

**Negotiating Group on Market Access**

**NON -TARIFF BARRIER NOTIFICATIONS**

Participants will recall that at the meeting of the Negotiating Group in July, it was agreed that participants would submit new notifications of non-tariff barriers (NTBs) in order improve or supplement the information that had already been submitted in the earlier notification exercise.<sup>1</sup> Furthermore, in order to improve the responses and analysis, it was agreed that the Secretariat would send out the format for such notifications, including a new inventory categorisation.

A fax was sent to all delegations on 8 September 2003 which included the format and inventory categories for the notifications, as well as a reminder to submit the information by 31 October 2003.<sup>2</sup>

Please find attached the notifications which have been received thus far pursuant to this exercise.

<b>I.</b>	<b>BULGARIA</b> .....	<b>2</b>
<b>II.</b>	<b>CROATIA</b> .....	<b>4</b>
<b>III.</b>	<b>EGYPT</b> .....	<b>7</b>
<b>IV.</b>	<b>MEXICO</b> .....	<b>16</b>

---

<sup>1</sup> Information from the initial submissions on NTBs are contained in documents TN/MA/W/25, TN/MA/W/25/Add.1, and TN/MA/W/25/Add.2.

<sup>2</sup> The information on the format and inventory categories is also contained in TN/MA/S/5/Rev.1.

**I. BULGARIA**

Maintaining Participant <b>1</b>	Products affected by the barrier <b>2</b>	Nature of the barrier <b>3</b>	Trade Effects of the barrier <b>4</b>	Inventory category <b>5</b>	Relevant WTO provision <b>6</b>	Treatment of the barrier <b>7</b>
	Generic	Existence of multiple, high value taxes related to Border Check Point (BCP) passing	Raises the cost of transports and goods, creates preconditions for corruption and incorrect treatment of transport operators	Part I D – Restrictive practices tolerated by governments	Art.VIII, paragraph 1 of GATT 1994	
	Generic	Complicated procedure and groundlessly high criteria for granting a visa for long-term business activity stay while eliminating the same conditions for certain countries	Creating significant difficulties and in some cases interdictions for Bulgarian export operators	Part I D – Restrictive practices tolerated by governments	Art.VIII, paragraph 1(c) of GATT 1994	
	Generic	Recently introduced additional requirements regarding the supporting documents for automatic licenses issue for imported products	Delay or frustration of imports	Part II H – Import licensing		
	Fish products	Issue of a general license for imports of Black sea fish products originating in Bulgaria is subject to a list of products drawn up by approved companies. Unclear legal grounds, list of products not available to exporters	Imports originating in Bulgaria are hampered due to the refusal of the competent sanitary authority to issue licenses	Part II H – Import licensing	Art.VIII, paragraph 1(c) of GATT 1994  Article 1.3 of the Agreement on Import Licensing procedures	
	Medicines	Complicated certification procedures	Hampering the imports / exports of medicines	Part V. L. Other Specific Limitations	Art.VIII, paragraph 1(c) of GATT 1994	

<b>Maintaining Participant</b>	<b>Products affected by the barrier</b>	<b>Nature of the barrier</b>	<b>Trade Effects of the barrier</b>	<b>Inventory category</b>	<b>Relevant WTO provision</b>	<b>Treatment of the barrier</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
	Medicines	Additional fees and charges for customs clearance documents. Prolonged check-control procedures and demurrage at the border, even in the case of availability of all necessary certificates: 5-6 days	Hampering the imports / exports of medicines	Part II. D. Customs Formalities and Documents	Art.VIII, paragraph 1 of GATT 1994	
	Medicines	High storage taxes in the areas under customs control	Hampering the imports / exports of medicines: High storage taxes raise unreasonably the cost of imported products	Part V. L. Other Specific Limitations	Art.VIII, paragraph 1 of GATT 1994	
	Medicines	Complicated procedure of obtaining approval from the competent authorities for sales activities in a Member country	Hampering the imports / exports of medicines	Part V. L. Other Specific Limitations	Art.VIII, paragraph 1(c) of GATT 1994	

