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## Eucolait considerations on trade negotiations with India

Back in May 2021, Eucolait warmly welcomed the news that the EU would restart trade negotiations with India, after FTA talks stalled in 2013 and ultimately led to a prolonged hiatus which lasted for more than eight years. In 2020, India became the world's sixth-largest economy and is frequently labelled as the world's fastest-growing major economy.

In Eucolait's view, there is margin for the negotiation of an ambitious agreement delivering real market access for the EU in the dairy sector. In the current situation, EU and India dairy trade flows are hampered by high duties and technical barriers to entry. A comprehensive trade agreement could bring great opportunities for increased dairy exports to India, in particular for high value products for which there is no local equivalent on the Indian market.

### Indian dairy sector

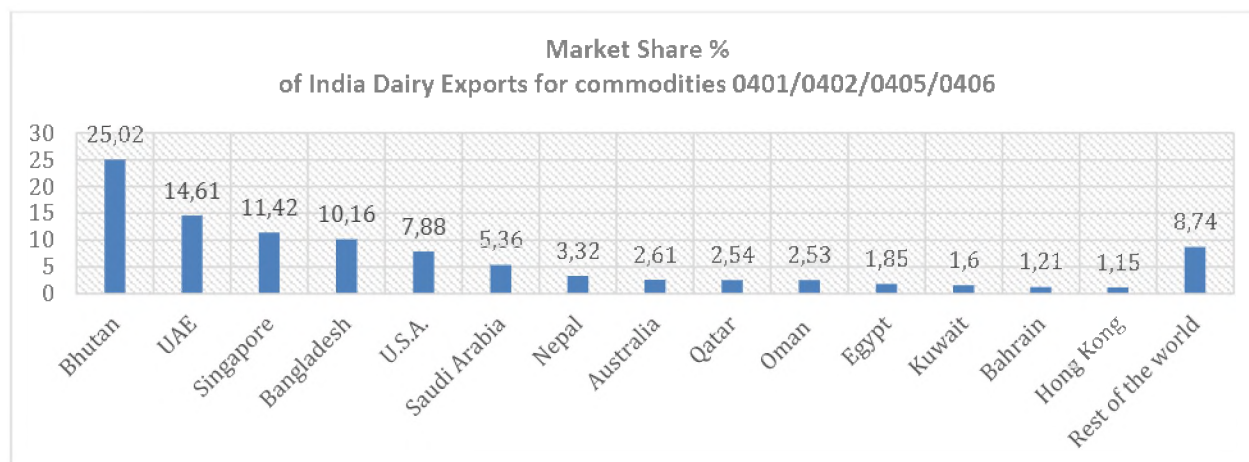
India, with a population of over 1.35 billion people, is the world's largest producer of milk and dairy is the single largest agricultural commodity contributing to 5% of the national economy. The dairy sector is mainly comprised of small farmers and most of the milk is consumed through informal channels, however India also has a modern and robust dairy processing industry. India follows a policy of self-sufficiency and has a protectionist approach towards imports to shield its producers from international competition. The Indian dairy sector is a significant contributor to farmers' income, as approximately 70 million farmers are directly involved in dairying, and it accounts for approximately one-third of rural household income in India. Milk production is dynamic and is growing fast in line with the rising consumption.

As a result of the self-sufficiency policy and tough border protection, imports play a very minor role on the Indian dairy market and are largely limited to ingredients, in particular whey derivatives. The MFN tariffs applied to dairy are sufficiently high to discourage imports, albeit considerably lower than EU tariffs.

