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Committee on Import Licensing

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IMPORT LICENSING SYSTEM OF EGYPT

REPLIES OF EGYPT TO THE QUESTIONS FROM THE UNITED STATES

The following communication, dated 20 April 2021, is being circulated at the request of the delegation of Egypt.

Egypt would like to thank the United States for the questions raised in G/LIC/Q/EGY/3. Egypt recognizes that having not submitted its notifications under the Agreement on Import licensing procedures induces a legitimate number of questions.

To this end, the following constitute preliminary answers to the questions submitted by the United States, in light of the current coordination efforts among the different Egyptian authorities.

US Follow-up Questions:

- 1. Could Egypt please specify which regulations and procedures govern the administration of licensing procedures of each of these Ministries?**

Reply:

The following list illustrates the regulations governing the licensing procedures of the different authorities and the products falling under their auspices. Worth mentioning, this list is not exclusive:

Authority	Products	Regulation
Ministry of Agricultural and Land Reclamation	Plant and Plant Products	Ministerial Decree No. 562 for the year 2019 issued by the Minister of Agriculture and Land Reclamation covering the regulatory rules governing the work of the Plant Quarantine. The decree specifies the requirements for importing plant and plant products including import permits to ensure against the introduction of pests or diseases.
	Live animals and products of animal origin, animal feed, veterinary vaccines, veterinary drugs insecticides and disinfectants as well veterinary equipment.	Ministerial Decree No. 77 for the year 2012, Ministerial Decree No. 47 for the year 1967 on the veterinary quarantine regulations, Prime Minister Decree No. 222/2018 for the imports of poultry, Prime Minister Decree No. 2080/2018 for the imports of live animals and meat. The decrees provide for the regulatory measures to ensure that imports of live animals and their products do not result in the introduction of diseases based on the disease situation of the exporting country. In addition, to ensuring that imports meet the required standards stipulated by the General Organization for Veterinary Services (GOVS).

Authority	Products	Regulation
Ministry of Communication and Technology	Telecommunication equipment	<p>The Telecommunication Regulation Law No. 10/2003 stipulates that importation of telecommunication equipment can only be done through a license from the National Telecommunications Regulatory Authority according to the standards and specifications approved by it.</p> <p>Type Approval is a compulsory step applied when importing or manufacturing or assembly of any equipment having a communication element. Through this step, compliance of the equipment to the global Radio Frequency (RF), Electromagnetic Compatibility (EMC), Safety and Health standards approved in Egypt is ensured.</p>
Ministry of Environment – Egyptian Environmental Affairs Agency	Ozone Depleting Substances	<p>Environmental Law No. 4/1994 and its executive regulation issued by Prime Minister Decree No. 338/1995 and their amendments.</p> <p>Ministerial Decree No. 77/2000 issued by the Minister of Environmental Affairs whereby imports of hydrofluorocarbons are subject to import licensing to cover Egypt's obligations under of the <i>Montreal Protocol on Substances that Deplete the Ozone Layer</i> for ozone depleting substances and hydrofluorocarbons (HFCs).</p>
	Hazardous Substances and wastes	<p>Environmental Law No. 4/1994 and its executive regulation issued by Prime Minister Decree No. 338/1995 and their amendments by Law Nos. 9/2009, 105/2015 and 202/2020.</p> <p>Regulated by the Environmental Affairs Agency in cooperation with different Ministries whereby each ministry is responsible for import licensing its list of products of hazardous substances and wastes.</p>
	Coal	<p>Environmental Law No. 4/1994 and its executive regulation issued by Prime Minister Decree No. 338/1995 and their amendments.</p>
Egyptian Drug Authority	<ol style="list-style-type: none"> 1. Drugs (Human & Veterinary) 2. Cosmetics 3. Insecticides (Home & Public Health Pesticides) 4. Laboratory & Diagnostic Chemicals (kits) 5. Medical Devices or Supplies (Sterile & non-sterile). 6. Medical Equipment and supplies 	<p>Law No. 51/2019 on the establishment of the Egyptian Authority for Unified Procurement, Medical Supply and the Department of Medical Technology and the Egyptian Drug Authority and its Executive regulation issued by Prime Minister Decree No. 777 for the year 2020 whereby imports of those products are regulated through the registration of importers and the products to be imported.</p> <p>Worth mentioning is that the Egyptian drug authority has taken over all the functions that were formerly performed by the Ministry of Health and Population with respect to the implementation of regulations governing these products.</p>
National Food Safety Authority (NFSA)	Food products	<p>Decision No. 6/2020 on the rules organizing imports of food issued by the board of directors of NFSA. The decision stipulates that importers of food products should be registered in the registry of licensed food importers. Food importers shall not import food products until they have obtained the licence.</p>
Ministry of Interior and Ministry of Defence	Weapons	<p>Law No. 394/1954 and its amendment by Law No. 129/2014 governing the circulation of weapons and firearms.</p>

