

**MARKET ACCESS FOR NON-AGRICULTURAL PRODUCTS**

Answers by the co-sponsors to Questions from Korea on  
the “Ministerial Decision on Trade in Remanufactured Goods”

*Communication from Japan, Switzerland, and the United States*

The following communication, dated 18 May 2009, is being circulated at the request of the co-sponsors of the proposed “Ministerial Decision on Trade in Remanufactured Goods.”

**I. TRADE IN REMANUFACTURED GOODS**

1. **KOREA:** With regard to the scope of the products concerned, do the proponents plan to identify certain ranges of remanufactured goods to be subject to the proposal or will they make this proposal applicable to any remanufactured good?

**ANSWER:** The primary objective of the proposal is to meet every six months, after the DDA concludes, under the auspices of the Council for Trade in Goods to discuss Members’ progress in reducing or, as appropriate, eliminating non-tariff barriers in respect of remanufactured goods, as defined in paragraph 5 of the text. This proposal concerns any good that meets this specific definition, and the proponents do not plan to identify a more specific or narrower range of remanufactured goods within that definition.

Note that Members would not be required to adopt this definition of remanufactured goods into their domestic laws or regulations. Rather it would serve as a basis for the post-DDA discussions.

2. **KOREA:** What will the quality standard of the remanufactured goods be? Will it be the same as for new products in kind, or is a new standard for remanufactured goods necessary?

**ANSWER:** First, we need to make a clear distinction between “standards,” compliance with which is voluntary, and “technical regulations,” compliance with which is mandatory (see Annex 1 of the TBT Agreement). Members are free to regulate remanufactured goods so long as it is done in conformity with WTO rules. With respect to standards, to a large degree these are developed in the private sector and driven by the marketplace. Second, the only binding obligation in our proposal is for Members to meet every six months to discuss alleged barriers to trade in remanufactured goods and there is no requirement for Members to implement the definition of remanufactured good into their own domestic legislation or regulation. This proposal does not intend to address standards. Furthermore, the United States addressed similar issues in its concept paper on trade in remanufactured goods in December 2005 in TN/MA/W/18/Add.11.