

No. 20804

**UNITED STATES OF AMERICA
and
INDIA**

**Memorandum of Understanding reached on the Tokyo
Round of the Multilateral Trade Negotiations (with re-
lated letters dated 4 September and 30 October 1980).
Signed at Geneva on 24 March 1979**

Authentic text: English.

Registered by the United States of America on 1 March 1982.

**ÉTATS-UNIS D'AMÉRIQUE
et
INDE**

**Mémorandum d'accord convenu lors des négociations com-
merciales multilatérales dites de Tokyo (avec lettres
connexes en date des 4 septembre et 30 octobre 1980).
Signé à Genève le 24 mars 1979**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 1^{er} mars 1982.

MEMORANDUM OF UNDERSTANDING¹ BETWEEN THE DELEGATIONS OF INDIA AND THE UNITED STATES TO THE MULTILATERAL TRADE NEGOTIATIONS 24 MARCH 1979, GENEVA

1. This memorandum sets forth the mutual trade concessions and contributions agreed to by the two delegations on 24 March 1979 for submission to their respective governments for approval.

2. The United States is prepared to respond to tariff requests of India with reductions as set forth in Schedule A-1. The United States is further prepared to respond to tariff requests as set forth in Schedule A-2 provided the United States receives satisfaction from other trading partners on these items.

3. India is prepared to respond to tariff requests of the United States as set forth in Schedule B-1. India is further prepared to make tariff contributions as set forth in Schedule B-2 provided that India receives satisfaction from other trading partners on these items. In regard to the concessions of India on items which are canalized through state trading organizations the United States has taken note of the Indian statement at balance of payments consultations in November 1978 to the effect that purchases by public sector agencies are guided by normal commercial considerations and a non-discriminatory policy is followed.

4. Upon approval by both governments, the provisions of this memorandum of understanding shall take effect on a mutually agreed date.

[Signed]

P. LANCE GRAEF

For the Delegation of the United States
to the Multilateral Trade Negotiations

[Signed]

P. KUMAR

For the Indian Delegation
to the Multilateral Trade Negotiations

SCHEDULE A-1

| <i>TSUS</i> | <i>Short description</i> | <i>Offer* (average)</i> |
|-------------|---|-----------------------------|
| 106.60 | Frog meat, fresh, chilled or frozen | 0.0 |
| 121.5945 | Goat and kid leather, nes, not fancy | 3.7 |
| 147.92 | Mangoes, prepared or preserved | 1.5¢/lb. |
| 152.58 | Mango paste and pulp | 2.8 |
| 161.31 | Dill | 0.0 |
| 204.35 | Wood cigar and cigarette boxes | 3.0 |
| 304.58 | Other vegetable fibers processed but not spun | 0.0 |
| 305.20 | Jute yarns and roving | 3.0 |
| 305.22 | Jute yarns and roving | 4.4 |
| 305.28 | Jute yarns and roving | 4.0 |

* US general offer of January 15, 1978 with subsequently modified rates.

¹ Came into force on 24 April 1980, as agreed in the related letters, in accordance with paragraph 4.