## Indian tariffs on certain dairy products

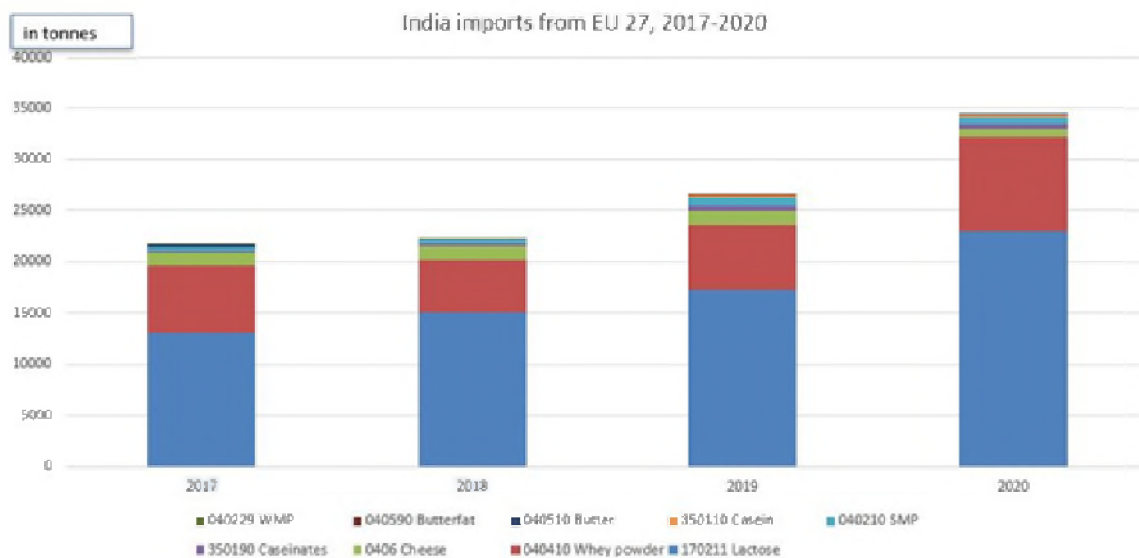
DESCRIPTION	CN CODE	RATE OF DUTY
Whole milk powder	04 02 29	30%
Skimmed milk powder	04 02 10	60%
Casein	35 01 10	30%
Caseinates	35 01 90	30%
Fresh Cheese and Blue-veined cheese	04 06 10 04 06 40	30%
Other cheese	04 06 90	40%
Whey powder	04 04 10	40%
Butter and butteroil	04 05 10 04 05 90	40%
Lactose	17 02 11	25%

For the same reasons, India is only a sporadic player on the global dairy market. Due to the size of India's dairy sector, the exported surplus volumes can however be considerable, with for instance 42 000 tonnes of SMP exported in 2018. India's dairy exports are mainly destined to neighbouring countries and the Middle East, with geographical proximity certainly playing a role.



## EU dairy exports to India

EU dairy exports to India are rather modest, worth around € 80 million but have nevertheless risen steadily in the last 5 years, the bulk of exports being lactose (26 000 tonnes in 2020). Whey exports and whey protein concentrates have also increased over the past years, amounting to some 11 000 tonnes in 2020. The exported quantities of other dairy products are very low and overall the amount of EU dairy exports to India is negligible, if compared to the size of the market, or to exports to other Asian countries.



## Opportunities

A successfully concluded FTA should result in improved market access for EU dairy exporters in the form of reduced duties and/or tariff rate quotas. The resulting trade opportunities must be meaningful and proportional to the size of the market.

India's middle class is growing exponentially, especially in large urban centers. This is supporting increasing demand for high quality dairy products. EU demands should cover all dairy lines, with a particular focus on cheese and certain specialty ingredients such as caseinates and various whey derivatives.

India is currently amid FTA talks with the UK, Australia and Canada, with negotiations struggling due to sensitivities on the Indian side, dairy included. If India is going to accord tariff reductions on dairy products to these countries, these concessions should be considered as a baseline by the EU to obtain at least the same degree of access.

Eucolait is not opposed to granting improved access for India to the EU market and believes that a more trade friendly environment would create opportunities on both sides and synergies between our dairy sectors.

### **Non-tariff barriers**

In addition to tariffs, EU exports are restricted by high import scrutiny and various technical barriers. It has been reported that access is deliberately being limited to products that are not available on the domestic market.

In terms of SPS measures, companies have experienced problems related to the use of animal rennet in cheese. In fact, India's 2011 Food Safety Standards Regulation defines cheese as 'animal rennet free', distancing from the definition of the relevant Codex Alimentarius standard. EU exports have also struggled with certain requirements in the Indian veterinary certificate which go beyond internationally agreed standards. In this context, it is worth noting that India is a great consumer of lactose for pharmaceutical manufacturing purposes, and its recent classification as a dairy product requiring mandatory health certification will hamper exports while favoring Indian domestic production. Lactose is currently the main imported dairy product.

Moreover, there is occasional uncertainty about the labelling requirements for products on the Indian market (e.g. indication of vegetarian products etc.) hampering trade flows due to difficulties in setting up a specific and separate packaging line for food items exported to India.

A clear dialogue on SPS and TBT requirements and close co-operation on non-tariff barrier issues would therefore be a desirable outcome of these trade talks.

### **Conclusion**

We hope the negotiations can resume soon and reach a successful outcome within a reasonable timeframe. Eucolait fully supports the efforts of the European Commission going forward and remains available to answer any questions or queries related to dairy trade which may arise.