**II. CROATIA**

Maintaining Participant <b>1</b>	Products affected by the barrier <b>2</b>	Nature of the barrier <b>3</b>	Trade Effects of the barrier <b>4</b>	Inventory category <b>5</b>	Relevant WTO provision <b>6</b>	Treatment of the barrier <b>7</b>
	<p>3102 10 Urea, whether or not in aqueous solution</p> <p>3102 10 10 Urea containing more than 45% by weight of nitrogen on the dry anhydrous product</p> <p>3102 10 90 Others</p> <p>3105 10 Mineral or chemical fertilisers containing two or three of the fertilising elements nitrogen, phosphorus and potassium</p> <p>3105 20 10 with a nitrogen content exceeding 10% by weight on the dry anhydrous product</p> <p>3105 20 90 Others</p>	<p>Anti – Dumping (AD) measures</p> <p>Different requirements of Rules of origin at the similar or very comparative markets.</p> <p>Different technical requirements for the quality of fertilizers at the similar or very comparative markets.</p>	<p>Total or partial loss of market share with very weak chances for recovery.</p> <p>AD measures or additional duties imposed on goods without preferential origin to the producers or exporters.</p> <p>Erosion of competitiveness of Croatian fertilizers comparing to fertilizers from other sources that receive subsidies from governments through lower energy prices.</p>	<p>II A Anti-dumping duties</p> <p>II F Rules of origin</p> <p>III B Technical regulations and standards</p>	<p>Agreement on Implementation of Article VI of the GATT 1994</p> <p>Agreement on Rules of Origin</p> <p>Agreement on Technical Barriers to Trade</p>	

Maintaining Participant <b>1</b>	Products affected by the barrier <b>2</b>	Nature of the barrier <b>3</b>	Trade Effects of the barrier <b>4</b>	Inventory category <b>5</b>	Relevant WTO provision <b>6</b>	Treatment of the barrier <b>7</b>
	<p>85173000 Telephonic switching apparatus</p> <p>85179082 Electronic assemblies of telephonic switching apparatus</p> <p>85179088 Electronic assemblies of telephonic switching apparatus - Mechanical parts</p> <p>85252091 For cellular networks (mobile telephones),</p> <p>85299040 Parts of apparatus</p> <p>85291015 Aerials 85444920 Cables (not exceeding 80V)</p> <p>85445920 Cables (exceeding 80V)</p> <p>85442000 Coaxial cable</p> <p>85444110 Cables fitted with connectors (not exceeding 80V)</p> <p>85445110 Cables fitted with connectors (exceeding 80V)</p>	<p>Discriminatory requirements for the origin of goods</p> <p>Excessive requirements for the suitability of equipment</p> <p>Onerous safety requirements</p> <p>Onerous and excessive Quality and quantity control requirements</p> <p>Requirements for entering the goods in the country in the Convoy (for the shipments exceeding the value of 150 000USD)</p>	<p>Import bans imposed due to the origin of certain components of goods.</p> <p>Delay in trade, increase in costs</p> <p>Unnecessary increase in costs that impede exports</p> <p>Delay in trade</p> <p>Excessive costs and unnecessary prolongation of delivery.</p>	<p>II F Rules of origin</p> <p>II G Customs formalities</p> <p>III B Technical regulations and standards</p> <p>III C Testing and certification arrangement</p> <p>IV F Discriminatory sourcing</p>	<p>Agreement on Rules of Origin</p> <p>Agreement on Technical Barriers to Trade</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
	85249910 Diskettes with software  85243910 Compact Disks with software  85171990 Telephone sets  85072039 Lead-acid accumulators  85044020 Static converters  85049099 Parts (electronic assemblies)  84158280 Air-conditioning machines  49119900 Other printed matter  84714990 PC  84716050 Keyboards  84716040 Printers  84733090 Parts and accessories of automatic data processing machines  85447000 Optical cables					

