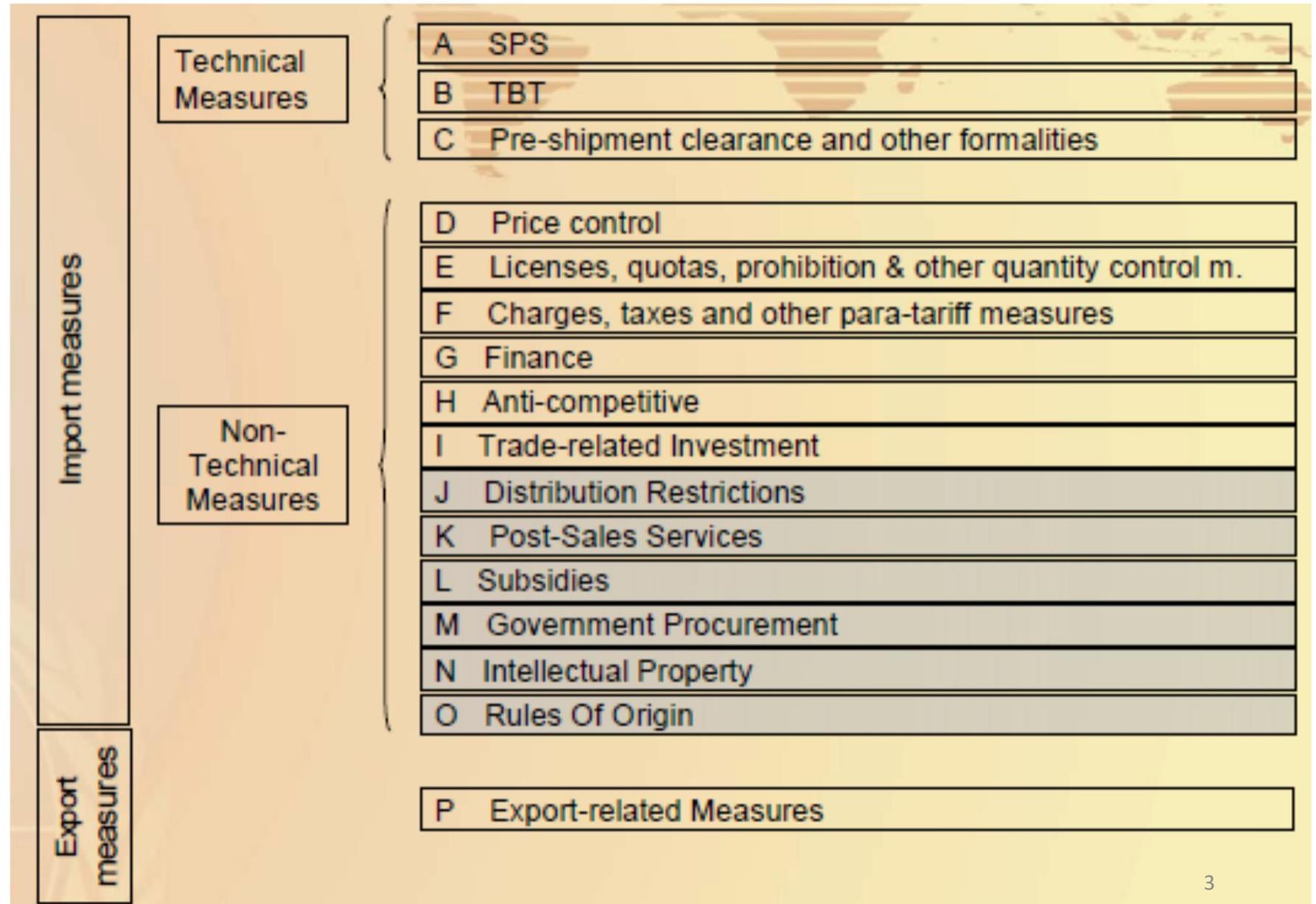


# Classification of NTMs

# What are non-tariff measures (NTMs)?

- Official policy measures on export and import, other than ordinary customs tariffs, that can potentially have an effect on international trade in goods, changing quantities traded, or prices or both.
  - Mandatory requirements, rules or regulations legally set by the government of the exporting, importing or transit country (in contrast to private standards which are not legally set)
  - Can affect both export and import.
  - Include technical measures and standards, as well as regulations on customs procedures, para-tariff measures, financial measures, prohibition, etc.

