

Annual Report

TBT Notifications

(1st January 2017 – 31st December 2017)

Annual Report

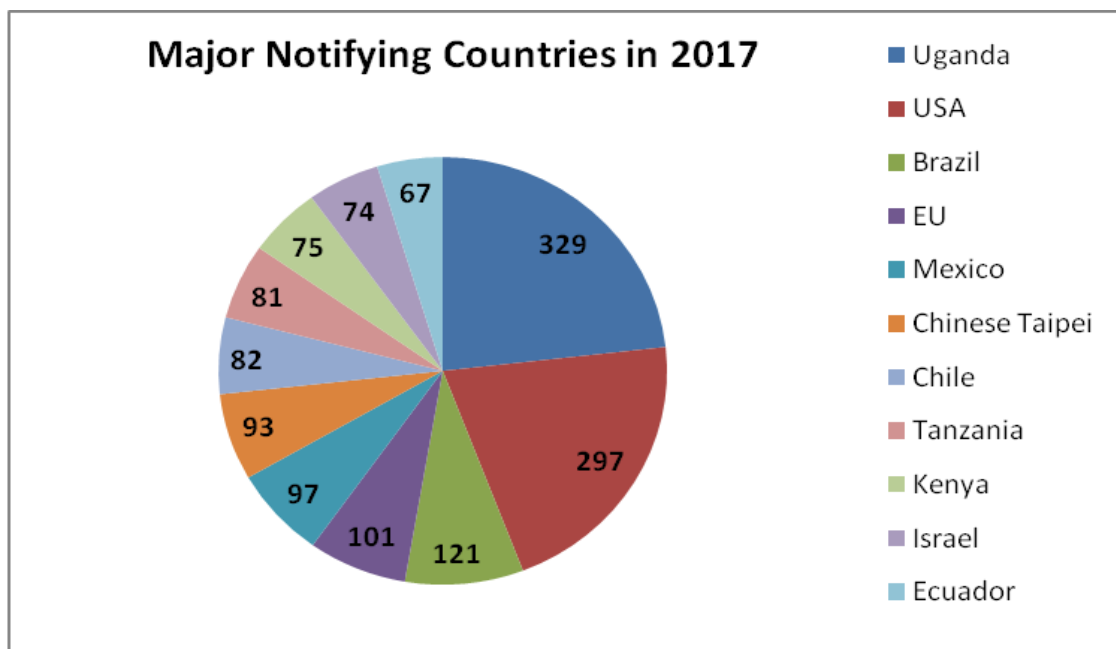
(1st January 2017- 31st December 2017)

Notification Details:

The total number of notifications issued by various WTO-member countries from 1st of January 2017 to 31st December 2017 was 2589. Out of these 2589 notifications, India issued 17 notifications, hence, a total of 2572 notifications were actually of relevance for India.

Total Notifications Issued by All Member Countries:

Country-wise Information: An analysis of the 2589 notifications shows that Uganda issued 329 notifications followed by USA, Brazil, EU, Mexico, Chinese Taipei, Chile, Tanzania, Kenya, Israel and Ecuador which issued 297, 121, 101, 97, 93, 82, 81, 75, 74 and 67 notifications, respectively. Together, these countries have issued more than 50 % of the total notifications issued during January 2017 to December 2017. Please refer below **Table-1** for details.

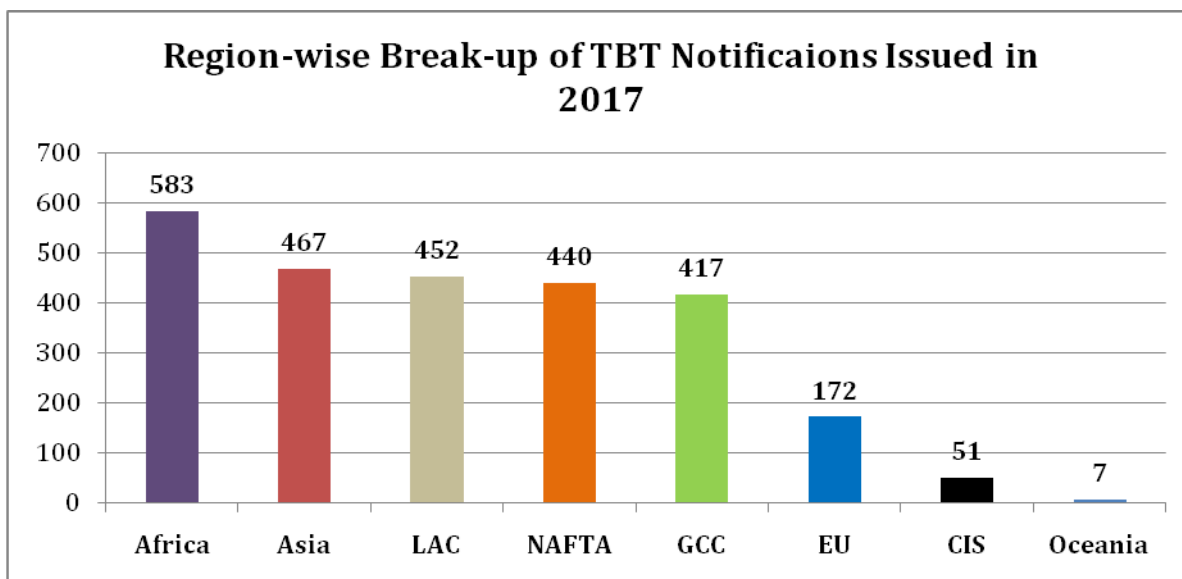


Notifications Relevant to India:

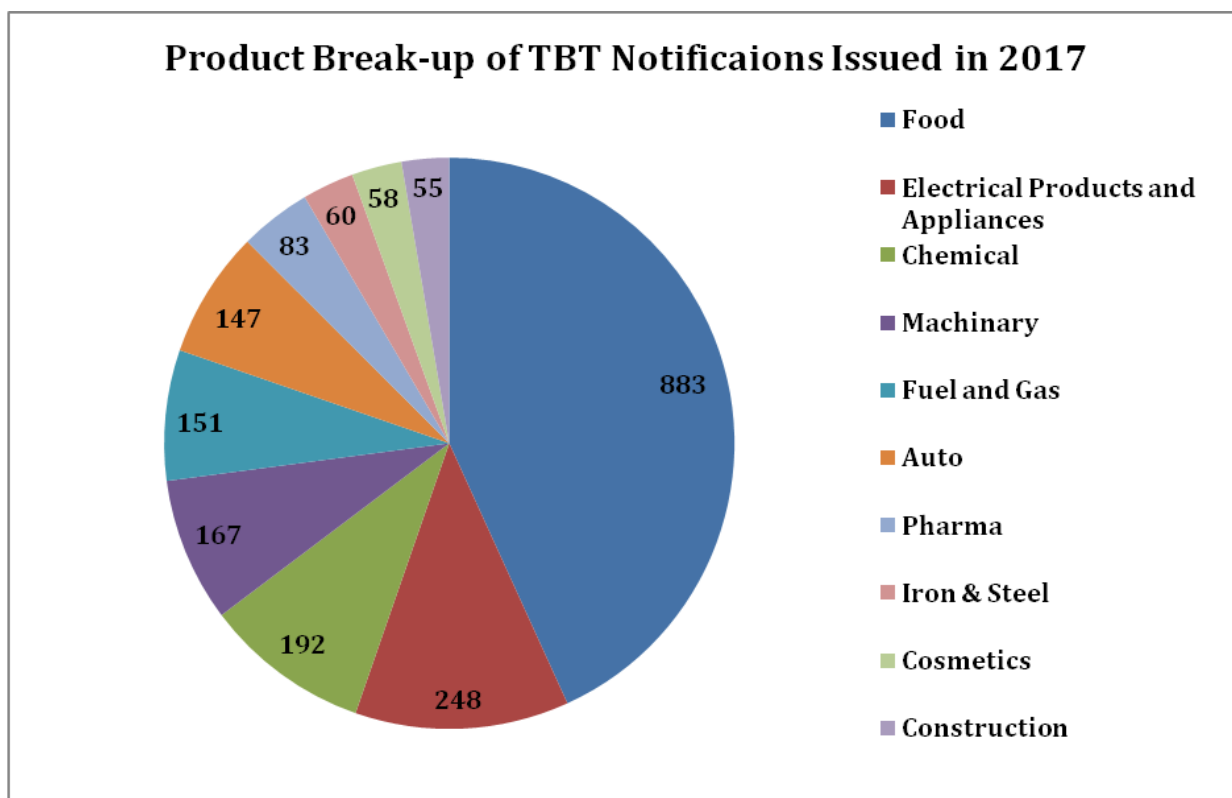
Country-wise Information: An analysis of the 2572 notifications, which were relevant to India shows that, Uganda issued nearly 13 percent of notifications followed by USA, Brazil, EU, Mexico, Chinese Taipei, Chile, Tanzania, Kenya and Israel. These top 10 countries constituted more than 50 percent of the total TBT notifications in 2017. Please find below

Table 2 and 3 for details.

Country	No. of TBT Notifications Share (%)
Uganda	13
USA	12
Brazil	5
EU	4
Mexico	4
Chinese Taipei	4
Chile	3
Tanzania	3
Kenya	3
Israel	3



Product-wise Information: Out of the 2572 notifications, which were relevant to India, 883 were on food products, 248 were on electrical appliances, 192 on chemicals, 167 on machinery, 151 on fuel & gas, 147 were on auto & auto components, 83 were on pharmaceuticals, 60 were on iron & steel products, 58 were on cosmetics products, 55 on construction products. Product-wise, there were nearly 35 per cent of notifications related to food products, followed by electrical products and appliances, chemical, machinery, fuel and gas, auto & auto components, pharmaceutical products, iron & steel, cosmetics and construction products. These top 10 products constituted nearly 80 percent of the total TBT notifications in 2017. Please refer below **Table-4** for details.



Reporting of TBT Notifications:

- **Quarterly Reports** – Quarterly reports were submitted to APEDA
 - 1st Quarter: January'17 to March'17
 - 2nd Quarter: April'17 to June'17
 - 3rd Quarter: July'17 to September'17
 - 4th Quarter: October'17 to December'17

- **Monthly Reports** – Monthly reports were submitted to APEDA
 - January'17
 - February'17
 - March'17
 - April'17
 - May'17
 - June'17
 - July'17
 - August'17
 - September'17
 - October' 17
 - November' 17
 - December' 17

Draft Responses:

There are 94 notifications where draft responses were sent to Export Inspection Council (EIC), Government of India so that specific TBT issues may be raised with the concerned member countries. Please refer **Table-5** for details of these 94 TBT notifications where draft responses were suggested by ASL.

Table 5: Details of Draft Responses Suggested by ASL

Sl. No:	Notification No:	Country	Product	India's Comment
1	G/TBT/N/EU/420	EU	"Good Clinical Practice" inspections procedures	<p>This TBT notification proposed detailed arrangements for the Good Clinical Practice inspection procedures.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • Article 3.1 of the proposal empowers EU member countries to establish and design separate and individual quality system for inspection procedures to ensure good clinical practice. In this context, India requested the European Commission to clarify whether the member states of EU will follow a common harmonized quality system for conducting inspection procedures or would member states of EU be free to develop their own criteria for developing quality systems for inspection procedures. • India stated that if there is no harmonized quality system in place across the EU then it may impact market access for India as it may have to meet separate systems for exporting to different member states of the EU. • Article 4.1. of the proposal talks about the educational qualification of inspectors. However, the term "other fields relevant to the principles of good clinical practice" may create ambiguities, as this may result in difference of opinion among member states of EU while recruiting inspectors to ensure good clinical practice. Since the same inspectors would be deployed to inspect foreign entities exporting

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>to the EU. India requested the EU authorities to reconsider the term “or other fields relevant to the principles of good clinical practice” as this does not provide the expected transparency to exporting nations on the exact qualification of the inspectors who may be authorized to inspect units in exporting countries like India.</p> <ul style="list-style-type: none"> As per Article 13 of the proposal, EU Member States shall keep for at least 25 years relevant records of national inspections as well as of the inspections performed outside their territory. India requested the EU authorities to clarify whether this clause is obligatory for third countries as well, like India. If the clause is mandatory for entities exporting to EU as well then India stated that the 25 years criteria seems to long and will add unnecessary burden on exporting entities.

Sl. No:	Notification No:	Country	Product	India's Comment
2	G/TBT/N/EU/422	EU	Approval of the active substance - Oxyfluorfen	<p>The TBT notification indicated that the European Commission (EC) has proposed an Implementing Regulation in order to amend the conditions of approval of the active substance - oxyfluorfen. This proposal mentions that the existing authorisations for this substance - oxyfluorfen would either be amended or withdrawn from the market.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • This substance is registered in India and the maximum residue levels are fixed for use in various products. Hence, India is of the view that any changes to the approval status of this active substance - oxyfluorfen may impact the trade on plant products. • The EU member states have been given a provision either to amend the conditions of use or to withdraw the authorisation. For instance: an EU member state may choose to amend the usage whereas the other EU member state(s) may decide to withdraw the approval of this chemical substance. In this context, India pointed out that this proposal may hinder exports from India to EU member states. Further, in such case, exports from India to EU member state, which may be routed through other EU member states, may also get affected. Given the above context, India sought clarifications whether there are any guidelines to be followed by the EU member states.

Sl. No:	Notification No:	Country	Product	India's Comment
3	G/TBT/N/TPKM/240/Add.1	Taiwan	Labeling requirements of coffee creamer	<ul style="list-style-type: none"> • The Bureau of Standards, Metrology and Inspection issued this notification announcing the 'Regulation Governing the Product Names and Labeling of Prepackaged Coffee Creamer (Nai-jing). • The regulation specifies the labelling requirements in case of prepackaged coffee creamer that are claimed as Nai -jing if it does not contain milk or less than 50% milk. <p>In reply, India mentioned that, instead of the using the declaration of 'Non-dairy' in Chinese language, it may be allowed in English language. Further, India requested the Taiwan authorities to permit the affix of such detail in the supplementary label in order to avoid barriers to trade.</p>
4	G/TBT/N/KEN/517	Kenya	Canned fruits	<p>As per the notification, the Kenya Bureau of Standards issued this draft standard concerning canned citrus fruits. It is applicable on products including canned pummelo, canned sweet orange and canned grapefruit.</p> <p>In reply, India mentioned that the regulation specified requirements, ingredients, weights and measures, microbiological and other contaminants, and labelling. India appreciates the adherence of levels of contaminants, maximum residue levels of pesticides, and other details in accordance with the limits established by the international standard-Codex Alimentarius Commission (CAC). However, India cited some editorial/referential errors in the draft and requested to consider the comments raised in the draft response.</p>

Sl. No:	Notification No:	Country	Product	India's Comment
5	G/TBT/N/ESP/35	Spain	Flours, meals and other products	<p>As per the notification, the Directorate – General for the Food Industry under the Ministry of Agriculture and Fisheries, Food and Environment notified the draft Royal Decree approving the quality standard for flour, meal and other grinding products of cereals. As per the notification, the scope of this draft Royal decree is applicable on multiple products like wheat flour, flour, integral flour, semolina flour, flour mix, processed flours, semolina, wholemeal semolina, groats and other milling products.</p> <p>In reply, India mentioned that ‘Mandatory Food Information’ provided under the point 2 (B) of Article 5 which states that “The words ‘Keep in a cool, dry and insulated soil’ shall appear on the label”. India found that the mandated information on storage condition for the all the above mentioned products may not achieve the purpose of providing such information in the label. It is due to the fact that storage conditions may vary for different products depending on their nature. Hence, India requested the Spain authorities to provide a clarification on whether the Point 2(B) of Article 5 is applicable on all milling products as mentioned above. However, in case of any differences in the required statement on food storage, India requested the Spain authorities to kindly provide the product wise information so that it will clarify on the requirements of labelling for these cereal based products.</p>

Sl. No:	Notification No:	Country	Product	India's Comment
6	EU Reply on India's comments on TBT Notification- G/TBT/N/EU/422	EU	Approval of the active substance – Oxyfluorfen	<p>The TBT notification indicated that the European Commission (EC) has proposed an Implementing Regulation in order to amend the conditions of approval of the active substance – oxyfluorfen. This proposal mentions that the existing authorisations for this substance – oxyfluorfen would either be amended or withdrawn from the market.</p> <p>The EU has agreed with India's concern of pesticides entering water bodies depends on the geographical landscape and farming practice of the country. However, the EU authorities have stated that their assessment of the level proposed by the applicant of the pesticide is identified to pose risk to aquatic organisms. Further, the EU authorities have mentioned that authorisation of the use of this pesticide- Oxyfluorfen is possible based on the demonstration of maximum rate of 150g oxyfluorfen per hectare per year. However, the EU finds necessary to impose restrictions. In addition, they have stated that it depends on the EU Member countries to restrict the use or withdraw based on usage in their territory.</p> <p>As far as the concerns on MRLs raised by India, the EU authorities have mentioned that this proposed action does not have affect on MRLs and hence, no impact on trade as long as the products are in compliance with the existing EU's limits. In case of any differences in the MRLs between the Indian and EU limit, the Indian authorities may apply for an import tolerance in accordance with the requirements mentioned in Regulation (EC) No 396/2005.</p>

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>ASL Suggestion: Since, the EU has stated that it does not affect the MRLs, it may have no impact for India. However, the European Commission have given the rights to member states to take decision either to restrict the use or withdraw based on usage in their territory. Any restrictions on use may not affect India's exports; however, withdrawal of authorisation by any EU member state may have an impact on India's industry. Hence, it is suggested that India should keep a close watch on EU member states individual notification on this pesticide in future.</p>
7	G/TBT/N/ARE/356, G/TBT/N/BHR/470, G/TBT/N/KWT/352, G/TBT/N/OMN/294, G/TBT/N/QAT/468, G/TBT/N/SAU/972, and G/TBT/N/YEM/72	United Arab Emirates, Kingdom of Bahrain, the State of Kuwait, Oman, Qatar, Kingdom of Saudi Arabia and Yemen	Pesticides and other agrochemicals	<p>The Saudi Standards, Metrology and Quality Organization (SASO) have issued this notification concerning the draft technical regulation for 'Maximum limits of pesticides residues in agricultural and food products'.</p> <p>In most of the cases, ASL observed that the proposed residue limits in or on multiple products are in accordance with the Codex limits.</p> <p>In reply, India requested the notifying agency for standardising the pesticide residue limits as per the international standard- Codex Alimentarius Commission.</p>
8	G/TBT/N/AUS/100/Add.2	Australia	Labelling of food products	<p>The Department of Industry, Innovation and Science has issued this notification announcing the enactment of the Competition and Consumer Amendment (Country of Origin) Act 2017. The labelling requirements are applicable to products that are required to bear a label as per the Food Standards Code.</p> <p>This standard has been issued under the Australian</p>

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>Consumer Law. This standard contains information on mandatory application of country of origin labelling requirements for food. The labelling requirements are determined by the food whether it is,</p> <ol style="list-style-type: none"> 1. Grown, produced or made in Australia 2. Packaged in Australia 3. Grown, produced or made in another country 4. Packaged in another country. <p>In case of imported food products, the country of origin would be the exporting country. However, in presence of Australian ingredients, their levels by weight and chart may be provided in the label. This requirement of information on Australian ingredients has been kept under the 'voluntary' option. The standard states that the labelling requirements vary depending on the categories of food as follows:</p> <ol style="list-style-type: none"> 1. Packaged food, other than fresh fruit and vegetables in transparent packages 2. Fresh fruit and vegetables in transparent packaging 3. Unpackaged meat, fish, fruit and vegetables <p>Further, if the food product falls under the priority list, then the country of information shall be displayed in a clearly defined box. It provides a transitional time of two years for complying with the standard. It contains information on logo and appropriate bar chart.</p> <p>Imported food products:</p> <ol style="list-style-type: none"> 1. Statement of country of origin in the packaged food product 2. In case of ingredients from more than one

