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主旨：有關馬達加斯加對進口「早餐麥片及糕餅」（Breakfast cereals and dry pastry products）採取防衛措施事，請查照。

說明：

一、依據WTO秘書處本（115）年8月10日第G/SG/N/8/MDG/15（同一文件文號G/SG/N/10/MDG/15、G/SG/N/11/MDG/17）號通知文件（如附件1）辦理。

二、馬達加斯加前於去（114）年12月24日展開旨案調查。馬國經調查後認定，因電子商務平台快速興起加速外國商品湧入、主要出口國（如印度、孟加拉、歐盟等）採取扶植出口與生產補貼政策，以及疫情後全球消費習慣改變，大型跨國廠商將過剩產能銷往非洲低度開發國家等不可預見之發展，旨揭產品之大量進口增加已造成國內產業遭受市場佔有率、生產與銷售、產能利用率及獲利皆降低之嚴重損害。馬國爰決定自本年8月4日起對旨揭產品之進口採取「關稅配額」形式之防衛措施（每年配額2,000公噸，配額外之關稅稅率將自34%起逐年遞減，詳參附件第5頁），為期4年。

三、出口旨揭產品至馬國之主要國家包含孟加拉、法國及印

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度。另馬國依據WTO防衛協定第9.1條規定，提供開發中國家會員微量豁免清單如附件第5頁，我國並未列入。

正本：經濟部國際貿易署

副本：行政院經貿談判辦公室、外交部(均含附件) 電子公文交換章 2026/08/15 01:45:40

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WORLD TRADE ORGANIZATION

G/SG/N/8/MDG/15
G/SG/N/10/MDG/15
G/SG/N/11/MDG/17

10 August 2026

(26-5684)

Committee on Safeguards Original: French

NOTIFICATION, UNDER ARTICLE 12.1(B) OF THE AGREEMENT ON SAFEGUARDS, OF A FINDING OF SERIOUS INJURY OR THREAT THEREOF CAUSED BY INCREASED IMPORTS

NOTIFICATION UNDER ARTICLE 12.1(C) OF THE AGREEMENT ON SAFEGUARDS

NOTIFICATION UNDER ARTICLE 9, FOOTNOTE 2, OF THE AGREEMENT ON SAFEGUARDS

MADAGASCAR

Breakfast cereals and dry pastry products

The following communication, dated and received on 7 August 2026, is being circulated at the request of the delegation of Madagascar.[1]

In accordance with Articles 12.1(b) and 12.1(c) of the Agreement on Safeguards, Madagascar hereby notifies the Committee on Safeguards of a finding of serious injury or threat thereof caused by increased imports, and of the decision to apply a safeguard measure on imports of breakfast cereals and dry pastry products. Madagascar also wishes to notify the Committee, under Article 9, footnote 2, of the Agreement, of its decision not to apply the proposed safeguard measure to imports from developing countries.

1. Provide evidence, citing relevant data and the applicable period of investigation, of serious injury or threat thereof caused by increased imports

The determination of serious injury or threat thereof to the domestic breakfast cereal and dry pastry product industry was based on all relevant factors of an objective and quantifiable nature having a bearing on the situation of that industry. On the basis of the data available to the Authority, serious injury was determined following an analysis of the indicators listed below.

i. Rate of increase in imports

Between 2021 and 2024, the sharp rise in imports of dry pastry products and cereals, amounting to 71 index points in absolute terms and representing a near-tripling of 177 points compared with domestic production, seriously undermined the economic viability of the domestic industry.

ii. Share of the domestic market taken by imports

The market share of imports gradually increased during the period under review. It grew by 40 index points in 2022, 68 points in 2023, and 116 points in 2024. Meanwhile, the market share held by the

[1] A copy of the National Authority's opinion has also been submitted electronically and is available to government representatives. To consult this document, please contact Ms Richards (anne.richards@wto.org) of the Rules Division.

domestic industry shrank between 2022 and 2024, down by 7 index points, 11 index points, and 19 index points, respectively.

iii. Domestic production

The volume of domestic production fell over the whole period of investigation in the face of increased imports. Compared with the base year, the decrease was in the order of 16 index points in 2022, 30 points in 2023, and 38 points in 2024.