### III. EGYPT

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
Part(II): Customs and Administrative Entry Procedures - (B) Customs Valuation						
	Several Products	Suspecting the value of the goods listed in the invoices attached to the imports. Many exporters complain of overestimating the value of these invoices consequently raising the value of custom duties.		Part II B	Agreement on Implementation of Article VII of the General agreement on Tariffs and Trade 1994.	
	Several Products	High cost of accreditation of commercial invoices.  Not accrediting the commercial invoices of Egyptian exports. In addition to over estimating the arbitrary prices for customs purposes.		Part II B	Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade 1994	
Part(II) : Customs and administrative Entry Procedures - (G) Customs Formalities:						
	Several Products	Exaggeration in imposing the custom levies and charges for services obtained at ports and airports which are considered a burden on the exported products.		Part II G	Article VIII of GATT 1994 Fees and formalities connected with importation or exportation.	
Part II : Customs and Administrative Entry Procedures – (H) Import Licensing						
	Mineral Products	Exports of Mineral products are subject to quantitative restrictions and import licensing procedures.		Part II H	Agreement on Import licensing.	

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
	Raw and processed marble (included in item 25.15) and marble and processed granite (included in item 25.16)	<p>Requiring the acquisition of an import license before importing the mentioned items, which constitutes a barrier facing Egyptian exports.</p> <p>It should also be noted that imports of those products are sometimes not allowed by certain governments.</p>		Part II H	Agreement on Import licensing.	
	Leather Products	Leather products are subject to excessive import Licensing procedures				
	Textile products	<p>Restrictive governmental measures on imports of textile products:</p> <ul style="list-style-type: none"> <li>- Imports of such products are restricted to the national factories working in the field of textiles and clothing , to manufacture the textile products and re-export them .</li> </ul>		Part II H		



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
		<ul style="list-style-type: none"> <li>- Factories importing such products are required get the approval of the relevant authorities to determine the imported quantity and the time schedule to re-export such imports after manufacture.</li> <li>- Such factories should report their imports on monthly basis to avoid getting their import licenses cancelled.</li> </ul> <p>These complicated and exhaustive procedures represent a barrier in front exports of textiles.</p>				
	Manufactured goods	<ul style="list-style-type: none"> <li>- Governments, under pressure of their local industry interest groups, have applied strict measures on the provision of import licensing .</li> </ul> <p>Following is an example of such strict measures:</p> <p>Classifying importers into low and high risk importers and accordingly customs officials have the right to prevent some importers from importing.</p>		Part II H	Agreement on Import Licensing procedures.	

Maintaining Participant <b>1</b>	Products affected by the barrier <b>2</b>	Nature of the barrier <b>3</b>	Trade Effects of the barrier <b>4</b>	Inventory category <b>5</b>	Relevant WTO provision <b>6</b>	Treatment of the barrier <b>7</b>
Part(III): Technical Barriers to Trade – (B) Technical regulations and standards						
	Several Products	Requiring Specific standards concerning the level of radiation in the imported commodities .		Part III B	Agreement on Technical Barriers to Trade	
	Furniture	Imports of wood furniture are required to be manufactured of wood accompanied by a certified wood certificate		Part III B	Agreement on Technical Barriers to Trade	
	Industrial products	Imposing environmental standards and measures in order to authorize a country to export to the relevant member industrial products with the pretext of ensuring environmental protection and avoid industrial pollution.		Part III B	Agreement on Technical Barriers to Trade	
Part(III): Technical Barriers to Trade – (C) Testing and certification arrangements						
	Building materials (Cement tariff item 25 23 00) Ceramic (tariff items: 69 07 00, 69 08 00, Air conditioners	Using conformity Assessment procedures as a barrier to trade through: Applying exhaustive pre-inspection measures at the national laboratories consuming large amounts of time and money.		Part III C	Agreement on Technical Barriers to Trade	

