IMMEDIATE NOTIFICATION UNDER ARTICLE 12.5 OF THE AGREEMENT ON SAFEGUARDS TO THE COUNCIL FOR TRADE IN GOODS OF PROPOSED SUSPENSION OF CONCESSIONS AND OTHER OBLIGATIONS REFERRED TO IN PARAGRAPH 2 OF ARTICLE 8 OF THE AGREEMENT ON SAFEGUARDS

INDIA

Revision

The following communication, dated 13 June 2018, is being circulated at the request of the Delegation of India.

India hereby submits a revision of Annexes I and II appended to its notification dated 18 May 2018 in which it notified the Council for Trade in Goods of its decision to suspend concessions and other obligations in accordance with Articles 8.2 and 12.5 of the Agreement on Safeguards.[1] This notification is made in connection with safeguard measures imposed by the United States of America ("United States") on imports of certain aluminum and steel articles, *vide* Presidential Proclamation Nos. 9704 and 9705 (dated 8 March, 2018), respectively with the effective date of 23 March, 2018.

The revision is being provided to adjust the products and the tariff rates in accordance with India's rights reserved vide its notification to the Council for Trade in Goods contained in the WTO Doc. No. G/L/1239 and G/SG/N/12/IND/1 of 18 May 2018.

India hereby reiterates its decision to suspend concessions or other obligations notified to the Council for Trade in Goods on 18 May 2018 under Article XIX:3 of the General Agreement on Tariffs and Trade 1994 ("GATT 1994") and Article 8.2 of the Agreement on Safeguards, that are substantially equivalent to the amount of trade affected by the measures imposed by the United States. The proposed suspension of concessions or other obligations takes the form of an increase in tariffs on selected products originating in the United States, based on the measures of the United States. India reserves its right to further suspend substantially equivalent concessions and other obligations based on the trade impact resulting from the application of the measures of the United States.

India will inform both the Council for Trade in Goods and Committee on Safeguards on the next appropriate steps.

ANNEX I

The goods covered are determined, within the Annex, by HS codes.

S. No.	HS Code	Commodity	Additional Duty
1	5119911	ARTEMIA	10
2	7132000	CHICKPEAS (GARBANZOS) DRIED AND SHLD	10
3	7134000	LENTILS (MOSUR),DRIED AND SHLD	10
4	8021100	ALMONDS FRSH OR DRIEDIN SHELL	20
5	8021200	SHELLED ALMONDS FRSH OR DRIED	20
6	8023100	WALNUTS FRSH OR DRIED IN SHELL	20
7	8081000	APPLES FRSH	25
8	28092010	PH0SPH0RIC ACID	15
9	28100020	BORIC ACID	10
10	38220090	OTHERS-DIAGNOSTIC REAGENTS	10
11	38249990	OTHER-BINDERS FOR FOUNDRY MOULDS	10
12	72101210	OTS/MR TYPE-FLAT ROLLED PRODUCTS OF THICKNESS >600 mm	15
13	72101290	OTHER PLATES,SHEETS,STRIPS	15
14	72191200	HT-RLLD PRDCTS IN COILS OF THCKNS >=4.75 MM BT<10 MM	15
15	72191300	HT-RLLD PRDCTS IN COILS OFTHCKNS >= 3 MM BT < 4.75 MM	15

16	72192190	OTHR NCKL CHRM AUSTNTC TYPE N.E.S.	15
17	72199090	OTHR SHEETS AND PLATES N.E.S.	15
18	72251100	FLT-RLD PRDCTS OF SILICON ELCTRCL STL GRAIN ORIENTED	15
19	73072900	OTHER FITTINGS OF STAINLESS STEEL	15
20	73079990	NON-GALVANISED	15
21	73089090	OTHER STRUCTURE AND PARTS OF STRUCTURES OF IRON AND STEEL(EXCL FLOATING STRUCTURES)	15
22	73102990	OTHERS-TANKS AND DRUMS ETC.	15
23	73181500	OTHR SCREWS AND BOLTS W/N WTH NUTS OR WASHERS THREADED	15
24	73181600	THREADED NUTS	15
25	73182990	OTHER NON-THREADED ARTICLES N.E.S.	15
26	73209090	OTHERS OF OTHER SPRINGS OF IRON/STEEL	15
27	73259999	OTHER CAST ARTICLES OF IRON OR STEEL N.E.S	15
28	73261990	OTHERS OF OTHER ARTICLES OF FORGED OR STAMPED BUT NOT FURTHER WORKED	15
29	73269099	ALL OTHER ARTICLES OF IRON/STEEL NES OTHER STEERING OR RUDDER EQUIPMENT FOR SHIPS AND BOATS, N.E.S.	15
30	87115000	MOTOR CYCL ETC WTH RCPRCTNG INTRNL CMBSTN PISTON ENGINE OF CYLNDR CAPACITY>800 CC	50

ANNEX II

The substantially equivalent concessions or other obligations under GATT 1994 were calculated as follows:

1. The effects on trade due to the measures of the United States on India's steel and aluminium export were calculated as follows: (based on the export value in the calendar year 2017; in Million US dollars) .

