

Selected notifications of non-tariff barriers in the Non-Agricultural Market Access WTO talks - compiled by Friends of the Earth International				
April 2005				
Countries challenging	Type	Sector	Description of measure	WTO document reference
Argentina	S	Animal welfare	Compliance with animal health requirements in relation to exports of the leather of reptiles	TN/MA/W/25
China	S	Animal welfare	Non-automatic licensing required for exports of wild / captured animals or products manufactured with their parts	TN/MA/W/25/Add.2
India	S	Animal welfare	"Campaigns carried out to create public opinion as well as to force buyers to change their source of imports" on non-trade-related grounds, eg ethical treatment to animals. "These campaigns could have various motivations not necessarily based on truth"	TN/MA/W/25
Korea	S	Animal welfare	Import ban on animal skins and related products for reasons of inhumane hunting methods	TN/MA/W/46/Add.10
Philippines	S	Animal welfare	Restrictions to promote animal health and life, including prior authorisation [Health of Animals Act referred to - Canada?]	TN/MA/W/25
Uruguay	S	Animal welfare	Official standards issued by the government, establishing the animal health characteristics and specifications of such products. These standards also cover the containers and packaging used, and the animal health information that must appear on labels and in instructions for chemical, pharmaceutical, biological and food products for animal use or consumption, where an animal health risk is involved.	TN/MA/W/25/Add.1
Japan	I	Automobiles	Restriction on foreign investment in automobile parts	TN/MA/W/46/Add.7
United States	I	Automobiles	Restriction or manipulation of investments in automobile production	TN/MA/W/46/Add.8/Rev.1
Korea	LAB	Automobiles	Item-by-item certification procedures	TN/MA/W/46/Add.10
United States	LAB	Automobiles	Many members maintain unique testing and certification procedures and diverse standards and regulations (including labelling)	TN/MA/W/46/Add.8/Rev.1 also TN/MA/W/18/Add.6
Japan	L	Automobiles	Local content requirements	TN/MA/W/46/Add.7
Korea	S	Automobiles	Unduly strict testing because of strict test standards for imported automobiles of small quantities	TN/MA/W/46/Add.10
United States	S	Automobiles	Many members maintain unique testing and certification procedures and diverse standards and regulations (including labelling)	TN/MA/W/46/Add.8/Rev.1 also TN/MA/W/18/Add.6
Argentina	LAB	Chemicals	Labelling of 1,2-Dichloroethane (ethylene dichloride) for health and environmental reasons	TN/MA/W/46/Add.5 TN/MA/W/25
Argentina	LAB	Chemicals	Labelling requirements for mercuric oxide, labels must have exporting member's health and environmental safety standards in language of destination	TN/MA/W/46/Add.5 TN/MA/W/25

Countries challenging	Type	Sector	Description of measure	WTO document reference
Korea	LAB	Chemicals	Excessively strict labelling requirements of hazardous chemicals for security reasons	TN/MA/W/46/Add.10
Korea	LAB	Chemicals	Item-by-item certification procedures	TN/MA/W/46/Add.10
Norway	LAB	Chemicals	Quality certificate for some chemicals and pharmaceutical products	TN/MA/W/25
Singapore	LAB	Chemicals	Packaging and labelling measures challenged	TN/MA/W/25
Argentina	S	Chemicals	Registration of fertilizers and agrochemicals for the marketing of formulated products	TN/MA/W/46/Add.5 TN/MA/W/25
Argentina	S	Chemicals	Control and use of the pesticide ethylene dibromide.	TN/MA/W/25
Bulgaria	S	Chemicals	In relation to fertilizers: Variety of challenges including to anti-dumping measures, rules of origin requirements, quality standards	TN/MA/W/46
China	S	Chemicals	2002/61/EC Directive bans the use dyes with aromatic amines >30ppm [EU]	TN/MA/W/25/Add.2
Cuba	S	Chemicals	Very expensive and restrictive procedures re registration, evaluation, authorisation, in relation to nickel oxide products	TN/MA/W/46/Add.9
Egypt	S	Chemicals	Control on imports for strategic purposes - chemicals and viruses	TN/MA/W/46
Japan	S	Chemicals	Registration of new and existing chemicals (REACH) eg under the REACH system; in the regulation for the protection of health, safety and the environment	TN/MA/W/46/Add.7
Kenya	S	Chemicals	Textile and chemical products must have been produced through environmentally friendly processes.	TN/MA/W/25
Korea	S	Chemicals	Water solution standards for triple super-phosphate of lime stricter than necessary	TN/MA/W/46/Add.10
Korea	S	Chemicals	Risk assessment requirements incur high charges for manufacturers	TN/MA/W/46/Add.10
Taiwan+	S	Chemicals	Specific programmes proposed for chemicals	TN/MA/W/18/Add.6
Uruguay	S	Chemicals	Compulsory registration of plant protection products for marketing in a Member's territory. The process is long, expensive and ineffective. Also prior authorisation requirements	TN/MA/W/25/Add.1
Uruguay	S	Chemicals	The manufacture, marketing and export of drugs and cosmetics is subject to sanitary registration, sales authorization and sanitary control	TN/MA/W/25/Add.1
Korea	LAB	Electrical	Different certification standards / excessively tight standards in different countries	TN/MA/W/6/Add.4
Malaysia	LAB	Electrical	A programme to place eco-friendly labels on personal computers (PC) by the Member's Electronics Information Technology Industries Association beginning September, 2001, although voluntary, has adversely affected smaller Malaysian manufacturers. Creates discrimination against unlabelled exports. [Japan?]	TN/MA/W/25/Add.2
Singapore	LAB	Electrical	Certification, packaging and labelling measures challenged	TN/MA/W/25
Bulgaria	S	Electrical	Onerous safety requirements and quality and quantity control requirements for range of goods including electronic goods and lead-acid accumulators	TN/MA/W/46

