

MARKET ACCESS FOR NON-AGRICULTURAL PRODUCTS

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

Communication from Japan, Switzerland, and the United States

The following communication, dated 27 May 2009, is being circulated at the request of the co-sponsors of the proposed “Ministerial Decision on Trade in Remanufactured Goods.”

Question: G.1. Paragraph 5 - Why is the definition in the proposal substantially different from those seen in the US’ free trade agreements? The difference could be found in product scope and the criteria of life expectancy, performance standards, and warranty.

Answer: The definition of a remanufactured good proposed by the co-sponsors (which is in brackets) does contain language on warranty. However, we believe that life expectancy and performance standards are not relevant characteristics in this proposal’s non-binding definition.

In U.S. free trade agreements, the definition of a remanufactured good is linked to the definition of a recovered good in a binding rules-of-origin chapter of the agreement. This proposal does not address recovered goods, nor can it address rules of origin, and so must be substantially different from the relevant provisions in U.S. free trade agreements. The only binding obligation in our proposal is for Members to meet every six months to discuss barriers to trade in remanufactured goods. There is no requirement for Members to implement the definition of remanufactured good into their own domestic legislation or regulation.