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				<p>country, then the name of the country in which the final packaging was undertaken. It must indicate that the food product is made from ingredients imported from other countries.</p> <p><u>In reply, India stated that:</u></p> <p>The products which are made in other countries are required to carry the information stating the percentage of Australian ingredients (if used) along with the information on the source of other ingredients. In this regard, India sought the rationale for mentioning the percentage of ingredients if sourced from Australia and the sources of other ingredients.</p> <p>Further, the ingredients undergo transformation during the production process and the final product bears the name of the country where the last production had taken place. This is covered under the Rules of Origin (RoO) criteria that forms part of all trade agreements. Thus, the last stage becomes the identity of the product, if the RoO criteria are fulfilled. However, India is of the view that the requirement of details as mentioned above like the percentage of Australian ingredients and source for other ingredients has the possibility of reducing the country of origin where in the last production had taken place to a minimalistic position. Thus, the status of 'Made in' country may become secondary. In addition, India is of the view that it would increase the financial burden on the exporters and it may lead to trade restrictions in future. Hence, India requested the Australian authorities to provide the rationale for the changes in the country of origin labelling.</p>

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9	G/TBT/N/DMA/15	Dominica	Trucks and bus Tyres and rims	<p>This standard refers to designation, dimensions and load ratings of the metric series of tyres primarily intended for trucks and buses. It is applicable to bias-belted, diagonal and radial tyres for trucks and buses, mounted on 5° tapered rims.</p> <p>In reply, India stated tyres are regulated as per the Bureau of Indian Standards (BIS) Act in India. Tyres are regulated as per the Mandatory and Voluntary standards issued by BIS. BIS has prescribed four mandatory standards (IS-13098, IS-15627, IS-15633 and IS-15636) for tyres and tubes used in motor vehicles, cars and commercial vehicles. BIS has eight recognized testing laboratories for testing of tyres in India.</p> <p>Hence, India requested Dominica to provide equivalence and allow exports, which confirm to BIS standards.</p>
10	G/TBT/N/ECU/333	Ecuador	Food products	<p>The National Agency of Regulation, Control and Sanitary Surveillance (ARCSA) has issued this notification proposing the technical regulation concerning processed food products, food production establishments, processing, distribution, marketing, transportation.</p> <p>This regulation establishes the sanitary requirements for the operations including manufacturing, processing, preparation, packaging, transport, storage and marketing of foodstuffs. It is applicable on all processed food products.</p> <p>Food products must be produced in accordance with GMP and the FBOs must possess the certificate for GMP. In case of packaging, the FBOs must pay attention to the material as there should not be any migration of ink from the material to the</p>

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>food products. Processed food products must meet the respective specifications. Any changes must be communicated to the authorities. In absence of Ecuadorian standard, international standard may be followed. The agency has listed the products that are exempted from the purview of this regulation and those are primary –unprocessed products, raw, chilled or frozen meat, eggs, honey, dried beans, seeds, nuts in shell.</p> <p>In case of imports, the certified foreign manufacturers or owners of the product are required to register. And any certification issued by the competent authority of the exporting countries must be authenticated by the Consul of Ecuador in the exporting country. Further, any technical documents of the product must be in Ecuador's official language – Castilian or in English.</p> <p><u>In reply</u>, India requested the ARSCA authorities to provide clarification on the scope of the proposed regulation on whether the proposed regulation is applicable on all food products or only the dairy products as mentioned in the notification. Further, India stated that the certificates like health certificate, export certificate or any other equivalent certificate issued by the competent authority of the exporting country to be authenticated by the Consul of Ecuador located in the exporting country. The foreign manufacturers require authentication from the Consul of Ecuador in the exporting country. In this regard, India sought the rationale for requiring the Consul of Ecuador's authentication on the certificates issued by the exporting country and also when the foreign</p>

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				<p>manufacturer is approved via registration process in Ecuador.</p>
11	G/TBT/N/EU/469	European Union	Pesticide active substance – Beta-cypermethrin	<p>The European Commission has issued this TBT notification proposing the implementing regulation on the non-approval of active substance – beta cypermethrin. The agency has withdrawn the approval and hence, cannot be placed in the market. Following this decision, separate action on MRLs is likely to be notified via SPS notification.</p> <p>It is registered for use in India- Cypermethrin (sum of isomers) on wheat at 0.05 ppm, milled wheat grains- 0.01 ppm, brinjal – 0.20 ppm, cabbage – 2 ppm, bhindi-0.20 ppm, oil seeds except groundnut – 0.20 ppm, meat and poultry -0.20 ppm, milk and milk products- 0.01 ppm.</p> <p><u>In reply India stated that:</u> The proposal of non-approval is based on the European Food Safety Authority (EFSA) evaluation on pesticide's risk assessment. However, we would like to mention that this pesticide is registered for use in India on multiple products. In addition, we</p>

Sl. No:	Notification No:	Country	Product	India's Comment
				find that it is used in other countries like Brazil, Canada, Australia and others. Hence, the non-approval of this pesticide may pose trade restriction on agricultural and food products. India observes that the EFSA, in its report, identified that the substance poses high risk to aquatic organisms, bees and non-target arthropods. We also find that the 'insufficient information' identified by the EFSA during the assessment has formed the basis of such proposal of non-approval measure. In this regard, India would like to request the EU authorities to consider the available technical information in formulating its decisions concerning the status of this substance.
12	G/TBT/N/KEN/551	Kenya	Specifications for steel products	The Kenya Bureau of Standards has issued these notifications concerning draft standards and specifications for the following: a) Cold rolled steel b) Hot-rolled structural steel c) Hard-drawn steel wire fabric d) Weld mesh e) Ribbed weldable reinforcing steel
13	G/TBT/N/KEN/552	Kenya	Specifications for steel products	
14	G/TBT/N/KEN/553	Kenya	Specifications for steel products	<u>In reply, India stated that:</u> In India, steel and steel products in India are regulated as per Steel and Steel Products (Quality Control) order, 2012. BIS mandates different 20 categories of steel and steel products under Mandatory Certification scheme.
15	G/TBT/N/KEN/554	Kenya	Specifications for steel products	BIS has already signed MoUs with African standardizing agencies like Ghana Standards Bureau (GSB), Standards Organization of Nigeria (SON) and Mauritius Standards Bureau (MSB). Hence, India requested the Kenyan authorities to
16	G/TBT/N/KEN/555	Kenya	Specifications for steel	

Sl. No:	Notification No:	Country	Product	India's Comment
			products	provide equivalence to BIS and allow exports which confirm to Indian standards.
17	G/TBT/N/UGA/613	Uganda	Egg powder	<p>The Uganda National Bureau of Standards has issued this notification concerning the specifications for egg powder. The draft standard specifies the requirements, method of sampling and test for egg powder obtained from poultry eggs. This includes all egg powder processed from edible birds' eggs domesticated for human consumption.</p> <p>The draft standard contains the types of egg powder along with specific requirements for processing, and finished products. The egg products must not contain any antibiotic residues and must sourced from producers.</p> <p><u>In reply, India stated that:</u> The Uganda National Bureau of Standards has proposed this specification for egg powder. In this regard, India submitted in Point 5.2.3 – Requirements of the finished product, India finds the chemical requirements for egg powder in terms of Total ash, % by mass Max, has been fixed at 3.6 %. In our understanding, the total ash is fixed at 4%. Hence, we would like to know the scientific rationale for fixing such a stricter percentage of total ash as chemical requirement.</p>

Sl. No:	Notification No:	Country	Product	India's Comment
18	G/TBT/N/CHN/1199	China	Food Products	<p>The China Food and Drug Administration have issued this notification on food products in general. It is titled as 'Provisions for Investigating and Punishing Food Safety Fraud'. Provisions for Investigating and Punishing Food Safety Fraud have been formulated according to the Food Safety Law of the People's Republic of China in order to investigate and punish food safety fraud, to ensure food safety, and to protect public health and life. This notified provision is mainly to clear the connotation of food safety fraud, and list 10 kinds of specific food safety fraud behaviours such as product fraud, food production or marketing behaviour fraud, labelling fraud, food information dissemination fraud, information fraud, food inspection and certification fraud, permit application fraud, record information fraud, report information fraud and submission of false supervision information. Moreover, these provisions also clarify specific legal responsibility of the related fraud.</p> <p><u>In reply, India stated that:</u></p> <ul style="list-style-type: none"> Any deliberate activity undertaken during food production, storage, transportation, distribution or other activities in the food supply chain with an intention to provide false information or leading to a food safety incident would be treated as a 'food fraud'. In this scope of food fraud, India understands that the notifying agency intends to prevent intentional economic gains and ensure safe food for human consumption. Further, we noted the classification of food safety fraud. However, we

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>find no details on the mechanism to handle food safety incidents due to unintentional activity in the food supply chain. We would like to know whether such incidents by mistake would also be treated as 'food fraud'. India is of the view that establishing certain criteria for clear identification would enable the establishment of the incident as food safety fraud beyond any reasonable doubt. Further, it would also enable the competent authority to identify the concerned stakeholders in the food supply chain as the responsible for the food safety incident.</p> <ul style="list-style-type: none"> • In addition, under Article 8 – Food Production and Business Conduct Fraud, manufacture and sale of counterfeit food technology has been listed as fraud. In this regard, India would like to know the criteria which the competent authority may use to identify such counterfeit technology. In our view, technologies change rapidly due to the innovation system prevailing or fostering in a country which gets ingrained in the production system. In this context, we would request the notifying agency to define the counterfeit food technology. India would like to mention that such details are requested from the China Food and Drug Administration so that we may have clarity on the notified document. • In addition, India finds that the classification of food safety fraud to be encompassing all the actors in the supply chain. For instance, we find that the Article 11 – information fraud concerning the use of media for marketing the

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				<p>product. In our view, importers take the initiative rather than the food manufacturers who are located in the other countries. In case of information fraud, the liability may be solely on the importers. In such cases, we would like to know whether the food manufacturers would also be held responsible. Hence, we are of the view that identification and listing of fraudulent practices for manufacturers, importers, distributors, exporters and other concerned would be beneficial for the concerned stakeholders to understand and to comply with the requirements of the food safety system in China.</p>
19	TBT/N/UGA/538/Rev.1	Uganda	Use of distinctive mark on commodities	<p>This draft Ugandan standard contains the following:</p> <ul style="list-style-type: none"> • Marking or applying a distinctive mark on a commodity • Prohibition regarding manufacture, import, storage, sale and distribution of any commodity covered by a compulsory standard specification unless the commodity conforms to the specified relevant standards or bears the distinctive mark • Registration and authorization to use the distinctive mark • An importer or manufacturer of any commodity for which a compulsory standard specification has been declared shall ensure that the commodity bears a distinctive mark specified in schedule 1 of the draft regulation • A commodity covered by compulsory standard specifications shall only be placed on the market for sale when it bears the distinctive mark • UNBS will grant the permit to use the

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>distinctive mark on a commodity for which a compulsory standard specification has been declared to a manufacturer or importer after all the requirements of this regulation have been met</p> <ul style="list-style-type: none"> • No person shall manufacture or store for sale, import, sell or distribute any commodity covered by a compulsory standard specification unless:- a) the commodity conforms to the specified relevant standards; and b) the commodity bears the distinctive mark specified in schedule 1 of the draft regulation • An importer or manufacturer who intends to bring into the country or manufacture a commodity covered by a compulsory standard specification in Uganda shall apply to the bureau to be registered and authorized to use the distinctive mark • For each consignment, the importer shall apply to UNBS for use of this mark • Upon sampling, the UNBS will affix distinctive mark for every successful consignment <p><u>In reply, India stated that:</u></p> <p>A. Point 5.1 of the draft states that, “An importer or manufacturer who intends to bring into Uganda or manufacture a commodity for which a compulsory standard specification is declared under section 18 of the Act shall apply to the Bureau to be registered and authorized to use the distinctive mark.”</p> <p>Point 7.1 of the draft states that, “An importer of a commodity specified in schedule 2 shall apply to the Bureau for registration and authorization to use the distinctive mark before importing the</p>

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>commodity into Uganda.”</p> <p>As per our understanding, both the manufacturer and the importer have to apply for the registration and authorization to use the distinctive mark. India would like to request the Ugandan authorities to provide clarity on whether both the importer and the manufacturer have to apply for registration.</p> <p>Further, point 7.3 of the draft states that, “An application shall be made in respect of each consignment”. Point 7.4 of the draft states that, “The Bureau through its appointed agents shall carry out conformity assessment of all commodities before importation.” It means the manufacturer and importers have to undergo the assessment process for each consignment.</p> <p>India would like to state that, the requirement of application and assessment of every consignment may result in considerable administrative burden for both the Uganda National Bureau of Standards (UNBS), for importers and for the foreign manufacturers and may also add financial burden for manufacturers and importers.</p> <p>Further, the draft states that UNBS will provide distinctive marks for each consignment rather providing importer-wise distinctive marks. India would like to request the Ugandan authorities to provide the rationale for imposing such requirements. India would like to suggest the Ugandan authorities to consider granting importers permission to use the distinctive mark for a specified longer period for unlimited consignments.</p> <p>B. Point 10 of the draft explains the terms of use of distinctive mark and product recall process</p>

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>for foreign manufacturers and importers. However, the product recall criterion is not mentioned for domestic manufacturers. In this context India would like state that this clause is against the principle of national treatment prescribed in Part II, Article III of the General Agreement on Tariffs and Trade (GATT 1947). Hence, we would like to request the Ugandan authorities to clarify whether the product recall criteria is also applicable for domestic manufacturers.</p> <p>C. The Ugandan authorities have prescribed the above mentioned import requirements applicable to products which have already been subject to conformity assessment procedures prescribed by relevant international standards in their respective countries. India finds that the Ugandan authorities have not considered allowing conformity assessment by any International Laboratory Accreditation Cooperation (ILAC) accredited lab. In this context, India would like to request the Ugandan authorities to consider a mechanism that ensures the process for compliance may benefit exports from India and help build a healthy supply chain.</p> <p>D. In addition, the India considers that a description of the product categories, covered by the notified draft, would need further clarification, in particular as to whether certain products are covered or not, for instance, whether information technology and communication products are included in the electrical and electronic segment.</p>

Sl. No:	Notification No:	Country	Product	India's Comment
20	G/TBT/N/ARG/320	Argentina	Milk Powder	<p>The Sub-Working Group no.3 "Technical Regulations and Conformity Assessment"-MERCOSUR has issued this notification on Draft Common Market Group Resolution: "MERCOSUR Technical regulation on Identity and Quality Milk Powder (Repealing Resolution no.82/93 GMC ones and 138/96)".</p> <p>This technical regulation contains details on the definition of the product, classification, raw materials, requirements like sensory and physio chemical, food additives. It mandates that the establishment and processing practices as per MERCOSUR resolution on hygiene practices.</p> <p><u>In reply, India stated that:</u></p> <ul style="list-style-type: none"> • In the proposed technical regulation, India finds that the definition of the product includes only the cow's milk. In addition, we also find that only cow's milk has been listed as a raw material under the sub-section - 4: Composition and Requirements. However, India would like to mention that milk powder is obtained from cow's and/or buffalo's milk. Hence, we find that inclusion of only cow as a source for milk to produce milk powder to be restrictive in nature. In this regard, India would like to know the rationale for listing only milk obtained from cow as a raw material for the production of milk powder. • India requested the attention of Argentina authorities to the international standard-CODEX STAN 207-1999 titled as "Standard for Milk Powders and Cream Powder". In this standard, the Codex has not specified the

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>source of milk as cow, buffalo or any other animal. Given this context, India is of the view that exclusion of other sources of milk other than cows would pose a barrier to trade on milk powder. Hence, we would like to request the Argentinean authorities to include other sources of milk in addition to cow in the raw materials section.</p>
21	G/TBT/N/BRA/721	Brazil	Medicinal products	<p>This Draft Resolution provides for good distribution and storage practices as well as good practices for the transport of medicinal products. It applies to companies that carry out the activities of distribution, storage or transport of medicines. This resolution does not apply to the distribution storage and transportation activities of raw materials, bulk drugs, labels, packaging or medicinal gases.</p> <p>The proposed resolution is applicable on storage during transit of cargo as well along with the imports. It mandates the requirement of Standard Operating Procedure (SOPs) concerning movement of drugs. The Good Distribution and Storage Practices (BPDA) must be established and followed from manufacturer, distributor to patient (supply chain) and also in reverse logistics i.e. collected from the market.</p> <p>Manufacturers must provide drugs only to licensed companies by ANVISA. Distributors are required to</p>

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				<p>collect consignments only from the registered companies and shall give to authorized companies holding a valid license.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • The draft resolution mandates the manufacturers and distributors to provide medicinal products only to those companies that are authorized and licensed by the health authority of Brazil. In this context, India would like to know whether the ANVISA would publish the list of authorized and licensed companies which have the permit to engage in distribution of medicinal products in its territory. Further, we would like to mention that there are no details on the impact on manufacturers or exporters in case of any discrepancies found in the consignments at the point of entry. India understands that as per Article 59 of the draft resolution, in case of any deviations observed during the transportation of medicinal products by the carriers or transporters would be informed to the manufacturers. • However, India would like to know whether such deviations resulting from the transportation process would have any effect on the authorization for placing a product in the Brazilian territory. In other words, India would like to know whether the manufacturers or exporters of the exporting country would be held responsible for any deviations during the transportation process although a clear and precise instruction on storage and transportation would have been provided to

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				the transporters or carriers.
22	G/TBT/N/CHL/404	Chile	Electrical and fuel products	<p>The Superintendent of Electricity and Fuel (SEF) has established this certification system for electrical products and fuel. The draft refers to the following:</p> <p>a) The applicant for the certification shall submit an application to the SEF with relevant details on product identification, documented quality control system, material testing details and inspection details. The certification system is divided into three phases, a) type test, b) initial audit, and c) capacity evaluation.</p> <p>b) As a requirement to enter into the system, the applicant must have at least one year of experience in product certification.</p> <p>c) After filing the application, the SEF will verify the documents and proceed for type testing by an authorized and recognized testing lab.</p> <p>d) After type test, a certification agency will evaluate the report and issue a type certificate and proceed for initial audit. If a product has already received a type test report from any recognized body, then it may directly go for initial audit. It must be undertaken as per ISO-90111:2000 norms.</p> <p>e) After receiving the type test report and initial audit report, the first production is carried out, in order to evaluate the capacity. The evaluation process involves sampling. The</p>

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				<p>recognized testing labs will carry out test and analyze the production type.</p> <p>f) Depending on the tests and verification, the SEF will issue a production control certificate. The draft states that, trade audit, production audit and quality audit need to be performed in every three months. These audits can be performed by a certification body, recognized by an accreditation agency signatory to International Accreditation Forum (IAF).</p> <p><u>In reply, India stated that:</u></p> <ul style="list-style-type: none"> • As per the draft, the certification system requires that the applicant must have at least one year of experience in product certification. We would like to request the Chilean authorities to provide the rationale for listing the requirement of one year experience. • As part of the certification system, SEF requires type testing by authorized and recognized testing labs. However, the draft also states that, after initial audit, testing labs will again carry out another test to analyze the production type. In every three months the certification body will undertake trade audit, production audit and quality audit. We would like to state that multiple audit and testing requirements would be burdensome for the applicant and would get added to the product cost. In this context, we would like to request the Chilean authorities to reconsider the requirement of multiple audits and testing by certification bodies. • Further, the draft also states that, audit can be performed by a certification body, recognized

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				<p>by an accreditation body signatory to International Accreditation Forum (IAF). In this regard, we would like state that, India has the National Accreditation Board for Certification Bodies (NABCB), which provides accreditation to certification and Inspection Bodies based on an assessment of their competence as per the criteria and in accordance with International Standards and Guidelines. NABCB is member of International Accreditation Forum (IAF), Pacific Accreditation Cooperation (PAC), International Laboratory Accreditation Cooperation (ILAC) & Asia Pacific Laboratory Accreditation Cooperation (APLAC). Apart from this, NABCB is also a signatory to Quality Management Systems (QMS), Environmental Management Systems (EMS) and Product Certification. Hence, we would like to request Chilean authorities to provide accreditation to NABCB, which will facilitate exports from India. In this regard, India would like to seek bilateral consultation with Chile as to avoid any disruptions in trade.</p>