Countries challenging	Type	Sector	Description of measure	WTO document reference
China	S	Electrical	Provisions on magnet-electricity compatibility in Electricity Act 1998; Energy Rating Label; & Radiocommunications ACT 1992. Impacts China's import of sea products, fishing and relevant processing, and investing on energy resources. [These all seem to be Australian]	TN/MA/W/25/Add.2
Hong Kong	S	Electrical	Strict technical regulations	TN/MA/W/25
Malaysia	S	Electrical	Mandatory testing for electrical items and iron and steel products. Currently, there are two types of standards i.e. compulsory standards and voluntary standards, which covers over 1,000 items.	TN/MA/W/25/Add.2
Norway	S	Electrical	Safety tests not standardised	TN/MA/W/25
Thailand	S	Electrical	Heavy metal such as cadmium, lead, and chromium which are harmful to human life, cannot be used as raw material in the production process.	TN/MA/W/25
Korea	LAB	Energy	Mandatory labelling for electric home appliances including for energy efficiency	TN/MA/W/46/Add.10
Argentina	S	Energy	Standard establishing minimum levels of thermal efficiency of imported water heaters. Minimum requirements for information to the public on the thermal efficiency values of such appliances.	TN/MA/W/25
China	S	Energy	Radioactive materials and nuclear reactor require approval of Commission of Atomic Energy [US?]	TN/MA/W/25/Add.2
China	S	Energy	Law of Energy Policy and Protection in relation to household appliances	TN/MA/W/25/Add.2
China	S	Energy	Energy Implementation Criteria for small & medium-sized air conditioner and heating equipment, air heating stoves, multi-functional boilers, large electronic motor (200 horsepower), etc	TN/MA/W/25/Add.2
China	S	Energy	Efficiency requirements. 92/42/EEC, for hot-water boilers fired with liquid or gaseous fuels; 96/57/EC for household electric refrigerators, freezers and combinations thereof; 2000/55/EC for ballasts for fluorescent lighting [EU]	TN/MA/W/25/Add.2
Korea	S	Energy	Requirement for a prior test for energy efficiency for electric products	TN/MA/W/46/Add.10
Korea	S	Energy	Fines when fuel efficiency in imported cars does not meet manufacturer's corporate average fuel efficiency	TN/MA/W/46/Add.10
United States	S	Energy	Vehicle taxes based on engine displacement providing a competitive advantage to vehicles with smaller engine sizes	TN/MA/W/46/Add.8/Rev.1
United States	LAB	Environmental goods	Many members maintain unique testing and certification procedures and diverse standards and regulations (including labelling)	TN/MA/W/46/Add.8/Rev.1
United States	S	Environmental goods	Many members maintain unique testing and certification procedures and diverse standards and regulations (including labelling)	TN/MA/W/46/Add.8/Rev.1

