



JANUARY 2018



SWITZERLAND

Non-tariff measures (NTMs) applicable to biodiversity and BioTrade products: Personal care, food and phytopharma sectors

TECHNICAL FACT SHEET

1. INTRODUCTION

Key findings for the Swiss market

The majority of product groups studied faced **sanitary and phytosanitary measures (SPS)**, accounting for 54 per cent and similarly affecting all products but mainly oil seeds and edible vegetables, vegetable fats and oils, cereals, edible fruits and nuts, gums and resins, extracts, preparations of cereals, flour, starch or milk, miscellaneous edible preparations and beverages, spirits and vinegars. Some 36 per cent of the measures were technical barriers to trade (TBT), affecting the following product groups: cereals, coffee, tea, maté and spices, oil seeds, vegetable fat oils, cocoa, beverage, spirits and vinegar, gums and resins, and extracts, among others. Tannins, dyes was the product group with only one TBT (B11: Prohibition for TBT reasons). Some products groups were faced with NTMs related to pre-shipment inspections and other formalities (C), including edible vegetables, edible fruits and nuts, cereals, products of the milling industry, oil seeds, vegetable fats and oils, cocoa, preparations of vegetable fruits, nuts or other parts of plants, and vegetable alkaloids. The most burdensome measure(s) identified by participating exporting and importing companies, as well as exporting governments, relate to the international listing of ingredients/substances (e.g. Codex Alimentarius and the Personal Care Products Council). Understanding of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) import and export requirements was also seen as a limitation for companies trading those species, as well as topics related to border and domestic requirements and standards.

To address these burdensome NTMs, actions include product standardization; human resources development at company and government level, including customs; contingency planning and risk management; revision of the Harmonized System (HS) codes; product documentation and traceability; and inclusion of native biodiversity ingredients and products into official listing in importing and exporting markets. Further information can be found in Sections 6, 7 and 8.

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UNITED NATIONS
UNCTAD

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Biodiversity and BioTrade

Source: Adapted from Lojenga and Oliva, 2016.

<p>Biodiversity</p> <p>The variety of life on Earth, including the wide range of plants, animals and microorganisms, the genetic variety within the species, and the different ecosystems.</p> 	<p>Sectors involved in BioTrade activities:</p> <ul style="list-style-type: none"> • Personal care • Pharmaceuticals/ phytopharma • Food • Fashion • Ornamental flora and fauna 	<p>BioTrade impact in figures</p> <p>€4.3 billion</p> <p>Sales of BioTrade beneficiary companies and associations (2015).</p> <p>A significant increase from \$40 million in 2003.</p>
<p>BioTrade</p> <p>Collection, production, transformation and commercialization of goods and services derived from native biodiversity (species and ecosystems) under environmental, social and economic sustainability criteria.</p>	<ul style="list-style-type: none"> • Handicrafts • Textiles and natural fibres • Sustainable tourism • Forestry-based carbon credit activities. 	<p>5 million</p> <p>Number of beneficiaries* worldwide</p> <p><i>*Includes producers, farmers, collectors, hunters</i></p>

Non-tariff measures (NTMs) are policy measures, other than ordinary customs tariffs, that can potentially have an economic effect on international trade in goods – changing quantities traded, or prices, or both. (UNCTAD)

Examples of NTMs:

Sanitary and phytosanitary measures (SPS)

Measures applied to protect human or animal life from risks arising from: additives, contaminants, toxins or disease-causing organisms in food. For example:

- **Geographical restrictions on eligibility:** Imports of dairy products from countries.
- **Registration requirements for importers:** Importers of certain food items need to be registered at the ministry of health.
- **Irradiation:** This technology may be applied to meat products, fresh fruits, spices and dried vegetable seasonings.

Technical barriers to trade (TBT)

Measures referring to technical regulations and procedures to assess conformity with technical regulations and standards.

For example:

- **Product identity requirements:** For a product to be identified as “chocolate”, it must contain a minimum of 30 per cent cocoa.
- **Labelling requirements:** To facilitate the comparison of products in different packaging sizes, it is appropriate to retain the requirement that the mandatory nutrition declaration should refer to 100 g or 100 ml amounts and, if appropriate, allow additional portion-based declarations. (European Union law on food information to consumers, Regulation EU No. 1169/2011.)

