

Negotiating Group on Market Access

NON -TARIFF BARRIER NOTIFICATIONS

Addendum

I. KOREA..... 2

I. KOREA

The attached list is indicative and by no means represents a complete list of the NTBS affecting our exporters. We reserve the right to raise additional issues or submit further items in the course of negotiations.

Maintaining Participant 1	Products affected by the barrier 2	Nature of the barrier 3	Trade effects of the barrier 4	Inventory category 5	Relevant WTO Provisions 6	Treatment of the barrier 7
	Automobiles, electric and electronic products (PCs, communication equipment, cellular phones and CCTV system)	Certification procedures - Complex and unreasonable certification procedures	Unduly long time and excessive fees are required in acquiring certification marks.	Part III - C Testing and certification arrangements	Agreement on TBT	(d) or (a)
	Automobiles, chemicals, fertilizers, pharmaceutical products	Certification procedures - Complex and unreasonable certification procedures	For some product groups, special certification procedures are required for each item instead of general procedures for the product group.	Part III - C Testing and certification arrangements	Agreement on TBT	(d)
	Automobiles	Certification procedures - Complex and unreasonable certification procedures	Different test and certification requirements are imposed by different member countries (different provinces) belonging to the same regional trading agreements (the same countries).	Part III - C Testing and certification arrangements	Agreement on TBT	(d)
	Food containers made from polyethylene and polypropylene	Certification procedures - Complex and unreasonable certification procedures	Sanitary certification procedures are too complicated and costly.	Part III - C Testing and certification arrangements	Agreement on TBT	(d)

Maintaining Participant 1	Products affected by the barrier 2	Nature of the barrier 3	Trade effects of the barrier 4	Inventory category 5	Relevant WTO Provisions 6	Treatment of the barrier 7
	Majority of products	Technical regulations and standards - Excessive technical regulations and standards	Frequent amendment of technical regulations and standards, abrupt expansion of the scope of the products subject to certification, and arbitrary enforcement of conformity assessment procedures.	Part III - B Technical regulations and standards	Agreement on TBT	(d) or (a)
	Chemical fertilizers	Technical regulations and standards - Excessive technical regulations and standards	The water solution standards for triple super-phosphate of lime(TSP) are stricter than necessary.	Part III - B Technical regulations and standards	Agreement on TBT	(d)
	Textiles	Technical regulations and standards - Excessive technical regulations and standards.	Mandatory requirement for indication of origin on both ends of imported textiles which are over 30 meters in length is too onerous to meet.	Part III - B Technical regulations and standards	Agreement on TBT	(d)
	Fish	Technical regulations and standards - Excessive technical regulations and standards	Due to prohibition of special vehicles such as a live fish carrier as a result of the vehicles' high gas emissions products should be transshipped into other vehicles after customs clearance.	Part III - B Technical regulations and standards	Agreement on TBT	(d)
	Majority of products	Technical regulations and standards - Excessive technical regulations and standards	Quality guarantee period is so short (from 1 month to 1 year) that it easily expires during transportation and results in frequent delays in customs clearance.	Part III - B Technical regulations and standards	Agreement on TBT	(d) or (a)
	Automobiles	Testing and inspection - Overly strict test standards and excessive expense	Unduly high cost for tests for imported automobiles of small quantities (under 2,000 per annum).	Part III - C Testing and certification arrangements	Agreement on TBT	(d)

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	Majority of products	Testing and inspection - Overly strict test standards and excessive expense	Discriminatory and excessively strict standards only for imports	Part III - C Testing and certification arrangements	Agreement on TBT	(d) or (a)
	Electric products	Testing and inspection - Overly strict test standards and excessive expense	Requirement for a prior test of energy efficiency for electric products such as electric motors.	Part III - C Testing and certification arrangements	Agreement on TBT	(d) or (a)
	Cosmetics	Testing and inspection - Overly strict test standards and excessive expense	Unduly high cost for trademark inspection - Even in cases where trademark inspection can be conducted with documents submitted for the sanitary test, the same documents should be handed in for trademark inspection.	Part III - C Testing and certification arrangements	Agreement on TBT	(d)
	Wood	Testing and inspection - Overly strict test standards and excessive expense	Certification of heat treatment for conifer palettes requires heat treatment of even shoring and skid wood used to fasten the cargo.	Part III - C Testing and certification arrangements	Agreement on TBT	(d)
	Technical equipment, communication equipment, hazardous chemicals.	Labelling - Mandatory labelling and strict labelling system	Excessively strict labelling requirements for security reasons.	Part V - K Requirements concerning marking, labelling and packaging	Agreement on TBT	(d) or (a)
	Electric home appliances	Labelling - Mandatory labelling and strict labelling system.	Mandatory requirements for energy labelling that must contain information on manufacturer, model, capacity, energy efficiency and noise level.	Part V - K Requirements concerning marking, labelling and packaging	Agreement on TBT	(d) or (a)
	Food products (including fish)	Labelling - Mandatory labelling and strict labelling system	Requirement for the labelling in a specific language of the importing country on imported food products.	Part V-K Requirements concerning marking, labelling and packaging	Agreement on TBT	(d)