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23	G/TBT/N/CHN/1201	China	Formaldehyde emission of wooden products	<p>The Standardization Administration of China (SAC) has established this standard, which specifies the formaldehyde emission limit of wood-based panels and finishing products for indoor decorating and refurbishing as well as test methods, decision rules and the inspection report requirements thereof. The standard applies to the formaldehyde emission amount of wood-based panels and finishing products, such as fibreboard, particleboard, plywood, blockboard, reconstituted decorative lumber, laminated veneer lumber, glued-laminated timber, surface decorated wood-based panel, wood-based floor, wood-based panel, wood-based door, and wood-based window.</p> <p>The draft is in line with ISO 16893:2016 on tests and thickness specification of particle boards and ISO 12460-1:2007 on method of emission of formaldehyde from wood based panels.</p> <p><u>In reply, India stated that:</u></p> <ul style="list-style-type: none"> In India, Bureau of Indian Standards (BIS) has prescribed standards IS: 3321, which lays down the requirements and the methods of sampling and test for formaldehyde solution and also meets the requirements for processing of photosensitized materials. This standard was first published in 1965; however, the BIS Sectional Committee had revised the standard and aligned the methods of test with ISO Recommendations. In this revised standard, the requirements and methods of test for heavy metals and pH value have been included and a chemical method for the determination of

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				<p>methanol content in addition to the graphical method has been added. In this context, India would like to request the Chinese authorities to provide equivalence to BIS norms as they are already in line with ISO standards.</p> <ul style="list-style-type: none"> • Further, in India the National Accreditation Board for Certification Bodies (NABCB), provides accreditation to certification and Inspection Bodies based on an assessment of their competence as per the criteria and in accordance with International Standards and Guidelines. NABCB is member of International Accreditation Forum (IAF), Pacific Accreditation Cooperation (PAC), International Laboratory Accreditation Cooperation (ILAC) & Asia Pacific Laboratory Accreditation Cooperation (APLAC). Apart from this, NABCB is also a signatory to Quality Management Systems (QMS), Environmental Management Systems (EMS) and Product Certification. Hence, we would like to request Chinese authorities to provide accreditation to NABCB to certify testing facilities who will perform the tests according to the prescribed ISO norms. This will facilitate exports from India. In this regard, India would like to seek bilateral consultation with China as to avoid any disruptions in trade.
24	G/TBT/N/JAM/57	Jamaica	Pneumatic tyres for uses in passenger cars	<p>These notifications specify:</p> <ul style="list-style-type: none"> • Tyre dimensions and laboratory test requirements for bead unseating resistance, strength, endurance, and high-speed performance; defines tyre load ratings and other relevant terms;

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25	G/TBT/N/JAM/58	Jamaica	Pneumatic tyres for uses in passenger cars	<p>and specifies labelling requirements for passenger car tyres.</p> <ul style="list-style-type: none"> Performance and marking requirements for tyres for use on multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles <p>The purpose of these standards is to provide safe operational performance levels for tyres used on motor vehicles other than passenger cars, and to place sufficient information on the tyres to permit their proper selection and use. These standards apply to pneumatic tyres designed for road use on multipurpose passenger vehicles, trucks, buses, trailers, and motorcycles.</p> <p><u>In reply, India stated that:</u></p> <ul style="list-style-type: none"> In India, tyres are regulated as per the Bureau of Indian Standards (BIS) Act. These products are regulated as per the Mandatory and Voluntary standards issued by BIS. It has prescribed four mandatory standards (IS-13098, IS-15627, IS-15633 and IS-15636) for tyres and tubes used in motor vehicles, cars and commercial vehicles. BIS has also established five testing laboratories for testing of tyres in India. We would like to state that India also follows similar regulatory requirements for tyres. Further, BIS is a founder member of International Organization for Standardization (ISO). BIS has signed Memorandum of Understandings (MoUs) in the fields of standardization and conformity assessment with 21 countries. <p>Hence, we would like to request Jamaica to accept</p>

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				standards prescribed by BIS. Hence, we request the Jamaican authorities to provide equivalence and allow exports, which confirm to BIS standards. In this regard, India would like to seek bilateral consultation with Jamaica on this issue.
26	G/TBT/N/MEX/300/Add.8	Mexico	Petroleum products-automotive diesel	<p>The Mexican Energy Regulatory Commission has issued this notification concerning specifications for automotive diesel. As per the amendment, Mexico will only allow imports of automotive diesel with a minimum cetane limit 40. The notification is aimed to ensure an adequate and efficient supply of fuel on the agreed terms and thus avoid a possible diesel shortage in Mexico with serious consequences for users.</p> <p><u>In reply, India stated that:</u></p> <ul style="list-style-type: none"> • In India, the Bureau of Indian Standards (BIS) standard "IS: 1460-Automotive Diesel Fuel" prescribes the requirements, sampling procedures and test methods for automotive diesel fuel. It is applicable to automotive diesel fuel for use in diesel engine vehicles designed to run on automotive diesel fuel. As per Second Amendment, IS: 1460 in March 2010 BIS has allowed the minimum cetane number and the index at 51 and 46, respectively. It shows that, India is already meeting the minimum cetane criteria prescribed by the Mexican authorities. • Hence, we would like to request the Mexican authorities to allow Indian standards so that it will facilitate diesel exports from India.

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27	G/TBT/N/ARG/297/Add.8	Argentina	Low voltage electrical equipments	<p>The notification amends the regime governing the mandatory certification of compliance with the essential safety requirements for low-voltage electrical products marketed in Argentina. As per the notification, the purpose of this regulation is to:</p> <ul style="list-style-type: none"> • reformulate certain requirements so as to rationalize the implementation of the regime and adapt it to market changes; • amend the universe of products which, when used professionally or by electrical safety experts, may be subject to alternative means of compliance with the safety requirements; • establish criteria for forming families of products, with a view to the issuing of a certificate for each of these families; • establish a single certificate format for each of the authorized modalities; • establish new guidelines for the monitoring of certified products by certification bodies. <p>In reply, India sought clarification from the Argentinean authorities on the following: The regulation also states that, a company by itself or through an authorized representative must submit an affidavit in a form specifying the registration number from the unique registry of the Ministry of Production of Argentina. However, the procedure for obtaining the registration number is not provided in the regulation. In this regard, India would like to request the Argentinean authorities to provide the procedural details for obtaining the registration number from the Ministry of Production, Argentina.</p>
28	G/TBT/N/ARG/297/Add.9	Argentina	Low voltage electrical equipments	
29	G/TBT/N/ARG/297/Add.10	Argentina	Low voltage electrical equipments	

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30	G/TBT/N/ARG/322	Argentina	Control regime of methyl alcohol or methanol	<p>the Argentinean National Institute of Viticulture (INV) has proposed the following:</p> <ol style="list-style-type: none"> 1. The regime establishes that the fractionators and / or traders of methanol will only be able to sell methyl alcohol in bulk or divided in packs higher than 1000 cc, when the buyer is registered before INV. 2. Fractionators may only sell bulk or fractionated methanol, <ol style="list-style-type: none"> a) in containers greater than 1000 Cubic Centimeters (1,000 cm³) when the buyer is registered with the INV. b) in containers of up to 1000 Cubic Centimeters (1,000 cm³) When the buyer uses it for pro-quality analysis. 3. Those establishments that import this product into containers of up to 4000 Cubic Centimeters (4000 cm³), may market it in their original packaging to non-registered persons provided that the purchaser uses it solely and exclusively for calibration of chemical instruments and / or for analysis. 4. Circulation of the product must be covered by an invoice or a commercial return, in which the following mandatory data will be indicated: <ol style="list-style-type: none"> a) Type of alcohol b) Volume or weight c) Capacity and type of packaging d) Analysis of free circulation type granted by the National Institute of Viniculture e) Purity percentage by weight, and f) Recipient <p><u>In reply, India stated that:</u></p>

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				<p>As per the draft, the sale of methanol to non-registered importers in Argentina under the established conditions will be communicated through the system of "Online Affidavits". However, the procedure for submitting the affidavits is not provided in the regulation. In this regard, India would like to request the Argentinean authorities to provide the procedural details for submitting the affidavits and also the details of the agency in Argentina who handles and regulates this system.</p>
31	G/TBT/N/BLZ/6	Belize	Standards for diesel	<p>The Belize Bureau of Standards has issued these notifications concerning draft Belize standards and specifications for diesel fuel (high, low sulphur and ultra-low sulphur) and unleaded gasoline for motor vehicles.</p> <p><u>In reply, India stated that:</u></p> <ul style="list-style-type: none"> • In India, the Bureau of Indian Standards (BIS) standard "IS: 1460-Automotive Diesel Fuel" prescribes the requirements, sampling procedures and test methods for automotive diesel fuel. It is applicable to automotive diesel fuel for use in diesel engine vehicles designed to run on automotive diesel fuel.
32	G/TBT/N/BLZ/7	Belize	Standards for gasoline	<ul style="list-style-type: none"> • Further, BIS has issued "IS 2796:2008 Motor Gasoline Specifications" standards for motor gasoline for the vehicles meeting Bharat Stage IV/Euro IV Vehicular Emission Norms based on the Auto Fuel Policy, issued by the Ministry of Petroleum and Natural Gas, Government of India. It also prescribes the requirements, methods of sampling and tests for gasoline for use as fuel in the automobile spark ignition internal combustion engines of vehicles.

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				<ul style="list-style-type: none"> Analysis shows that, Indian standards are meeting all draft specifications prescribed by the Belize authorities in these two notifications. Hence, we would like to request the Belize authorities to accept Indian standards so that it will facilitate diesel and gasoline exports from India. In this regard, India would like to seek bilateral consultation with Belize authorities.
33	G/TBT/N/THA/217/Rev.1/Add.1	Thailand	Mandatory standards for steel products	<p>These notifications specify:</p> <ul style="list-style-type: none"> Mandatory standards TIS 1479-25xx for hot rolled flat steel to be used in general structures Mandatory standards TIS 2012-25xx for cold reduced flat steel of commercial and drawing qualities
34	G/TBT/N/THA/42/Rev.1/Add.1	Thailand	Mandatory standards for steel products	<p>These standards specifies types, grades, symbols, chemical compositions, mechanical properties, basis mass, sizes and tolerances, general requirements, marking, labelling and sampling.</p> <p>In reply, India stated that: In India, steel products are regulated as per Steel and Steel Products (Quality Control) order, 2012 issued by the Ministry of Steel, Government of India. It has prescribed 10 mandatory standards for hot rolled and cold rolled steel products. The Bureau of Indian Standards (BIS) has established laboratories for testing of steel products in India. Please find below the list of mandatory standards</p>

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				<p>for the above mentioned steel products:</p> <ol style="list-style-type: none"> 1. IS 15391: Cold Rolled Non-Oriented Electrical Steel Sheet and Strip - Semi-Processed Type 2. IS 648: Cold rolled non-oriented electrical steel sheets and strip-fully processed type (CRNO) 3. IS 5872: Cold Rolled Steel Strips (Box Strappings) 4. IS 513: Cold reduced low carbon steel sheets and strips 5. IS 1079: Hot Rolled Carbon Steel Sheet and Strip 6. IS 5986: Hot Rolled Steel Flat Products for Structural Forming and Flanging Purposes 7. IS 7283: Hot Rolled bars for production of bright bars and machined parts for engineering applications 8. IS 10748: Hot Rolled Steel Strip for Welded Tubes and Pipes 9. IS 11513: Hot Rolled Carbon Steel Strip For Cold Rolling Purposes 10. IS 2062: Hot rolled medium and high tensile structural steel 11. IS 15647: Hot rolled steel narrow width strip for welded tubes and pipes <p>We would like to state that India also follows similar regulatory requirements for steel products. Further, BIS is a founder member of International Organization for Standardization (ISO). BIS has signed Memorandum of Understandings (MoUs) in the fields of standardization and conformity assessment with 21 countries.</p> <p>Hence, we would like to request the Thai authorities to accept the above mentioned</p>

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				<p>mandatory standards for hot rolled and cold reduced steel products and also provide accreditation to BIS certified testing labs, which will facilitate exports from India.</p> <p>Hence, we would like to request the Thai authorities to provide equivalence and allow exports, which confirm to Indian standards. In this regard, India would like to seek bilateral consultation with Thailand on this issue.</p>
35	G/TBT/N/CHL/407	Chile	Food products	<p>The Ministry of Health has issued this notification on Public Consultation for the Modification of Article 518 of the Sanitary Regulation of Foods, Supreme Degree no. 977/96 of the Ministry of Health.</p> <p>The regulation proposes to modify the gluten limit in foods that are labeled as gluten-free and the maximum gluten level must be 5 mg/kg.</p> <p><u>In reply, India stated that:</u></p> <ul style="list-style-type: none"> India observes that the modification concerning gluten limit for label claim – ‘gluten free’ has been increased from 3 mg/kg to 5 mg/kg. However, we find that proposed gluten limit of 5 mg/kg to be stricter than the limit set by India as per the Food Safety and Standards Regulations, 2011. Hence, we would like to request the Chilean authorities to explain the scientific rationale for setting up the criteria of not exceeding 5 mg/kg for using the label claim – ‘gluten free’ in food products. Further, we find that the notifying agency has mentioned CODEX STAN 118-1979 as relevant document. However, we find that the Chilean

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				<p>proposed gluten limit of 5 mg/kg to differ from the Codex standard of 20 mg/kg.</p> <ul style="list-style-type: none"> India is of the view that such stricter levels than the international standard may pose restriction on trade of food products. Hence, we would like to request the Chilean authorities to consider the Codex levels so that it may not pose a negative effect on trade of food products.
36	G/TBT/N/KEN/585	Kenya	Mineral Water	<p>The Kenya Bureau of Standards has issued this notification on DEAS 13: 2017 Mineral water-specification. It is applicable on</p> <ul style="list-style-type: none"> natural mineral water, mineral water, natural spring water, spring water and carbonated mineral water <p>It permits the treatments like ozonation, UV sterilization, decantation filtration and permitted selective removal of fluoride. It lays out the requirements – general, specific – physical, chemical, limits of microbiological contamination, radioactive matters, packaging and labelling. The Annexes contains details including recommended hygienic practice, sampling plan, etc.</p> <p>In reply India stated the following: India sought clarification from the Kenyan authorities on the limits prescribed for total dissolved solids, as it differs from the Indian limits and international practice. Further, India has referred to the 'Guidelines for Drinking – Water Quality' published by the World Health Organization. India requested the Kenyan authorities to consider the WHO Guidelines to fix</p>

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				<p>the limits as the product concerned is mineral water under the category drinking water as mentioned in the notification. In this regard, India requests the Kenyan authorities to provide the technical data for fixing such limits for TDS and the above mentioned inorganic substances – Barium, Manganese and Selenium in mineral waters.</p>
37	G/TBT/N/PRY/96	Paraguay	Milk	<p>The Ministry of Industry and Trade has notified the proposed technical regulation on milk which is titled as 'Draft Common Market Group Resolution No. 04/17 on the MERCOSUR Technical Regulation on the Identity and Quality of Milk'. This technical regulation contains details on the definition of the product, classification, raw materials, requirements like sensory and physio chemical, food additives. It mandates that the establishment and processing practices as per MERCOSUR resolution on hygiene practices.</p> <p>In reply, India state the following:</p> <p>The title of the proposed technical regulation seems to be misleading as it mentions only milk. However, the proposed requirements are for milk powder. In this context, India suggested the addition of the term – 'Powder' so that it provides clarity on the applicability of this proposed regulation. Further, only 'Cow's milk' has been mentioned in the Section – 2.1: Definition and Section 4.1.1 – Raw Materials in the proposed regulation. India stated that the mentioning of cows as a source to be trade restrictive as milk could be sourced from other milch animals like buffalo. Hence, milch animals other than cows must also be considered as a source. In this regard, India</p>

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				<p>requested the Paraguay authorities to consider the inclusion of other milch animals like buffalo as a source of milk.</p> <p>Further, international standard – CODEX STAN 207-1999 is titled as ‘Standard for Milk Powders and Cream Powder’. In this standard, the Codex has not specified the source of milk. Given this context, the exclusion of other milch animals like buffalo and others as a source would pose a barrier on trade on milk powder. Hence, India requested the authorities to include other sources of milk in addition to cow in the raw materials section.</p>
38	G/TBT/N/URY/14	Uruguay	Food Products	<p>The Ministry of Public Health has issued this notification on draft decree on "labeling of packaged foods".</p> <p>The regulation concerns the nutritional labeling that must be in accordance with Decree 117/2006. However, if the content of sodium, salt or sugar exceeds the level given in this proposed decree, then it shall contain a 'Warning'.</p> <p>It is specified that:</p> <ul style="list-style-type: none"> • The warning must appear in the front side of the label (upper left of the label) • Compliance falls under the scope of Ministry of Public Health. • This decree prohibits the acceptance of donation of food products containing this

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				<p>warning in frontal side.</p> <ul style="list-style-type: none"> • Warning should state- "EXCESS OF FAT/SATURATED FATS/SUGARS/SODIUM" (with font capital letters in white colour). • In case of the imported food products, adhesive label is permitted provided it complies with size, characteristic and location requirements established in the present decree. • vi. The decree also contains details on the dimension warnings depending on the size of the container. <p>In reply, India stated that:</p> <p>The proposed decree mandates a warning on the frontal side of the label in a food product, if the value of sodium, sugar, fat and saturated fat exceeds the prescribed level. In this regard, India cited that the level particularly that of sodium, sugar and fat depends on the type of food product. For instance: sodium levels in salted fish, pickles, processed nuts, meat, sugar levels in jams, juices, cakes, sweets, desserts, confectioneries, chocolates, syrup products and other food products. In such cases, the levels of sodium, sugar or fats may exceed the levels prescribed in the proposed decree. Hence, India requested the notifying agency to provide information on the method used in fixing a common limit for sodium, sugar, fat and saturated fat for all food products. In addition, India also stated that the levels must be based on category of food products whether the food product is a salt,</p>

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				<p>sugar or mixed. Otherwise, such general limit has the potential to create a confusion among the consumers as the labels on multiple food products may indicate an 'excessive warning' irrespective of the texture of the product. Thus, it may result in dilution of the importance of such warning statement in the labels to the consumers. Further, given the level of innovation and the launch of new products in the global food market, such generalised limits may pose a barrier to trade on food products. Hence, India requested the notifying agency to provide such limits based on nature of the food products.</p>
39	G/TBT/N/ITA/30	Italy	Rice	<p>As per the notification, the Ministry for Economic Development has issued this draft legislative decree laying down provisions concerning the internal rice market. In reply, India stated that:</p> <p>The rice is permitted for marketing only if it meets the qualitative characteristics given in its Annex. The Italian authorities have established the 'National Agency for Rice' to maintain a register containing details of the rice- variety name, size, and other information. The procedures have been laid out in the Annex with regard to registration or deletion of rice varieties in the registry. In this context, India has sought the following details:</p> <ul style="list-style-type: none"> • Whether the variety of rice must be listed in the registry for importation although it meets the qualitative characteristics of this decree • Whether the registration has to be undertaken

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				<p>by the importer, exporter or competent authority of the exporting country</p> <ul style="list-style-type: none"> Whether the varieties that are currently marketed in the EU region must be registered with the agency.
40	G/TBT/N/IDN/117	Indonesia	Audio Video Equipment	<p>This draft of decree states that all of Audio, Video and Similar Electronic Apparatus Product produced within the country or imported, distributed and marketed in the country shall fulfill the SNI requirements. The producers which produced these products therefore shall comply with those requirements proven by having Product Certificate for Using SNI Mark. The product certificate on SNI marking shall be issued by a Product Certification Body which has been accredited by KAN and appointed by the Minister of Industry through testing of the conformity of the products quality against SNI requirements. Directorate of Electronic and Telematic, Ministry of Industry is the institution that is responsible for the implementation of this decree and shall provide a technical guidance of the decree, which cover procedure of Product Certification and SNI Marking.</p> <p>In reply, India stated that:</p> <p>In India, audio, video and similar electronic apparatus products are regulated as per standards issued by the Bureau of Indian Standards (BIS). Further, BIS has recognized testing laboratories for testing of audio, video and similar electronic</p>