- 2. Could Egypt please provide copies of and/or descriptions of these regulations, indicating for each product subject to licensing, the eligibility to make an application for an import license, the administrative body for submission of the application, the documents required in an application for an import license?**

Reply:

A brief description of the regulations together with the required information stipulated in Article 4(a) and Article 5 of the Agreement on import licensing procedures will be notified.

- 3. Could Egypt please submit a list of products currently suspended along with the relevant information and specific reasons with explanations justifying the import suspensions.**

Reply:

The list of products stated in Annex 1 of Decree No. 770/2005 and its amendments have not been changed since Egypt's last Trade Policy Review in 2018.

- 4. Under what conditions will imports be allowed to resume and will these products require import licenses?**

Reply:

As explained, imports of these products are suspended for legitimate reasons including health, safety, religious, environmental and national security reasons. Hence, the list of products will only be revised in light of any changes to these reasons.

Additional U.S. Questions:

- 5. When does Egypt plan to submit its notification, copies of its licensing legislation, and its response to the import licensing questionnaire to the WTO Committee on Import Licensing Procedures?**
- 6. Could Egypt forecast how much more time it needs to submit notifications to the committee?**
- 7. The ILA recognizes that "non-automatic licensing procedures should be no more administratively burdensome than absolutely necessary to administer the relevant measure." Could Egypt please clarify for which products it maintains an import licensing regime, and, for each product, what is the administrative purpose and the underlying measure through which the licensing procedure is implemented?**
- 8. Could Egypt clarify whether or not poultry products are subject to "prior approval" in the form of quality control before importation. If so, could Egypt please explain the prior approval?**
- 9. How does the quality control in Egypt's Decree No. 770/2005, Article 102 differ from "import licensing?"**
- 10. Are imports of chicken offal and limbs subject to a "prior approval," import licensing, or both?**

Reply:

On the notification requirements under the agreement, the coordination process with the relevant authorities is currently in progress noting that a number of recently established authorities have overtaken the functions of other entities and have adopted relevant measures that need to be compiled into the notifications.

For poultry imports, a prior approval request is submitted to the General Organization of Veterinary Services.

The requests are then presented to a committee established by the Prime Minister's Decree No. 222/2018 in order to regulate the imports of poultry and its products to ensure that such products do not lead to the introduction of diseases to the Egyptian territories and that they meet the required standards stipulated by the General Organization for Veterinary Services (GOVS) including halal requirements. Approvals are given based on meeting the set standards and requirements and the disease situation of the exporting country.

As for imports of poultry offal and limbs, they are suspended as per Annex1 of Ministerial Decree No. 770/2005.

As regards to Article 102 of Ministerial Decree No. 770/2005, it concerns labelling requirements not licensing requirements.

- 11. Given their 2005 response to Brazil, could Egypt please explain their refusal to import chicken offal and limbs from the United States from 2013-2019 even though 22 U.S. poultry slaughtering establishments were certified by GOVS for slaughtering processes and food safety measures in accordance with Islamic halal practices?**
- 12. How many poultry processing facilities worldwide do Egyptian authorities certify as compliant with Islamic halal practices? Are imports of chicken offal and limbs accepted from any of these plants?**
 - a. If so, we request that Egypt disclose its import trade statistics from the countries where poultry facilities are located.**
 - b. If not, what would be an acceptable basis for imports of chicken offal and limbs into Egypt?**

Reply:

Import statistics for frozen poultry in tons for the period 2018-2019 based on GOVS statistics:

2018	2019	2020
57,614	69,166	52,727

As for imports chicken offal and limbs as explained before they are currently suspended as per Annex 1 of Ministerial Decree No. 770/2005 and any changes in this respect will be duly published.