# The NTM classification



Classification adopted by UNCTAD, ITC and WTO

# Technical Measures

# A. Sanitary and Phytosanitary Measures (SPS)

# A. Sanitary and Phytosanitary Measures (SPS)

- Measures that are applied to protect human or animal life from risks arising from additives, contaminants, toxins or disease-causing organisms in their food; to protect human life from plant- or animal-carried diseases; to protect animal or plant life from pests, diseases, or disease-causing organisms; to prevent or limit other damage to a country from the entry, establishment or spread of pests; and to protect biodiversity. These include measures taken to protect the health of fish and wild fauna, as well as of forests and wild flora.

# A1 Prohibitions/restrictions of imports for SPS reasons

- A11 Temporary geographic prohibitions for SPS reasons- Prohibition of imports of specified products from countries or regions due to infectious/contagious diseases.
- A12 Geographical restrictions on eligibility-Prohibition of imports of specified products from specific countries or regions due to lack of evidence of sufficient safety conditions.
- A13 Systems approach- An approach that combines two or more independent SPS measures on a same product.
- A14 Special authorization requirement for SPS reasons- A requirement that importers should receive authorization, permits or approval from a relevant government agency of the destination country for SPS reasons
- A15 Registration requirements for importers- Importers should be registered before they can import certain products
- A19 Prohibitions/restrictions of imports for SPS reasons, not elsewhere specified (n.e.s.)

# A2 Tolerance limits for residues and restricted use of substances

- A21 Tolerance limits for residues of or contamination by certain (non-microbiological) substances- A measure that establishes a maximum residue limit (MRL) of substances such as fertilisers, pesticides, and certain chemicals and metals in food and feed, which are used during their production process but are not their intended ingredients.
- A22 Restricted use of certain substances in foods and feeds and their contact materials- It includes the restrictions on substances contained in the food containers that might migrate to food.

# A3 Labelling, marking and packaging requirements

- **A31 Labelling requirements**- Measures defining the information directly related to food safety, which should be provided to the consumer.
- **A32 Marking requirements**- Measures defining the information directly related to food safety, which should be carried by the packaging of goods for transportation.
- **A33 Packaging requirements**- Measures regulating the mode in which goods must be or cannot be packed.

# A4 Hygienic requirements

- **A41 Microbiological criteria of the final product**-Statement of the microorganisms of concern and the reason for that concern, the analytical methods for their detection in the final product.
- **A42 Hygienic practices during production**- Requirements principally intended to give guidance on the establishment and application of microbiological criteria for foods at any point in the food chain from primary production to final consumption.
- **A49 Hygienic requirements, n.e.s.**

# A5 Treatment for elimination of plant and animal pests and disease-causing organisms in the final product (e.g. postharvest treatment)

- **A51 Cold/heat treatment-** Requirement of cooling/heating of products below/above certain temperature for a certain period of time to kill targeted pests, either prior to, or upon arrival to the destination country.
- **A52 Irradiation-** Requirement to kill or devitalize microorganisms, bacteria, viruses, or insects that might be present in food and feed products by using irradiated energy (ionizing radiation).
- **A53 Fumigation-** A process of exposing insects, fungal spores or other organisms to the fumes of a chemical at a lethal strength in an enclosed space for a given period of time.
- **A59 Treatment for elimination of plant and animal pests and disease-causing organisms in the final product, n.e.s.**

# A6 Other requirements on production or post-production processes

- **A61 Plant-growth processes-** Requirements on how a plant should be grown in terms of conditions related to temperature, light, spacing between plants, water, oxygen, mineral nutrients, etc.
- **A62 Animal-raising or -catching processes-** Requirements on how an animal should be raised or caught because of SPS concerns.
- **A63 Food and feed processing-** Requirements on how food or feed production should take place in order to satisfy sanitary conditions for the final products.
- **A64 Storage and transport conditions-** Requirements on certain conditions under which food and feed, plants and animals should be stored and/or transported.
- **A69 Other requirements on production or post-production processes,**  
n.e.s

