

SECOND TBT QUARTERLY REPORT

2016



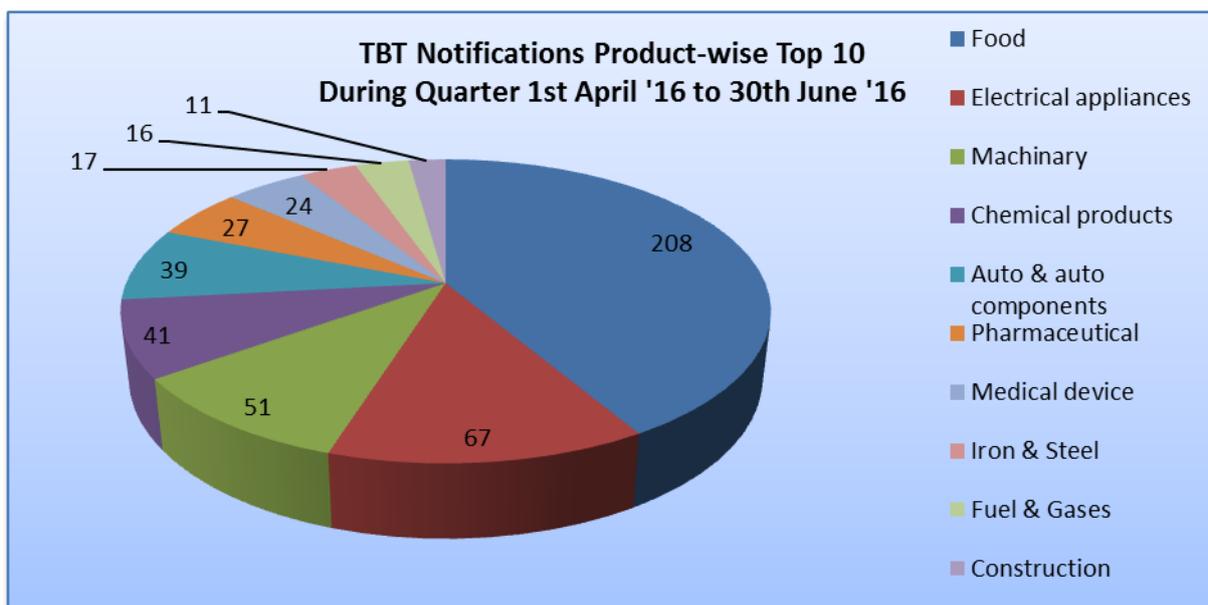
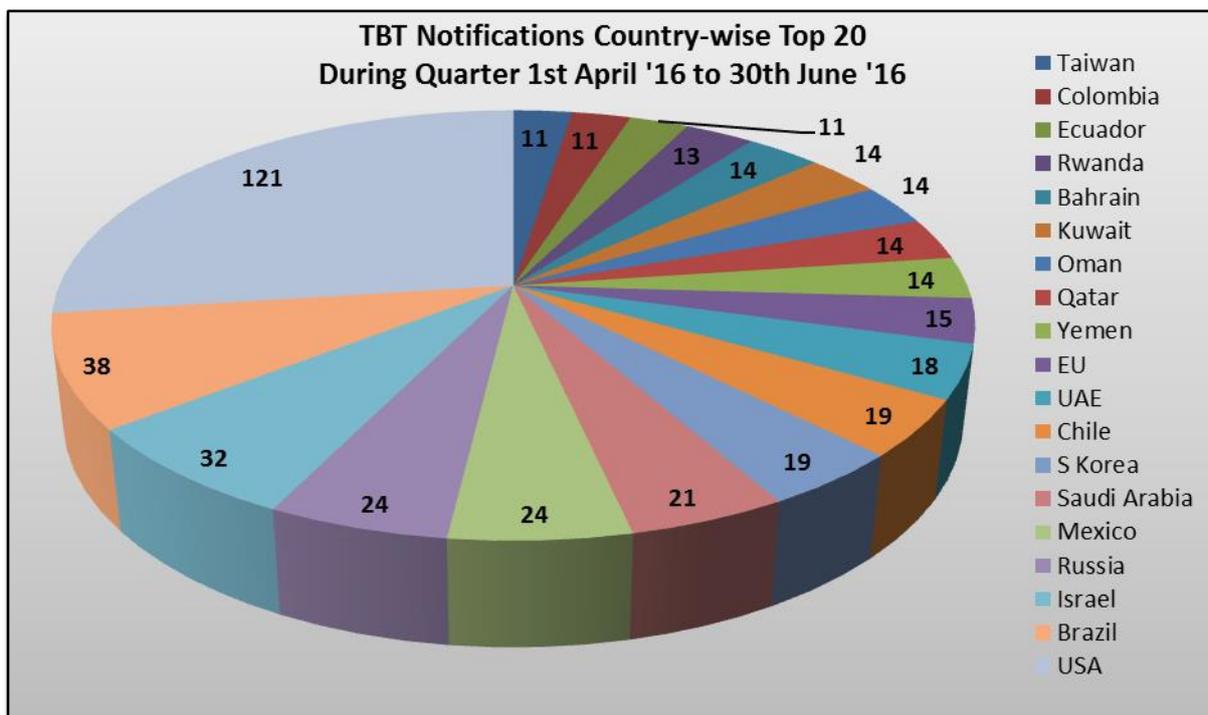
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TBT QUARTERLY REPORT (1ST OF APRIL '16 TO 30TH JUNE '16): AT A GLANCE