Affected Products	US imports from India-US$ Million	% of Additional Duties imposed by the US Government	Duty likely to be collected by the US Government-US$ Million
Steel	794.6	25	198.6
Aluminium	424.3	10	42.4
Total Duties			241.0
Source: UN COMTRADE-WITS data			

2. The effects on trade due to application of substantially equivalent concessions on India's imports originating in the U.S were calculated as follows: (based on the import value in 2017; in Million US dollars) .

S.No.	HS Code	Commodity	India's imports from the US-Jan-Dec 2017-US$ Million	Proposed Additional Duty	Duty likely to be collected-US$ Million
1	5119911	ARTEMIA	25.08	10	2.51
2	7132000	CHICKPEAS (GARBANZOS) DRIED AND SHLD	29.68	10	2.97
3	7134000	LENTILS (MOSUR),DRIED AND SHLD	44.5	10	4.45
4	8021100	ALMONDS FRSH OR DRIEDIN SHELL	580.63	20	116.13
5	8021200	SHELLED ALMONDS FRSH OR DRIED	28.76	20	5.75
6	8023100	WALNUTS FRSH OR DRIED IN SHELL	43.29	20	8.66
7	8081000	APPLES FRSH	96.57	25	24.14
8	28092010	PH0SPH0RIC ACID	96.18	15	14.43
9	28100020	BORIC ACID	2.04	10	0.20

10	38220090	OTHERS-DIAGNOSTIC REAGENTS	122.87	10	12.29
11	38249990	OTHER-BINDERS FOR FOUNDRY MOULDS	80.58	10	8.06
12	72101210	OTS/MR TYPE-FLAT ROLLED PRODUCTS OF THICKNESS >600 mm	10.48	15	1.57
13	72101290	OTHER PLATES,SHEETS,STRIPS	8.51	15	1.28
14	72191200	HT-RLLD PRDCTS IN COILS OF THCKNS >=4.75 MM BT<10 MM	20.03	15	3.00
15	72191300	HT-RLLD PRDCTS IN COILS OFTHCKNS >= 3 MM BT < 4.75 MM	8.43	15	1.26
16	72192190	OTHR NCKL CHRM AUSTNTC TYPE N.E.S.	7.35	15	1.10
17	72199090	OTHR SHEETS AND PLATES N.E.S.	5.09	15	0.76
18	72251100	FLT-RLD PRDCTS OF SILICON ELCTRCL STL GRAIN ORIENTED	18.84	15	2.83
19	73072900	OTHER FITTINGS OF STAINLESS STEEL	12.18	15	1.83
20	73079990	NON-GALVANISED	13.17	15	1.98
21	73089090	OTHER STRUCTURE AND PARTS OF STRUCTURES OF IRON AND STEEL(EXCL FLOATING STRUCTURES)	6.39	15	0.96
22	73102990	OTHERS-TANKS AND DRUMS ETC.	11.19	15	1.68
23	73181500	OTHR SCREWS AND BOLTS W/N WTH NUTS OR WASHERS THREADED	23.61	15	3.54
24	73181600	THREADED NUTS	7.93	15	1.19
25	73182990	OTHER NON-THREADED ARTICLES N.E.S.	14.61	15	2.19
26	73209090	OTHERS OF OTHER SPRINGS OF IRON/STEEL	8.24	15	1.24
27	73259999	OTHER CAST ARTICLES OF IRON OR STEEL N.E.S	5.7	15	0.86
28	73261990	OTHERS OF OTHER ARTICLES OF FORGED OR STAMPED BUT NOT FURTHER WORKED	13.49	15	2.02
29	73269099	ALL OTHER ARTICLES OF IRON/STEEL NES OTHER STEERING OR RUDDER EQUIPMENT FOR SHIPS AND BOATS, N.E.S.	39.27	15	5.89
30	87115000	MOTOR CYCL ETC WTH RCPRCTNG INTRNL CMBSTN PISTON ENGINE OF CYLNDR CAPACITY>800 CC	10.6	50	5.30

India wishes to clarify that suspension of concessions shall be equivalent to the amount of trade affected by the United States' measures. To this end, India reserves the right to adjust the specific products for which suspension of concessions is effectuated, and its right to adjust the additional rate of duty imposed on such products.

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1 G/L/1239 and G/SG/N/12/IND/1 .

1 G/L/1239 and G/SG/N/12/IND/1 .