WORLD TRADE ORGANIZATION

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Committee on Safeguards

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NOTIFICATION UNDER ARTICLE 12.1(B) OF THE AGREEMENT ON SAFEGUARDS ON FINDING A SERIOUS INJURY OR THREAT THEREOF CAUSED BY INCREASED IMPORTS

NOTIFICATION UNDER ARTICLE 12.1(C) OF THE AGREEMENT ON SAFEGUARDS ON TAKING A DECISION TO APPLY A SAFEGUARD MEASURE

NOTIFICATION PURSUANT TO ARTICLE 9, FOOTNOTE 2, OF THE AGREEMENT ON SAFEGUARDS

RUSSIAN FEDERATION

(Tableware and Kitchenware of Porcelain)

The following submission, dated 10 September 2013 is being circulated at the request of the Russian Federation.

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With reference to the WTO document G/SG/N/8/RUS/2-G/SG/N/10/RUS/2 hereby the Russian Federation notifies the Committee on Safeguards that on 27 August 2013 the Board of the Eurasian Economic Commission took a decision to apply a safeguard measure as proposed by the Department for Internal Market Defence.

The decision of the Eurasian Economic Commission was published on the official website of the Eurasian Economic Commission on 28 August 2013 and is available at http://www.eurasiancommission.org/docs/Download.aspx?IsDlg=0&print=1&ID=4628.

The public notice regarding the safeguard measure was published on the official website of the Eurasian Economic Commission on 28 August 2013 and is available at http://www.eurasiancommission.org/ru/act/trade/podm/notice/Lists/List/Attachments/37/notice_determination_porcelain.pdf.

The relevant report of the Department for Internal Market Defence can be downloaded from http://www.eurasiancommission.org/ru/act/trade/podm/eec_investigations/Documents/report_final_porcelain.pdf.

1 NOTIFICATION UNDER ARTICLE 12.1(C) OF THE AGREEMENT ON SAFEGUARDS ON TAKING A DECISION TO APPLY A SAFEGUARD MEASURE

1. Provide evidence, citing relevant data and the applicable period of investigation of serious injury or threat thereof caused by increased imports

Please see WTO documents G/SG/N/8/RUS/2-G/SG/N/10/RUS/2. More detailed information can be found in the report of the Department for Internal Market Defence.

2. Provide information on whether there is an absolute increase in imports or an increase in imports relative to domestic production

Please see WTO documents G/SG/N/8/RUS/2-G/SG/N/10/RUS/2. More detailed information can be found in the report of the Department for Internal Market Defence.

3. Provide precise description of the product involved. Provide the Harmonized System numbers under which the product enters at least at a 6-digit HS level, and at a sub-national level (e.g. 8-digit HS, 9-digit HS or 10-digit HS) if practicable. (The HS codes will be provided for reference purposes only.)

Tableware and kitchenware of porcelain is classified under the code 6911 10 000 0 of the Single Commodity Nomenclature for Foreign Economic Activities of the Customs Union. The above code is provided only for information purpose. More detailed information can be found in the report of the Department for Internal Market Defence.

4. If the final measure replaces a provisional measure, or if a final measure is extended, a Member is encouraged to provide a written description of any part of the imported product that will no longer be subject to the measure and the Harmonized System numbers under which it enters at least at a 6-digit level, and at a sub-national level (e.g. 8-digit, 9-digit or 10-digit level) if practicable

Not applicable.

5. Provide precise description of the proposed measure

The Board of the Eurasian Economic Commission took a decision to apply a safeguard measure in the form of a safeguard duty in amounts as specified in the following table.

Period of application	From 29 September 2013 to 28 September 2014	From 29 September 2014 to 28 September 2015	From 29 September 2015 to 28 September 2016
Amount of duty	1,479 US Dollars per 1 ton	1035.3 US Dollars per 1 ton	591.6 US Dollars per 1 ton

6. Provide proposed date of introduction of the measure

The measure shall become effective on 29 September 2013.