Countries challenging	Type	Sector	Description of measure	WTO document reference
China	I	Fish	Constraints are imposed on non-citizens investing in fishing. Impacts on China's import of sea products, fishing and relevant processing, and investing on energy resources.	TN/MA/W/25/Add.2
Australia	LAB	Fish	Onerous certification requirements	TN/MA/W/25
Egypt	LAB	Fish	Labelling restrictions including production method and area fished from	TN/MA/W/46
Korea	LAB	Fish	Requirement for mandatory labelling in a specific language on imported products	TN/MA/W/46/Add.10
Norway	LAB	Fish	Quarantine certification; food labeling and packaging regulations [description of food ingredients; indication of nutritional claims-substantiated and specified]	TN/MA/W/25
Norway	LAB	Fish	National attestation and health certificates required for products or packaging made from wood, with respect also to fish and fish products	TN/MA/W/46/Add.11
Thailand	LAB	Fish	GMOs labelling is required for products that contain GMOs of ingredients over a 1% threshold for canned and processed seafood	TN/MA/W/25
Thailand	LAB	Fish	Dolphin safe labelling is required	TN/MA/W/25
Venezuela	LAB	Fish	Domestic regulations relating to tuna fishing and the protection of marine mammals. Delay in a favourable ruling has prevented exports to main export market since 2001	TN/MA/W/46/Add.3
Norway	L	Fish	Rules of origin in relation to fish and fish products	TN/MA/W/46/Add.11
Norway	L	Fish	Taxation on imported fish and fish products to promote local economic development	TN/MA/W/46/Add.11
Australia	S	Fish	Onerous testing and residue requirements	TN/MA/W/25
Kenya	S	Fish	Seafood importers must obtain licenses and inform federal authorities about types, quality and origin of fish imports	TN/MA/W/25
Korea	S	Fish	Prohibition of special vehicles such as a live fish carrier because of high gas emissions from vehicles	TN/MA/W/46/Add.10
New Zealand	S	Fish	Different technical and SPS regulations and standards impose additional costs	TN/MA/W/25
Norway	S	Fish	Unfair use of anti-dumping measures on imported products in relation to fish and fish products	TN/MA/W/46/Add.11
Norway	S	Fish	Stringent food sanitation law requirement	TN/MA/W/25
Philippines	S	Fish	Prior authorisation to protect wildlife including yellowfin tuna, ornamental fish and many species listed	TN/MA/W/25
Philippines	S	Fish	Global quotas	TN/MA/W/25
Philippines	S	Fish	Restrictions on pollock and hard clam products from cholera-infected regions	TN/MA/W/25
Senegal	S	Fish	In EU, very strict control in terms of both sanitary regulations and of quality standards	TN/MA/W/25

Countries challenging	Type	Sector	Description of measure	WTO document reference
Korea	LAB	Food	Requirement for mandatory labelling in a specific language on imported products	TN/MA/W/46/Add.10
Taiwan+	LAB	Food	Complicated labelling and certification procedures time consuming and costly	TN/MA/W/18/Add.6
Hong Kong	S	Food	Different food hygienic and labelling requirements among Members increases costs	TN/MA/W/25
Argentina	LAB	Footwear	Ecolabelling of footwear based on recognized environmental management schemes	TN/MA/W/46/Add.5 TN/MA/W/25
Uruguay	LAB	Footwear	Ecolabelling of footwear based on recognized environmental management schemes	TN/MA/W/25/Add.1
Australia	S	Footwear	Onerous safety standards	TN/MA/W/25
Japan	E	Forests	Export ban and restrictions	TN/MA/W/46/Add.7
Japan	E	Forests	Export taxes and levies	TN/MA/W/46/Add.7
Australia	LAB	Forests	Quarantine and certification rules including environmental certification requirements	TN/MA/W/25
Egypt	LAB	Forests	Furniture imports require certified wood certificate	TN/MA/W/46
Malaysia	LAB	Forests	The proposal by legislators of a City Council to amend the administrative code of the City involving city contracts related to the purchase of wood products and materials will restrict the usage of tropical wood in public buildings. The legislation will require City Agencies to purchase tropical hardwood and tropical hardwood products from responsibly managed forests only, specifically, wood that is certified by the Forest Stewardship Council. The proposed restriction is discriminatory, as it singles out tropical timber for certification, while other woods are not subject to it.	TN/MA/W/25/Add.2
New Zealand	LAB	Forests	Prescriptive standards including SPS requirements and processes discriminate against certain species, grades or types of wood	TN/MA/W/25
Philippines	LAB	Forests	Labelling requirements to protect human health, including law concerning Standardization and Proper Labelling for Agricultural and Forestry Products (Japan?)	TN/MA/W/25
United States	LAB	Forests	Many members maintain unique testing and certification procedures and diverse standards and regulations (including labelling)	TN/MA/W/46/Add.8/Rev.1
New Zealand	L	Forests	Growing subsidy scheme focused on assisting small farmers (and other countries' afforestation schemes)	TN/MA/W/25
New Zealand	L	Forests	Government procurement policies requiring the use of domestically produced timber in government financed housing programme	TN/MA/W/25
New Zealand	L	Forests	Cost and price controls on the sale of multi-family homes, use of non wood construction materials subsidised	TN/MA/W/25

