



**INDIA – MEASURES CONCERNING THE IMPORTATION OF
CERTAIN AGRICULTURAL PRODUCTS**

STATUS REPORT BY INDIA

The following communication, dated 8 June 2016, from the delegation of India to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 21.6 of the DSU.

Status Report Regarding Implementation of the
DSB Recommendations and Rulings in the Dispute
India - Measures Concerning the Importation of Certain
Agricultural Products from the United States
(WT/DS430)

India submits this status report in accordance with Article 21.6 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU").

On 19 June 2015 the Dispute Settlement Body ("DSB") adopted its recommendations and rulings in *India – Measures Concerning the Importation of Certain Agricultural Products from the United States* (WT/DS430). At the following DSB meeting, India informed the DSB of its intention to implement the recommendations and rulings of the DSB in connection with this matter.

On 8 December 2015, India and the United States informed the DSB that they had agreed that a reasonable period of time for India to implement the recommendations and rulings would end on 19 June 2016.

Indian authorities have been conferring with interested parties since the adoption of the rulings and recommendations of the DSB to fully comply with them. They have held extensive internal stakeholder consultations in this regard.

Based on these consultations and deliberations, India notified to the Committee on Sanitary and Phytosanitary Measures (SPS Committee) on 18 April 2016 a new draft notification concerning the import of poultry and poultry products into India in view of outbreak of Avian Influenza. India's notification to the SPS Committee is contained in G/SPS/N/IND/143.

The new draft notification has been issued by the Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture and Farmers Welfare, Government of India in exercise of the power conferred by sub-section (1) of Section 3 and Section 3A of the Livestock Act, 1898 (9 of 1898) and in supersession of the notification of the Government of India in the Ministry of Agriculture published in the Gazette of India, Extraordinary, part II, Section 3, sub-section (ii) vide number S.O.1663(E) dated 19 July 2011, which was the measure in the present dispute.

The draft notification circulated to the WTO Members takes into account the OIE guidelines on Avian Influenza. The notification provides the member countries to export poultry and poultry products originating from the region and compartment free from Avian Influenza. In this regard, the provisions of the SPS Agreement have been fully complied with and accordingly, India

considers that the recommendations and rulings of the DSB will be complied with fully through the notification.

India is awaiting comments from WTO members on its new draft notification. Taking the comments, if any, into consideration, India would be issuing the final notification, which would come into force when issued and published.

India has taken all steps required to comply with the findings and recommendations of the DSB in this dispute. The new notification would bring India into full compliance with the recommendations and rulings of the DSB.