BioTrade projects on NTMs

Identify HS codes	Mapping of NTMs used	Company survey	National workshops	NTMs fact sheets	Online database: unctad.org/ntm
<p>58 HS codes identified and listed for BioTrade products from Colombia, Peru and Viet Nam in the selected sectors (Section 3)</p>	<p>5 importing countries' NTMs mapped for the 58 HS codes, in collaboration with UNCTAD Trade Analysis Branch (TAB) (Sections 3 and 4)</p>	<p>231 surveyed companies involved in BioTrade and biodiversity-based products from the selected exporting and importing markets (Section 5)</p>	<p>3 national workshops (Colombia, Peru and Viet Nam) for sharing and validating the NTMs mapping and company survey findings and recommendations (Section 6)</p>	<p>4 fact sheets, one per import market, providing the findings of the BioTrade NTMs project</p>	<p>NTMs information available in UNCTAD TAB online databases: http://i-tip.unctad.org/</p>

Three exporting countries

- Colombia
- Peru
- Viet Nam

Five importing countries/region

- China
- European Union
- Japan
- Switzerland
- United States of America

2. MARKET INFORMATION: SWITZERLAND

Country overview 2016

General Information 2016

Population	Exchange rate	GDP
8.417 million (2016)	0.985 CHF/\$	\$667.109 Millions current \$
Land area¹	CPI growth	GDP growth
41,290 km ²	-0.43%	1.3%

Sources:
UNCTADSTAT. <http://unctadstat.unctad.org/CountryProfile/GeneralProfile/en-GB/757/index.html> (12 September 2017).

1 World Bank. <http://databank.worldbank.org/data/reports.aspx?source=2&country=CHE> (1 March 2018).

International merchandise trade

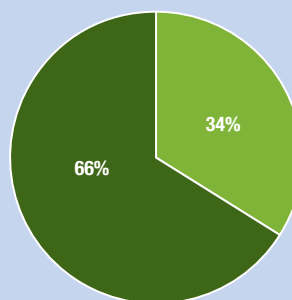
Total merchandise trade (millions of \$)				
	2005	2010	2015	2016
Merchandise exports	130,930	195,609	289,819	303,221
Merchandise imports	126,574	176,281	253,110	268,658
Merchandise trade balance	4,356	19,329	36,709	34,563

Source:
UNCTADSTAT. <http://unctadstat.unctad.org/CountryProfile/GeneralProfile/en-GB/757/index.html> (12 September 2017).

Export structure by product group in 2016

(as % of total exports)

- Manufactured goods
- Other

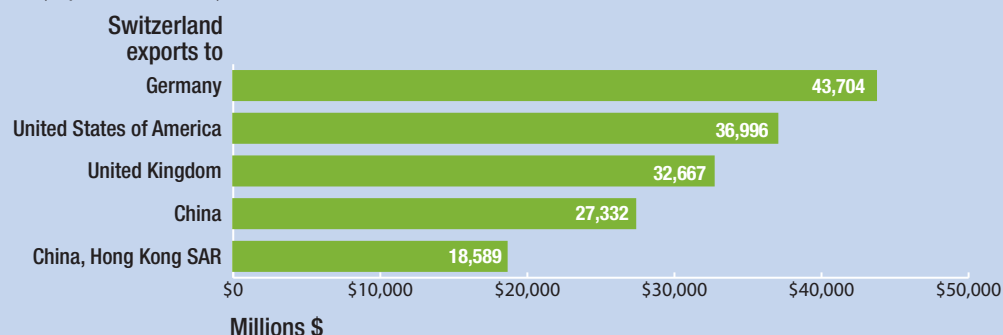


+4.6%

Merchandise exports
growth rate in 2016

Top five partners in 2016

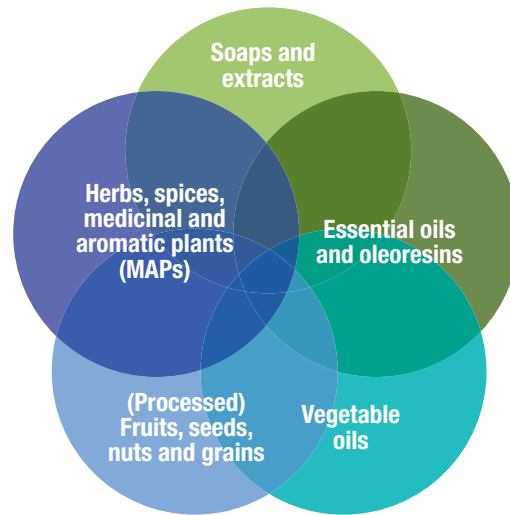
(exports, millions \$)