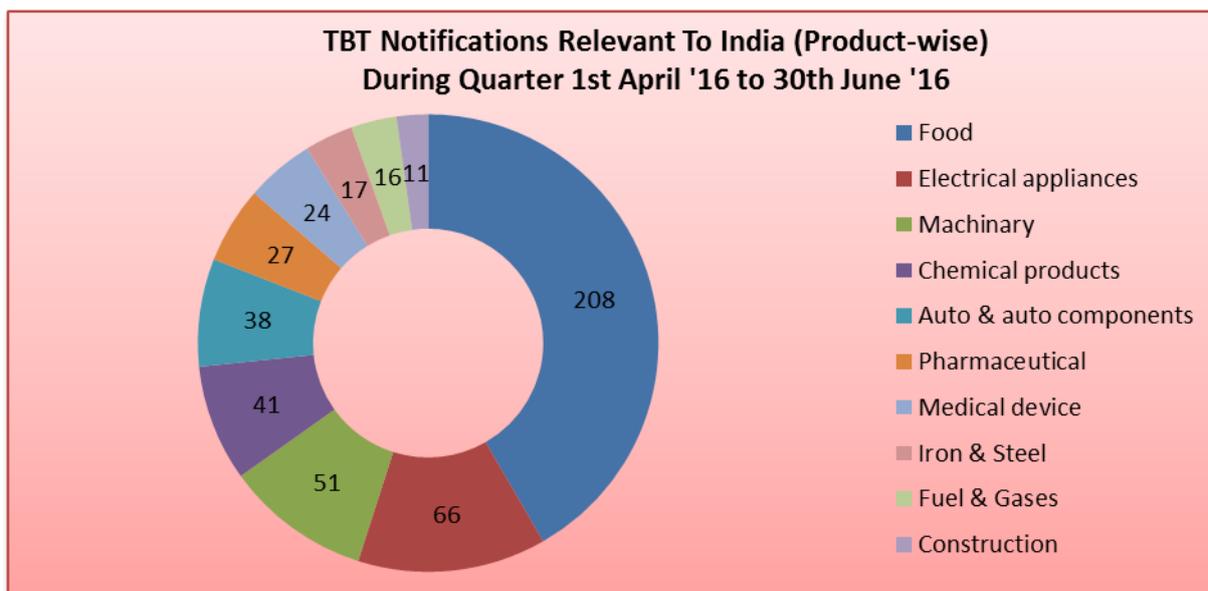
Details Pertaining to TBT Notifications Issued By All WTO Member Countries

The total number of TBT notifications issued by the various WTO-member countries from 1st of April 2016 to 30st June 2016 was 582. Out of these 582 notifications, India issued two TBT notifications. Hence, a total of 580 notifications were studied in the quarter 1st April 2016 to 30th June 2016 which was relevant to India. Out of 580 notifications, 153 notifications were the addendum of draft regulations notified earlier in the WTO.