Countries challenging	Type	Sector	Description of measure	WTO document reference
New Zealand	L	Forests	Government funded investment programme to develop and protect new forest lands favours domestic producers	TN/MA/W/25
New Zealand	L	Forests	Government subsidises education and training, and forest research	TN/MA/W/25
New Zealand	L	Forests	Loans and grants for domestic small businesses	TN/MA/W/25
New Zealand	S	Forests	Building codes, prescriptive standards and processes, non recognition of third party tests, discrimination against certain species or grades of wood	TN/MA/W/25
New Zealand	S	Forests	Government procurement policies promoting use of non-wood construction materials, such as light steel and masonry	TN/MA/W/25
New Zealand	S	Forests	Quarantine / fumigation restrictions which are discriminatory and developed on a non-scientific basis	TN/MA/W/25
New Zealand	S	Forests	Building codes and safety (fire) standards restrict usage of wood, traditional housing exempt	TN/MA/W/25
New Zealand	S	Forests	Cost of quarantine / fumigating logs	TN/MA/W/25
NZ & US	S	Forests	Range of NTBs relating to building codes and wood products	TN/MA/W/48
United States	S	Forests	Many members maintain unique testing and certification procedures and diverse standards and regulations (including labelling)	TN/MA/W/46/Add.8/Rev.1
United States	S	Forests	Use of prescriptive rather than performance-based standards discriminating against wood products in building codes and generally	TN/MA/W/46/Add.8/Rev.1
Malaysia	I	Generic	In this country, at least 51% of a business establishment must be owned by its nationals	TN/MA/W/25/Add.2
New Zealand	I	Generic	Restrictive foreign investment controls	TN/MA/W/25
Norway	I	Generic	Currency restrictions. Currency license required for shipments above certain thresholds	TN/MA/W/46/Add.11 TN/MA/W/25/Add.1
Malaysia	LAB	Generic	In relation to all products: The Parliamentary approval of a law on international quality label for 'ethically produced goods'. The law is for the Promotion of Socially Responsible Production. Goods could carry the label if producers, from sub-contractors to manufacturers, abide by ILO guidelines in the manufacturing process. The scheme, although voluntary, requires social audit firms, approved by the Member's Ministry of Economy, to check on the companies for conformity in the use of the label. [probably EU]	TN/MA/W/25/Add.2

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Malaysia	LAB	Generic	Exporting of technical products to the markets of this Participant has to comply with the CE marking. To qualify for the CE mark, the products have to undergo rigorous testing and approval procedures for performance and safety. Prices of imported products become more expensive and uncompetitive as a result of higher cost incurred in fulfilling the stringent standards set.	TN/MA/W/25/Add.2
Norway	LAB	Generic	Additional time and costs of quality and health certificates, national standards different from international standards, product, environment and labelling requirements, comprehensive safety regulations, special sanitary and health related requirements	TN/MA/W/46/Add.11 TN/MA/W/25 and TN/MA/W/25/Add.1
Norway	LAB	Generic	National requirements for labelling of products	TN/MA/W/46/Add.11 TN/MA/W/25/Add.1
Norway	LAB	Generic	National testing and certification requirements. Comprehensive certification systems. Registration requirements.	TN/MA/W/46/Add.11 TN/MA/W/25/Add.1
EC	L	Generic	Buy national campaigns operated by governments	TN/MA/W/25/Add.1
Malaysia	L	Generic	The purchasing practices of the Federal and sub-Federal Governments often restricts foreign exporters. Local manufacturers are given priority.	TN/MA/W/25/Add.2
ACP	S	Generic	Environmental standards and regulations	TN/MA/9/Rev.1
China	S	Generic	Rules of origin applied under international agreements or regulations in environmental protection, health care, consumer's interests, social stability, national security etc.	TN/MA/W/25/Add.2
Hong Kong	S	Generic	Adoption of non-international standards by some Members has resulted in different standards and technical regulations among Members. This raises the compliance cost	TN/MA/W/25
India	S	Generic	"Under the guise of Social Accountability", SA8000, which deals primarily with working conditions, the imports of various products can be restricted on alleged violation of 'voluntary requirements'	TN/MA/W/25
India	S	Generic	Detailed labelling requirements with extensive product/ content description	TN/MA/W/25
India	S	Generic	Imposition of voluntary international standards by buyers on their suppliers, under ISO14000 (on environmental management systems) challenged as restricting market access and increasing costs	TN/MA/W/25
India	S	Generic	Some importing countries are fixing standards without carrying out comprehensive risk assessment work	TN/MA/W/25