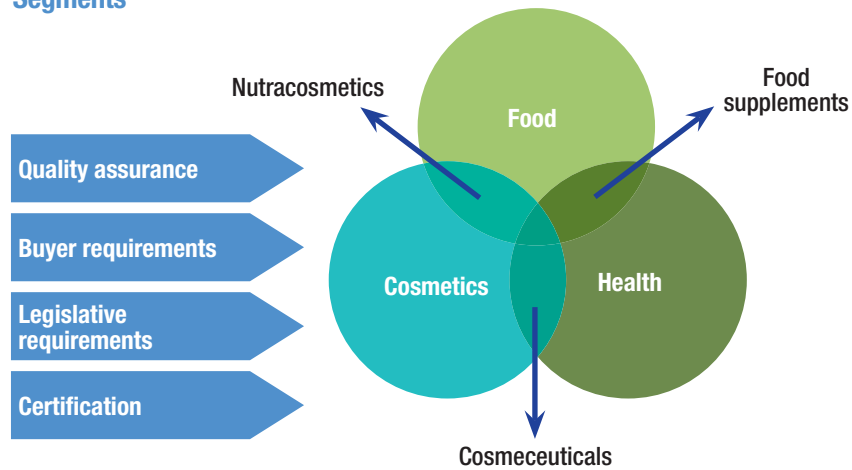
Market information by sector

Products

Source: Centre for the Promotion of Imports from developing countries (CBI) and ProFound (2016). Trade segments, channels and structures for food, food ingredients and natural ingredients for health products. CBI Expo Vitafoods 2016: Natural Ingredients Export Coaching Programme - Pakistan (adapted with permission of Klaus Duerbeck Consulting [KDC]).

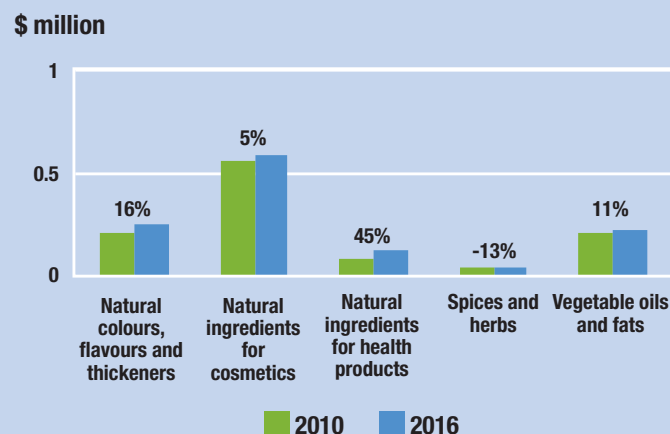


Segments



Source: ITC calculations based on United Nations COMTRADE statistics until January 2016 and Administration fédérale des douanes de Suisse statistics since January 2016.

Natural ingredients imported by Switzerland in 2010 and 2016



Note: The percentage change between 2010 and 2016 is shown above each category.

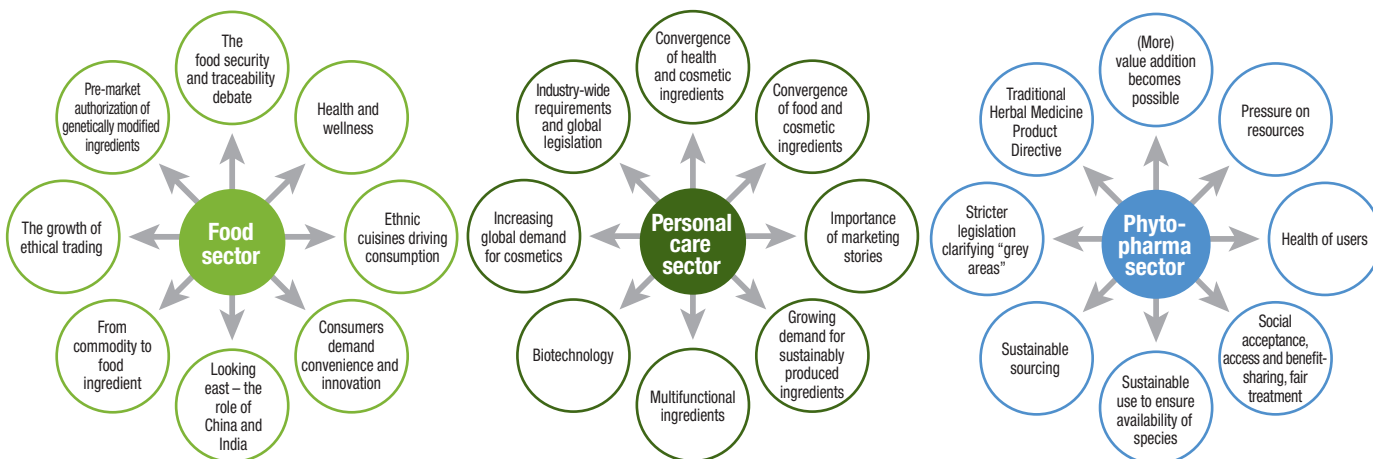
For 2016, total exports of natural ingredients (combined) share of Colombia, Peru and Viet Nam to Switzerland is <1 per cent, despite such imports experiencing double-digit increase in the recent years.

