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Negotiating Group on Market Access

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NON-TARRIFF BARRIER NOTIFICATIONS

Addendum

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I. PEOPLE'S REPUBLIC OF CHINA

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 provision 6	Treatment of the barrier 7
	Mechanical & electrical products HS Code 8401-8485; 8501-8548; 8701-8716	Provisions on magnet-electricity compatibility in <i>Electricity Act</i> 1998; <i>Energy Rating Label</i> ; & <i>Radiocommunications ACT</i> 1992.	<ul style="list-style-type: none"> • Certification • Authentication is expensive, time-consuming and required for all types of the products . 	Part III, C		
	Pencil leads, black or coloured, 9609.10.00	CAMEX Resolutions No. 3 published on Official Communiqué on 2002/26/02, provides that original anti-dumping cases relating to these products expired on Feb. 26 2002 needs to be revised and during the revision, the anti-dumping duties of 301.5% remained.		Anti-dumping duties (Part II: A)		
	Table electrical fans 8414.51.10	CAMEX Resolution No. 25 decided that the anti-dumping duties on the products, say 45.24%, remained at the same level until 2006/7/08.		Ditto		

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	All types of locks (excluding those for bicycles) 8301.10.00	According to the decision on 1994/6/09, 0.033-1.42 USD per unit was levied as anti-dumping duties for the following 5 years. The decision remained valid after revision on 2001/4/12. And according CAMEX Resolutions No. 38, dumping fact still exists and anti-dumping duties of 60.3% remained until 2006/4/12.		Ditto		
	Bicycle tyres. 4011.50.00	According to the decision on 1998/2/01, dumping fact existed and anti-dumping duties of 66.57% were levied in the following 5 years. On Dec. 19 2002, SECEX Resolution No. 60 provided that the case needed revision, during which anti-dumping duties remained at the same level.		Ditto		
	Barium carbonate, 2836.60.00	According to the decision on 1992/8/07, dumping fact existed and anti-dumping duties of 92% was levied in the following five years. CAMEXA MICT/MF Resolution No. 14 provided that the duties remained at the same level until 2003/6/07.		Ditto		

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	Ring-like permanent magnets, 8505.19.10	According to CAMEX MICT/MF Resolution No. 11, dumping fact exists and anti-dumping duties of 43% were levied from 1998/8/06 to 2003/8/06.		Ditto		
	Spiral steel bore, 8207.50.11/8207.50.19/8207.50.99	According to CAMEX MICT/MF Resolution No. 27, dumping fact exists and anti-dumping duties of 135.11% are levied from 1998/24/12 to 2003/24/12.		Ditto		
	Vacuum flasks, 9617.00.10	According to CAMEX MICT/MF Resolution No. 7, dumping fact exists and anti-dumping duties of 47% are levied from 1999/21/07 to 2004/21/07.		Ditto		
	Glass inners for vacuum flasks, 7012.10.00	According to CAMEX MICT/MF Resolution No. 7, anti-dumping duties of 45.8% are levied from 1999/21/07 to 2004/21/07.		Ditto		
	Metal grill, netting and fencing, 7314.41.00, 7314.49.00	Anti-dumping investigation was started on 2001/4/06, and final decision is yet to be made.				
	Glyphosate, 2931.00.32/2931.00.39/3808.30.23	Anti-dumping investigation was launched on 2001/30/08; the last hearing was held in Sept 2002. Final decision is yet to be made.		Ditto		

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	0301: live fish; 0302: fish, fresh or chilled; 0303: fish, frozen; 0304: fish fillets and other fish meat, fresh, chilled or frozen; 0305: fish, dried, salted or in brine; smoked fish, etc.; 0306: crustaceans, whether in shell or not; 0307: molluscs, whether in shell or not;	<ul style="list-style-type: none"> No. 572/2002 “Act on Importing Sea/Aquatic/Cultural Products from EEA Countries”: As for the import of meat products, every 3-6 months, notification of quotas or market access is provided in line with the market situation. Sometimes market access is allowed for all importers; sometimes import quotas are arranged through public tendering. Ministry of Agriculture is in charge of the whole issue. Constraints are imposed on non-citizens investing in fishing and energy utilisation according to No. 34/1991.3.25 “Act on Commercial Investment of Non-citizens (ACION)”; No. 121/1993.12.27 “Amendment to ACION”; and No. 46/1996.5.22 “Amendment to ACION”. 	China’ s import of sea products, fishing and relevant processing, and investing on energy resources	Part I, A&D; Part III: B&C Part IV, A&I Notes: limitations on investment on fishing and energy are not concluded	<i>“Agreement of Subsidizing and Countervailing measures”</i> part III, Article 6-6.3; <i>“Technical trading barriers”</i> Article 12-12.1&12.7; <i>“Agreement of Implementing Health & Botanic Health Measures”</i> Article 10; <i>“Agreement of Import Licensing Procedure”</i> General Article I-2;	

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					Note: Established WTO provisions do not cover the limitations of commercial investment of non-citizens on fishing and energy utilisation	
	Majority of China's products exported	Valued by the customs	Increased tariff of imported products from China	Part II, B		
	Wood 4403, 4407 Part of mineral products	Providing for the bottom price of the exported products	Decreasing competitiveness of exported products	Part IV, J		abolish bottom pricing

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	Traditional Chinese Manufactured Medicine (TCMM)	<p>In applying for import license, importers have to submit certificates of TCMM production and sales which should be official documents issued by the government of manufacturers, including detailed information of composition of the raw material and ingredients, specifications etc.</p> <p>Importers are required to submit to Drugs Imp&Exp Association “Standard Clearance Report”, (including name of the products, instructions of ingredient composition and ration, packaging institutions, pathological effect etc.) as well as import license. Given that production of TCMM is of confidentiality, only the requirement for instructions of ingredient composition and ration included in the clearance report has already kept TCMM out of the market.</p>	By now, there is no normal channel in for TCMM import except for some finished drugs with TCM components	Technical trading barriers/technical standards		Ditto

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	Chinese medicinal materials	It has stringent examination procedure and quality criteria for the import of Chinese medicinal materials. Some criteria (e.g. no bleaching agents is allowed) is even hardly met by domestically produced medicinal materials, and therefore impractical. While in examination, the Member is likely to loosen or tighten the standards only based on its domestic demands, which brings about many uncertainties to clearance examination of Chinese medicinal materials.	Export of Chinese medicinal material	Technical trading barriers/technical regulations criteria		
	All commodities	Anti-dumping Act		Part II – A		

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	1604: prepared or preserved fish; 3208: paints and varnishes dispersed or dissolved in a non-aqueous medium 3209: paints and varnishes, dispersed or dissolved in an aqueous medium; 330510:shampoos; 3306: preparations for oral or dental hygiene; 3401: soap; 3402:organic surface-active agents (other than soap); 3924: tableware, kitchenware, other household articles and toilet articles, of plastics; 4814: wallpaper and similar wall coverings, 57: carpets and other textile floor coverings knotted, whether or not made up;	Bottom-line pricing for some imported commodities		Part II – B		

