clearance is completed by 30 June 2022.

The decision is negatively affecting contracts between importers and exporters and shipments already on their way to India.

Could India provide an explanation for the trade-restrictive measure affecting the imports of moong beans, taking into account its obligation not to impose quantitative restrictions on trade?

1.6 India's Dairy Sahakar scheme (SIM 722)

1.6.1 Question by European Union (AG-IMS ID 100112)

According to Dairy Industry Newsletter on 9-11-2021, India has made available USD 671 m to dairy co-ops.

India's Cooperation Ministry have launched 'Dairy Sahakar', a Rs 5,000 crore (USD 671 m) scheme to provide loans to the dairy sector through the National Cooperative Development Corporation (NCDC).

- a. Who are the beneficiaries?
- b. Could India explain more in detail how this scheme works, eligibility criteria for beneficiaries and the level of interest rates on the loans granted that the beneficiaries has to pay. How is this rate compared to current market rates from bank loans?
- c. What is the redemption period of the loans?

1.7 India's increased budget for subsidy support farmers use of fertiliser (SIM 723)

1.7.1 Question by European Union (AG-IMS ID 100113)

On 12 October, the Indian Union Cabinet approved an additional subsidy of INR 286 billion (USD 3.8 billion) for the kharif season (1 October 2021 - 31 March 2022) to assist farmers in the face of rising prices of di-ammonium phosphate (DAP) and nitrogen, phosphorus and potassium (NPK) fertilizers.

- a. Can India indicate how much the original budget for fertiliser subsidy, to which this additional INR 286 billion is added.

1.8 Indonesia's palm oil export restrictions (SIM 724)

1.8.1 Question by Japan (AG-IMS ID 100118)

- a.
 - i. Palm oil is very important material for Japanese firm activities and consumers, therefore Japan concerns about a possible negative impact that Indonesia's export restriction on palm oil would cause. Due to suspension of scheduled shipping permission for Japan in the end of January caused production rescheduling and inventory adjustment.
 - ii. Japan recognizes that Indonesia introduced export restriction on palm oil on 24 January 2022, but finds that the required notification to the Committee on Agriculture has not been made in accordance with Article 12 of the Agreement on Agriculture. Could Indonesia provide the reason behind the lack of notification? Please indicate by when this information will be notified.
 - iii. Palm oil is one of the major oils used by Japanese food industry, and we have received voices of concerns from the industry, some of which have already been affected by the delay in shipment due to the measure. According to a media report, 20% of Domestic Market Obligation (DMO) in Indonesia will possibly remain even after the international price is stabilized. Could Indonesia provide further details of the current measure, including how it is concretely operated, and when it intends to cease the measure?
 - iv. Could Indonesia explain how it has given due consideration to the effects of the measure on importing Members' food security, as required in Article 12 of the Agreement on Agriculture.

- b.
- i. Could Indonesia explain how the measure meets the conditions required in Article 11 of General Agreement on Tariffs and Trade (GATT): namely i) essentiality of the products, ii) criticalness of the shortages, and iii) temporality of the measure.

1.9 Kazakhstan's quantitative export restrictions on agricultural products (SIM 725)

1.9.1 Question by United States of America (AG-IMS ID 100010)

In a press release by Prime Minister's Office (<https://primeminister.kz/en/news/kr-ukimeti-ulttyk-bankpen-birlesip-inflyaciyany-bakylau-zhonindegi-sharalar-keshenin-azirledi-1804613>), the Republic of Kazakhstan announced in January 2022 (<https://primeminister.kz/en/news/kr-ukimeti-ulttyk-bankpen-birlesip-inflyaciyany-bakylau-zhonindegi-sharalar-keshenin-azirledi-1804613>) that its Ministry of Agriculture is taking a number of operation and systematic measures, including several quantitative export restrictions on agricultural products. These include:

- quantitative restrictions on the export of sunflower seeds and sunflower oil for a period up to 1 July 2022;
 - a ban on the export of potatoes and carrots for a period of three months;
 - a ban on the export of live cattle and small cattle for a period of six months;
 - a ban on the export of grain forage is being introduced.
- a. Noting that Article XI of the General Agreement on Tariffs and Trade (GATT) 1994 requires such export restrictions to be temporary in nature, please provide the length of time the ban on export of grain forage will be implemented.
- b. Please provide the harmonized tariff codes for all agricultural products subject to the announced export prohibitions.
- c. Noting that Kazakhstan has not notified these export restrictions, when can Members expect Kazakhstan to notify these measures to the Committee on Agriculture as required by paragraph 1(b) of Article 12 of the WTO Agreement on Agriculture?

1.10 Malaysia's rice import system (SIM 726)

1.10.1 Question by United States of America (AG-IMS ID 100011)

The United States notes that Malaysia recently extended BERNAS's monopoly on rice imports until 2031, despite press reports indicating that it was considering alternative options that would enable a more open rice market without compromising the nation's food security. BERNAS states that its mission is to protect the domestic rice industry, and it is understood that BERNAS charges an estimated 35% mark-up on all imports of rice. This limits the ability to import rice into Malaysia and the competitiveness of imported rice.

- a. Please explain what other import systems were considered, and why the Government of Malaysia ultimately decided to maintain the current import system until 2023.

1.11 Oman's Vision 2020 plan (SIM 727)

1.11.1 Question by United States of America (AG-IMS ID 100013)

The United States understands that the Government of Oman, as part of its Oman Vision 2020, aims to increase exports of agricultural products and that the Ministry of Agriculture and Fisheries (MoAF) formulates policies, sponsors research, and provides technical assistance to farmers.

- a. Please confirm if participants or beneficiaries of any of the agriculture measures that are part of Oman Vision 2020 through MoAF are required to be involved in export activities in order to participate or benefit.

1.12 Philippines' SSG application on instant coffee (SIM 728)

1.12.1 Question by Indonesia (AG-IMS ID 100120)

Indonesia notes that the application of SSG for Indonesia's instant coffee has been implemented for nearly four years, since 2018 to 2022 and there is no indication to revoke.

Regarding this,

- a. Could the Philippines please explain the objective of this measure and the urgency behind its application that it has been applied continuously in the last four years?
- b. Could Philippines please provide any information and data, including how significant is the impact of the change regarding the prices, volumes and economic conditions for instant coffee in Philippines for four years so that the SSG instrument continuously been applied?

Referring to Article 5.7 of the AoA regarding the aspects of transparency and the review of the implementation of the SSG:

- c. Has there been any efforts or policy taken to improve Philippines domestic economic condition of inequality and price competitiveness of these products outside the use of SSG instantly?
- d. Please provide the justifications of the extension of the implementation of SSG; also could Philippines please inform the policy-making review mechanism in the Philippines that SSG has continuously been implemented?

1.13 Turkey's export restrictions on agricultural products (SIM 729)

1.13.1 Question by Japan (AG-IMS ID 100126)

- a.
 - i. Japan recognizes that Turkey introduced export restriction on agricultural products, such as tomato and chicken, published on 27 January 2022 (<https://resmigazete.gov.tr/eskiler/2022/01/20220127-7.htm>), but finds that the required notification to the Committee on Agriculture has not been made in accordance with Article 12 of the Agreement on Agriculture. Could Turkey provide the reason behind and please make the notification on this measure in near future.
 - ii. Could Turkey explain how it has given due consideration to the effects of the measure on importing Members' food security, as required in Article 12 of the Agreement on Agriculture.
- b.
 - i. Could Turkey explain how the measure meets the conditions required in Article 11 of General Agreement on Tariffs and Trade (GATT): namely i) essentiality of the products, ii) criticalness of the shortages, and iii) temporality of the measure.

1.14 Turkey's freight support (SIM 730)

1.14.1 Question by United States of America (AG-IMS ID 100014)

The United States understands that the Turkish Ministry of Industry and Trade reimburses freight costs for certain agricultural products exported from Turkey beginning in 2016, as reported by various exporter associations and trade consulting firms, such as here: (<https://igeme.com.tr/ihracat-tasimalarina-navlun-destegi/>). The Turkish Ministry of Industry and Trade's KUSGEM agency describes the purpose of the measure is to "increase both the export level of enterprises and the export level to the specified countries by support in the freight expenses in

the exports..." (translated from: <https://www.kosgeb.gov.tr/site/tr/ulusaldestekler/destekkategori/13/pazara-giris>).

- a. Please provide a copy of or link to the legal measures authorizing these subsidies, specifically a 2016 decision entitled "*İhraç Taşımlarına Navlun Desteği Sağlanması Hakkında Karar*" (Decision on Freight Support for Exports) and subsequent implementing measures.
- b. What products are eligible to receive freight support?
- c. What are the eligible destinations?
- d. How is the freight support determined? How much may an exporter receive per shipment?
- e. Please confirm the years and periods within each year that Turkey has authorized such freight support since 2016, including for 2022 and beyond, if applicable.
- f. Please provide quantities of goods receiving support by tariff code (at least the 4-digit level) and the total amount of subsidy and amount of subsidy per tariff code. In addition, please identify the quantities and total amount of subsidy for goods exported to the United States, including for dry milled corn products (HS 1104.23).
- g. Noting the apparent contingency on export performance and understanding these measures were introduced following the 2015 Nairobi Decision on Export Competition and may still be authorized to provide support, please explain how these measures comply with Turkey's export subsidy scheduled commitments and its commitments under the Nairobi Decision on Export Competition?

1.15 UK's forest risk commodities provisions (SIM 731)

1.15.1 Question by Indonesia (AG-IMS ID 100127)

Indonesia has known the UK due diligence on forest risk commodities provisions.

- a. Could the UK please explain scientifically the possible negative impact of this policy to the loss of livelihoods for small farmers in developing countries and LDC's?
- b. It is certain that several agricultural commodities will be impacted in the future such as cocoa beans, rubber, coffee and plantation commodities that Indonesia produces, including palm oil. Could the UK please explain the impact of implementing this policy in the long term, such as the effect to the market access of agricultural products related to Article 4.2 of the AoA?

Could the UK please explain the contradictions in implementing these policies by achieving the Sustainable Development Goals (SDGs) and the spirit of reforming the AoA imbalances, especially in the Agricultural Market Access pillar?

1.16 U.S. Market Facilitation Programme (MFP) (SIM 732)

1.16.1 Question by Australia (AG-IMS ID 100129)

Australia thanks the US for its previous answer to Australia's question (AG-IMS ID 99085) on the Market Facilitation Program (MFP) notified in its DS:1 notification G/AG/N/USA/150. In its answer, the US said that 'producers received payments based on total acreage of eligible commodities at a single, per acre rate'.

- a. Could the US please clarify how it has calculated these payments, including how it has derived the single county-level payment rate?

1.17 U.S. Partnership to Ease Port Congestion and Restore Disrupted Shipping Services to U.S. Grown Agricultural Commodities (SIM 733)

1.17.1 Question by Brazil (AG-IMS ID 100132)

Last January, the USDA released the "Partnership to Ease Port Congestion and Restore Disrupted Shipping Services to U.S. Grown Agricultural Commodities". Among other incentives, it was announced that "USDA will also help cover additional movement logistics costs at USD 125 per container."

(Source: <https://www.usda.gov/media/press-releases/2022/01/31/usda-announces-partnership-ease-port-congestion-and-restore>)

Could the US provide further information about the payment of USD 125 per container, including which party is going to receive such aid?

1.18 U.S. USD 800 million subsidies for biofuels from agricultural products (SIM 734)

1.18.1 Question by European Union (AG-IMS ID 100133)

USDA on 8 December announced that "USDA to Make Up to \$800 Million Available to Provide Economic Relief to Biofuel Producers and Restore Renewable Fuel Markets Hit by the Pandemic".

The announcement includes the following explanation *"to increase significantly the sales and use of higher blends of bioethanol and biodiesel by expanding the infrastructure for renewable fuels derived from U.S. agricultural products"*. This indicates that the program is established to support the agricultural raw material, can the US therefore explain how it intends to notify this support in DS:1?

SPECIFIC IMPLEMENTATION MATTERS (SIM) RAISED PREVIOUSLY

1.19 Angola's import policies (SIM 660)

1.19.1 Question by European Union (AG-IMS ID 100058)

On 14 January 2019, Angola published Presidential Decree 23/19, i.e., "The Regulation of the Commercial Chain of Supply of Goods of Basic Basket and Other Priority Goods of National Origin", which provides new import rules on 54 products, mainly agricultural goods. This Presidential Decree seeks to support domestic production and economic development by restricting importers' access to imports, including through an import licensing system that appears to prioritize the use of domestic production, similar to an import substitution policy. Given the potential impacts on EU's exports to Angola of agricultural products covered by Presidential Decree 23/19, the EU would appreciate if Angola could provide clarifications on the following points:

- Could Angola provide additional information on the agricultural products covered by the scope of Presidential Decree 23/19, including the specific HS codes for each commodity, as well as a list of specific goods produced in the Special Luanda-Bengo Economic Zone that are subject to the Decree?
- Could Angola explain how the restrictions are implemented, and notably if licenses are used to manage these restrictions?
- Could Angola elaborate on the process importers and wholesalers have to follow to be eligible for an import licence, including on the specific steps required?
- Could Angola provide additional clarifications on the quantitative restrictions laid down by Article 11 of the Decree, especially on how the assessment of the existence of internal capacity for import substitution is conducted?
- Angola previously indicated that cancellation of the Decree will depend on the achievement of its objectives.
- Could Angola elaborate on the methodology and process for the assessment of the achievement of those objectives?

1.20 Argentina's export restrictions on beef (SIM 710)

1.20.1 Question by European Union (AG-IMS ID 100001)

According to information in World Beef report issue no 1454 (7 December 2021) the Argentinian Government intends to maintain export restrictions for beef during 2022. According to Article 12 of the Agreement on Agriculture Members shall give notice in writing to CoA on such measures.

- a. Can Argentina explain how the export restrictions for beef will be applied for the different beef products and countries as applicable in calendar year 2022?
- b. Does Argentina intend to send ER:1 notification for the 2022 export restrictions on beef export?

According to the same article measures would also be announced for wheat and maize.

- c. Can Argentina explain the same questions for these measures as well?

1.20.2 Question by Japan (AG-IMS ID 100063)

Japan recognizes that Argentina has introduced another export ban and restriction on some parts of beef from the 3rd of January 2022, announced in Decreto 911/2021. (<https://www.boletinoficial.gob.ar/detalleAviso/primera/255612/20220103>) Could Argentina answer the following questions?

