

WORLD TRADE ORGANIZATION

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(00-5375)

Committee on Safeguards

Original: Spanish

PROVISIONAL SAFEGUARD MEASURES IMPOSED BY CHILE ON POWDERED MILK AND LIQUID UHT MILK

Request for Consultations under Article 12.4 of the Agreement on Safeguards

Supplement

The following communication, dated 5 December 2000, has been received from the Permanent Mission of Chile.

Pursuant to Article 12.5 of the Agreement on Safeguards, Chile transmits herewith the notification of the results of the consultations in conformity with Article 12.4.

The consultations were requested in relation to Chile's application of provisional safeguard measures on imports of powdered milk (tariff headings 04.02.1000, 04.02.2110, 04.02.2120, 04.02.2130, 04.02.2140, 04.02.2150, 04.02.2160, 04.02.2170, 04.02.2180, 04.02.2910, 04.02.2920, 04.02.2930, 04.02.2940, 04.02.2950, 04.02.2960, 04.02.2970 and 04.02.2980 in Chile's Harmonized Tariff) and liquid UHT milk (tariff headings 0401.1000, 0401.2000 and 0401.3000 in Chile's Harmonized Tariff).

1. Specify the provision under which consultations were held (i.e. Article 12.3 or Article 12.4).

Article 12.4.

2. Provide reference to the WTO document that notified the safeguard action regarding which consultations were held under Article 12.3 or 12.4.

Notifications submitted:

- Under Article 12.1(a) of the Agreement on Safeguards relating to initiation of an investigatory process and the reasons for it (G/S/24/Suppl.8); and
- pursuant to Article 12.4 of the Agreement on Safeguards, before taking a provisional safeguard measure referred to in Article 6 (G/S/24/Suppl.2 and G/S/24/Suppl.3).

3. Specify the Members involved in the consultations, and provide the time-period during which consultations were held.

The consultations were held in Geneva on 21 November 2000. The following participated in the consultations: Argentina (document G/SG/24), Canada (G/SG/24/Suppl.2), Australia (G/SG/24/Suppl.3), New Zealand (G/SG/24/Suppl.4), Uruguay (G/SG/24/Suppl.5), United States (G/SG/24/Suppl.7), the European Communities (document G/SG/25), and Poland (document G/SG/26).

4. Describe the results of the consultations

The Members which requested the consultations put a number of questions to Chile concerning compliance with the requirements and procedures used when applying the provisional safeguard measures to dairy products. They also requested Chile to revoke the measure and not to apply a definitive safeguard measure.

Officials from the Ministry of Agriculture and the Chilean Distortions Committee explained the situation of the dairy market in Chile and gave oral replies to questions on the factors taken into account when applying the provisional safeguard measures. It was also pointed out that the current measure was below the level of tariffs bound in the WTO. The Chilean representatives said that they would take into consideration the views of the Members participating in the consultations in the recommendation and decision on any definitive safeguards measure.