| <i>TSUS</i> | <i>Short description</i> | <i>Offer* (average)</i> |
|-------------|--|-----------------------------|
| 319.01 | Handloomed fabrics | 5.5 |
| 319.03 | Handloomed fabrics | 6.3 |
| 319.05 | Handloomed fabrics | 6.7 |
| 319.07 | Handloomed fabrics | 7.1 |
| 320.01-09 | Cotton fabrics, number 1-9 | 5.1-6.1 |
| 320.10-19 | Cotton fabrics, number 10-19 | 6.3-7.5 |
| 320.20-29 | Cotton fabrics, number 20-29 | 7.6-8.7 |
| 320.50-59 | Cotton fabrics, number 50-59 | 11.2-12.3 |
| 323.01-09 | Cotton fabrics, number 1-9 | 6.4-7.5 |
| 323.10-19 | Cotton fabrics, fancy or figured, number 10-19 | 7.6-8.7 |
| 325.01-09 | Cotton fabrics, fancy or figured, colored, numbers 1-9 | 8.7-9.7 |
| 335.50 | Jute woven fabrics | 1.0 |
| 337.60 | Fabrics, C/V silk etc. | 6.0 |
| 338.3022 | Acetate woven fabrics | 17.0 |
| 346.30 | Cotton terry fabrics | 11.1 |
| 347.30 | Jute webbing | 5.6 |
| 353.50 | Ornamented fabrics, in the piece | 8.4 |
| 359.10 | Fabrics, nspf., of cotton | 7.2 |
| 359.40 | Fabrics, nspf., of silk | 5.4 |
| 359.50 | Fabrics, nspf., of manmade fibers | 16.2 |
| 360.10 | Floor coverings, pile hand inserted | 8.0 |
| 360.15 | Floor coverings, pile hand inserted | 5.1 |
| 360.35 | Coir floor coverings | 2¢/sq. ft. |
| 361.42 | Wool floor coverings | 4.9 |
| 361.44 | Wool floor coverings, nspf. | 4.9 |
| 361.54 | Floor coverings, nspf. | 7.7 |
| 363.05 | Ornamented bedding | 13.6 |
| 363.30 | Sheets and pillowcases, not ornamented | 7.6 |
| 363.50 | Bedspreads of vegetable fibers, Jacquard-figured | 5.0 |
| 363.51 | Bedspreads of vegetable fibers, not Jacquard-figured | 5.0 |
| 365.78 | Other furnishings, ornamented, of cotton | 12.8 |
| 366.18 | Cotton pile or tufted towels | 10.5 |
| 366.21 | Cotton pile or tufted towels | 10.5 |
| 366.45 | Cotton tablecloths and napkins | 8.2 |
| 366.47 | Cotton tablecloths and napkins | 6.6 |
| 366.77 | Plain woven cotton furnishings, nspf. | 7.2 |
| 367.45 | Other silk furnishings | 5.4 |
| 370.24 | Cotton handkerchiefs, not hemmed | 8.0 |
| 370.52 | Cotton handkerchiefs, hemmed | 14.0 |
| 380.0001 | Certified hand loomed apparel | 14.0 |
| 380.0040 | Men's and boys' cotton raincoats | 21.0 |
| 380.0061 | Men's and boys' cotton dress shirts | 21.0 |
| 380.0067 | Men's and boys' cotton sports coats | 21.0 |
| 380.2705 | Men's and boys' cotton shirts | 8.4 |
| 382.0001 | Women's etc. cotton wearing apparel | 14.0 |
| 382.0040 | Women's etc. cotton blouses | 16.5 |
| 382.0044 | Women's etc. cotton blouses | 16.5 |
| 382.0046 | Girls' and infants' cotton blouses | 16.5 |
| 382.0062 | Women's other cotton dresses | 14.0 |
| 382.0924 | Other women's etc. wearing apparel | 8.0 |
| 382.3301 | Other women's etc. cotton wearing apparel | 7.6 |
| 382.3342 | Women's cotton skirts | 8.0 |
| 385.45 | Bags, sacks, etc. of vegetable fibers except cotton | 0.0 |

* US general offer of January 15, 1978 with subsequently modified rates.

** If technically feasible to create a single tariff rate.

| <i>TSUS</i> | <i>Short description</i> | <i>Offer* (average)</i> |
|-------------|--|-----------------------------|
| 385.95 | Coir pile matting and pile mats | 2¢/sq. ft. |
| 435.70 | Opium | 0.0 |
| 437.00 | Brucine and its compounds | 0.0 |
| 437.16 | Strychnine and its salts | 1.0 |
| 516.11 | Untrim phlogopite | 0.0 |
| 516.24 | Mica waste and scrap | 2.4 |
| 516.71 | Mica, cut or stamped | 4.4 |
| 516.73 | Mica, fuse disc split | 5.0 |
| 516.74 | Mica, cut or stamped | 8.0 |
| 516.76 | Mica, cut or stamped | 5.0 |
| 516.94 | Mica, articles, nspf. | 5.0 |
| Ex 520.32 | Diamonds, not over .125 carat | 0.0 |
| 522.64 | Magnisite, caustic calcined | 1.9 |
| 523.37 | Talc, steatite and soapstone | 4.8 |
| 608.48 | Steel bars, not alloyed, not cold rolled | 3.2 |
| 610.56 | Cast iron pipes and tubes | 4.0 |
| 610.62 | Cast iron fittings, not alloyed | 5.8 |
| 648.89 | Parts of pliers, nippers etc. | 5.7 |
| 652.60 | Bells of base metal | 5.8 |
| 654.00 | Brass household and sanitary ware | 3.7 |
| 751.10 | Canes, seat sticks, riding crops, etc. | 5.0 |
| 774.20 | Articles of shellac or copal, nspf. | 6.0 |
| 790.37 | Incense, nspf. | 2.4 |
| 792.40 | Articles of bone, horn, etc. | 0.0 |

* US general offer of January 15, 1978 with subsequently modified rates.