Details Pertaining to TBT Notifications Relevant To India

Product-wise Information: Out of the total 580 TBT notifications which were relevant to India, 208 related to food products, 66 related to electrical products, 51 machinery products, 41 chemical products, 38 auto and auto components, 27 pharmaceutical products, 24 medical devices, 17 iron and steel, 16 fuels and gases, 11 construction products and the remaining 81 related to other products.



Country-wise Information: Out of the total 580 TBT notifications relevant to India, USA issued 121 notifications, followed by Brazil, Israel, Russia, Mexico, Saudi Arabia, South Korea, Chile, UAE and EU with 38, 32, 24, 24, 21, 19, 19, 18 and 15 notifications, respectively. The remaining 249 Notifications were from other WTO Member countries.

Details Pertaining to Draft Responses Sent

Notifications-May Impact Indian Industry: (Draft Responses Sent)

There were 11 draft responses sent in the quarter April 2016 to June 2016. In these notifications stakeholders were of the view that, though some of the notifications were in line with International Standards, they may adversely impact Indian exports. Hence, APJ-SLG suggested that the Government of India may seek clarifications from the concerned enquiry point requesting them to provide justification for setting the proposed regulations. These notifications are mentioned below:

Sl. No:	Notification No:	Date	Country	Product	Issue in Brief
1.	G/TBT/N/OMN/251	24/02/2016	Oman	Honey	<p>The Omani draft technical regulation concerned with fresh honey fit for human consumption. The draft notified maximum value of electrical conductivity for multi-floral honey is set at 1.2 mS/cm which is stricter than Codex level of 0.8 mS/cm. Secondly, the draft indicated maximum acidity level of 40 milli-equivalents per 1,000 g which is also stricter than Codex level 50 milli-equivalents acid per 1,000 g.</p> <p>India requested the authorities of Oman to share the reasons for setting this requirement diverging from the relevant Codex Alimentarius standard.</p> <p>In this regard, India would like to seek bilateral consultation with the Indonesian authorities as to avoid any disruptions in the trade.</p>
2.	G/TBT/N/MYS/66	23/12/2016	Malaysia	Pharmaceutical Products	<p>The Malaysian directive described that all Bioequivalence (BE) studies used in supporting the registration of generic products in Malaysia shall be conducted in BE centres which are inspected by authorities listed by the Malaysian BE Centre Compliance Programme.</p>

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					<p>In reply, India requested the Malaysian authorities to allow Indian BE centres to apply directly to the Malaysian authorities for authorization for conducting BE studies for generic products exported from India.</p> <p>For this purpose India requested the NPCB authorities to provide accreditation for Indian BE centres so that it will ease the procedural delay and also result in reducing the cost and lowering trade barriers.</p> <p>In this regard, India sought bilateral consultation with the Malaysian authorities as to avoid any disruptions in the trade.</p>
3.	G/TBT/N/MYS/67	23/12/2016	Malaysia	Pharmaceutical Products	<p>The Malaysian authorities proposed mandatory inspection by the Malaysian Drug Control Authority (DCA) in spite of an inspection conducted by any of Pharmaceutical Inspection Co-operation Scheme (PIC/S) members.</p> <p>In reply, India stated that this mandatory GMP inspection by DCA would increase the cost of production for Indian suppliers.</p> <p>The timeline for renewal for registration for existing pharmaceutical products is 1st of January 2017. India stated that this transition period is too short for the Indian companies to comply with.</p> <p>In this regard, India sought bilateral consultation with the Malaysian authorities as to avoid any disruptions in the trade.</p>
4.	G/TBT/N/ZWE/1	04/04/2016	Zimbabwe	Import Requirements	<p>The Zimbabwean authorities proposed a Consignment Based Conformity Assessment (CBCA) programme to control the quality of imported goods in order to minimize</p>

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					<p>the risk of unsafe and substandard goods entering the Zimbabwe market. The products referred in the proposal were:</p> <ul style="list-style-type: none"> • Food and agriculture • Building and civil engineering • Packaging material • Electrical / electronic appliances • Body care • Automotive and transportation • Clothing and textile • Toys <p>In reply, India stated that the draft provisions of certificate of conformity and pre export verification proposed by Zimbabwe will certainly add costs to exports and will be burdensome for exports from India. Hence, India requested the Zimbabwean authorities to extend this arrangement to conformity assessment bodies from third countries like India to reduce compliance cost for exporters.</p> <p>India requested the Zimbabwean authorities to review the proposed guidelines and provide equivalence to Indian conformity assessment bodies.</p> <p>In this regard, India sought bilateral consultation with the Zimbabwean authorities as to avoid any disruptions in the trade.</p>
5.	G/TBT/N/USA/1106	27/04/2016	USA	Dairy Products	The Department of Food and Agriculture under the state of California issued a technical regulation on ultra-filtered milk products titled as "Temporary Standard for Ultra-