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
	Industrial and Engineering goods	<p>Using conformity Assessment procedures as a barrier to trade by imposing the following:</p> <ul style="list-style-type: none"> <li>- Applying exhaustive pre-inspection measures at national laboratories, consuming large amounts of time and money.</li> <li>- Providing Quality certificates such as ETSI, CENELEC, IEC, CEN, ISO that are valid for one year and renewable on yearly basis only.</li> <li>- Examining the Production Process in the country of origin by experts of the importing country, having the manufacturer (exporter) pay for travelling expenses and accommodation of experts.</li> </ul>		Part III C	Agreement on Technical Barriers to Trade	

Maintaining Participant <b>1</b>	Products affected by the barrier <b>2</b>	Nature of the barrier <b>3</b>	Trade Effects of the barrier <b>4</b>	Inventory category <b>5</b>	Relevant WTO provision <b>6</b>	Treatment of the barrier <b>7</b>
Part(IV) Sanitary and Phytosanitary Measures – (B) SPS measures including chemical residue limits, disease freedom, specified product treatment, etc.						
	Textile and Leather goods	Imposing restrictions on the marketing and use of certain substances and preparations (azocolourants as an example)		Part III B	Agreement on Technical Barriers to Trade & Agreement on Application Sanitary and Phyto-sanitary measures.	
	Several Products	Requiring Specific standards concerning the level of radiation in the imported commodities .		Part III B	Agreement on Technical Barriers to Trade.	
Part V Specific Limitations: (A): Quantitative Restrictions						
	Goods used for strategic purposes including chemicals, viruses, and parachutes	Controlling imports of the stated products for strategic purposes.		Part V A	Agreement on Import Licensing Procedures	
	Several Products	Prohibiting imports of some goods for environmental purposes.		Part V A		
	Several Products	Applying restrictions on a list of goods with the pretext that they are “sensitive goods”., Some lists include a no. of 300 goods monitored by the relevant authority .		Part V A	Agreement on implementation of article VI of GATT 1994	

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
Part(V): Specific Limitations - (D) Exchange Control						
	Capital goods, such as washing machines, air, conditioners, computers, telecommunications.  Consumption goods (carpets).  Luxury Products, such as cigarettes, cosmetics, jewellery	Imposing regulations on the terms of payments for all import transactions that suppose the use of foreign currency according to a specific classification of imported goods.		Part V D		
	Leather products	Exports of leather products are obstructed by exchange control measures.		Part V D		
	Mineral products	Financial Constraints and exchange control measures		Part V D		
Part(V) Specific Limitations – (K) Requirements Concerning marking, Labelling and Packaging:						
Fish and Fish products		Labelling restrictions requiring attaching a card to the product containing the following detailed information:  - The production method - The area from which this fishes where fished		Part V K	Agreement on Technical Barriers to Trade  Agreement on Sanitary and Phytosanitary measures	

Maintaining Participant <b>1</b>	Products affected by the barrier <b>2</b>	Nature of the barrier <b>3</b>	Trade Effects of the barrier <b>4</b>	Inventory category <b>5</b>	Relevant WTO provision <b>6</b>	Treatment of the barrier <b>7</b>
		<p>- The commercial name of the fishes not only its scientific name.</p> <p>It should be noted that such requirements need developed technological system that developing countries cannot afford.</p>				
	Several Products	Applying strict sanitary and control measures within the framework of Environmental protection regulations and measures. Such regulations have resulted in increased packaging, marking and labelling specifications.		Part V K	<p>Agreement on Technical Barriers to Trade.</p> <p>Agreement on the application of Sanitary and Phytosanitary measures</p>	
	Several Products	Applying special requirements concerning regulations and standards including packaging, marketing and labelling requirements.		Part V K	Agreement on Technical; Barriers to Trade	

