

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:4905

ANSWERED ON:26.04.2010

INDIA'S STAND ON EU CUSTOM LAWS

Ponnam Shri Prabhakar;Shetkar Shri Suresh Kumar;Siricilla Shri Rajaiah

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether India is ready to move WTO against EU Customs Laws regarding confiscation of Indian medicines for violation of patent laws;

(b) if so, the details thereof and the reasons therefor; and

(c) the response received so far in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA)

a): Yes, Madam.

b) & c): It was brought to the notice of the Government that some consignments of Indian generic medicines in transit through EU to destinations outside EU were seized by custom authorities of member countries of the EU on allegations of patent violations. These products did not have a registered patent either in the country of origin i.e. India or the country of destination which was outside EU. The action taken by EU was contrary to the provisions of relevant laws of the WTO. The Government has decided to prepare for a consultation with the EU according to the procedure prescribed under the Dispute Settlement Mechanism of the WTO.