



3 April 2018

(18-2012)

Page: 1/6

**Council for Trade in Goods
Committee on Safeguards**

Original: English

**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 ARTICLE 8.2
OF THE AGREEMENT ON SAFEGUARDS**

CHINA

The following communication, dated 29 March 2018, is being circulated at the request of the delegation of China.

Pursuant to Article 12.5 of the Agreement on Safeguards, and in accordance with the agreed format for notifications (G/SG/1, 1 July 1996), the Government of China provides the immediate notification to the Council for Trade in Goods of proposed suspension of concessions and other obligations referred to in paragraph 2 of Article 8.

1. Which Member is proposing suspension of concessions and other obligations referred to in Article 8.2?

China.

2. Specify the measures, the product subject to the measures, and the Member imposing the measures in relation to which the Member is proposing suspension of concessions and other obligations referred to in Article 8.2.

The applied measures imposed by the United States on imports of steel and aluminum from 23 March 2018.

China takes the view that the above-mentioned measures of the United States are safeguard measures although it's in the name of national security. We believe the measures taken by the United States are not consistent with its obligations under the relevant provisions of the GATT 1994 and Safeguards Agreement.

3. Describe the proposed suspension of concessions and other obligations referred to in Article 8.2 and the proposed date from which it will come into effect.

The proposed suspension of substantially equivalent concessions and other obligations under Article XIX:3 of the GATT 1994 and Article 8.2 of the Agreement on Safeguards takes the form of an increase in tariffs on selected products originating in the United States (as indicated in Annex I and calculated as indicated in Annex II), based on the part of the measures of the United States which were not taken as a result of an absolute increase for the last 3 years (2014-2016). China reserves its right to further suspend substantially equivalent concessions and other obligations based on the rest part of the measures of the United States.

Without prejudice to the effective exercise of its right to suspend substantially equivalent concessions or other obligations referred to in Article 8.2, China reserves its right to effectuate the proposed suspension immediately and adjust the products as well as the tariff rates.