iv. Sales

From 2023 onwards, the domestic industry's sales experienced a continuous and sharp decline compared with 2022. Compared with 2021, they dropped by 14 points in 2022, 29 points in 2023, and 36 points in 2024.

v. Production capacity utilization rate

Despite production capacity remaining stable, its utilization rate has remained low and fell during the period of investigation. The rate thus saw a continuous decline of 16 index points in 2022, 32 points in 2023, and 41 points in 2024, compared with the base year.

vi. Employment

In response to the ongoing decline in production and sales, the domestic industry reduced its workforce by 6 index points between 2021 and 2024 in order to keep its operating costs under control.

vii. Productivity

Despite the reduction in staff numbers, productivity in the domestic industry continued to decline, falling by a total of 34 index points in 2024, driven by a particularly sharp drop in production volumes. Compared with the reference year, productivity shrank by 20 points in 2022, 26 points in 2023, and 34 points in 2024.

viii. Inventory

Despite the continuous and significant decline in production, the inventory level remained high throughout the period of investigation. Between 2021 and 2024, the inventory level dropped 27 points. However, this decrease appears relatively limited in the light of the sharp contraction in production volume, which shrank by almost half over the same period.

ix. Profitability

Between 2021 and 2024, the profitability of the domestic industry plummeted by 55 index points, with profits falling by more than 50%, reflecting a severe financial downturn caused by a decline in sales and squeezed margins. Compared with the base year, there were decreases of 11 points in 2022, 47 points in 2023, and 55 points in 2024.

A. CAUSAL LINK

i. Effects of increased imports

Year	2021	2022	2023	2024
Imports	100	130	135	171
Production	100	84	70	62
Sales	100	86	71	64
Market share of imports	100	140	168	216
Market share of domestic industry	100	93	89	81
Capacity utilization rate	100	84	68	59
Productivity	100	80	74	66
Net results of domestic industry	100	89	53	45

The rise in imports between 2021 and 2024 directly triggered the crisis in the domestic industry by taking away its market share. Deprived of outlets, local producers saw their sales and production fall by more than 35%, leading to a 41-point collapse in the production capacity utilization rate. Despite reducing their workforce to limit operating costs, the domestic industry suffered a critical decline in productivity and a 55% collapse in net profit. This perfect inverse correlation confirms that the massive increase in imports is the direct cause of the serious injury threatening the viability of the domestic industry.

ii. Other causal factors

- Changes in consumption patterns or contraction in demand

The overall stability of domestic demand and the fact that household consumption patterns remained unchanged throughout the period under review demonstrate that no market contraction took place. Consequently, domestic consumption cannot be regarded as a factor contributing to the serious injury suffered by the domestic industry.

- Competition between domestic producers

The absence of a dominant position on the domestic market and the low capacity utilization rate among all domestic producers demonstrate that domestic competition remains limited. These domestic dynamics therefore do not exhibit a level of intensity sufficient to explain the deterioration in performance indicators. Consequently, competition between domestic producers is ruled out as a factor contributing to the serious injury suffered by the domestic industry.

- Technological developments

The domestic industry's technological alignment with international standards, characterized by modern equipment similar to that used by foreign producers, ensures a product quality that is fully comparable to that of imports. As local products cannot be faulted for any technological backwardness or quality defects, these factors are ruled out as a cause of the serious injury suffered by the domestic industry.

- Export performance

The domestic industry did not export any breakfast cereals or dry pastry products during the period under consideration. Consequently, export performance is ruled out as a cause of the serious injury suffered by domestic producers.

2. Provide information on whether there is an absolute increase in imports or an increase in imports relative to domestic production (please see also Article 2.1 for the context)

In order to have evidence of an increase in imports, absolute or relative to domestic production, the Investigating Authority analysed import data for the product under investigation.

i. Unforeseen developments

The accession of Madagascar to the World Trade Organization (WTO) occurred in a context where access to international markets was largely restricted to traditional distribution channels. However, the expansion of e-commerce platforms has radically changed this dynamic, facilitating the entry of foreign products into the Malagasy market, far exceeding initial forecasts. This development, which was not foreseen at the time of accession, has significantly increased competition for local producers.