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					<p>Filtered Milk Products’.</p> <p>In reply, India stated that the term “<i>Ultra-Filtered Milk Products and UHT Ultra-Filtered Milk Products</i>” may act as trade barrier for milk processed and filtered through other than Ultra-filtration technology. Therefore, India suggested the term “Membrane-Filtered Milk Products” as the suitable term for all specified product categories.</p> <p>Further, the percentage of lactose in the final product in case of partial removal of lactose through filtration is not specified. In this regard, India requested the agency to kindly specify the “maximum level of lactose in the final product, in case of partial removal of lactose through filtration” for more clarity.</p> <p>In this regard, India sought bilateral consultation with the US authorities as to avoid any disruptions in the trade.</p>
6.	G/TBT/N/TPKM/233	12/04/2016	Taiwan	Wooden Products (laminated veneer lumber)	<p>The notification describes that imports of laminated veneer lumber are subject to mandatory inspection under the Commodity Inspection Act by the Bureau of Standards, Metrology and Inspection (BSMI).</p> <p>In reply, India stated that wood and wooden products are regulated as per the Plant Quarantine Order 2003 Guidelines issued by the Ministry of Agriculture, Government of India. Import of wood products requires a permit from the Ministry of Agriculture, which has specified the import requirements in the “Plant Quarantine (Regulation of Imports) Order 2003”.</p> <p>India recognizes the Phytosanitary Certificate (Form No-PQ 21 and 22), a model format prescribed as per the International Plant Protection Convention (IPPC). India</p>

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					<p>accepts this format of Phytosanitary Certificate signed by the relevant competent authorities of exporting countries. Hence, India requested the Taiwanese authorities to allow phytosanitary certificates issued by Indian competent authorities for exports of laminated veneer lumber from India. For this purpose India requested the Taiwanese authorities to provide exemptions from mandatory inspections for exports from India.</p> <p>In this regard, India sought bilateral consultation with the Taiwanese authorities as to avoid any disruptions in the trade.</p>
7.	G/TBT/N/TPKM/234	13/04/2016	Taiwan	Wooden Products (wooden floors)	<p>The notification describes that imports of wooden floor are subject to mandatory inspection under the Commodity Inspection Act by the Bureau of Standards, Metrology and Inspection (BSMI).</p> <p>In reply, India stated that wood and wooden products are regulated as per the Plant Quarantine Order 2003 Guidelines issued by the Ministry of Agriculture, Government of India. Import of wood products requires a permit from the Ministry of Agriculture, which has specified the import requirements in the “Plant Quarantine (Regulation of Imports) Order 2003”.</p> <p>India recognizes the Phytosanitary Certificate (Form No-PQ 21 and 22), a model format prescribed as per the International Plant Protection Convention (IPPC). India accepts this format of Phytosanitary Certificate signed by the relevant competent authorities of exporting countries. Hence, India requested the Taiwanese authorities to allow phytosanitary certificates issued by Indian competent</p>

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					<p>authorities for exports of wooden floor from India. For this purpose India requested the Taiwanese authorities to provide exemptions from mandatory inspections for exports from India.</p> <p>In this regard, India sought bilateral consultation with the Taiwanese authorities as to avoid any disruptions in the trade.</p>
8.	G/TBT/N/TPKM/235	13/04/2016	Taiwan	Wooden Products (glulam)	<p>The notification describes that imports of glulam are subject to mandatory inspection under the Commodity Inspection Act by the Bureau of Standards, Metrology and Inspection (BSMI).</p> <p>In reply, India stated that wood and wooden products are regulated as per the Plant Quarantine Order 2003 Guidelines issued by the Ministry of Agriculture, Government of India. Import of wood products requires a permit from the Ministry of Agriculture, which has specified the import requirements in the “Plant Quarantine (Regulation of Imports) Order 2003”.</p> <p>India recognizes the Phytosanitary Certificate (Form No-PQ 21 and 22), a model format prescribed as per the International Plant Protection Convention (IPPC). India accepts this format of Phytosanitary Certificate signed by the relevant competent authorities of exporting countries. Hence, India requested the Taiwanese authorities to allow phytosanitary certificates issued by Indian competent authorities for exports of glulam from India. For this purpose India requested the Taiwanese authorities to provide exemptions from mandatory inspections for exports from India.</p>