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	57: tapestry 5904: linoleum, whether or not cut to shape; 6907: unglazed ceramic flags; 6908: glazed ceramic flags; 6910: ceramic sinks, wash basins, wash basin pedestals, baths, bidets, water closet pans, flushing cisterns, urinals and similar sanitary fixtures; 732410: sinks and wash basins, of stainless steel; 848180: mixed appliances of hot/cold water; and those with sprinkling head; 8528: reception apparatus for television, video recording or reproducing apparatus;					

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	<p>Commodities from countries enjoying preferential tariff treatment; From those under quota restrictions or other foreign trade regulations restriction; As provided in international agreements or regulations in environmental protection, health care, consumer's interests, social stability, national security etc. Information of the products' origins is not included in the clearance report or doubted by the customs. -- <i>General Rules of Customs,</i></p>	<p>Rules of origins are imposed on part of the commodities</p>		<p>Part II – F</p>		
	<p>All commodities</p>	<p>Overhead, 0.15% of declared value, is levied by customs.</p>		<p>Part II – G</p>		
	<p>3001 90 – internal organs; 3002 90 300: animal blood; 4101,4206,4301, 6701— leather materials, natural fur skins, articles of gut, of goldbeater's skin, of bladders or of tendons;</p>	<p>Safety examination & supervision are required</p>		<p>Part III – B</p>		

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	3002 30: vaccines for veterinary medicine; 928400: salts, used in animal feeding; 31010000,310590990 – pesticide & fertilizer; agricultural machinery, farming facilities, transport devices, containers, packaging materials, products of industrial/vegetable materials, samples of original soil and stone;					
	3001-3004 – drugs and plants; 3005,3006 – articles and their components for pathological/surgical use, bandage dressings, rubber products, reagents, dental material, contraceptive devices, health care devices, and patient-care apparatus, etc.;					

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	4901,4903-4905 – school articles; 8422,8436 – food preparation equipment; 2501 – salts; 5007,5111,5112,5207-5212,5309-5311,6101-6110,6115,6112,6201-6208,6210-6212,6401-6405,5407-5408,5512,5513-5515 – clothing/clothes/shoes for adults, special goods; natural materials, new-tech equipment, new craft, environmentally hazardous materials provided in “Basel Convention” & “Montreal Protocol”; and technical documents of above-mentioned materials.					

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	8548 – waste and scrap of primary cells, primary batteries and electric accumulators; utensils used under pressure. 8401-8406,8462,3601-3606 – technical devices & equipment in dangerous production; 3604 – fireworks and other pyrotechnic articles; equipment for feeding/powder; equipment for grain transport/ storage					
	271320—petroleum bitumen; 2715—mastics; 6905—ceramic flags; 3214—putty, bottom painting, and other painting materials; 3918—wall or ceiling coverings;	Safety authentication is required		Part III - C		

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	3921—floor/wall flags, plates, film, foil & strip of polymers; 7214—bars and rods of steel; 6804-6810—excluding “others”; 0708—leguminous vegetables, shelled or unshelled, fresh or chilled; 0713,1001-1005,1007—crops 2301,2309-animal feedings; 8517, 8525-8531, 854470—telephone, ATC, facsimile, wireless transmission, and reception apparatus. 8501,850431,8516—electric motors /generators/electric heater/transformers of low output;					

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	<p>850100, 8502, 8401, 8404, 8536— motor apparatus, and its corresponding devices.</p> <p>8465, 820790100, 820540000, 820411000, 820520000, 820412000, 820320, 820420000, 820570000, 820540000, 8508, 846591900, 82053000, 7321, 840390900,8482, 842511, 8438, 8435, 8434, 8476, 8433, 9303-9306— machinery manufacturing products;</p> <p>8507-8516, 8518-8522, 8531, 8532, 8546, 8535-8537, 8413-8418, 8544, 84121, 8422, 8447, 8450-8452, 9405, 9504, 9101, 9105, 8504, 9106, 9107, 9207,8539— electric appliance and meter manufacturing products;</p>					

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	9018, 9019, 900140, 900150, 9004, 280440, 9021,9022—medical equipment and appliances; 2710—oil products 3829225790, 382000; 9025,9026,9028,9030,8423,9029—measuring instruments & apparatus; 3208-3209, 3214, 3814, 382490400, 4814—paintings and wall paper; 3303-3307, 3401, 3402, 4803, 4818, 960321000—cosmetics, soaps and hygienic products. 3921-3924, 4415, 4806, 4805, 4014, 6309, 4810, 3917, 6911, 7607, 7013, 4819, 8309, 5608, 4832—containers and packaging materials;					

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	5208, 5211, 6107-6109, 6612 611110900, 6207-6209, 6403-6405, 5309,611120900, 6115—tailoring cloth, knitwear, shoes for children; 6909-6912, 7010-7013, 7323, 7418, 7615, 8215, 82119—ceramic tableware, porcelain. 9501-9503—toys; 9401, 9403, 4410, 4412—furniture, parts of furniture.					
	<ul style="list-style-type: none"> • 8471, 847330000, 854390900—cipher equipment; • arms & military equipment; • toxin-proof military equipment and its accessories; 	Import licensing and quantity restriction		Part IV – A		

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	<ul style="list-style-type: none"> • military costume and badge • technical documents for military use; • 3601-3604: fireworks, fire powder, and other pyrotechnic articles (excluding powder for hunting guns) • Nuclear materials, technologies, arms and equipment; special non-nuclear materials, radioactive wastes. • Materials/equipment /technologies for civilian use, which may be used also for arms of mass destruction. 					

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	<ul style="list-style-type: none"> • 2606, 2843, 300640000, 7106-7112, 711319000, 711411000, 711419000, 711510100, 711590900, 7118, 9544, 900319100, 902129100, 911110000, 960810300, 960839100: noble metal, noble metal alloy and its products; noble metal-plated materials and their products; ore etc. • 7101-7103, 7105, 7116 Precious stones and their products; precious natural stones and renewable materials and their products; • Narcotics and mental drugs. • Hypertoxic products. 					

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	<ul style="list-style-type: none"> • Hazardous wastes; • drugs • weapons of civilian/official use • ozone-depleting matters and products containing these matters (see “Vienna Convention”& “Montreal Protocol”) • Production/procurement of ethyl alcohol used for alcohol products have been brought under quota restriction since Resolution 343 was adopted on 2002/28/05. • Ministry of Water Conservancy & Processed Industry is in charge of quota arrangement, distribution and supervision. Quota applicants are required operational license for alcohol products. 					