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				<p>apparatus products.</p> <p>BIS is a founder member of International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC). BIS has signed Memorandum of Understandings (MoUs) in the fields of standardization and conformity assessment with 21 countries. Hence, we request Indonesia to provide equivalence and allow exports, which confirm to BIS standards. Hence, India requested the Indonesian authorities to provide accreditation to NABCB. This will facilitate exports from India. In this regard, India sought bilateral consultation with Indonesia as to avoid any disruptions in trade.</p>
41	G/TBT/N/CHL/419	Chile	Extension Cords	<p>As per the notification, the Chilean authority has issued this notification establishing the procedure for the certification of extension cords according to the scope and field of application of International Electrotechnical Commission (IEC) 60884-Plugs and Socket-outlets for Household and Similar Purposes. The Chilean authorities have referred IEC 60884 for establishing the certification process of extension cords. Exporter needs to apply for a certification from the Electricity and Fuels, Chile.</p> <p>In reply, India stated that:</p> <p>India requested the Chilean authorities to provide accreditation to NABCB. This will facilitate exports from India. In this regard, India sought bilateral consultation with Chile as to avoid any disruptions in trade.</p>

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42	G/TBT/N/EU/497	European Union	Pesticide Clothianidin	The European Commission has proposed amendments to the conditions of approval of the plant protection products - Clothianidin, Imidacloprid and Thiamethoxam. The European Union's (EU) proposal of restricting the use of these insecticides only to greenhouses is based on the evaluation of ecotoxicological data concerning bees.
43	G/TBT/N/EU/498	European Union	Pesticide Imidacloprid	
44	G/TBT/N/EU/499	European Union	Pesticide Thiamethoxam	<p>The European Food Safety Authority (EFSA) in its assessment reports concerning clothianidin and imidacloprid concerning bees pointed out the gaps in the data. In case of thiamethoxam, the EFSA stated that 'confirmatory data has been considered to be insufficient'. Given this context, India requested the EU authorities to provide the rationale for arriving at a conclusion that the insecticides poses harm when the peer review of the risk assessments conducted by the EFSA have identified data gaps. In our understanding, an identification of data gaps does not establish the presence of any risks. Further, India suggested the EU to seek additional data on the gaps identified from the registrant of these substances. Hence, India requested the EU authorities to provide an explanation for proposing restrictions on the use of clothianidin, imidacloprid and thiamethoxam in absence of any indication of risks to bee population.</p> <p>India also found that the scientific study covering three countries - Germany, Hungary and United Kingdom indicates that there has been difference on the impact of the insecticides on honey bees.</p>

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				<p>While the bees faced reduction in its population in two of the countries, bees' population thrived in the other. The study points out the other factors like disease, exposure levels, availability of other sources for pollination, etc. contributes to the stability of the bee population. Thus, as per the study, India stated that environmental factors have a significant role in determining the mortality of honey bees and it does not confine only to the use of neonicotinoid substances. Given this context, India requested the EU to consider the proposed restrictions on the use of clothianidin, imidacloprid and thiamethoxam.</p>
45	G/TBT/N/CHL/420	Chile	Safety analysis and or test protocol for gas products	<p>The notified protocol establishes the certification procedure for type D and type SD elastomer hoses, with metallic connectors, for water heaters that use liquefied petroleum gas (LPG) or natural gas. The draft states the following:</p> <ul style="list-style-type: none"> • For approval of manufacturing in Chile or abroad, if there is no production for one or more months, monthly inspections shall be continued from first production of the following period. • For verification of samples taken in factory, in Chile or abroad, at the moment of sample extraction, the certification bodies shall require the respective declarations by the manufacturer to the superintendency of electricity and fuels, indicating that the production is still in conformity with the approved type, in accordance with the provisions of the draft. In case the documents

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				<p>described are not presented, the certification body shall not proceed with extraction of the sample, suspending the use of this certification system.</p> <ul style="list-style-type: none"> • In case of the rejection of the sample taken in the factory, in Chile or abroad, the certification body will proceed to reject the manufacturing or import consignment, and must send a copy of the rejection to the superintendency, within a period not exceeding five days from the date of issuance of the report. • In the certificate (of approval or follow-up), in the item "other background", it will be indicated that it was approved in Second inspection, indicating among others things the causes and quantities of the product covered in the initial rejection. • In the event of rejection being maintained, the certification body shall refuse the batch, and must send a copy of the rejection report to the superintendency, within period not exceeding fives business day from, from the date of the report. • If the assembly has connectors of different types, it must have a safety warning at each end. • In the event of failure to comply with the instructions, the certification body will refuse the product.

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				<p>In reply, India stated that:</p> <p>The draft states that, the SEC will provide approvals to manufacturing facilities established outside Chile. While providing the approval, SEC will undertake verification by sampling from the factory. After verification, the SEC will provide approval or rejection certificate for facilities intending to export hoses, with metallic connectors, for water heaters into Chile.</p> <p>India is of view that, the approval process of physical verification and sampling by the SEC is not cost effective for small and medium scale companies. This approval process may add costs to their exports and may restrict their competitiveness in Chile. Further, the draft approval requirements may also increase and complicate the exports process and duration, which may act as trade barriers for Indian exports.</p>
46	G/TBT/N/UGA/729	Uganda	Illuminating Candles	<p>This draft Uganda standard specifies requirements, test and sampling methods for candles suitable for illuminating purposes. This draft does not cover decorative candles. In labeling, the product should contain the following information:</p> <ul style="list-style-type: none"> a) Both the manufacturer's name and brand name b) Number of candles c) Country of origin d) Any cautionary directions- "candles should

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				<p>not be placed directly on combustible materials”</p> <p>e) Diameter of the candle</p> <p>As per the notification, this draft standard has referred to Bureau of Indian Standard (BIS) Standard- IS 1139 (1985): wax candles, oil burning appliances.</p> <p>In reply, India sought clarification from the UNBS authorities whether products confirming to BIS standard IS-1130 will still have to meet the requirements specified in this UNBS standard or whether products confirming to IS-1130 will require no certification from the Ugandan authorities.</p>
47	G/TBT/N/ISR/950	Israel	Plugs and socket-outlets	<p>As per these notifications, the Israeli authority has proposed revising mandatory standards for the following:</p> <ul style="list-style-type: none"> • Plugs and socket-outlets
48	G/TBT/N/ISR/951	Israel	Double capped LED lamps	<ul style="list-style-type: none"> • Double capped LED lamps • Luminaries-floodlights
49	G/TBT/N/ISR/952	Israel	Luminaries-floodlights	<ul style="list-style-type: none"> • Lamp holders for tubular fluorescent lamps • Circuit breakers for AC and DC operations <p>In these draft revisions, the Israeli authorities have</p>

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50	G/TBT/N/ISR/954	Israel	Lamp holders for tubular fluorescent lamps	adopted several International Electrotechnical Commission (IEC) norms. In this context, India requested the Israeli authorities to clarify the following:
51	G/TBT/N/ISR/955	Israel	Circuit breakers for AC and DC operations	a) Whether products have to be accompanied with a certificate showing their compliance with relevant IEC norms?
				<p>b) Whether products already confirmed to IEC standards will be allowed for import into Israel without any certification?</p> <p>c) Whether the Israeli authorities will accept certification from a third party certification body in the exporting country?</p> <p>Further, electronic products are regulated as per mandatory standards issued by the Bureau of Indian Standards (BIS) and the quality control order issued by the Ministry of Electronics & Information Technology (MeitY), Government of India.</p> <p>Hence, India requested Israel to provide equivalence and allow exports, which confirm to BIS standards and also authorize and allow certification from Indian certifying agencies. In this regard, India sought bilateral consultation with Israel as to avoid any disruptions in trade.</p>

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52	G/TBT/N/UGA/711	Uganda	General Requirements for School Clothing	<p>The parts of these draft Ugandan standards cover the requirements for the materials, size and make of school jerseys and cardigans, knee-high stockings and ankle socks, girls' slacks and skirts, dresses, tunics and gyms, trousers and shorts, shirts, blazers, general requirements for school clothing, briefs, athletic wear, made from woven or knitted fabrics, tracksuits.</p> <p>It specifies the requirements for outer materials or garments, supplementary materials and components, linings and interlinings, pocketing, sewing threads, slide fasteners, buttons, pressure-studs, hooks and bars, tapes, braids, bindings and cords, elastic braids or webbing, narrow elastic strip, stay tape, stitches, number of stitches, size designation, packing, care-labelling, marking of the size designations, additional marking, inspection and methods of test, dimensions.</p> <p>The drafts state that, products that conform to Ugandan standards may be marked with Uganda National Bureau of Standards (UNBS) Certification Mark. This mark can be used only by those licensed under the certification mark scheme operated by UNBS and in conjunction with the relevant Uganda Standards. The presence of this mark on a product or in relation to a product is an assurance that the goods comply with the requirements of that standard under a system of supervision, control</p>
53	G/TBT/N/UGA/712	Uganda	Blazers	
54	G/TBT/N/UGA/713	Uganda	Trousers and Shorts	
55	G/TBT/N/UGA/714	Uganda	Shirts	
56	G/TBT/N/UGA/715	Uganda	Dresses, tunics and gyms	
57	G/TBT/N/UGA/716	Uganda	Girls' slacks and skirts	
58	G/TBT/N/UGA/717	Uganda	Knee-high stockings and ankle socks	

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59	G/TBT/N/UGA/718	Uganda	Jerseys and cardigans	and testing in accordance with the certification mark scheme of the Uganda National Bureau of Standards. UNBS marked products are continually checked by UNBS for conformity to that standard.
60	G/TBT/N/UGA/719	Uganda	Briefs	In this context, India sought clarification that whether the Ugandan authorities will accredit any third party certification agencies in exporting countries like India, which will inspect and provide certification mark on behalf of UNBS.
61	G/TBT/N/UGA/720	Uganda	Tracksuits	The Ugandan standards are in line with US ISO norms. India would like to seek clarifications from the Ugandan authorities on the following:
62	G/TBT/N/UGA/721	Uganda	Athletic wear	<p>a) At what extent the referred US ISO norms differ from the existing ISO norms.</p> <p>b) Whether exports confirming to relevant ISO norms will be treated equivalent to US ISO norms.</p> <p>c) Whether products have to be accompanied with a certificate showing their compliance with relevant ISO norms?</p> <p>d) Whether products already confirmed to ISO standards still have to be bear an UNBS mark?</p> <p>e) Whether products confirmed to ISO standard will get easy access for import into Uganda without an UNBS mark?</p>

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63	G/TBT/N/CAN/531	Canada	Corded Window Coverings	<p>The Canadian authority has issued these notifications on safety on corded window coverings. Owing to the risk of strangulation of children in Canada from corded window coverings (CWCs), the authority is proposing regulations that specify requirements for construction, performance, labelling and other information. The proposed regulation would:</p>
64	G/TBT/N/CAN/531/Add.1	Canada	Corded Window Coverings	<p>a) restrict the length of cords that can be reached and the size of loops that can be created to help eliminate the risk of strangulation</p> <p>b) require a warning on the product that states that the product should be disposed of if a long cord or large loop is ever exposed</p> <p>c) require that any cord that can be reached must be too short to wrap around the neck of a one-year-old child's neck (i.e. not more than 22 cm in length) or form a loop that can</p> <p>be pulled over a one-year- old child's head (i.e. not more than 44 cm in perimeter) d) require cords that cannot be reached to remain unreachable throughout the useful life of the product.</p> <p>As per the notification, the draft specifies requirements for construction, performance, labeling of CWCs entering into Canada. India sought clarifications from the Canadian authorities on the following:</p> <p>a) How the Canadian authorities are going to</p>

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				<p>regulate imports of CWCs?</p> <p>b) Whether exports of CWCs need to be accompanied with any specific certificate stating that the products are meeting Canadian regulations and specifications?</p> <p>c) If yes, which Canadian authority will provide such certification for exports into Canada?</p> <p>d) Whether products confirmed to OECD standard will get easy access for import into Canada?</p> <p>e) Whether the Canadian authority will approve any third party certifying agency in foreign countries like India, who will perform the certification on behalf of them?</p>
65	G/TBT/N/JPN/564	Japan	Dust Respirators	<p>As per the notification, Japan proposed amending the ordinance on examination of machines and other equipment, and related notification on standard for dust respirators under the industrial safety and health law. The draft amendments include:</p> <p>a) National examination is applied to the dust respirator with breath assistance device, then, it is required to pass performance tests such as-</p> <ul style="list-style-type: none"> • Test of particulate filtering efficiency" • "Test of inhalation resistance" • "Test of exhalation resistance" <p>b) The form of the dust respirator with breath</p>

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				<p>assisting device is defined according to its type.</p> <p>c) The structure of breath assisting device is required not to lose or impair its performance by entering of water or dust, etc. into its inside.</p> <p>d) A printed matter on which amount of noise is written is required when the dust respirator with breath assisting device is transferred or leased.</p> <p>The draft states that, the Japanese Ministry of Health Labour and Welfare is going to regulate facilities, who will perform the testing of dust respirators imported into Japan. In this regard, India stated that the National Accreditation Board for Certification Bodies (NABCB), which provides accreditation to certification and Inspection Bodies based on an assessment of their competence as per the criteria and in accordance with International Standards and Guidelines.</p> <p>India requested Japanese authorities to provide accreditation to NABCB, which will facilitate exports from India. In this regard, India also sought bilateral consultation with Japan as to avoid any disruptions in trade.</p>
66	G/TBT/N/SAU/990	Saudi Arabia	Cars spare parts	As per these notifications, the Saudi Standards, Metrology and Quality Organization (SASO) has proposed technical regulations consisting the terms and definitions, scope, objectives, supplier obligations, labeling, conformity assessment procedures, responsibilities of regulatory authorities, the authorities of market survey
67	G/TBT/N/SAU/991	Saudi Arabia	Trailers and half trailers	

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68	G/TBT/N/SAU/994	Saudi Arabia	Front and rear and side barriers for trucks and trailers	<p>responsibilities, violations and penalties, general rules, transitional rules, for the following:</p> <ul style="list-style-type: none"> • Trailers and half trailers • Front and rear side barriers for trucks and trailers • Cars spare parts <p>As per our understanding, the SASO authorities have referred the ISO/IEC Standard 17067, which describes the fundamentals of product certification and provides guidelines for product certification schemes. It aims to offer guidance on understanding, developing, operating or maintaining certification schemes for products, processes and services. It is intended for use by all with an interest in product certification, and especially by certification scheme owners. The International Standard outlines how schemes for product certification can be structured and managed. It identifies common assessment techniques that are used as a basis for product certification, such as product testing, inspection and auditing. In this context, India requested the Saudi Arabian authorities to clarify the following:</p> <p>a) Whether products have to be accompanied with a certificate showing their compliance with relevant ISO/IEC norms?</p> <p>b) Whether products already confirmed to ISO/IEC standards will be allowed for import into Saudi</p>

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				<p>Arabia without any certification?</p> <p>c) Whether the Saudi authorities will accept certification from a third party certification body in the exporting country?</p>
69	G/TBT/N/CHE/224	Switzerland	Organic Products	<p>India observes that the Federal Office for Agriculture (FOAG) has issued this notification proposing amendment to the Ordinance on Organic Farming. It is observed that the proposal is intended to facilitate importation process into Switzerland. We find that the documents are available only in the official languages of Switzerland. Hence, India would like to seek certain clarifications.</p> <p>India understands that the FOAG has incorporated Trade Control and Expert System (TRACES) of the European Union in order to manage the official control and ease the processing of importation procedures. However, in our understanding, the TRACES is a mode of communication between various agencies within the EU single market with regard to official control and inspection on the basis of requirements laid out by the European Commission. In this regard, India sought whether it is mandatory for exporters and competent authority from non-EU countries to submit the documents or certificates to Switzerland only through TRACES. And India also like to know the alternative means of submission other than TRACES to Switzerland authorities.</p> <p>Further, India would like to know whether the TRACES recognises Switzerland's requirements.</p>

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				<p>For example: if Switzerland has bilateral or mutual recognition agreement (MRA) that is different from the EU's MRAs would TRACES recognise such certification?</p> <p>In addition, India found that the FOAG may approve or withdraw authorizations to organic control bodies. In this regard, India mentioned that India has established the 'National Programme for Organic Production (NPOP)' which contains standards for organic production, systems, criteria and procedure for accreditation of certification bodies, national logo which is known as "India Organic" and other details. This programme has been formulated and established in accordance with international standards concerning the trade of organic products. Further, the Agricultural and Processed Food Products Export Development Authority (APEDA) is the nodal agency that provides accreditation to the certifying bodies which in turn, provides certification to the producers as per the standards specified in the NPOP. In this context, India requested the FOAG authorities to explore the possibility of an equivalence agreement to facilitate the trade on organic products.</p>

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70	G/TBT/N/TUR/104	Turkey	Maximum levels of contaminants in food products.	<p>The Ministry of Food, Agriculture and Livestock has issued this notification proposing amendments to the Turkish Food Codex – Regulation on Food Contaminants. The proposed amendments concerns the maximum levels of nitrate, mycotoxins, metals, dioxins, 3-MCPD, PAH, melamine, and inherent plant toxins in various food products</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • Section 5- titled as Dioxins and PCBs of the draft contains the maximum limit for dioxins, dioxins and sum of PCBs and total. • In this regard, India stated that the maximum limits for sum of dioxins has been prescribed for fish and fishery products at 3.5 pg/gm wet weight and eel meat at 3.5 pg/g wet weight. In addition, the maximum limits for benzo(a)pyrene on smoked fish and bivalve molluscs in Section 6.1 titled as Benzo(a)pyrene to be stricter than Indian limits. <p>Further, the proposed maximum limits are stringent in nature on comparison with the EU limits. India is of the view that such stringent levels of maximum limits for dioxins and benzo(a)pyrene may pose trade restriction on the trade of aquatic products of India and <u>therefore, the Turkish authorities may take cognizance of India's response before adopting the proposed regulation.</u></p>

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71	G/TBT/N/BRA/737	Brazil	Powdered milk products	<p>The Ministry of Agriculture, Livestock and Food Supply has issued this notification on Draft Ordinance No 93, 9 August 2017.</p> <p>The draft ordinance establishes a public consultation on a Draft MERCOSUR Resolution establishing Technical Regulation on identity and minimum quality requirements for powdered milk. It does not include milk intended for infant formulas and pharmaceutical products to be marketed in the territories of the MERCOSUR and in extrazone imports.</p> <p>In reply, India stated the following:</p> <ul style="list-style-type: none"> • In Point 2.1 – Definition of Section 2- Description, India finds that the definition of milk powder includes only cow's milk. There are other sources of milk which includes buffaloes, goats, etc and in certain cases, there are mixed milks. In this context, India requested the MAPA authorities to explain the inclusion of only cow's milk as a source for milk powder and to consider the inclusion of other milch animals as a source of milk for the production of milk powder. Further, India requested whether the requirements proposed are also applicable on 'cream powder'. • Further, in Point 4.2.2 – Physico-chemical characteristics, India finds that 'sugar' has been specified as a substance that shall be present in milk powder. <u>In this context, India mentioned that the term – sugar has the potential to mislead the exporters or manufacturers of milk powder. Hence, India</u>

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				<p><u>suggested the MAPA authorities to consider replacing 'sugar' with the terms – "Lactose or Milk Sugar". In our view, such changes would provide a better clarity in terms of product characteristics.</u></p> <ul style="list-style-type: none"> • <u>India found that the proposed Brazilian levels differ from the compositional parameters set in the international standard – Codex Standard for Milk Powders and Cream Powder (Codex Stan 207-1999). In this context, India sought the attention to the levels prescribed in Codex standard.</u> • In Point 5.1.1, India found that 'Lecithin' has been permitted for use as an emulsifier at the maximum level of 5 g/kg, whereas, the Codex standard has prescribed lecithin at GMP level. As you may be aware that lecithin can be naturally synthesized and generally recognised as safe substance. Hence, <u>India requested the MAPA authorities to consider permitting the usage of lecithin at GMP levels.</u> • In Point 5.1.2, India observed that only six types of food additives are listed to be used in the production of milk powders. <u>In this regard, India mentioned that there may be a technological requirement of 'stabilizers' particularly in the production of milk powder from milk obtained from other milch animals like buffalo.</u>