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					<p>In this regard, India sought bilateral consultation with the Taiwanese authorities as to avoid any disruptions in the trade.</p>
9.	G/TBT/N/UGA/538	19/04/2016	Uganda	Compulsory Standard Specifications	<p>The Uganda National Bureau of Standards has issued this notification proposing compulsory standard specifications for listed product sectors. This regulation covers the following products:</p> <ol style="list-style-type: none"> 1. Structural Steel Products; 2. Roof Covering Steel Products; 3. Cement, Building Lime and Other Hydraulic Binders; 4. Pneumatic Tyres and Tubes for Automotive Vehicles and Trailers; 5. Protective Safety Equipment; Gas cylinders, Valves and Regulators; 6. Power cables and Luminaries (Lighting Equipment); Electronic, 7. Sound and Communication Equipment; 8. Mechanical Materials and Gas Appliances; 9. Toys; 10. Electrical and Electronics; 11. Automotive Products and Inputs;

Sl. No:	Notification No:	Date	Country	Product	Issue in Brief
					<p>12. Used Products, including used Motor Vehicles</p> <p>13. High Risk Foods and Food Products;</p> <p>14. Food and Food Products</p> <p>15. Neutral spirit for manufacture of gins and alcoholic beverages;</p> <p>16. Chemical Products;</p> <p>17. High Risk Chemical Products, Personal Hygiene and Consumer Goods;</p> <p>18. Textile, Leather, Plastics and Rubber;</p> <p>19. Furniture (wood and metal articles);</p> <p>20. Paper and Stationery; Protective Safety Equipment</p> <p>In reply, India stated that, it also follows similar regulatory requirements for products listed in the notifications. There are specific regulating agencies which regulate imports and also issue certificates for exports from India. Hence, India requested the Ugandan authorities to accept standards prescribed by Indian regulatory bodies and also the certificates issued by them.</p> <p>India requested the Ugandan authorities to provide equivalence and allow exports which confirm to Indian standards. In this regard, India sought bilateral consultation with the Ugandan authorities as to avoid any</p>

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					disruptions in the trade.
10.	G/TBT/N/IDN/106	21/04/2016	Indonesia	Forestry Products	<p>The Indonesian Directorate of Import, Ministry of Trade and Centre for Cooperation issued import requirements. The notification describes that importer of forestry products must meet the import requirements such as:</p> <ul style="list-style-type: none"> • Forestry Legality Products • API - U (General - Importer Identification Number) for traded and/or transferable forestry products • API - P (Producer - Importer Identification Number) for products used as raw or auxiliary materials for production process purposes only • Import Approval from Minister of Trade <p>In reply, India stated that forestry products are regulated as per the Plant Quarantine Order 2003 Guidelines issued by the Ministry of Agriculture, Government of India. Import of forestry products requires a permit from the Ministry of Agriculture, which has specified the import requirements in the "Plant Quarantine (Regulation of Imports) Order 2003".</p> <p>The proposed requirements for obtaining an "Importer Identification Number" will certainly add costs and will become cumbersome for exporters.</p> <p>India requested Indonesian authorities to allow Indian phytosanitary certificates for exports of forestry products from India and streamline the process for obtaining the importer identification number.</p>
11.	G/TBT/N/IDN/107	21/04/2016	Indonesia	Air-conditioning	The Indonesian Directorate of Energy Conservation,

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				Devices	<p>Ministry of Energy and Mineral Resources proposed minimum energy performance standard and inclusion label of energy saving for air conditioning devices.</p> <p>In reply, India stated that India has the National Accreditation Board for Certification Bodies (NABCB), which provides accreditation to Certification and Inspection Bodies based on an assessment of their competence as per the Board's criteria and in accordance with International Standards and Guidelines.</p> <p>India requested Indonesian authorities to provide equivalence and accept certificates issued by certification bodies accredited by NABCB to streamline the export process.</p> <p>In this regard, India sought bilateral consultation with the Indonesian authorities as to avoid any disruptions in the trade.</p>

Notification Trends During April 2016 To June 2016

Food Products

In quarter April 2016 to June 2016, 208 TBT notifications were related to food products which were more than 35 per cent of the total notifications issued in the quarter.