Switzerland reduced its herbs and spices imports from these countries by 13 per cent (between 2010 and 2016).

For 2016, total exports of natural ingredients (combined) share of Colombia, Peru and Viet Nam to Switzerland is <1 per cent, despite such imports experiencing double-digit increase in the recent years.

Market trends in Switzerland

Trends by sector



Source: CBI and ProFound (2015). Market information. Study. Oilseeds (as adapted with permission of KDC (2016) and Véronique Rossow (2017).

Trends by value chain actor

Company trends	Consumer trends	Supply chain trends	
Safe products <ul style="list-style-type: none"> • Safe to process and use • Safe in terms of supply • Safe in terms of sustainability • Safe in terms of proof of efficiency • Safe in terms of transparency and traceability • Documentation 	<p>Taste the “new” versus desire for the “known”</p> <p>Market polarization – “affluence versus economizing”</p> <p>Time pressure and stress</p> <p>Sustainability concerns</p> <p>Ageing population</p> <p>Smaller households</p> <p>Natural and healthier lifestyle choices</p> <p>Inadequate quality brand management</p> <p>Local sourcing versus exotic</p>	Concentration (retail processing, importing) <ul style="list-style-type: none"> • More mergers and acquisitions • Increasing buying power of few players • Global compliance and trading of ingredients • Shorter distance between buyers and management • Preferred suppliers in integrated supply chains based on financial criteria 	
Ecological standards <ul style="list-style-type: none"> • European Union regulation on organic farming – organic certification • Different rules apply for labelling and marketing – food, cosmetics, health 		Extended processing in production countries <ul style="list-style-type: none"> • (More) value addition becomes possible • Pressure on resources 	
Social standards <ul style="list-style-type: none"> • Fair treatment/CSR: SA 8000, OHSAS 18001, ISO 26000 • Fair sharing of benefits: BioTrade Principles and Criteria, Fair trade 		New responsibility for resource management <ul style="list-style-type: none"> • Safety of users • Social acceptance, access and benefit-sharing, fair treatment • Sustainable use to ensure availability of species 	
BioTrade <ul style="list-style-type: none"> • BioTrade verification and certification: Union for Ethical BioTrade (UEBT) 			
Sustainable wild collection <ul style="list-style-type: none"> • Management and certification standards: FairWild standard 			

Source: KDC (2016) and Véronique Rossow (2017).

3. Mapping NTMs and HS codes used

NTMs classification (TAB, UNCTAD)

The classification of NTMs includes those measures considered relevant to international trade today, divided into two broad categories.

- **Import measures:** These are applied by the government of the importing country on the imported goods. They encompass technical measures (sanitary or environmental protection measures) and others traditionally used as instruments of commercial policy (e.g. quotas, price control).
- **Export measures:** These are applied by the government of the exporting country on exported goods. These can be restrictions on the quantity of goods exported to a specific country for reasons such as shortage of goods in the domestic market, regulating domestic prices or export price-control measures, measures on re-export, etc.

The classification is shown below and more information is available in UNCTAD's International classification of non-tariff measures (Version 2012).

