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Committee on Technical Barriers to Trade

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**INDIA — DRAFT FOOD SAFETY AND STANDARDS (ALCOHOLIC BEVERAGES STANDARDS)
REGULATIONS, 2015**

STATEMENT BY THE EUROPEAN UNION TO THE COMMITTEE ON TECHNICAL BARRIERS TO TRADE
21 AND 22 MARCH 2018

The following communication, dated 16 April 2018, is being circulated at the request of the delegation of the European Union.

1. The European Union would like to reiterate its concerns regarding this measure. The EU welcomes the publication of the regulation concerning additives in the Gazette on 3 August 2017, though not all our concerns were taken on board. We understand that the regulation covering standards for alcoholic beverages has been revised and sent for approval to the competent Minister and that the publication in the Gazette is expected soon. Could India confirm the timeline of the publication adoption?

2. The EU would like to recall transparency obligations contained in the WTO-TBT Agreement. The list of food additives permitted in alcoholic beverages adopted by the competent Indian authorities was notified to the WTO on 22 September 2016 only via the WTO SPS notification system, and not via the TBT. We request India to notify the Regulations to the WTO under the TBT Agreement and to allow a reasonable time for comments before entry into force. Also we would very much appreciate receiving feedback on our comments.

3. As regards the new draft Regulations, the European Union has underlined its concerns at previous meetings of the WTO TBT Committee. Notably, the European Union has raised a number of inconsistencies between the new text and current international practices with the expectation that, in order to be fully in line with Article 2.4 of the TBT Agreement, India aligns its draft alcoholic beverages regulations with those international practices and standards.

4. Finally, the European Union would like to ask the Indian authorities to provide a reasonable transition period for manufacturers to comply with the new provisions and to allow the sale of products already present on the Indian market until stocks are exhausted.
