

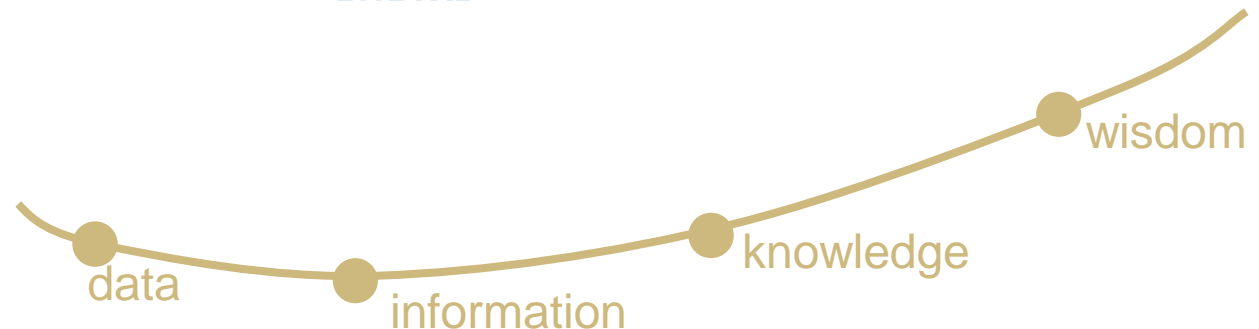


Export regulations: Challenges and opportunities How non-tariff measures impact our daily lives

Course on Key Issues on the International Agenda

Geneva, 14 September 2021

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UNCTAD



Non-Tariff Measures everywhere ...



Non-Tariff Measures database

TRAINS

The global database on Non-Tariff Measures

Through 
 Developed by WTO
 Adapted for TRAINS data by UNCTAD



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[TABLES by PRODUCTS](#)

[TABLES by MEASURE](#)

[TABLES by COUNTRIES](#)

[DETAILED QUERY](#)

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Available search criteria

Selected search criteria

Measures: **Sanitary and Phytosanitary [SPS] [A], Technical Barriers to Trade [TBT] [B], Pre-shipment inspection [INSP] [C], Contingent trade protective measures [CTPM] [D], Quantity control measures [QC] [E], Price control measures [PC] [F], Other measures [OTH] [G,H,I,J,K,L,M,N,O], Export-related measures [EXP] [P]** [Reset to defaults](#)

Country(ies) imposing: **United States of America**

Partner(s) affected: **France [Include the category "All partners"]**

Date(s): **14/09/2021 [in force]**

Product(s): **HS codes: 060220** [Modify](#)

Search result

Your query covers 98 measures

[Export to excel](#) [Show details](#)

Show affected countries grouped (bilateral, All partners)

Measures:

Country imposing	Partner affected	Requirements	Phase	Measures	<input type="checkbox"/>
United States of America	All Members	Export-related measures	In force	10	<input type="checkbox"/>
United States of America	All Members	Pre-shipment inspection	In force	1	<input type="checkbox"/>
United States of America	All Members	Price control measures	In force	1	<input type="checkbox"/>
United States of America	All Members	Quantity control measures	In force	2	<input type="checkbox"/>
United States of America	All Members	Sanitary and Phytosanitary	In force	52	<input type="checkbox"/>

Challenge to comply with requirements



Bringing dried mangoes into the EU is duty-free for all countries. However, exporters need to comply with

- tolerance limits for pesticide residues,
 - hygienic practices during production,
 - processing methods, microbiological criteria of the final product,
 - certification
-
- Organic
 - Fair-trade (e.g. labor rights)

NTMs
Non-Tariff
Measures

VSS
Voluntary
Sustainability
Standards



Non-Tariff Measures

- “Non-Tariff Measures are policy measures, other than ordinary customs tariffs, that can potentially have an economic effect on international trade in goods, changing quantities traded, or prices or both” (UNCTAD Group of Eminent Persons on NTBs)

→ neutral concept!