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	300410900 (9 drugs) 300420900 (27 drugs) 300420100 (26 drugs) 300450100 (3 drugs) 300290300 (4 drugs) 300220900 (1 drug) 300432100 (9 drugs) 300190910 (1 drug)					
	72: Hotrolled steel plate	Anti-dumping	Influencing export of metal products (steel material in particular) from China	Part II – A		
	72: hotrolled carbon alloy steel plate	Ditto	Ditto	Ditto		
	72: anti-erosion steel plate	Ditto	Ditto	Ditto		
	64: woman's footwear	Ditto	Influencing China's footwear export	Ditto		
	64: water-proof footwear with outer soles and uppers of rubber	Ditto	Ditto	Ditto		
	64: water-proof footwear with outer soles and uppers of rubber or of plastics	Ditto	Ditto	Ditto		
	64: leather shoes with a protective metal toe-cap	Ditto	Ditto	Ditto		
	8712: bicycles and bicycle frames	Ditto	Influencing light industrial products' export	Ditto		
	2930: xanthates	Ditto	Influencing chemical products' export	Ditto		

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	52-59: textile, clothering	Quota restriction	Constraining export of textile products and clothering	Part IV-A		
	Textile products	Technical barriers (dyestuff indicators)	Import and export trading of the commodities			
	Electrical & mechanical products, and household appliances	Technical barriers (safety indicators, CE mark)	Ditto			
	Toys	Ditto	Ditto			
	Ceramic products	Technical barriers (lead content)	Ditto			
	Leather	Technical barriers (PCP residue)	Ditto			
	292249100: other amino acids	Trust deed of the importers				
	360410000: fireworks & signalling flares	License issued by Police Bureau of Internal Affairs Ministry				
	392610000: other office or school supplies, plastic	For military use, license issued by Ministry of Economic Affairs; For civilian use, none				
	392620000: plastic articles of apparel and clothering accessories	Ditto				
	392640000: plastic statuettes and other ornamental articles	Ditto				
	392690919: other articles of plastics	Ditto				
	392690999: other articles of plastics	Ditto				

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	420212910: other trunks and suit-cases with outer surface of plastics or of textile materials	Document about the components and specifications of the commodities				
	420212990: other trunks and suit-cases with outer surface of plastics or of textile materials	Ditto				
	420222100: handbags with outer surface of plastic sheeting or of textile materials	Ditto				
	420222900: handbags with outer surface of plastic sheeting or of textile materials	Ditto				
	420229000: other handbags	Ditto				
	420232900: articles of a kind normally carried in pocket or in the handbag, with outer surface of plastic sheeting or of textile materials	Ditto				
	420292110: other trunks and suit-cases, with outer surface of plastic sheeting or of textile materials	Ditto				

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	420292910: other trunks and suit cases with outer surface of plastic sheeting or of textile materials	Ditto				
	420292980: other trunks and suit-cases with outer surface of plastic sheeting or of textile materials	Ditto				
	420310000: articles of apparel and gloves, mitten, and mitts, of leather	Ditto				
	420329100: working gloves, of leather	Ditto				
	540761100: other woven fabrics, containing 85% or more by weight of non-textured polyester filaments	Components, size and technical specifications of the commodities; Pricing based on customs evaluations				
	550810110: sewing thread of synthetic staple fibres	Ditto				
	580810009: braids in the piece	Ditto				
	610711000: men's or boys' underpants and briefs, knitted or of cotton	Components, size and technical specifications of the commodities; pricing based on customs evaluations; Health certificate for underpants and briefs for boys				

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	611030910: knitted pullovers, waistcoats etc, of man-made fibres	Ditto				
	611030990: knitted pullovers, waistcoats etc, of man-mad fibres	Ditto				
	611212000: knitted track suits, ski suits and swimwear of synthetic fibres	Ditto				
	611593990: stocking, socks and other hosiery, of synthetic fibres	Ditto				
	611693000: knitted gloves, mittens and mitts of synthetic fibres	Ditto				
	620193000: men's overcoats padded with feathers or down, of chemical fibres	Ditto				
	620293000: women's overcoats padded with feathers or down, of chemical fibres	Ditto				
	620342350: other trousers of cotton	Ditto				
	620462310: trousers, bib and brace overalls, breeches and shorts, of cotton	Ditto				
	620520000: men's shirts, of cotton	Ditto				

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	621600000: non-knitted gloves, mittens or mitts	Ditto				
	640219000: sky-boots, footwear of rubber or plastic	Components, size and other technical specifications; Pricing based on customs evaluations; and Health certificate for the commodities for children				
	640220000: sports footwear with upper straps or thongs assembled to the sole by means of plugs, of rubber or plastic	Ditto				
	640291000: footwear covering the ankle ,	Ditto				
	640299310: other footwear, of rubber or of plastic	Ditto				
	640299390; other footwear, of rubber or of plastic	Ditto				
	640299500: slippers and other indoor footwear, of rubber or plastic	Ditto				
	640299910: other footwear of rubber or of plastic	Ditto				
	640299930: other sports footwear, of rubber or plastic	Ditto				

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	640299960: other men's footwear, of rubber or of plastic	Ditto				
	640299980: other women's footwear, of rubber or plastic	Ditto				
	640319000: other sports footwear with outer soles of rubber, plastic, leather or composition leather	Ditto				
	640399960: other men's footwear with outer soles of rubber, plastic, leather or composition leather	Ditto				
	640411000: sports footwear with outer soles of rubber or plastic	Ditto				
	640419900: other footwear with outer soles of rubber or plastic	Ditto				
	640520910: other footwear with uppers of textile materials	Ditto				
	640590100: footwear with soles of rubber, plastic, leather or composition leather	Ditto				
	841451900: table fans, floor fans and other fans	With CE mark which is the standards; Complying with technical regulations				

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	841581900: air conditioning machines with cooling unit and reversible heat pumps	Ditto				
	841582800: other air conditioning machines with cooling units	Ditto				
	842123900: oil or petrol filters	Ditto				
	842310100: personal weighing machines and household scales	Ditto				
	842390000: weighing machine weights of all kinds; parts of weighing machinery	Ditto				
	842490900: spray machines, fire extinguishers, spray guns and similar appliances	Ditto				
	843311100: mowers, powered, with the cutting device rotating in a horizontal plane	Ditto				
	845229000: other automatic sewing machines	Ditto				
	846229910: other machine tools	Ditto				
	846239910: other sheering machine tools	Ditto				

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	846721100: drills electric or non-electric motor	Ditto				
	846721990: other drills	Ditto				
	846729510: burnishes	Ditto				
	846729590: other tools of working in the hand	Ditto				
	846729900: other tools of working in the hands	Ditto				
	847010000: calculators	Ditto				
	847160400: displays	Ditto				
	847160500: scanners	Ditto				
	847160900: other I/O units of computers	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	847170510: hard disc drivers	CE mark, technical regulations				
	847170530: hard disc drivers	Ditto				
	847170590: other storage units	Ditto				
	847180000: other units of automatic data processing machines	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	847190000: unlisted magnetic or optic readers	Ditto				
	847330100: parts and accessories of automatic data processing machines	Ditto				

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	847330900: parts of print element of stylus printers	CE mark, and technical regulations				
	847510000: machines for assembling electric or electronic lamps and similar articles	Ditto				
	847529000: machines for manufacturing hot working glass or glassware	Ditto				
	848180110: regulating valves	Ditto				
	848180190: other valves	Ditto				
	848180990: other valves	Ditto				
	848190000: parts of taps, cocks, and similar appliances, of valves	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	848210900: ball bearings	Ditto				
	850431900: other transformers	CE mark, and technical regulations				
	850440200: uninterrupted power suppliers	Ditto				
	850440930: other voltage-stabilized suppliers	Ditto				
	850450800: part of liquid dielectric transformers	Ditto				
	850610110: cylinder cells of manganese dioxide	Ditto				

