

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

UNSTARRED QUESTION NO:1148

ANSWERED ON:15.11.2010

SEIZURE OF INDIAN GENERIC DRUGS BY EU

Badal Harsimrat Kaur;Jindal Shri Naveen;Joshi Dr. Murli Manohar;Lagadapati Shri Rajagopal;Pratap Narayanrao Shri Sonawane;Singh Shri Rajiv Ranjan (Lalan)

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

- (a) whether dispute on seizure of low-cost generic drugs between India and European countries is still not resolved;
- (b) if so, the details thereof;
- (c) the details regarding consignment of low-cost generic drugs seized by European Union (EU) ports during the last three years;
- (d) the details of measures being taken by the Indian Government to resolve the issue bilaterally with EU and the outcome thereof;
- (e) whether India had moved the WTO panel and also made request for establishment of dispute settlement body in WTO to adjudicate over the matter; and
- (f) if so, the details thereof and the response received in this regard?

Answer

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

(a) to (f): India and Brazil made request to the Dispute Settlement Body of the WTO on 11 and 12 May 2010 respectively seeking consultations with the EU on the alleged illegal detention of Indian generic medicines while in transit through the EU ports. Consultations were held with the EU jointly by India and Brazil on 7-8 July and 13-14 September 2010. Consultations have been very useful as EU has acknowledged that some provisions of the relevant EC Regulation may have been misinterpreted by the Customs authorities of EU and has shown willingness to resolve the dispute without the need to seek establishment of a Panel. As EU has indicated to resolve the dispute, India has not yet sought establishment of a Panel in this dispute. The consultations with the EU are continuing.

Information regarding some detentions / seizures is at Annexure A.