

18 September 2020

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Committee on Safeguards

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**NOTIFICATION UNDER ARTICLE 12.1(C) OF THE AGREEMENT ON
SAFEGUARDS ON TAKING A DECISION TO APPLY
A SAFEGUARD MEASURE****NOTIFICATION UNDER ARTICLE 9, FOOTNOTE 2,
OF THE AGREEMENT ON SAFEGUARDS**

MADAGASCAR

Soap

The following communication, dated 17 September 2020, is being circulated at the request of the delegation of Madagascar.

In accordance with Article 12.1(c) of the Agreement on Safeguards, Madagascar hereby notifies the Committee on Safeguards of the decision to apply a safeguard measure to imports of soap. Madagascar also wishes to notify the Committee, under Article 9, footnote 2, of the Agreement on Safeguards, of the decision not to apply the proposed safeguard measure to imports originating in developing countries.

The notification under Article 12.1(b) is contained in document G/SG/N/8/MDG/6 of 20 July 2020.

In accordance with Article 12.3 of the Agreement on Safeguards, Madagascar is prepared to consult with those Members having a substantial interest as exporters of the product concerned.

**1 NOTIFICATION UNDER ARTICLE 12.1(C) OF THE AGREEMENT ON SAFEGUARDS ON
TAKING A DECISION TO APPLY A SAFEGUARD MEASURE****1.1 Provide the precise description of the product involved**

Soap classified under Madagascar customs tariff codes (HS codes) 34011190, 34011919, 34011990, 34012010, 34012090 and 34013000.

1.2 Provide a precise description of the proposed measure

A definitive safeguard measure is being considered in the form of:

- A **tariff quota** for soap in the form of pellets (annual fixed quota of **13,500** tonnes not subject to the additional tax);
- An **additional duty of 34%** for finished soap and for soap in the form of pellets when out-of-quota.

The quota will be distributed as follows:

	Indonesia	Malaysia	Pakistan	Other	Total
Quota volume (tonnes)	6,500	3,700	1,400	1,900	13,500

Of the quota, 90% will be allocated to traditional importers over the last three years. The remaining 10% will be reserved for new importers.

1.3 Provide the proposed date of introduction of the measure

The definitive safeguard measure will enter into force on the date of publication of the related notice, around January 2021.

1.4 Provide the expected duration of the measure

The duration of the definitive safeguard measure is four years.

1.5 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

The review, under Article 7.4 of the Agreement on Safeguards, will be held not later than the mid-term of the definitive measure.

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

Period of application	Year 1	Year 2	Year 3	Year 4
Quota level on pellets (tonnes)	13,500	13,500	13,500	13,500
Rate of additional duty on other forms of soap	34%	32%	30%	28%

1.7 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:**

The major exporting Members of soap are Indonesia, Malaysia and Pakistan.

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:**

Not applicable

1.8 Date for prior consultation with Members having a substantial interest as exporters of the product

In accordance with Article 12.3 of the Agreement on Safeguards, Madagascar is prepared to hold consultations with Members having a substantial interest as exporters of the product concerned no later than **16 October 2020**.

Requests for consultations should be sent to the Director-General of the ANMCC at the following email address: dg.anmcc@gmail.com

2 NOTIFICATION UNDER ARTICLE 9, FOOTNOTE 2, OF THE AGREEMENT ON SAFEGUARDS OF NON-APPLICATION OF A SAFEGUARD MEASURE TO DEVELOPING COUNTRIES

2.1 Specify the measure

A definitive safeguard measure is being considered in the form of:

- A **tariff quota** for soap in the form of pellets (annual fixed quota of **13,500** tonnes not subject to the additional tax);
- An **additional duty of 34%** for finished soap and for soap in the form of pellets when out-of-quota.

2.2 Specify the product subject to the measure

Soap classified under Madagascar customs tariff codes (HS codes) 34011190, 34011919, 34011990, 34012010, 34012090 and 34013000.

2.3 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

Imports from the following countries will not be subject to the definitive safeguard measure as long as the imports from each of these countries do not exceed 3% of Madagascar's total imports and do not collectively account for more than 9%:

Afghanistan; Albania; Angola; Antigua and Barbuda; Argentina; Armenia; Bahrain; Bangladesh; Barbados; Belize; Benin; Bolivia, Plurinational State of; Botswana; Brazil; Brunei Darussalam; Burkina Faso; Burundi; Cabo Verde; Cambodia; Cameroon; Central African Republic; Chad; Chile; Colombia; Congo; Costa Rica; Côte d'Ivoire; Cuba; Democratic Republic of the Congo; Djibouti; Dominica; Dominican Republic; Ecuador; El Salvador; Eswatini; Fiji; Gabon; Gambia; Georgia; Ghana; Grenada; Guatemala; Guinea; Guinea-Bissau; Guyana; Haiti; Honduras; India; Israel; Jamaica; Jordan; Kazakhstan; Kenya; Kuwait; Kyrgyz Republic; Lao People's Democratic Republic; Lesotho; Liberia; Malawi; Maldives; Mali; Mauritania; Mexico; Moldova; Mongolia; Montenegro; Morocco; Mozambique; Myanmar; Namibia; Nepal; Nicaragua; Niger; Oman; Panama; Papua New Guinea; Paraguay; Peru; Philippines; Qatar; Rwanda; Saint Kitts and Nevis; Saint Lucia; Saint Vincent and the Grenadines; Samoa; Saudi Arabia; Senegal; Seychelles; Sierra Leone; Solomon Islands; South Africa; Sri Lanka; Suriname; Tajikistan; Tanzania; Thailand; The former Yugoslav Republic of Macedonia; Togo; Tonga; Trinidad and Tobago; Tunisia; Turkey; Uganda; Ukraine; United Arab Emirates; Uruguay; Vanuatu; Venezuela, Bolivarian Republic of; Viet Nam; Yemen; Zambia; Zimbabwe.

Further information

Information on the decision to apply the definitive safeguard measure to the products concerned may be obtained from:

Monsieur Le Directeur Général de l'ANMCC
Enceinte Ex conquête Antanimena - BP: 7653
Tel.: +261 34 05 441 41
Email: dg.anmcc@gmail.com
101- ANTANANARIVO – MADAGASCAR