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	850610910: cylinder cells of manganese dioxide	Ditto				
	850720890: other lead-acid electric accumulators	Ditto				
	850910100: household vacuum cleaners	Ditto				
	850940000: food grinders, and juice extractors	Ditto				
	851010000: shavers, with self-contained electric motor	Ditto				
	851020000: hair clippers with self-contained electric motor	Ditto				
	851310000: portable electric torches	Ditto				
	851610190: electric water-heaters	Ditto				
	851629100: electric soil heating apparatus	Ditto				
	851631900: hair dryers	Ditto				
	851640100: electric smoothening irons	Ditto				
	851640900: electric smoothening irons	Ditto				
	851650000: micro-wave ovens	Ditto				
	851671000: electric coffee or tea makers	Ditto				
	851672000: toasters	Ditto				

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	851679800: other electric apparatus	Ditto				
	851719900: videophones	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	851721000: facsimile machines	Ditto				
	851750900: other cabled digital communications appliances	CE mark, and technical regulations				
	851821900: single loudspeakers, mounted in their enclosures	Ditto				
	851822900: multiple loudspeakers, mounted in the same enclosure	Ditto				
	851829800: other loudspeakers	Ditto				
	851830800: headphones and earphones	Ditto				
	851999180: compact disc player	Ditto				
	852190000: laser video compact disc player	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	852520910: apparatus used in satellite earth station, for broadcast or television	Ditto				

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 provision 6	Treatment of the barrier 7
	852713100: recording or broadcasting apparatus	Ditto				
	852713910: recording or broadcasting apparatus	Ditto				
	852713990: recording or broadcasting apparatus	Ditto				
	852719000: other broadcasting reception apparatus	Ditto				
	852721200: combined with sound recording or reproducing apparatus	CE mark, technical regulations				
	852731910: other recording or reproducing apparatus	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	852731980: other recording or reproducing apparatus	Ditto				
	852739800: other radio-broadcast receivers	Ditto				
	852812200: coloured reception apparatus for television with video recorder	Ditto				
	852812520: reception apparatus for color TV, with a diagonal measurement of the screen not exceeding 42cm	Ditto				

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 provision 6	Treatment of the barrier 7
	852990400: parts for television cameras	Ditto				
	852990720: parts for wireless pagers	Ditto				
	852990880: parts for television receivers	Ditto				
	853190800: parts for other electric sound or visual signalling apparatus	License issued by Police Bureau of Ministry of Internal Affairs				
	853690100: electric wire junction	CE mark and technical regulations				
	853690850: other electric circuit apparatus	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	854011110: coloured cathode-ray television picture tubes, with display not exceeding 42cm	CE mark and technical regulations				
	854011150: coloured cathode-ray television picture tubes, with display from 52cm to 72cm	Ditto				
	854091000: parts for cathode-ray tubes	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				

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 provision 6	Treatment of the barrier 7
	854389790: electrical machines and apparatus with individual functions	CE mark and technical regulations				
	854420000: co-axial cable and other co-axial electric conductors	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	854441900: other cables	Ditto				
	854451900: other cables	Ditto				
	900319300: frames and mountings for spectacles of other materials	CE mark and technical regulations				
	900410910: sunglasses	Ditto				
	900410990: sunglasses	Ditto				
	900653100: other photographic cameras	For military use, license issued by Ministry of Economic Affairs; For civilian use, CE mark, and technical regulations				
	900653900: cameras with single lens reflex (SLR)	Ditto				
	900912000: colourful photocopying apparatus	CE mark and technical regulations				
	900921000: other photocopying apparatus incorporating an optical system	Ditto				
	900990000: this heading number not specified by EU	Ditto				

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 provision 6	Treatment of the barrier 7
	900999000: other parts and accessories of photo-copying apparatus	Ditto				
	901780100: other instruments for measuring length, for use in the hand	Ditto				
	901839000: other needles for medical use	Ditto				
	901890100: stethoscopes	Ditto				
	901910100: massage apparatus	Ditto				
	902212000: computed tomography apparatus	Ditto				
	910219000: other electrically operated wrist watches	Ditto				
	2905;2918;2921;2922;2924-2926;2932-2934;2939;29143010;29242950;29329075;29329077;29394010;29394030;29396010;29396030;29396050;29399071: narcotics and other inhibitory drugs	Import licensing control				

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 provision 6	Treatment of the barrier 7
	Goods for military and civilian use, national defense articles, chemicals and bio-materials used in producing biochemical weapons of mass destruction; nuclear missiles, equipment and technologies; technologies and matters used in manufacturing missiles	Ditto				
	Hazardous articles (UN hazardous articles list)	Ditto				
	40122090: used tyres	Ditto				
	854380800: electrical fishing devices	Ditto				
	Article of cultural value, wild animals, captured animals, products manufactured with wild animals and organs thereof; articles of geological value, color photo-copying apparatus; narcotics;	Non-automatic licensing is required when these commodities are exported				

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 provision 6	Treatment of the barrier 7
	Seeds; fertilizers; pesticides; plants and vegetable products; food produced from vegetables and mixed materials; food produced from animals (diary products, poultry and fish products); food additives and mixtures thereof;	Health quarantine measures				
	Bicycles	Anti-dumping		Section II-A		
	Weapons, explosives, nuclear materials, drugs, optical apparatus, alcohol, tobacco, oil products, food, electronic products, articles for children, make-up, building materials, machinery, furniture, and textile products	License, product certificate, animal/plant health quarantine	None	Part IV-A & Part III-C		
	Arms and ammunition	Import license is required from Ministry of Finance		Ditto		
	Radioactive materials and nuclear reactor	Approval of Commission of Atomic Energy is required. As for those for medical purpose, FDA is in charge of the issue in accordance with <i>Federal Law of Food, Drugs and Cosmetics</i> .		Ditto		
	Household appliance	<i>Law of Energy Policy and Protection</i>				

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 provision 6	Treatment of the barrier 7
	Small & medium-sized air conditioner and heating equipment, air heating stoves, multi-functional boilers, large electronic motor (200 horsepower), etc	Energy Implementation Criteria				
	Toilet faucet, kitchen faucet, gravity box toilet, Flushing box toilet, dissolution toilet, electronic-mechanical water pressure toilet	Relevant regulations by Ministry of Energy and Federal Commission of Trade.		Ditto		
	Toys	<i>Federal Law of Dangerous Articles</i>		Ditto		
	Paints with lead	Ditto		Ditto		
	Bicycles and helmets	<i>Federal Law of Dangerous Articles</i> ; Legal Certificate is required from Safety Commission of Consumer Goods.		Ditto		
	Fireworks and signalling flares	<i>Federal Law of Dangerous Articles</i>		Ditto		
	Fabric products	<i>Law of Combustible Fabric</i>		Ditto		
	Cigarettes and lighters	<i>Safety Law of Consumer Goods</i>		Ditto		
	Building glaze, matches, TV cable antenna, hand mower, household chemicals, and fridge door etc.	Relevant regulations and safety criteria				