Countries challenging	Type	Sector	Description of measure	WTO document reference
India	S	Generic	Time and procedural advantages conferred on members of regional trade agreements re technical regulations and standards	TN/MA/W/25
Norway	S	Generic	National standards and regulations more restrictive than international ones	TN/MA/W/46/Add.11 TN/MA/W/25/Add.1
Turkey	S	Generic	All technical standards	TN/MA/W/25
Argentina	LAB	Health	Certification for health purposes for antisera (excluding haemoglobin, blood globulins and serum globulins)	TN/MA/W/46/Add.5 TN/MA/W/25
Argentina	LAB	Health	Embargo on exports of edible gelatin from Argentina	TN/MA/W/25
Argentina	LAB	Health	Labelling of medicines containing penicillins or streptomycins or derivatives thereof,	TN/MA/W/25
Bulgaria	LAB	Health	Complicated certification procedures for medicines	TN/MA/W/46
Norway	LAB	Health	Clean report of findings required for blood transfusion equipment	TN/MA/W/25
Norway	LAB	Health	Additional time and cost of certificate of content / quality certificates required for pharmaceutical / chemical products	TN/MA/W/25
Philippines	LAB	Health	Labelling of hard clam products, shrimp and prawn to protect human health	TN/MA/W/25
Singapore	LAB	Health	Excessive/irrelevant requirements for documentation for pharmaceuticals, labelling requirements	TN/MA/W/25
Switzerland	LAB	Health	In relation to cosmetics: Excessive technical certification (quality control) requirements and difficult, costly marking and labelling requirements for cosmetics, shampoos and soaps	TN/MA/W/25/Add.1
Taiwan+	LAB	Health	In relation to drugs: Complicated labelling and certification procedures time consuming and costly	TN/MA/W/18/Add.6
Uruguay	LAB	Health	Labelling of medicines containing penicillins or streptomycins or derivatives thereof, for human consumption	TN/MA/W/25/Add.1
Argentina	S	Health	Safety specifications and testing methods for imports of new tyres	TN/MA/W/25
China	S	Health	Safety examination & supervision are required for exports of various animal parts, blood, leather etc.	TN/MA/W/25/Add.2
China	S	Health	PCP residues in leather	TN/MA/W/25/Add.2
China	S	Health	Health quarantine measures for seeds; fertilizers; pesticides; plants and vegetable products; food produced from vegetables and mixed materials; food produced from animals (dairy products, poultry and fish products); food additives and mixtures thereof.	TN/MA/W/25/Add.2
China	S	Health	In relation to radioactive materials for medical purposes, FDA is in charge of the issue in accordance with Federal Law of Food, Drugs and Cosmetics [USA?]	TN/MA/W/25/Add.2