- NTMs include a broad range of policy instruments including
 1. **traditional trade policy instruments**, quotas, price controls, rules of origin
 2. **regulatory and technical measures**, from non-trade objectives related to safety, health and environmental protection
 - Sanitary and Phytosanitary (SPS) measures
 - Technical Barriers to Trade (TBT)



Examples of Technical Non-Tariff Measures

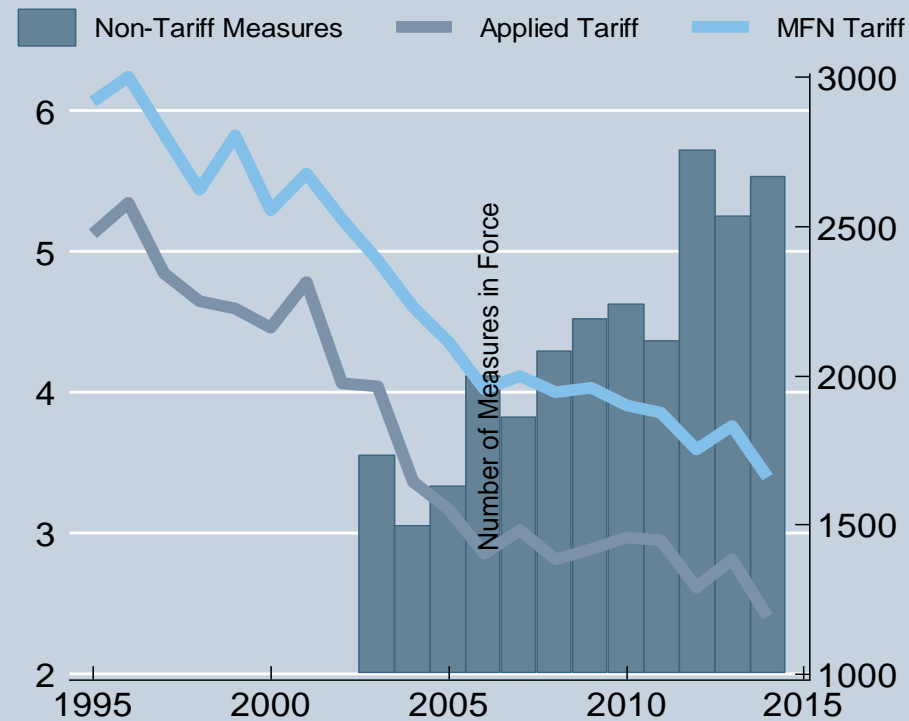
1. Toys for children under 3 years shall not contain articles smaller than 1.25 inch (United States)
2. Maximum levels of aflatoxins in food
3. Certificate of conformity for materials in contact with food
4. Regulation on Control of Imports, exports and Consumption of Ozone Depleting Substances
 - Imports Licenses for Ozone Depleting Substances (Lao People's Democratic Republic)