# A8 Conformity assessment related to SPS

- **A81 Product registration requirement-** Product registration requirement in the importing country.
- **A82 Testing requirement-** A requirement for products to be tested against a given regulation, such as MRL.
- **A83 Certification requirement-** Certification of conformity with a given regulation that is required by the importing country but may be issued in the exporting or the importing country.
- **A84 Inspection requirement-** Requirement for product inspection in the importing country. It may be performed by public or private entities. It is similar to testing, but it does not include laboratory testing.
- **A85 Traceability requirements-** Disclosure requirement of information that allows following a product through the stages of production, processing and distribution.

# A8 Conformity assessment related to SPS (contd)

- A851 Origin of materials and parts- Disclosure of information on the origin of materials and parts used in the final product.
- A852 Processing history- Disclosure of information on all stages of production.
- A853 Distribution and location of products after delivery- Disclosure of information on when and how the goods have been distributed from the time of their delivery to distributors until they reach the final consumer.
- A859 Traceability requirements, n.e.s.
- A86 Quarantine requirement- Requirement to detain or isolate animals, plants or their products on arrival at a port for a given period in order to prevent the spread of infectious disease.
- A89 Conformity assessment related to SPS, n.e.s.

## A9 SPS measures, n.e.s.

# B. TECHNICAL BARRIERS TO TRADE

# B Technical barriers to Trade

- Measures referring to technical regulations, and procedures for assessment of conformity with technical regulations and standards, excluding measures covered by the SPS Agreement.

# B1 Prohibitions/restrictions of imports for objectives set out in the TBT agreement

- **B11 Prohibition for TBT reasons** - Import prohibition may be established for reasons related, inter alia, to national security requirements; the prevention of deceptive practices; protection of human health or safety, animal or plant life or health, or the environment.
- **B14 Authorization requirement for TBT reasons**- Requirement that the importer should receive authorization, permits or approval from a relevant government agency of the destination country, for reasons such as national security, environment protection, etc.
- **B15 Registration requirement for importers for TBT reasons**- Requirement that importers should be registered in order to import certain products.
- **B19 Prohibitions/restrictions of imports for objectives set out in the TBT agreement, n.e.s.**

# B2 Tolerance limits for residues and restricted use of substances

- B21 Tolerance limits for residues of or contamination by certain substances- A measure that establishes a maximum level or tolerance limit of substances, which are used during their production process but are not their intended ingredients.
- B22 Restricted use of certain substances- Restriction on the use of certain substances as components or material to prevent the risks arising from their use.

# B3 Labelling, marking and packaging requirements

- B31 Labelling requirements- Measures regulating the kind, colour and size of printing on packages and labels and defining the information that should be provided to the consumer.
- B32 Marking requirements- Measures defining the information for transport and customs that the transport/distribution packaging of goods should carry.
- B33 Packaging requirements- Measures regulating the mode in which goods must be or cannot be packed, and defining the packaging materials to be used.

# B4 Production or post-production requirements

- B41 TBT regulations on production processes- Requirement on production processes not classified under SPS. It also excludes those specific measures under *Tolerance limits for residues and restricted use of substances*.
- B42 TBT regulations on transport and storage- Requirements on certain conditions under which products should be stored and/or transported.
- B49 Production or post-production requirements, n.e.s.

# B6 Product identity requirement

- Conditions to be satisfied in order to identify a product with a certain denomination (including biological or organic labels).

# B7 Product-quality or - performance requirement

- Conditions to be satisfied in terms of performance (e.g. durability, hardness) or quality (e.g. content of defined ingredients).

# B8 Conformity assessment related to TBT

- **B81 Product registration requirement-** Product registration requirement in the importing country.
- **B82 Testing requirement-** A requirement for products to be tested against a given regulation.
- **B83 Certification requirement-** Certification of conformity with a given regulation: required by the importing country.
- **B84 Inspection requirement-** Requirement for product inspection in the importing country – may be performed by public or private entities.
- **B85 Traceability information requirements-** Disclosure requirement of information that allows following a product through the stages of production, processing and distribution .