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72	G/TBT/N/JAM/65	Jamaica	milk products	<p>The Bureau of Standards Jamaica has issued standards for liquid low-fat (half-skimmed or partly skimmed) cow's milk and liquid non-fat (skimmed) cow's milk liquid whole cow's milk.</p> <p>In reply, India stated that: India found that the proposed standards intends to establish the minimum requirements for liquid whole milk, liquid low-fat and liquid skimmed milk in terms of product composition, microbiological quality, packaging and labelling. In this regard, India submitted the following concerns.</p> <ul style="list-style-type: none"> • India found that the proposed standards are applicable only on products of cow's milk. As you may know, there are animals other than cow as a source for milk including buffalo, sheep, goats, and other animals. In this context, <u>India sought clarifications whether the above mentioned products that are produced from milk of animals other than cows would be permitted for importation into Jamaica. However, if the products produced from milk of other milch animals are considered to be non-compliant to these proposed standards merely on the grounds of source of milk, then we would like to mention that these proposed standards may be considered as trade restrictive in nature.</u> • Further, <u>India sought clarifications whether the notifying agency intends to propose specific standards based on source - milch animals in near future. If not, we would like to request the Jamaican authorities to consider the inclusion of other milch animals as a source of milk so</u>

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				<p><u>that it does not create a barrier on trade of these products.</u></p> <p>This would have a negative impact on the trade of liquid low-fat and liquid non-fat milk products from India which may be produced from milk of other milch animals.</p>
73	G/TBT/N/JAM/64	Jamaica	recombined milk	<p>The Bureau of Standards Jamaica has issued the standard prescribing the requirements and methods of test for recombined milk.</p> <p>In reply, India stated that: India observed that the Bureau of Standards Jamaica has issued the standard prescribing the requirements and methods of test for recombined milk. In this regard, India had submitted the following concerns.</p> <p>Section -3 concerns 'General Requirements' in which Point 3.3 stated the following:</p> <ul style="list-style-type: none"> • "The whole milk, low-fat milk or skimmed milk used in the manufacturing of recombined milk, shall be as specified by the Jamaican Standard specifications for liquid whole cow; milk, low-fat milk or skimmed milk." • India stated that <u>only liquid whole milk sourced from cow has been considered as a source for recombined milk. In this context, India would like to request the Jamaican authorities to provide an explanation for listing only liquid whole milk from cow as a source for recombined milk.</u> Further, India sought <u>clarification on whether milk from milch animals other than cow that has been used to produce low-fat milk and</u>

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				<p><u>skimmed milk can be source for recombined milk.</u> Such details are requested to have clarity on the requirements for India's trade on recombined milk to Jamaica.</p> <p>In addition, India found that the inclusion of only cow's milk poses trade restrictions on the product-recombined milk produced from milk from other milch animals like buffalo. Hence, <u>India requested the Jamaican authorities to consider the inclusion of milk products produced from milk obtained from milch animals other than cow for the production of recombined milk.</u></p>
74	G/TBT/N/EU/508	EU	Pesticide active substance – Bifenthrin	<p>The European Commission (EC) has proposed Commission Implementing Regulation amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance bifenthrin.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • India read that the <u>use of bifenthrin has been restricted for use and authorised for use only in greenhouses with a permanent structure.</u> Such action has been taken in the context of possibility of bioaccumulation and biomagnification of this substance in the aquatic and terrestrial environment. However, <u>India stated that the proposal laying down the conditions for use of bifenthrin to be restrictive in nature.</u> • India found that the <u>EC has based its decision due to 'insufficient' information on bioaccumulation and biomagnification in the aquatic and terrestrial environment. This decision has resulted from the technical report</u>

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				<p><u>submitted by the European Food Safety Authority (EFSA). In the report, the EFSA has stated that due to mitigation measures used during the study, the assessment of risk has indicated very low on aquatic organisms.</u></p> <ul style="list-style-type: none"> • However, the explanation of the Rapporteur Member State in its assessment on the changes in the monitoring study which led to the conditions of the study. Given this context, we would like to seek your attention to the 'mitigation measures' implemented in the study which has limited the entry of bifenthrin into water bodies. In this regard, India is of the view that <u>the inclusion of 'mitigation measures' as directions on use of this substance would address the concerns of risks due to the use of this substance on non-target organisms.</u> Hence, India had sought whether the EU may consider looking at any additional 'mitigation measures' on the use of this substance rather than proposing restrictions on its use to greenhouses with permanent structure. <p><u>India suggested the EC to consider directing the registrant of this substance to conduct further monitoring study and submit the required information within a time period.</u></p>

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75	G/TBT/N/JAM/63	Jamaica	Milk Products	<p>The Bureau of Standards Jamaica has issued standards for liquid low-fat (half-skimmed or partly skimmed) cow's milk and liquid non-fat (skimmed) cow's milk.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • Point 2.2 - "whole cow milk. Pasteurized, or raw unpasteurized milk, shall contain not less than 3.25% of milk fat, 8.25% of solid-not-fat and 11.5% of total milk solids. The prescribed percentages shall be obtained only by the addition or removal of cream or milk, or by the addition of pasteurized, or raw unpasteurized milk from which the fat has been wholly or partially removed, and to the exclusion of dried milk solids, butter oil, butterfat, non-milk solids and non-milk fat." • In this point, India mentioned that milk solids can also be obtained from cow's milk and can be added into whole cow milk for the purpose of meeting the required total solids level of the milk. Therefore, the milk solids including dried milk solids, butter oil, butter fat that are exclusively derived from the cow milk shall be allowed to be added in the definition of whole cow's milk. Hence, India suggested the following sentence for the Jamaican authorities consideration: <i>The prescribed percentages shall be obtained only by the addition or removal of cream or milk, or by the addition of pasteurized, or raw unpasteurized milk from which the fat has been wholly or partially removed, and to the exclusion of non-milk solids and non-milk fat'.</i>

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				<ul style="list-style-type: none"> • Point 2.5 – “butterfat or milk fat. The fat of milk with a specific gravity of not less than 0.905 at a temperature of 15.5°C and a tocopherol content of not more than 50g.” In this point, India found that the definition of butterfat or milk fat mentions both the requirements of specific gravity and tocopherol. However, it does not contain other essential parameters like fat, moisture, etc. India requested the Jamaican authorities to include such parameters in the definition for the purpose of product characterization. • Further, in Point 2.14 – “sterilized milk”, India observed that there is no mention of sterilization temperature. As sterilization temperature is crucial, India requested the Jamaican authorities to indicate an appropriate ‘sterilization temperature’. • In Section 3 – General requirements, Table 3 – Average mineral/vitamins values for fortified low-fat and skimmed milk, India found that the value of Vitamin D is listed as 0.30 µg. However, in Section 4- Optional ingredients, Point 4.1.1 states that “Vitamin D, if added, shall be of food quality grade and shall be present in such quantity that each litre of the food contains not less than 5 µg (200 IU) and not more than 10 µg (400 IU).” On comparison, India observes differences in value of Vitamin D. Hence, India requested the Jamaican authorities to specify a uniform value for Vitamin D.

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76	G/TBT/N/JAM/67	Jamaica	Physical and chemical test methods for hydraulic cements	These Jamaican standards describe the procedures for the chemical analysis, and physical test methods for hydraulic cement. In reply, India stated that:
77	G/TBT/N/JAM/68	Jamaica	Physical and chemical test methods for hydraulic cements	<ul style="list-style-type: none"> Hydraulic cement is regulated as per standards prescribed by the Bureau of Indian Standards (BIS). It has issued standards related to physical and chemical test of cement for determination of soundness, consistency of standard, initial and final setting times, strength, heat of hydration, density, drying shrinkage, air content, water retentivity, false set, etc. <p>Hence, <u>India requested the Jamaican authorities provide equivalence to standards prescribed by BIS and allow exports from India. In this regard, India sought for bilateral discussions with the Jamaican authorities</u></p>
78	G/TBT/N/UGA/746,	Uganda	Textile Products	<p>Ugandan have issued standards, specifications and basic requirements for warp-knitted fabrics, blazer fabrics, polyester and wool fabrics, polyester and viscose fabrics, polyester and cotton fabrics, shirting and blouse fabrics, fabrics containing textured yarns.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> The Section-6.1- Packing of DUS 1700-1: 2017 states that "Unless otherwise required, each piece shall be rolled, full-width and face inward, on an acceptable tube. Only pieces of the same type, width, design (when relevant), colour(s)
79	G/TBT/N/UGA/747,	Uganda	Textile Products	
80	G/TBT/N/UGA/748,	Uganda	Textile Products	
81	G/TBT/N/UGA/749,	Uganda	Textile Products	
82	G/TBT/N/UGA/750,	Uganda	Textile Products	

Sl. No:	Notification No:	Country	Product	India's Comment
83	G/TBT/N/UGA/751,	Uganda	Textile Products	<p>and finish shall be packed together in a bulk container. In this context, <u>India stated that allowing only pieces of same types of fabrics, particularly in case of bulk container may be trade restrictive. Hence, India requested the Ugandan authorities to provide the rationale for allowing only same types of fabrics in a bulk container.</u></p> <ul style="list-style-type: none"> • The drafts also stated that, products that conform to Ugandan standards may be marked with Uganda National Bureau of Standards (UNBS) Certification Mark. This mark can be used only by those licensed under the certification mark scheme operated by UNBS and in conjunction with the relevant Uganda Standards. The presence of this mark on a product or in relation to a product is an assurance that the goods comply with the requirements of that standard under a system of supervision, control and testing in accordance with the certification mark scheme of the Uganda National Bureau of Standards. UNBS marked products are continually checked by UNBS for conformity to that standard. <u>In this context, India sought clarification that whether the Ugandan authorities will accredit any third party certification agencies in exporting countries like India, which will inspect and provide certification mark on behalf of UNBS.</u> India is of view that such provision will certainly facilitate exports from India and reduce cost of exports into Uganda. <p>India sought clarifications from the Ugandan authorities on the following:</p>
84	G/TBT/N/UGA/752,	Uganda	Textile Products	
85	G/TBT/N/UGA/753	Uganda	Textile Products	

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>a) <u>Whether exports confirming to relevant ISO norms will be treated equivalent to US ISO norms.</u></p> <p>b) <u>Whether products have to be accompanied with a certificate showing their compliance with relevant ISO norms?</u></p> <p>c) <u>Whether products already confirmed to ISO standards still have to be bear an UNBS mark?</u></p> <p>d) <u>Whether products confirmed to ISO standard will get easy access for import into Uganda without an UNBS mark?</u></p>
86	G/TBT/N/JAM/66	Jamaica	Toys	<p>Jamaica has proposed a standard, which applies to the safety aspects of toys and playthings intended specifically for children. No toy or plaything, when in normal use or when subjected to reasonably foreseeable damage or abuse, shall, because of its design or manufacture, present a risk of personal injury or illness</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • Toys and playthings for children are regulated as per standards prescribed by the Bureau of Indian Standards (BIS). It has issued standards related to safety aspects related to mechanical and physical properties of toys along with flammability, migration limits and phthalates content in toys. <p>Hence, <u>India requested the Jamaican authorities provide equivalence to standards prescribed by BIS and allow exports from India. In this regard,</u> India also sought for bilateral discussion with the Jamaican authorities.</p>

Sl. No:	Notification No:	Country	Product	India's Comment
87	G/TBT/N/UGA/754	Uganda	Glycerol for cosmetic use	<p>This draft Uganda standard specifies general and specific requirements, sampling, packaging and labeling details and test methods for glycerine for cosmetic use.</p> <p>In reply, India stated that: As per this notification, this draft standard has referred the following Bureau of Indian Standard (BIS) standards: DUS 1832:2017</p> <ol style="list-style-type: none"> 1. IS 1796 (1986): Glycerine – Specification 2. IS 12590 (1988): Glycerine for Cosmetic Industry <p>In this regard, <u>India stated that the above mentioned Indian standards are in line with standards issued by International Organization for Standardization (ISO). Hence, India sought a clarification from the UNBS authorities whether Uganda will provide equivalence to Indian standards and allow products conforming to relevant BIS standards into Uganda.</u></p>
88	G/TBT/N/CHN/1215	China	Medical devices	<p>The CFDA has notified “Related Policies about Encouraging the Innovation of Drugs and Medical Devices and Accelerating the Review and Approval for the Launching of New Drugs and Medical Devices”.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • As per this notification, priority review and approval for medicinal drugs and medical equipments would be given on the basis of China’s national science and technology projects. <u>In this context, India was of the view that setting priority for approval or review on the basis of the linkage of medical drugs or</u>

Sl. No:	Notification No:	Country	Product	India's Comment
				<p><u>devices to the nation's science and technology policy may foster an inherent bias against new drugs or devices emerging from other countries.</u> However, India sought clarification on whether <u>CFDA would consider providing priority to the new drugs or devices from other countries if there is a linkage to China's national projects.</u></p> <ul style="list-style-type: none"> • In this regard, India was of the view that, in majority of the countries, priority to review or approval may be considered on the basis of prevalence of diseases or any other specified criteria including situations concerning public health. Hence, India requested the Chinese authorities to <u>provide details of various criteria used by the authorities for priority review and approval of medicinal drugs and medical equipments in China.</u> • The CFDA proposed to establish registration or submission of the details of raw materials of the medicinal drugs along with the packaging materials. In this regard, <u>India sought clarifications whether it is applicable for existing drugs, drugs of new registrations for market authorization or both.</u>
89	G/TBT/N/CHN/1216	China	Drugs and medical devices.	<p>The CFDA has notified "Related Policies about Encouraging the Innovation of Drugs and Medical Devices and Reforming the Management of Clinical Trial".</p> <p>In reply India stated that:</p> <ul style="list-style-type: none"> • The proposed policies are intended to foster and strengthen the establishment of clinical

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>trial institutions in the country. India appreciated that the foreign enterprises or institutions may be allowed to conduct phase-I clinical trials in China.</p> <ul style="list-style-type: none"> • India cited that such policies include provisions related to employee/personnel like job promotion, title, wages and related incentive mechanisms and other aspects of remuneration. In this regard, <u>India sought clarifications whether such employee related matters would be applicable for institutions located in other countries.</u> Such detail is requested as we find that the CFDA would undertake on-site inspections for granting an approval for institutions conducting clinical trials. Further, India mentioned that such employee related matters with respect to income is beyond the parameters of WTO – TBT Agreement. Hence, • <u>India also sought the rationale for including such parameters in the promotion of clinical trials.</u> • India found that the policies intend to support clinical trials institutions if there is a relation to the national science and technology projects. In this regard, India sought clarifications <u>whether such support would be extended to the multi-center drug trials with simultaneous foreign operations.</u> • India found that clinical trial data from other countries may be accepted only if it meets the requirements laid out by laws and regulations of China followed by an on-site inspection.

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>Given the international multi-center drug trials, on-site inspections may become a burden on such clinical trials and institutions involved. Hence, India sought <u>whether CFDA would consider mutual recognition between countries on registry of clinical trial institutions.</u></p> <ul style="list-style-type: none"> • In addition, India found that the applicant for a new drug or medical devices must provide clinical trial data without racial differences. In this regard, India asked the Chinese authorities <u>whether each trial data must include ethnic profile of China. If so, whether the Chinese authorities intend providing details on the requirement of ethnicity based clinical trial data.</u> India also mentioned <u>that such ethnic data may hinder the registration of new drugs or devices in China whose data is generated at the multi-center drug trial situated across countries which may not necessarily include China.</u> <p>Further, India was of the view that such requirement of clinical trial data without racial differences may be feasible for drugs that targets specific disease of a particular ethnic origin. However, this requirement may become a barrier for registration of drugs or devices that intends to address a disease with global presence. Hence, <u>India requested the Chinese authorities to provide clarity on the requirement of clinical trial data without racial differences.</u></p>

Sl. No:	Notification No:	Country	Product	India's Comment
90	G/TBT/N/CHN/1217	China	medical drugs and devices	<p>CFDA issued this notification on “Related Policies about Encouraging the Innovation of Drugs and Medical Devices and Implementing the Whole Life Cycle Management of Drugs and Medical Devices”.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> • The notified document stated that, in case of any adverse reaction found in medical devices, it must be reported by the license holder of the device to the regulatory authorities. However, if the license holder does not file any report on such incidents but it is reported by medical institutions or patients, the license holder would be held liable for concealing such adverse reports. • In this regard, India mentioned that, in many times, reporting by license holder concerning a medical device depends on reports from medical institutions or patients. Until the license holder receives a complaint or report from medical institutions or patients, the license holder may not be in a position to make the report with the regulatory authorities. In such situations, <u>India requested the Chinese authorities to clarify whether the license holder would be held responsible for failing to report any such adverse events. Further, India also sought clarification whether the Chinese authorities would establish a timeframe for reporting such adverse events.</u>

Sl. No:	Notification No:	Country	Product	India's Comment
91	G/TBT/N/EU/521	EU	Hazardous substances	<p>The European Commission (EC) has issued this draft regulation concerning classification, labelling and packaging of substances and mixtures. This proposal intends to update the categorisation of chemical substances in relation to advancements made in scientific and technical arena of chemicals. EC has introduced revision to the harmonised classification and labelling of 34 substances.</p> <p>In reply India stated that: India sought the response on two chemical substances – isoproturon and propiconazole.</p> <ul style="list-style-type: none"> • In case of isoproturon, India found that the substance is additionally classified as ‘specific target organ toxicity – repeated exposure (STOT RE 2)’ and in propiconazole, the substance is also • classified as ‘Reproductive toxicity (Repr 1B)’. In practice, India has observed the EU to base its decision on scientific risk assessments. India observed that there has been no mention of results of scientific risk assessment for the two above mentioned substances indicating their toxicity vis-à-vis exposure assessment. In this regard, India was of the view that any addition of classification of harmfulness for any substances must be based on scientific risk assessment of technical data establishing such harm beyond reasonable doubt. Hence, India requested the EU authorities to provide an explanation for proposing additional hazard classification for these substances. • Further, it was observed that there is no detail on assessment of socio-economic impact of

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>such additional hazard classification for these substances. India was of the view that such assessment is crucial as it has a linkage to other EU regulations. In turn, it may pose challenges to the trade on other products from India to the European Union market.</p> <ul style="list-style-type: none"> India sought a “Study on the regulatory fitness of the legislative framework governing the risk management of chemicals (excluding REACH), in particular the CLP Regulation and related legislation – Evaluation Report” 3. This report points out the regulatory incoherence between CLP legislation with others like Cosmetic product regulation, plant protection product regulation, and biocides regulation. Further, the report also mentioned the need to consider other factors beyond scientific criteria in evaluating and classifying a substance so that it facilitates innovation and economic feasibility. Thus, India stressed on the need to consider factors like trade, technological feasibility and other factors in classifying the substances – propiconazole and isoproturon. Hence, India requested the EU authorities to consider the proposed amendments concerning these substances.
92	G/TBT/N/BRA/757	Brazil	Advanced research therapy (pharmaceuticals)	The Brazilian Health Regulatory Agency (ANVISA) has proposed this resolution in order to establish procedures and regulatory requirements concerning clinical trials of Products of Advanced Research Therapies in Brazil. The proposed resolution is to ensure the safety and efficacy of the products of Advanced Research Therapies.