ANNEX I

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

| | HS codes | Article Description | Additional duty |
|---|-----------------|--|------------------------|
| 1. Fresh Fruits, Dried Fruits and Nuts | | | |
| 1 | 08011100 | Coconuts, Desiccated | 15% |
| 2 | 08011200 | Coconuts in the inner shell (Endocarp) | 15% |
| 3 | 08011990 | Coconuts, Other | 15% |
| 4 | 08012100 | Brazil Nuts, Fresh Or Dried, In Shell | 15% |
| 5 | 08012200 | Brazil Nuts, Fresh Or Dried, Shelled | 15% |
| 6 | 08013100 | Cashew Nuts, Fresh Or Dried, In Shell | 15% |
| 7 | 08013200 | Cashew Nuts, Fresh Or Dried, Shelled | 15% |
| 8 | 08021100 | Almonds, Fresh Or Dried, In Shell | 15% |
| 9 | 08021200 | Almonds, Fresh Or Dried, Shelled | 15% |
| 10 | 08022100 | Hazelnuts Or Filberts (Corylus Spp.), Fresh Or Dried, In Shell | 15% |
| 11 | 08022200 | Hazelnuts Or Filberts (Corylus Spp.), Fresh Or Dried, Shelled | 15% |
| 12 | 08023100 | Walnuts, Fresh Or Dried, In Shell | 15% |
| 13 | 08023200 | Walnuts, Fresh Or Dried, Shelled | 15% |
| 14 | 08024110 | Chestnuts (Castanea Spp.), Fresh Or Dried, In shell | 15% |
| 15 | 08024290 | Chestnuts (Castanea Spp.), Fresh Or Dried, Shelled, Other | 15% |
| 16 | 08025100 | Pistachios, Fresh Or Dried, In Shell | 15% |
| 17 | 08025200 | Pistachios, Fresh Or Dried, Shelled | 15% |
| 18 | 08026190 | Macadamia Nuts In Shell, Other, Fresh Or Dried | 15% |
| 19 | 08026200 | Macadamia Nuts Shelled, Fresh Or Dried | 15% |
| 20 | 08028000 | Areca Nuts, Fresh Or Dried, Whether Or Not Shelled | 15% |
| 21 | 08029030 | Pine-nuts, Fresh Or Dried, Shelled | 15% |
| 22 | 08029090 | Other nuts, Fresh Or Dried | 15% |
| 23 | 08031000 | Plantains, Fresh Or Dried | 15% |
| 24 | 08039000 | Bananas, Other Than Plantains, Fresh Or Dried | 15% |
| 25 | 08041000 | Dates, Fresh Or Dried | 15% |
| 26 | 08042000 | Figs, Fresh Or Dried | 15% |
| 27 | 08043000 | Pineapples, Fresh Or Dried | 15% |
| 28 | 08044000 | Avocados, Fresh Or Dried | 15% |
| 29 | 08045010 | Guavas, Fresh Or Dried | 15% |
| 30 | 08045020 | Mangoes, Fresh Or Dried | 15% |
| 31 | 08045030 | Mangosteens, Fresh Or Dried | 15% |
| 32 | 08051000 | Oranges, Fresh Or Dried | 15% |
| 33 | 08052190 | Mandarins (Including Tangerines and Satsumas), Other, Fresh Or Dried | 15% |
| 34 | 08052200 | Clementines | 15% |
| 35 | 08052900 | Wilkinings And Similar Citrus Hybrids | 15% |
| 36 | 08054000 | Grapefruit, Including Pomeles | 15% |
| 37 | 08055000 | Lemons (Citrus Limon, Citrus Limonum) and Limes (Citrus Aurantifolia) | 15% |
| 38 | 08059000 | Citrus Fruit, Other, Fresh Or Dried | 15% |
| 39 | 08061000 | Grapes, Fresh | 15% |
| 40 | 08062000 | Grapes, Dried | 15% |
| 41 | 08071100 | Watermelons, Fresh | 15% |
| 42 | 08071910 | Hami Melons, Fresh | 15% |
| 43 | 08072000 | Papaws (Papayas) Fresh | 15% |
| 44 | 08081000 | Apples, Fresh | 15% |
| 45 | 08083010 | Ya Pears, Hsueh Pears, Fresh | 15% |
| 46 | 08083090 | Pears, Other, Fresh | 15% |
| 47 | 08092100 | Sour Cherries (Prunus Cerasus), Fresh | 15% |
| 48 | 08092900 | Cherries, Fresh, Other Than Sour Cherries | 15% |
| 49 | 08093000 | Peaches, Including Nectarines, Fresh | 15% |
| 50 | 08094000 | Plums And Sloes, Fresh | 15% |
| 51 | 08101000 | Strawberries, Fresh | 15% |
| 52 | 08102000 | Raspberries, Blackberries, Mulberries And Loganberries, Fresh | 15% |
| 53 | 08104000 | Cranberries, Bilberries and Other Fruits of the Genus Vaccinium, Fresh | 15% |
| 54 | 08105000 | Kiwifruit, Fresh | 15% |
| 55 | 08106000 | Durian, Fresh | 15% |
| 56 | 08107000 | Persimmons, Fresh | 15% |
| 57 | 08109010 | Lychee, Fresh | 15% |
| 58 | 08109030 | Longan, Fresh | 15% |
| 59 | 08109040 | Rambutan, Fresh | 15% |