Import measures			Export measures
Technical measures	Non-technical measures		P: Export-related measures (e.g. export taxes, export quotas and export prohibitions)
A: Sanitary and phytosanitary (SPS) B: Technical barriers to trade (TBT) C: Pre-shipment inspection and other formalities D: Contingent trade-protective measures	E: Non-automatic licensing, quotas, prohibitions and quantity control measures other than for SPS or TBT reasons F: Price-control measures, including additional taxes and charges G: Finance measures H: Measures affecting competition	I: Trade-related investment measures J: Distribution restrictions K: Restrictions on post-sales services L: Subsidies M: Government procurement restrictions N: Intellectual property O: Rules of origin	

Source: UNCTAD (2015). International classification of non-tariff measures (Version 2012). United Nations. (UNCTAD/DITC/TAB/2012/2/Rev.1). Available at: http://unctad.org/en/PublicationsLibrary/ditctab20122_en.pdf.

HS codes analysed for Switzerland

Based on information from BioTrade partners in Colombia, Peru and Viet Nam

Preparations of cereal, flour, starch or milk	Preparations of vegetables, fruits, nuts or other parts of plants	Miscellaneous edible preparations	Beverages, spirits and vinegar	Vegetable alkaloids	Oil seeds	Gums and resins, extracts	Vegetable fats and oils	Tannins, dyes	Essential oils
1904	2007 2009	2106	2202	2939	1207 1211 and 121190 1212, 121220 and 121292	1301 1302 and 130231 1404	1508 1513 1515 1516 1521	3201 3203	3301

Edible vegetables	Edible fruits and nuts	Coffee, tea, maté and spices	Cocoa	Cereals	Products of the milling industry	Sugar, syrups and candies	Beauty, make-up, etc.	Odoriferous substances and mixtures	Medicaments n.e.c
0709	0801	0902	1801	1001	1106	1702	3304, 330410, 330420, 330430, 330491 and 330499	3302	3004 and 300490
0710	0802	0903	1803	1005					
0712	0804	0909	1804	1008					
0713	0810	0910	1805						
0714	0811		1806						
	0813								

Note: n.e.c. (not elsewhere classified).

4. NTMs analysis: Switzerland

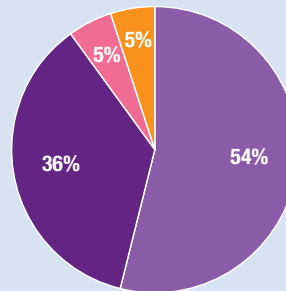
Source: UNCTAD Trade Analysis Branch (2017). Mapping of Swiss NTMs (Excel sheets).

Most frequently identified NTMs for all product groups

For the Swiss market, exporters of the selected biodiversity and BioTrade products commonly encounter technical measures:

- Related to SPS
- Related to TBT

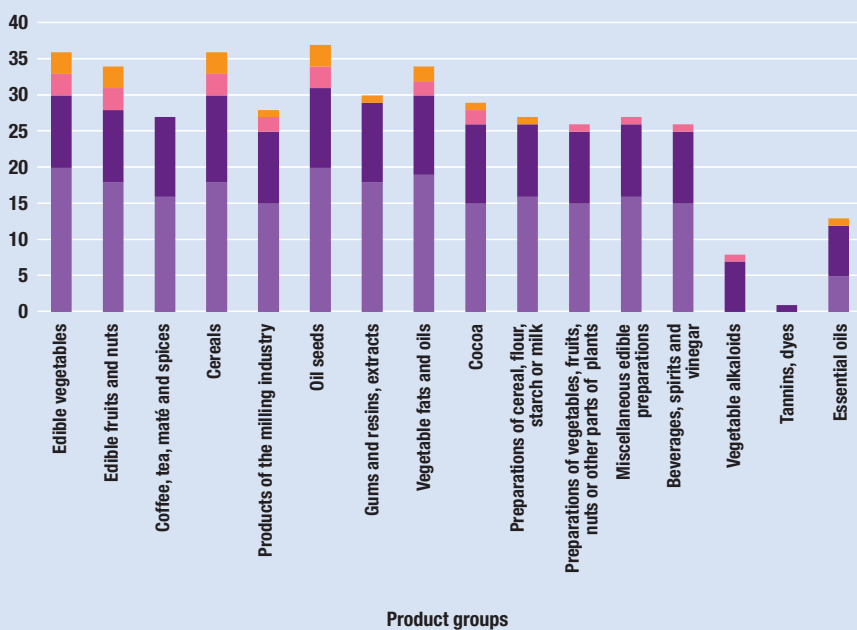
Total measures identified for Switzerland: 419



Key

- A** Sanitary and phytosanitary (SPS)
- B** Technical barriers to trade (TBT)
- C** Pre-shipment inspection and other formalities
- F** Price-control measures, including additional taxes and charges

Number of distinct NTMs by product for selected product groups



The majority of product groups face SPS measures and TBT; their occurrence being highest for oil seeds, edible vegetables and cereals. Vegetable alkaloids, tannins and dyes are not affected by SPS measures. Cereals is the category with the highest number of TBT measures (12 identified).