# B8 Conformity assessment related to TBT (Contd)

- B851 Origin of materials and parts- Disclosure of information on the origin of materials and parts used in the final product.
- B852 Processing history- Disclosure of information on all stages of production.
- B853 Distribution and location of products after delivery -Disclosure of information on when and/or how the goods have been distributed during any time after the production and before the final consumption.
- B859 Traceability requirements, n.e.s.
- B89 Conformity assessment related to TBT, n.e.s.

## B9 TBT measures, n.e.s.

# C. PRE-SHIPMENT INSPECTION AND OTHER FORMALITIES

# C Pre-shipment inspection and other formalities

- **C1 Pre-shipment inspection-** Compulsory quality, quantity and price control of goods prior to shipment from the exporting country.
- **C2 Direct consignment requirement-** Requirement that goods must be shipped directly from the country of origin, without stopping at a third country.
- **C3 Requirement to pass through specified port of customs-** Obligation for imports to pass through a designated entry point and/or customs office for inspection.
- **C4 Import-monitoring and -surveillance requirements and other automatic licensing measures** -Administrative measures which seek to monitor the import value or volume of specified products.
- **C9 Other formalities, n.e.s.**

# NON TECHNICAL MEASURES

# D Contingent Trade-Protective Measures

- Measures implemented to counteract particular adverse effects of imports in the market of the importing country, including measures aimed at unfair foreign trade practices, contingent upon the fulfilment of certain procedural and substantive requirements.

# D1 Antidumping measure

- **D11 Antidumping investigation**- An investigation initiated and conducted either following a complaint by the domestic industry producing a like product or self-initiated by importing country authorities to determine whether dumping of a product is occurring and injuring national producers of the like product.
- **D12 Antidumping duty**- A duty levied on imports of a particular good originating from a specific trading partner to offset injurious dumping found to exist via an investigation.
- **D13 Price undertaking**- An undertaking by an exporter to increase its export price to avoid the imposition of antidumping duties.

# D2 Countervailing measure

- **D21 Countervailing investigation**- An investigation initiated and conducted either following a complaint by the domestic industry producing the like product or self-initiated by the importing country authorities to determine whether the imported goods are subsidized and are causing injury to national producers of the like product.
- **D22 Countervailing duty**- A duty levied on imports of a particular product to offset the subsidies granted by the exporting country on the production or trade of that product.
- **D23 Undertaking**- Either an undertaking by an exporter to increase its export price or an undertaking by the authorities of the subsidizing country to eliminate or limit the subsidy or take other measures concerning its effects, to avoid the imposition of countervailing duties.

# D3 Safeguard measures

- **D31 General (multilateral) safeguard-** A temporary border measure imposed on imports of a product to prevent or remedy serious injury caused by increased imports of that product and to facilitate adjustment.
- **D311 Safeguard investigation-** An investigation conducted by the importing country authorities to determine whether the goods in question are being imported in such increased quantities and under such conditions as to cause or threaten to cause serious injury to national producers of like or directly competitive products.
- **D312 Safeguard duty-** A temporary duty levied on imports of a particular product to prevent or remedy serious injury from increased imports and to facilitate adjustment.
- **D313 Safeguard quantitative restriction-** A temporary quantitative restriction on imports of a particular product to prevent or remedy serious injury from increased imports and to facilitate adjustment.

# D3 Safeguard measures (Contd)

- D314 Safeguard measure, other form- includes measures combining duties and quantitative elements, applied to prevent serious injury from increased imports.
- D32 Agricultural special safeguard- allows the imposition of an additional tariff in response to a surge in imports or a fall in import prices.
- D321 Volume-based agricultural special safeguard- an additional duty may be applied if the volume of imports of designated agricultural product exceeds a defined trigger quantity.
- D322 Price-based agricultural special safeguard- an additional duty may be applied if the import price of a designated agricultural product falls below a defined trigger price.
- D39 Safeguard, n.e.s.- includes special safeguard mechanisms applicable to imports of a product under regional trade arrangements, protocols of accession, or other agreements.