Countries challenging	Type	Sector	Description of measure	WTO document reference
China	S	Health	Federal Law of Dangerous Articles and other restrictions relating to toys, paints with lead, bicycles and helmets, fireworks and other products	TN/MA/W/25/Add.2
China	S	Health	Radiation Control for Health & Safety Law (1968), (Part V of Federal Law of Food, Drugs and Cosmetic), in relation to electronic products (TV, micro-wave oven, medical X-ray equipment, laser products, ultrasonic apparatus, and others with radiating functions).	TN/MA/W/25/Add.2
China	S	Health	Regulations of Radioactive Criteria by FCC, under Telecommunications Law (1934) in relation to radio, cassette recorder, TV, walkie-talkie for civilian use.	TN/MA/W/25/Add.2
China	S	Health	Drugs and cosmetics. Under Federal Law of Food, Drugs and Cosmetics these need to be examined by FDA [US?]	TN/MA/W/25/Add.2
China	S	Health	Import of biodrugs for human use must comply with Federal Law of Public Health Services [US?]. Import of those for animal use should comply with Law of Virus, Serum and Toxin. Import licenses and special labelling required.	TN/MA/W/25/Add.2
China	S	Health	Import of biodrugs for animal use should comply with Law of Virus, Serum and Toxin [US?]	TN/MA/W/25/Add.2
China	S	Health	Narcotics and their derivatives regulated by Drugs Implementation Administration by Ministry of Justice	TN/MA/W/25/Add.2
China	S	Health	Devices for narcotic drugs, Federal Code	TN/MA/W/25/Add.2
China	S	Health	Pesticide, Federal Law of Insecticide, Bactericide and Raticide	TN/MA/W/25/Add.2
China	S	Health	Toxic substance, Law of Toxic Substance Administration	TN/MA/W/25/Add.2
China	S	Health	<i>Law of Dangerous Products; Law of Corrosive Drugs; Law of Food, Drugs and Cosmetics; Law of Production Safety of the Consumers; and Law of Resource Recycling & Protection</i> ; import of wastes needs EPA certificate.	TN/MA/W/25/Add.2
China	S	Health	<i>Federal Criteria of Traffic Safety; Clean Air Law</i> , in relation to Motor vehicles, traffic equipment	TN/MA/W/25/Add.2
China	S	Health	Inspection criteria of aquatic products by FDA; and health and plant health measures	TN/MA/W/25/Add.2
China	S	Health	Noise emission, 2000/14/EC for equipment for use outdoors [EU]	TN/MA/W/25/Add.2
India	S	Health	Overly strict testing sensitivities for residues of the antibiotic chloramphenicol (sometimes found in exports from Asia of shrimp, crab and crayfish)	TN/MA/W/25
India	S	Health	Some countries have specified limits for the bacterium <i>Vibrio parahaemolyticus</i> in fish products which are to be cooked before consumption, without providing risk evaluation reports	TN/MA/W/25

Countries challenging	Type	Sector	Description of measure	WTO document reference
India	S	Health	Use of 'non-validated', non-international testing methods in certain countries to detect cholera bacterium, causing export samples to fail test	TN/MA/W/25
Korea	S	Health	Sanitary certification procedures for food containers made from polyethylene and polypropylene are too complicated and costly	TN/MA/W/25
Korea	S	Health	Poison test is required for every shipment of clams and oysters causing delays for perishable products	TN/MA/W/25
Korea	S	Health	Complicated registration procedure for medical instruments and supplies	TN/MA/W/25
Korea	S	Health	Requirement for a prior quarantine certificate for pharmaceutical products	TN/MA/W/25
Malaysia	S	Health	In relation to poultry: Stringent rules on food quality, packaging and labelling for food products imported into Member States	TN/MA/W/25/Add.2
Malaysia	S	Health	Limits acceptance of foreign clinical data [Japan?]	TN/MA/W/25/Add.2
Malaysia	S	Health	Restrictions on and complicated procedures for authorising use of new food additives	TN/MA/W/25/Add.2
Malaysia	S	Health	Strict registration requirements for the import of pharmaceutical products. Exports of	TN/MA/W/25/Add.2
Malaysia	S	Health	Import licences required for fish and dairy products for health reasons [South Africa?]	TN/MA/W/25/Add.2
Malaysia	S	Health	Import licences required for firearms and ammunition for safety reasons [South Africa?]	TN/MA/W/25/Add.2
Malaysia	S	Health	In relation to palm oil, dietary guidelines under the Australian Heart Foundation "Tick – a – Pick" Scheme.	TN/MA/W/25/Add.2
Malaysia	S	Health	In relation to palm oil, Refined Bleachable Deodorized (RBD) palm stearin is not considered edible	TN/MA/W/25/Add.2
Norway	S	Health	Non-transparent procedure for registration of drugs provides undue protection to domestic pharmaceutical firms	TN/MA/W/25
Philippines	S	Health	Testing, inspection, health certificates and in some cases prior authorisation etc. of a range of marine products including tuna, octopus and crab, to protect human health	TN/MA/W/25
Uruguay	S	Health	Rules and procedures for the registration and control of natural medicinal products	TN/MA/W/25/Add.1
Malaysia	LAB	Labour	In relation to all products: The application of specific labelling rules in one Member State, although voluntary, could become a hindrance for Malaysian exporters, as well as importers and traders supplying to other Member States. Unilateral trade actions to promote labour standards to satisfy domestic concerns will create discrimination against non-labelled products from Malaysia and restrict market access. [probably EU]	TN/MA/W/25/Add.2