- i. Although Japan appreciates the information provided by Argentina on its domestic legislation in its reply to AG-IMS ID 98117 and AG-IMS ID 99096, Japan regrets that the required notification to the Committee on Agriculture has not been made in accordance with Article 12 of the Agreement on Agriculture. We would appreciate if Argentina could inform us when the ER notification would be submitted complying with the Article 12 of AoA. Japan considers it important that the ER notification shall be submitted "as far in advance as practicable", for the predictability and transparency of the measure.
- ii. We understand the current measures include export ban on many products while the previous measures were export quotas 'equivalent to 50% of the monthly average of the total tonnage of meat products exported in the period July December 2020'. Could Argentina illustrate the details of the current measures imposed from January 2022, as well as provide the background including domestic supply-demand situation that lead to the modification of the measures?
- iii. We understand the current measure has been announced to be implemented until 31st December 2023. Could Argentina explain how the measure meets the condition of Article 11 of General Agreement on Tariffs and Trade (GATT) that the measure shall be "temporarily applied to prevent or relieve critical shortages"?

1.21 Canada's review of the TRQ system (SIM 536)

1.21.1 Question by Australia (AG-IMS ID 100059)

Australia thanks Canada for updating the membership with its Comprehensive Review of the Allocation and Administration of Tariff Rate Quotas for Dairy, Poultry and Egg Products (Phase II). Australia notes from its response to previous questions that Canada has paused the review as a result of Canada's federal election.

- a. As it has been almost a year since public consultations have closed and some months since its federal election, could Canada please provide a further update to the membership on when it expects to finalise and announce the conclusions of its review?

1.21.2 Question by European Union (AG-IMS ID 100039)

From January to March 2021, Canada has held consultations about its management of tariff-rate quotas. The European Union would like to ask what conclusions were drawn from these consultations, whether Canada intends to review its quota management system, and what timeline is envisaged.

1.21.3 Question by United Kingdom (AG-IMS ID 100065)

The United Kingdom thanks Canada for its response to Ag-IMS questions AG-IMS IDs 99099 and 99110. We note that the results of Canada's Comprehensive Review of the Allocation and Administration of supply managed TRQs have not yet been announced. Could Canada please provide an update as to when these results are expected to be released?

1.22 Canada's compensation to dairy farmers after trade concessions (SIM 512)

1.22.1 Question by European Union (AG-IMS ID 100040)

In August 2019, Canada has announced a Dairy Direct Programme, and later on it published a call for applications, covering CAD 937 million, CAD 469 million for the years 2021-2022 and CAD 468 million for 2022-2023.

The European Union would like to ask about the rate of uptake of this programme, and when the programme will be notified in Canada's notifications.

1.23 Canada's Special Milk Class Scheme (SIM 26)

1.23.1 Question by New Zealand (AG-IMS ID 100064)

New Zealand has previously raised questions around Canada's milk classes 7 and 4. In particular milk Class 4 continues to have a significant trade impact due to the resulting increase in production and export of Canadian value-added protein products onto the world market.

To follow-up from question AG-IMS ID 99098, New Zealand would welcome further information on how the cost of milk production for fat and protein is calculated in the Canadian Dairy Commission annual cost of milk production survey, and the why there is a difference to the milk class 4(a) protein price paid by processors for product which is then exported onto the global market. How does Canada view the linkages, if any, between the implementation of Classes 6 and 7 and now class 4(a) and the recent increase in exports of Canadian skim milk powder, skim milk powder blends, and high value milk protein products (such as MPC 70, MPC85, MPI, WPC, WPI and casein)?

1.24 Canada's Dairy Policies (SIM 18)

1.24.1 Question by New Zealand (AG-IMS ID 100107)

New Zealand notes the announcement that the third payment under Canada's Dairy Direct Payment Program (DDPP) is now available to producers. <https://www.dairyreporter.com/Article/2021/12/23/Third-round-of-compensation-available-for-Canadian-dairy-farmers>.

The owner of a farm with 80 dairy cows will be awarded compensation in the form of a direct payment of approximately CAD 38,000 each year. Based on their milk quota, dairy farmers will receive compensation payments totalling up to CAD 469 million for this fiscal year, with another CAD 468 million will be available in 2022-2023.

Canada has committed to provide CAD 1.75 billion to dairy producers for market access concessions made under the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). All payments are set to be made by 2023. New Zealand appreciates these will be notified appropriately. New Zealand considers the compensation being offered to dairy farmers disproportionate to any demonstrated negative impact of preferential trade agreements.

How does Canada reconcile the anticipated negative impact of trade agreements with the severe underfill of tariff rate quotas on supply managed products currently occurring under the WTO and FTA quotas?

1.25 EU's deforestation and forest degradation strategy (SIM 558)

1.25.1 Question by Argentina, Brazil and Paraguay (AG-IMS ID 100071)

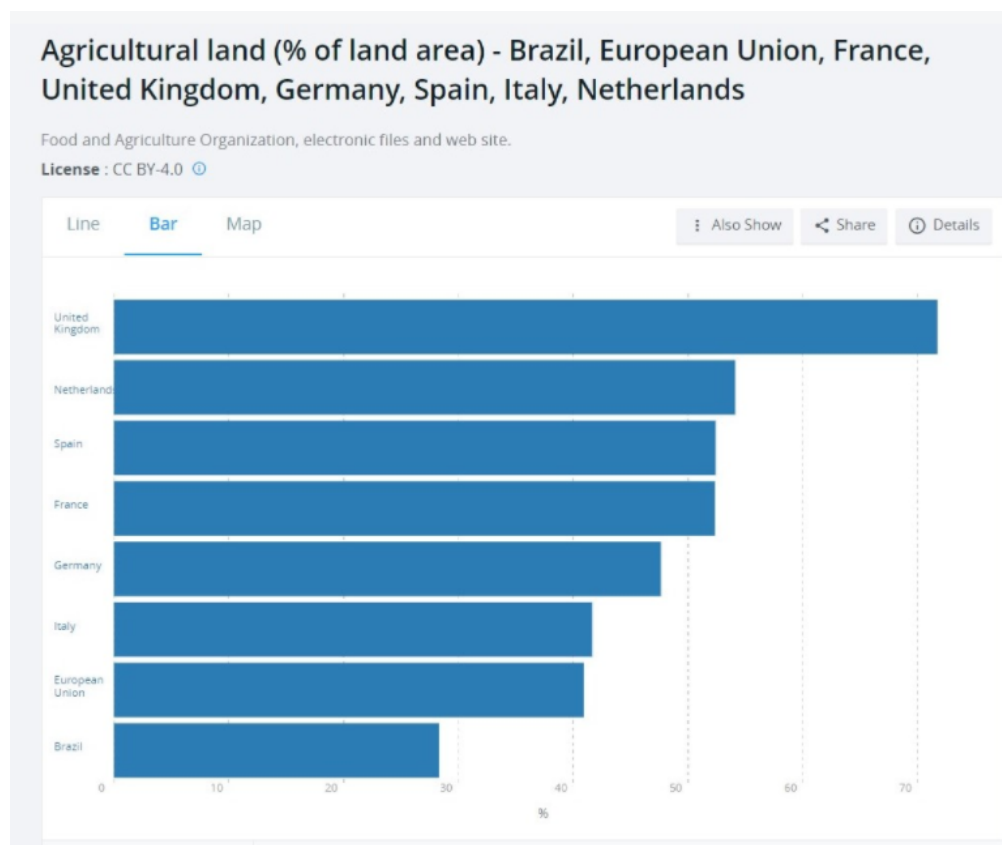
Brazil would like to consult the European Union on its proposed regulation on 'deforestation-free products' ("Proposal for a Regulation of the European Parliament and of the Council on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010").

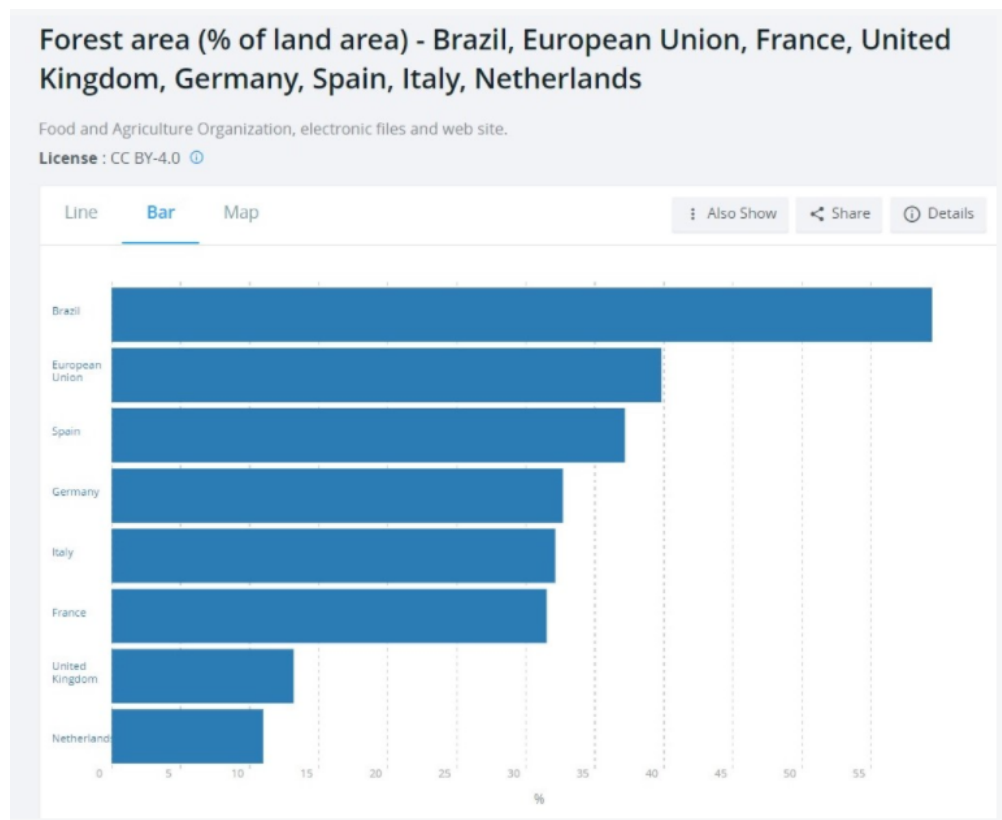
Brazil understands that such regulation will ban imports into the EU of some agricultural products, according to criteria allegedly associated with deforestation and forest degradation.

It is worth highlighting the background of the proposed regulation:

In 2019, approximately 34% (20 GtCO₂-eq) of global GHG emissions came from the energy sector, 24% (14 GtCO₂-eq) from industry, 22% (13 GtCO₂-eq) from agriculture, forestry and other land use (AFOLU), 15% (8.7 GtCO₂-eq) from transport and 6% (3.3 GtCO₂-eq) from buildings (IPPC).

Additionally, in comparison with developing country Members, such as Brazil, the EU in average and its largest economies in particular have not only higher percentages of agricultural land as a percentage of land area, but also lower percentages of forest area as a percentage of land area (World Bank), owing to deforestation-led processes of development.





Finally, it has been observed in Europe "(...) an increase in the harvested forest area (49%) and an increase in biomass loss (69%) over Europe for the period of 2016–2018 relative to 2011–2015, with large losses occurring on the Iberian Peninsula and in the Nordic and Baltic countries. Satellite imagery further reveals that the average patch size of harvested area increased by 34% across Europe, with potential effects on biodiversity, soil erosion and water regulation" (<https://www.nature.com/articles/s41586-020-2438-y>).

In the light of the above, Brazil poses the following questions:

Taking into account the data mentioned above related to agricultural land and forest area, could the EU explain the rationale of adopting import bans to curb deforestation and forest degradation instead of less trade-restrictive measures?

Taking into account the data mentioned above related to the increase in harvested forest area in the EU, how does the EU plan to enforce an equivalent ban to domestically-traded products?

Could the EU elaborate on how it intends to carry out its border control of imports that will be subject to the new legislation? Will the EU require the submission of an application or other documentation as a prior condition for importation?

Considering the overarching goals included in the European Green Deal, why has the EU chosen to apply import bans focused on agricultural goods and land use policies (therefore, to discriminate against developing countries which rely on the agricultural sector to foster its development), vis-à-vis industrial goods and the use of "dirty" sources of energy in production processes?

How does the EU justify such measures in the light of Article 4 of the AoA?

1.25.2 Question by Indonesia (AG-IMS ID 100103)

Indonesia and all Members have known and observed carefully the EU Green Deal and all related implementing policies especially Forest Policy Deforestation.

- a. Could the EU please explain scientifically the possible negative impact of this policy to the loss of livelihoods for small farmers in developing countries and LDC's?
- b. It is certain that several agricultural commodities will be impacted in the future such as cocoa beans, rubber, coffee and plantation commodities that Indonesia produces, including palm oil. Could the EU please explain the impact of implementing this policy in the long term, such as the effect to the market access of agricultural products related to Article 4.2 of the AoA?

Could the EU please explain the contradictions in implementing these policies by achieving the Sustainable Development Goals (SDGs) and the spirit of reforming the AoA imbalances, especially in the Agricultural Market Access pillar?

1.25.3 Question by Thailand (AG-IMS ID 100130)

EU has recently announced the Proposal for a Regulation of the European Parliament and of the Council on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010.

- a. Could the EU provide the clear guidance and requirements for imported products that are covered by this proposal?
- b. Could the EU specify the product coverage of this proposal?
- c. Does the EU have plan to expand the list of products in the future?

1.26 EU's environmental policies (SIM 560)

1.26.1 Question by Brazil (AG-IMS ID 100070)

According to publicly available information, "EU countries will implement the new CAP with a CAP strategic plan at national level. Each plan will combine a wide range of targeted interventions addressing the specific needs of that EU country and deliver tangible results in relation to EU-level objectives, while contributing to the ambitions of the European Green Deal."

- a. Considering the relationship between the Strategic Plans and the EGD, therefore, with the Farm to Fork and biodiversity strategies, what is the criteria for the EU to evaluate the Strategic Plans in what they relate to climate and environmental targets/policies in the agricultural sector and the Eco-Schemes?
- b. Are the criteria of Annex 2 paragraphs (1) and (12) of any significance in their assessment or is the compliance with Eco-Schemes an additional eligibility requirement for direct payments under Annex 2 paragraphs (1) (5) (6)?
- c. Furthermore, if available, could the EU provide information on expected changes - if any - on its green box programmes and outlays?

1.26.2 Question by India (AG-IMS ID 100041)

In response to the question asked in AG-IMS ID 99015, European Union responded that the basic legal acts in a political agreement on CAP-Reform post 2022 have not yet been adopted. As per a news item dated 7 December 2021 on the official website of the EU, it is found that the new CAP regulations have entered into force (https://ec.europa.eu/info/news/new-cap-regulations-enter-force-2021-dec-07_en). When would the DS:2 notification in this regard be made?

India notes that the EU's latest submitted DS:1 notification is for the marketing year 2018-19 (G/AG/N/EU/69). By when can the European Union notify the pending notifications?