# **E NON-AUTOMATIC LICENSING, QUOTAS, PROHIBITIONS AND QUANTITY-CONTROL MEASURES OTHER THAN FOR SPS OR TBT REASONS**

# E1 Non-automatic import-licensing procedures other than authorizations for SPS or TBT reasons

- An import-licensing procedure introduced, for reasons other than SPS or TBT reasons, where approval is not granted in all cases. The approval may either be granted on a discretionary basis or may require specific criteria to be met before it is granted.

# E11 Licensing for economic reasons

- E111 Licensing procedure with no specific ex ante criteria- Where approval is granted at the discretion of the issuing authority.
- E112 Licensing for specified use- Where approval is granted only for imports of products to be used for pre-specified purpose.
- E113 Licensing linked with local production- Only for imports of products with linkage to local production.
- E119 Licensing for economic reasons, n.e.s.

# E12 Licensing for non-economic reasons

- E121 Licensing for religious, moral or cultural reasons- Control of imports by license for religious, moral or cultural reasons.
- E122 Licensing for political reasons- Control of imports by license for political reasons.
- E129 Licensing for non-economic reasons, n.e.s.

# E2 Quotas

- Restriction of importation of specified products through the setting of a maximum quantity or value that is authorized for import: No imports are allowed beyond those maximums.

# E21 Permanent Quotas

- **E211 Global allocation-** Permanent quotas where no condition is attached to the country of origin of the product.
- **E212 Country allocation-** Permanent quotas where a fixed volume or value of the product must originate in one or more countries.

# E22 Seasonal quotas

- **E221 Global allocation-** Seasonal quotas where no condition is attached to the country of origin of the product.
- **E222 Country allocation-** Seasonal quotas where a fixed volume or value of the product must originate in one or more countries.

# E23 Temporary quotas

- **E231 Global allocation**- Temporary quotas where no condition is attached to the country of origin of the product.
- **E232 Country allocation**- Temporary quotas where a fixed volume or value of the product must originate in one or more countries.

# E3 Prohibitions other than for SPS and TBT reasons

## E31 Prohibition for economic reasons

- E311 Full prohibition (import ban)- Prohibition without any additional condition or qualification.
- E312 Seasonal prohibition- Prohibition of imports during a given period of the year.
- E313 Temporary prohibition, including suspension of issuance of licenses- Prohibition set for a given fixed period of time unrelated to a specific season.
- E314 Prohibition of importation in bulk- Prohibition of importation in a large-volume container.
- E315 Prohibition of products infringing patents or other intellectual property rights- Prohibition of copies or imitations of patented or trademarked products.
- E316 Prohibition of used, repaired or remanufactured goods- Prohibition to import goods that are not new.
- E319 Prohibition for economic reasons, n.e.s.

# E32 Prohibition for non-economic reasons

- E321 Prohibition for religious, moral or cultural reasons- Prohibition of imports for religious, moral or cultural reasons not established in technical regulations.
- E322 Prohibition for political reasons (embargo)- Prohibition of imports from a country or group of countries, applied for political reasons.
- E329 Prohibition for non-economic reasons, n.e.s.

# E5 Export-restraint arrangement

- An arrangement by which an exporter agrees to limit exports in order to avoid imposition of restrictions by the importing country, such as quotas, raised tariffs or any other import controls. The arrangement may be concluded at either the government or industry level.

# E51 Voluntary export-restraint arrangements (VERs)

- E511 Quota agreement- A VER agreement that establishes export quotas.
- E512 Consultation agreement- A VER agreement that provides for consultation with a view to introducing restrictions .
- E513 Administrative cooperation agreement- A VER agreement that provides for administrative cooperation with a view to avoiding disruptions in bilateral trade.

# E59 Export-restraint arrangements, n.e.s.

# E6 Tariff-rate quotas (TRQ)

- A system of multiple tariff rates applicable to a same product: The lower rates apply up to a certain value or volume of imports, and the higher rates are charged on imports which exceed this amount.