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
	Leather Products, Mineral products	Egyptian exports of leather products and mineral products face excessive marking, labelling and packaging requirements		Part V K	Agreement on Technical Barriers to Trade  Agreement on application of sanitary and Phytosanitary measures	
Part(V): Specific Limitations – (L) Others						
	Several products including Ceramic products, Marble, Glass, Furniture, automobiles	Imports of some “sensitive goods” are limited to a limited no. of ports (sometimes 11 ports from a total of 215 ports).  Limiting imports to these ports cause many problems to the importer .		Part V L		

IV. MEXICO

Maintaining Participant <b>1</b>	Products affected by the barrier <b>2</b>	Nature of the barrier <b>3</b>	Trade Effects of the barrier <b>4</b>	Inventory category <b>5</b>	Relevant WTO provision <b>6</b>	Treatment of the barrier <b>7</b>
	Textiles and clothing	One Member imposes a significant number of variable taxes only on imports, thereby affecting access to textile and clothing products.	These taxes create uncertainty.	Part V B	GATT Art. VIII	
	Horizontal	One Member maintains an import monitoring mechanism, similar to an import licensing system, which affects textile imports and other imported goods. The same Member has a preshipment inspection system.	Additional costs and delayed imports.	Part IV A Part II G	Agreement on Import Licensing Procedures	
	Horizontal	One Member provides export incentives which are applied in a non-transparent manner.		Part I A	Agreement on Subsidies and Countervailing Measures	
	Textiles	One Member maintains a loan programme for the development of export markets.	These loans reimburse up to 50 % of certain costs.	Part I A	Agreement on Subsidies and Countervailing Measures	



<b>Maintaining Participant</b>	<b>Products affected by the barrier</b>	<b>Nature of the barrier</b>	<b>Trade Effects of the barrier</b>	<b>Inventory category</b>	<b>Relevant WTO provision</b>	<b>Treatment of the barrier</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
	Horizontal	One Member maintains a trade documentation system for granting import licences. To access the system, companies must be registered with the country's government, which requires that they comply with a series of conditions, such as minimum capital requirements and payments for each request.	This mechanism is the only way of determining whether a product is subject to an automatic or non-automatic licence. Some products, such as woollen fabrics, are subject to import licensing.	Part IV A	Agreement on Import Licensing Procedures	
	Horizontal	One Member applies reference prices and carries out preshipment inspection.		Part II	Agreement on Customs Valuation Agreement on Preshipment Inspection	
	Horizontal	One Member uses tariff, tax and financial incentives to encourage the production and use of domestic inputs for export products.		Part I A	Agreement on Subsidies and Countervailing Measures GATT Art. VIII	
	Horizontal	One Member imposes import duties, which include, inter alia, storage, cargo and maritime transport taxes.		Part V B	GATT Art. VIII	
	Textiles and clothing	One Member has labelling requirements for textile and clothing products so as to verify, through laboratory tests, whether dry-cleaning is really necessary.		Part IV K	Agreement on Technical Barriers to Trade	

<b>Maintaining Participant</b>	<b>Products affected by the barrier</b>	<b>Nature of the barrier</b>	<b>Trade Effects of the barrier</b>	<b>Inventory category</b>	<b>Relevant WTO provision</b>	<b>Treatment of the barrier</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
	Horizontal	One Member applies tax and tariff incentives for imports of machinery and inputs to be used in the production of export goods.		Part I A	Agreement on Subsidies and Countervailing Measures	
	Horizontal	Application of minimum prices.		Part II	Agreement on Customs Valuation	
	Horizontal	One Member provides export credit incentives (loans to exporting companies).		Part I A	Agreement on Subsidies and Countervailing Measures	
	Textiles and clothing	One Member imposes import quotas on textile and clothing products through a visa system. The visas are issued through an import licensing mechanism and are not granted to foreign marketing companies, only to domestic producers and exporters of like products. Importing is allowed with a 70 per cent re-export clause.		Part II G Part IV A	GATT Art. III GATT Art. XI Agreement on Import Licensing Procedures	
	Horizontal	One Member allows customs officers to exercise excessive discretion when classifying goods.		Part II B, G	Agreement on Customs Valuation	
	Horizontal	Use of minimum and reference prices, rather than transaction prices, for customs valuation purposes.		Part II B	Agreement on Customs Valuation	