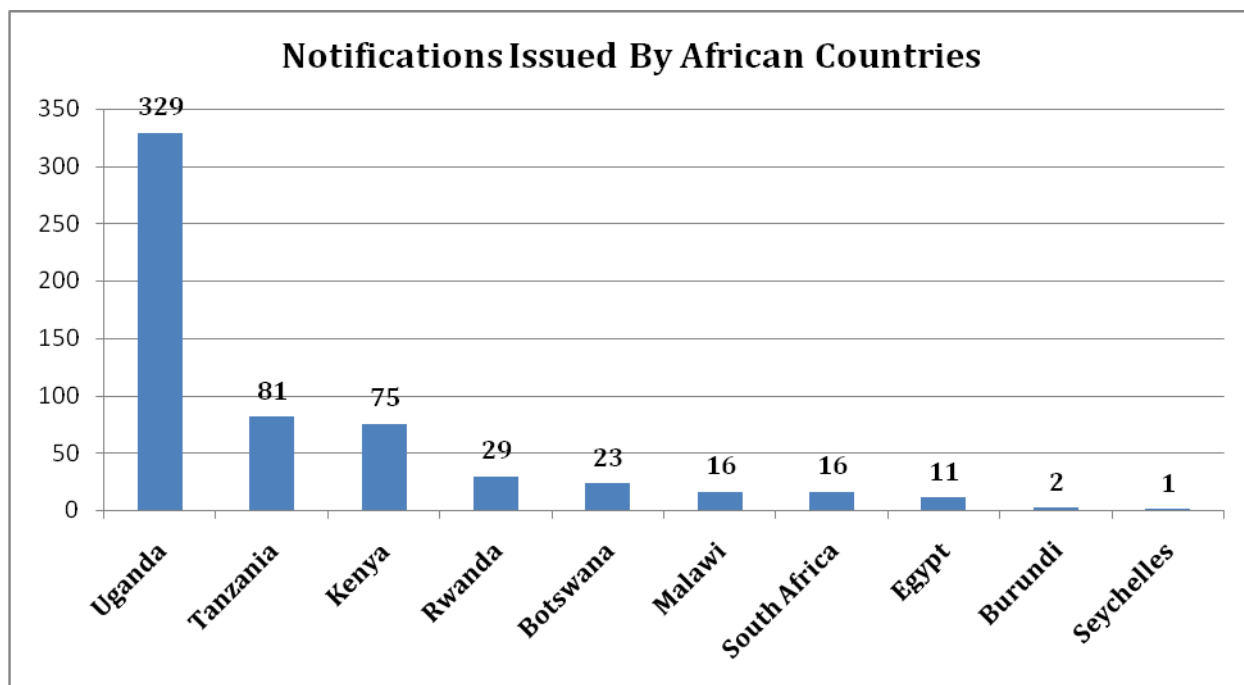
Sl. No:	Notification No:	Country	Product	India's Comment
				<p>In reply, India stated that: The proposed resolution is applicable on products falling under HS Code - 98041000. HS Code has been reserved for special uses by the contracting parties Hence, India requested the Brazilian authorities to provide a description of this HS Code. Such information is requested to understand the scope of this proposed resolution. In addition, in Chapter - VII on "Import", the resolution states that the listed documents on products that may be used in clinical trials must be submitted to ANVISA prior to its arrival at the Brazilian territory. However, India found no details on the time that may be required by ANVISA to conduct inspection and provide results accordingly. Since, these products are critical in nature, India was of the view that providing a timeline may be beneficial to the parties involved or conducting a clinical trial. Hence, India requested the ANVISA authorities to fix a timeline for inspection and clearance of import products.</p>

Sl. No:	Notification No:	Country	Product	India's Comment
93	G/TBT/N/DOM/224	Dominican Republic	Food products	<p>The Ministry of Public Health authorities of Dominican Republic issued “Food Health Regulations”.</p> <p>In reply, India stated that:</p> <ul style="list-style-type: none"> The regulation mandates the requirement of a ‘certification of free sale’ indicating the permit of free sale in the country of origin for health registration of imported food products which is duly signed by the Dominican Consular or apostille in the country of origin. In this context, India mentioned that the food products are certified for its quality and safety depending upon the requirements for domestic consumption or importing country.
94	G/TBT/N/DOM/224/Add.1	Dominican Republic	Food products	<ul style="list-style-type: none"> In some cases, the food products may not be permitted for marketing or distribution in the country of origin. However, it may be allowed for manufacturing only for exportation of such food products. Hence, India was of the view that the food business operators may face difficulties to comply with the requirement of submission of a ‘certification of free sale’ in the originating country. Further, the requirement of legalisation from Dominican Consular or apostille for submission of this certificate to the competent authorities of Dominican Republic seems to be cumbersome for adherence for any food business operators. As a result, such requirements may pose restrictions to trade of food products. <p>However, India stated that a ‘certificate of free sale’ is mandated to ensure the safety and quality of</p>

Sl. No:	Notification No:	Country	Product	India's Comment
				<p>food products entering Dominican territory. In this regard, India suggested the Dominican authorities to consider the requirement of a certificate from the competent authorities of the originating country indicating the quality and safety of the food products in accordance to the requirements of Dominican Republic. Thus, the imported food products may be exempted from the requirement of certificate of free sale in the origin country.</p>

REGION-WISE ANALYSIS OF TBT NOTIFICATIONS

A. African Countries



Source: WTO

African countries such as Uganda, Tanzania, Kenya, Rwanda, Botswana, Malawi, South Africa, Egypt, Burundi and Seychelles issued 583 TBT notifications in 2017. TBT Notifications issued by the above countries were mainly on food, electrical products and appliances, chemical, machinery, fuel and gas, auto and auto components, pharmaceutical, iron & steel, cosmetics, construction, medical devices, textiles, wood, pesticides, toys, fertilizers, plastic, communication devices, tobacco, footwear, locomotive, children products, appliances, glass, explosives, leather, salt, food additives, paper, jeweler, aircraft, aluminum, copper, packaging, rubber, stationary, marine equipment, tiles, cleaning, cotton,



personal protective equipments, nuclear materials, headgear, furniture, gold, tyre, energy, ship, safety equipment, industrial waste, etc.

Among the African countries, Botswana, Burundi, Egypt, Kenya, Malawi, Rwanda, South Africa, Tanzania and Uganda issued TBT notifications on food products, which include wheat & meslin flour, maize, edible fats & oil, strawberries, cabbage lettuce (head lettuce), carrots & turnips, peas, cabbages, okra, vodka, beer, table wine, brandy, portable spirit, fortified wine, neutral spirit, whisky, alcoholic beverages, meat, tea, coffee, drinking water, rice, molluscs, frozen fish, animal feed stuff, cheese and curd, etc. The African countries proposed these notifications concerning the ingredient and product specifications for the above mentioned products.

Products referred in certain TBT notifications on chemical products were specifications for inorganic chemicals, cosmetics, chemical disinfectants for use for disinfection purposes on inanimate surfaces, shoe polish, disinfectants, hair spray, organic and inorganic chemicals. These notifications mainly proposed mandatory specifications. The standards prescribed were in line with ISO and Easy African Community (EAC) norms.

Products referred in certain TBT notifications were specifications, handling, storage and distribution of liquefied petroleum gas, engine oil for light duty and heavy duty internal combustion, greases, anti - wear hydraulic oils, diesel engine oils, greases, safety of gas, greases and hydrocarbons and natural gas. These notifications mainly proposed mandatory specifications. The standards prescribed were in line with ISO and US norms.

African countries like Botswana, Egypt, Kenya, South Africa, Tanzania and Uganda issued technical regulations on electrical products and appliances. Products referred in these notifications were domestic refrigerating appliances, safety of electric tumble dryers intended for household and similar purposes, cables, rectifiers, converters, Non-telecommunications electronic and electrical products, etc. These draft regulations are adoption of standards prescribed by International Electro-technical Commission (IEC) and ISO norms. The primary purpose of these drafts is to streamline standardized imports of products and also standardize domestic products.

In 2017, African countries like Rwanda, Uganda, Kenya and Tanzania were emerged as major notifying countries for textile, clothing, footwear and leather products. In 2017, the Africa countries have put efforts to establish their respective textile industry and expand the country's almost non-existent manufacturing sector. For them, it's also about moving on from being another third-world African country dressed in second hand clothes donated from western countries. The East African Community (EAC), which includes Rwanda, Kenya, Uganda, Tanzania, and Burundi, as a whole has proposed a ban on second hand clothing by 2019. The aim was to achieve self-reliance and boost local production. African countries have already attracted Chinese textile makers.

Similarly, the Kenya, South Africa, Uganda and Rwanda have issued draft specifications for steel tubes for non-pressure purposes, pressed steel tanks, cold rolled low carbon steel flat products, padlocks, steels for reinforcement of concrete, hot water tanks, steel tubes for non-pressure purposes and steel nails. The regulations have focused on trade facilitation, quality requirements, protection of human health or safety, and prevention of deceptive practices and consumer protection.

Uganda and Tanzania have issued notifications on fertilizers covering both biological and chemical based. Products referred in these notifications were magnesium sulphate fertilizer, inorganic foliar fertilizer, organic fertilizer, urea fertilizer, ammonium sulphate, nitrate fertilizer, calcium ammonium nitrate fertilizer, monoammonium phosphate fertilizers, diammonium phosphate fertilizers, potassium chloride fertilizer, muriate of potash fertilizer and animal or vegetable fertilizers.

Please find below certain important TBT notifications issued by African countries:

The Uganda National Bureau of Standards issued specifications for egg powder, which specified the requirements, method of sampling and test for egg powder obtained from poultry eggs. This includes all egg powder processed from edible birds' eggs domesticated for human consumption. The draft standard contains the types of egg powder along with specific requirements for processing, and finished products. The egg products must not contain any antibiotic residues and must be sourced from producers.

Similarly, the Kenya Bureau of Standards issued specification for mineral water. It permits the treatments like ozonation, UV sterilization, decantation filtration and permitted selective removal of fluoride. It lays out the requirements – general, specific – physical,

chemical, limits of microbiological contamination, radioactive matters, packaging and labelling. Further, the Kenya Bureau of Standards has issued several notifications on standards and specifications for cold rolled steel, hot-rolled structural steel, hard-drawn steel wire fabric, weld mesh and ribbed weldable reinforcing steel. These draft regulations are in line with ISO standards of steel and steel products.

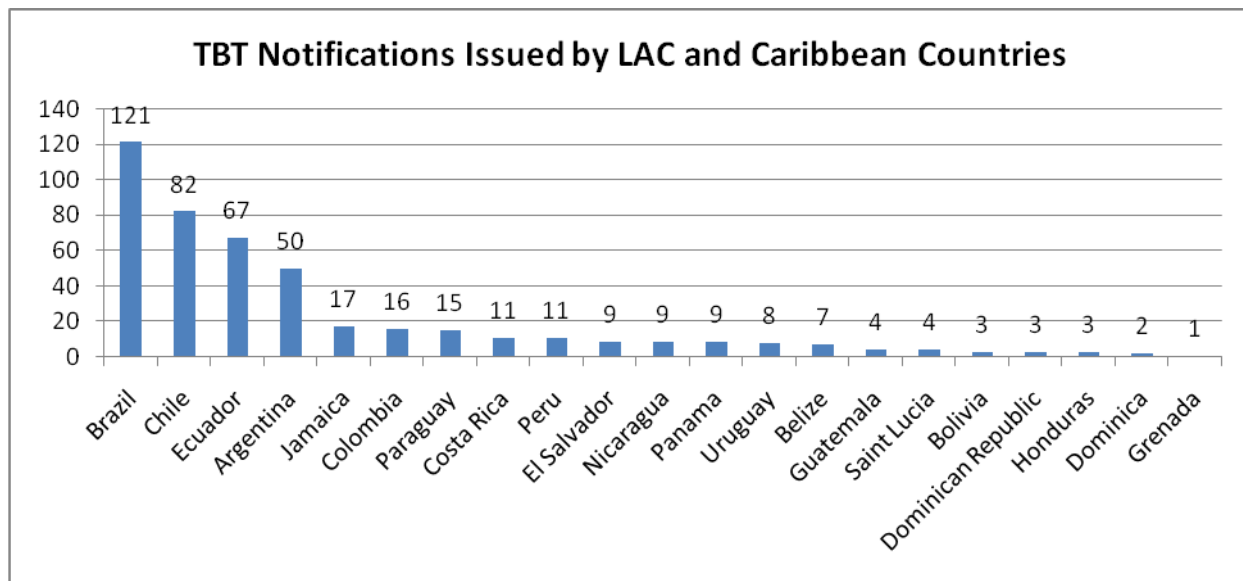
This draft Uganda standard specifies requirements, test and sampling methods for candles suitable for illuminating purposes. As per the notification, this draft standard has referred to Bureau of Indian Standard (BIS) Standard- IS 1139 (1985): wax candles, oil burning appliances.

Uganda issued standards on requirements for the materials, size and make of school jerseys and cardigans, knee-high stockings and ankle socks, girls; slacks and skirts, dresses, tunics and gyms, trousers and shorts, shirts, blazers, general requirements for school clothing, briefs, athletic wear, made from woven or knitted fabrics, tracksuits. It specifies the requirements for outer materials or garments, supplementary materials and components, linings and interlinings, pocketing, sewing threads, slide fasteners, buttons, pressure-studs, hooks and bars, tapes, braids, bindings and cords, elastic braids or webbing, narrow elastic strip, stay tape, stitches, number of stitches, size designation, packing, care-labelling, marking of the size designations, additional marking, inspection and methods of test, dimensions. The drafts state that, products that conform to Ugandan standards may be marked with Uganda National Bureau of Standards (UNBS) Certification Mark. This mark can be used only by those licensed under the certification mark scheme operated by UNBS and in conjunction with the relevant Uganda Standards. The presence of this mark on a product or in relation to a product is an assurance that the goods comply with the requirements of that standard under a system of supervision, control and testing in accordance with the certification mark scheme of the Uganda National Bureau of Standards. UNBS marked products are continually checked by UNBS for conformity to that standard.

Uganda has issued a TBT notification on "Uganda National Bureau of Standards (UNBS) Enforcement of Compulsory Standard Specifications Regulations. This draft Ugandan standard contains the following:

1. Marking or applying a distinctive mark on a commodity
2. Prohibition regarding manufacture, import, storage, sale and distribution of any commodity covered by a compulsory standard specification unless the commodity conforms to the specified relevant standards or bears the distinctive mark
3. Registration and authorization to use the distinctive mark
4. An importer or manufacturer of any commodity for which a compulsory standard specification has been declared shall ensure that the commodity bears a distinctive mark specified in schedule 1 of the draft regulation
5. A commodity covered by compulsory standard specifications shall only be placed on the market for sale when it bears the distinctive mark
6. UNBS will grant the permit to use the distinctive mark on a commodity for which a compulsory standard specification has been declared to a manufacturer or importer after all the requirements of this regulation have been met
7. No person shall manufacture or store for sale, import, sell or distribute any commodity covered by a compulsory standard specification unless:- a) the commodity conforms to the specified relevant standards; and b) the commodity bears the distinctive mark specified in schedule 1 of the draft regulation
8. An importer or manufacturer who intends to bring into the country or manufacture a commodity covered by a compulsory standard specification in Uganda shall apply to the bureau to be registered and authorized to use the distinctive mark
9. For each consignment, the importer shall apply to UNBS for use of this mark
10. Upon sampling, the UNBS will affix distinctive mark for every successful consignment

B. Latin America and Caribbean Islands



Source: WTO

This section covers Latin America, Central America and Caribbean region countries. Countries falling in this region such as Brazil, Chile, Ecuador, Argentina, Jamaica, Colombia, Paraguay, Costa Rica, Peru, El Salvador, Nicaragua, Panama, Uruguay, Belize, Guatemala, Saint Lucia, Bolivia, Dominican Republic, Honduras, Dominica and Grenada. These countries issued 452 TBT notifications in 2017. TBT Notifications issued by the above countries are mainly on food, electrical products and appliances, machinery, auto & auto components, pharmaceutical products, iron and steel, etc.



LAC countries such as Argentina, Belize, Bolivia, Brazil, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Honduras, Jamaica, Nicaragua, Panama, Paraguay, Peru, Saint Lucia and Uruguay issued 113 TBT notifications on food products related to beverages, sugar products, fruits, vegetables and derived products,

bread and biscuits, seeds, organic products, dairy products, processed fruits and vegetables, meat products, processed and ultra-processed foods for human consumption, non-alcoholic and alcoholic beverages, meat for human consumption, organic agricultural products, spices, birds' eggs, in shell, fresh, preserved or cooked and products destined directly or indirectly for human consumption, which contain or derive from genetically modified organisms.

There were 60 TBT notifications issued by LAC and Caribbean countries, which were related to electrical and electronic appliances. The products referred in these notifications were low-voltage electrical products, televisions, LCD, transmission apparatus incorporating reception apparatus, radio-communications equipments, vacuum cleaners, fluorescent, hot cathode, primary cells and primary batteries, vacuum cleaners, headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers, audio, video and audiovisual equipment, domestic and household appliances and similar equipment, automatic circuit breakers, air conditioners, medium voltage cables, lamp holders. The main focus of these TBT notifications was mandatory specifications, certification requirements, and enforcement of Energy Conservation Program in electrical products.

There were 52 TBT notifications issued by LAC and Caribbean countries, which were related to auto and auto components covering regulation on safety seat belts, carriages and parts, child restraint systems, road vehicle systems, carriages and strollers, trailers and semi-trailers. The main focus of these notifications were emissions, air quality, safety and fuel norms for automotive and auto component products.

Please find below certain important TBT notifications issued by LAC countries:

The National Agency of Regulation, Control and Sanitary Surveillance (ARCSA), Ecuador has proposed technical regulation concerning processed food products, food production establishments, processing, distribution, marketing, transportation. This regulation establishes the sanitary requirements for the operations including manufacturing, processing, preparation, packaging, transport, storage and marketing of foodstuffs. It is applicable on all processed food products. Food products must be produced in accordance

with GMP and the FBOs must possess the certificate for GMP. In case of packaging, the FBOs must pay attention to the material as there should not be any migration of ink from the material to the food products. Processed food products must meet the respective specifications. Any changes must be communicated to the authorities. In absence of Ecuadorian standard, international standard may be followed. The agency has listed the products that are exempted from the purview of this regulation and those are primary – unprocessed products, raw, chilled or frozen meat, eggs, honey, dried beans, seeds, nuts in shell. In case of imports, the certified foreign manufacturers or owners of the product are required to register. And any certification issued by the competent authority of the exporting countries must be authenticated by the Consul of Ecuador in the exporting country. Further, any technical documents of the product must be in Ecuador’s official language – Castilian or in English.

The Sub-Working Group "Technical Regulations and Conformity Assessment"- MERCOSUR has issued this notification on draft common market group resolution on Identity and Quality Milk Powder (Repealing Resolution no.82/93 GMC ones and 138/96)". This technical regulation contains details on the definition of the product, classification, raw materials, requirements like sensory and physio chemical, food additives. It mandates that the establishment and processing practices as per MERCOSUR resolution on hygiene practices.

Brazil has issued a draft resolution on good distribution and storage practices as well as good practices for the transport of medicinal products. It applies to companies that carry out the activities of distribution, storage or transport of medicines. This resolution does not apply to the distribution storage and transportation activities of raw materials, bulk drugs, labels, packaging or medicinal gases. The proposed resolution is applicable on storage during transit of cargo as well along with the imports. It mandates the requirement of Standard Operating Procedure (SOPs) concerning movement of drugs. The Good Distribution and Storage Practices (BPDA) must be established and followed from manufacturer, distributor to patient (supply chain) and also in reverse logistics i.e. collected from the market. Manufacturers must provide drugs only to licensed companies

by ANVISA. Distributors are required to collect consignments only from the registered companies and shall give to authorized companies holding a valid license.

Argentina has proposed amending the regime governing the mandatory certification of compliance with the essential safety requirements for low-voltage electrical products marketed in Argentina. As per the notification, the purpose of this regulation is to:

- reformulate certain requirements so as to rationalize the implementation of the regime and adapt it to market changes;
- amend the universe of products which, when used professionally or by electrical safety experts, may be subject to alternative means of compliance with the safety requirements;
- establish criteria for forming families of products, with a view to the issuing of a certificate for each of these families;
- establish a single certificate format for each of the authorized modalities;
- establish new guidelines for the monitoring of certified products by certification bodies.

Paraguay Ministry of Industry and Trade has notified a proposed technical regulation on milk which is titled as 'Draft Common Market Group Resolution No. 04/17 on the MERCOSUR Technical Regulation on the Identity and Quality of Milk'. This technical regulation contains details on the definition of the product, classification, raw materials, requirements like sensory and physio chemical, food additives. It mandates that the establishment and processing practices as per MERCOSUR resolution on hygiene practices.

Uruguay Ministry of Public Health has issued a draft decree on "labeling of packaged foods". The regulation concerns the nutritional labeling that must be in accordance with Decree 117/2006. However, if the content of sodium, salt or sugar exceeds the level given in this proposed decree, then it shall contain a 'Warning'. It is specified that:

- The warning must appear in the front side of the label (upper left of the label)
- Compliance falls under the scope of Ministry of Public Health.

- This decree prohibits the acceptance of donation of food products containing this warning in frontal side.
- Warning should state- "EXCESS OF FAT/SATURATED FATS/SUGARS/SODIUM" (with font capital letters in white colour).
- In case of the imported food products, adhesive label is permitted provided it complies with size, characteristic and location requirements established in the present decree.
- vi. The decree also contains details on the dimension warnings depending on the size of the container.

The Chilean authority has issued this notification establishing the procedure for the certification of extension cords according to the scope and field of application of International Electrotechnical Commission (IEC) 60884-Plugs and Socket-outlets for Household and Similar Purposes. The Chilean authorities have referred IEC 60884 for establishing the certification process of extension cords. Exporter needs to apply for a certification from the Electricity and Fuels, Chile.