# E61 WTO-bound TRQs, included in WTO schedules

- **E611 Global allocation-** WTO-bound TRQs where no condition is attached to the country of origin of the product.
- **E612 Country allocation-** WTO-bound TRQs where a fixed volume or value of the product must originate in one or more countries.

# E62 Other TRQs included in other trade agreements.

- E621 Global allocation- Non-WTO TRQs where no condition is attached to the country of origin of the product.
- E622 Country allocation- Non-WTO bound TRQs where a fixed volume or value of the product must originate in one or more countries.

# E9 Quantity control measures, n.e.s.

# **F. PRICE-CONTROL MEASURES, INCLUDING ADDITIONAL TAXES AND CHARGES**

# F Price-control measures, including additional taxes and charges

- Measures implemented to control or affect the prices of imported goods in order to, inter alia, support the domestic price of certain products when the import prices of these goods are lower; establish the domestic price of certain products because of price fluctuation in domestic markets, or price instability in a foreign market; or to increase or preserve tax revenue.

# F1 Administrative measures affecting customs value

- F11 Minimum import prices- Pre-established import price below which imports cannot take place.
- F12 Reference prices- Pre-established import price which authorities of the importing country use as reference to verify the price of imports.
- F19 Other administrative measures affecting the customs value, n.e.s.

# F2 Voluntary export-price restraints (VEPRs)

- An arrangement in which the exporter agrees to keep the price of the goods above a certain level.

# F3 Variable charges

- **F31 Variable levies**- A tax or levy whose rate varies inversely with the price of imports to keep a stable price in the home country.
- **F32 Variable components**- A tax or levy whose rate includes an ad valorem component and a variable component.
- **F39 Variable charges n.e.s**

# F4 Customs surcharges

- An ad hoc tax levied solely on imported products in addition to customs tariff to raise fiscal revenues or to protect domestic industries.

# F5 Seasonal duties

- Duties applicable at certain times of the year, usually in connection with agricultural products.

# F6 Additional taxes and charges levied in connection to services provided by the government

- F61 Custom-inspection, -processing and -servicing fees
- F62 Merchandise-handling or -storing fees
- F63 Tax on foreign exchange transactions
- F64 Stamp tax
- F65 Import license fee
- F66 Consular invoice fee
- F67 Statistical tax
- F68 Tax on transport facilities
- F69 Additional charges, n.e.s.

# F7 Internal taxes and charges levied on imports

- F71 Consumption taxes- A tax on sales of products which are generally applied to all or most products.
- F72 Excise taxes- A tax imposed on selected types of commodities.
- F73 Taxes and charges for sensitive product categories- Charges that include emission charges, (sensitive) product taxes and administrative charges.
- F79 Internal taxes and charges levied on imports, n.e.s.

# F8 Decreed customs valuations

- Value of goods determined by a decree for the purpose of imposition of customs duties and other charges.

# F9 Price-control measures, n.e.s

# G FINANCE MEASURES

# G Finance measures

- Finance measures are intended to regulate the access to and cost of foreign exchange for imports and define the terms of payment. They may increase import costs in the same manner as tariff measures.

# G1 Advance payment requirement

- **G11 Advance import deposit-** A requirement that the importer should deposit a percentage of the value of the import transaction before receiving the goods.
- **G12 Cash margin requirement-** A requirement to deposit the total amount of the transaction value in a foreign currency, in a commercial bank, before the opening of a letter of credit.
- **G13 Advance payment of customs duties-** A requirement to pay all or part of the customs duties in advance.
- **G14 Refundable deposits for sensitive product categories-** A requirement to pay a certain deposit which is refunded when the used product or its container is returned to a collection system.
- **G19 Advance payment requirements, n.e.s.**

# G2 Multiple exchange rates

- Varying exchange rates for imports, depending on the product category.

# G3 Regulation on official foreign exchange allocation

- G31 Prohibition of foreign exchange allocation- No official foreign exchange allocations are available to pay for imports.
- G32 Bank authorization- A requirement to obtain a special import authorization from the central bank.
- G33 Authorization linked with non-official foreign exchange- License granted only if non-official foreign exchange is used for the import payment.
- G331 External foreign exchange- License granted only for imports related to technical assistance projects and other sources of external foreign exchange.
- G332 Importers' own foreign exchange- License granted if the importer holds foreign exchange in an overseas bank.
- G339 License linked with non-official foreign exchange, n.e.s.
- G39 Regulation on official foreign exchange allocation, n.e.s.