Trend: NTMs on the rise

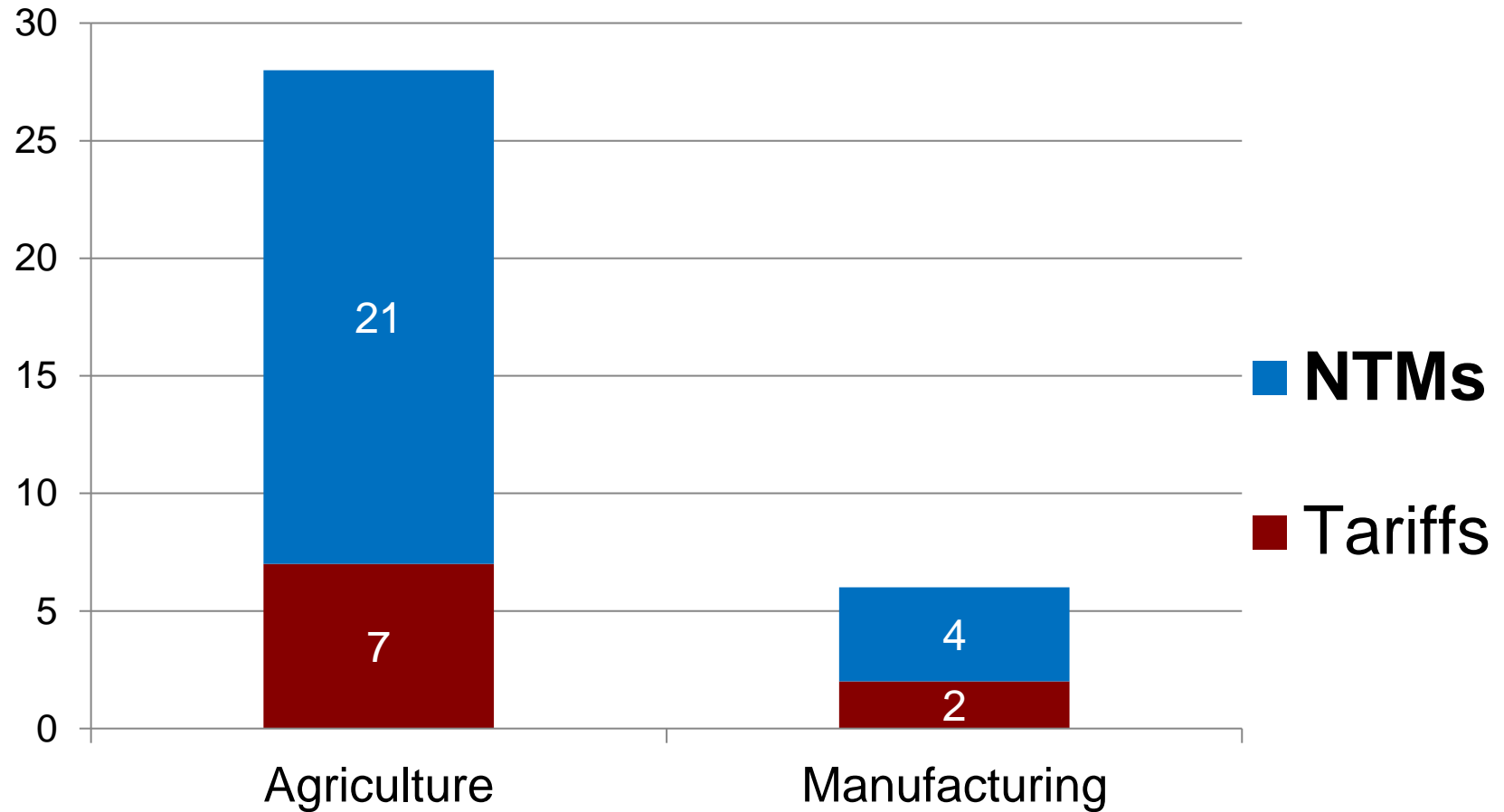
Figure 5: Contrasting Trade Policies

Tariffs have gone down, non-tariff measures not so



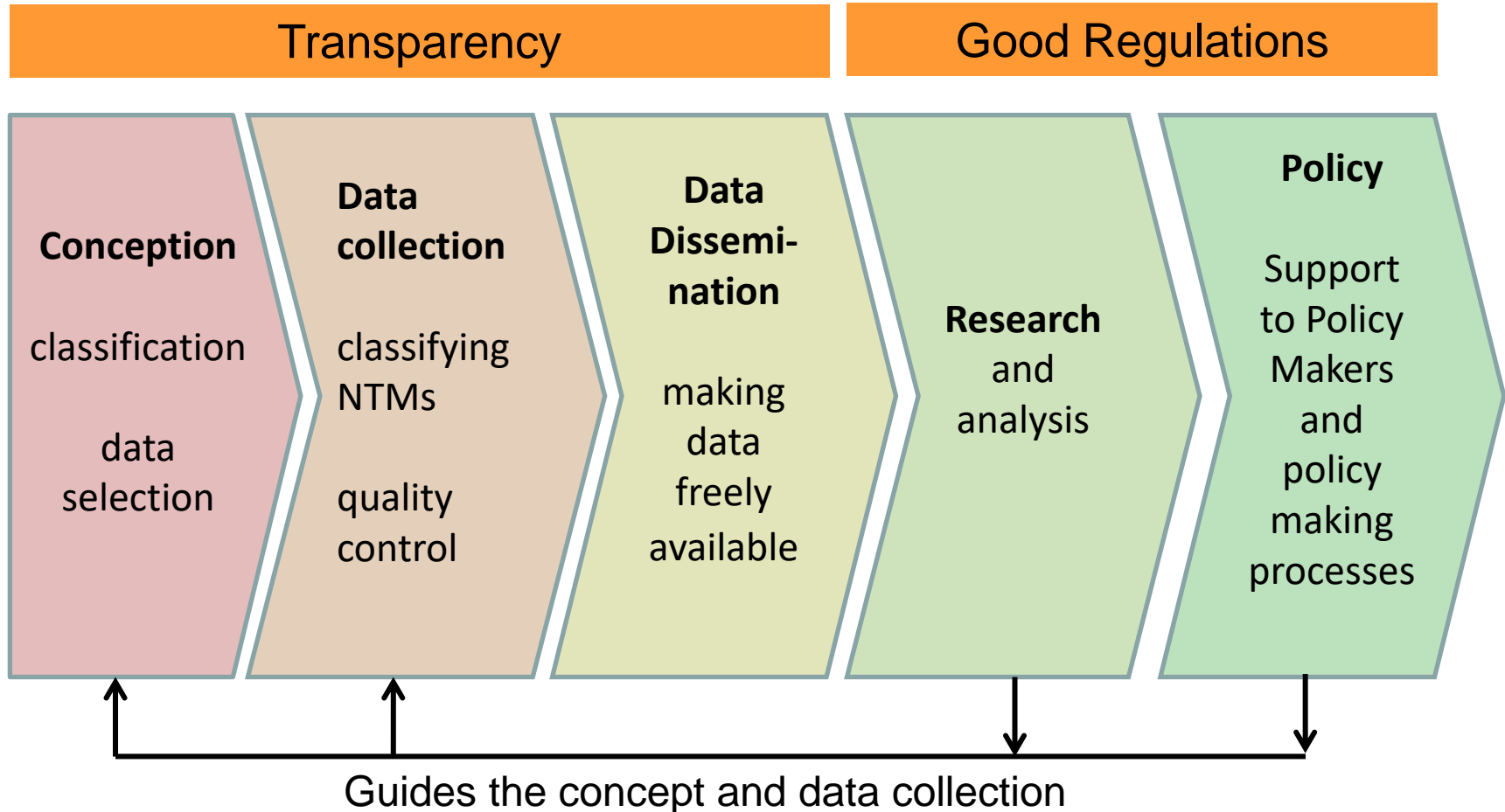
Source: UNCTAD calculations based on UNCTAD TRAINS and WTO I-TIP data