Chile has notified certification procedure for type D and type SD elastomer hoses, with metallic connectors, for water heaters that use liquefied petroleum gas (LPG) or natural gas. The draft states the following:

- For approval of manufacturing in Chile or abroad, if there is no production for one or more months, monthly inspections shall be continued from first production of the following period.
- For verification of samples taken in factory, in Chile or abroad, at the moment of sample extraction, the certification bodies shall require the respective declarations by the manufacturer to the superintendency of electricity and fuels, indicating that the production is still in conformity with the approved type, in accordance with the provisions of the draft. In case the documents described are not presented, the

certification body shall not proceed with extraction of the sample, suspending the use of this certification system.

- In case of the rejection of the sample taken in the factory, in Chile or abroad, the certification body will proceed to reject the manufacturing or import consignment, and must send a copy of the rejection to the superintendency, within a period not exceeding five days from the date of issuance of the report.
- In the certificate (of approval or follow-up), in the item "other background", it will be indicated that it was approved in Second inspection, indicating among others things the causes and quantities of the product covered in the initial rejection.
- In the event of rejection being maintained, the certification body shall refuse the batch, and must send a copy of the rejection report to the superintendency, within period not exceeding fives business day from, from the date of the report.
- If the assembly has connectors of different types, it must have a safety warning at each end.
- In the event of failure to comply with the instructions, the certification body will refuse the product.

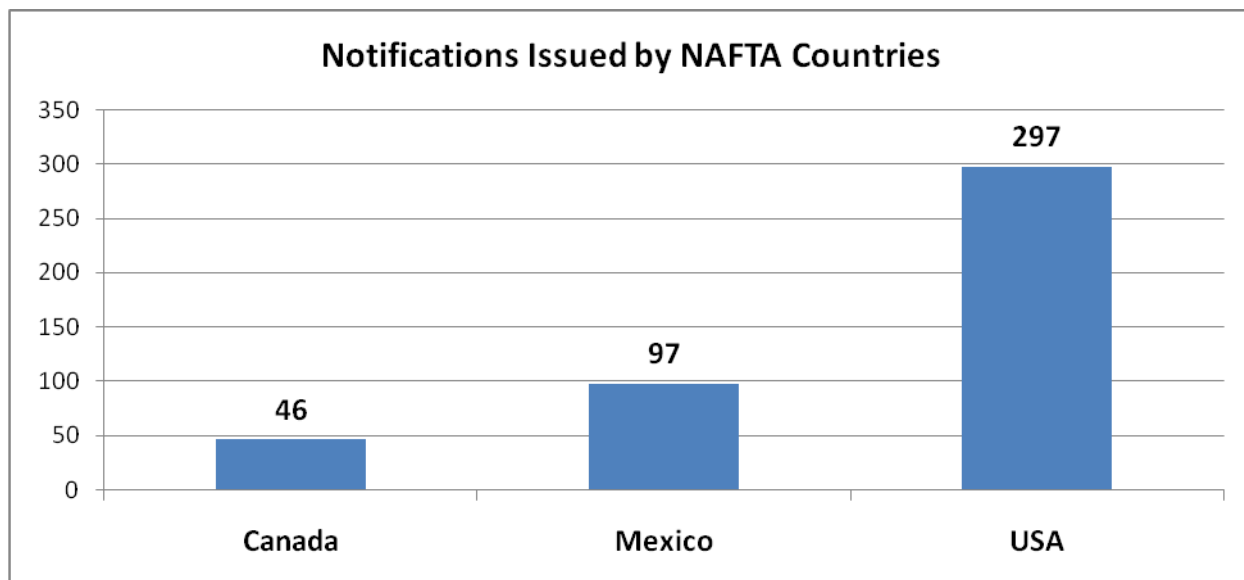
The Superintendent of Electricity and Fuel (SEF), Chile has established this certification system for electrical products and fuel. The draft refers to the following:

1. The applicant for the certification shall submit an application to the SEF with relevant details on product identification, documented quality control system, material testing details and inspection details. The certification system is divided into three phases, a) type test, b) initial audit, and c) capacity evaluation.
2. As a requirement to enter into the system, the applicant must have at least one year of experience in product certification.
3. After filing the application, the SEF will verify the documents and proceed for type testing by an authorized and recognized testing lab.
4. After type test, a certification agency will evaluate the report and issue a type certificate and proceed for initial audit. If a product has already received a type test

report from any recognized body, then it may directly go for initial audit. It must be undertaken as per ISO-90111:2000 norms.

5. After receiving the type test report and initial audit report, the first production is carried out, in order to evaluate the capacity. The evaluation process involves sampling. The recognized testing labs will carry out test and analyze the production type.
6. Depending on the tests and verification, the SEF will issue a production control certificate. The draft states that, trade audit, production audit and quality audit need to be performed in every three months. These audits can be performed by a certification body, recognized by an accreditation agency signatory to International Accreditation Forum (IAF).

C. North American Countries (NAFTA)



Source: WTO

NAFTA region comprises of USA, Canada and Mexico issued 440 TBT notifications in 2017, which include both regulation notifications and adoption of earlier issued proposals. USA issued 297 TBT notifications in 2017, which was nearly 20 percent of the total notifications issued in 2017 followed by Mexico and Canada with 97 and 46 notifications respectively.



TBT Notifications issued by NAFTA countries mainly dealt with machinery, food, electrical appliances, chemical products, auto & auto components, fuel, medical devices, pharmaceutical products, etc. There were 76 TBT notifications issued by NAFTA countries, which were related to food products. These notifications were mainly adoption of earlier issued notifications. Products referred in these adoptions were regulations amending the food and drug regulations (nutrition labelling, other labelling provisions and food colours), meat of bovine animals, fresh or

chilled, food irradiation, alcoholic products, (includes ale, stout, porter, and malt liquor), rice in the husk (paddy or rough), bluefin tuna, products of plant origin, denatured ethyl alcohol, totoaba, sugar. sugar products, carcasses and half-carcasses, meat and poultry product labelling, canned vegetables, amendments to streamline importation of distilled spirits, wine, beer, malt beverages, tobacco products, processed tobacco, and cigarette papers and tubes.

There were 45 TBT notifications issued by NAFTA countries, which were related to electronic products on standards and specifications for carbon monoxide alarms and detectors, transmitters used in licensed radio services, commercial water heating equipment, taximeter systems, portable air conditioners, solar thermal and PV equipment, battery chargers, external power supplies and electric motors. The main focus of TBT notifications were certification and enforcement of *Energy Conservation Program* in electrical products.

There were 47 TBT notifications issued by NAFTA countries, which were related to machinery products on compressors, nuclear reactors, boilers, machinery and mechanical appliances; commercial weighing and measuring instruments, fire safety standards for fire extinguishers used in cargo compartments, air conditioning machines, gas utilities and equipment, agricultural equipment and amusement devices. The main focus of these notifications were adopting Energy Conservation Standards, performance specifications and test procedures, fire prevention code, safety standard for machinery products.

There were 50 notifications on chemical products related to regulating chemicals under Toxic Substance Control Act (TSCA), closed cell foam products, E-liquids, transportation systems for liquids and slurries, hazardous materials, chemical bulk storage and control of volatile organic compound emissions from fiberglass boat manufacturing and surface coating facilities.

TBT notifications on automotive and auto component products covering regulation on airplanes, safety seat belts, baby carriages and parts, child restraint systems, road vehicle systems, carriages and strollers, trailers and semi-trailers. The main focus of these

notifications were emissions, air quality, safety and fuel norms for automotive and auto component products.

Please find below certain important TBT notifications issued by NAFTA countries:

The Mexican Energy Regulatory Commission has proposed specifications for automotive diesel. As per the amendment, Mexico will only allow imports of automotive diesel with a minimum cetane limit 40. The notification is aimed to ensure an adequate and efficient supply of fuel on the agreed terms and thus avoid a possible diesel shortage in Mexico with serious consequences for users.

The Health Secretary, Mexico has issued draft amendment to Official Standard for the practice of hemodialysis in Mexico. Hemodialysis, also spelled as Haemodialysis, commonly called as Kidney Dialysis, is a process of purifying the blood of a person whose kidneys are not working properly. This standard establishes the minimum criteria and requirements that, in terms of professional and technical personnel, infrastructure, equipment and specific procedures, must comply with any establishment for the medical care of the public, social and private sectors in which the practice is practiced. The Mexican authorities are of the view that, the purpose of this standard is to establish the minimum requirements for infrastructure, equipment and safety, which must be complied with in establishments carrying out hemodialysis, continuous renal replacement therapy and related therapies, whether in hospitals, fixed or non-attached independent units Hospital, with portable equipment or any other modality in the provision of the service, as well as the profile of the personnel responsible for carrying out this procedure. This standard is mandatory for all establishments providing hemodialysis services, continuous renal replacement therapy and related therapies in the public, social and private sectors. However, the draft does not clarify whether it is only applicable for infrastructure of hemodialysis or its is also applicable for equipments imported for setting the infrastructure.

The Ministry of Labour and Social Welfare has issued draft amendment to Mexican Official Standard NOM 116 STPS 1994 on specification and testing of air purifying respirators. The notified standard establishes the characteristics and minimum requirements to be met by air purifying respirators for protection against particulate hazards. It applies to the domestic and foreign manufacturers, importers, distributors and resellers of this type of

respirator who market their products in Mexico. This Mexican Official Standard is not applicable to air purifying gas and vapour respirators or to canister respirators.

The Canadian authority has issued notifications on safety on corded window coverings. Owing to the risk of strangulation of children in Canada from corded window coverings (CWCs), the authority is proposing regulations that specify requirements for construction, performance, labelling and other information. The proposed regulation would:

- a) restrict the length of cords that can be reached and the size of loops that can be created to help eliminate the risk of strangulation
- b) require a warning on the product that states that the product should be disposed of if a long cord or large loop is ever exposed
- c) require that any cord that can be reached must be too short to wrap around the neck of a one-year- old child's neck (i.e. not more than 22 cm in length) or form a loop that can be pulled over a one-year- old child's head (i.e. not more than 44 cm in perimeter)
- d) require cords that cannot be reached to remain unreachable throughout the useful life of the product.

The New York State Department of Health (NYSDOH) has requested that the New York State Department of Environmental Conservation (DEC) add the following to the list of hazardous substances;

- perfluorooctanoic acid (PFOA-acid, Chemical Abstracts Service (CAS) No. 335- 67-1),
- ammonium perfluorooctanoate (PFOA-salt, CAS No. 3825-26-1),
- perfluorooctane sulfonic acid (PFOS-acid, CAS No. 1763-23-1), and
- perfluorooctane sulfonate (PFOS-salt, CAS No. 2795-39-3)

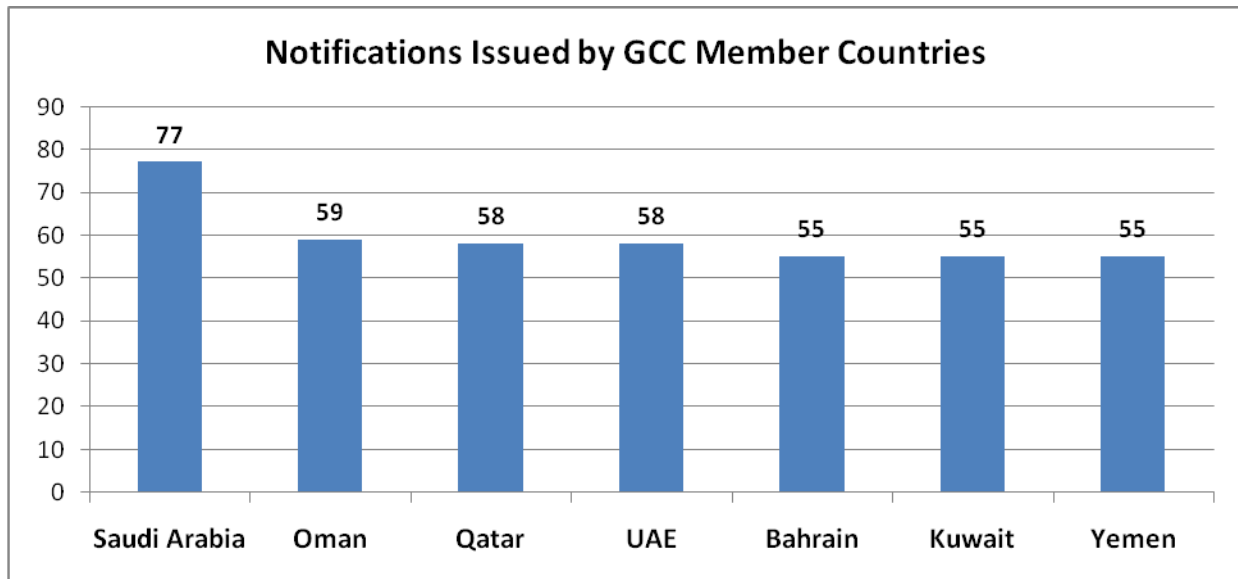
DEC has concluded that these four substances meet the definition of a hazardous substance based upon the conclusion of the NYSDOH that prolonged exposure to significantly elevated levels of these compounds can affect health and, consequently, pose a threat to public health in New York State when improperly treated, stored, transported, disposed of or otherwise managed. This rule makes no changes to reporting, recordkeeping, or other compliance requirements for these chemicals. This rule requires that facilities storing these

chemicals have to register each facility with one or more regulated storage tanks that store listed hazardous substances, display the registration certificate issued by the Department, maintain appropriate storage tank systems as explained in the attached regulation, complete annual spill prevention reports, and inspect storage equipment every five years.

The Food and Drug Administration (FDA), Health and Human Services (HHS) has issued standards of use of ozone-depleting substances. This final rule relates to ozone-depleting substances, medical equipment, air quality, aerosol containers and products of the chemical industry. The Food and Drug Administration amended its regulation on uses of ozone-depleting substances (ODSs), including chlorofluorocarbons (CFCs), to remove the designation for certain products as "essential uses" under the Clean Air Act. Essential-use products are exempt from the ban by FDA on the use of CFCs and other ODS propellants in FDA-regulated products and from the ban by the Environmental Protection Agency (EPA) on the use of ODSs in pressurized dispensers. A drug, device, cosmetic, or food contained in an aerosol product or other pressurized dispenser that releases a CFC or other ODS propellant is generally not considered an essential use. This final rule has removed the essential-use exemptions for sterile aerosol talc for human use and for metered-dose atropine sulfate aerosol human drugs administered by oral inhalation. FDA has finalized this rule because alternative products that do not use ODSs are now available in US market and because these products are no longer being marketed in versions that contain ODSs.

The Consumer Product Safety Commission has issued revisions to safety standard for toddler beds. The safety standard has two aspects, a) products need to be certified and certifications have to be based on a test report and samples drawn by an accredited third party conformity assessment body. The final rule also prescribes the process and criteria of availing the accreditation from the US authority.

D. GCC Countries



Source: WTO

Gulf Cooperation Council (GCC) member countries i.e. Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates (UAE) issued 417 TBT notifications in 2017. TBT Notifications issued by the above countries are mainly on food, auto & auto components, electrical products and electrical appliances, chemical, fuel and gas, cosmetics etc.

Out of 417, Gulf Cooperation Council (GCC) member countries like Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates (UAE) issued 337 TBT notifications on food products related to Spices and condiments, milk and milk products, tobacco, tobacco products and related equipment, meat, meat products and other animal produce, edible oils and fats, oilseeds, non alcoholic malt beverage, general requirements for handling of foods for special medical purposes, coffee and coffee substitutes, peanut butter, ginseng products offered for direct



consumption, plastic package, fish and fishery products, salted fish and dried salted fish, tea and herbs bags, materials and articles in contact with foodstuffs, general principles for the addition of essential nutrients to foods, sugar products, general requirements for the nuts, animal and vegetable fats and oils, canned fruits, non-alcoholic beverages, canned raspberries, prepared basbosa powder, characteristics and requirements that should be met in canned pacific salmon, putting calories on food establishments menu's selling away-from-home foods, food supplements, spreadable halawa, fresh beet (table beet), technical requirements for the production of bread, fresh okra, tolerances for the addition of vitamins and minerals, and the allowable tolerances in the declaration of any nutritional and health claims on food labels, frozen fishes fillets, frozen tamia paste, etc. GCC members issued these draft technical regulations deriving the basic requirements that must be met while exporting these products into GCC member countries; which include the definitions, requirements, sampling, methods of testing, packaging, transportation, storage and labelling. The Gulf countries were of view that, the focus of these notifications was safety and consumer protection.

Other TBT notifications were on refrigerators, freezers and other refrigerating or freezing equipment, household or laundry-type washing machines, including machines which both wash and dry, motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 87.02), including station wagons and racing cars. air-conditioners, any product containing asbestos, bricks, tiles, ceramics, sanitary ware, and related products, cars spare parts, cosmetics and personal care products, elevators used in building, front and rear and side barriers for trucks and trailers, hydraulic links and related products, lubricants, industrial oils and related products, paints (dyes) and varnishes, pesticides and other agrochemicals, road vehicles in general, self-balancing scooters, textile, vehicles, water heating equipment, woven carpets used for masjids, etc.

Please find below certain important TBT notifications issued by GCC countries:

UAE Ministry of Commerce & Industry has issued draft ministerial decision for energy labelling and minimum energy performance requirements for air-conditioners. The draft ministerial decision proposed for enforcement of the GSO 2530:2016 (Energy labelling

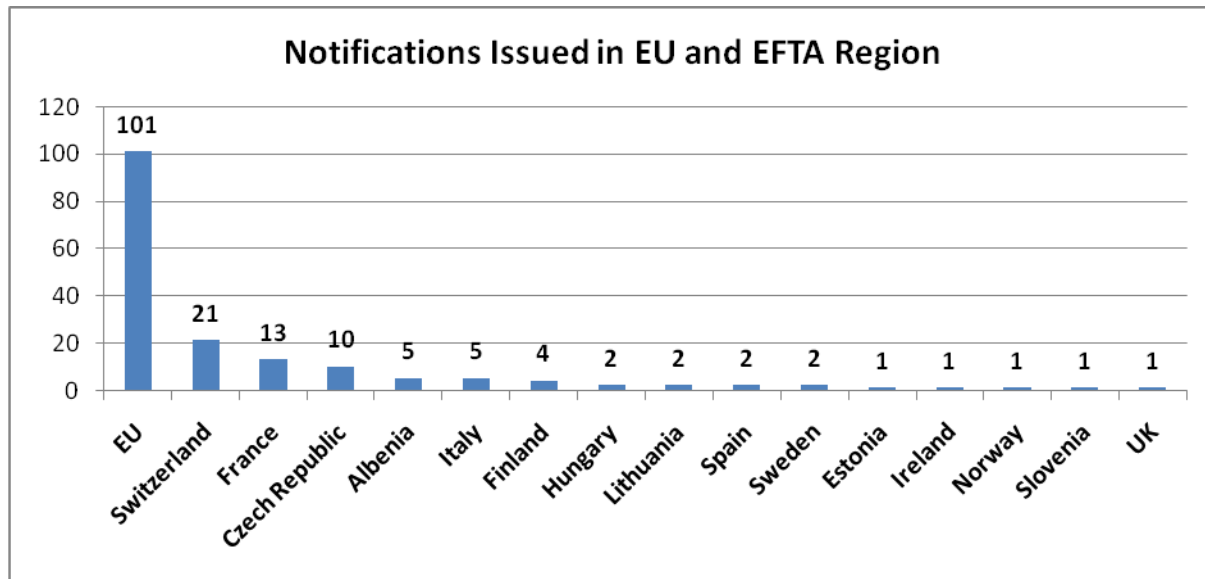
requirements and the Minimum Energy Performance Standard (MEPS) for Air-Conditioners).

The Saudi Standards, Metrology and Quality Organization (SASO) have issued this notification concerning the draft technical regulation for 'Maximum limits of pesticides residues in agricultural and food products'. In most of the cases, the proposed residue limits in or on multiple products are in accordance with the Codex limits.