Countries challenging	Type	Sector	Description of measure	WTO document reference
Egypt	LAB	Leather	Exports face excessive marking, labelling and packaging requirements	TN/MA/W/46
Malaysia	S	MEA	Import licences required for Montreal Protocol chemicals because of international obligations [South Africa?]	TN/MA/W/25/Add.2
Philippines	S	MEA	Convention on International Trade in Endangered Species (CITES) restrictions relating to freshwater fish, saltwater fish, fish for aquaria	TN/MA/W/25
Egypt	E	Minerals	Quantitative restrictions	TN/MA/W/46
Japan	E	Minerals	Export quantity restrictions and their untransparent quota allocations	TN/MA/W/46/Add.7
Egypt	LAB	Minerals	Exports face excessive marking, labelling and packaging requirements	TN/MA/W/46
China	S	Misc	Non-automatic licensing required for exports of articles of cultural or geographical value	TN/MA/W/25/Add.2
China	S	Misc	Excessive documents are required in the inspection process for home electric appliances, e.g. washing machine, which "increase burdensome cost to exporter and impede commercial confidentiality"	TN/MA/W/25/Add.2
Norway	S	Misc	SPS quarantine restrictions on cotton yarn and cotton cloth	TN/MA/W/25
Korea	S	Most products	Overly strict standards applied to imports only	TN/MA/W/46/Add.10
Norway	LAB	Organic natural products	General challenge re cosmetics and cleaning products	TN/MA/W/25
Norway	S	Organic natural products	General challenge re cosmetics and cleaning products	TN/MA/W/25
Japan	I	Petroleum	Restriction on foreign investment	TN/MA/W/46/Add.7
Norway	Misc	Petroleum	SPS quarantine restrictions on petroleum and products [sic]	TN/MA/W/25
Malaysia	S	Petroleum	Import licences required for petroleum products for strategic reasons [South Africa?]	TN/MA/W/25/Add.2
Egypt	LAB	Range of products	Strict sanitary and control measures within the framework of environmental protection regulations, leading to increasing packaging, marking and labelling specifications. Additionally, specific requirements relating to packaging, marketing and labelling	TN/MA/W/46
China	S	Range of products	Technical barriers (safety indicators, CE mark) challenged in relation to a very wide range of products. [CE Marking on a product is a manufacturer's declaration that the product complies with the essential requirements of the relevant European health, safety and environmental protection legislations.]	TN/MA/W/25/Add.2
Egypt	S	Range of products	Environmental standards...with the "pretext" of ensuring environmental protection and avoiding industrial pollution, also import bans for environmental purposes	TN/MA/W/46

Countries challenging	Type	Sector	Description of measure	WTO document reference
Egypt	S	Range of products	Specific standards concerning the level of radiation in imported commodities	TN/MA/W/46
India	S	Range of products	Restrictive and prescriptive standards and burdensome regulations including norms more stringent than those specified by relevant international bodies without any known/justifiable scientific basis or for demonstrably legitimate reasons and which are difficult to meet	TN/MA/W/25
Korea	S	Range of products	Excessive technical regulations and standards, that are frequently amended or expanded	TN/MA/W/46/Add.10
Korea	S	Range of products	Excessively strict import licensing system to protect domestic industries, in relation to electric and electronic products, iron and steel, petrochemicals, automobiles, pharmaceuticals and other products	TN/MA/W/46/Add.10
Malaysia	S	Range of products	The law on Promoting Green Purchasing, implemented on 1 April 2001, has designated several products of export interest to Malaysia, the procurement of which will need to comply with the law. The law enforces stringent 'evaluation criteria', such as recycling and reuse, and minimal impact on the environment upon disposal. Unrealistic target for suppliers to meet 100 per cent of the evaluation criteria by end of 2001. Adaption takes time and this is causing disadvantage to Malaysian exports. [Japan?]	TN/MA/W/25/Add.2
Malaysia	S	Range of products	FDA permits for food, pharmaceutical and cosmetics makes it difficult for exporters.	TN/MA/W/25/Add.2
Philippines	S	Range of products	Additional cost and delay, lost export opportunities	TN/MA/W/25
Singapore	S	Range of products	Industrial products, 'adherence to safety requirements', recommends review at TBT triennial review	TN/MA/W/25
United States	S	Range of products	U.S. industry has reported that, for many electrical products, multiple countries are only accepting goods built either to national standards or to IEC or ISO standard	TN/MA/W/25
United States	S	Range of products	U.S. industry reports unique country specific testing and certification procedures that inhibit trade	TN/MA/W/25
Argentina	LAB	Recycling	Labelling requirements for recyclable containers and products increases costs	TN/MA/W/46/Add.5 TN/MA/W/25
Kenya	LAB	Recycling	Paper products are required to bear clearly labelled content of recycled materials	TN/MA/W/25
Korea	S	Recycling	Manufacturers responsible for collecting and recycling scrapped automobiles	TN/MA/W/46/Add.10

