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**INDIA – IMPORT RESTRICTIONS MAINTAINED UNDER
THE EXPORT AND IMPORT POLICY 2002-2007**

Request for Consultations by the European Communities

The following communication, dated 23 December 2002, from the Permanent Delegation of the European Commission to the Permanent Mission of India and to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

On behalf of the European Communities, I hereby request consultations with India pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Article XXII of the General Agreement on Tariffs and Trade 1994 (GATT 1994), Article 19 of the Agreement on Agriculture, Article 6 of the Agreement on Import Licensing Procedures, Article 11 of the Agreement on Sanitary and Phytosanitary Measures and Article 14 of the Agreement on Technical Barriers to Trade, on the import restrictions maintained by India under its Export and Import Policy, 2002-2007.

The European Communities considers that these import restrictions may constitute an infringement of, in particular but not necessarily exclusively, the following WTO provisions:

- Articles III, X and XI of GATT 1994;
- Article 4.2 of the Agreement on Agriculture;
- Articles 1, 2 and 3 of the Agreement on Import Licensing Procedures;
- Articles 2, 3, 5, 7 and 8 of the Agreement on Sanitary and Phytosanitary Measures;
- Article 2 of the Agreement on Technical Barriers to Trade,

and may not be justified under Articles XX or XXI of GATT 1994.

While reserving its right to revert in the consultations to any product subject to restrictions as detailed in India's EXIM Policy 2002-2007, the European Communities requests clarification of, and the justification for, the import restrictions concerning the list of products attached to this request.

I look forward to receiving your reply to the EC's request, and to setting a mutually convenient date for these consultations.

**INDIA – ITEMS SUBJECT TO RESTRICTION
OF CONCERN TO THE EC
(AS OF DECEMBER 2002)**

2002 HS Code	Product Description	QR symbol	Justification as per WTO notification
010110.00	Live Horses, pure-bred breeding animals	NAL	A-XX(b)
010110.10	Live Horses	NAL	A-XX(b)
010310.00	Live swine, pure-bred breeding animals	NAL	A-XX(b)
010511.00	Fowls of the species Gallus Domesticus, weighing not more than 185g other than grandparent stock	NAL	A-XX(b)
010512.00	Live turkeys, weighing not more than 185g, other than grandparent stock	NAL	A-XX(b)
010519.00	Other	NAL	A-XX(b)
040700.10	Birds eggs of the species Gallus Domesticus and ducks, for hatching	NAL	A-XX(b)
040700.20	Of the species Gallus and ducks other than for hatching	NAL	A-XX(b)
040700.90	Other	NAL	A-XX(b)
050400.10	Guts of cattle for natural food casings	P/NAL	Products of species protected under the Wild Life Protection Act, 1972, are prohibited. Other products are restricted A-XX(b)
050400.20	Guts of sheep and goats for natural food casings as also guts of other animals for natural food casings	P/NAL	Products of species protected under the Wild Life Protection Act, 1972, are prohibited. Other products are restricted A-XX(b)
050400.39	Other guts, other than for natural food casings	P/NAL	Products of species protected under the Wild Life Protection Act, 1972, are prohibited. Other products are restricted A-XX(b)
050400.49	Other bladders and stomachs	P/NAL	Products of species protected under the Wild Life Protection Act, 1972, are prohibited. Other products are restricted A-XX(b)
051110.10	Bovine Semen	P/NAL	Products of species protected under the Wild Life Protection Act, 1972, are prohibited. Other products are restricted A-XX(b)
051199.19	Other sinews and tendons	P/NAL	Products of species protected under the Wild Life Protection Act, 1972, are prohibited. Other products are restricted A-XX(b)
051199.99	Other	P/NAL	Products of species protected under the Wild Life Protection Act, 1972, are prohibited. Other products are restricted A-XX(b)