1.27 EU's Product Environment Footprint (PEF) (SIM 388)

1.27.1 Question by New Zealand (AG-IMS ID 100073)

New Zealand understands that the Product Environment Footprint (PEF) aims to provide a comprehensive way of measuring the environmental performance of products among European Union (EU) member States and encouraging more sustainable consumption. This includes products imported by third countries into the EU.

Under the PEF, the proposed PEF Category Rules (PEFCRs) cover a range of products, including a number of agricultural products of export interest to New Zealand.

New Zealand would like to request an update on the PEF process and timelines for PEF method implementation, including for the PEFCRs.

New Zealand is supportive of efforts to increase sustainable production and consumption and many of our exported products have very high sustainability credentials compared to similar products in other countries. We therefore seek to ensure that existing sustainability efforts are appropriately recognised, taking into account differences in geography and production systems.

What steps are the EU taking to engage with trade partners to ensure that PEF does not discriminate against its trading partners?

1.28 India's rice exports (SIM 333)

1.28.1 Question by Canada (AG-IMS ID 100086)

According to a press release from the Ministry of Commerce & Industry from 16 December 2021, India's exports of Basmati and non-Basmati rice in the 2020 – 2021 period rose by 87% to 17.72 million tonnes from 9.45 million tonnes in 2019 -2020. India's top five export markets for Basmati rice were Saudi Arabia, Iran, Iraq, Yemen, United Arab Emirates accounting for 64% exports and the top five export markets for non-Basmati rice were Nepal, Benin, Senegal, Bangladesh and Togo accounting for 40% of exports.

Indian rice exporters project that India's rice exports could amount to more than the combined total exports of Thailand, Vietnam and Pakistan, the three next largest rice exporters.

- a. Could India clarify if any of these rice exports were from public stocks and if so, what volumes?
- b. As a significant exporter of rice and to support transparency of information on the trade of agricultural products when does India plan to provide this Committee with data on its rice exports through Table ES:2?

1.29 India's pulses policies (SIM 442)

1.29.1 Question by Canada, European Union and the United States of America (AG-IMS ID 100008)

Quantitative restrictions on the importation of various pulses into India have been a longstanding agenda item in the Committee on Agriculture (see for example AG-IMS ID 98084). The United States was pleased to see that most of these restrictions had been lifted as of the last meeting of the Committee on Agriculture with the exception of yellow peas, as noted in response to AG-IMS ID 99101. It was reported in the media on 14 February 2022 that India would be reinstating restrictions on the import of moong beans.

- a. Please confirm the nature and length of the restriction on the import of moong beans.
- b. Please confirm that this will be a temporary measure that will not be extended beyond the date identified in response to part a.

- c. Please identify any other quantitative restrictions on the import of any pulses, including yellow peas, moong, tur (pigeon peas), or urad, that are currently in place. Please indicate the nature and length of the restriction on imports for each type of pulse.

1.29.2 Question by Canada (AG-IMS ID 100087)

The restrictive measures on the import of yellow peas continue through an annual import quota of 150,000 MT, a minimum import price of 200 INR/kg and imports are only allowed through the port of Kolkata.

- a. Could India elaborate on its reasons for restricting the import of a high-quality plant protein and source of micro-nutrients thereby limiting its availability to Indian consumers?

1.29.3 Question by Russian Federation (AG-IMS ID 100135)

The Russian Federation continues expressing its concerns regarding India's policy with respect to import of yellow peas. As for 1 March 2022 the Directorate General of Foreign Trade (DGFT) under the Ministry of Commerce and Industry (MOCI) of India has not issued a notification on the import policy on yellow peas for the fiscal year 2021/2022. The delay in publication is almost of one year.

- a. Regarding AG-IMS IDs 99101 and 98096, India did not provide answers to the questions posed by the Russian Federation. Could India provide answers to those questions? For more convenience, the questions were the following (a-c):
 - i. When is India going to eliminate its quantitative restriction on pulses? Is India planning to make regular use of such measures?
 - ii. For 31 August 2021 India has still not announced measures for 2021-22 with respect to import of yellow peas. Does it mean that import of yellow peas in the fiscal year 2021-22 is de facto prohibited? When is India going to publish an official notification on its import regime bearing in mind Article X:1 of the GATT 1994, which states that all laws, regulations, judicial decisions and administrative rulings pertaining to restrictions or prohibitions on import shall be published promptly in such a manner as to enable governments and traders to become acquainted with them?
 - iii. Bearing in mind the fact that in response to AG-IMS ID 98096, India stated that minimal import price requirement and port of entry restriction continues to remain applicable in the fiscal year 2021-22 the Russian Federation wonders about the reasons why these additional trade-restrictive measures are still in place. When is India going to eliminate minimum import price requirement and port of entry restriction?
- b. Please, provide the reasons why the notification about import policy for yellow peas for the fiscal year 2021/2022 was not published?
- c. How the absence of such notification complies with Article X:1 of the GATT 1994, which states that all laws, regulations and administrative rulings pertaining to restrictions or prohibitions on import shall be published promptly in such a manner as to enable governments and traders to become acquainted with them?
- d. When is India going to publish the notification on import policy for yellow peas for the fiscal year 2022/2023? What will be the allowed volumes, if any?
- e. In January 2020, India introduced a minimum import price requirement on the import of pulses. Could India provide a rational reason for the introduction of this measure. What are the consequences of introduction of this measure on domestic and international market of pulses? Could India please provide the data on domestic market prices on pulses in 2020-2021?
- f. Moreover, the number of ports of entry for the imported yellow peas was limited to only one seaport – Kolkata. We urge India once again to provide a detailed information on the

reasons for the introduction of this measure. Could India please elaborate how the measure complies with the provisions of Article XI:1 of the GATT 1994?

- g. In its answers to the questions in AG-IMS ID 99101, India stated that the import of yellow peas (07131010) during 2020-21 (April – February) was 33,831.58 metric tonnes. Bearing in mind that the allowed volume for import of yellow peas was zero tonne, could you please elaborate how were these 33,831.58 metric tonnes of yellow peas imported? From which countries and under what conditions was this volume of yellow peas imported?
- h. Please, provide answers to the question AG-IMS ID 96056 considering the causal link between the protection of public morals, human, plant or animal life or health and import restrictions and import prohibition on yellow peas.
- i. We note India's statements that these measures have been applied temporarily since 2018. When will these temporary measures stop existing?

1.30 India's export subsidies for skim milk powder (SIM 651)

1.30.1 Question by European Union (AG-IMS ID 100115)

In its questions to India AG-IMS IDs 96053 and 98091 the EU did not receive a satisfactory reply to the queries. The EU would like to request India to complete its replies with the following information:

- a. Can India confirm that Amul is being paid a subsidy of USD 680 per tonne of SMP that is exported?
- b. How was the level of subsidy calculated? Which elements or criteria were used?

According to the press report this export subsidy is granted due to an internal support measure for the dairy sector in India. The subsidy would thus not appear to fall within the exceptions for developing countries in Article 9:4 of the Agreement on Agriculture. How is this export subsidy justified in relation to India's commitments under the Agreement on Agriculture?

Point 1 of the Nairobi Ministerial decision (WT/MIN(15), WT/L/980) reads: "Members reaffirm their commitment, pursuant to the 2013 Bali Ministerial Declaration on Export Competition, to exercise utmost restraint with regard to any recourse to all forms of export subsidies and all export measures with equivalent effect." How does this export subsidy respect this provision?

- c. In its previous reply to questions AG-IMS IDs 96053 and 98091 India stated that the measure was introduced in 2020 for a temporary time frame of six months. Can India confirm that the measure is no longer in force?
- d. In addition, the EU notes that the latest export competition notification dates from 2013. When will India submit its lacking notifications on export competition?

1.31 India's Scheme for Remission of Duties and Taxes on Exported Products (SIM 628)

1.31.1 Question by United States of America (AG-IMS ID 100003)

In response to AG-IMS IDs 97020 and 95033, India was unable to provide responses at those times.

The United States now notes that the Government of India in 2021 announced the rates for tax refunds under the Scheme for Remission of Duties and Taxes on Exported Products (RoDTEP) for 8,555 products including agricultural and food products, such as chocolates, cotton, rice, rum, sugar, wheat, dairy products, etc.

- a. Please provide a description of RoDTEP, a copy of its guidelines, and an update on the operational status.
- b. Please provide a comprehensive list of agricultural and food products by HS code at the national tariff line level eligible under this measure.

- c. Please provide an explanation of this measure, including what specific duties and taxes are eligible for refund for agricultural products, using as examples cotton, rice, and sugar.
- d. Please provide the total level of support, including both quantity and budgetary expenditures, for agricultural products covered by RoDTEP. If unable to provide this information, please explain why.

1.32 India's support to sugar and biofuels (SIM 674)

1.32.1 Question by United States of America (AG-IMS ID 100009)

In March 2021, the United States in AG-IMS ID 97011 inquired about measures announced in December 2020 regarding India's sugar and biofuel policies, to which India responded that the details sought were not available at that time. The United States repeats the question below for the requested information:

In December 2020, India's Cabinet Committee on Economic Affairs (CCEA) announced that it has run a surplus of sugar production for more than a decade and has been providing financial assistance to export the surplus stocks. The press release goes on to state that this financial assistance will be discontinued in 2023 and an interest subvention grant of INR 45.7 billion (USD 626 million) was approved to help divest excess sugar production for ethanol. It is worth noting that the Indian sugar sector benefits from a price support scheme that has incentivized overproduction, and India imposes an import tariff on ethanol as high as 150%.

The United States recognizes the importance of biofuels in addressing climate and environmental concerns, but also emphasizes the importance of addressing these issues in the least-distorting manner possible.

- a. Please indicate when the interest subvention grant will be implemented.
- b. Please provide additional details on how the grant will be implemented.

1.33 India's oilseeds policies (SIM 673)

1.33.1 Question by Paraguay and the United States of America (AG-IMS ID 100004)

The United States refers to AG-IMS ID 97009, submitted in March 2021 on India's oilseed policies, to which India responded that the scheme was yet to be implemented and the details sought were "not available at this stage". The United States understands that the Union Cabinet of India approved a new National Mission Edible Oils- Oil Palm on 18 August 2021 with a budget of INR 110.4 billion.

The government's press release (<https://www.pib.gov.in/PressReleasePage.aspx?PRID=1746942>) states "Due to heavy dependence on imports for edible oils, it is important to make efforts for increasing domestic production of edible oils..." It is understood that India will provide a price assurance to oil palm farmers and will substantially increase the assistance of inputs/interventions.

- a. Please provide additional details with regards to the recently announced price assurance scheme for oil palm farmers, including how this measure is implemented and eligibility requirements for farmers to receive said price assurance, along with any limitations either at the farmer, state, or national level.
- b. Please provide additional details with regards to increases in assistance of inputs/interventions for oil palm.
- c. Please provide a link to the operational guidelines and any laws or implementing measures for the price assurance scheme, the input/interventions scheme, and any other measures introduced in 2021 or 2022 aimed at the edible oils sector.

1.34 India's public stockpiling (SIM 525)

1.34.1 Question by Australia, Brazil, Canada, Japan, Paraguay, Thailand, United States of America and Uruguay (AG-IMS ID 100005)

In response to AG-IMS ID 99103, itself a follow up to AG-IMS ID 98103, the United States continues to seek clarification from India.

The United States and other WTO Members had requested India's annual quantitative levels of current, historical, and pre-determined levels of wheat and rice stocks since 2010, to which India replied that such information was already duly noted in its domestic support notifications.

In that same question, the United States and other WTO Members also inquired if India publishes summaries of consultative meetings between the government and the Food Corporation of India (FCI), which are held to assess the availability of wheat and rice for procurement at Minimum Support Prices (MSP) in order to meet the food security requirements of citizens, to which India replied that such information could also be found in its domestic support notifications.

Please recreate the requested information here as it was not obvious where such information could be found in India's domestic support notifications.

1.34.2 Question by Australia, Brazil, Canada, European Union, Japan, Paraguay, Thailand, United States of America and Uruguay (AG-IMS ID 100006)

Again in AG-IMS ID 99005, which was a follow-up question to AG-IMS ID 98099 which was asked by a number of WTO Members, India stated it would respond "in due course" with the requested information regarding state bonuses provided, in addition to the minimum support price provided for both wheat and rice. The information has been requested repeatedly in this Committee. The United States and other Members have provided India with both official state government announcements and reports in the media. Further, India has not explained the reason for the delay in providing this information or if this is the relevant support that India has referenced but not notified in its recent domestic support notifications as "other support for rice, that is, other than public stockholding for food security purposes, will be notified subsequently."

- a. Is India in a position to provide the requested information in AG-IMS IDs 99005, 98099, 97010, 97012, 97060, 95032, 93271, 93251, 92009?
- b. If not, please update this Committee on what issues India is experiencing that has prevented it from providing this longstanding requested information in a timely manner.

1.35 India's cotton support (SIM 698)

1.35.1 Question by Australia (AG-IMS ID 100085)

Australia notes a 10 November 2021 press release that the Indian Cabinet approved price support of INR 17,408.85 crore for the cotton seasons from 2014-15 to 2020-21. Australia also notes this report states that the Cotton Corporation of India (CCI) has procured around one third of India's cotton production for cotton season 2019-2020 and 2020-21.

- a. Could India please explain what the factors were for the CCI increasing the ceiling of the Minimum Support Price for cotton?
- b. Could India please explain why the approved price support extends back as far as the 2014-15 season?
- c. Could India please indicate how much the CCI procured for the cotton season 2014-15, 2015-16, 2017-18 and 2018-19?

1.36 Mongolia's quota regime for importation (SIM 463)

1.36.1 Question by Russian Federation (AG-IMS ID 100131)

The Russian Federation would like to reiterate its concern about the uncertainty in trade conditions with respect to wheat flour and liquid milk. As for 1 March 2022 these products are still not excluded from the list of agricultural products subject to quota regime. We continue referring to the answer AG-IMS ID 93072, where Mongolia stated that import quotas would be applied only before the Law on the Enrichment of Food Products comes into force. In context of this, the Russian Federation expects to receive the following information from Mongolia:

- a. Could Mongolia please clarify its quota regime policy for liquid milk and wheat flour for 2022? We kindly ask to provide references to the particular legislation.
- b. When will Mongolia exclude wheat flour and liquid milk from the list of agricultural products subject to the annual import restrictions?
- c. When will Mongolia present a confirmation that quota regime for these products will be eliminated?
- d. We refer to the question AG-IMS ID 99104 and would like to ask Mongolia the following. In the Trade Policy Report in March 2021 Mongolia stated that the issue of "restrictions on wheat flour and liquid milk were included in the guidelines for improving the Mongolian legislation until 2024 and shall be amended in accordance with the WTO rules and principles by 2021". Could Mongolia please clarify particular amendments that are planned to be developed and implemented? When will these amendments come into force?