| | HS codes | Article Description | Additional duty |
|---|-----------------|---|------------------------|
| 60 | 08109050 | Sugar Apple, Fresh | 15% |
| 61 | 08109060 | Carambola, Fresh | 15% |
| 62 | 08109070 | Wax Apple, Fresh | 15% |
| 63 | 08109080 | Dragon Fruit, Fresh | 15% |
| 64 | 08109090 | Other Fruit, Fresh | 15% |
| 65 | 08111000 | Strawberries, Frozen | 15% |
| 66 | 08112000 | Raspberries/Blackberries/Mulberries/Loganberries/Black, White or Red Currants and Gooseberries, Frozen | 15% |
| 67 | 08119090 | Fruit And Nuts, Frozen, Other | 15% |
| 68 | 08121000 | Cherries, Provisionally Preserved, But Unsuitable In That State For Immediate Consumption | 15% |
| 69 | 08129000 | Fruit And Nuts, Other, Provisionally Preserved, But Unsuitable In That State For Immediate Consumption, | 15% |
| 70 | 08131000 | Apricots, Dried | 15% |
| 71 | 08132000 | Prunes, Dried | 15% |
| 72 | 08133000 | Apples, Dried | 15% |
| 73 | 08134010 | Longans and Longan Pulps, Dried | 15% |
| 74 | 08134020 | Persimmons, Dried | 15% |
| 75 | 08134030 | Red Jujubes, Dried | 15% |
| 76 | 08134040 | Preserved Litchi, Dried | 15% |
| 77 | 08134090 | Fruit, Other, Dried, Other Than That of Headings 0801 To 0806 | 15% |
| 78 | 08135000 | Mixtures of Nuts Or Dried Fruits Of This Chapter | 15% |
| 2. Grape Wine | | | |
| 79 | 22041000 | Sparkling Wine Of Fresh Grapes | 15% |
| 80 | 22042100 | Other Wine Of Fresh Grapes or Grape Must With Fermentation Prevented Or Arrested By the Addition of Alcohol, In Containers Holding 2L or Less | 15% |
| 81 | 22042200 | Other Wine Of Fresh Grapes or Grape Must With Fermentation Prevented Or Arrested By the Addition of Alcohol, In Containers Holding More Than 2L But Not More Than 10L | 15% |
| 82 | 22042900 | Other Wine Of Fresh Grapes or Grape Must With Fermentation Prevented Or Arrested By the Addition of Alcohol, In Containers Holding More Than 10L | 15% |
| 83 | 22043000 | Other Grape Must Other Than That of Heading 20.09 | 15% |
| 3. Denatured Ethyl Alcohol | | | |
| 84 | 22072000 | Ethyl Alcohol And Other Spirits, Denatured, Of Any Strength | 15% |
| 4. Ginseng Roots | | | |
| 85 | 12112010 | American Ginseng Roots, Fresh, Chilled, Frozen or Dried, Whether or Not Cut, Crushed | 15% |
| 86 | 12112091 | Ginseng Roots, Other, Fresh | 15% |
| 87 | 12112099 | Ginseng Roots, Other, Chilled, Frozen or Dried | 15% |
| 5. Seamless Tubes, Pipes And Hollow Profiles, Of Iron Or Steel | | | |
| 88 | 73041110 | Tubes, Pipes And Hollow Profiles, Smls, Line Pipe Of Stainless Steel Used For Oil Or Gas Pipelines, Having an Outside Diameter Of 215.9mm Or More But Not Exceeding 406.4mm | 15% |
| 89 | 73041120 | Tubes, Pipes And Hollow Profiles, Smls, Line Pipe Of Stainless Steel Used For Oil Or Gas Pipelines, Having an Outside Diameter Exceeding 114.3mm But Less Than 215.9mm | 15% |
| 90 | 73041130 | Tubes, Pipes And Hollow Profiles, Smls, Line Pipe Of Stainless Steel Used For Oil Or Gas Pipelines, Having an Outside Diameter Not Exceeding 114.3mm | 15% |
| 91 | 73041190 | Tubes, Pipes And Hollow Profiles, Smls, Line Pipe Of Stainless Steel Used For Oil Or Gas Pipelines, Having an Outside Diameter Exceeding 406.4mm | 15% |
| 92 | 73041910 | Tubes, Pipes And Hollow Profiles, Smls, Line Pipe Of Other Kind Used For Oil Or Gas Pipelines, Having an Outside Diameter Of 215.9mm Or More But Not Exceeding 406.4mm | 15% |
| 93 | 73041920 | Tubes, Pipes And Hollow Profiles, Smls, Line Pipe Of Other Kind Used For Oil Or Gas Pipelines, Having an Outside Diameter Exceeding 114.3mm But Less Than 215.9mm | 15% |
| 94 | 73041930 | Tubes, Pipes And Hollow Profiles, Smls, Line Pipe Of Other Kind Used For Oil Or Gas Pipelines, Having an Outside Diameter Not Exceeding 114.3mm | 15% |
| 95 | 73041990 | Tubes, Pipes And Hollow Profiles, Smls, Line Pipe Of Other Kind Used For Oil Or Gas Pipelines, Having an Outside Diameter Exceeding 406.4mm | 15% |
| 96 | 73042210 | Tubes, Pipes And Hollow Profiles, Smls, Drill Pipe Of Stainless Steel, Used In Drilling For Oil Or Gas, Having an Outside Diameter Not Exceeding 168.3mm | 15% |