2002 HS Code	Product Description	QR symbol	Justification as per WTO notification
060220.10	Edible fruit or nut trees, grafted or not	NAL	P-XX(b)
070110.00	Potatoes, fresh or chilled seed	AL	P-XX(b)
070190.00	Potatoes, fresh or chilled other	NAL	P-XX(b)
070320.30	Garlic, fresh or chilled	NAL	P-XX(b)
091099.11	Celery seed	NAL	P-XX(b)
091099.12	Fenugreek seed	NAL	P-XX(b)
121140.00	Poppy straw	NAL	H-XX(b)
121190.32	Psyllium husk	NAL	H-XX(b)
121190.13	Psyllium seed	NAL	H-XX(b)
121190.60	Vinca Rosea herbs	NAL	H-XX(b)
230110.10	Meat meals and pellets (including tankage)	NAL	A-XX(b)
230110.90	Other (including greaves)	NAL	A-XX(b)
251512.10	Marble blocks	NAL	C-XX(g)
251512.20	Marble slabs	NAL	C-XX(g)
251611.00	Granite crude or roughly trimmed	NAL	C-XX(g)
251612.00	Granite merely cut by sawing or otherwise into blocks or slabs of a rectangular (including square) shape	NAL	C-XX(g)
292090.30	Tris (2,3 di-bromo propyl) phosphate	NAL	SEC-XXI(b)
292090.90	Crocodilite	NAL	SEC-XXI(b)
293090.80	Allyl iso-thiocyanate	NAL	SEC-XXI(b)
293359.40	1-amino-4-methyl piperazine	NAL	SEC-XXI(b)
294110.10	Penicilline and its salts	NAL	H-XX(b)
294110.50	6-APA	NAL	H-XX(b)
294190.11	Rifampicin	NAL	H-XX(b)
294190.12	3 formyl Rifa S.V (Rifa int)	NAL	H-XX(b)
294190.13	Rifa S/Rifa S sodium (Rifa int)	NAL	H-XX(b)
294190.14	1-amino-4-methyl piperazine (Rifa int)	NAL	H-XX(b)
300310.00	Medicaments containing penicilline or derivatives thereof, with a penicillanic acid structure or streptomycins or their derivatives, not put up in measured doses or in forms or packaging for retail sale	NAL	H-XX(b)
300410.10	Penicilline	NAL	H-XX(b)
300420.92	Rifampicin	NAL	H-XX(b)
300650.00	First aid boxes and kits	NAL	H-XX(b)
310100.91	Animal Dung	NAL	H-XX(b)
310100.92	Animal excreta	NAL	H-XX(b)
340490.31	Poly Brominated Biphenyls	NAL	H-XX(b)
340490.32	Poly Chlorinated Biphenyls	NAL	H-XX(b)
340490.33	Poly Chlorinated Terphenyls	NAL	H-XX(b)
360410.00	Fireworks	NAL	H-XX(b)
360490.10	Ships signals	NAL	H-XX(b)
360490.90	Others	NAL	H-XX(b)
360500.10	Safety matches	NAL	H-XX(b) or SEC XXI(b)
360500.90	Other matches	NAL	H-XX(b) or SEC XXI(b)
360690.10	Combustible preparations	NAL	H-XX(b) or SEC XXI(b)
360690.91	Ferro-cerium in all forms	NAL	H-XX(b) or SEC XXI(b)
360690.92	Pyrophoric alloys in all forms	NAL	H-XX(b) or SEC XXI(b)
370610.11	Feature films of a width 35mm or more made wholly in black and white and of a length not exceeding 4000 metres	AL/NAL	LR-XX(d)

