

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

TBT/Spec/3
20 June 1980

Special Distribution

Committee on Technical Barriers to Trade

UNDERSTANDING RELATING TO INDIAN ACCEPTANCE OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE

Note by the Secretariat

1. When the delegation of India signed the Procès-Verbal with respect to the Agreement on Technical Barriers to Trade it indicated that its acceptance of the Agreement would depend on the solution of a number of problems.
2. The secretariat has consulted with signatories to the Agreement and the delegation of India and is now in a position to suggest that these problems be handled in accordance with the attached understanding.
3. If no objections are received by the secretariat by Monday, 30 June 1980, signatories will be considered to have assented to the understanding and the delegation of India will proceed to take the necessary steps on this assumption.

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UNDERSTANDING

The signatories agree to grant the Government of India an exception, in pursuance of the provisions of Article 12.8 of the Agreement, for a period of two years from the obligations of Article 7.2. The Committee shall review the operation of the exception of AGMARK with a view to determining if it has created trade problems for other signatories. If no such problems exist, the exception shall be renewed.

The signatories agree that the misuse of certification marks by foreign suppliers is a matter of common concern and that they should examine in the Committee the development of co-operation to prevent such misuse.

The Government of India understands that when implementing the provisions of Article 5.2 the reliance upon self-certification might in some cases be conditional upon third-party surveillance.