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 provision 6	Treatment of the barrier 7
	Electronic products (TV, micro-wave oven, medical X-ray equipment, laser products, ultrasonic apparatus, and others with radiating functions)	<i>Radiation Control for Health & Safety Law (1968)</i> , (Part V of <i>Federal Law of Food, Drugs and Cosmetic</i>)				
	Radio, cassette recorder, TV, walkie-talkie for civilian use	<i>Regulations of Radioactive Criteria</i> by FCC, under. <i>Telecommunications Law (1934)</i> .				
	drugs and cosmetics	<i>Federal Law of Food, Drugs and Cosmetics</i> ; Commodities under FDA need to be examined.		Part III-B&C		
	Bio-drugs for human and animal use	Import of those for human use must comply with <i>Federal Law of Public Health Services</i> ; Import of those for animal use should comply with <i>Law of Virus, Serum and Toxin</i> . Import license of the commodities is required; Special labelling is needed when importing the commodities.				
	Narcotics, and their derivatives	<i>Regulations of Drugs Implementation Administration</i> by Ministry of Justice				
	Devices for narcotic drugs	<i>Federal Code</i>		Part III-B		

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 provision 6	Treatment of the barrier 7
	Gold and silver	<i>National Law of Marking</i>				
	pesticide	<i>Federal Law of Insecticide, Bactericide and Raticide</i>				
	Toxic substance	<i>Law of Toxic Substance Administration</i>				
	Dangerous products	<i>Law of Dangerous Products; Law of Corrosive Drugs; Law of Food, Drugs and Cosmetics; Law of Production Safety of the Consumers; and Law of Resource Recycling & Protection;</i> Import of wastes needs EPA certificate.				
	Textile products	<i>Authentication Law of Textile Products;</i> <i>Agricultural Law(1956)</i> provides that the import of the commodities should comply with the requirement in term of import quota, export licensing and fiber component, etc.				
	Wool products	<i>Labelling Law of Wool Products (1939)</i>				
	Leather products (valued over 7USD)	<i>Labelling Law of Leather Products</i>				
	Motor vehicles, traffic equipment	<i>Federal Criteria of Traffic Safety;</i> <i>Clean Air Law</i>				

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 provision 6	Treatment of the barrier 7
	Aquatic products	Inspection criteria of aquatic products by FDA; Health and plant health measures.	China's export of aquatic products and honey			
	Fabric, gloves, luggage with outer surface of chemical fiber, brassiere, pyjama and gown	Trade relief measures	China's export of the commodities			
	Bike	Import licenses				
	Electronic fan	Limitation of customs valuation				
	lights	Raising the standards far beyond the necessary level				
	All products	Case by case Cargo inspection				
	Textile, Clothes	2002/61/EC Directive bans the use dyes with aromatic amines >30ppm		Technical regulations and standards (Part III:B)		
	Certain Products including Aluminum foil, bicycle, footwear and etc.	Anti-dumping measures	1.461 billion Euro trade	Anti-dumping duties (Part II:B)	Anti-dumping Agreement	
	Steel products	Safeguard measures				
	All products	General Product Safety, 2001/95/EC		Technical regulations and standards (Part III:B)		
	Electric Products	Electromagnetic Compatibility, 89/236/EEC, 92/31/EEC, 93/68/EEC		Ditto		
	Low voltage equipment	73/23/EEC, 93/68/EEC,		ditto		

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 provision 6	Treatment of the barrier 7
	Simple Pressure Vessels	87/404/EEC, 90/68/EEC		ditto		
	Toys HS9501, 9502, 9503	88/378/EEC, 93/68/EEC		Ditto		
	Construction Products	89/106/EEC, 93/68/EEC		Ditto		
	Machinery	98/37/EEC, 93/68/EEC		Ditto		
	Personal protective equipment	89/686/EEC, 93/95/EEC, 96/58/EC, 93/68/EEC		Ditto		
	Non-automatic weighing instruments	90/384/EEC, 93/68/EEC		Ditto		
	Active implantable medical devices	90/384/EEC, 93/68/EEC		Ditto		
	Appliances burning gaseous fuels	90/396/EEC, 93/68/EEC		Ditto		
	Hot-water boilers fired with liquid or gaseous fuels	Efficiency requirements, 92/42/EEC		Ditto		
	Explosive for civil uses	93/15/EEC		Ditto		
	Medical devices	93/42/EEC, 98/79/EC, 2000/70/EC		Ditto		
	Equipment for use in potential explosive atmospheres	94/9/EC		Ditto		
	Packaging and packaging waste	94/62/EC		Ditto		
	Lifts	95/16/EC		Ditto		
	Pressure equipment	97/23/EC		Ditto		
	In vitro diagnostic medical devices	98/79/EC		Ditto		
	Radio equipment and telecommunications terminal equipment	1999/5/EC		Ditto		
	Marine equipment	96/98/EC, 98/85/EC		Ditto		

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 provision 6	Treatment of the barrier 7
	Household electric refrigerators, freezers and combinations thereof	Efficiency requirements, 96/57/EC		Ditto		
	Transportable pressure equipment	1999/36/EC		Ditto		
	Equipment for use outdoors	Noise emission, 2000/14/EC		Ditto		
	Ballasts for fluorescent lighting	Energy efficiency requirement, 2000/55/EC		Ditto		
	Medicinal products for human use HS3001-3004	2001/83/EC		Ditto		
	Veterinary medicinal products HS3001-3004	2001/82/EC		Ditto		
	Cosmetics	76/768/EEC		Ditto		
	Chemicals	76/769/EEC, 1999/45/EEC		Ditto		
	Electronic & electronic equipment	COD(2000)158, 159		Ditto		
	lighters	Additional requirement of safety equipment	Limitation of import			
	towels	Extension of safeguards investigation	Influence the imports	Quantitative restrictions and import licensing (Part IV:A)	ATC : VI/13	
	Many products	Implementing Export Trade Regulations	Impede the non-military users import	Export restraints (Part IV: G)		
	eels	Discriminatory practices to extend quarantine time and increase quarantine fee with additional items	Damage the normal trade and make the China export of eels to zero	Testing and certification arrangements (Part III:C)		

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 provision 6	Treatment of the barrier 7
	salt	Monopoly , Federal Law on sales of salt		State trading, government monopoly practices (Part I: E)		
	Home electric appliance, e.g. washing machine	Excessive documents are required in the inspection process.	increase burdensome cost to exporter and impede commercial confidentiality	Technical regulations and standards (Part III:B)		Eliminate such requirement
	SDH equipments	Long testing time to enter the networks	Limit trade	Ditto		
	Auto, natural rubber	Limitation of ports for imports	Limit import	Customs formalities (Part II: G)		Eliminate
	CDMA equipments	Long testing time to enter the networks	Limit trade	Technical regulations and standards		
	Steel products HS7208-7210-7211-7219-7220-7225-7226	751/MPP/Kep/11/2002 Import licensing process	Limit imports	Quantitative restrictions and import licensing (Part III: A)		Modify the article 4, 5 of the Ministerial Decree
	Many products	05/DJPLN/KP/Iii/2002	Limit imports	Quantitative restrictions and import licensing (Part III: A)		Minimize the scope of the Decree
	textile	732/MPP/KEP/70/2002	Limit imports	Quantitative restrictions and import licensing (Part III: A)		Modify the article 2

