

**INFORMATION TO BE NOTIFIED TO THE COMMITTEE WHERE A  
SAFEGUARD INVESTIGATION IS TERMINATED WITH  
NO SAFEGUARD MEASURE IMPOSED**

**NOTIFICATION UNDER ARTICLE 12.1(c) OF THE AGREEMENT  
ON SAFEGUARDS**

CHILE

Supplement

The following communication, dated 20 November 2002, has been received from the Permanent Mission of Chile.

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Further to the notification recently submitted in Note No. 182/02 of 20 September 2002, please be advised that the Ministry of Finance Decree imposing definitive safeguards on imports of fructose syrup, consisting of an *ad valorem* tariff surcharge of 14 per cent, was published in the **Official Journal of Tuesday, 19 November 2002**.

The text of the Decree reads as follows:

"Ministry of Finance

Establishing a safeguard measure in the form of the tariff surcharge indicated

Number 522. Santiago, 23 September 2002.

Having regard to Official Communication No. CD 122 of 13 September 2002 of the President of the National Commission responsible for investigating the existence of distortions in the price of imported goods, the minutes of meeting No. 262 of the said Commission held on 30 August 2002 and the relevant facts; and

Taking into account the provisions of Article 9 of Law 18.525, Supreme Decree No. 909 of the Ministry of Finance of 1999, Supreme Decree No. 19 of the Secretariat General of the Presidency of 2001 and Resolution No. 520 of the Comptroller General of the Republic;

I hereby decree:

1. A definitive *ad valorem* tariff surcharge of 14 per cent is hereby established as a safeguard measure on imports of "Other fructose and fructose syrup, containing in the dry state more than 50 per cent by weight of fructose", classified under tariff subheading 1702.6090 of the Chilean Harmonized System, other than 100 per cent fructose.

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2. This surcharge shall not apply to Mexico, Canada or Peru, pursuant to the trade agreements signed with those countries, nor to developing country Members of the World Trade Organization (WTO) the average individual share of which during the 24 months from August 2000 to July 2002 was less than 3 per cent of total imports and collectively accounted for not more than 9 per cent, in accordance with Article 9.1 of the WTO Agreement on Safeguards.
3. The provisional tariff surcharge established by Decree No. 402 of the Ministry of Finance ("exempt procedure") dated 18 July 2002, published in the Official Journal of 30 July 2002, shall cease to have effect, in accordance with Article 15 of Supreme Decree No. 909 of the Ministry of Finance of 1999.
4. In accordance with Article 21 of Supreme Decree No. 909 of the Ministry of Finance of 1999, the duration of the tariff surcharge established under paragraph 1 of this Decree shall not exceed the term of one year as of 30 July 2002, the date of publication of the Decree establishing the provisional tariff surcharge on the said goods.
5. The National Customs Service shall be responsible for adopting the measures required to ensure the proper application of the safeguard measure established by this Decree.

For registration, communication and publication. By order of the President of the Republic.  
Nicolás Eyzaguirre Guzmán, Minister of Finance.

Transcribed for your information, Maria Eugenia Wagner Brizzi, Under-Secretary for Finance."

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