SCHEDULE A-2

| <i>TSUS</i> | <i>Short description</i> | <i>Offer* (average)</i> |
|-------------|--|-----------------------------|
| 176.14 | Castor oil | Free |
| 176.15 | Castor oil | Free |
| 315.80 | Jute cordage, not bleached or colored | 4.0 |
| 320.39 | Cotton fabrics, numbers 30-39 | 8.8-10.0 |
| 366.27 | Towels of cotton, nspf. | 10.5 |
| 378.25 | Other underwear, not ornamented, of cotton | 6.5 |
| 516.91 | Built-up mica | 5.3 |
| 791.25 | Leather, cut or shaped etc. | 3.7 |

* US general offer of January 15, 1978 with subsequently modified rates.

B-1

| <i>Sl. No.</i> | <i>CCCN</i> | <i>Item</i> | <i>Offer</i> |
|----------------|----------------|---|--------------|
| 1. | ex 15.07 | Soybean oil | 45% |
| 2. | ex 25.01/32(B) | Mineral phosphates, natural imported in a form indicative of their use as fertilizers | 5% |
| 3. | ex 31.02/05(9) | Composite fertilizers | 5% |
| 4. | ex 31.03/05(4) | Ammonium sulphate | 5% |
| 5. | ex 31.03/05(6) | Potassium sulphate containing not more than 52 per cent by weight of K ₂ O .. | 5% |
| 6. | ex 47.01 | Wood pulp for the manufacture of newsprint only | 25% |
| 7. | ex 47.01 | Pulp, excluding wood pulp | 45% |
| 8. | ex 73.02 | Ferro Molybdenum | 45% |
| 9. | ex 77.01 | Magnesium and alloys unwrought | 45% |
| 10. | ex 84.23 | Petroleum and gas well drilling equipment and parts thereof | 45% |
| 11. | ex 84.22 | Power cranes | 45% |
| 12. | ex 90.17 | Defibrillators and heart pacers | 45% |

NOTE:

1. The offer is limited to the product described in column 3 and does not cover other products under the CCCN.
2. Column 4 gives the offered rate at which the tariff is proposed to be bound.

B-2

| <i>Sl. No.</i> (1) | <i>CCCN</i> (2) | <i>Item</i> (3) | <i>Offer</i> (4) |
|-----------------------|--------------------|--|---------------------|
| 1. | 84.41 | Textile machinery—machines for use in the garment industry—the following: | 35% |
| | | (i) Automatic button hole industrial sewing machine | |
| | | (ii) Automatic button sewing machine | |
| | | (iii) Chainstitch tacker and button sewer | |
| | | (iv) Lockstitch tacker and button sewer | |
| | | (v) Blind stitch machines | |
| | | (vi) Single needle, cylinder bed upper feed blind stitch machine | |
| | | (vii) Single needle lockstitch flat bed machine of speed above 4,000 stitches per minute | |
| | | (ix) Single needle flat bed drop feed lockstitch machine | |
| | | (x) Single needle lock-stitch machine with built-in-trimmer, of speed above 4,000 stitches per minute | |
| | | (xi) Two or three needle two thread chain-stitch feed-off-the-arm machine | |
| | | (xii) Single needle drop feed chainstitch machine of speed above 4,000 stitches per minute | |
| | | (xiii) Single or two needles two threads chainstitch top and bottom covering machine | |
| | | (xiv) Two thread chainstitch machine, 1, 2 or 3 needles or drop feed, of speed above 4,000 stitches per minute | |
| | | (xv) Chainstitch, over-edging and safety stitch single or two needle machine | |
| | | (xvi) Two or three needles chainstitch machine | |
| | | (xvii) Automatic cloth cutting machine | |
| | | (xviii) Tie making machine | |
| | | (xix) Collar, turning and blocking machine | |
| | | (xx) Cuff turning and blocking machine | |
| | | (xxi) Automatic collar turning machine | |