1.37 Russian Federation's grain export duties (SIM 682)

1.37.1 Question by India (AG-IMS ID 100122)

- a. India acknowledges Russia's response to question AG-IMS ID 99016 and requests to clarify the following in the context of the export duties imposed on grains:
 - i. How does the Russian Federation see the impact of such measures on the food security of importing countries?
 - ii. In view of the short duration of implementation of these export duties, India would like to know if these export duties have stabilised prices for the products in the domestic market?
 - iii. How does the Russian Federation calculate the impact of these measures on domestic prices and international prices?
- b. As per a recent announcement by the Prime Minister of the Russian Federation, the Russian Government plans to allocate additional funds to compensate farmers for part of the costs of creating and modernising agricultural facilities, purchasing fodder, and implementing the mechanism for preferential rural mortgages. India requests the Russian Federation to provide information on the following:
 - i. When would these funds be allocated?
 - ii. Under what provisions of the Agreement on Agriculture would these funds be categorised?
 - iii. What would be the estimated sum allocated for compensation?

1.38 South Africa's Review of tariff structure for poultry meat imports (SIM 701)

1.38.1 Question by European Union (AG-IMS ID 100124)

The European Union would like to support Brazil's question AG-IMS ID 98137 and ask South Africa to provide clarification on its review of tariff structure for poultry meat imports. When will it be finalised? Is advance information foreseen?

1.39 U.S. Domestic support policies and notifications (SIM 571)

1.39.1 Question by New Zealand (AG-IMS ID 100134)

New Zealand notes a report that USDA is making USD 150 million of American Rescue Plan Act funding available through the Meat and Poultry Processing Expansion Program (MPPEP). USDA is offering grants of up to \$25 million each to expand processing capacity through a variety of activities, including but not limited to construction, expansion of existing facilities, and acquisition of equipment.

Grant funds can be used to expand processing capacity by supporting activities such as:

- Building new – or modernizing or expanding existing – processing facilities;
- Developing, installing, or modernizing equipment and technology;
- Ensuring compliance with packaging and labelling requirements;
- Upholding occupational and other safety requirements;
- Modifying facilities or equipment to protect food safety;
- Paying for voluntary grading services on value-added processed products;
- Offsetting costs associated with becoming an inspected facility;
- Supporting workforce recruitment, training, and retention.

New Zealand appreciates that the US will notify in due course any payments made in accordance with commitments. How does the US intend to classify these payments?

2 POINTS RAISED IN CONNECTION WITH INDIVIDUAL NOTIFICATIONS

2.1 Administration of tariff and other quota commitments (Table MA:1)

2.1.1 El Salvador (G/AG/N/SLV/72)

AG-IMS ID 100075: Question by Paraguay - Transparency issues

El Salvador has consistently notified in its MA:1 notifications (since 1998) only the quota for SLVQ007 - cheddar cheese. However, section I-B of its schedule of commitments includes other quotas such as tariff quotas for poultry and sugar, among others.

Could El Salvador explain why the other quotas have not been notified in its MA:1?

In the case of poultry, we note that, in the past, this has even been subject to GATT Article XXVIII negotiations to raise bound tariff levels.

2.1.2 European Union (G/AG/N/EU/72)

AG-IMS ID 100066: Question by Paraguay - Other administration arrangements

We thank the EU for submitting its MA:1 notification for the fiscal year 2022 and calendar year 2022/23. We are pleased to note that, once again, the EU excludes the United Kingdom from the *erga omnes* quotas in this notification. Does the EU consider an exclusion of the United Kingdom from these quotas in its schedule of commitments as an alternative to the submission of an annual notification that does not have the same legal effect?

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

2.2.1 Iceland (G/AG/N/ISL/51, G/AG/N/ISL/52, G/AG/N/ISL/53)

AG-IMS ID 100053: Question by European Union - Tariff quota fill

The European Union would like to thank Iceland for submitting the MA:2 notifications for the marketing years 2017/2018, 2018/2019 and 2019/2020 and looks forward to reviewing the MA:2 notification for the marketing year 2020/2021, as soon as this will be available. The European Union notes the extremely low fill rate for the butter TRQ (ISLQ088) during the last three marketing years.

- a. Could Iceland explain the reasons for the significant under-fill of this quota?
- b. Given that most of Iceland's WTO tariff rate quotas have not been opened in the last three marketing years due to a more favourable applied rate in comparison with the in-quota duty rate, has Iceland considered a reform of its tariff quota system to consolidate the number of tariff quotas and simplify its schedule?

2.2.2 India (G/AG/N/IND/26)

AG-IMS ID 100060: Question by Australia - Tariff quota fill

In AG-IMS ID 99030 India was requested to provide an explanation of the continually low fill rates of two of India's TRQs (INDQ001, INDQ002). Australia notes that in G/AG/N/IND/26 the fill rate of quotas INDQ001, INDQ002 and INDQ003 were either nil or very close to zero. Australia again kindly asks:

- a. Was this the result of market forces, preferential imports or tariff quota administration?
- b. What is India doing to improve fill rates?
- c. Has India taken any actions that might have discouraged importers from using the TRQs?

Furthermore, India responded to AG-IMS ID 98034 that the Handbook of Procedures would be extended until 30 September 2021.

- d. Australia asks if a new edition of the handbook has been made available or if another extension has been granted?

2.2.3 Korea, Republic of (G/AG/N/KOR/85)

AG-IMS ID 100067: Question by Paraguay - Tariff quota fill

- a. Could the Republic of Korea explain the reasons for the low use of the following tariff quotas:
 - i. KORQ057 sesame seeds: 15%
 - ii. KORQ063 oilcake and other solid residues of sesame seeds: 0%?
- b. Is the Republic of Korea considering the possibility of modifying quota administration systems to improve use thereof?

2.2.4 South Africa (G/AG/N/ZAF/109)

AG-IMS ID 100069: Question by Paraguay - Tariff quota fill

- a. Could South Africa explain the reasons for the low use of the following tariff quotas:
 - i. ZAFQ00 meat of bovine animals: 1.6%
 - ii. ZAFQ025 wheat: 45.5%
 - iii. ZAFQ029 maize: 0%
 - iv. ZAFQ051 other cereals - 0%

- b. Is South Africa considering the possibility of modifying quota administration systems to improve use thereof?
- c. Could South Africa explain the footnotes to the ZAFQ040 (sugar) quota and provide the list of "traditional suppliers"?

AG-IMS ID 100061: Question by Canada - Tariff quota fill

Canada notes that the fill rates for a number of tariff rate quotas is very low or zero.

Could South Africa explain the:

- a. 1.6% and 2.1% fill rates for ZAFQ001 (meat of bovine animals) for 2019 and 2020, respectively;
- b. zero fill rates for ZAFQ002 (meat of swine) for 2019 and 2020;
- c. zero fill rate for ZAFQ018 (dried peas) in 2020 following a 66.2% fill rate in 2019.

2.2.5 South Africa (G/AG/N/ZAF/109, G/AG/N/ZAF/110)

AG-IMS ID 100042: Question by Brazil - Tariff quota fill

South Africa reports on its latest MA:2 notifications, pertaining to calendar years 2019 and 2020, that the fill-rate for tariff-rate quotas ZAFQ001 (Meat of bovine animals); ZAFQ029 (Maize or maize equivalent); ZAFQ052 (Tobacco) and ZAFQ053 (Cotton) was 0% or close to it.

Firstly, considering that their fill rate has drastically fallen since Calendar Year 2016 (when ZAFQ001, ZAFQ029, ZAFQ052 and ZAFQ053 had a fill rate of 63%, 100%, 100% and 92%, respectively), could South Africa provide the following information:

- a. data on market circumstances that would explain the relatively low volume of imports under the aforementioned TRQs after 2016;
- b. updates on policy developments that would explain the relatively low volume of imports under the aforementioned TRQs;
- c. volume of imports taking place outside the TRQ.

Secondly, Brazil notices that only processors/manufacturers are eligible for licenses under ZAFQ029 (according to G/AG/N/ZAF/28), ZAFQ052 (according to G/AG/N/ZAF/1/Rev.1) and ZAFQ053 (according to G/AG/N/ZAF/35).

- d. Could South Africa confirm that importers who are not processors/manufacturers of maize, tobacco and cotton are precluded from applying for import under ZAFQ029, ZAFQ052 and ZAFQ053?
- e. Have there been any specific changes in requirements for processors/manufacturers to apply to those licenses?

Thirdly, Brazil observes that for TRQ ZAFQ001 (according to G/AG/N/ZAF/14) and for ZAFQ052 (according to G/AG/N/ZAF/1/Rev.1) there is no provision mentioning eligibility criteria for new entrants or new importers.

- f. Could South Africa explain if the pro rata allocation based on proven actual imports can be waived in the light of recent low fill rate for both TRQs in order to guarantee that the TRQ can be used?

2.2.6 South Africa (G/AG/N/ZAF/110)

AG-IMS ID 100076: Question by Paraguay - Tariff quota fill

- a. Could South Africa explain the reasons for the low use of the following tariff quotas:
 - i. ZAFQ00 meat of bovine animals: 2.1%
 - ii. ZAFQ029 maize: 0%
 - iii. ZAFQ051 other cereals - 0%?
- b. Is South Africa considering the possibility of modifying quota administration systems to improve use thereof?
- c. Could South Africa explain the footnotes to the ZAFQ040 (sugar) quota and provide the list of "traditional suppliers"?
- d. Could South Africa indicate when the notification MA:2 for 2021 can be expected?

2.2.7 Switzerland (G/AG/N/CHE/113)

AG-IMS ID 100089: Question by Australia - Tariff quota fill

Australia welcomes Switzerland notification concerning imports under tariff quotas (Table MA:2) for the 2020 calendar year (G/AG/N/CHE/113). In the notifications, Switzerland report underfill for a number of items.

Can Switzerland explain the low fill rates for durum wheat (CHEQ026), bread grains (CHEQ027) and coarse grains for human consumption (CHEQ028)?

AG-IMS ID 100077: Question by Paraguay - Tariff quota fill

- a.
 - i. Could Switzerland explain the reasons for the low use of the following tariff quotas:
 - CHEQ026 durum wheat – 56.4%
 - CHEQ028 coarse grains – 42.2%?
 - ii. Is Switzerland considering the possibility of modifying quota administration systems to improve use thereof?
- b. Tariff quota CHEQ005 (bovine meat) is 100% filled but notification G/AG/N/CHE/113 indicates that imports exceed the quota fill.
 - i. Could Switzerland indicate total imports as a percentage of the quota, including surplus imports benefiting from the in-quota tariff?
 - ii. Could Switzerland confirm what is the administration method for this quota?
 - iii. Given that demand appears to exceed the quota quantity each year, is Switzerland considering an increase in quota quantity to provide greater predictability for exporters?

2.2.8 United Kingdom (G/AG/N/GBR/6/REV.1)

AG-IMS ID 100090: Question by Australia - Tariff quota fill

Australia welcomes the United Kingdom's notification concerning imports under tariff quotas (Table MA:2) for the 2021 calendar year (G/AG/N/GBR/6/Rev.1).

In the notifications, the United Kingdom report nil, or close to nil, fill rates for a number of items. Can the United Kingdom provide an explanation as to why these quotas had such low fill rates?

- Meat of bovine animals' quotas (GRBQ001, GRBQ002, GRBQ003, GRBQ004, GRBQ005, GRBQ006 and GRBQ007);
- Meat of sheep or goat's quota (GBRQ013);
- Dairy quotas (GBRQ021, GBRQ022, GBRQ023, GBRQ024, GBRQ025, GBRQ026);
- Fruit and vegetable quotas (GBRQ028, GBRQ029, GBRQ030, GBRQ032, GBRQ034, GBRQ035, GBRQ036, GBRQ037, GBRQ038, GBRQ039, GBRQ040, GBRQ041, GBRQ042, GBRQ044, GBRQ045 and GBRQ046);
- Wheat and barley quotas (GBRQ047, GBRQ048 and GBRQ049);
- Sugar quotas (GBRQ072 and GBRQ073);
- Wine quotas (GBR082, GBRQ084 and GBRQ085).

AG-IMS ID 100043: Question by Brazil - Tariff quota fill

The United Kingdom's latest MA:2 revised notification, which included information regarding imports under tariff quotas during the Calendar Year 2021, demonstrates that the fill rate for TRQs GBRQ034 - Manioc (cassava), GBRQ035 - Manioc (cassava) other than pellets of flour and meal, and GBRQ050 - Maize was 0% or close to 0%.

Could the UK provide the following information:

- a. Data on market circumstances that would explain the relatively low volume of imports under the aforementioned TRQs (in other words, does the answer provided for question AG-IMS ID 99052 still apply)?
- b. Are imports taking place outside the TRQ? If so, could the UK provide data on the total imports of such products?

AG-IMS ID 100074: Question by Paraguay - Tariff quota fill

a. Could the United Kingdom explain the reasons for the low use of the following tariff quotas:

- Meat of bovine animals: GBRQ004 - 0%, GBRQ005 - 0%, GBRQ006 - 32.4% GBRQ007 - 0.1%
- Manioc (cassava): GBRQ034 - 0%
- Manioc starch: GBRQ060 and GBRQ061 - 9.5%
- Common wheat: GBRQ047 - 41%
- Maize: GBRQ050 - 0%
- Rice: GBRQ051 - 26.5%, GBRQ052 - 22%, GBRQ053 - 19.8%
- Sugar: GBRQ072 - 3.6%
- Cane sugar: GBRQ073 - 0%

b. Is the United Kingdom considering the possibility of modifying quota administration systems to improve use thereof?

c. Could the United Kingdom explain the footnotes to quotas GBRQ060 and GBRQ061? The notification suggests that although two separate quotas are involved, they are considered as a single quota instead of the quantities being duplicated.

2.2.9 United Kingdom (G/AG/N/GBR/6)

AG-IMS ID 100091: Question by Canada - Tariff quota fill

Canada notes that the United Kingdom is implementing its proposed apportioned quota volumes which severely underfilled in particular for beef (GBRQ001 to GBRQ007).

- a. Could the United Kingdom provide information as to the reasons for these extraordinarily low fill rates?
- b. Could the low fill rates be related to TRQ administration?

2.2.10 United Kingdom (G/AG/N/GBR/6, G/AG/N/GBR/6/REV.1)

AG-IMS ID 100012: Question by United States of America - Tariff quota fill

The United States thanks the United Kingdom for its first notifications of its tariff rate quota fill rates in G/AG/N/GBR/6 and G/AG/N/GBR/6/Rev.1. The United States notes there are a number of product commodities with 0% TRQ fill rates including bovine meat (GBRQ001 – GBRQ005) 0%; cheese (GBRQ027) 0%; and vermouth (GBRQ084 and GBRQ085) 0%.