Maintaining Participant	Products affected by the barrier	Nature of the barrier	Trade Effects of the barrier	Inventory category	Relevant WTO provision	Treatment of the barrier
1	2	3	4	5	6	7
	Many products	104/MPP/KEP/2/ 2002	Limit imports	Government Procurement (Part I:C)		Abolish the Decree
	DVD	Standards and intellectual fee	Increase production cost	Part III: B,C		
	DVD	Ban on imports				

II. MALAYSIA

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 provision 6	Treatment of the barrier 7
Participant A	Steel	<p>Imposition of tariffs of up to 30 per cent for steel products for a period of three years under the Section 201 of the Trade Act of 1974 effective from 20 March 2002.</p> <p>The aggregation of steel product categories into major broad product groups (to show injury) is inconsistent as Malaysia's steel products were already levied an anti-dumping duty of 7.51 per cent.</p>	Trade harassment			
	Natural Rubber Gloves	<p>The importation of natural rubber gloves are subject to labeling requirement. However, gloves and medical equipment made from synthetic rubber are exempted from this requirement, even though they are made under the same method and have similar protective chemicals as found in natural rubber.</p> <p>Requirement to appoint its own agent.</p>	Increases cost of exports			
	Tropical Fruits	Phytosanitary requirement pertaining to disinfestations of fruit flies prohibits the import of Carambola (star fruit).			SPS Agreement	

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 provision 6	Treatment of the barrier 7
	Tropical Timber	<p>The proposal by legislators of a City Council to amend the administrative code of the City involving city contracts related to the purchase of wood products and materials will restrict the usage of tropical wood in public buildings. The legislation will require City Agencies to purchase tropical hardwood and tropical hardwood products from responsibly managed forests only, specifically, wood that is certified by the Forest Stewardship Council</p> <p>The proposed restriction is discriminatory, as it singles out tropical timber for certification, while other woods are not subject to it.</p>				
Participant B	All products	<p>The Parliamentary approval of a law on international quality label for 'ethically produced goods'. The law is for the Promotion of Socially Responsible Production. Goods could carry the label if producers, from sub- contractors to manufacturers, abide by ILO guidelines in the manufacturing process. The scheme, although voluntary, requires social audit firms, approved by the Member's Ministry of Economy, to check on the companies for conformity in the use of the label.</p>				

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 provision 6	Treatment of the barrier 7
		The application of specific labelling rules in one Member State, although voluntary, could become a hindrance for Malaysian exporters, as well as importers and traders supplying to other Member States. Unilateral trade actions to promote labour standards to satisfy domestic concerns will create discrimination against non-labelled products from Malaysia and restrict market access.				
	Electrical and Electronic Equipment	The directive concerning the disposal of waste from electrical & electronic equipment is a barrier to trade as the E&E industry is located mainly in developing countries. The additional costs incurred will affect the competitiveness of E&E products from developing countries. Waste management is a state responsibility and collection charges should be based on the “polluter-pays” principle.	Additional costs to industry		TBT Agreement	

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 provision 6	Treatment of the barrier 7
	Poultry Products	Stringent rules on food quality, packaging and labelling for food products imported into Member States. Sanitary regulations also encompass rules pertaining to equipment and materials used to process and pack the food. (Obtaining approvals involves tedious and substantial documentation and bureaucratic procedures. One Malaysian Company took 2 years to obtain approval).			SPS Agreement	
	Fish and Fishery Product	Resort to local regulations to determine allowable limits of harmful organisms present in the consignment or make disputed interpretation of the Regulation even though the companies have complied with the HACCP.				
	Technical products	Exporting of technical products to the markets of this Participant has to comply with the CE marking. To qualify for the CE mark, the products have to undergo rigorous testing and approval procedures for performance and safety. Prices of imported products become more expensive and uncompetitive as a result of higher cost incurred in fulfilling the stringent standards set.				

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 provision 6	Treatment of the barrier 7
	Stainless steel butt weld fitting	Need to comply with Pressure Equipment Directive (PED) requirements by May 2002.				
Participant C	Green Purchasing	<p>The law on Promoting Green Purchasing, implemented on 1 April 2001, has designated several products of export interest to Malaysia, the procurement of which will need to comply with the law. The law enforces stringent 'evaluation criteria', such as recycling and reuse, and minimal impact on the environment upon disposal.</p> <p>The relevant Participant's Ministry of Environment has set an unrealistic target on suppliers to meet 100 per cent of the evaluation criteria by the end of 2001 in the government procurement of a substantial number of items.</p>				
		<p>The affected products are paper, printed materials, stationery (including mechanical pencils, ball-point pens and ink pads), office furniture (such as chairs, desks, shelves and storage furniture), office machines (in particular, copiers, computers, printers, facsimile machines, scanners and magnetic disc-drive units), consumer E&E appliances, lighting items, uniforms and work clothes, interior fixtures (in particular, curtains, carpets and blankets) and work gloves.</p>				

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 provision 6	Treatment of the barrier 7
		Adapting to the new evaluation criteria requires time and changes to the manufacturing process. The enforcement of the law on green purchasing has adversely affected Malaysian SME, as the set 'evaluation criteria' are difficult to comply with, depriving them of their market.				
	Personal Computers	A programme to place eco-friendly labels on personal computers (PC) by the Member's Electronics Information Technology Industries Association beginning September, 2001, although voluntary, has adversely affected smaller Malaysian manufacturers. This programme inevitably creates discrimination in the PC market, as PC displaying the eco-friendly labels are deemed to be environment friendly against those without the labels.				

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 provision 6	Treatment of the barrier 7
		<p>The Participant's law on recycling mandates manufacturers to collect used home appliances, and charge recycling fees. The law also requires that 50 to 60 per cent of materials in the appliances be recycled. The Authorities have subjected corporate-use and home-use PC to recycling by the end of 2002. The mandatory recycling law incurs additional costs to Malaysian exporters. It has discouraged distributors and retailers from importing from Malaysia, in favour of domestically produced products that have recycling facilities.</p>				
		<p>The stringent recycling law favours domestic and multinational companies that have strong financial resources. Malaysian owned brand of electrical appliances and PC from SME face the danger of being pushed out of the Member's market.</p>				

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 provision 6	Treatment of the barrier 7
	Medical Devices and Pharmaceutical	Potential exporters of medical devices and pharmaceuticals to this Member need to undergo a lengthy approval process due to its longstanding practice of limiting the acceptance of foreign clinical data. They are required to conduct duplicative clinical trials within the jurisdiction of the importing Member. Lack of transparency in and access to decision-making processes of this Participant are longstanding problems in the medical device and pharmaceutical sector.				
	Food and beverage products	Despite progress in recent years, the Participant's import clearance procedures remain slow and cumbersome. User fees remain high and customs processing hours of operation are short.				
Participant D	Strict Import Regulation on Food Products	Exports of food products to this Participant are subject to complicated pre-approval procedures, involving submission of detailed documents, including formulae and recipes.		Restrictive practices tolerated by Government.		

