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Committee on Import Licensing

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IMPORT LICENSING SYSTEM OF BRAZIL

REPLIES FROM BRAZIL TO QUESTIONS FROM THE EUROPEAN UNION

The following communication, dated 4 October 2019, is being circulated at the request of the delegation of Brazil.

Brazil thanks the EU for its continued interest in better understanding the Brazilian regime of importation of nitrocellulose. Regarding the last few questions made by the EU and circulated as document G/LIC/Q/BRA/24, Brazil would like to make the following clarification:

The Brazilian regime of import and export of controlled and defense products is being updated. Article 34 of Decree 9.607 of 2018, for example, has gone through adjustments. Brazil further clarifies that Decree 3.665 of 2000 is relevant to the matter and should be analyzed in conjunction with Decree 9.607 of 2018. Decree 3.665 of 2000 is also being updated and should be replaced by Decree 9.493 of 2018 in the near future.

In view of the ongoing modernization of regulations that constitute the core of the questions posed by the EU, Brazil is not in a position to provide a definitive answer at this moment. We will do so when the normative basis for a response is defined.

Brazil takes this opportunity to reiterate that it does not differentiate between "industrial" or "military" nitrocellulose. Regardless of the nitrogen concentration, the product poses risk, as it constitutes the basis of the production chain of ammunitions, explosives and other defense products. Given the characteristics of the good, Brazil understands that the adoption of regulations for controlling and monitoring trade in nitrocellulose is a legitimate instrument of protection.