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	Automobile.	Excessive and unreasonable technical restrictions	Levying a fine on the manufacturer when the fuel efficiency of an imported car model does not meet the manufacturer's corporate average fuel efficiency.	Part III - B Technical regulations and standards	Agreement on TBT	(d)
	Automobiles	Excessive and unreasonable technical restrictions	Manufacturers are responsible for collecting and recycling scrapped automobiles.	Part III - B Technical regulations and standards	Agreement on TBT	(d)
	Electric home appliances: TV, refrigerator, washing machine, air conditioner	Excessive and unreasonable technical restrictions	The charges for recycling electric home appliances are the same regardless of energy efficiency or size of products.	Part III - B Technical regulations and standards	Agreement on TBT	(d) or (a)
	Chemicals	Excessive and unreasonable technical restrictions	The risk assessment requirements incur high costs for manufacturers.	Part III - B Technical regulations and standards	Agreement on TBT	(d)
	Medical devices	Complex and unclear registration procedures	Complicated procedures for registration of medical instruments and supplies -Even products based on an already-approved device should be re-registered.	Part III - C Testing and certification arrangements	Agreement on TBT	(d)
	Pharmaceutical products	Complex and unclear registration procedures	Unclear import procedures cause delays in time and excessive costs.	Part III - C Testing and certification arrangements.	Agreement on TBT	(d)
	Pharmaceutical products	Complex and unclear registration procedures	Requirement for a prior quarantine certificate discourages importation.	Part III - C Testing and certification arrangements	Agreement on TBT	(d)
	Automobiles, electronic products	Import and tariff quota	Enforcement of an import quota without legitimate grounds.	Part V - A Quantitative restrictions.	GATT Article XI	(a)
	Automobiles, petro-chemicals	Import and tariff quota	Arbitrary administration and distribution of import quotas.	Part V - A Quantitative restrictions	GATT Article XIII	(a)
	Automobiles, leather products, footwears	Import and tariff quota	TRQ : High tariffs imposed on out-quota imports.	Part V - I Tariff quotas	GATT Article XIII	(a)

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	Automobiles, ethylene, used clothing, information technology products	Import prohibition	Import prohibition to protect domestic industries	Part V - B Embargoes and other restrictions of similar effect	GATT Article XI	(a)
	Automobiles, heavy equipment, machinery	Import prohibition	Requirement for completion of customs clearance in the year of importation - Otherwise products should be shipped back to the export country or to a third country for resale..	Part V - B Embargoes and other restrictions of similar effect	GATT Article XIII	(a)
	Automobiles	Import prohibition	Importation of automobiles is not allowed in case of no local production facilities.	Part V - B Embargoes and other restrictions of similar effect	GATT Article XI	(a)
	Automobiles, tires	Import prohibition	Discriminatory restrictions on importation of the used cars and recyclable tires for security reasons depending on exporting countries.	Part V - B Embargoes and other restrictions of similar effect	GATT Article XI, XX	(a)
	Leather products	Import prohibition	Import prohibition of animal skins and related products for reason of inhumane hunting methods	Part V - B Embargoes and other restrictions of similar effect	GATT Article XI, XX	(a)
	Electric and electronic products, data processing machines, IT products, iron and steel, petrochemicals, automobiles, pharmaceutical products, cosmetics, diesel generators	Import licensing	Excessively strict import licensing system to protect domestic industries and for reasons of public security, health, etc	Part II - H Import licensing	Agreement on Import Licensing Procedures	(d) or (a)

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	Pharmaceutical products, medical devices, cosmetics	Import licensing	Excessive requirements for qualification as an importer.	Part II - H Import licensing	Agreement on Import Licensing Procedures	(d)
	Automobiles, motorcycles	Import licensing	Ambiguous standards for import licensing.	Part II - H Import licensing	Agreement on Import Licensing Procedures	(d)
	Carbon steel, special steel	Import monitoring	Import monitoring program to protect domestic industries; unfair competition.	Part V - L Others		(c)
	Majority of products	Complex customs procedures	Complex, unclear and inconsistent customs procedures.	Part II - G Customs formalities	GATT Article VIII	(b) or (a)
	Majority of products	Complex customs procedures	Levying excessive fines in case of discovering errors in documentation for customs procedures - maximum US\$25,000.	Part II - G Customs formalities	GATT Article VIII	(b) or (a)
	Majority of products	Complex customs procedures	Delayed clearance due to inaccurate task management, adjustment of import price and short office hours.	Part II - G Customs formalities	GATT Article VIII	(b) or (a)
	Majority of products	Complex customs procedures	Complicated inspection procedures and requirement for inspection of the whole shipment of samples.	Part II - E Samples	GATT Article VIII	(b) or (a)
	Majority of products	Unreasonable preshipment inspection	Requirement for customs inspection in addition to complicated mandatory preshipment inspection leads to unduly high cost and long time.	Part II - G Customs formalities Part II - I Preshipment inspection	GATT Article VIII	(a)
	Majority of products	Complex customs procedures	Requirement for prior consultation with the local trade association even in the case of simple changes in the working conditions of cargo work.	Part II - G Customs formalities	GATT Article VIII	(b) or (a)