| <i>Sl. No.</i> (1) | <i>CCCN</i> (2) | <i>Item</i> (3) | <i>Offer</i> (4) |
|-----------------------|--------------------|--|---------------------|
| 2. | | Leather machinery—machineries for use in leather processing and finishing—the following: | 35% |
| 84.16 | (i) | Hydraulic ironing and embossing press | |
| 84.21 | (ii) | Automatic spraying machine | |
| 84.37 | (iii) | Motorized hides and skins stamping machine | |
| 84.35 | (iv) | Roto press for leather printing | |
| 84.35 | (v) | Embossing plates for roto press for leather printing | |
| 84.35 | (vi) | Engraved rollers for roto press for leather printing | |
| 84.42 | (vii) | Hydraulic fleshing machine | |
| 84.42 | (viii) | Hydraulic setting machine | |
| 84.42 | (ix) | Bandknife splitting machine | |
| 84.42 | (x) | Hydraulic shaving machine | |
| 84.42 | (xi) | Automatic padding machine | |
| 84.42 | (xii) | Automatic drying machine | |
| 84.42 | (xiii) | Vacuum drying machine | |
| 3. | 84.45 | Machine tools for working metals—the following: | 35% |
| | | (i) Floor and table type horizontal boring machine above 160 mm. spindle diameter | |
| | | (ii) Tool room precision optical coord. jig boring machine including numerical control | |
| | | (iii) Thread grinding machine | |
| | | (iv) Automatic straight bevel/hypoid bevel gear generator | |
| | | (v) Hypoid bevel gear lapper | |
| | | (vi) Gear tooth honing machine | |
| | | (vii) Gear shaving machine | |
| | | (viii) Optical profile grinding machine | |
| | | (ix) Spline shaft grinding machine | |
| | | (x) Precision double disc (duplex) grinders for sizing | |
| | | (xi) Race way superfinishing machine for finishing the races of bearings | |
| | | (xii) Automatic multi-station bolt making machine comprising of feeding, cutting, upsetting and threading mechanism with automatic transfer mechanism between the stations | |
| | | (xiii) Hydraulic cold circular saw of bar capacity above 530 mm. | |
| | | (xiv) Camshaft turning lathe | |
| | | (xv) Crankshaft turning lathe | |
| | | (xvi) Gear quenching press | |
| | | (xvii) Automatic straight tooth bevel gear/hypoid gear shaping cutter sharpening machine | |
| | | (xviii) Automatic spur gear shaping cutter sharpening machine | |
| | | (xix) Automatic helical gear cutter sharpening machine | |
| | | (xx) Automatic hob cutter sharpening machine | |
| | | (xxi) Hydraulic extrusion presses for manufacture of seamless tubes or profiles of steel and non-ferrous metals | |
| | | (xxii) Impact extrusion presses for manufacture of rigid and collapsible tubes | |
| | | (xxiii) Automatic rigid can trimming machine for trimming, threading, rolling, beading and knurling hollow bodies of non-ferrous metals | |

NOTE:

1. The offer is limited to the product described in column 3 and does not cover other products under the CCCN.

2. Column 4 gives the offered rate at which the tariff is proposed to be bound.

RELATED LETTERS

I

UNITED STATES TRADE REPRESENTATIVE
GENEVA, SWITZERLAND

September 4, 1980

Dear Mr. Ambassador:

I refer to the Memorandum of Understanding of March 24, 1979, signed by our two Governments during the Multilateral Trade Negotiations.

The United States proposes that this Memorandum, the tariff provisions of which have been superseded by Schedule XX (United States) to the Geneva (1979) Protocol¹ and Schedule XII (India) to the Supplementary Protocol, be considered as having taken effect (pursuant to paragraph 4 thereof) as an agreement between our two Governments as Contracting Parties to GATT² on April 24, 1980. Please advise me whether your Government agrees to this effective date. My Government intends to notify the March 24 Memorandum to the GATT Secretariat.

With warm regards.

Sincerely,

[Signed]

MICHAEL B. SMITH
Ambassador

His Excellency Ayilam Panchapakesa Venkateswaran
Ambassador
Permanent Mission of India
Geneva

II

PERMANENT MISSION OF INDIA
TO THE UNITED NATIONS OFFICES
GENEVA

B. L. Das
Resident Representative, UNCTAD and GATT

30 October 1980

No. GEN/PMI/GATT/204/20/80

My dear Mike,

I refer to your letter dated September 4, 1980, relating to the Memorandum of Understanding of March 24, 1979, signed by our two Governments. The Government of India agrees to the proposal to consider this Memorandum as an Agreement

¹ United Nations, *Treaty Series*, vol. 1187, p. 2.

² *Ibid.*, vol. 55, p. 187.

between our two Governments as Contracting Parties to GATT. My Government also agrees to April 24, 1980, as the effective date for the Agreement.

Regards,

Yours sincerely,

[Signed]

B. L. DAS

H.E. Mr. Michael B. Smith
Ambassador
United States Trade Representative
Geneva