7. Provide expected duration of the measure.

The period of application of the safeguard measure is 3 years.

8. For a measure with a duration of more than three years, provide the proposed date for the review (under Article 7.4) to be held not later than the mid-term of the measure, if such a date for the review has already been scheduled

Not applicable.

9. If the expected duration is over one year, provide expected timetable for progressive liberalization of the measure

The measure is to be liberalized as follows.

Period of application	From 29 September 2013 to 28 September 2014	From 29 September 2014 to 28 September 2015	From 29 September 2015 to 28 September 2016
Amount of duty	1,479 US Dollars per 1 ton	1035.3 US Dollars per 1 ton	591.6 US Dollars per 1 ton

10. If the notification relates only to a finding of serious injury or threat thereof, and does not relate to a decision to apply or extend a safeguard measure, provide information regarding procedures for prior consultation with those Members having a substantial interest as exporters of the product concerned.

Not applicable.

11. If the measure is being extended, also provide:

i. evidence that the industry concerned is adjusting and that the safeguard measure continues to be necessary to prevent or remedy serious injury;
ii. reference to the WTO document that notified the initial application of the measure;
iii. duration of the measure from initial application till the date at which it will be extended; and,
iv. precise description of the measure in place prior to the date of extension (in this context, please note that the last sentence of Article 7.4 states that: "A measure extended under paragraph 2 shall not be more restrictive than it was at the end of the initial period, and should continue to be liberalized.")

Not applicable.

12. If the notification relates to a decision to apply or extend a safeguard measure, Members are encouraged to provide the following information:
i. The major exporting Members of imports of the product involved.
ii. If there are any exporting Members to which the measure does not apply for any reason other than the application of Article 9.1, the names of such exporting Members and reasons for non-application of the measure.

The major exporting Members of the product involved are China, Ukraine, Czech Republic, Poland and Germany.

2 NOTIFICATION UNDER ARTICLE 9, FOOTNOTE 2 OF NON-APPLICATION OF THE SAFEGUARD MEASURE TO THE PRODUCT ORIGINATING IN CERTAIN DEVELOPING COUNTRIES

1. Specify the measure

The safeguard measure is specified in the Notification submitted under Article 12.1(c) of the Agreement on Safeguards.

2. Specify the product subject to the measure

The product subject to the safeguard measure is specified in the Notification submitted under Article 12.1(c) of the Agreement on Safeguards.

3. Specify the developing countries to which the measure is not applied under Article 9.1 of the Agreement on Safeguards, and the import shares of these countries individually and collectively

The measure shall not be applied to the product originating in the developing countries – users of the Customs Union Tariff Preferences System, except China. Shares of imports from these countries, except China, individually do not exceed 3 per cent and collectively do not account for more than 9 per cent of the total imports of tableware and kitchenware of porcelain into the single customs territory of the Customs Union of the Republic of Belarus, the Republic of Kazakhstan and the Russian Federation.

4. Subsequently, if there is a change in the list of developing countries exempted from the safeguard measure pursuant to Article 9.1, please notify:
i. the reference to the WTO document that notified the Members about the initial action under footnote 2 to Article 9.1;
ii. if applicable, names of the countries which are dropped from the list of developing countries to which the safeguard measure does not apply pursuant to Article 9.1, the list

of the countries remaining on the list, the individual and collective import shares of the developing countries remaining on the list, and the date on which the safeguard measure applies to the countries dropped from the list;
iii. if applicable, names of the countries which are added to the list of developing countries to which the safeguard measure does not apply pursuant to Article 9.1, the list of all the countries on the list, the individual and collective import shares of the developing countries on the list, and the date from which the safeguard measure does not apply to the countries which are added to the list.

Not applicable.

The address of the competent authority for correspondence is:

Eurasian Economic Commission
Department for Internal Market Defence
3/5, Smolensky boulevard
Moscow, 119121, Russia
Tel. +7 (495) 6692400 ext. 1309, 1272, 1291
Fax +7 (495) 6692400 ext. 1109
E-mail: tradedefence@eecommission.org

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