Estimated *average* ad-valorem equivalents



UNCTAD NTM Programme

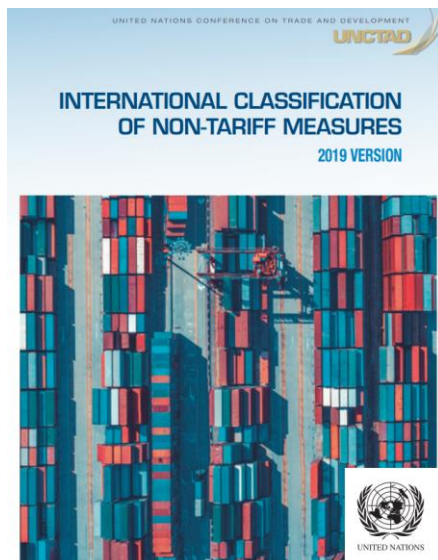
unctad.org/ntm



UNCTAD-MAST Classification:

The common language

Multi Agency Support Team
(FAO, ITC, OECD, UNCTAD,
UNIDO, World Bank, WTO)
initiated by UNCTAD
updated NTM classification



unctad.org/ntm

Imports	Technical measures	<p>A SANITARY AND PHYTOSANITARY MEASURES</p> <p>B TECHNICAL BARRIERS TO TRADE</p> <p>C PRE-SHIPMENT INSPECTION AND OTHER FORMALITIES</p>
	Non technical measures	<p>D CONTINGENT TRADE-PROTECTIVE MEASURES</p> <p>E NON-AUTOMATIC LICENSING, QUOTAS, PROHIBITIONS AND QUANTITY-CONTROL MEASURES OTHER THAN FOR SPS OR TBT REASONS</p> <p>F PRICE-CONTROL MEASURES, INCLUDING ADDITIONAL TAXES AND CHARGES</p> <p>G FINANCE MEASURES</p> <p>H MEASURES AFFECTING COMPETITION</p> <p>I TRADE-RELATED INVESTMENT MEASURES</p> <p>J DISTRIBUTION RESTRICTIONS</p> <p>K RESTRICTIONS ON POST-SALES SERVICES</p> <p>L SUBSIDIES (EXCLUDING EXPORT SUBSIDIES UNDER P7)</p> <p>M GOVERNMENT PROCUREMENT RESTRICTIONS</p> <p>N INTELLECTUAL PROPERTY</p> <p>O RULES OF ORIGIN</p>
	Exports	<p>P EXPORT-RELATED MEASURES</p>