Out of the 208, Gulf Cooperation Council (GCC) member countries like Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates (UAE) issued 99 TBT notifications related to genetically modified foods (GM), juices and nectars, frozen doughs, dry pulses, leafy vegetables, flavoured milk, food grade salt, dried grapes, dried pineapples, mechanically deboned poultry meat, durian fruit, poultry processing abattoirs, edible casein and caseinates, skimmed milk analogue, lump sugar. GCC members issued draft technical regulation deriving the basic requirements that must be met while exporting these products into GCC member countries; which include the definitions, requirements, sampling, methods of testing, packaging, transportation, storage and labelling. The Gulf countries are of view that, the focus of this notification is safety and consumer protection.

USA followed by GCC member countries which issued 14 TBT notifications related to food products mainly adoption of earlier issued notifications. The products referred in these adoptions were food products labeling, organic livestock and poultry practices, cauliflower, canned vegetables, bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower; chicory plants and roots other than roots of heading, other live plants (including their roots), cuttings and slips; mushroom spawn., wood in the rough, whether or not stripped of bark or sapwood, or roughly squared, grades of processed raisins, canned vegetables, cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes, other manufactured tobacco and manufactured tobacco substitutes; "homogenized" or "reconstituted" tobacco; tobacco extracts and essences, classes of poultry and ultra-filtered milk products.

Israel issued 13 TBT notifications in this quarter related to bananas, including plantains, fresh or dried., dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried., citrus fruit, fresh or dried., grapes, fresh or dried., fruit, dried, other than that of headings, mixtures of nuts or dried fruits, margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions, coffee whether or not roasted or decaffeinated, coffee husks and skins, coffee substitutes containing coffee in any proportion, wheat or meslin flour, pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagna, gnocchi, ravioli, cannelloni; pepper of the genus piper; pepper of the genus piper; dried or crushed or ground fruits of the genus Capsicum or of the genus pimento and

sugars and sugar confectionery. Israeli authorities issued draft technical regulations for these products deriving the basic requirements that must be met while exporting these products into Israel; which include the definitions, requirements, sampling, methods of testing, packaging, transportation, storage and labelling. The Israeli draft regulations are mainly in line with either Codex or US or EU norms depending on the products and their exports to the particular country. These notifications clearly stated that these draft regulations were issued in line with Codex, USA or EU norms with a view to streamline the export and import procedures.

Latin American Countries (LAC) such as Argentina, Brazil, Bolivia, Colombia, Chile, Ecuador, Honduras, Mexico and Nicaragua issued 28 TBT notifications in this quarter. The products referred in this quarter were processed and ultra-processed foods for human consumption, non-alcoholic and alcoholic beverages, meat for human consumption, organic agricultural products, spices, birds' eggs, in shell, fresh, preserved or cooked and products destined directly or indirectly for human consumption, which contain or derive from genetically modified organisms.

Asian countries such as Taiwan, South Korea, Thailand, Vietnam, Indonesia and Malaysia issued 19 TBT notifications related to food products. The products referred in these notifications were food grade salt products, alcoholic beverages, health functional food products, forestry products, food labelling, livestock products, nutrition symbol on food label, environment-friendly agricultural and fishery products, processed organic foods and materials for organic farming and nutrition labelling.

Other countries such as Lithuania, New Zealand, Australia, European Union, Ireland, Uganda, Spain, Russia, Canada, Kazakhstan, Armenia, Albania, Slovenia, Botswana, Rwanda and South Africa were issued 34 TBT notifications ranging from cereals, dairy and dairy products, alcoholic and non-alcoholic products, etc.

Electrical and Electronics Products

In quarter April 2016 to June 2016, 66 TBT notifications were related to electrical and electronic products which were more than 11 per cent of the total notifications issued in the quarter. Brazil, Chile and United States of America are the major notifying country in this sector.