# **G4 Regulations concerning terms of payment for imports**

- Regulations related to conditions of payment of imports and the obtaining and use of credit (foreign or domestic) to finance imports.

# **G9 Finance measures, n.e.s.**

# H MEASURES AFFECTING COMPETITION

# H Measures affecting competition

- Measures to grant exclusive or special preferences or privileges to one or more limited group of economic operators.

# H1 State-trading enterprises, for importing; other selective import channels

- H11 State-trading enterprises, for importing- Enterprises with special rights and privileges not available to other entities.
- H19 Other selective import channels, n.e.s.

# H2 Compulsory use of national services

- H11 Compulsory national insurance- A requirement that imports must be insured by a national insurance company.
- H22 Compulsory national transport- A requirement that imports must be carried by a national shipping company.
- H29 Compulsory national service, n.e.s.

# H9 Measures affecting competitions, n.e.s.

# I. TRADE-RELATED INVESTMENT MEASURES

# I Trade-related investment measures

- **I1 Local content measures-** Requirements to purchase or use certain minimum levels or types of domestically produced or sourced products.
- **I2 Trade-balancing measures-** Restrictions on the importation of products used in or related to local production.
- **I9 Trade-related investment measures, n.e.s**

# J. DISTRIBUTION RESTRICTIONS

# J Distribution Restrictions

- Distribution of goods inside the importing country may be restricted. It may be controlled through additional license or certification requirements.
- **J1 Geographical restriction-** Restriction to limit the sales of goods to certain areas within the importing country.
- **J2 Restriction on resellers-** Restriction to limit the sales of imported products by designated retailers.

# K Restrictions on post-sales services

- Measures restricting producers of exported goods to provide post-sales service in the importing country.

# L Subsidies (excluding export subsidies)-

- Financial contribution by a government or public body, or via government entrustment or direction of a private body.

# M Government procurement restrictions

- Measures controlling the purchase of goods by government agencies.

# N Intellectual property

- Measures related to intellectual property rights in trade.

# O Rules of origin

- cover laws, regulations and administrative determinations of general application applied by government of importing countries to determine the country of origin of goods.

# P Export-related measures

- P1 Export-license, -quota, -prohibition and other quantitative restrictions- Restrictions to the quantity of goods exported to a specific country or countries by the government of the exporting country.
- P11 Export prohibition- Prohibition of exports of certain products.
- P12 Export quotas- Quotas that limit value or volume of exports.
- P13 Licensing- or permit requirements to export- A requirement to obtain a license or a permit by the government of the exporting country to export products.
- P14 Export registration requirements- A requirement to register products before being exported.
- P19 Export quantitative restrictions, n.e.s.

# P2 State-trading enterprises, for exporting; other selective export channels

- P21 State-trading enterprises, for exporting- Enterprises with special rights and privileges, which influence through their purchases and sales the level or direction of exports of particular products.
- P29 Other selective export channels, n.e.s.

# P3 Export price-control measures

- Measures implemented to control the prices of exported products.

# P4 Measures on re-export

- Measures applied by the government of the exporting country on exported goods which have originally been imported from abroad.

# P5 Export taxes and charges

- Taxes collected on exported goods by the government of the exporting country.

# P6 Export technical measures

- P61 Inspection requirement- Control over the quality or other characteristics of products for export.
- P62 Certification required by the exporting country- Requirement by the exporting country to obtain sanitary, phytosanitary before the goods are exported.
- P69 Export technical measures, n.e.s.

## **P7 Export subsidies**

- Financial contribution by a government or public body, or via government entrustment or direction of a private body (direct or potential direct transfer of funds e.g. grant, loan, equity infusion, guarantee; government revenue foregone; provision of goods or services or purchase of goods; payments to a funding mechanism).

## **P8 Export credits**

## **P9 Export measures, n.e.s.**