UNCTAD-MAST NTM Classification

Tree structure – Example

unctad.org/ntm
Classification

- A SANITARY AND PHYTOSANITARY MEASURES
 - A1 Prohibitions/restrictions of imports for SPS reasons
 - A2 Tolerance limits for residues and restricted use of substances (...)
 - A8 Conformity Assessment related to SPS
 - A81 Product registration requirement
 - A82 Testing requirement
 - A83 Certification requirement
 - A84 Inspection requirement
 - A85 Traceability requirement
 - A851 Origin of materials and parts
 - A852 Processing history
 - A853 Distribution and location of products after delivery
 - A859 Traceability requirements n.e.s.
 - A86 Quarantine requirement
 - A89 Conformity assessments related to SPS n.e.s
 - A9 SPS Measures n.e.s.
- B TECHNICAL BARRIERS TO TRADE
- C PRE-SHIPMENT INSPECTION AND OTHER FORMALITIES
- D CONTINGENT TRADE PROTECTIVE MEASURES
- E NON-AUTOMATIC LICENSING, QUOTAS, PROHIBITIONS ...
- F PRICECONTROL MEASURES INCLUDING ADDIT. TAXES ...
- G FINANCE MEASURES
- H MEASURES AFFECTING COMPETITION
- I TRADE-RELATED INVESTMENT MEASURES

At this level of coding: about 500 measures in the classification



Official NTM data collection

• From here...

...to here

The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

අංක 1376/9 - 2005 ජනවාරි 19 වැනි බදාදා - 2005.01.19
No. 1376/9 - WEDNESDAY, JANUARY 19, 2005

(Published by Authority)

PART I : SECTION (I) — GENERAL Government Notifications

L.D. - B. 11/80 II

FOOD ACT, No. 26 OF 1980

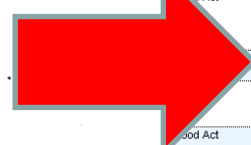
REGULATIONS made by the Minister of Health in consultation with the Food Advisory Committee under No. 26 of 1980.

Colombo,
17th January, 2005.

Regulations

01. These Regulations may be cited as " Food (Labelling and Advertising) Regulations 2005. "
02. No person shall sell, offer for sale, expose or keep for sale, transport or advertise for sale, any food in a container unless such package or container is labelled in accordance with these regulations.

Provided however that, these regulations shall not apply to any package of food if the food is of the national brand requested by the purchaser and is weighed, counted or measured in the presence of the purchaser.



NIMAL SIR
Minister of Health
Uva Wellas

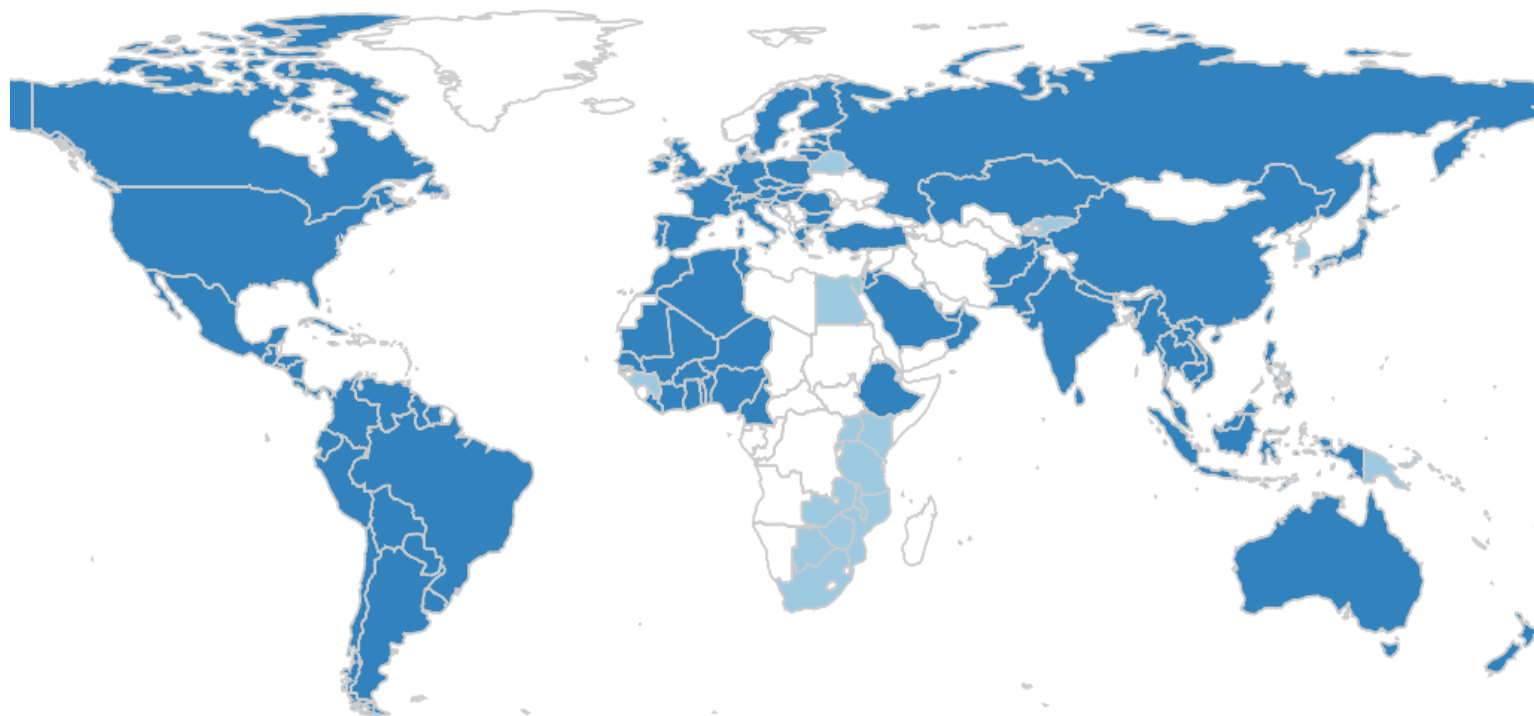
Consumer Affairs Authority Act

Measures
Enter the list of non-tariff measures you found in the official trade regulations you collected. These must be linked to

Document Title	Regulation Title Short	NTM Code	Measurement Date	Measure Repealed	Measure Description	Affected Products Description	Affected Countries
Food Act	Food (Control of import, labelling, and sale of genetically modified foods) Regulation 2006	B14	01/01/2007		Needs to get approval of the Chief Food Authority in order to import	Food products	All countries
Food Act	Food (Control of import, labelling, and sale of genetically modified foods) Regulation 2006	B31	01/01/2007		Labelling Requirements	Food products	All countries
Food Act	Food (Irradiation) Regulations 2005	A31	01/05/2006		Labelling Requirements	Food products that had been treated with irradiation	All countries
Food Act	Food (Irradiation) Regulations 2005	A83	01/05/2006		Certification by the competent authorities of the country of origin that the food has been inspected	Food products that had been treated with irradiation	All countries
Food Act	Food (Irradiation) Regulations 2005	A89	01/05/2006		Documentation that the Food Irradiation Facility concerned is approved, licensed, authorised by the competent national authority of food irradiation	Food products that had been treated with irradiation	All countries
Food Act	Food (Irradiation) Regulations 2005	P62	01/05/2006		Certification by the competent authorities of the country of origin that the food has been inspected	Food products that had been treated with irradiation	All countries
Food Act	Food (Melamine in Milk and Milk Products) Regulations 2010	A22	01/01/2011		Specifying permitted ppm levels of melamine in milk and milk products	Milk and Milk Products	All countries
Food Act	Food (Melamine in Milk and Milk Products) Regulations 2010	A83	01/01/2011		A health certificate required from the National Food Safety Authority of the country of origin that the products conform to the levels of melamine specified	Milk and Milk Products	All countries
Food Act	Food (Packaging materials and articles) Regulation 2010	A32	01/06/2011		Marking requirements - need to print the words "FOR FOOD USE" or any other relevant words or symbols as indicated in the regulation	Food packaging material	All countries
Food Act	Food (Packaging materials and articles) Regulation 2010	A83	01/06/2011		Certification by the manufacturer that the material meets required quality standards	Food packaging material	All countries
Food Act	Food (Packaging materials and articles) Regulation 2010	A22	01/06/2011		Restricted use of certain substances in food packaging material	Food packaging material	All countries
Food Act	Food (Preservatives) Regulations	A19	01/01/1991		Prohibited to import, manufacture, sell or distribute food preservatives other than those specified in the regulation & food which has in or upon it any preservative that is permitted by the regulation	Food preservatives	All countries

Cover / Sources / Documents / Regulations / Measures / Measures_Affected_Products / Measures_Affected_Countries / Measures_Objectives

Map of Data Availability – A global initiative led by UNCTAD



● Data is available ● In progress



ED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT

UNCTAD



Summary Introduction NTMs

1. NTMs cover a vast array of policies; in fact the most WTO agreements deal with NTMs (and FTAs, too)
2. NTMs are highly relevant for safety, health and the environment (behind the border)
3. There is a rising use of NTMs
4. On average, NTMs are 3 times more costly than tariffs
5. There is an International Classification of NTMs
6. A Transparency in Trade Initiative aims to enhance availability of information on regulations



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