NTM Classification Meeting
Official Non-Tariff Measures
28 – 29 September 2015

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UNCTAD
UNCTAD Non-Tariff Measures Programme

- Working along the entire chain

Conception
classification data
selection

Data collection
classifying NTMs
quality control

Data Dissemination
making data freely available

Research and analysis

Policy
Support to Policy Makers and policy making processes

Guides the concept and data collection
NTM Data: 3 Types of data, not to be mixed

National legislation
- Goods
  - Inventory data
  - Notifications
  - STC
  - Requirements enacted within a legal text or regulation issued officially by a country

Private sector perspective
- Business survey
- Complaints portal

Voluntary standards
- Private standards
- International standards

UNUNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT
## International Classification of NTMs: The common language

<table>
<thead>
<tr>
<th>Import-related measures</th>
<th>Technical measures</th>
<th>Non-technical measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Sanitary and Phytosanitary (SPS) measures</td>
<td>A8 Conformity assessment</td>
</tr>
<tr>
<td>B</td>
<td>Technical barriers to trade (TBT)</td>
<td>A81 Product registration</td>
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<tr>
<td>C</td>
<td>Pre-shipment inspections and other formalities</td>
<td>A82 Testing requirement</td>
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<td>D</td>
<td>Contingent trade-protective measures</td>
<td>A83 Certification requirement</td>
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<td>E</td>
<td>Non-automatic licensing, quotas, prohibitions and quantity-control measures</td>
<td>A84 Inspection requirement</td>
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<td>F</td>
<td>Price-control measures, including additional taxes and charges</td>
<td>A85 Traceability requirement</td>
</tr>
<tr>
<td>G</td>
<td>Finance measures</td>
<td>A851 Origin of materials and parts</td>
</tr>
<tr>
<td>H</td>
<td>Measures affecting competition</td>
<td>A852 Processing history</td>
</tr>
</tbody>
</table>
| I                       | Trade-related investment measures | (...)
| J                       | Distribution restrictions | A86 Quarantine requirement |
| K                       | Restrictions on post-sales services | A89 Other conformity assessments |
| L                       | Subsidies (excl. export subsidies) | |
| M                       | Government procurement restrictions | |
| N                       | Intellectual property | |
| O                       | Rules of origin | |
| P                       | Export-related measures | |

**Tree structure -- for example:**

A Sanitary and Phytosanitary (SPS) measures

- A1 Prohibitions/restrictions of imports for SPS reasons
  - A11 Temporary geographic prohibition
    - (...)

- A2 Tolerance limits for residues and restricted use of substances
  - (...)

- A3 Labelling, marking, packaging requirements
  - (...)

- A4 Hygienic requirements
  - (...)

- A5 Treatment for the elimination of pests and diseases
  - A51 Cold/heat treatment
  - A52 Irradiation
    - (...)

- A6 Requirements on production / post-production processes
  - (...)

- A8 Conformity assessment
  - A81 Product registration
  - A82 Testing requirement
  - A83 Certification requirement
  - A84 Inspection requirement
  - A85 Traceability requirement
  - A851 Origin of materials and parts
  - A852 Processing history
    - (...)
  - A86 Quarantine requirement
  - A89 Other conformity assessments
Official NTM data collection

- From here... to here

The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

Published by Authority

PART I : SECTION (I) — GENERAL

Government Notifications

L.D. — B. 11/80 II

FOOD ACT, No. 26 OF 1980

REGULATIONS made by the Minister of Health in consultation with the Food Advisory Committee under No. 26 of 1980.

NIMAL SIRI
Minister of Health
Uva Wellassa

Colombo.
17th January, 2005.

Regulations

01. These Regulations may be cited as “Food (Labelling and Advertising) Regulations 2005.”

02. No person shall sell, offer for sale, expose or keep for sale, transport or advertise for sale, any food in a container unless such package or container is labelled in accordance with these regulations.

Provided however that, these regulations shall not apply to any package of food if the food is of the name or brand requested by the purchaser and is weighed, counted or measured in the presence of the purchaser.
How is the data collected?

Regulation ➔ Law, decree, etc. issued officially by a government

Measure ➔ One official regulation could bear several NTM

Currently chapters A – I and P
## Data Availability

<table>
<thead>
<tr>
<th>Latin America and the Caribbean</th>
<th>North America</th>
<th>Europe and Central Asia</th>
<th>Middle East and North Africa</th>
<th>Sub-Saharan Africa</th>
<th>South Asia</th>
<th>East-Asia and the Pacific</th>
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<tbody>
<tr>
<td>Argentina</td>
<td>US</td>
<td>E.U.</td>
<td>Egypt</td>
<td>Burkina Faso</td>
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<td>Costa Rica</td>
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<td>Namibia</td>
<td>Senegal</td>
<td>All ASEAN</td>
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<td>Cuba</td>
<td>Palestine</td>
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<td>Ghana</td>
<td>All TRIPARTITE</td>
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<td>Nicaragua</td>
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<td>Guinea Bissau</td>
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</tbody>
</table>
Map of Data Availability
World Integrated Trade Solution website: wits.worldbank.org
Example: Many distinct SPS measures on fish products

Average number of distinct SPS and TBT measures by country
Main Challenges with NTM data collection

Comprehensiveness

- Regulations
- Measures within Regulations

Quality

- NTM classification
- HS classification
Towards high quality data

Before
- Selection, Training, Preparation (e.g. sources, “legal architecture”)

During
- Being constantly with the classifier

After
- Automated data review
  - Data consistent (e.g. all mandatory fields filled in)
  - Anti-dumping measure for one product
- Semi-automated review (supporting manual review, e.g. flagging issues)
  - SPS measures mainly for food products
  - Flag partial coverage with large product groups
- Manuel data review
  - Sources
  - NTM classification
  - Product classification
Still ... challenges remain

- Labour intensive and time consuming
- Sometimes difficulties to classify, e.g. SPS vs TBT
  - Often difficult judgement to make
  - Internal “committee”
- HS classification is a huge effort (1/3 of time)
  - Often groups of products
  - Often for specific use
- Difficult but doable