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 provision 6	Treatment of the barrier 7
		<p>The approval procedure for a new additive is difficult and time consuming, as the rules only allow specifically listed additives to be used in food procedures. Although the Participant has procedures for obtaining recognition for foreign government or authorised certification, the time required, massive paperwork and complicated procedures involved discourage Malaysian exporters from applying.</p> <p>The preferential customs treatment given to this Participant's Tourist Supply Centre further restricts the supply of foreign food products to domestic hotels.</p>				

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 provision 6	Treatment of the barrier 7
		<p>The importation of medical devices into the territory of this Participant is subject to strict regulations, namely:</p> <ul style="list-style-type: none"> - submission of confidential information, such as description of manufacturing processes, material specifications and content information; - additional local tests; - non-transferable import licence and a repetition of the approval procedure if the name of the importer differs; - repeated approval procedure if there are product modifications, improvement, upgrade or minor variances, without change in safety features and function; and - massive documentation, including test report. 				

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 provision 6	Treatment of the barrier 7
Participant E	Hitox or White Titanium Oxide	Lack of uniformity in customs valuation has subjected hitox or white titanium oxide exports to this Participant to different rates of duty, depending on the port of entry, including arbitrary determination of customs value. The Customs Authorities at a certain port of this Participant insists that hitox be taxed similar to white titanium dioxide, valued at US\$2000 per metric tonne, instead of its actual value, at US\$1000 per metric tonne.				
	Pottery	A Malaysian pottery manufacturer has been affected adversely by the lack of enforcement of intellectual property rights (IPR) by this Participant. The company has stopped exporting ceramic pottery to this Participant, due to non-protection of its product designs, even though the company has its patent rights in the territories of said Participant. Local producers had rampantly copied the Malaysian designs and products, and the same designs are being exported to Switzerland and Australia at cheaper prices, compared with the original products from Malaysia.				

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 provision 6	Treatment of the barrier 7
		<p>Food slicers in Malaysia reported that its products were copied in this Participant's territory. Although the Malaysian company filed a lawsuit against five companies and won the case, due to inadequate protection of IPR, it has stopped exporting to the said Participant.</p> <p>Application for company registration is more tedious for foreign owned than domestically owned companies. The registered paid-up capital is also higher for foreign than local enterprises. For instance, a wholly owned domestic training company is required to deposit only US\$3,600 in a bank account to set up a company. A foreign joint venture or wholly owned training company must have US\$120,000 in a bank account before a company licence is granted.</p>				

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 provision 6	Treatment of the barrier 7
	Opening of Letters of Credit Through Third Party	Domestic companies authorised to issue letters of credit (LC) require foreign suppliers to submit details of business contracts made between the importers comprising nationals of this Participant and Malaysian exporters before issuing the LCs in US dollars. The practice of issuing LC only through authorised companies and compelling suppliers to reveal information about business deals to third party is against fair business ethics.				
	Goods	Difficulties in determining standards applicable to goods due to the non-standardised customs as well as inconsistent evaluation by the local State Administration for Commodity Inspection housed at different ports of entry. In the case of goods for which this Participant has not yet set its own standards, the standards of the country of origin are usually applied. This practice has caused confusion among officials and delays in cargo clearance at various ports of this Participant since different standards are applied to a particular product.				

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 provision 6	Treatment of the barrier 7
		More rigorous safety and inspection procedures applied to Malaysian products, compared with similar domestically produced products. At times, the specific agency assigned to conduct inspection is unclear. As a result, cargo clearance at the port of entry is delayed until the customs officers resolve the issue and subject exporters to additional tax charges.				
	Palm Oil	Different VAT rates are imposed on RBD palm oil and processed palm kernel oil as compared to soyabean oil and coconut oil; VAT rates : RBD palm oil :17 per cent Processed palm kernel oil:17 per cent Crude and processed soybean oil:13 per cent Processed Cocoa products:8.3% - 16.6%				Eliminate this discriminatory treatment between different oils at the same level of processing.
Participant F	Ceramic tiles	Requires pre-shipment inspection (PSI) Certain types of ceramic tiles are still classified as an import restricted item.				
	Plastic Feeding Bottles	Export of Plastic Feeding Bottles is subject to a mandatory product certification scheme and high testing fees. The feeding bottles exported by the same company to the US, Europe, Japan, West Asia and other countries do not face such a requirement	Complex procedures and exorbitant cost has made it impossible to market this product.			

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 provision 6	Treatment of the barrier 7
		<p>The cost involved in obtaining a certificate is exorbitant.</p> <p>Licence is renewed subject to periodic inspections, factory visit and independent testing of samples. Applicants have to pay the cost of testing and visits for 2 officials i.e airfare, local transports, accommodation and visa charges.</p>				
Several participants from one region	All Products	<p>Trade documents for exports to a group of Participants/WTO applicants are subject to endorsement by their respective embassies. These documents are required to be certified by the local chambers of commerce and the Malaysian Ministry of Foreign Affairs before being endorsed by the embassies of these Participants. These procedures cause unnecessary delays to Malaysian exporters outside of Kuala Lumpur.</p> <p>The endorsement fees charged are high and vary with different embassies.</p>				
	Pharmaceutical Products	Strict registration requirements for the import of pharmaceutical products. Exports of Malaysian pharmaceutical products to this region have to undergo various technical studies, such as stability study, bio-equivalent study and validation process.				

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 provision 6	Treatment of the barrier 7
		<p>As pharmaceutical products are highly regulated, in terms of quality, safety and effectiveness, each of these Participants or WTO applicants has its own regulations and regulatory control system.</p> <p>One Participant from this region requires all pharmaceuticals and medicinal products to have a Certificate of Free Sale, issued by the Department of Health.</p>				

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 provision 6	Treatment of the barrier 7
		<p>Malaysian pharmaceutical manufacturers are required to adhere to Good Manufacturing Practices (GMP), certified by international bodies, such as the US Food and Drug Administration, Australia Therapeutic Goods Administration and UK Medicines Control Agency, and product certification by the developed countries to be able to export to this region. Malaysian produced drugs, registered and licensed by the Drug Control Authority of the Ministry of Health, Malaysia, are not recognised. These requirements, together with the non-standardised conditions, in terms of quality, safety regulations and technical specifications, place Malaysian pharmaceutical manufacturers, particularly manufacturers of generic drugs, at a disadvantage.</p>				

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 provision 6	Treatment of the barrier 7
Participant G	All products	<p>Foreign companies are required to enter into an agreement with a local agent, which gives the right to the latter to monopolise the distribution of the products and services of the principal in the agency territory, which could be either all of the Participant's territory or parts of it. Only one agency agreement is allowed for the same product and service. The termination of an agency agreement is cumbersome and difficult, as only the Commercial Agencies Committee, under the Ministry of Economy and Commerce is authorised to terminate the agreement.</p> <p>Foreign companies are not allowed to enter into new agency agreements with other agents for the same products or services unless the previous agreement has been terminated with the approval of the Commercial Agencies Registrar of the Minister of Economy and Commerce.</p>				
	All products	The purchasing practices of the Federal and sub-Federal Governments often restricts foreign exporters. Local manufacturers are given priority.				

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 provision 6	Treatment of the barrier 7
	All products	<p>Foreign companies who wish to undertake business activities in this Participant must either:</p> <ul style="list-style-type: none"> - Establish a joint venture with its nationals - Appoint commercial agents, or - Set up branch offices. - Except for companies in the free zones, at least 51% of a business establishment must be owned by its nationals. - A business engaged in importing and distributing a product must be either a 100% locally-owned agency / distributorship or a 51% locally-owned – 49% (foreign) limited liability company (LLC). - Foreign nationals are also not allowed to own land and property. 				
	Pressure vessels & boilers	Chamber of Commerce & industry license and Municipality license.				