Please explain the reason for the low fill rates for bovine meat, cheese, and vermouth.

2.3 Special agricultural safeguards (Tables MA:3 to MA:5)

2.3.1 Philippines (G/AG/N/PHL/80)

AG-IMS ID 100044: Question by Brazil - SSG

- a. Could the Philippines clarify if the price-based action has been taken only on 1 January 2020 or from 1 January 2020 until the end of the year?
- b. If the price-based SSG was continuously in force, could the Philippines clarify if it has applied on all imports or on a shipment-by-shipment basis? In other words, does the answer to previous questions, such as 60003, still apply?
- c. Does the Philippines have available information on the difference between the c.i.f. import price of the shipment and the trigger price (in reference to Article 5.5 of the AoA) for tariff item numbers 02071200; 02071410; 02071420; 02071430 and 02071499?
- d. Does the Philippines have available information on the volume of trade and on the number of shipments affected by the additional duties for tariff item numbers 02071200; 02071410; 02071420; 02071430 and 02071499?
- e. Brazil notices that in G/AG/N/PHL/53, the Philippines has notified a fill rate for TRQ PHLQ009 (Poultry meat - 0207) of 68.8%. Could the Philippines clarify if the additional duties for tariff item numbers 02071200; 02071410; 02071420; 02071430 and 02071499 were applied against intra-quota trade?

AG-IMS ID 100088: Question by Indonesia - Transparency issues

WTO requires that the implementation of Special Safeguard (SSG) should be in line with WTO transparency commitment. In this regard, we notice that the notification from the Philippines delivered on 1 December 2021 with doc. G/AG/N/PHL/80 for January - December 2020 period, submitted in the 100th CoA meeting in March 2022.

- a. Could Philippines please explain why the March 2022 notification in CoA is only for the 2020 period while the application of SSG has already in its 5th year in 2022? Please explain whether the notification for submission has been in accordance with the transparency commitment in the WTO especially with Article 5. 7 AoA?

Two months after the first implementation of SSG in 2018, Philippines called off this policy. However, the SSG measure has been implemented again in 2019. Moreover, has the revocation of the policy been transparently notified at the WTO and has the justification been provided for this revocation?

2.4 Domestic support commitments (Table DS:1)

2.4.1 Australia (G/AG/N/AUS/142)

AG-IMS ID 100054: Question by India - Other product-specific AMS/EMS

- a. According to Australia's recent DS:1 notification (G/AG/N/AUS/142) for the FY 2018-19 submitted on 2 November 2021, 'dairy' is notified in the Product-Specific Support for Dairy Recovery Concessional Loans Scheme. Under Supporting table DS:6, footnote (1) claims that "this scheme is closed for applications on 31 October 2016". [Refer to Page 11 of

G/AG/N/AUS/142]. Australia has only reported this program in DS:1 notification for FY 2018-19. India would like to know

- i. Why is this program not notified in the previous year's notifications?
- ii. What does the amount of other non-exempt direct payment of AUD 2.668 million signify under the Dairy Recovery Concessional Loan Scheme?
- iii. As per footnote 7 to the Supporting Table DS:9, the Farm business concessional loans scheme comprises three schemes, one of which is the Dairy Recovery Concessional Loans Scheme. Why is this scheme notified under ST DS:6 as well as ST DS:9?

2.4.2 Canada (G/AG/N/CAN/142)

AG-IMS ID 100056: Question by India - Transparency issues (including Table DS:2)

India notes that Canada's latest submitted DS:1 notification is for the calendar year 2017 (G/AG/N/CAN/142). By when can Canada notify its pending notifications?

As per the news release dated 20 December 2021 (<https://www.canada.ca/en/agriculture-agri-food/news/2021/12/minister-bibeau-announces-28-million-to-support-prince-edward-island-potato-producers-impacted-by-trade-disruptions.html>), "Minister Bibeau announces CAD 28 million to support Prince Edward Island potato producers impacted by trade disruptions". India requests Canada to elaborate on the following:

- a. The nature of the measure and under what provisions of the Agreement on Agriculture can it be categorised?
- b. As per Canada, what would amount to trade disruption?
- c. How would the impact of trade disruptions be calculated?
- d. In the news release, it is also mentioned that the support will resume full market access for PEI fresh potatoes. How would this support impact the international market of potatoes?
- e. When will Canada notify this support to the WTO?

As per a news release dated 7 December 2021 (<https://www.canada.ca/en/agriculture-agri-food/news/2021/12/minister-bibeau-announces-federal-support-to-help-pork-producers-grow-their-markets-and-protect-against-african-swine-fever.html>), the Minister announced an investment of more than CAD 4.6 million for three projects to grow the pork industry within Canada and in international markets. India requests Canada to elaborate on the following:

- f. the details of the three projects mentioned in the news release for which announcement of an investment of more than CAD 4.6 million is made?
- g. The nature of the measure and under what provisions of the Agreement on Agriculture can it be categorised?
- h. It is also understood that Canada Pork International will undertake export market development initiatives to maintain and improve access to international markets". In this regard, Canada is requested to state:
 - i. the relevant category of support under the Agreement on Agriculture for this measure?
 - ii. Who would be the beneficiaries of this measure?

As per a news release dated 30 November 2021 (<https://www.canada.ca/en/agriculture-agri-food/news/2021/11/governments-of-canada-and-manitoba-announce-new-herd-management-program-under-agri-recovery-framework.html>), the Canada and Manitoba Government had

announced a Herd Management Drought Assistance program under the Agri Recovery framework. In this regard, Canada is requested to elaborate on the following:

- i. the details of the program?
- j. the implementation period of the program?
- k. Under which category of domestic support would Canada notify this program?
- l. What other programs are covered under the "AgriRecovery framework", notified as non-product specific support in Canada's DS:1 notification and how much is the budgetary outlay under each program in Canada's recent notification?

India notes that the Canadian Government announced support for the Next Gen Agriculture Mentorship Program. India requests Canada to elaborate on the following:

- m. The details and description of the program.
- n. Whether it a new or modified version of an existing program?
- o. Which provisions under the AoA does this program comply with?
- p. When will Canada notify this program to the WTO?

AG-IMS ID 100015: Question by United States of America - Market price support: Eligible production

The United States notes that Ontario implemented milk class 6 on 1 April 2016, and class 6 was still in effect during January of 2017.

- a. How did Canada account for product sales for further processing under Ontario's class 6 in calculations of market price support for skim milk powder in Supporting Table DS:5 of G/AG/N/CAN/142, and particularly eligible production for 2017?
- b. How much skim milk powder was produced in Ontario in January 2017 under class 6 and included in the "total production" component of Canada's eligible production calculation for skim milk powder market price support in 2017?
- c. Please explain why skim milk powder sold through Ontario class 6 was not excluded from eligible production for 2016 and 2017 (January).
- d. Following up on AG-IMS IDs 83079 and 93035, please provide the regulatory measure that specifically excludes butter and skim milk powder sold for further processing and exports from eligible production.

AG-IMS ID 100016: Question by United States of America - Market price support: Eligible production

The United States notes that the Canadian Dairy Commission (CDC) continues to post support prices for skim milk powder on its website ([here](#)).

Please explain why the CDC continue to post prices for skim milk powder purchases if the CDC ceased such purchases in February 2017.

2.4.3 Iceland (G/AG/N/ISL/54, G/AG/N/ISL/55, G/AG/N/ISL/56)

AG-IMS ID 100068: Question by Paraguay - Other

In the reference notifications Iceland has reported direct payments to sheep farmers every year under Annex 2, paragraph 6, in addition to regional assistance for such farmers under paragraph 13 of that Annex, as follows:

Support under Annex 2	G/AG/N/ISL/54	G/AG/N/ISL/55	G/AG/N/ISL/56	G/AG/N/ISL/57
Para. 6	ISK 2,531 million	ISK 2,340 million	ISK 2,359 million	ISK 2,405 million
Para. 13	ISK 280 million	ISK 149 million	ISK 152 million	ISK 154 million
Total	ISK 2,811 million	ISK 2,489 million	ISK 2,511 million	ISK 2,559 million

Iceland has also reported the following use of AMS levels for this product, with totals as follows:

"Amber box" support	G/AG/N/ISL/54	G/AG/N/ISL/55	G/AG/N/ISL/56	G/AG/N/ISL/57
Sheep	ISK 8,608 million (25% of VOP)	ISK 8,789 million (25% of VOP)	ISK 9,072 million (24.9% of VOP)	ISK 9,760 million (23% of VOP)
FBTAMS				

- a. Could Iceland explain the reasons for choosing to notify these programmes under the "green box", considering that they are linked to a specific product?
- b. How are these programmes consistent with paragraphs 6 and 13 of Annex 2 to the Agreement on Agriculture?

AG-IMS ID 100046: Question by Brazil - Other

Brazil notices an approximately fourfold increase in Iceland's expenditures under the blue box from 2013-2016 to 2017-2020 (Supporting Table DS:3, notifications G/AG/N/ISL/54 through G/AG/N/ISL/57).

There has also been an increased number of items/programs notified as Production-Limiting Policies during the same period.

- a. Could Iceland provide any guidance as regards the changes on political and production circumstances that have led to those increased outlays in trade-distorting blue-box programs?
- b. Is Iceland considering presenting new DS:2 notifications regarding those new items/programs included in ST DS:3?

AG-IMS ID 100045: Question by Brazil - Classification of measures

Brazil notices that Iceland has provided product-specific support (direct payments) for sheep farmers that were notified under paragraphs 6 and 13 of Annex 2 (Supporting Table DS:1, notifications G/AG/N/ISL/54 through G/AG/N/ISL/57).

However, both paragraphs 6 and 13 determine that the amount of such payments in any given year shall not be related to the type of production (including livestock units).

In the light of the requirement above, could Iceland explain how those direct payments are exempted from reduction commitments? Would Iceland consider notifying them as non-exempt payments?

2.4.4 India (G/AG/N/IND/18, G/AG/N/IND/25)

AG-IMS ID 100079: Question by Paraguay - Domestic support

Follow-up to questions AG-IMS IDs 99006, 99007 and 99010:

- a. In its answer to question AG-IMS ID 99006, India once again pointed out that it is in the process of collecting the information and that this will be notified in due course. We note that Paraguay and other Members have been requesting this information in question AG-IMS ID 98039 (June 2021). We note that the information requested refers to what can be understood as a timeline for the information to be received, a matter that is not addressed in any of the answers provided by India. Hence the query is repeated and the previous question is considered not to have been answered.

- b. We refer to the replies received to questions AG-IMS IDs 99007 and 99010 requesting specific information from India, in follow-up to questions AG-IMS IDs 98072 and 98045, respectively, on all programmes that receive decoupled support and data on expenditure relating to their public stockholding programmes for food security purposes.

We also note that question AG-IMS ID 98045 is linked to question AG-IMS ID 97134, in turn submitted as follow-up to question AG-IMS ID 95101, which, moreover, was submitted as follow-up to questions AG-IMS IDs 93233 and 93236, and so we consider that these questions take sufficient time on the agenda to receive a satisfactory response from India.

We therefore consider that questions AG-IMS IDs 99007 and 99010 have not been answered and reiterate them, and we also request specific indications regarding the paragraphs of India's DS:1 notifications in which the data can be found, as stated by India in its answer to question AG-IMS ID 99010.

AG-IMS ID 100094: Question by Japan - Public stockholding for food security purposes

A considerable number of questions on Public Stockholding were raised at the Committee on Agriculture in 2021, however there was hardly any satisfactory response from India. We strongly urge India to provide these requested information, which we believe would also be helpful in our discussion for a permanent solution to the Bali Decision. Japan would also like to repeat the question ID98038: What exactly does India count as "other support for rice, that is, other than public stockholding for security purposes" (G/AG/N/IND/25, Supporting Table DS:5, footnote (3))?

2.4.5 India (G/AG/N/IND/25)

AG-IMS ID 100092: Question by Japan - Public stockholding for food security purposes

Regarding the Public Stockholding, India has noted that 'the stocks under the programme are acquired and released in order to meet the domestic food security needs of India's poor and vulnerable population, and not to impede commercial trade or food security of others.' (G/AG/N/IND/25) Furthermore, India answered to the questions (AG-IMS IDs 98061 - 98066) indicating that in MY 2018/19 and MY 2019/20 'around 98% of the stocks released through open-market sales was taken by the state governments for meeting the requirements under various food security and welfare schemes, and hardly 2% was taken up by the private traders. Hence, the issue of private traders turning to export markets to sell their products does not arise.' Japan appreciates the information but wonders whether this is merely what happened in these marketing years or there are clear rules or requirements that the released stocks should not be exported. If the latter is the case, could India explain in detail how these requirements are actually implemented?

AG-IMS ID 100093: Question by Russian Federation - Public stockholding for food security purposes

The Russian Federation welcomes the notification on domestic support commitments for the marketing year 2019/2020 (G/AG/N/IND/25). The Annex to the notification provides that "Government does not undertake export on a commercial basis from public stockholding".

- a. Could India elaborate the legal status of Food Corporation of India and National Agricultural Cooperative Federation of India?
- b. Do Food Corporation of India and National Agricultural Cooperative Federation of India perform export activities?
- c. Could India provide the volumes of export of wheat, pulses and rice performed by Food Corporation of India and National Agricultural Cooperative Federation of India?

2.4.6 Indonesia (G/AG/N/IDN/67, G/AG/N/IDN/68)

AG-IMS ID 100080: Question by Paraguay - Article 6.2 (Special and Differential Treatment/Development Programmes)

As reported by Indonesia in its notifications for 2018 and 2019, subsidies granted under Article 6.2 have been increased, specifically for the provision of seeds and fertilizers, as follows:

Article 6.2	G/AG/N/IDN/67	G/AG/N/IDN/68
Input subsidies – seeds and fertilizers	IDR 37,721,655 million	IDR 39,048,628 million

Could Indonesia:

- explain the reasons for such increases?
- Provide a definition of "resource-poor producers" for the purposes of such assistance programmes in Indonesia, including related qualification criteria?

2.4.7 Indonesia (G/AG/N/IDN/68, G/AG/N/IDN/69)

AG-IMS ID 100081: Question by Paraguay - Domestic support

As reported by Indonesia in its notifications for 2019 and 2020, subsidies granted for public stockholding for food security purposes have been increased (Annex 2, para. 3), as follows:

Public stockholding for food security purposes	G/AG/N/IDN/68	G/AG/N/IDN/69
Reserve fund for government to purchase foodstuff at market prices	IDR 337,495 million	IDR 1,123,777 million
Reserve stock for emergency	IDR 46,788 million	IDR 118,886 million

Could Indonesia explain the reasons for these exponential increases that correspond to more than 200% and 100% of expenditure, respectively?