Countries challenging	Type	Sector	Description of measure	WTO document reference
Korea	S	Recycling	Charges for recycling home appliances the same regardless of energy efficiency or size of products - TVs, refrigerators, washing machines, air conditioners	TN/MA/W/46/Add.10
Malaysia	S	Recycling	The Participant's law on recycling mandates manufacturers to collect used home appliances, and charge recycling fees. The law also requires that 50 to 60 per cent of materials in the appliances be recycled. The Authorities have subjected corporate-use and home-use PC to recycling by the end of 2002. Additional costs to Malaysian exporters, discourages distributors and retailers from importing from Malaysia, in favour of domestically produced products that have recycling facilities. Favours domestic and multinational companies with strong financial resources [Japan?]	TN/MA/W/25/Add.2
Malaysia	S	Recycling	In relation to Electrical and Electronic Equipment: The directive concerning the disposal of waste from electrical & electronic equipment is a barrier to trade as the E&E industry is located mainly in developing countries. The additional costs incurred will affect the competitiveness of E&E products from developing countries. Waste management is a state responsibility and collection charges should be based on the "polluter-pays" principle. [probably EU]	TN/MA/W/25/Add.2
Korea	LAB	Shrimp	Certification relating to the use of turtle-excluder devices	TN/MA/W/25
Philippines	LAB	Shrimp	License from Fish and Wildlife Service	TN/MA/W/25
Venezuela	LAB	Shrimp	Certification relating to the use of turtle-excluder devices. Embargo entered into force in 2003 preventing exports to principal export market	TN/MA/W/46/Add.3
Thailand	S	Shrimp	EU imposes stringent inspection on shrimp products from Thailand, with the objective of guarding against harmful effects on humans	TN/MA/W/25
Mexico	E	Textiles	Export restrictions on textile raw materials (cotton)	TN/MA/W/46
Mexico	LAB	Textiles	Labelling requirements to allow verification of whether dry cleaning is really necessary	TN/MA/W/46
United States	LAB	Textiles	Labelling	TN/MA/W/25
Egypt	S	Textiles	Restrictions on use of certain substances and preparations (azocolourants for example) re textiles and leather	TN/MA/W/46

KEY

E = Export restrictions

I = Investment

LAB = Labelling / certification

L = Local economic development

S = Standards / regulations
<u>Notes:</u>
This list does not indicate FOEI endorsement of specific listed non-tariff measures. Rather, it is intended to illustrate the scale of the current corporate challenge to health and environmental legislation and local economic development in a wide range of sectors under the NAMA negotiations
This list is not necessarily an exhaustive analysis of NAMA notifications
Maintaining participants of the various restrictions are not listed in the publicly available documentation [inferences are made by Friends of the Earth in square brackets]
Challenge may be to restrictions in one or many countries, but more often than not this cannot be determined from the publicly available documentation
Many countries reserve the right to add to this list in the future, the US lists only 'indicative examples' for example
Cuba is using NAMA NTBs negotiations to challenge US embargo on its exports in its entirety
Mexico is challenging a huge range of NTBs in a generic fashion, including restrictions on 'sensitive goods', export market development loans, trade measures to support domestic inputs for export products, application of minimum prices, export credit incentives, customs officers with ability to use excessive discretion, tax refunds and other export subsidies
Request-offer, horizontal and vertical approaches are also being discussed (modalities)
Proposal to have continuous negotiations on NTBs (outside negotiating rounds) and/or separate NTBs Committee (Korea)