| | HS codes | Article Description | Additional duty |
|---|-----------------|--|------------------------|
| 97 | 73042290 | Tubes, Pipes And Hollow Profiles, Smls, Drill Pipe Of Stainless Steel, Used In Drilling For Oil Or Gas, Having an Outside Diameter Exceeding 168.3mm | 15% |
| 98 | 73042310 | Tubes, Pipes And Hollow Profiles, Smls, Other Drill Pipe, Used In Drilling For Oil Or Gas, Having an Outside Diameter Not Exceeding 168.3mm | 15% |
| 99 | 73042390 | Tubes, Pipes And Hollow Profiles, Smls, Other Drill Pipe, Used In Drilling For Oil Or Gas, Having an Outside Diameter Exceeding 168.3mm | 15% |
| 100 | 73042400 | Tubes, Pipes And Hollow Profiles, Smls, Casing, Tubing Of Stainless Steel Used In Drilling For Oil Or Gas | 15% |
| 101 | 73042910 | Tubes, Pipes And Hollow Profiles, Smls, Casing, Tubing, Of Other Kind Used In Drilling For Oil Or Gas, Having an Yield Strength Less Than 552MPa | 15% |
| 102 | 73042920 | Tubes, Pipes And Hollow Profiles, Smls, Casing, Tubing, Of Other Kind Used In Drilling For Oil Or Gas, Having an Yield Strength of 552MPa or More but Less Than 758MPa | 15% |
| 103 | 73042930 | Tubes, Pipes And Hollow Profiles, Smls, Casing, Tubing, Of Other Kind Used In Drilling For Oil Or Gas, Having an Yield Strength of 758MPa or More | 15% |
| 104 | 73043110 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Iron or Non-Alloysteel, Cold-drawn Or Cold-rolled (Cold-reduced), Boiler Tubes and Pipes | 15% |
| 105 | 73043120 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Iron or Non-Alloysteel, Cold-drawn Or Cold-rolled (Cold-reduced), Geologicalcasing and Drill Pipes | 15% |
| 106 | 73043190 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Iron or Non-Alloysteel, Cold-drawn Or Cold-rolled (Cold-reduced), Other | 15% |
| 107 | 73043910 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Iron or Non-Alloysteel, Other Than Cold-drawn Or Cold-rolled (Cold-reduced), Boiler Tubes and Pipes | 15% |
| 108 | 73043920 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Iron or Non-Alloysteel, Other Than Cold-drawn Or Cold-rolled (Cold-reduced), Geologicalcasing and Drill Pipes | 15% |
| 109 | 73043990 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Iron or Non-Alloysteel, Other Than Cold-drawn Or Cold-rolled (Cold-reduced), Other | 15% |
| 110 | 73044110 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Stainless Steel, Cold-drawn Or Cold-rolled (Cold-reduced), Boiler Tubes and Pipes | 15% |
| 111 | 73044190 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Stainless Steel, Cold-drawn Or Cold-rolled (Cold-reduced), Other | 15% |
| 112 | 73044910 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Stainless Steel, Other Than Cold-drawn Or Cold-rolled (Cold-reduced), Boiler Tubes and Pipes | 15% |
| 113 | 73044990 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Of Stainless Steel, Other Than Cold-drawn Or Cold-rolled (Cold-reduced), Other | 15% |
| 114 | 73045110 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Other Alloy Steel, Cold-Drawn or Cold-Rolled (Cold-Reduced), Biler Tubes and Pipes | 15% |
| 115 | 73045120 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Other Alloy Steel, Cold-Drawn or Cold-Rolled (Cold-Reduced), Geological Casing and Drill Pipes | 15% |
| 116 | 73045190 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Other Alloy Steel, Cold-Drawn or Cold-Rolled (Cold-Reduced), Other | 15% |
| 117 | 73045910 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Other Alloy Steel, Other Than Cold-Drawn or Cold-Rolled (Cold-Reduced), Biler Tubes and Pipes | 15% |
| 118 | 73045920 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Other Alloy Steel, Other Than Cold-Drawn or Cold-Rolled (Cold-Reduced), Geological Casing and Drill Pipes | 15% |
| 119 | 73045990 | Tubes, Pipes And Hollow Profiles, Smls, Circ Cs, Other Alloy Steel, Other Than Cold-Drawn or Cold-Rolled (Cold-Reduced), Other | 15% |
| 120 | 73049000 | Tubes, Pipes And Hollow Profiles, Smls, Of Iron (Other than Cast Iron) or Steel, Other | 15% |
| 6. Meat And Edible Meat Offal of Swine | | | |
| 121 | 02031200 | Meat of Swine, Fresh or Chilled, Hams, Shoulders and Cuts Thereof, With Bone In | 25% |
| 122 | 02031900 | Meat of Swine, Fresh or Chilled, Other | 25% |
| 123 | 02032190 | Meat of Swine, Frozen, Carcasses and Half-carcasses, Other | 25% |
| 124 | 02032200 | Meat of Swine, Frozen, Hams, Shoulders and Cuts Thereof, With Bone In | 25% |
| 125 | 02032900 | Meat of Swine, Frozen, Other | 25% |
| 126 | 02064100 | Livers Of Swine, Edible, Frozen | 25% |
| 127 | 02064900 | Offal Of Swine Except Livers, Edible, Frozen | 25% |