Art. 6.3 - Product-specific support for rice

According to the information provided by Indonesia in its notifications for 2019 and 2020, subsidies granted as product-specific support for rice have been increased, as follows:

Art. 6.3 subsidies for rice	Disbursements	% of VOP	Administered price	Eligible production
G/AG/N/IDN/68	IDR 4,2478,821 million	1.45%	7,300/kg	671,497 thousand kg
G/AG/N/IDN/69	IDR 8,142,923 million	2.7%	8,300/kg	1,026,941 thousand kg

Could Indonesia please explain:

- the basis for calculating eligible production – namely, whether this means total production or only actual purchases by the Government? If data other than for total production are used as a basis, please provide data.
- For Indonesia's total rice production, including value of production for both years.
- The increase of more than 50% in eligible production?
- The reasons for the increase of more than IDR 1,000 per kilo for administered price purchases from 2019 to 2020?
- The percentage and amount corresponding to public stockholding programmes for food security purposes financed under this type of subsidy?

AG-IMS ID 100095: Question by Australia - Annex 2 (Green Box)

Australia thanks Indonesia for submitting its DS:1 notifications for calendar year 2019 (G/AG/N/IDN/68) and calendar year 2020 (G/AG/N/IDN/69). Australia notes Indonesian Green Box expenditure on public stockholding for food security purposes – which we understand to be public

stockholding procured at market prices – increased by about 223% (from 384,283 million rupiah to 1,242,663 million rupiah) between 2019 and 2020. Furthermore, domestic food aid increased by almost 100% (from 24,330,032 million rupiah to 48,484,826 million rupiah) over the same period. Can Indonesia please explain the reasons for this significant increase in expenditure on both public stockholding for food security and domestic food aid?

AG-IMS ID 100096: Question by Canada - Public stockholding for food security purposes

Canada notes that the expenditures under the reserve fund for government to purchase food stuff at market prices increased over three-fold from IDR 337,495 million in 2019 and to IDR 1,123,777 million in 2020.

Could Indonesia provide information in the types of foodstuffs that are purchased at market prices? Could Indonesia provide information on the pre-determined targets for the "reserve fund for government to purchase food stuff at market prices" and for the "reserve stock for emergency" programs?

AG-IMS ID 100017: Question by United States of America - Market price support

The United States thanks Indonesia for bringing its domestic support notifications up to date.

In its response to AG-IMS ID 93119, Indonesia cited Minister of Finance Regulation Number 116/PMK.02/2015 as amended by Minister of Finance Regulation Number 207/PMK.02/2017 as the relevant regulation for the applicable dates of the applied administered price.

- a. For both G/AG/N/IDN/68 and G/AG/N/IDN/69, covering calendar year 2019 and 2020 respectively, please confirm whether these are still the appropriate regulations or if they have been updated. If so, please provide a copy or link to the applicable regulation.

AG-IMS ID 100018: Question by United States of America - Market price support

In response to AG-IMS ID 93119 Indonesia's stated, "The determination of procurement target quantity is based on the assignment given by the Government, according to APBN/State Budget (Calendar Year)."

Please confirm the numerical target quantities established for calendar year 2019 and 2020 as well as provide a copy or link to the applicable APBN/State Budget.

2.4.8 Israel (G/AG/N/ISR/81)

AG-IMS ID 100020: Question by United States of America - General services: infrastructural services

In Israel's notification G/AG/N/ISR/81, in Supporting Table DS:1, the United States notes a nearly 400% increase in expenditures for the "Services provided for farmers: Investment in agriculture" under General/Infrastructural Services.

Noting Israel has not provided a description of this measure in its notification, please describe the measure "Services provided for farmers: investment in agriculture", including who are the eligible beneficiaries of this measure, and how payments to beneficiaries are determined.

Please explain the increase in notified expenditures in 2020 and confirm whether this was the result of any change or modification in the implementing measure.

AG-IMS ID 100038: Question by European Union - Current Total AMS (Amber Box)

Israel - Non-Respect of AMS limit.

This is the fourth consecutive year that Israel has not respected its AMS commitment.

Which measures has the Israeli Government taken to ensure that it in the future will respect its commitment?

Has Israel considered to reform the support for the sectors in question in order to move away from Amber Box support towards Green Box Support?

AG-IMS ID 100097: Question by Australia - Scheduled commitment level

Australia thanks Israel for submitting its DS:1 notification for calendar year 2020 in G/AG/N/ISR/81.

Australia notes that Israel has reported domestic support in excess of its annual commitments for this calendar year. Australia also notes the trend in Israel's reported domestic support, which has been increasing over previous years.

Could Israel provide an update on the concrete steps it is taking, and the progress made, with respect to additional reforms in its dairy and egg sectors so that Israel is in compliance with its WTO obligations in the future?

Does Israel expect to be notifying a further breach for the calendar year 2021?

AG-IMS ID 100047: Question by Brazil - Scheduled commitment level

Brazil would like to again express its concern over the continuous notification by Israel of Current Total AMSs in excess of Israel's Total AMS commitment level.

In this sense, Brazil would appreciate it if Israel could provide further details on the ongoing negotiations to reform the milk and egg sectors support policies.

AG-IMS ID 100098: Question by Canada - Scheduled commitment level

Canada appreciates Israel's transparency and the explanatory note provided in the notification. Canada notes that Israel has exceeded its Total AMS commitment level again in its 2020 notification (G/AG/N/ISR/81) by USD 93 million.

Given that Israel spent 113% of its AMS commitment in 2019 and then spent 116% of its AMS commitment in 2020, Canada would appreciate an update from Israel on its reforms to reverse this trend of exceeding its total AMS commitment level.

Is Israel expecting to remain within its Total AMS commitment level in 2021 as per its WTO obligations?

AG-IMS ID 100128: Question by Thailand - Scheduled commitment level

Thailand appreciates the submission on Domestic Support Notification of Calendar Year 2020 by Israel. According to the notification, Israel notified the current total AMS at USD 661,951,200, which exceeds the level of total AMS commitment level due to the supports on milk and eggs. In this regard, what will be the plan for Israel to manage the supports on these products in order to comply with its commitment on the total AMS?

AG-IMS ID 100019: Question by United States of America - Other product-specific AMS/EMS

The United States notes that Israel has once again exceeded its Total AMS commitment level in 2020 due to support for eggs and milk. While the United States appreciates Israel's transparency on the matter through CoA review process responses and various explanatory background notes in its last several Table DS:1 notifications, it is important to point out that Israel has now breached its commitment in eight out of the last 10 years (2011-2014, 2017-2020). Israel has provided support in excess of 50% of the value of production for both milk and eggs every single year of the last ten, even in the years when it did not breach its Total AMS commitment (2015 and 2016). Members have also raised concerns in this Committee with regards to modifications Israel has made to its reporting methodology that has resulted in lower notified support levels. Despite numerous references to ongoing attempts at reform and reported increases in efficiency in both sectors, Israel has exceeded its limit by 8% in 2017, 11% in 2018, 13% in 2019, and now 16% in 2020. Taking note of these facts, the United States respectfully, but urgently, requests the following:

- a. An update on the reforms to the Dairy Sector Planning Law that was originally adopted in 2011 and re-negotiated with an outline for reform in October 2018 that requires a change in legislation.
- b. An update in the table eggs sector, where Israel previously stated (G/AG/N/ISR/66/CORR.1) structural adjustments for increased efficiency were negotiated, as well as any other pending reforms.

- c. A timeframe for when Israel will undertake the necessary reforms, which will result in Israel's compliance with its Final Bound Total AMS commitment.

2.4.9 Mexico (G/AG/N/MEX/55)

AG-IMS ID 100099: Question by Canada - Domestic support

Supporting Table DS:9

- a. Canada notes that Mexico has provided MXN 122.7 million in expenditures related to fertilizers.

Could Mexico elaborate on the criteria for producers to access the program?

Could Mexico provide information on the number of farms that have benefited from this measure?

Supporting Table DS:1

- b. Canada notes that Mexico's environmental programmes consist of "recovery of soil with agri-chemical degradation, primarily loss of fertility." Could Mexico provide further details on this program including the activities aimed at soil remediation and to address loss of soil fertility?

AG-IMS ID 100048: Question by Brazil - Other product-specific AMS/EMS

Even though Mexico's current Total AMS is within its Total AMS commitment level, Brazil notices that there has been a significant increase in the Product-Specific Aggregate Measurements of Support for Safflower, Beans, Soya and Wheat, while support for coffee has remained above 20% of the VoP (Supporting Table DS:4, G/AG/N/MEX/55).

Could Mexico provide further information on the policy developments that led to the increased product-specific outlays, and comment if Members should expect a similar trend for calendar year 2020.

2.4.10 Nigeria (G/AG/N/NGA/19, G/AG/N/NGA/20, G/AG/N/NGA/21)

AG-IMS ID 100082: Question by Paraguay - Domestic support

Follow-up to questions AG-IMS IDs 99011, 99012 and 99013:

In view of the lack of an answer to Paraguay's questions AG-IMS IDs 99011, 99012 and 99013, Paraguay reiterates these questions and looks forward to receiving an answer from Nigeria as soon as possible.

2.4.11 Norway (G/AG/N/NOR/119)

AG-IMS ID 100083: Question by Paraguay - Domestic support

- a. Norway reports an increase in its AMS expenditure from NOK 10,837 million in 2019 to NOK 11,011 million in 2020. Could Norway:
- i. indicate the reasons for this increase?
 - ii. indicate the actions and measures being implemented or considered by Norway to reduce its AMS expenditure levels in view of the fact that it is very close to exceeding its authorized levels (NOK 11,449 million)?
- b. Norway reports expenditure of NOK 118.2 million under Annex 2, paragraph 12 for organic production. Could Norway explain why it considers that organic production can be subsidized under this paragraph and comply with the requirements of Annex 2, paragraph 12?

- c. Norway has reported an increase in expenditure under Annex 2 in paragraph 14, specifically for the previously challenged vacation schemes for its farmers, from NOK 1,293 million in 2019 to NOK 1,354 million in 2020. Could Norway explain the reasons for such an increase in 2020?
- d. Can Norway explain how "incentive" programmes such as those reported in the "blue box" under paragraph (b) regarding meat production are consistent with Article 6.5 of the Agreement on Agriculture? We also note that these subsidies were increased by over NOK 10 million in 2020.
- e. Although Norway has reported MPS for wheat and oilseeds in 2020 beyond their *de minimis* levels, the notification does not indicate the value of production or the percentage of production value support for any of the products for which it reports support levels above *de minimis*. We urge Norway to provide data for all products and specifically the VOP and percentage of support for wheat and oilseeds.

AG-IMS ID 100057: Question by European Union - Market price support: Eligible production

- a. The European Union notes that in Norway's DS:1 notification for calendar year 2020 there is no separate entry for goat milk in Supporting Table DS:4, which has previously been the case for calendar years 2005-2019. Nevertheless, goat milk is mentioned in note 6 to Supporting Table DS:5 and in Supporting Table DS:6 (base deficiency payments to goat milk) of the notification for 2020. Should this be interpreted as Norway having changed its notification practice regarding milk in 2020 as to notifying cow milk and goat milk as one single product?
- b. In supporting table DS:5, Norway has included seven notes regarding what constitutes the eligible production of each product in the calculations of market price support. There have been no similar notes in previous Norwegian DS:1 notifications. According to Norway's answer to Australia's question AG-IMS ID 86018, Norway previously did not include seed production in its eligible production for wheat, barley and oats. Moreover, milk and pork consumed on farms as well as milk processed on farms were not included in the eligible production for those products. The basis for this exclusion seems to have been that the volumes in question were not eligible to receive the applied administered price. However, according to notes 1-3 and 6-7 to Supporting Table DS:5, both seeds of wheat, barley and oats, pork consumed on farms and milk consumed or processed on farms are included in the eligible production of those products for 2020. Does this apparent change of notification practice of Norway reflect any changes in how Norwegian market price support functions? If not, what are the reasons behind the change of practice?

2.4.12 Oman (G/AG/N/OMN/26)

AG-IMS ID 100021: Question by United States of America - Transparency issues (including Table DS:2)

In WTO notification G/AG/N/OMN/26 covering calendar year 2019, there is no mention of the activities of the Oman Food Investment Holding Company.

Through the Trade Policy Review Process, Oman indicated that the mission of the company is to invest in food projects, and any activities of the company will be in conformity with Oman's obligations on domestic support. One of the WTO obligations with respect to domestic support is annual notification.

How much did Oman spend on food projects through the Oman Food Investment Holding Company in 2019?

2.4.13 Philippines (G/AG/N/PHL/78)

AG-IMS ID 100037: Question by European Union - Market price support

In supporting table DS:5 Philippines indicates 444.0 thousand tonnes as eligible production.

- a. Can Philippines please indicate total rice production for the year 2020.
- b. What is the quality criteria for the rice purchased.
- c. Can Philippines indicate whether this quantity had been determined and whether all was bought in at the price indicated in supporting table DS:5. Was the quantity fixed in advance before the buying began.
- d. How does the Philippines intend to dispose of the procured quantities and is there any specific purpose planned?

2.4.14 Saudi Arabia, Kingdom of (G/AG/N/SAU/23)

AG-IMS ID 100049: Question by Brazil - Other product-specific AMS/EMS

Even though the Kingdom of Saudi Arabia's Current Total AMS is within its Total AMS commitment level, Brazil notices that the Product-Specific AMS for poultry remains above "*de minimis*" levels for the seventh year in a row (Supporting Table DS:4, G/AG/N/SAU/23), between 2012 and 2018.

In light of the above, could Saudi Arabia indicate if Members should expect that such a trend of product-specific support above "*de minimis*" for poultry has continued in more recent years (2019, 2020, 2021)?

2.4.15 Switzerland (G/AG/N/CHE/114)

AG-IMS ID 100101: Question by New Zealand - Other product-specific AMS/EMS

In notification G/AG/N/CHE/114, Switzerland notified total product specific support for milk and milk products of CHF 371.8 million which is in excess of *de minimis* levels. We also note that recent reporting indicates that around 45% of Swiss milk is processed into cheese with around 40% of this cheese being exported to more than 70 countries around the world. <https://www.swissinfo.ch/eng/no-holes-in-swiss-cheese-exports-despite-coronavirus/46338236>

Does the product-specific support provided to milk and milk products contribute to the production of cheeses that are subsequently exported?

2.4.16 Chinese Taipei (G/AG/N/TPKM/206, G/AG/N/TPKM/207)

AG-IMS ID 100078: Question by Paraguay - Market price support

Notifications for 2018 and 2019 reported increases in product-specific support for soybeans by comparison with the levels reported in 2017 (80.67%). Could Chinese Taipei explain the reasons for these increases?