<b>Maintaining Participant</b>	<b>Products affected by the barrier</b>	<b>Nature of the barrier</b>	<b>Trade Effects of the barrier</b>	<b>Inventory category</b>	<b>Relevant WTO provision</b>	<b>Treatment of the barrier</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
	Horizontal	One Member uses tax refunds and applies production and export subsidies.		Part I A	GATT Art. VIII Agreement on Subsidies and Countervailing Measures	
	Textiles	Export restrictions on textile raw materials (cotton).	Lowers the price of textile inputs.	Part IV G	GATT Art. XI	
	Horizontal	One Member maintains distribution channels for textile products which are monitored by State agencies and dominated by State companies.		Part I E	GATT Art. XVII	
	Horizontal	One Member, in addition to the normal tariff (generally 30 per cent), levies an additional special tax of 4 per cent on the import value (which already includes import tax).	For textile sector goods, the tariff actually paid increases by 35 to 55 per cent.	Part V B, E	GATT Art. VIII	
	Textiles and clothing	One Member maintains a ban on imports of textiles and clothing that contain certain dyes.	Testing requirements increase costs and delay the release of goods from customs.	Part III A	Agreement on Technical Barriers to Trade	
	Textiles and clothing	One Member has marking and labelling requirements for imported fabrics which are burdensome and complicated to implement. These requirements do not apply to fabrics of domestic origin.		Part IV K	Agreement on Technical Barriers to Trade	

<b>Maintaining Participant</b> <b>1</b>	<b>Products affected by the barrier</b> <b>2</b>	<b>Nature of the barrier</b> <b>3</b>	<b>Trade Effects of the barrier</b> <b>4</b>	<b>Inventory category</b> <b>5</b>	<b>Relevant WTO provision</b> <b>6</b>	<b>Treatment of the barrier</b> <b>7</b>
	Textiles and clothing	One Member grants exemptions on export profits, tariff incentives and preferential import licensing schemes, providing they meet export requirements.		Part I A Part IV A	Agreement on Subsidies and Countervailing Measures	
	Textiles and clothing	One Member repeatedly questions the classification of goods destined for testing laboratories and any subsequent reclassification under headings with higher tariffs, including headings with specific tariffs.		Part II C Part III C	Agreement on Customs Valuation	
	Horizontal	One Member rejects the declared value of products, and uses arbitrary values, on a discretionary basis, for the calculation of import tariffs (this calculation may be based on like products that are manufactured domestically).		Part II B	Agreement on Customs Valuation	
	Textiles and clothing	One Member places restrictions on imports of fabrics by producers and wholesalers. The provision stipulates that only companies equipped to reprocess the imported fabrics into value-added products are eligible to receive an import licence.		Part IV A	GATT Art. VIII	

<b>Maintaining Participant</b>	<b>Products affected by the barrier</b>	<b>Nature of the barrier</b>	<b>Trade Effects of the barrier</b>	<b>Inventory category</b>	<b>Relevant WTO provision</b>	<b>Treatment of the barrier</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
	Horizontal	One Member grants export subsidies of up to 80 per cent of the cost of the merchandise. For woollen fabrics, this subsidy is 9 per cent.		Part I A	Agreement on Subsidies and Countervailing Measures	
	Horizontal	One Member provides export credits up to a limit of 180 days with coverage of up to 85 per cent of credit insurance on capital.		Part I A	Agreement on Subsidies and Countervailing Measures	