USA issued 21 TBT notifications on electronic products covering carbon monoxide alarms and detectors, transmitters used in licensed radio services, commercial water heating equipment, taximeter systems, portable air conditioners, solar thermal and PV equipment, battery chargers, external power supplies and electric motors. The main focus of US TBT notifications were certification and enforcement of Energy Conservation Program in electrical products.

Chile issued nine TBT notifications for electronic products covering electrical and hydraulic elevators and hoists, inspection of existing electrical lifts and freight lifts, electronic audio / video, information technology and communication technology and LED lamps.

Machinery Products

In quarter April 2016 to June 2016, 51 TBT notifications were related to machinery products which were nearly 9 per cent of the total notifications issued in the quarter. Russia and USA are the major notifying country in this sector.

USA issued 31 TBT notifications on machinery products covering compressors, nuclear reactors, boilers, machinery and mechanical appliances; commercial weighing and measuring instruments, fire safety standards for fire extinguishers used in cargo compartments, air conditioning machines, gas utilities and equipment, agricultural equipment and amusement devices. The main focus of these notifications were adopting Energy Conservation Standards, performance specifications and test procedures, fire prevention code, safety standard for machinery products.

Other countries such as Botswana, Brazil, Canada, Chile, Colombia, Israel, Mexico, Moldova, Russia, Saudi Arabia and South Africa issued 20 TBT notifications on machinery products.

Chemical and Allied Products

In quarter April 2016 to June 2016, 41 TBT notifications were related to chemical products which were nearly 7 per cent of the total notifications issued in the quarter. Brazil, USA and European Union are the major notifying country in this sector.

USA issued 13 TBT notifications on chemical products covering regulating chemicals under Toxic Substance Control Act (TSCA), closed cell foam products, E-liquids, transportation systems for liquids and slurries, hazardous materials, chemical bulk storage and control of volatile organic compound emissions from fiberglass boat manufacturing and surface coating facilities. EU issued 8 TBT notifications on chemical products covering biocidal products and pesticide active substances. Other countries such as Israel, Japan, China, Colombia, Costa Rica, South Korea, Canada, Saudi Arabia, Kenya, Rwanda and Brazil remaining TBT notifications on chemical products.

Auto and Auto-component Sector

In quarter April 2016 to June 2016, 38 TBT notifications were related to automotive and auto component products which were nearly 7 per cent of the total notifications issued in the quarter. US, European Union, China, Brazil and Mexico are the major notifying country in this sector.

USA issued 11 TBT notifications on automotive and auto component products covering regulation on airplanes, safety seat belts, baby carriages and parts, child restraint systems, road vehicle systems, carriages and strollers, trailers and semi-trailers. Other countries such as Egypt, Argentina, Chinese Taipei, Indonesia, Ecuador, Japan, Canada, Costa Rica, Thailand, Korea and Chile issued the remaining TBT notifications on auto and auto component products. The main focus of these notifications were emissions, air quality, safety and fuel norms for automotive and auto component products.

Pharmaceutical Products and Medical Devices

In quarter April 2016 to June 2016, 51 TBT notifications were related to pharmaceutical products and medical devices which were nearly 9 per cent of the total notifications issued in the quarter. Israel, Taiwan, Colombia, South Korea, Brazil and Russia were the major notifying country in this sector.

Russia issued 16 TBT notifications in May 2016 concerning pharmaceutical products. The proposed measures include the following:

- Establishment of the rules of tests of biological pharmaceutical products
- Establishment of the rules of tests of biological medical devices
- Registration and of the safety, quality, and efficiency inspection of medical devices.
- Common requirements for safety and efficiency of medical devices and their documentation and labelling requirements
- Registration procedures, confirmation and modification of the registration dossiers and testing procedures of pharmaceutical products for medical use
- Special production mark of medical devices on the market of the Eurasian Union
- Establishment of the requirements for package insert of pharmaceutical products for medical use and for the drug profile of pharmaceutical products for medical use'
- Requirements for manufacturing of pharmaceutical products, veterinary pharmaceutical products, and active pharmaceutical ingredients, used as input materials
- Establishment of the rules of good laboratory practice with in the Eurasian Economic Commission

Note: