26 February 2013

Committee on Technical Barriers to Trade

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THEMATIC SESSION ON GOOD REGULATORY PRACTICE

5 MARCH AT 10 A.M.

PROGRAMME

Revision

At the Sixth Triennial Review, the Committee agreed hold a thematic session on Good Regulatory Practice (GRP) in response to specific decisions and recommendations contained in past and present triennial review reports. ¹ A background note containing illustrative examples of mechanisms and related principles of GRP is contained in document JOB/TBT/44. The following presentations have been proposed by Members; this Session will be moderated by Mr. Xinhua Sun (China).

1 MEMBERS' EXPERIENCES

- a. **China**: Regulation on the Administration of Recall of Defective Auto Products: the Rulemaking Process. Presentation by Mr. XU Xinjian, Deputy Director-General of the Department of Legislation, General Administration of Quality Supervision, Inspection and Quarantine of China.
- b. **European Union**: Stakeholders consultation mechanism in the European Union. (Title and speaker to be confirmed.)
- c. **Indonesia**: APEC Sub-Committee on Standards and Conformance work on GRP. Presentation by Mr. Teungku Rahman Hanafiah, Deputy Chairman for Research and Cooperation on Standardization.
- d. **United States**: The link between TBT obligations and GRP in advancing a proactive trade agenda. (Title and speaker to be confirmed.)

¹ The latest decisions and recommendations are contained in Section A of G/TBT/32. Previous decisions and recommendations on Good Regulatory Practice are contained in Section I of G/TBT/1/Rev.10.





11 March 2013

(13-1300)

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Committee on Technical Barriers to Trade

Original: English

THEMATIC SESSION ON GOOD REGULATORY PRACTICE

5 MARCH 2013

Moderator's Summary

This <u>statement</u> was delivered by the Moderator¹ of the Thematic Session on Good Regulatory Practice (GRP) at the TBT Committee meeting of 6-7 March 2013.

- 1.1. At the Sixth Triennial Review, the Committee agreed to hold a thematic session on Good Regulatory Practice (GRP) in response to specific decisions and recommendations contained in past and present triennial review reports.² During the Session, Members shared experiences on elements of GRP, and discussed the way forward for the Committee's work. The final programme, containing the names and titles of the presentation made during the thematic session, is annexed to this statement. The Secretariat provided a background document contained in JOB/TBT/44.
- 1.2. First we heard a presentation by **China**. China shared its experience on the implementation of good regulatory practice in Chinese legislation, focusing on liability-rules for the repair, replacement and return of household automotive products. Using this example, China showed how it employed an extensive public consultation process, including forums and seminars with a broad range of stakeholders. As a result of this process, relevant rules were reviewed and amended.
- 1.3. The **European Union** (EU) stressed the importance of transparency and stakeholder consultation in its regulatory lifecycle. The general framework, principles and minimum criteria of public consultation, and its key role in operationalizing GRP in the EU, were explained. Information was also shared on other elements of GRP, including: assessing the need to regulate; impact assessment; links with TBT Agreement transparency obligations; guidance for implementation and enforcement; and, ex-post evaluation of legislation through "fitness checks".
- 1.4. **Indonesia** shared information on the work of the APEC Sub-Committee on Standards and Conformance (SCSC) in the area of GRP, including conferences and studies which would continue in 2013. Moreover, in response to the 2013 Leaders Commitments, APEC Members were encouraged to take a whole of government approach for development of regulations, to use Regulatory Impact Assessment, and to implement the 2005 APEC-OECD Integrated Checklist on Regulatory Reform.
- 1.5. The representative of the **United States** discussed intersections between trade, GRP and implementation of the TBT Agreement. Emphasis was placed on embedding GRP mechanisms into institutional and other mechanisms for implementation of the TBT Agreement, including in respect of: operation of National Enquiry Points; Article 15.2 statements of implementation; TBT notification obligations and, multilateral review of specific trade concerns in the TBT Committee.

¹ Mr. Xinhua SUN (China). This summary is provided under the Moderator's own responsibility.

² The latest decisions and recommendations are contained in Section A of G/TBT/32. Previous decisions and recommendations on Good Regulatory Practice are contained in Section I of G/TBT/1/Rev.10.

- 1.6. In the **general discussion**, Members provided some preliminary comments on the suggested elements of the non-exhaustive list of mechanisms and related principles of GRP contained in Table 1 of JOB/TBT/44 (the Secretariat background note). Some specific comments were provided. For instance, it was suggested that structure of the list could be refined to reflect the chronology, or sequence, of the regulatory lifecycle as envisaged in the TBT Agreement (preparation, adoption and application). In general, Members agreed that the paper provided a good basis for further work and that this work should be pursued along the lines of the Committee's "triennial review" work process. Thus it was agreed that Members will provide written comments on the background paper by <u>5 April 2013</u>, and that, based on these, the Secretariat will revise the list of suggested elements contained in Table 1 for further discussion and comment by Members.
- 1.7. On a **personal note**, I think the session provided a good opportunity for Members to continue to exchange national and regional experience and information on GRP: it focused on some of the key mechanisms and principles of GRP, particularly openness, transparency, internal coordination, stakeholder consultation, balancing stakeholders' interest, regulatory impact assessments and legislative reviews. I think it is particularly useful that Members highlighted the importance of better incorporating GRP in Members' different contexts in order to achieve more effective and improved implementation of the TBT Agreement. I thank Members for the active participation in this event, and believe that the Committee should maintain its momentum in this work.

ANNEX

FINAL LIST OF PRESENTATIONS1

The following presentations were made during the Thematic Session:

- China: Rules on the Liability for the Repair, Replacement and Return of Household Automotive Products. Presentation by Mr. XU Xinjian, Deputy Director-General of the Department of Legislation, General Administration of Quality Supervision, Inspection and Quarantine of China.
- **European Union**: Transparency and stakeholder consultation mechanisms in the European Union. Presentation by Mr. Fabrizio Sacchetti, European Commission, Directorate-General for Enterprise and Industry.
- **Indonesia**: APEC Sub-Committee on Standards and Conformance work on GRP. Presentation by Mr. Teungku Rahman Hanafiah, Deputy Chairman for Research and Cooperation on Standardization.
- United States: The link between TBT obligations and GRP in advancing a proactive trade agenda. Presentation by Julia Doherty, Senior Director, Technical Barriers to Trade, WTO and Multilateral Affairs, USTR.

¹ Draft programmes were circulated by a fax from the Chairman on 19 December 2012, and, reflecting further input from Members, on 18 February 2013 (JOB/TBT/43) and 26 February 2013 (JOB/TBT/43/Rev.1).



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GOOD REGULATORY PRACTICE: VOLUNTARY MECHANISMS AND RELATED PRINCIPLES

NOTE BY THE SECRETARIAT1

1 INTRODUCTION

- 1.1. The Sixth Triennial Review emphasized the need to focus and deepen the Committee's work in specific areas², including in the area of Good Regulatory Practice (GRP). It was decided to proceed with this by dedicating time for follow-up on thematic topics addressed in the specific decisions and recommendations agreed in present and past triennial reviews.³ The purpose of the present note is to provide background on the topic of GRP, and offer illustrative examples of mechanisms and related principles of GRP for Members' consideration.
- 1.2. Members' discussion of GRP in the TBT Committee has been extensive and in-depth.⁴ Two relevant Committee workshops have been held. The first was held in March 2008 and addressed: (i) general approaches to GRP; (ii) internal transparency and consultative mechanisms; (iii) Regulatory Impact Assessment (RIAs); and (iv) regulatory cooperation initiatives.⁵ A second workshop, held in November 2011, addressed the topic of Regulatory Cooperation between Members. At this workshop, Members discussed: relevant past work in the TBT and SPS contexts; Members' experiences with regulatory cooperation; regional initiatives; and, lessons learned.⁶ The Secretariat has provided background notes on GRP⁷, regulatory cooperation between Members⁸ as well as a compilation on sources of information on GRP.⁹
- 1.3. In successive triennial reviews, Members have recognized that GRP can contribute to the effective implementation of the substantive obligations of the TBT Agreement, and can play a part in avoiding unnecessary obstacles to international trade in the preparation, adoption and application of technical regulations and conformity assessment procedures. At the last triennial review, the Members agreed to identify a non-exhaustive list of voluntary mechanisms and related principles of GRP to guide Members in the efficient and effective implementation of the TBT Agreement across the regulatory lifecycle.¹⁰

¹ This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights and obligations under the WTO.

² These areas are: Good Regulatory Practice (GRP); Conformity Assessment Procedures; Standards; Transparency; Technical Assistance; Special and Differential Treatment; and, the Operation of the Committee.

³ These are compiled in the document G/TBT/1/Rev.10. The most recent decisions and recommendations are contained in the Committee's Sixth Triennial Review Report (G/TBT/32).

⁴ A listing of relevant documents discussed in the context of the last two triennial reviews on GRP is contained in the Annexes to G/TBT/26 and G/TBT/32.

⁵ A summary report is contained in G/TBT/W/287.

⁶ A summary report is contained in G/TBT/W/348.

⁷ JOB(08)/7.

⁸ G/TBT/W/340.

⁹ G/TBT/W/341.

¹⁰ G/TBT/32, paragraph 4. A number or mechanisms were listed, including mechanisms for: transparency and public consultation; assessing policy options; internal (domestic) coordination; reflecting the TBT Agreement's substantive obligations in the design and development of regulations; implementation and enforcement; review; and, taking account of the special development, financial and trade needs of developing Members.

2 SUGGESTED ELEMENTS

2.1. This paper compiles elements raised in Members' submissions on GRP (as summarized in G/TBT/W/341), classified under headings and sub-headings. References are made to Articles of the TBT Agreement where relevant. Other relevant sources are also cited, including: the 2009 "ASEAN Good Regulatory Practice Guide"¹¹; a 2012 report from the APEC Sub-Committee on Standards and Conformance "Supporting the TBT Agreement with Good Regulatory Practices"¹²; the 2005 "APEC-OECD Integrated Checklist on Regulatory Reform"¹³; the 2012 OECD "Recommendation of the Council on Regulatory Policy and Governance"¹⁴; and, two 2010 World Bank reports: "Regulatory Governance in Developing Countries"¹⁵, and "Making It Work: 'RIA Light' for Developing Countries."¹⁶ This paper provides background that Members may wish to consider in their work of identifying a non-exhaustive list of voluntary mechanisms and related principles of GRP. This information is presented in Table 1 and Figure 1.

¹¹ Referred to hereafter as: ASEAN, 2009.

http://publications.apec.org/publication-detail.php?pub_id=1266. Referred to hereafter as: APEC, 2012.

http://www.oecd.org/regreform/34989455.pdf. Referred to hereafter as: APEC-OECD, 2005. http://www.oecd.org/gov/regulatory-policy/49990817.pdf. Referred to hereafter as: OECD, 2012.

¹⁵ https://www.wbginvestmentclimate.org/uploads/RegulatoryGovinDevCountries.pdf. Referred to hereafter as: World Bank, 2010a

hereafter as: World Bank, 2010a.

16 https://www.wbglnvestmentclimate.org/uploads/RIALightNov2009.pdf. Referred to hereafter as: World Bank, 2010b.

Table 1: Suggested elements of non-exhaustive list of mechanisms and related principles of GRP

Sources	European Union (p.8 in G/TBT/W/341); Uganda (p.11 in G/TBT/W/341); United States (p.12 in G/TBT/W/341), APEC (2012); APEC-OECD (2005); OECD (2012); World Bank (2010a).	New Zealand (p.10 in G/TBT/W/341); United States (p.12 in G/TBT/W/341). APEC (2012); APEC-OECD (2005); OECD (2012).	Brazil (p.6 in G/TBT/W/341); Mexico (p.8 in G/TBT/W/341); New Zealand (p.10 in G/TBT/W/341); United States (p.12 in G/TBT/W/341), APEC (2012); ASEAN (2009); APEC-OECD (2005); OECD (2012); World Bank (2010a).	ral Canada (p.6 in G/TBT/W/341); Colombia and (p.7 in G/TBT/W/341); Costa Rica (p.7 in G/TBT/W/341); European Union (p.8 in G/TBT/W/341). ASEAN (2009); APECOECD (2005); OECD (2010); World Bank (2010a, 2010b).
TBT Agreement References	Art. 15.2: One time statement on implementation.		Art. 10: Provision of Information.	Art. 13.1: Multilateral review of measures and information exchange in TBT Committee.
Description	The basis for implementation of GRP is establishment of a framework policy for good regulatory practice. This may entail, inter alia: whole of government coordination; transparency and stakeholder consultation; regulatory lifecycle policy (use of RIA, implementation and enforcement, review); integration of TBT principles (non-discrimination, avoiding unnecessary barriers to trade, use of international standards, performance based regulation, and special and differential treatment for developing countries). This overarching framework may comprise two basic aspects:	This may entail, inter alia: a central regulatory oversight body or coordinating committee; participation of trade officials in aforementioned oversight or coordination; regulatory quality control mechanisms; mechanisms for review and challenge of proposals and RIAs; publication of a regulatory agenda.	This may entail, inter alia: integration of TBT transparency obligations into the regulatory lifecycle; rules for triggering a public consultation; identification of stakeholders to be consulted; design and timing of consultation integrated into RIA; accountability for taking into account results of consultation; publication of reports on performance of good regulatory practice policy.	Members have highlighted regulatory cooperation as an important means of disseminating GRP, and also as a component thereof. ¹⁷ Sharing experience gained in the area of good regulatory practice is an integral element of capacity building and technical assistance activities to strengthen implementation of the TBT Agreement. ¹⁸
Suggest GRP Element General (Framework)	1. Framework The state of the	1.a. Internal coordination mechanisms	1.b. Transparency and consultation mechanisms	1.c. Regulatory cooperation

¹⁷ G/TBT/26, paragraphs 14-15; G/TBT/W/340; G/TBT/W/348.

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Sliggest GRP Element De	Description cle)	TBT Agreement References	Sources
2. Regulatory Impact Assessment (RIA)	A key aspect of good regulatory practice as applied to a specific regulation is Regulatory Impact Assessment (RIA). Members have identified RIAs as a useful decision-making tool when assessing whether government intervention is necessary; when considering alternatives; and as a means of reducing the likelihood of regulations creating trade problems. Moreover, because RIAs are public, they can boost accountability and are thus also a tool for transparency.		Canada (p.6 in G/TBT/W/341); Colombia (p.7 in G/TBT/W/341); European Union (p.8 in G/TBT/W/341); Mexico (p.8 in G/TBT/W/341); Mexico (p.8 in G/TBT/W/341); Uganda (p.11 in G/TBT/W/341), APEC (2012); APEC-OECD (2005); ASEAN (2009); OECD (2012); World Bank (2010a, 2010b).
2.a. Establish the need for government intervention (define the problem), and set policy objectives.		Art. 2.2: Identification of legitimate objectives.	New Zealand (p.10 in G/TBT/W/341); Uganda (p.11 in G/TBT/W/341); United States (p.12 in G/TBT/W/341), APEC (2012); ASEAN (2009); OECD (2012).
2.b. Identify alternatives	This may entail, inter alia: considering the option of not regulating; considering the use of international standards as a basis; considering the use of performance based regulation; considering how compliance will be demonstrated (conformity assessment procedures).	Art. 2.4, 2.8, 5.2, 5.3, 5.4, 6, 9, 12.4: Use of relevant international standards as a basis for regulation (special and differential treatment for developing country Members), performance based regulation, guidance on design of conformity assessment	Canada (p.6 in G/TBT/W/341); Colombia (p.7 in G/TBT/W/341); European Union (p.8 in G/TBT/W/341); Hong Kong, China (p.8 in G/TBT/W/341); Mexico (p.8 in G/TBT/W/341); New Zealand (p.10 in G/TBT/W/341); Uganda (p.11 in G/TBT/W/341); APEC (2012); ASEAN (2009); OECD (2012).
2.c. Assess alternatives	This may entail, inter alla; the use of data (e.g., quantitative and qualitative) to identify impacts of alternatives; assessing and ranking trade restrictiveness of alternatives; considering possible differential impacts on foreign firms; and, considering possible differential impacts on LDC and developing country exporters.	Non- Non- on and avoid obstacles to il trade. essary exports of country	Canada (p.6 in G/TBT/W/341); Costa Rica (p.7 in G/TBT/W/341); European Union (p.8 in G/TBT/W/341); Mexico (p.8 in G/TBT/W/341); New Zealand (p.10 in G/TBT/W/341), Uganda (p.11 in G/TBT/W/341); United States (p.12 in G/TBT/W/341), APEC (2012); ASEAN (2009); OECD (2012); World Bank (2010b).

¹⁸ G/TBT/26, paragraph 59.
¹⁹ G/TBT/26, paragraph 12.

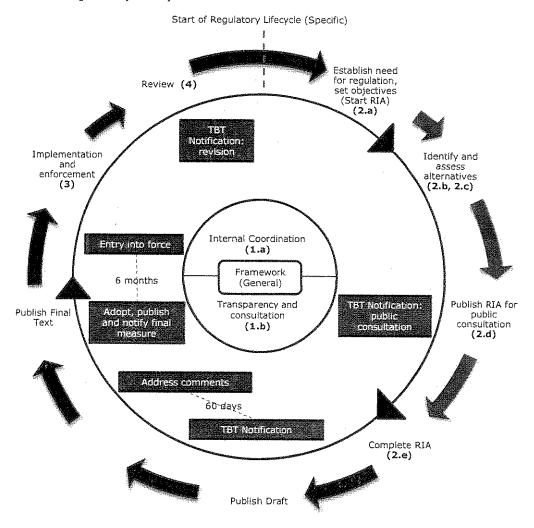
- 5 -

See also: G/TBT/32, paragraph 13.
 G/TBT/1/Rev.10, IV.C.1(vii), page 23.
 See also: G/TBT/32/, paragraph 15.
 G/TBT/1/Rev.10, IV.C.1(ix), pages 25-26.

Seources	European Union (p.8 in G/TBT/W/341);	Mexico (p.8 in G/TBT/W/341). APEC	(2012); APEC-OECD (2005); ASEAN	(2009); OECD (2012).	
TBT Agreement References	Art. 2.3: Review of	technical regulations.			Art. 2.9.2, 5.6.2: Notification of revision. ²⁴
Description	This may entail, inter alía: standardized criteria	(including trade related criteria) and methodology for	conducting periodic reviews; and, opportunities for	stakeholder participation,	
Suggest GRP Element	4.a. Conduct regulatory	reviews			

2.2. Figure 1 presents the information contained in Table 1 in terms of the regulatory lifecycle. The outer circle comprises elements of GRP across the regulatory lifecycle for a specific regulation: regulatory impact assessment (RIA), implementation and enforcement, and review. The shaded boxes integrate into this process relevant TBT Agreement transparency provisions. The core circle illustrates the fundamentals of GRP, internal coordination and transparency and consultation (regulatory cooperation between Members is not depicted).

Figure 1: The Regulatory Lifecycle²⁵



²⁵ Numbers in parenthesis refer to Table 1. The boxes present selected provisions of the TBT Agreement related to transparency, including drawn from decisions and recommendations of the Committee. Red arrows represent the RIA process.

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22 February 2013

Committee on Technical Barriers to Trade

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THEMATIC SESSION ON STANDARDS

5 MARCH 2013, AT 3 P.M.

PROGRAMME

Revision

At the Sixth Triennial Review, the Committee agreed hold a thematic session on standards in response to specific decisions and recommendations contained in past and present triennial review reports.¹ The structure of this thematic session follows the topics as set out in the Sixth Triennial Review. It is recognized that there is some overlap between these topics and that, similarly, the presentations listed below may also overlap. A brief overview of the Committee's work to date, based on the Committee's decisions and recommendations, is contained in document JOB/TBT/42. The following presentations have been proposed by Members. This Session will be moderated by Mr. Aaron Fowler (Canada).

1 THE CODE OF GOOD PRACTICE

- a. **Australia**: Standards Australia. Presentation by Mr Adrian O'Connell, General Manager of Operations, Standards Australia. (Title to be confirmed.)
- b. **European Union**: Implementation of the Code of Good Practice in the European Union context. (Title and speaker to be confirmed.)

2 USE OF THE "SIX PRINCIPLES"

- a. **Indonesia**. The Six Principles in Standard Development Indonesia's Experience. Presentation by Mrs. Erniningsih Haryadi, Head of Centre for Cooperation on Standardization.
- b. **United States**: Processes and mechanisms (including the Six Principles) that enable wide-spread acceptance and use of standards and that facilitate trade. (Title and speaker to be confirmed.)
- c. **ISO and IEC**: The use of the Committee's Six Principles. Presentations by Mr Rob Steele, ISO Secretary-General and Mr Frans Vreeswijk, General Secretary & CEO of IEC.

3 TRANSPARENCY IN STANDARD-SETTING

- a. **China**: Transparency in the standard-setting process. (Title and speaker to be confirmed.)
- b. Japan: Transparency in Standard Setting. (Title and speaker to be confirmed)

4 OTHER INFORMATION

a. **UNCTAD:** Information on the Emerging United Nations Forum on Sustainability Standards. Presentation by Mr Ulrich Hoffmann, UNCTAD.

¹ The latest decisions and recommendations are contained in Section C of G/TBT/32. Previous decisions and recommendations on standards are contained in Section III (Part 1) of G/TBT/1/Rev.10.





11 March 2013

(13-1301)

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Committee on Technical Barriers to Trade

Original: English

THEMATIC SESSION ON STANDARDS

5-6 MARCH 2013

Moderator's Summary

This <u>statement</u> was delivered by the Moderator¹ of the Thematic Session on Standards at the TBT Committee meeting of 6-7 March 2013.

- 1.1. At the Sixth Triennial Review, the Committee agreed to hold a thematic session on standards in response to specific decisions and recommendations contained in past and present triennial review reports. The Session considered the topics of (i) the Code of Good Practice; (ii) the use of the "Six Principles"; and (iii) transparency in standard-setting. The final programme, containing the names and titles of the presentation made during the thematic session, is annexed to this statement. The Secretariat also provided a background document contained in JOB/TBT/42 and Corr.1.
- 1.2. The thematic session started with a presentation from **Australia** on the topic of the Code of Good Practice. It focused on how business and operational processes had been implemented by Standards Australia to ensure a more effective application of the principles contained in the CGP. In particular, the point was made that addressing transparency early in the standard-setting process (at the proposal stage) *in addition* to the consultations at the public comment stage had led to a more efficient delivery of the standard, both in terms of quality of the standard itself, and in terms of reducing the time it took to develop the standard.
- 1.3. We then heard three speakers from the **European Union** describe the European system of standardization. Particular emphasis was put on the relationship between standards (voluntary) and legislation (mandatory). Standards could be described as a form of self-regulation: interested parties come together and agreed voluntarily on technical matters so as to compete more efficiently by ensuring interoperability of products. EU legislation (through essential requirements), in turn, made reference to these standards and, since alternative systems for demonstrating compliance were permitted, this allowed for innovation. The Committee also heard presentations from three European Standards Organizations on how they apply the Code of Good Practice: CEN and CENELEC (the European equivalents of ISO and IEC, respectively), and ETSI.
- 1.4. Next, moving to the topic of the "Six Principles" we heard a presentation from **Indonesia** which emphasized the practical and procedural elements needed for incorporating the Six Principles into national rules. The presentation by Indonesia emphasized the perspective of domestic industry competitiveness: it was essential to have a national policy in place to adopt international standards to the extent that it was possible so as to enable domestic products to achieve acceptance in global markets.
- 1.5. From the **United States** we heard an explanation of its rather unique system for standardization. This presentation illustrated important principles and processes in the US system

Mr. Aaron Fowler (Canada). This summary is provided under the Moderator's own responsibility.
 The latest decisions and recommendations are contained in Section C of G/TBT/32. Previous decisions and recommendations on standards are contained in Section III (Part 1) of G/TBT/1/Rev.10.

that facilitated competition and innovation – thereby supporting global trade. The American National Standards Institute (ANSI), a private sector organization, coordinated this system – and while it did not set standards itself – it accredited other standards development bodies in the US and was, moreover, the US national Member of ISO and IEC. The point was made that in a market driven standardization system – such as that of the United States – producers and industry needed to develop standards that served their own needs. Hence, standards development mirrored the dynamic and competitive nature of the market.

- 1.6. We then heard two presentations from observers in the TBT Committee **ISO** and the **IEC** on their efforts to implement the Six Principles. On decision-making it was pointed out that while decisions did not require unanimity, in the technical work all scientific or engineering arguments had to be taken into account, and sustained opposition on all fundamental issues needed to be overcome. The IEC stressed the transparency of its work (emphasizing electronic accessibility). ISO highlighted the importance of market relevance and effectiveness: in particular, the importance of not giving preference to specific countries' or regions' characteristics. While competition was in principle a good thing, coherence was important for achieving harmonization. International standardizing bodies needed to cooperate and coordinate and they needed to do this at the speed with which the market moved.
- 1.7. **Japan** then presented on how it provided for transparency in standard-setting, described in detail in G/TBT/W/357. The presentation explained the process of developing Japanese Industrial Standards (JIS), with a particular emphasis on the implementation of Paragraphs J and L of the Code of Good Practices relating to publication of a work programme and receipt of comments before adoption of the standard.
- 1.8. Finally, **UNCTAD** said that "Voluntary Sustainability Standards" (VSS) had become an important issue in international trade and development. In support of developing countries, five UN agencies (FAO, ITC, UNCTAD, UNEP and UNIDO), had jointly created the UN Forum on Sustainability Standards (UNFSS), to provide information and analysis in this respect. The Forum was intended to be a neutral and credible convener of governments, the business community and civil society with the mandate and objective to promote sustainable development. The launching conference would be held on 21-22 March 2013 in Geneva.
- 1.9. In the **general discussion**, one of the issues that arose was the "reasonable measures" taken by Members to ensure that non-governmental bodies in their territories accepted and complied with the Code of Good Practice.
- 1.10. On a **personal note**, the high level of engagement and interest demonstrated by Members suggested that the appetite for further information exchange on standards is unlikely to have been exhausted, and that the Committee may wish to consider how to bring this work forward. I note that the topic of standards is broad, and that this session was particularly useful in that it approached standardization from a range of different perspectives. Future work in the Committee might focus on some specific elements of the standardization process, in order to deepen our exchanges. I want to thank Members for the high level of engagement, and given Members' significant appetite for this subject, I believe that our discussion should continue.

ANNEX

FINAL LIST OF PRESENTATIONS1

The following presentations were made during the Thematic Session:

- The Code of Good Practice
 - Australia: Implementing the Code of Good Practice An Australian Perspective. Presentation by Mr Adrian O'Connell, General Manager of Operations, Standards Australia.
 - **European Union**: Implementation of the Code of Good Practice in the European Union context. Presentations by Silvia Vaccaro (European Commission, Directorate-General for Enterprise and Industry); John Ketchell (trategic Adviser, CEN-CENELEC); and, Christian Loyau (Director Legal Affairs, ETSI).
- Use of the "Six Principles"
 - Indonesia. The Six Principles in Standard Development Indonesia's Experience.
 Presentation by Mrs. Erniningsih Haryadi, Head of Centre for Cooperation on Standardization.
 - United States: Processes and mechanisms (including the Six Principles) that enable wide-spread acceptance and use of standards and that facilitate trade. Presentation by Julia Doherty, Senior Director, Technical Barriers to Trade, WTO and Multilateral Affairs, USTR.
 - ISO and IEC: The use of the Committee's Six Principles. Presentations by Mr Rob Steele, ISO Secretary-General and Mr Frans Vreeswijk, General Secretary & CEO of IEC.
- Transparency in standard-setting
 - Japan: Transparency in Standard Setting. Presentation by Mr Akiyoshi KAWABATA, Deputy Director for Technical Regulations, Standards and Conformity Assessment Policy Unit, Ministry of Economy, Trade and Industry METI, Japan.
- Other Information
 - **UNCTAD:** Information on the Emerging United Nations Forum on Sustainability Standards. Presentation by Mr Ulrich Hoffmann, UNCTAD.

¹ Draft programmes were circulated by a fax from the Chairman on 19 December 2012, and, reflecting further input from Members, on 5 February 2013 (JOB/TBT/41) and 22 February 2013 (JOB/TBT/41/Rev.1).



Committee on Technical Barriers to Trade

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6-7 MARCH 2013 TBT COMMITTEE MEETING

ANNOTATED DRAFT AGENDA¹

The Committee on Technical Barriers to Trade (the "TBT Committee") will hold its next regular meeting on 6-7 March 2013, starting at 10 a.m. Members' attention is drawn to the fact that no paper copies of documents will be provided at the meeting. Relevant documents for the meeting are available at "Documents for meetings" on the Members' website.

The following are the proposed items for the agenda:

1 ADOPTION OF THE AGENDA

The agenda is contained in WTO/AIR/4073 issued on 5 February 2013. Delegations are invited to indicate any items they may wish to raise under "Other Business" (Item 7).

2 IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

2.1 Statements from Members under Article 15.2

The latest list of statements submitted under Article 15.2 of the TBT Agreement is contained in document G/TBT/GEN/1/Rev.12 issued on 18 February 2013. In total, since 1995, 126 Members have submitted at least one Statement on Implementation under Article 15.2. Information about Members enquiry points is available online at the TBT Information Management System (IMS).

2.2 Specific Trade Concerns

2.2.1 New and Previously raised concerns (Listed in Annex)

The Annex to this document contains a list of specific trade concerns which Members have communicated their intention to raise at the current meeting.

2.3 Exchange of Experiences

2.3.1 Good Regulatory Practice

The Chairman will provide a report to the Committee on the thematic session on Good Regulatory Practice. The programme and background information for this thematic session can be found in JOB/TBT/43/Rev.1 (forthcoming) and JOB/TBT/44 respectively.

2.3.2 Standards

The Chairman will provide a report to the Committee on the thematic session on Standards. The programme and background information for this thematic session can be found in JOB/TBT/41/Rev.1 and JOB/TBT/42 respectively.

2.4 Other Matters

Delegations wishing to raise any other matter relevant to the implementation and administration of the Agreement are invited to do so under this sub-item.

3 EIGHTEENTH ANNUAL REVIEW

The Eighteenth Annual Review of the Implementation and Operation of the TBT Agreement (Article 15.3) is contained in document G/TBT/33 (forthcoming). The Committee will be invited to adopt this document. Relevant lists of standardizing bodies that have accepted the Code of Good

¹ This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights and obligations under the WTO.

Practice (Annex 3 of the TBT Agreement) are contained in documents G/TBT/CS/1/Add.17 and G/TBT/CS/2/Rev.19.

4 TECHNICAL COOPERATION ACTIVITIES

Members and Observers are invited to provide any general information on their technical assistance activities. An update on the Secretariat's technical assistance activities will be made available.

5 UPDATING BY OBSERVERS

Under this agenda item, Observers are invited to update the Committee on other relevant work. An updated list of observer organizations and international intergovernmental organizations whose requests for observer status are pending is contained in G/TBT/GEN/2/Rev.6.

6 ELECTION OF CHAIRPERSON

Consultations are currently being carried out on the selection of Chairpersons under the Council for Trade in Goods.

7 OTHER BUSINESS

Any issues raised by Members under Item 1 will be addressed here.

8 DATE OF NEXT MEETING

The next regular meeting of the Committee is scheduled for 19-20 June 2013. The Seventh meeting on Procedures for Information Exchange will take place on 18 June 2013.

New Specific Trade Concerns

ANNEX

	Japan	United States Mexico	European Union United States	United States	United States	16 United States	China	European Union	Dominican Republic Nicaragua	Colombia	Colombia
Notification number/brief description of measure G/TBT/N/IND/44	G/TBT/N/ARE/116	G/TBT/N/CHL/219, G/TBT/N/CHL/219/Add.1	G/TBT/N/KOR/393	Order Number 59n		Law of Ukraine No. 3778-VI of 16	G/TBT/N/CAN/365	G/TBT/N/KOR/342	G/TBT/N/EU/88	G/TBT/N/ECU/94	G/TBT/N/ECU/7, G/TBT/N/ECU/7/Add.1 G/TBT/N/ECU/Add.2
Specific Trade Concern India - Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012	United Arab Emirates - Conformity Assessment Procedure for Automobile Tyres Thailand - Import Regulation for Automobile Tyres	Chile - Proposed amendment to the Food Health Regulations, Supreme Decree No. 977/96	Korea -Proposed SAR Values or EMF exposure in cell phones	Russia - Alcoholic Beverages Storage Technical Conditions	India – Proposed Amendment to 2008 Hazardous Waste Law	Ukraine - Amendment to Law on Advertising	Canada - Improved food inspection model: The case for change	Korea - Draft amendment of Ordinance and Regulation of Motor Vehicle Control Act	European Union - Tobacco products, nicotine containing products and herbal products for smoking. Packaging for retail sale of any of the aforementioned products.	Ecuador - Draft Technical Regulation of the Ecuadorian Standardization Institute (PRTE INEN) No. 080: "Labelling of footwear"	Ecuador - Labelling of articles of apparel, household linen and clothing accessories
# ~	N n	4	W			0	o		v-i		Q

Previously raised Specific Trade Concerns

Notification number/brief Member(s) raising

Specific Trade Concern

4	rade Concern description of meas	
	on, Authorization and	Adds.1- India EC/295, EC/334,
	India – Pneumatic tyres and tubes for automotive vehicles G/TBT/N/IND/20/Add.1; G/TBT/N/IND/20/Add.1; G/TBT/N/IND/40/Rev 1	Japan European Union Korea
	India – Mandatory Certification for Steel Products G/TBT/N/IND/32	European Union
>	United States – Hazardous Materials: Transportation of Lithium Batteries	European Union
	Turkey Conformity Assessment Procedures for Pharmaceuticals General of Drugs and Pharmacy of the Ministry of Health re "Important Announcement regarding GMP Certificates	orate United States :y of rtant GMP
: 2000 Gr	Brazil - Health Products GMP) Requirements for Health Products (G.TBT/N/BRA/328)	MP) United States European Union
	European Union - Directive 2004/24/EC on Traditional Herbal Medicinal Products (THMP)	India
	India – Telecommunications Related Rules	United States
:	China – Requirements for information security products (including, inter alia, the OSCCA 1999 Regulation on commercial encryption products and its on-going revision and the Multi-Level Protection Scheme (MLPS)	United States European Union
	Cosmetics Application of Cosmetics Application Acceptance Acceptance Regulations and Guidance for the Cosmetics Cosmetics Label Instructions Cosmetics Label Instructions	Japan ons European Union the ons
	France – Loi No. 2010-788: The National Commitment for the Environment (Grenelle 2 Law)	India

#	Specific Trade Concern	Notification number/brief description of measure	Member(s) raising
25	Indonesia - Technical Guidelines for the Implementation of the Distriction of Indonesias National Standards for	Draft Decree of the Ministry of Industry	United States
		ntation of Indones and Technical Sp (G/TBT/N/IDN/64)	
26		Eurasian Customs Union Technical Regulation on the Safety of Alcoholic Beverages (G/TBT/N/RUS/2)	United States Australia European Union
27	European Union - Directive 2009/28/EC, Renewable Energy Directive (EU - RED)		Argentina
28	ation of Some Articles	Decree 38 implementing the Food Safety Law (G/TBT/N/VNM/22)	Australia European Union
5 8	European Union - Directive 2011/62/EU of the European Parliament and of the Council amending Directive 2001/83/EC on the		India
	ല ത		
ន	China – Testing and certification requirements for medical devices		European Union
	New Zealand - Proposal to introduce plain packaging of tobacco Coducts in New Zealand	G/TBT/N/NZL/62	Dominican Republic
32	ons on alcoholic beverages	G/TBT/N/ISR/609	United States European Union
M M	European Union - Draft Commission Regulation implementing Collinective 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for directional lamps, light emitting diode lamps and related equipment	G/TBT/N/EU/34	China Korea
W.	Australia – Joint governments' response to the 2010 Independent Review of the Water Efficiency Labelling and Standards Review		Korea
36 36	d and els	G/TBT/N/BRA/440	European Union United States
	Colombia – Commercial Truck Diesel Emissions Regulation F E E E E E E E E E	Proposed modifications to Resolutions 910 of 2008 and 2604 of 2009 on Diesel Emissions. (G/TBT/N/COL/185, G/TBT/N/COL/186)	Japan United States Mexico

1	Specific Trade Concern	Notification number/brief Member(s) raising	Member(s) raising
38	Peru - Draft Supreme Decree approving the regulations governing Biotech Jabelling (G/TBT/N/PFR/37)	description of measure Biotech labelling (G/TBT/N/PER/37)	United States
	the labelling of genetically modified foods		
36	European Union - Issue with respect of honey containing pollen from		Argentina
6	entina	Regulations amending Traditional Terms for Wine	United States
	۲	(G/TBT/N/EEC/264)	Argentina
	application of Council Regulation (EC) No 479/2008 as regards)
	protected designations of origin and geographical indications,		
	traditional terms, labelling and presentation of certain wine sector		
	products		
7	China - Draft Mobile Smart Terminal Administrative Measure, Strengthening the Administration of Japan	Strengthening the Administration of	Japan
	Ministry of Industry and Information Technology (MIIT), 10 April Network Access of Smart Mobile United States	Network Access of Smart Mobile	United States
	2012	Terminals (G/TBT/N/CHN/928)	



WORLD TRADE

ORGANIZATION

G/TBT/N/IND/44 19 October 2012

(12-5675)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

- 1. Notifying Member: <u>INDIA</u>
 If applicable, name of local government involved (Article 3.2 and 7.2):
- 2. Agency responsible: Department of Electronics & Information Technology (DEITY), Ministry of Communications and Information Technology, Government of India Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:

India - WTO-TBT Enquiry Point Bureau of Indian Standards Manak Bhavan

9, Bahadur Shah Zafar Marg New Delhi 110 002, India

Tel.: +91-11-23230342, 23231082, 2323 0131, 2323 3375

Telefax: +91-11-2323 9399 Email: info@bis.org.in Website: http://www.bis.org.in

- 3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): List of 15 Products notified in Schedule to the "Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012".
- 5. Title, number of pages and language(s) of the notified document: "Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012" has been notified by the Department of Electronics & Information Technology vides Notification No. 8(14)/2006(Vol. III) dated 7 September (8 Pages, in English).
- 6. **Description of content:** All the notified products when sold in the domestic market shall comply with the safety standard specified in the Schedule to the Order.
- 7. Objective and rationale, including the nature of urgent problems where applicable: Protection of human health and safety.

8. Relevant documents:

- (i) "Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012" notified by the Department of Electronics and Information Technology;
- (ii) IS 616: 2010 (Audio, Video and Similar Electronic Apparatus Safety Requirements);
- (iii) IS 13252: 2010 (Information Technology Equipment Safety General Requirements);
- (iv) IS 302-2:26: 1994 (Safety of household and similar electrical appliances: Part 2 Particular requirements: Section 26 Clocks);
- (v) IS 302-2-25:1994 (Safety of household and similar electrical appliances: Part 2 Particular requirements: Section 25 Microwave ovens).
- 9. Proposed date of adoption:

Proposed date of entry into force:

Yet to be published in the Official Gazette. It shall come into force on the expiry of six months from the date of its publication in Official Gazette.

- 10. Final date for comments: 60 days from the date of this notification
- 11. Text available from: National enquiry point [X], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

INDIA, WTO-TBT Enquiry Point Bureau of Indian Standards Manak Bhavan 9, Bahadur Shah Zafar Marg

New Delhi 110 002, India

Tel.: +91-11-23230342, 23231082, 2323 0131, 2323 3375

Telefax: +91-11-2323 9399

Email: info@bis.org.in, Website: http://www.bis.org.in/

Or from the website of DEITY: http://deity.gov.in

WORLD TRADE

ORGANIZATION

G/TBT/N/ARE/116 24 August 2012

(12-4579)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

- 1. Notifying Member: <u>UNITED ARAB EMIRATES</u>
 If applicable, name of local government involved (Article 3.2 and 7.2):
- 2. Agency responsible: Emirates Authority for Standardization and Metrology
 Name and address (including telephone and fax numbers, email and website
 addresses, if available) of agency or authority designated to handle comments
 regarding the notification shall be indicated if different from above:

P.O. Box: 2166 Abu Dhabi

United Arab Emirates
Tel.: (+971) 2 403 2613
Fax: (+971) 2 671 0999
Email: esma@esma.ae
Website: http://www.esma.ae

- 3. Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [X], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): ICS 83.160.10: Road vehicle tyres.
- 5. Title, number of pages and language(s) of the notified document: Control Regulation for Vehicle Tyres (10 pages in Arabic).
- 6. **Description of content:** UAE conformity assessment procedure concerned with:
 - All types of vehicle tires which use public roads (passenger cars, sports cars, buses, trucks and trailers) and Tyres of agricultural vehicles and tractors and motorcycle tyres;
 - Handling and Storage all types of tires in accordance with UAE standards
 - Maintenance and repair of tyres and conditions of reuse and a mechanism to get rid of consumed tyres;
 - Regulation not applicable for tyres of aircraft, agricultural machinery, industrial machinery and construction machinery tyres and tyres of off road vehicles.
- 7. Objective and rationale, including the nature of urgent problems where applicable: Safety and consumer protection.
- 8. Relevant documents: -

9. Proposed date of adoption:
Proposed date of entry into force:

To be determined

10. Final date for comments: 60 days from the date of notification

11. Text available from: National enquiry point [X], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

Emirates Authority for Standardization and Metrology (ESMA)

UAE TBT Enquiry Point Tel.: (+971) 2 403 2657 Fax: (+971) 2 671 5999 E-mail: uaetbt@esma.ae Website: http://www.esma.ae



G/TBT/N/THA/413

15 March 2013

(13-1406)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

- Notifying Member: <u>THAILAND</u>
 If applicable, name of local government involved (Article 3.2 and 7.2):
- 2. Agency responsible: Department of Foreign Trade (DFT), Ministry of Commerce Tel.: (662) 547 4804 Fax: (662) 547 4802

 Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Thailand WTO/TBT Enquiry Point and Notification Authority, Thai Industrial Standards Institute (TISI), Ministry of Industry Tel.: (662) 202 3504, 202 3523 Fax: (662) 202 3511, 354 3041 E-mail: thaitbt@tisi.go.th Website: http://www.tisi.go.th
- 3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Tyres (HS: 4011.10.00 and 4011.20.10; ICS: 83.160).
- **Title, number of pages and language(s) of the notified document:** Notification of Ministry of Commerce Subject: Certificate Requirement and Administrative Measure Relating to Importation of New Pneumatic Tyres of Rubber into the Kingdom of Thailand B.E. 2555(2012) (2 pages in Thai and 2 pages in English (unofficial translation))
- 6. Description of content:
 - Importers shall register with the Department of Foreign Trade (prior from importation of the products). The registration will be valid for 1 year;
 - Importers shall declare; the Certificate of Competent Authority (COCA) issued by government sectors of the exporting country, or by certified sectors or institution guaranteed by the government sectors or certified sectors empowered to issue the aforementioned certification of the producing country. These documents shall be properly presented to the Department of Customs to accompany import Custom Procedure Code;
 - Importers shall keep new pneumatic tyres of rubbers separately from other types of products and shall report import activities, possession, export activities, sales and distribution and stock inventory of the tyres to the Department of Foreign Trade on a monthly basis.
- Objective and rationale, including the nature of urgent problems where applicable: For economic security and safety of public citizens
- 8. Relevant documents: Government Gazette, Vol. 130, Special Part 4 Ngor, dated 11 January 2013 (http://www.ratchakitcha.soc.go.th/DATA/PDF/2556/E/004/26.PDF)

9. Proposed date of adoption: Proposed date of entry into force: 27 December 2012

The measure shall enter into force on 12 January 2013. However, to allow adjustment to the changes and to enable a seamless compliance with the measure. The enforce date shall be postponed to 13 March 2013.

10. Final date for comments: -

11. Text available from: National enquiry point [X], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

Thailand WTO/TBT Enquiry Point and Notification Authority

Thai Industrial Standards Institute

Tel.: (66 2) 202 3504, 202 3523 Fax: (66 2) 202 3511, 354 3041

E-mail: thaitbt@tisi.go.th

Website: http://www.tisi.go.th

http://members.wto.org/crnattachments/2013/tbt/THA/13 1103 00 x.pdf http://members.wto.org/crnattachments/2013/tbt/THA/13 1103 00 et.pdf



G/TBT/N/CHL/219

16 January 2013

(13-0273)

Page: 1/2

Committee on Technical Barriers to Trade

Original: Spanish

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

- Notifying Member: <u>CHILE</u>
 If applicable, name of local government involved (Articles 3.2 and 7.2):
- 2. Agency responsible: Ministerio de Salud (Ministry of Health)
 Name and address (including telephone and fax numbers, e-mail and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:

 Ministerio de Relaciones Exteriores (Ministry of Foreign Affairs)
- 3. Notified under Article 2.9.2 [], 2.10.1 [X], 5.6.2 [], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Food for human consumption.
- **Title, number of pages and language(s) of the notified document:** Propuesta de modificación del Reglamento Sanitario de Alimentos, Decreto Supremo No. 977/96 (Proposed amendment to the Food Health Regulations, Supreme Decree No. 977/96) (4 pages, in Spanish).
- 6. Description of content: The notified proposed amendment to the Food Health Regulations (Supreme Decree No. 977/96) contains provisions on the nutritional composition of food and on food advertising, in accordance with Law No. 20.606. It seeks to inform the public of the content of the food it consumes in order to encourage it to avoid unnecessary, excessive intake, which can lead to obesity and related non-communicable diseases.
- 7. Objective and rationale, including the nature of urgent problems where applicable: To protect human health and inform the public of the content of the food it consumes in order to encourage it to avoid unnecessary, excessive intake, which can lead to obesity and related non-communicable diseases.
- **8. Relevant documents:** *Propuesta de modificación del Reglamento Sanitario de Alimentos* (Proposed amendment to the Food Health Regulations).
- 9. Proposed date of adoption: Proposed date of entry into force:

}

10. Final date for comments: 60 days

11. Texts available from: National enquiry point [X] or address, telephone and fax numbers, e-mail and website addresses, if available of the other body:

Departamento Regulatorio

Dirección General de Relaciones Económicas Internacionales

Ministerio de Relaciones Exteriores Teatinos 180, piso 11, Santiago

Tel.:

(+56) 2 827-5491 (+56) 2 380-9494

Fax:

E-mail: tbt chile@direcon.gob.cl; caramirez@direcon.gob.cl

Text available online at:

http://www.minsal.gob.cl/portal/url/item/d2682a13c0994729e04001016501108f.pdf

http://members.wto.org/crnattachments/2013/tbt/CHL/13 0074 00 s.pdf



G/TBT/N/CHL/219/Add.1

17 January 2013

(13-0291)

Page: 1/1

Committee on Technical Barriers to Trade

Original: Spanish

NOTIFICATION

Addendum

The following communication, dated 14 January 2013, is being circulated at the request of the delegation of $\underline{\text{Chile}}$.

The Republic of Chile hereby advises that the proposed amendment to the Food Health Regulations (Supreme Decree No. 977/96), notified on 16 January 2013 by the World Trade Organization in document G/TBT/N/CHL/219, also includes changes to Articles 106.36 and 110 of these Regulations due to the need to regulate food advertising, especially that which is aimed at children under the age of 14.

The final date for comments on both proposals is 60 days from the date of notification of this Addendum.

The notified amendments are available online at:

 $\frac{\text{http://www.minsal.gob.cl/portal/url/item/d2cdd0b6e7195ab7e040010165011f58.pdf}{\text{http://www.minsal.gob.cl/portal/url/item/d2682a13c0994729e04001016501108f.pdf}}$

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WORLD TRADE

ORGANIZATION

G/TBT/N/KOR/393 18 September 2012

(12-4979)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

- 1. Notifying Member: <u>REPUBLIC OF KOREA</u>
 If applicable, name of local government involved (Article 3.2 and 7.2):
- 2. Agency responsible:

Radio and Broadcasting Management Division Korea Communications Commission (KCC)

178 Sejong-daero, Jongno-gu, Seoul Republic of Korea 110-777

Tel.: (+82) 2-750-2244 Fax: (+82) 2-750-2289 E-mail: lim@kcc.go.kr

Homepage: http://www.kcc.go.kr

Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:

- 3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Telecommunication equipment (HS: 8517)
- 5. Title, number of pages and language(s) of the notified document: Proposed enactment of the rating classification of electromagnetic waves for mobile phones and radio stations (8 pages, in Korean).
- **Description of content:** The rating classification of SAR values and EMF exposure for mobile phones and radio stations will be established as following:
 - 1. The rating classification of SAR values for mobile phones;
 - a) The SAR Rating is classified as 2 classes. The First class is under 0.8W/kg of SAR value and The Second is above 0.8 below 1.6W/kg of SAR value;
 - b) The Rating classification must be indicated on the side of packing box.
 - 2) The rating classification of EMF exposure for radio stations:
 - a) The rating is classified as 4 classes depending on EMF exposure of radio stations.
 - b) Rating classification must be indicated on the fence or radio station, etc.

7. Objective and rationale, including the nature of urgent problems where applicable: Protection of human health and consumers

8. Relevant documents: KCC Public Notice No. 2012-104

9. Proposed date of adoption:

November 2012

Proposed date of entry into force:

March 2013

10. Final date for comments: 60 days from date of notification

11. Text available from: National enquiry point [X], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

Radio and Broadcasting management Division, Korea Communications Commission (KCC) 178 Sejong-daero, Jongno-gu, Seoul

Republic of Korea 110-777 Tel.: (+82) 2 750 2244 Fax: (+82) 2 750 2289 E-mail: lim@kcc.go.kr

Homepage: http://www.kcc.go.kr

http://members.wto.org/crnattachments/2012/tbt/KOR/12 366 00 x.pdf



G/TBT/N/UKR/89

22 February 2013

(13-0945)

Page: 1/3

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

- Notifying Member: <u>UKRAINE</u>
 If applicable, name of local government involved (Article 3.2 and 7.2):
- 2. Agency responsible: Ministry of Health of Ukraine
 Name and address (including telephone and fax numbers, email and website
 addresses, if available) of agency or authority designated to handle comments
 regarding the notification shall be indicated if different from above:

Ministry of Economic Development and Trade of Ukraine 01008, Kyiv, 12/2 M. Hrushevskogo str.

Tel./Fax.: +38044 596 68 39/ +38044 281 95 34

E-mail: ep@me.gov.ua

- 3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Goods related with advertising and promotion of tobacco products and alcoholic beverages.
- 5. Title, number of pages and language(s) of the notified document: The Law of Ukraine "On Amending Certain Legislative Acts of Ukraine regarding the Prohibition of Advertising, Sponsorship and Promotion of Tobacco Products" of 22 September 2011 No 3778-IV, (4 pages in Ukrainian language).

- 6. Description of content: This Law amends Law of Ukraine "On Advertising" of 3 July.1996
 No 270/96-BP, Law of Ukraine "On measures to prevent and reduce tobacco use and its
 harmful effects on health of 22 September 2005 No 2899-IV, Code of Ukraine on
 Administrative Offences of 7 December1984 No 8073-X concerning the following:
 - Activities of free distribution, including for marketing research and tasting, of tobacco products;
 - The use of tobacco products in order to obtain goods and services, offering or providing any direct or indirect compensation for the purchase or use of tobacco products;
 - Offering or providing bonuses, cash return, the right to participate in any game, lottery, contest, events, directly or indirectly related to tobacco, or if the condition of, or participation in which, is the purchasing or consuming of tobacco products;
 - Sale of tobacco products as the set with any other goods or services;
 - The information about the producer of tobacco and / or tobacco products in areas where these products are sold or provided to the consumer, including the elements of equipment and / or design of trade places (with the exception of one poster no larger than 40 cm by 30 cm per place of trade, which is the text information about commercially available tobacco products and their prices);
 - Placing information in order to stimulate sales of tobacco directly on tobacco products and / or packaging, including: drawings and other images that are not part of a protected trademark, web addresses, e-mail, attachment to the packaging of tobacco products; textual or graphic information in a transparent wrapper packaging of tobacco products;
 - Restriction on advertising activities concerning alcoholic beverages and tobacco products, trademarks for goods and services, and other intellectual property rights, under which alcoholic beverages and tobacco products are manufactured;
 - Prohibition of distribution and sale of any goods (other than goods that are associated with the consumption of tobacco products, lighters, matches, ashtrays) with the use of trademarks for goods and services, and other intellectual property rights, under which tobacco products and alcoholic beverages are manufactured.
- 7. Objective and rationale, including the nature of urgent problems where applicable:

With the aim of health protection this Law provides for:

- a total ban on advertising, promotion and sponsorship of tobacco products;
- strengthening of control and responsibility for violation of the legislation on ban on advertising, promotion and sponsorship of tobacco products
- 8. Relevant documents: Law of Ukraine "On Advertising" of 3 July 1996 No 270/96-BP (with latest amendments of 6 November 2012); Law of Ukraine "On measures to prevent and reduce tobacco use and its harmful effects on health" of 22 September 2005 No 2899-IV (with latest amendments of 16 October 2012): Code of Ukraine on Administrative Offences of 7 December 1984 No 8073-X (with latest amendments of 2 October 2012)
- 9. Proposed date of adoption:
 Proposed date of entry into force:
- 10. Final date for comments: -

11. Text available from: National enquiry point [X], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

Internet address where the text is available (in Ukrainian):

http://zakon2.rada.gov.ua/laws/show/3778-17



WORLD TRADE

ORGANIZATION

G/TBT/N/CAN/365 18 June 2012

(12-3186)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

- 1. Notifying Member: <u>CANADA</u>
 If applicable, name of local government involved (Article 3.2 and 7.2):
- 2. Agency responsible: Canadian Food Inspection Agency (CFIA)

 Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:

By email to <u>mailto:Modele-Inspection-Model@inspection.gc.ca</u> with subject line "Improved Food Inspection Model"

or

By postal mail to:

Inspection Modernization Office

Canadian Food Inspection Agency

59 Camelot Drive, Floor 2, Room

Ottawa, Ontario

Canada K1A 0Y9

- 3. Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [X], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Food products for human consumption.
- 5. Title, number of pages and language(s) of the notified document: Improved food inspection model: The case for change (12 pages in English and 14 pages in French).
- **Description of content:** The Canadian Food Inspection Agency (CFIA) is proposing to design a single and consistent approach to food inspection that will be applied across all food commodities that are either imported or produced domestically. This food inspection model will apply to all food inspection conducted by, or on behalf of, the CFIA. This discussion paper is part of an initial consultation to seek feedback from stakeholders on the proposed core components of an improved food inspection model.

Responses received during this consultation will be considered in drafting the food inspection model. Once drafted, the proposed food inspection model will be circulated to seek additional stakeholder comments.

- 7. Objective and rationale, including the nature of urgent problems where applicable: When the CFIA was created in 1997 it brought together food inspection programs from different federal departments with diverse inspection approaches. The CFIA currently operates eight (8) separate food inspection programs. The goal of an improved food inspection model is to standardize the inspection approach and provide for consistent and appropriate oversight across all regulated food commodities.
- Relevant documents: Additional information is available at

http://inspection.gc.ca/about-the-cfia/accountability/inspectionmodernization/eng/1337025084336/1337025428609 (English)

http://inspection.gc.ca/au-sujet-de-l-acia/responsabilisation/modernisation-de-linspection/fra/1337025084336/1337025428609 (French)

9. Proposed date of adoption: Proposed date of entry into force:

N/A This discussion paper is part of the initial consultation on components for an improved food inspection model. Once drafted, the proposed inspection model will be notified for

further stakeholder comments.

- 10. Final date for comments: 31 July 2012
- Text available from: National enquiry point [X], or address, telephone and fax 11. numbers, e-mail and web-site addresses, if available of the other body:

The online consultation is available at

http://inspection.sondages-surveys.ca/surveys/CFIA-ACIA/copy-inspection-modernizationthe-case-for-chan-3/?l=eng (English)

http://inspection.sondages-surveys.ca/surveys/CFIA-ACIA/copy-inspection-modernizationthe-case-for-chan-3/?l=fra (French)

WORLD TRADE

ORGANIZATION

G/TBT/N/KOR/342

2 December 2011

(11-6280)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

- 1. Notifying Member: <u>REPUBLIC OF KOREA</u>
 If applicable, name of local government involved (Article 3.2 and 7.2):
- 2. Agency responsible: Ministry of Land, Transportation & Maritime affairs

 Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:

Motor Vehicles Policy Division

Tel.: +(82)-2-2110-8694 Fax: +(82)-2-503-7326 E-mail: bigsharp2@korea.kr

Website: http://www.mltm.go.kr/portal.do

- 3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Motor Vehicles
- 5. Title, number of pages and language(s) of the notified document: Draft amendment of "Ordinance and Regulation of Motor Vehicle Control Act".
- **Description of content:** The following amendments will be made in Ordinance and Regulation of Motor Vehicle Control Act in Korea.

Ordinance amendment:

Enforcement the self-certification system of automobile parts about 5 items(article 8-2):

- 1. Brake horse, 2. Head lamp, 3. Seat belt, 4. Rear reflex reflector,
- 5.Rear under ride protection device

Introduction of CNG tank (high pressure fuel tank and valve etc.) periodic inspection system

Regulation amendment:

For enforcement automobile parts self-certification system, The following procedures will be made (from article 40-4 to article 40-9).

- 1. Registration of Automobile parts manufacturer
- 2. Ensure the test facilities of 5 items
- 3. Marking the self-certification symbol

- 4. Notice of the specification about each parts
- 5. Compliance and Defect test(survey)
- * Expected effective date: 25/11/2011 (6 months after promulgation)

For enforcement CNG tank periodic inspection, The following procedures will be made (from article 57-14 to article 57-20)

- 1. Inspection institute
- 2. Inspection contents and items
- 3. Inspection results(pass: marking, non-pass: re-inspection or distruction)
- * Expected effective date: 25/11/2011

Obligation of registration for not more than 50cc(engine displacement) motor cycle

- 7. Objective and rationale, including the nature of urgent problems where applicable: The aim is to enhance the vehicle safety and management.
- 8. Relevant documents: It will be notified as a document 'MLTM notification No. X'
- 9. Proposed date of adoption:
 Proposed date of entry into force:

 6 month later after promulgation (25 November 2011)
- 10. Final date for comments: 60 days from the date of notification
- 11. Text available from: National enquiry point [], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

Motor Vehicles Management Division

Office of Transport Policy

Ministry of Land, Transport and Maritime Affairs(MLTM)

88, Gwanmun-Ro, Gwacheon-Si, Gyeonggi-Do, Republic of Korea 427-712

Tel.: +(82)-2-2110-8694 Fax: +(82)-2-503-7326 E-mail: bigsharp2@korea.kr

Homepage: http://www.mltm.go.kr/portal.do



G/TBT/N/EU/88

18 January 2013

(13-0319)

Page: 1/3

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

Notifying Member: <u>EUROPEAN UNION</u>
 If applicable, name of local government involved (Article 3.2 and 7.2):

2. Agency responsible: European Commission

Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:

European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43

E-mail: mailto:eu-tbt@ec.europa.eu

Website: http://ec.europa.eu/enterprise/tbt/

- 3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
- 4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Tobacco products, nicotine containing products and herbal products for smoking. Packaging for retail sale of any of the aforementioned products.
- 5. Title, number of pages and language(s) of the notified document: Proposal for a Directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products (COM(2012) 788 final) (63 pages, in English).

- **Description of content:** This proposal for a Directive of the European Parliament and of the Council concerns the manufacture, presentation and sale of tobacco and related products. The legislation would:
 - require combined health warnings (text and pictures) on 75% of the front and back of cigarette and roll-your-own packages, as well as a general warning and information message, prohibit promotional and misleading elements on packages of tobacco products and herbal products for smoking and include smoking cessation information on tobacco packages;
 - require that tobacco products are sold in packages of at least 20 cigarettes and packages of roll-your-own tobacco shall contain tobacco weighing at least 40g;
 - prohibit the placing on the EU market of cigarettes, roll-your-own and smokeless tobacco products with characterising flavours, prohibit certain additives associated with health benefits, vitality or energy and prohibit products with increased toxicity or addictiveness;
 - require that all cigarette and roll-your-own tobacco packages are equipped with a unique identifier that allows their tracking and tracing across the EU as well as with a security feature;
 - require that tobacco-free products containing nicotine above a certain threshold are allowed to be placed on the EU market only if authorised as medicinal products and require health warnings for such products below the threshold;
 - require that herbal products for smoking carry a health warning.

The new Directive will repeal the current Tobacco Products Directive (Directive 2001/37/EC).

- 7. Objective and rationale, including the nature of urgent problems where applicable: Improvement of the functioning of the internal market within the EU for tobacco and related products. Protection of human health and safety, in particular protection of young people against smoking initiation. Implementation of the World Health Organization Framework Convention on Tobacco Control.
- 8. Relevant documents: Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products Commission statement (OJ L 194, 18.7.2001, p. 26-35)

http://eur-

lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:194:0026:0034:EN:PDF

9. Proposed date of adoption: Proposed date of entry into force: 2014

On the twentieth day following its publication in the Official Journal of the EU.

Transposition within 18 months after entry.

Transposition within 18 months after entry into force. Products not complying with the new provisions can be marketed until 24 months after entry into force.

10. Final date for comments: 90 days from date of notification

11. Text available from: National enquiry point [], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43

E-mail: mailto:eu-tbt@ec.europa.eu

The text is available on the EU-TBT Website: http://ec.europa.eu/enterprise/tbt/

and at

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0788:FIN:EN:PDF http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0788:FIN:FR:PDF http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0788:FIN:ES:PDF

http://members.wto.org/crnattachments/2013/TBT/EEC/13 0263 00 e.pdf





G/TBT/N/ECU/94

29 January 2013

(13-0512)

Page: 1/2

Committee on Technical Barriers to Trade

Original: Spanish

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1. Notifying Member: ECUADOR If applicable, name of local government involved (Articles 3.2 and 7.2):

2. Agency responsible:

Instituto Ecuatoriano de Normalización, INEN (Ecuadorian Standardization Institute) Baquerizo E8-29 y Almagro

Quito, Ecuador

Tel.:

(+593) 2 250-1885

Fax:

(+593) 2 256-7815

E-mail: pleon@inen.gob.ec

Website: http://www.inen.gob.ec

Name and address (including telephone and fax numbers, e-mail and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:

Subsecretaría de la Calidad (Under-Secretariat for Quality)

Ministerio de Industrias y Productividad, MIPRO (Ministry of Industry and Productivity)

Av. Amazonas y Av. Eloy Alfaro

Quito, Ecuador

Tel.:

(+593) 2 254-6690, Ext. 284 or 108

Fax: (+593) 2 250-4922

E-mail: abarbosa@mipro.gob.ec; mmartinez@mipro.gob.ec

Website: http://www.mipro.gob.ec

Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other: 3.

4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Tariff subheadings 6401.10.00.00, 6401.92.00.00, 6401.99.00.00, 6402.12.00.00, 6402.19.00.00, 6402.20.00.00, 6402.91.00.00, 6402.99.10.00, 6402.99.90.00, 6403.12.00.00, 6403.19.00.00, 6403.20.00.00, 6403.40.00.00, 6403.51.00.00, 6403.59.00.00, 6403,91.10.00, 6403.91.90.00, 6403.99.10.00, 6403.99.90.00, 6404.11.10.00, 6404.11.20.00, 6404.19.00.00, 6404.20.00.00, 6405.10.00.00, 6405.20.00.00 and 6405.90.00.00.

5. Title, number of pages and language(s) of the notified document: Proyecto de Reglamento Técnico Ecuatoriano PRTE INEN 080 "Etiquetado de Calzado" (Draft Technical Regulation of the Ecuadorian Standardization Institute (PRTE INEN) No. 080: "Labelling of footwear") (12 pages, in Spanish).

- 6. Description of content: The notified draft Technical Regulation on the labelling of footwear covers the following: Purpose; Scope; Definitions; General conditions; Labelling requirements; Sampling; Regulatory documents consulted or serving as references; Demonstration of compliance with the Ecuadorian Technical Regulation; Conformity assessment and certification bodies; Inspection and/or supervisory authority; Type of inspection and/or monitoring; Penalty regime; Liability of conformity assessment bodies; and Review and updating.
- 7. Objective and rationale, including the nature of urgent problems where applicable: The notified draft Ecuadorian Technical Regulation establishes the labelling requirements for domestically manufactured or imported footwear marketed in Ecuador, with a view to preventing practices likely to mislead or deceive consumers.
- 8. Relevant documents:
 - Publication where notice appears: http://www.mipro.gob.ec and http://www.mipro.gob.ec
 - Proposal and basic document: PRTE INEN 080 "Etiquetado de Calzado" (Draft Technical Regulation of the Ecuadorian Standardization Institute (PRTE INEN) No. 080: "Labelling of footwear");
 - 3. Publication in which Technical Regulation will be published when adopted: Registro Oficial (Official Journal).
- 9. Proposed date of adoption:

90 days as from 23 January 2013.

Proposed date of entry into force:

Six months after adoption.

- 10. Final date for comments: 23 April 2013
- 11. Texts available from: National enquiry point [X] or address, telephone and fax numbers, e-mail and website addresses, if available of the other body:

Contact and/or National Enquiry Point:

Subsecretaría de la Calidad Ministerio de Industrias y Productividad, MIPRO Av. Amazonas y Av. Eloy Alfaro

Quito, Ecuador

Tel.: (+593) 2 254-6690, Exts. 284 or 108

Fax: (+593) 2 250-4922

E-mail: <u>abarbosa@mipro.gob.ec; mmartinez@mipro.gob.ec</u>

Website: http://www.mipro.gob.ec