2002 HS Code	Product Description	QR symbol	Justification as per WTO notification
370610.12	Feature films of a width 35mm or more made wholly in black and white and of a length exceeding 4000 metres	AL/NAL	LR-XX(d)
370610.13	Feature films of a width 35mm or more made wholly or partly in colour and of a length not exceeding 4000 metres	AL/NAL	LR-XX(d)
370610.14	Feature films of a width 35mm or more made wholly or partly in colour and of a length exceeding 4000 metres	AL/NAL	LR-XX(d)
370690.11	Other Feature films made wholly in black and white and of a length not exceeding 4000 metres.	AL/NAL	LR-XX(d)
370690.12	Other Feature films made wholly in black and white and of a length exceeding 4000 metres.	AL/NAL	LR-XX(d)
370690.13	Other Feature films made wholly or partly in colour and of a length not exceeding 4000 metres.	AL/NAL	LR-XX(d)
370690.14	Other Feature films made wholly or partly in colour and of a length exceeding 4000 metres.	AL/NAL	LR-XX(d)
370610.20	Documentary shorts and films certified as such by the Central Board of Film Certification	AL/NAL	LR-XX(d)
370610.20	Documentary Shorts and films certified as such by the Central Board of Film Certification	AL/NAL	LR-XX(d)
370610.51	Patch prints, including logos intended exclusively for the entertainment of children	AL/NAL	LR-XX(d)
370690.51	Other children's films: Patch prints, including logos intended exclusively for the entertainment of children	AL/NAL	LR-XX(d)
370690.20	Documentary Films	AL/NAL	LR-XX(d)
370690.20	Other documentary shorts and films certified as such by the Central Board of Films Certification	Not Presume	Stated As above
370690.41	Made wholly in black and white	Not	Stated
370690.42	Made wholly or partly in colour	Not	Stated
370610.41	Made wholly in black and white	Not	Stated
370610.42	Made wholly or partly in colour	Not	Stated
370610.92	Master positives, exposed negatives, dupes and rush prints as are not cleared for public exhibitions	Not	Stated
370610.99	Other	AL/NAL	LR-XX(d)
480100.10	Glazed newsprint	AL	Imports by others than registered users: LR-XX(d)
480100.90	Other Newsprint	AL	Imports by others than registered users: LR-XX(d)
710812.00	Gold, other unwrought form	SIL	Au-XX(c)
711890.00	Other (coins)	NAL	LR-XX(d)
720429.10	Empty or discharged cartridges of all bores and sizes	NAL	Sec XXI(b)

2002 HS Code	Product Description	QR symbol	Justification as per WTO notification
852439.20	Other video films	NAL	LR - XX(d)
852510.10	Radio broadcast transmitter	NAL	LR-XX(d) or SEC - XXI (b)
852510.20	TV broadcast transmitter	NAL	LR-XX(d) or SEC - XXI (b)
852510.90	Other	NAL	LR-XX(d) or SEC - XXI (b)
852520.15	Marine radio equipment	NAL	LR-XX(d) or SEC - XXI (b)
852520.19	Other	NAL	LR-XX(d) or SEC - XXI (b)
852520.92	Other satellite communication equipment	NAL	LR-XX(d) or SEC - XXI (b)
852520.99	Other	NAL	LR-XX(d) or SEC - XXI (b)
852910.11	Aerials and aerial reflectors of all kinds; parts suitable for use therewith. Dish antenna for communication jamming equipment	NAL	LR - XX(d)
852910.22	Other aerials/antenna for communication jamming equipment	NAL	LR - XX(d)
852990.20	Other for communication jamming equipment	NAL	LR - XX(d)
880220.00	Aeroplanes and other aircrafts, of an unladen weight not exceeding 2000 kg	AL/NAL	Airplanes and helicopters can be imported without a licence by importers fulfilling conditions announced through a public notice. Other products are restricted: H-XX(b) or LR - XX(d)
880230.00	Aeroplanes and other aircraft, of an unladen weight exceeding 2000 kg but not exceeding 15000 kg	AL/NAL	Airplanes and helicopters can be imported without a licence by importers fulfilling conditions announced through a public notice. Other products are restricted: H-XX(b) or LR - XX(d)
880240.00	Aeroplanes and other aircraft, of an unladen weight exceeding 15000 kg	AL/NAL	Airplanes and helicopters can be imported without a licence by importers fulfilling conditions announced through a public notice. Other products are restricted: H-XX(b) or LR - XX(d)
970500.10	Stuffed animals and birds, taxidermy	NAL	Permissible under clause 3(1) of Foreign Trade (Exemption from Application of rules in certain cases) Order, 1993
970500.90	Other	NAL	Permissible under clause 3(1) of Foreign Trade (Exemption from Application of rules in certain cases) Order, 1993
970600.00	Antiques of an age exceeding 100 years	NAL	Permissible under clause 3(1) of Foreign Trade (Exemption from Application of rules in certain cases) Order, 1993