| | HS codes | Article Description | Additional duty |
|--------------------------|-----------------|----------------------------|------------------------|
| 7. Aluminum Waste | | | |
| 128 | 76020000 | Aluminum Waste and Scrap | 25% |

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 China's steel and aluminum export were calculated as follows: (based on the export value in 2014; in million US dollars).

| Affected Products | China's Exports to the U.S. | The US's Increase in duty | Duty Collected |
|--------------------------|------------------------------------|----------------------------------|-----------------------|
| Steel Products | 2351.17 | 25% | 587.79 |
| Aluminum Products | 163.82 | 10% | 16.38 |
| Total | 2514.99 | | 604.17 |

2. The effects on trade due to application of substantially equivalent concessions on China's imports originating in the U.S were calculated as follows: (based on the import value in 2014; in million US dollars).

| The goods description | China's imports originating in the U.S. | China's Increase in Duty | Duty Collected |
|---|--|---------------------------------|-----------------------|
| Fresh Fruits, Dried Fruits and Nuts | 408.25 | 15% | 61.24 |
| Grape Wine | 72.82 | 15% | 10.92 |
| Denatured Ethyl Alcohol | 18.46 | 15% | 2.77 |
| Ginseng Roots | 14.89 | 15% | 2.23 |
| Seamless Tubes, Pipes And Hollow Profiles, Of Iron Or Steel | 235.37 | 15% | 35.31 |
| Meat And Edible Meat Offal of Swine | 761.61 | 25% | 190.40 |
| Aluminum Waste | 1234.34 | 25% | 308.59 |
| Total | 2745.74 | | 611.46 |