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 provision 6	Treatment of the barrier 7
	Parts, equipment and machinery	Law requires a local sponsor to conduct business and generally the sponsor is the agent, representative or distributor of the foreign company. Contractors of civilian projects are not allowed to import directly and must purchase the required parts, equipment and machinery from local agents.				
Participant H	Certain specified products	Regulated products exported to this Participant must be pre-inspected by agents from this Participant, Intertek , a Singapore-based company, for the issuance of Certificates of Conformity (CoC), to comply with domestic ruling. The process to obtain the CoC is time consuming and costly as the agent for Malaysia is located in Singapore.				

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 provision 6	Treatment of the barrier 7
	All products	Commercial regulations restrict importing and direct commercial marketing within the territory of this Participant to its own nationals and its wholly-owned companies. Foreign exporters must appoint agents to represent them in the territory of this Participant. In case of any dispute, termination of an agency agreement will be difficult and time consuming. Many companies handle numerous product lines, making it difficult to promote all products effectively.				
Participant I	Customs Clearance Procedures	SGS duplicates the functions of the customs authorities and complicates the clearance process. Both agencies do not communicate effectively and products remain at the port or airport for extended periods.				
	All Products	The government requires importers to obtain formal import authorization (Demande Descriptive d'Importation - DDI) from the Central Bank if the import value exceeds US\$ 5,000.				

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 provision 6	Treatment of the barrier 7
Participant J	Many products	<p>Under the Import and Export Control Act, 1963, the Minister of Trade and Industry may act in the national interest to prohibit, ration or otherwise regulate imports.</p> <p>The list of restricted goods requiring import permits has been reduced but still includes goods such as :</p> <ul style="list-style-type: none"> - fish and dairy products (health concern) - petroleum products (strategic concerns) - Montreal protocol chemicals (international obligations) - pneumatic tyres (quality specifications) - footwear (WTO quota) - firearms and ammunition (safety concerns) <p>In 1996 the government introduced an Industrial Participation Program (IPP) under which all government and parastatal purchases or lease contracts (goods, equipment and services) in excess of US\$ 10 million are subject to an Industrial Participation (IP) obligation.</p>				

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 provision 6	Treatment of the barrier 7
		<p>This obligation requires the seller/supplier to engage in commercial/industrial activity equaling or exceeding 30% of the imported content to total goods purchase under government tender. Exporters/suppliers have 7 years to discharge the obligation and non-performance will carry a 5% penalty on the outstanding IP obligation.</p>				
Participant K	Several products	<p>Maintenance of a "negative list" of prohibited items that require special permission to import. The list includes:</p> <ul style="list-style-type: none"> - precious and semiprecious gems - gold jewelry - carbonated beverages for resale - textiles and clothing for resale 				

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Participant L	Palm Oil	Custom Clearance Procedure – Extensive test of products at customs point and test result has to be sent to its capital to be endorsed by the head of its State Customs Committee Palm Oil (H.S Code :1511901900, solid fraction of palm oil, others) is one of the selected products.				
Participant M	Palm Oil	Dietary guidelines under the Australian Heart Foundation “Tick – a – Pick” Scheme.				
Participant N	Palm Oil	RBD Stearin is not considered edible. Blending of edible oils are not allowed				
	Stationary	All imports into the territory of this Participant has to certified by Inspectorate, a company appointed by the government. No amendment is accepted once the inspection certificate was issued, even though the content was wrong.				
Participant O	Toiletries	Requires certificate of free sales, certificate of analysis and certificate of composition.				
	Ceramic Tiles	Requires pre-shipment inspection (PSI).				

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 provision 6	Treatment of the barrier 7
Participant P	Toiletries	Requires certificate of free sales, certificate of analysis and certificate of composition. Requires product certificate issued by Ministry of Health. Permission form issued by the Director of Petroleum Resources.				
Participant Q	Palm oil milling machinery and spare parts	Goods need to be inspected by SGS: - price interference - indifferent attitude and lack of manpower to handle the inspection - insufficient time allocation to complete the inspection to meet shipment deadline.				
Participant R	Palm oil milling machinery and spare parts	Goods need to be inspected by SGS: - price interference - indifferent attitude and lack of manpower to handle the inspection insufficient time allocation to complete the inspection to meet shipment deadline.				
Participant S	Ceramic tiles	Due to the high inflation rate, the local government requires all LCs to be based on a minimum of 360 days.				
Participant T	Fluorescents lamps	Massive documentation and high cost of endorsement fee. Certificate of origin needs to be certified by their consulate in Kuala Lumpur and cost RM400 to RM600.				

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Participant U	Pressure vessels & boilers	AD-Merklatter HP-O Certification.				
Participant V	All products	Legal enactments are not clear with many grey areas. This often resulted in differing interpretation among departments and officials. Agreements signed are sometimes not honored, recognised and enforceable.				
Participant W	Service Charge for Export Receipts	Businessmen have to bear with a 20% across-the-board government service charge for all export receipts, which are collected by the banks. As a result, the business community prefers to do barter trade to avoid this service charge.				
Participant X	Waterworks equipment e.g. meters, stopcocks and brass fittings	Shipping Regulation When trading using Letter of Credit (LC), some local banks or customers specify that goods to be delivered to this Participant must be by using its own flagged vessel. Failing which a waiver has to be obtained from the Consular Office of the Participant in Kuala Lumpur. In most cases, there are no flagged vessels of the Participant available in Malaysia.				
	Tyres	Limited testing facilities				
Participant Y	Food and Cosmetic Products	Exporters of food products need FDA permit. The process takes time. FDA approval is required even for exhibition.				

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	All products	Regulations to a large extent are in the local language of this Participant and this requires engaging local consulting companies for translation.				
	Compliance to Industrial Standards	Mandatory testing for electrical items and iron and steel products. Currently, there are two types of standards i.e. compulsory standards and voluntary standards, which covers over 1,000 items.				
		<p>These Compulsory Standards cover 73 products i.e. 1 agricultural product, 18 civil and construction materials, 12 consumer products, 15 electrical and engineering items, 3 fluid and engineering items, 1 food item, 1 heat transfer engineering product, 4 medical items, 3 paints, colors and varnishes, 13 vehicles products and 1 chemical product.</p> <p>Importation of these products requires import permits.</p> <p>Complicated process and time taken (40 days excluding testing time) is deliberately imposed to discourage imports. All applications must be in the local language which adds to cost for translation.</p> <p>In addition to standards, FDA permits for food, pharmaceutical and cosmetics makes it difficult for exporters.</p>				

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 provision 6	Treatment of the barrier 7
	Brochures and Printed Materials	Printed materials brought into the territory of this Participant for free distribution are subject to import duty of 20% by weight.				
Participant Z	Dual Pricing System	A dual pricing system exists where prices are much higher for foreigners than for locals: Domestic Air fares Utilities (electricity and water) Telecommunication charges Entrance fee to public places Advertising Rates.				