At the same time, global production capacity, particularly in the agri-food sector, has grown substantially. Major exporting countries, such as India, Bangladesh, and several members of the European Union, have implemented export support policies in the form of financial incentives and production subsidies, such as those granted under the European Union's Common Agricultural Policy (CAP). This support has strengthened the competitiveness of exported products, leading to greater trade flows, including to Madagascar.

In addition, the COVID-19 pandemic has changed consumer behaviour globally, particularly with regard to food products, with growing demand for products considered healthier and less processed. Faced with sluggish demand in their traditional markets, the major international producers, in particular those of breakfast cereals and dry pastry products, have sought new opportunities. African markets, and particularly those of least developed countries, such as Madagascar, have become prime targets for selling off surplus production.

In short, these developments constitute unforeseen circumstances within the meaning of the WTO rules on safeguards, as a result of the rise of e-commerce, export support policies, and the impact of the health crisis, which have led to a sudden and significant increase in imports of products, such as breakfast cereals and dry pastry products, into Madagascar. This situation has caused an imbalance in the market, creating unfair competition for local producers, whose market share has fallen significantly. Economic losses and declining production underscore the negative impact on the competitiveness of Malagasy producers. Therefore, Madagascar is justified in using safeguard measures to protect its domestic production in the face of these unforeseen circumstances.

ii. Absolute change in imports

In absolute terms, imports of the product in question rose steadily and significantly during the period of investigation. Compared with the base year 2021, they rose by 30 index points in 2022, 35 points in 2023, and 71 points in 2024.

iii. Increase in imports relative to domestic production

In relative terms, compared with national production, imports of breakfast cereals and dry pastry products grew over the entire period of investigation. In relation to 2021, this increase was in the order of 55 points in 2022, 92 points in 2023, and 177 points in 2024.

3. Provide the precise description of the product involved

Breakfast cereals and dry pastry products

HS code(s): 110412, 190410, 190420, 190430, 190490, 190531, 190532, and 190590

4. If the final measure replaces a provisional measure, or if a final measure is extended, a Member is encouraged to provide a written description of any part of the imported product that will no longer be subject to the measure and the Harmonized System numbers under which it enters at least at a 6-digit level, and at a sub-national level (e.g., 8-digit, 9-digit or 10-digit level) if practicable

5. Provide precise description of the proposed measure

Tariff rate quota

Tariff rate quota, including a fixed annual quota of 2,000 tonnes, in excess of which an additional duty of 34% of the c.i.f. value must be paid.

6. Provide proposed date of introduction of the measure

4 August 2026

7. Provide expected duration of the measure

3 August 2030

8. For a measure with a duration of more than three years, provide the proposed date for the review (under Article 7.4) to be held not later than the mid-term of the measure, if such a date for the review has already been scheduled

The review, under Article 7.4 of the Agreement on Safeguards, will be held not later than the mid-term of the definitive measure.

9. If the expected duration is over one year, provide expected timetable for progressive liberalization of the measure

Period	Quota (additional duty at a rate of 0%)	Rate of additional duty applied to out-of-quota imports
4 August 2026 - 31 December 2026	2,000 tonnes/year	34%
2027		33.5%
2028		32.5%
2029		31.5%
1 January 2030 - 3 August 2030		31%

10. Members are encouraged to provide the following information:

The major exporting Members of imports of the product involved

Bangladesh, France, India.

Specify the developing countries to which the measure is not applied under Article 9.1 of the Agreement on Safeguards, and the import shares of these countries individually and collectively

Afghanistan, Albania, Angola, Antigua and Barbuda, Argentina, Armenia, Kingdom of Bahrain, Barbados, Belize, Benin, Plurinational State of Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eswatini, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Jamaica, Jordan, Kazakhstan, Kenya, State of Kuwait, Kyrgyz Republic, Lao People's Democratic Republic, Lesotho, Liberia, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Republic of Moldova, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Kingdom of Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Suriname, Tajikistan, Tanzania, Thailand, Togo, Tonga, Trinidad and Tobago, Uganda, Ukraine, United Arab Emirates, Uruguay, Vanuatu, Bolivarian Republic of Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.