2.4.17 United Arab Emirates (G/AG/N/ARE/21)

AG-IMS ID 100102: Question by Canada - Transparency issues (including Table DS:2)

Canada notes an United Arab Emirates Ministry of Climate Change & Environment (MOCCAE) news release from 10 August 2017 highlighting the Ministry's efforts to support the Year of Giving initiative. The release states that the Ministry works with private sector companies to provide farmers with agricultural supplies, such as fertilizers, pesticides, seeds, irrigation pipes and soil testing equipment for "half their market price."

Could the United Arab Emirates indicate where or how is this domestic support accounted for in its notification?

2.4.18 United States of America (G/AG/N/USA/135)

AG-IMS ID 100104: Question by Canada - Constituent data and methodology (AGST)

Since G/AG/N/USA/135/REV.1 released on 8 April 2021, the United States now reports all domestic tables on a fiscal year basis (1 October to 30 September) instead of on a marketing year basis

(1 September to 31 August) as it was done previously. This change in methodology was implemented as total AMS support reported by the United States grew rapidly in recent notifications. (USD 3,984.250 in 2017-18, USD 13,085.38 in 2018-29 and USD 18,247.48 in 2019-20)

Could the United States indicate what their total AMS support in 2019-20 would have been if they had not changed their reporting period in 2019-20?

2.4.19 United States of America (G/AG/N/USA/150, G/AG/N/USA/157)

AG-IMS ID 100114: Question by Canada - Other product-specific AMS/EMS

Under G/AG/N/USA/157 and G/AG/N/USA/150 the U.S. classified payments for non-speciality crops under the Market Facilitation Program under DS:9 as non-product-specific AMS.

- a. Could the United States clarify why these payments were classified as non-product specific?
- b. Did producers have to certify the number of acres of each crop they planted with the USDA to get payments?
- c. If a producer planted only a single crop eligible under the program, would payment be considered commodity specific?

2.4.20 United States of America (G/AG/N/USA/157)

AG-IMS ID 100108: Question by Brazil - General services: infrastructural services

The US has notified under Supporting Table DS:1, "Infrastructural services", expenditures that were described as:

"Administrative & operating reimbursements to insurers - Reimbursements for certain administrative and operating expenses of insurance companies delivering Federal crop insurance"; and

"Underwriting gains to insurers - Underwriting gains provided to insurance companies under the Standard Reinsurance Agreement".

In a preliminary view, Brazil understands that such expenditures related to insurance and reinsurance services do not seem to be directed to the provision or construction of capital works by the government, as mandated by paragraph 2(g).

Even if they were, they seem to operate on the private farm-level and to subsidize operating costs, which are specifically excluded from the scope of paragraph 2(g).

- a. Could the US provide further rationale on its decision to classify such expenditures as exempted from the reduction commitments?

AG-IMS ID 100055: Question by India - Current Total AMS (Amber Box)

- a. India welcomes the Domestic Support Notification DS:1 by the United States for MY 2019/20 (G/AG/N/USA/157). It is noted that the current total AMS has increased around 40% from USD 13,085.38 million to USD 18,247.48 million. Could the United States explain the reason for this increase?
- b. India notes that in the United States' Domestic Support Notification DS:1 for MY 2019/20, G/AG/N/USA/157, the product-specific support as a percentage of the value of production (VoP) of the products: Beef cattle & Calves; Canola; Cherries; Corn; Cranberries; Dairy; Flaxseed; Ginseng; Honey/Apiculture; Legumes; Millet; Mustard; Oats; Papaya; Pears; Pea cans; Plums/Prone; Sesame; Sheep & Lambs; Squash; Sunflower; Tobacco; Walnut; wheat and Wool has increased significantly in comparison to that provided in DS:1 notification for MY 2018/19 (G/AG/N/USA/150).
 - i. The United States may explain the reason for this increase?

- c. In the United States' DS:1 notification for MY 2019-20, it is noted that in Supporting Table DS:9 on Non-Product Specific AMS, the support of USD 103.046 million provided for the measure "Irrigation on Bureau of Reclamation Projects in 17 Western States" has been notified under Column 3 i.e., Non-product specific budgetary outlays. However, in the DS:1 notification for MY 2018/19 (G/AG/N/USA/150), this measure was notified under Column 4, i.e., other non-product specific support (include calculation details)). What is the reason for changing the category of support?
- d. The supplemental nutrition assistance program of the United States Department of Agriculture is a food assistance program that provides low-income households with monthly benefits to purchase food. This program is implemented in Michigan under the name "double up food bucks" in many farmers' markets and grocery stores. The 'double up food bucks' program is implemented in the following manner at the grocery stores. Every dollar a participant spends on fruits and vegetables will be matched dollar to dollar with double up food bucks. So, if the participant spends USD 20 from the bridge card, he gets USD 20 in free double up food bucks, which can be used to buy any fresh fruits and vegetables. In this context, India would like the US to answer the following questions.
- i. Does 'fresh fruits and vegetables' refer to the locally grown produce exclusively or does it include similar imported products?
 - ii. Is the program notified in the WTO, if not under what provisions of the AoA does the United States intend to notify this?

AG-IMS ID 100084: Question by Paraguay - Current Total AMS (Amber Box)

- a. The United States reports an increase in its AMS expenditure from USD 13,085 million in 2018 to USD 18,247 million in 2019. Could the United States:
- i. indicate the reasons for this increase?
 - ii. Indicate the actions and measures being implemented or considered by the United States to reduce its AMS expenditure levels in view of the fact that it is close to exceeding its authorized levels (USD 19,103 million)?
- b. The United States increased product-specific support from 2018 to 2019 for the following products of interest to Paraguay:
- Corn: from USD 2,131 million (4.09% of VOP) to USD 4,635 million (9.47% of VOP);
 - Sesame: from USD 1.110 million (10% of VOP) to USD 2.072 million (16.36% of VOP);
 - Sugar: from USD 1,530 million (65.6% of VOP) to USD 1,836 million (65.51% of VOP).

Could the United States:

- i. explain the reasons for such increases?
- ii. Provide information on possible changes or initiatives being implemented or considered to reduce support levels for these key export products for developing countries?

AG-IMS ID 100109: Question by New Zealand - Constituent data and methodology (AGST)

According to the United States' (U.S.) domestic support notification G/AG/N/USA/157, current total aggregate measurement of support ("CTAMS") for the 2019/2020 marketing year total USD 18.237 billion. This is USD 900 million short of the Final Bound Commitment Level for domestic support of USD 19.1 billion.

The U.S. CTAMS is the sum of certain product-specific AMSs in excess of the 5% *de minimis* level. Non-product specific domestic support for the U.S. is notified as below the 5% *de minimis* level and therefore not counted towards the CTAMS.

New Zealand thanks the U.S. for their notification. What steps does the US take to ensure that payments under the programmes below do not include non-exempt product support?

- a. Price Loss Coverage (PLC) and County-level Agricultural Risk Coverage (ARC-CO) programs;
- b. The Fiscal Year 2019 Market Facilitation Program for non-specialty crops;
- c. Payments for administrative and operational expenses and reinsurance services;
- d. Payments under the Paycheck Protection Program.

AG-IMS ID 100105: Question by Brazil - Other product-specific AMS/EMS

Brazil notices with concern that the United States Current Total AMS, at USD 18.2 billion, came historically close to exceeding the US' FBTAMS of USD 19.1 billion. In the reference year, a total of 29 agricultural products received product-specific support above "de minimis" levels.

- a. Taking into account the impacts of U.S. agricultural policies in world markets, could the US update the Membership on whether the policies that have led to this significant increase in outlays are still in place, and if they will be present on future DS:1 notifications?
 - i. If not, could the US indicate which policies have been terminated and whether new ones have replaced them?

AG-IMS ID 100106: Question by Brazil - Other product-specific AMS/EMS

In G/AG/N/USA/135/Rev.1, and in answer to question 98182, the US has explained its decision to reclassify expenditures under the Wildfires and Hurricane Indemnity Program (WHIP) as non-product-specific AMS, justifying that the program "does not specify crop-specific payment rates".

Brazil is well aware of the several questions answered by the US on the issue and appreciates the information previously provided on two important programs on the Farm Bill, the Price Loss coverage (PLC) and the County-Level Agricultural Risk Coverage (ARC-CO).

However, Brazil recalls that both the PLC and the ARC-CO do specify crop-specific price or revenue protection, since crop-specific payment rates depend on price or revenues for the crop in a given year.

Hence, Brazil would like to consult, in light of its recent revision of notification practices, if the US has considered or would consider notifying in G/AG/N/USA/157 both programs as product-specific domestic support?

AG-IMS ID 100036: Question by European Union - Non-product-specific AMS

Market Facilitation Programme.

According to the notifications G/AG/N/US/50 and G/AG/N/US/56 the following amounts have been paid out to farmers:

MFP		Announced amounts	USDA authorised amounts to FAS	billion		USD
				2019 DS:1	2020 DS:1	Total
	24-07-2018	12,0	10,6			
	23-05-2019	16,0	14,5			
		28,0	25,1			
DS:1 notification	PS			8,761	0,641	
	NPS			5,191	8,399	
	Total			13,952	9,040	22,992

Can the United States explain more in detail about the eligibility criteria for the support notified as non-product specific, and why the US has notified this support as non-product specific.

Does the United States expect any of the remaining amounts (difference between 25.1 and 22.99) to be included in later DS1 notifications?

AG-IMS ID 100116: Question by Canada - Domestic food aid

Under G/AG/N/USA/157 the United States classified the Farmers to Families Food Box Program as green box and under [G/AG/N/USA/156](#) the United States indicates that *"Outlays under the programme meet the general criteria of Annex 2, paragraph 1: support is provided through a publicly-funded government programme and does not involve transfers from consumers, and there is no price support to producers; additionally, there are no trade-distorting effects or effects on production."*

In a recent U.S. Government Accountability Office (GAO) [report](#), released on 21 September 2021, the GAO clearly indicates that one of the goals of the program was to create alternative outlets for food producers after they lost customers and to support producers. The report also indicates that after two rounds of the program, the USDA started to prioritize contractors who could offer the lowest price, implying that this wasn't the practice used in the first two rounds. Table 3 in the GAO report shows that the mean and median price per box dropped significantly after round 2 when the USDA started to prioritize lowest price contractors.

Furthermore the report noted that the USDA did not collect the prices received by the producers, and did not monitor whether the pandemic reduced demand and sales for the type and quantity of products the producers provided for the program.

It is Canada's understanding that under the program, the USDA provided funds to contractors, who in turn purchased commodities and distributed them. Under question AG-IMS ID 92384 of 93rd COA meeting starting on 28 July 2020, Canada already questioned the high price paid for some commodities under the program as reported in the media.

- a. Could the United States clarify how purchases made by private contractors were conducted under the program?
- b. If during the first two round of the program, priority was not provided to the lowest bidder, what support was provided to producers through this program by purchasing commodity above market price?
- c. Could the United States clarify how this program impacted producers as it was an objective of the program.

2.5 New or modified domestic support measures (Table DS:2)**2.5.1 Australia (G/AG/N/AUS/141)****AG-IMS ID 100050: Question by Brazil - Direct payments: payments under environmental programmes**

Could Australia provide further explanation on how the expenditures under the "National Landcare Program Smart Farms Small Grant" and the "National Landcare Program Smart Farming Partnerships" comply with the specific requirements of Annex 2 paragraph 12?

In particular, and without prejudice to other information available, could Australia specify if:

- a. the "best practices" and the "new and innovative tools" are "specific conditions under the government programme" in the sense of paragraph 12?
- b. The "small grants" are limited to "the extra costs or loss of income involved in complying with the government programme"?

2.5.2 Brazil (G/AG/N/BRA/68)**AG-IMS ID 100117: Question by Canada - Public stockholding for food security purposes**

Brazil indicates that Programme "Feed Brazil" (Programa Alimenta Brasil) replaces "Program of acquisition of agricultural products from family farming" and that it is consistent with the criteria in paragraph 3, Annex 2 of the Agreement on Agriculture.

Could Brazil elaborate on the differences between "Feed Brazil" and the previous measure?

AG-IMS ID 100034: Question by European Union - Public stockholding for food security purposes

The European Union notes that Brazil has introduced a new domestic support measure that is claimed to be consistent with the criteria in Paragraph 3 of Annex 2 of the Agreement on Agriculture ("Feed Brazil"). For further clarity, could Brazil please explain whether the agricultural products purchased under the program in question are purchased at market rates or not?

AG-IMS ID 100035: Question by European Union - Public stockholding for food security purposes

Brazil does not make any indication for the expected amounts to be spent on this programme, which according to the notification is without time limits.

- a. Can Brazil indicate the total amounts allocated to this program in the year 2022. Furthermore is it possible to give any indications of the level for the next two to five years?

AG-IMS ID 100119: Question by United Kingdom - Public stockholding for food security purposes

The United Kingdom thanks Brazil for notifying its Programme "Feed Brazil" under G/AG/N/BRA/68.

- a. The United Kingdom asks Brazil if they can provide the following further information:
 - i. The duration of the programme
 - ii. The annual budget of the programme
 - iii. Whether stock purchased may be immediately released, and if so, whether parts of the programme come under Paragraph 4 of Annex 2, namely, domestic food aid
- b. The United Kingdom also seeks clarification on whether the volume and accumulation of food stocks correspond to any predetermined targets, and if so what these targets are and how have they been determined?

2.5.3 European Union (G/AG/N/EU/71)

AG-IMS ID 100022: Question by United States of America - Annex 2 (Green Box)

The United States thanks the European Union (EU) for its Table DS:2 submission on the Horizon Europe program. In the notification, the EU states projects funded by the program "are transnational and benefit entities (universities, research centres, private sector, NGOs, etc.) from the EU, associated countries and third countries with the exception of industrialised countries and the BRICS."

- a. Please confirm if this means non-EU entities (other than industrialized countries and the BRICS) will be eligible for these grants.
- b. Are participants of the program/recipients of the grant, even if non-EU entities, required to study agriculture, forestry, and rural areas of the European Union? Or is the study of agriculture, forestry, and rural areas outside of the European Union allowed?

2.5.4 United Kingdom (G/AG/N/GBR/9)

AG-IMS ID 100121: Question by Australia - Annex 2 (Green Box)

Australia thanks the United Kingdom for submitting its DS:2 notification dated 1 February 2022 in G/AG/N/GBR/9. Australia notes 'The Farming Investment Fund' measure, which has two strands that provide grants to farmers, growers, and foresters to invest in technology, equipment and infrastructure. The weblink provided in the notification indicates the fund could include 'on-farm water storage infrastructure, including reservoirs'.

Could the UK please explain in more detail why this support should be categorised as Green Box rather than Amber Box support?