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	Majority of products	Ambiguous legislation and frequent amendment of rules	Ambiguous regulation on customs procedures, frequent amendment of rules and lack of prior notice of the amendment.	Part II - D Consular formalities and documentation	GATT Article X	(b) or (a)
	Majority of products	Unreasonable preshipment inspection	Requirement for confirmation on the state of the export product by importing country's consular service in the exporting country leads to high costs and cumbersome procedures.	Part II - D Consular formalities and documentation Part II - I Preshipment Inspection.	GATT Article VIII Agreement on Preshipment Inspection	(a)
	Automobiles, motorcycles, electric product	Restrictions on bonded transportation	Due to the restriction on bonded transportation, subject products should be cleared directly at the port, which requires high costs and an unduly long time.	Part II - G Customs formalities	GATT Article VIII	b) or a)
	Majority of products	Unduly high cost	Excessive customs use fee and harbour maintenance fee.	Part VI - B Surcharges, port taxes, statistical taxes, etc.	GATT Article VIII	(b) or (a)
	Majority of products	Unreasonable preshipment documentation	Requirement for Bill of Lading 24 hours before shipment : the same applies even when the final destination is a third country.	Part II - D Consular formalities and documentation.	GATT Article V	(b) or (a)
	Majority of products	Unreasonable customs valuation and delayed customs refund	Unreasonable customs valuation and arbitrary enforcement of the system.	Part II - B Customs Valuation	Agreement on implementation of Article VII of the GATT 1994	(d) or (a)
	Iron and steel, textiles, footwears, fertilizers	Unreasonable customs valuation and delayed customs refund	The certificate of price is required when the price of importing products is at or below an official price.	Part II - B Customs Valuation	Agreement on implementation of Article VII of the GATT 1994	(d)

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	Majority of products	Unreasonable customs valuation and delayed customs refund	Customs deposit required with the amount of difference between the official quotation price and the actual import price if the actual import price is lower than the official quotation price.	Part II - B Customs Valuation	Agreement on implementation of Article VII of the GATT 1994	(d) or (a)
	Majority of products	Unreasonable customs valuation and delayed customs refund	Excessive filling burden for customs refunds and delay in refund.	Part II - B Customs Valuation	Agreement on implementation of Article VII of the GATT 1994	(d) or (a)
	Textiles	Application of strict rules of origin	Stricter rules of origin apply on items under quantitative restriction in terms of change of physical structure, manufacturing process and value added.	Part II - F Rules of Origin.	Agreement on Rules of Origin	(d)
	Majority of products	Application of strict rules of origin	Arbitrary and unclear interpretation of rules of origin by customs officer delays customs clearance and causes additional costs.	Part II - F Rules of Origin	Agreement on Rules of Origin	(d) or (a)
	Duplicators	Application of strict rules of origin	Use of a negative list in determining the origin, which is inconsistent with the WTO Agreement for a positive standard.	Part II - F Rules of Origin.	Agreement on Rules of Origin	(d) or (a)
	Textiles, footwears	Application of strict rules of origin	A special certificate of origin is required for some items in addition to the general one.	Part II - F Rules of Origin	Agreement on Rules of Origin	(d)
	Majority of products	Restrictions on settlement methods	Deferred payment for settlement is not allowed.	Part VI - D Discriminatory credit restrictions		(a)
	Majority of products	Restrictions on settlement methods	Opening a counter L/C(Letter of Credit) is required to open L/C.	Part VI - D Discriminatory credit restrictions		(a)
	Automobiles, electronic products	Requirements for local contents	High tariff rates are imposed on products under a certain level of local contents rate.	Part I - D Restrictive practices tolerated by governments	GATT Article I	(d) or (a)

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	Fertilizers	Import substitution policy	Exemption or discount of VAT on domestic fertilizers discourages importation.	Part I - D Restrictive practices tolerated by governments	GATT Article I	(a)
	Automobiles and parts	Government support for auto industry	Reduction/exemption of tariffs for manufacturers that have local production facilities when importing cars and parts thereof.	Part I - D Restrictive practices tolerated by governments	GATT Article I	(a)
	Majority of product	State trading system	The government or other designated agencies have an exclusive right over the whole imports or imports of certain products.	Part I - E State trading, government monopoly practices, etc.	GATT Article XVII	(a)