Similarly, the Saudi Standards, Metrology and Quality Organization (SASO) has proposed technical regulations consisting the terms and definitions, scope, objectives, supplier obligations, labeling, conformity assessment procedures, responsibilities of regulatory authorities, the authorities of market survey responsibilities, violations and penalties, general rules, transitional rules, for the following:

- Trailers and half trailers
- Front and rear side barriers for trucks and trailers
- Cars spare parts

E. European Union and EFTA Region



Source: WTO

European Union (EU) member countries issued 172 TBT notifications in 2017. TBT Notifications issued by the EU were mainly on chemical, food, auto & auto components, pesticide approval, electrical products and appliances, cosmetics, construction products, toys, machinery, chemical products, plastics, medical devices, tobacco products, packaging, fertilisers, etc. However, certain EU member states such as France, Czech Republic, Albania, Italy, Finland, Hungary, Lithuania, Spain, Sweden, Estonia, Ireland, Norway, Slovenia and UK issued 50 separate TBT notifications in 2017 covering food, machinery, tobacco, construction, cosmetics, chemical, packaging, etc. Switzerland, a European Free Trade Association (EFTA) member also issued 21 notifications on food, electrical appliances, chemical, machinery, auto and pharmaceutical products, etc.



Please find below certain important TBT notifications issued by EU and EFTA countries:

The Directorate – General for the Food Industry under the Ministry of Agriculture and Fisheries, Food and Environment, Spain notified the draft Royal Decree approving the quality standard for flour, meal and other grinding products of cereals. As per the notification, the scope of this draft Royal decree is applicable on multiple products like wheat flour, flour, integral flour, semolina flour, flour mix, processed flours, semolina, wholemeal semolina, groats and other milling products.

The Swiss Federal Office of Communications has issued draft revision of the Ordinance of the Swiss Federal Office of Communications on telecommunications installations. The draft specifies how manufacturers have to inform the user on potential restrictions for the use of radio equipment. First of all, on the packaging of the radio equipment (either with text in a language understandable by the buyer/user or by using a specific pictogram), secondly, detailed information on the restriction shall be in the user manual. These provisions are based on the according delegated act from the EU Commission.

The Hungarian Ministry of Interior - Regulatory Department has issued standards for fire-fighting products, flammable or explosive appliances, machines, equipment. The Hungarian authorities have proposed to align with the regulation (EU) No 305/2011 for the marketing of construction products. In respect of the flammable or explosive appliances, machines, equipment, the requirements applicable to obtaining the certificate of fire safety conformity is simplified. However, in the course of the repeated certification of the product, the certificates and inspection reports obtained previously may be used. The amendment of the decree serves two purposes: on the one hand, the repeal of the rules which had become obsolete due to the changed product scope classification, changes in the procedure for the appointment of the certification body, clarification of the field of activity applicable to fire fighting products, and flammable or explosive appliances, machines, equipment; on the other hand, easing the bureaucratic burdens to be borne by clients.

The European Commission (EC) has issued notifications on amending the authorization of various chemicals in the EU region and hence, proposed withdrawing their usage. The chemicals are active substance – oxyfluorfen, active substance – beta cypermethrin and bifenthrin. Further, the European Commission has proposed the conditions of approval of the plant protection products – Clothianidin, Imidacloprid and Thiamethoxam. The

European Union's (EU) proposal of restricting the use of these insecticides only to greenhouses is based on the evaluation of ecotoxicological data concerning bees. The European Food Safety Authority (EFSA) in its assessment reports concerning clothianidin and imidacloprid concerning bees pointed out the gaps in the data. In case of thiamethoxam, the EFSA stated that 'confirmatory data has been considered to be insufficient'.

Italian Ministry for Economic Development has issued this draft legislative decree laying down provisions concerning the internal rice market. The rice is permitted for marketing only if it meets the qualitative characteristics. The Italian authorities have established the 'National Agency for Rice' to maintain a register containing details of the rice- variety name, size, and other information.

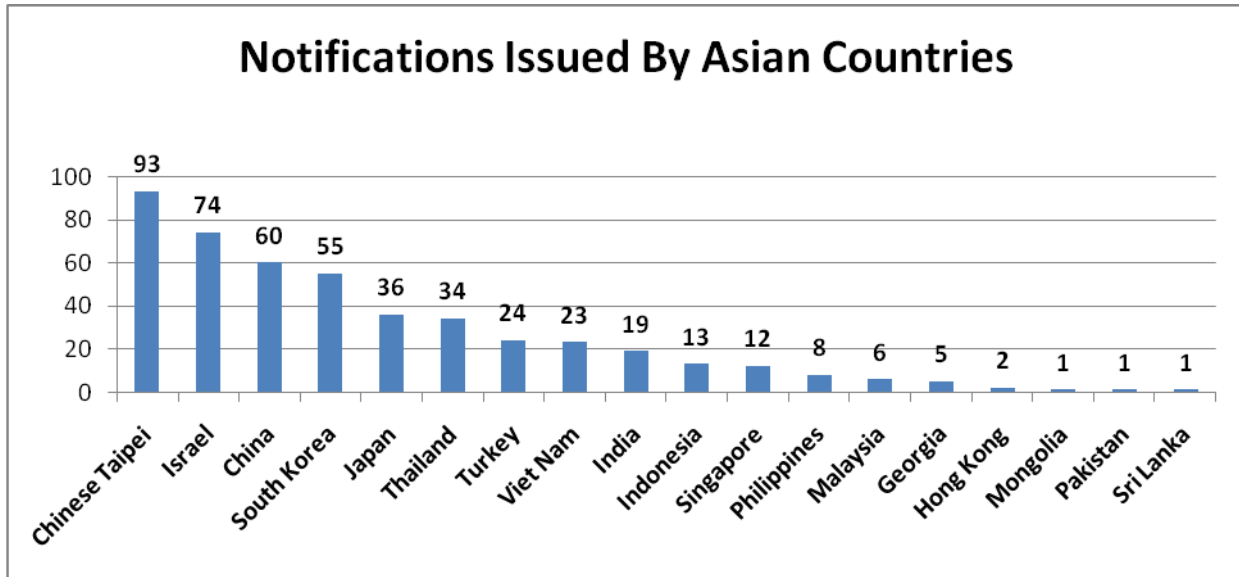
EU has proposed decree concerns the design and construction of the indoor climate and ventilation of new buildings. It also concerns the expansion of a building and the increase of gross floor area. The decree does not, however, apply to the design and construction of agricultural production buildings or new residential buildings that are intended to be used for a period of less than four months a year. The proposed decree concerns the numerical values of coefficients for forms of energy used in buildings. EU proposed another decree to implement the obligations vis-à-vis nearly zero-energy buildings in Directive 2010/31/EC of the European Parliament and of the Council on the energy performance of buildings, as well as to support national and EU commitments to reducing climate change and limiting carbon dioxide emissions. The proposed decree is also necessary in order to implement the changes relating to the adoption of construction regulations ordered by the amendment (958/2012) to the Land Use and Building Act (132/1999), with regard to the energy efficiency of new buildings. EU has also proposed a decree on the design and construction of new buildings which are made of wall and roof structures and in which energy is used in order to maintain appropriate indoor climate conditions. It also concerns the expansion of a building and the increase of gross floor area. It includes requirements for nearly zero-energy building.

The European Commission has issued this notification concerning draft implementing regulation on the detailed arrangements for the Good Clinical Practice inspections procedures, including the qualification and training requirements for inspectors. The brief of regulation is as follows:

- The sponsor of a clinical trial and the investigator are to ensure that the clinical trial is conducted in accordance with the relevant protocol and the principles of good clinical practice. Compliance with the applicable legal requirements, the protocol and the principles of good clinical practice, including with standards relating to data integrity and ethical conduct of the clinical trial, is to be verified by means of inspections conducted under the responsibility of the Member State where the inspection takes place.
- Member States may conduct inspections of clinical trials performed in third countries either because a clinical trial is related to a clinical trial authorised in the Union or because the data of the clinical trial is being referred to in a clinical trial authorisation application in the Union.
- Those inspections should allow verifying whether such clinical trials were conducted in accordance with standards equivalent to Union standards.
- Member States should be required to set up quality systems to ensure that the inspection procedures are observed and consistently monitored. A well-functioning quality system should comprise an organisational structure, clear processes and procedures, including the standard operating procedures to be followed by inspectors when performing their tasks, clearly defined details of the inspectors' duties and responsibilities and ongoing training requirements, as well as adequate resources and mechanisms which aim at eliminating non-compliance.
- It is necessary to enable inspectors to ensure the practical effectiveness of provisions on good clinical practice. That objective should be reflected in the minimum requirements for the qualification of inspectors, in particular as regards their education and training. For the same reasons, detailed rules on inspection procedures should be laid down.

In order to safeguard the effectiveness of inspection, the inspectors should be granted the necessary powers of access to the premises and data. This includes in particular any laboratory used for analysis in the clinical trial, any contract research organisation's facilities or the sponsor's premises. They should also be empowered to contact the trial subjects in justified cases.

F. Asia



Source: WTO

Asian countries such as Chinese Taipei, Israel, China, South Korea, Japan, Thailand, Turkey, Viet Nam, India, Indonesia, Singapore, Philippines, Malaysia, Georgia, Hong Kong, Mongolia, Pakistan and Sri Lanka had issued 467 TBT notifications in 2017. TBT Notifications issued by the above countries are mainly on food, pharmaceutical products, auto & auto components, medical devices, cosmetics, electrical products and appliances, machinery, etc.

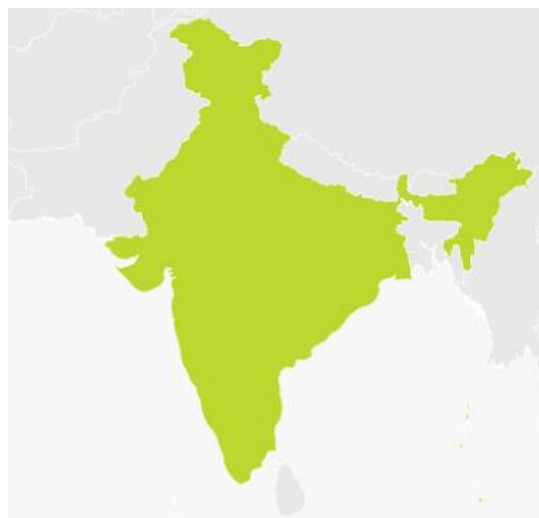


Majority of the notifications issued by South Korea, China, Israel, Georgia are in their local language. South Korea, Taiwan, Vietnam, and other countries issued notifications on food, pharmaceutical products, cosmetics, electrical appliances, cosmetic, electrical products, textile, medical devices, auto & auto components, toys, machinery, pharmaceutical products, chemical, tobacco products, etc. Taiwan issued regulations on technical regulations on electronic products, auto products, and construction products. Similarly, China issued notifications on auto & auto components,

medical devices, food, steel, pharmaceutical products, electrical appliances, chemical, ceramic product, chemical products, etc. It was very difficult to assess the impact of these notifications due to the unavailability of English version of these proposed regulations. Taiwan, Japan, Singapore, Philippines and Hong Kong are the only countries which provide the proposed regulations in either English or in bilingual language.

In 2017, India issued 17 TBT notifications on mobile phones, electrical appliances, steel products, food, toys and caustic soda. These notifications proposed:

- Gazette notification concerning Indian language support for mobile phone handsets as per schedule of "Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012
- Standards for solar photovoltaics, systems, devices and components goods
- Iron and steel products (high carbon steel wire rods, continuously pre-painted galvanized steel sheets and coils, pre-painted aluminium zinc alloy metallic coated steel strip and sheet
- Food products
- Products notified as per Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012"
- Packaging materials used for packaging of food products.
- Advertisements and claims made on food products
- Electrical apparatus for line telephony or line telegraphy, including line telephone sets with cordless handsets and telecommunication apparatus for current-carrier line systems or for digital line systems; videophones.;
- Chemical substance - Caustic Soda
- Common salt



- All pre-packaged commodities meant for retail sale

Please find below certain important TBT notifications issued by Asian countries:

The Taiwanese Bureau of Standards, Metrology and Inspection issued a notification announcing the 'Regulation Governing the Product Names and Labeling of Prepackaged Coffee Creamer (Nai-jing)'. The regulation specifies the labelling requirements in case of prepackaged coffee creamer that are claimed as Nai -jing if it does not contain milk or less than 50% milk. The Taiwanese Food and Drug Administration (FDA) has issued a notification concerning draft regulations governing the labelling of food products sold by vending machines. This Regulation applies to food products sold in vending machines. The term "vending machines businesses" refers to those businesses that sell food by means of vending machines. The vending machines businesses shall be clearly displayed on the exterior of the machine the company name or personal name, address and the telephone number.

The Israeli Ministry of Economy and Industry has issued standards for Pressure regulators for LPG. The Israeli authorities have revised the existing Mandatory Standard SI 1921, dealing with pressure regulators for LPG. This draft standard revision adopts both the European Standard EN 16129: June 2013 and the American Standard ANSI/UL 144 - Eighth Edition: 25 May 2012 and allow compliance with either.

The Japanese Ministry of Agriculture, Forestry and Fisheries has issued standards on promotion of use and distribution of legally-harvested wood and wood products. The Act on Promotion of Use and Distribution of Legally-Harvested Wood and Wood Products ("Clean Wood Act") encourages entities to endeavour to use legally-harvested wood and wood products. Wood-related entities are requested to collect relevant information to confirm the legality of wood and wood products that they handle. It also prescribes the implementation of the voluntary registration system for wood-related entities who are accountable for confirming the legality. As per the draft, buyer will have to collect information on wood products from the seller concerning product category, product species, country of origin, weight, volume, name and address of seller. Seller will provide relevant documents to buyer certifying the above mentioned information. Third part

registered entities in exporting country will provide certification for exports of wood products. For accreditation, entities have to apply with the Japanese authorities for approval.

Japan proposed amending the ordinance on examination of machines and other equipment, and related notification on standard for dust respirators under the industrial safety and health law. The draft amendments include:

a) National examination is applied to the dust respirator with breath assistance device, then, it is required to pass performance tests such as-

- Test of particulate filtering efficiency"
- "Test of inhalation resistance"
- "Test of exhalation resistance"

b) The form of the dust respirator with breath assisting device is defined according to its type.

c) The structure of breath assisting device is required not to lose or impair its performance by entering of water or dust, etc. into its inside.

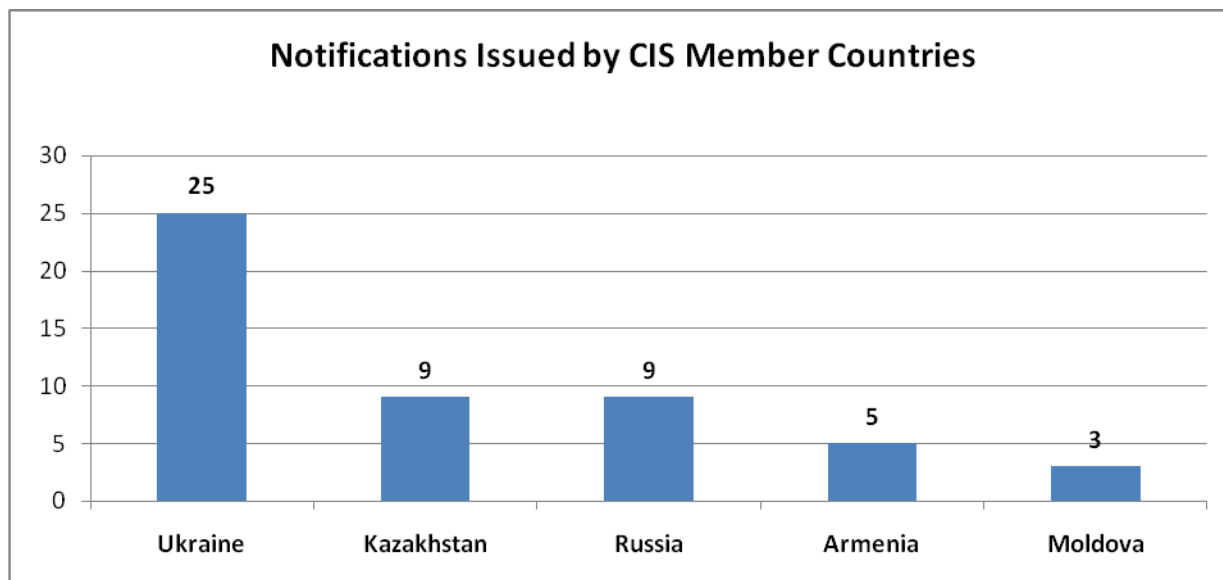
d) A printed matter on which amount of noise is written is required when the dust respirator with breath assisting device is transferred or leased.

The China Food and Drug Administration have issued 'Provisions for Investigating and Punishing Food Safety Fraud'. The provisions have been formulated according to the Food Safety Law of the People's Republic of China in order to investigate and punish food safety fraud, to ensure food safety, and to protect public health and life. This notified provision is mainly to clear the connotation of food safety fraud, and list 10 kinds of specific food safety fraud behaviours such as product fraud, food production or marketing behaviour fraud, labelling fraud, food information dissemination fraud, information fraud, food inspection and certification fraud, permit application fraud, record information fraud, report information fraud and submission of false supervision information. Moreover, these provisions also clarify specific legal responsibility of the related fraud.

The Standardization Administration of China (SAC) has established a standard, which specifies the formaldehyde emission limit of wood-based panels and finishing products for indoor decorating and refurbishing as well as test methods, decision rules and the inspection report requirements thereof. The standard applies to the formaldehyde emission amount of wood-based panels and finishing products, such as fibreboard, particleboard, plywood, blockboard, reconstituted decorative lumber, laminated veneer lumber, glued-laminated timber, surface decorated wood-based panel, wood-based floor, wood-based panel, wood-based door, and wood-based window. The draft is in line with ISO 16893:2016 on tests and thickness specification of particle boards and ISO 12460-1:2007 on method of emission of formaldehyde from wood based panels

Indonesia has proposed draft decree which states that all of Audio, Video and Similar Electronic Apparatus Product produced within the country or imported, distributed and marketed in the country shall fulfill the SNI requirements. The producers which produced these products therefore shall comply with those requirements proven by having Product Certificate for Using SNI Mark. The product certificate on SNI marking shall be issued by a Product Certification Body which has been accredited by KAN and appointed by the Minister of Industry through testing of the conformity of the products quality against SNI requirements. Directorate of Electronic and Telematic, Ministry of Industry is the institution that is responsible for the implementation of this decree and shall provide a technical guidance of the decree, which cover procedure of Product Certification and SNI Marking.

G. CIS Member Countries



Source: WTO

Commonwealth of Independent States (CIS) member countries i.e. Ukraine, Kazakhstan, Russia, Armenia and Moldova issued 51 TBT notifications in 2017. TBT Notifications issued by the these member countries were mainly on food, machinery, electrical appliances, iron & steel, fuel, chemical products, construction products, auto & auto components etc.



TBT notifications in electronic products and appliances on low-voltage electrical products, televisions, transmission apparatus incorporating reception apparatus, radio-communications equipments, vacuum cleaners, fluorescent, hot cathode, primary cells and primary batteries, vacuum cleaners, headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers, audio, video and audiovisual equipment, domestic and household appliances and similar

equipment, automatic circuit breakers, air conditioners, medium voltage cables, lamp holders. The main focus of these TBT notifications was mandatory specifications, certification requirements, and enforcement of energy conservation.

TBT notifications related to automotive and auto component products covered safety, tyres, road vehicle systems, carriages and strollers, trailers and semi-trailers. The main focus of these notifications were specifications, emission standards, air quality, safety and fuel norms for automotive and auto component products.

H. Conclusion

The year 2017 witnessed significant regulatory changes in major exporting products like pesticides, biocidal products, chemicals, food and cosmetic products. The highest number of notification was issued in food products and electronic product and appliances in the year 2017. Most of these notifications were important for Indian exporters. On a region wise basis, Latin American and African countries actively notified the regulations related to technical regulations, standards and conformity assessment procedures. India issued 17 notifications in the year 2017. These notifications mainly dealt with mobile phones, electrical appliances, steel products, food, toys, etc. EU proposed withdrawing registration of various agro chemicals in their region. African countries even adopted regulations similar to either international regulations or EU and US norms in order to harmonize the standards for smooth trade. MERCOSUR countries and East African countries (EAC) have issued their regional standards. In general, there was an initiative of harmonization of technical regulations and conformity assessment procedures which was witnessed across the globe.