AG-IMS ID 100051: Question by Brazil - Annex 2 (Green Box)

Brazil appreciates the UK's efforts to comply with its transparency obligations. Regarding the Farming Investment Fund:

- a. Could the UK clarify if the grants are one-off, non-refundable payments?
 - i. If they are, and in addition to the information already provided by the UK on page 5, could the UK provide details on why such payments could be notified as general services? Is there another sort of support other than the grants included in the program?
- b. Since a share of the programs' expenditures can be notified under paragraph 11 of the Annex 2, could the UK explain how it applies the concept of "objectively demonstrated structural disadvantage" in the sense of said paragraph to establish the eligibility criteria of the program?
- c. Could the UK point to the legislation establishing the environmental or conservation programme pursuant to paragraph 12, and its specific conditions that apply to the Farming Investment Fund?
- d. Could the UK clarify if each grant shall correspond to a specific policy (in the sense of each of paragraphs 2-13 of Annex 2) or if a grant can encompass payments that relate to more than one specific policy (for instance, could the same farmer receive payments under paragraphs 11 and 12)?
- e. According to the information provided, an overall goal of the "Farming Equipment and Technology Fund" and the "Farming Transformation Fund" is to increase productivity, which, in turn, could generate more than minimal trade-distorting effects or effects on production. In that sense, has the UK considered notifying such program as non-exempt direct payments?

AG-IMS ID 100052: Question by Brazil - Direct payments: payments under environmental programmes

Brazil notices that the total payments per hectare for each standard of the Sustainable Farming Incentive is already defined and publicized. For instance, in what regards "arable and horticultural soils standard", "a farmer doing the introductory level would get GBP 22 per hectare; and a farmer doing the intermediate level would get a total of GBP 40 per hectare", as per the information available on the weblink provided by the UK.

Considering that the UK has stated on page 6 of the notification that "Support is limited to costs incurred and income foregone by landowners delivering the actions of the SFI Pilot", could the UK explain how it has established the payment levels, in general, for the farmers complying with the standards?

2.5.5 United States of America (G/AG/N/USA/156)

AG-IMS ID 100032: Question by European Union - Domestic food aid

During federal years 2020 and 2021 the cost of the Farmers to Families Food Box Program were close to USD 6 billion according to the data provided by the United States. The food was contracted through a competitive bid process.

- a. Was there a requirement for the food included in the boxes to be of US origin, or could imported food also be included?
- b. If imported products were not allowed to be included in the boxes, how could the United States ensure that the USD 6 billion program had no trade-distorting effects?

AG-IMS ID 100033: Question by European Union - Domestic food aid

The EU appreciates the DS:2 notification. As mentioned in other meetings, when references are made to websites, the EU will encourage all Members to indicate the exact link in the notification/answer to question etc.

Dairy Donation Programme

According to the notification: *"The Dairy Donation Program (DDP) is a voluntary programme implemented by the Agricultural Marketing Service (AMS) of the U.S. Department of Agriculture (USDA). The programme reimburses eligible dairy organizations to offset a portion of the raw milk cost for dairy products donated directly to eligible non-profit organizations for distribution to individuals in low-income groups"*.

- a. How is this level of reimbursement fixed? Which criteria are used to fix the level of compensation?
- b. Can the United States indicate for the 2021 budget year (that ended on 30/9/2021) what was the average reimbursement per litre compared to the average overall raw milk price paid to the farmers for the dairies participating in the programme?

2.6 Export subsidy notifications (Tables ES:1, ES:2 and ES:3)**2.6.1 Australia (G/AG/N/AUS/137)****AG-IMS ID 100123: Question by European Union - Export subsidies subject to reduction commitments (Article 9.1)**

The International Freight Assistance Mechanism (IFAM) was established in 2020. It was introduced as a temporary measure with initial funding of AUD 110 million, and has now received over AUD 1 billion.

This programme therefore provides significant support for Australian exports, and the European Union questions the compatibility of a programme of this scale with Australia's export subsidy commitments.

Moreover, in its previous answers, Australia underscored the temporary nature of this programme, which is supposed to end once the market readjusts. When is the programme expected to end and depending on which specific objective criteria?

2.7 Export prohibitions and restrictions (Table ER:1)**2.7.1 Thailand (G/AG/N/THA/119)****AG-IMS ID 100125: Question by Japan - Provision of information justifying the measure**

Japan appreciates that Thailand has submitted the required notification to the Committee on Agriculture in accordance with Article 12 of the Agreement on Agriculture. According to ER:1 notification, three-month export prohibition of 'live swine' has been applied. Could Thailand explain in more detail about the "the critical reduction of the live swine production in Thailand" including its cause and relevant data?

2.8 Notifications in the context of the NFIDC Decision (Table NF:1)**2.8.1 United States of America (G/AG/N/USA/160)****AG-IMS ID 100030: Question by European Union - Quantity and concessionality of food aid**

The European Union notes that under Item 3(e) Value of food assistance used in development programs, the United States explains that some of the commodities donated under Title II, Food for Progress and Food for Education food aid programs were monetized in fiscal year 2019/2020. During

previous years (since 1999/2000) the information in the NF:1 notifications suggests that the entire amount notified under this item represented commodities that were monetized.

- a. How much of the notified amount of USD 688,614,908 for food assistance used in development programs during fiscal year 2019/2020 represent commodities that were monetized?

Have there been any changes introduced to the Title II, Food for Progress and/or Food for Education food aid programs that have resulted in a smaller proportion of commodities being monetized or, if not, are there any other reasons for the change of notification practice?

AG-IMS ID 100031: Question by European Union - Other forms of assistance

The United States informs that WTO developing countries, least-developed countries, and net food-importing developing countries used U.S. Government officially supported export credit guarantee programs for a total value of USD 2,1 billion.

Can the United States provide information about those programmes as required by the yearly questionnaire on export competition? On what terms are they granted? Which agricultural products and for which values benefited from those programmes?

3 DEFERRED REPLIES

SPECIFIC IMPLEMENTATION MATTERS (SIMS)

3.1 Côte d'Ivoire's Tax on imported spirits (SIM 649)

3.1.1 Question by European Union (AG-IMS ID 100139)

The EU wants to reiterate its previous question AG-IMS ID 96046.

Côte d'Ivoire appears to apply a tax of 25% only on imported spirits, under Article 419(3) of the Code Général des impôts.¹ This tax discriminates between imported products and local products.

- a. How does Côte d'Ivoire explain that this tax does not restrict imports?
- b. How does it respects the following WTO commitments:
 - o Article II:1(b) GATT (Schedules of Concessions);
 - o Article III:2, first sentence, GATT (National Treatment on Internal Taxation and Regulation).

3.2 Nigeria's import prohibitions on certain agricultural products (SIM 223)

3.2.1 Question by Brazil (AG-IMS ID 100137)

Brazil invites Nigeria to provide, in writing, through the AG-IMS system, answers to the questions posed by Brazil during the 98th CoA meetings (AG-IMS ID 98129):

Nigeria maintains a list of agricultural products whose imports are prohibited. This list can be found on the website of the "Federal Ministry of Finance" ("Nigeria Customs Service"), at the following address: https://customs.gov.ng/?page_id=3075.

Among the products whose import is prohibited are "live or dead birds including frozen poultry; pork; beef; birds eggs; refined vegetable oils and fats; cane or beet sugar; coca butter, powder and cakes; spaghetti / noodles and fruit juice in retail packs".

¹ <http://www.dgi.cgici.com/indexs.htm>.

In the light of the above, could Nigeria explain how the import ban on the products listed above is consistent with the obligation taken by Nigeria in Article 4 of the AoA, which prohibits Members to maintain or adopt quantitative restrictions on imports?

3.2.2 Question by Brazil (AG-IMS ID 100138)

Brazil invites Nigeria to provide, in writing, through the AG-IMS system, answers to the questions posed by Brazil during the 99th CoA meeting (AG-IMS ID 99105):

Brazil would like to invite Nigeria to provide, in writing, through the AG-IMS system, the answer that was given during the 98th CoA to question AG-IMS ID 98129.

Additionally, Brazil would appreciate it if Nigeria could provide information regarding different restrictions that, in Brazil's view, are tantamount to quantitative prohibitions.

A decade ago, Brazil was contributing to Nigeria's food security through exports of rice, which increased overall supply and kept prices in check. Since 2014/2015, when Nigeria banned the use of foreign exchange to import dozens of agricultural items, including rice, Brazil's exports have decreased to the point of no exports of rice being registered since 2018.

Brazil notes that Nigeria has not answered question AG-IMS ID 98130, posed by the US, regarding the same issue.

In the light of the above, could Nigeria provide the following information:

- a. Which products are being affected by the foreign exchange restrictions?
- b. Why is a staple food such as rice being kept under such restrictions?
- c. Is there a timetable for the lifting of such restrictions?
- d. How does such a "de facto" quantitative restriction comply with WTO rules?

3.3 China's one-off subsidy to farmers (SIM 712)

3.3.1 Question by Australia (AG-IMS ID 100136)

Australia notes [media](#) in mid-June 2021 reported that China is providing a one-off subsidy to farmers, worth 20 billion yuan or US\$3.1 billion, to assist with rising costs of production materials. Australia requests China provides the following details in relation to this 'one-off subsidy':

- a. What are the eligibility criteria for this subsidy?
- b. What 'production materials' is the subsidy seeking to cover rising costs for?
- c. Australia notes the subsidy is being reported as 'aimed at ensuring farmers' willingness to produce grains', therefore could China please detail which grains (and other agricultural products) are eligible for the subsidy?
- d. Will China be notifying this subsidy in its relevant Domestic Support notification? If so, when does China anticipate submitting this notification?
- e. [Reporting](#) cites that 'measures will also be taken to better regulate the agricultural supplies market'; could China please provide detail on what measures it may be considering?
- f. Is this subsidy linked to the reported five other types of subsidies (covering the purchase of farm machine; agricultural insurance; arable land protection; ploughing; and support to corn, soybean and maize production), which are to be provided by the Ministry of Finance? Could China please provide details on these other five subsidies, such as what the total amounts will be?

Australia has asked this question previously (AG-IMS ID 99100) and note China advised at that time it would reply after it had received the relevant information. Australia would appreciate China updating the Membership as to whether this information is now available and if so, providing it in AG-IMS.

INDIVIDUAL NOTIFICATIONS

3.4 Domestic support commitments (Table DS:1)

3.4.1 India (G/AG/N/IND/18)

AG-IMS ID 100007: Question by Australia, Brazil, Canada, European Union, Japan, Paraguay, Thailand, United Kingdom, United States of America and Uruguay - Public stockholding for food security purposes

We would like to repeat the request for information in AG-IMS ID 99006:

This is a follow-up on AG-IMS ID 98039, which was submitted by multiple WTO Members.

In its reply to this question, India has once again stated that it is "in the process of collecting information on 'other support' and it will be notified in due course." Could India please provide an update on when this could be expected to be notified?

We reiterate that this information is necessary to verify whether India has adhered to paragraph 5 of the Bali Ministerial Decision, which requires that there be no increase of Amber Box support for programs other than public stockholding. We also reiterate our concern that given the lack of any indication of what type of other support may be involved, it is difficult to assess whether India is complying with the commitments outlined in the Bali Decision on Public Stockholding for Food Security.

4 OVERDUE NOTIFICATIONS

4.1.1 Canada

AG-IMS ID 100023: Question by United States of America - Transparency issues (including Table DS:2)

The United States thanks Canada for its recent submission of its Table DS:1 notification covering calendar year 2017, but notes Canada is still several years behind in its notification of its domestic support.

What steps is Canada taking to provide its Table DS:1 notifications in a more timely manner moving forward?

4.1.2 Morocco

AG-IMS ID 100029: Question by European Union - Transparency issues (including Table DS:2)

The latest DS:1 notification was submitted in 2012 covering the years 2003 to 2007. When does Morocco intend to submit the outstanding notifications?

4.1.3 Turkey

AG-IMS ID 100024: Question by United States of America - Transparency issues (including Table DS:2)

The United States appreciates the continued efforts by Turkey to bring its notifications up to date. It is also noted that Turkey's most recent export subsidy notification is for calendar year 2013 and was published in 2019, and its most recent domestic support notification is for calendar year 2016.

Given Turkey's historical notification of support in excess of its domestic support commitments and continued apparent use of export subsidies:

- a. Please provide an update on Turkey's ongoing efforts to update its notifications.

5 EXPORT COMPETITION

5.1.1 Canada

AG-IMS ID 100025: Question by United States of America - Export credits, export credit guarantees, insurance programmes

Export Credits

As follow up to AG-IMS ID 99034, the United States notes that Canada did not provide the requested breakdown by agricultural product for its export credit program into the requested product categories (i.e., barley, butter, canola, cheese, corn, pulses, soy, skim milk powder, wheat, and other milk products).

- a. Please provide data by requested product and year from 2015 to 2021.
- b. If Canada is unable to provide this data, please explain why this data cannot be provided.

5.1.2 China

AG-IMS ID 100026: Question by United States of America - Export credits, export credit guarantees, insurance programmes

The United States thanks China for providing responses to Items 3 and 4 of the export financing section of ECQ with regards to SINOSURE's offering of short-term credit insurance for agricultural exports in its response to AG-IMS ID 99031. China response also stated, "The short-term credit insurance program that China provides may cover any products but does not link to any specific agricultural products."

Please clarify why China was not able to provide information on "program use by product or product group" as required.

5.1.3 Egypt

AG-IMS ID 100027: Question by United States of America - Other measures with circumvention potential

As a follow up to AG-IMS ID 93042 and 91138 to which no response from Egypt has yet been received, the United States has seen press reports that the Government of Egypt settled judicial cases for overdue export subsidies administered by the Egyptian Export Development Fund (ESF) to promote several economic sectors, including agricultural companies. According to press reports, we understand the government has already disbursed some EGP 31 billion of exporters' arrears, benefiting 3,000 export companies.

Please confirm whether any export subsidies arrears with agricultural export companies or other agricultural beneficiaries were disbursed.

If so, please confirm the amount of export subsidy arrears that were disbursed and how disbursement rates were determined.

5.1.4 India

AG-IMS ID 100028: Question by United States of America - Transparency issues

Export Credits

In response to AG-IMS IDs 99042 and 99043 regarding reporting under ECGC's Credit Risk Insurance cover program, India stated that other Agriculture and allied products "include cashew, coffee, dairy and poultry products, spices, tea, etc." This response was referenced with regards to the request made in AG-IMS ID 99043 seeking a breakdown of the total value of USD 4.07 billion

by product. However, India did not provide the requested information. The United States therefore repeats the request:

Please provide the value covered under the program for each product identified by India: cotton, cashew, coffee, dairy and poultry products, spices, tea, and any other agricultural products covered under the program.