NTMs identified by product group

Edible vegetables	Edible fruits and nuts	Coffee, tea, maté and spices	Cereals	Products of the milling industry	Oil seeds	Gums and resins, extracts	Vegetable fats and oils	Cocoa	Preparations of cereals, flour, starch or milk	Preparations of vegetables, fruit, nuts or other parts of plants	Miscellaneous edible preparations	Beverages, spirits and vinegar	Vegetable alkaloids	Tannins, dyes	Essential oils
A13	A14	A14	A14	A14	A13	A13	A13	A14	A14	A14	A14	A14	B14	B11	A14
A14	A15	A21	A15	A21	A14	A14	A14	A21	A21	A21	A21	A21	B15		A81
A15	A21	A22	A21	A22	A15	A21	A15	A22	A22	A22	A22	A22	B31		A83
A21	A22	A31	A22	A31	A21	A22	A21	A31	A31	A31	A31	A31	B83		A84
A22	A31	A4	A31	A41	A22	A31	A22	A41	A41	A41	A41	A41	B859		B14
A31	A41	A41	A41	A42	A31	A41	A31	A42	A42	A42	A42	A42	B9		B15
A41	A42	A42	A42	A61	A41	A42	A41	A61	A61	A61	A61	A61	C4		B21
A42	A5	A61	A5	A62	A42	A61	A42	A62	A62	A62	A62	A62			B22
A5	A61	A62	A61	A63	A5	A62	A61	A63	A63	A63	A63	A63			B31
A61	A62	A63	A62	A64	A61	A63	A62	A64	A64	A64	A64	A64			B41
A62	A63	A64	A63	A69	A62	A64	A63	A69	A69	A69	A69	A69			B9
A63	A64	A69	A64	A83	A63	A69	A64	A83	A83	A83	A83	A83			F61
A64	A69	A83	A69	A85	A64	A81	A69	A85	A84	A85	A84	A85			
A69	A83	A85	A83	A9	A69	A83	A81	A9	A85	A9	A85	A9			
A81	A84	A9	A84	B14	A81	A84	A83	B11	A9	B14	A9	B14			
A83	A85	B14	A85	B31	A83	A85	A84	B14	B14	B31	B14	B31			
A84	A9	B31	A9	B41	A84	A9	A85	B31	B31	B41	B31	B41			
A85	B14	B33	B14	B42	A85	B14	A9	B41	B41	B42	B41	B42			
A9	B31	B41	B31	B49	A9	B15	B11	B42	B42	B49	B42	B49			
B14	B41	B42	B33	B6	B14	B31	B14	B49	B49	B6	B49	B6			
B31	B42	B49	B41	B7	B31	B41	B31	B6	B6	B7	B6	B7			
B41	B49	B6	B42	B83	B33	B42	B41	B7	B7	B83	B7	B83			
B42	B6	B7	B49	B85	B41	B49	B42	B83	B83	B85	B83	B85			
B49	B7	B83	B6	B9	B42	B6	B49	B85	B85	B9	B85	B9			
B6	B83	B85	B7	C4	B49	B7	B6	B9	B9	C4	B9	C4			
B7	B85	B9	B8	C9	B6	B83	B7	C4	F61		F61				
B83	B9		B83	F62	B7	B85	B83	C9							
B85	C3		B85	P9	B83	B9	B85	F62							
B9	C4		B9		B85	F61	B9								
C3	C9		C3		B9		C4								
C4	F61		C4		C3		C9								
C9	F62		C9		C4		F61								
F61	F65		F61		C9		F62								
F62			F62		F61										
F65			F65		F62										
					F65										

A Sanitary and phytosanitary (SPS)

B Technical barriers to trade (TBT)

C Pre-shipment inspection and other formalities

F Price-control measures, including additional taxes and charges

For more information on the NTMs classification and the description of each measure (e.g. A, B, C and F), see UNCTAD's International classification of non-tariff measures (Version 2012). Available at: http://unctad.org/en/PublicationsLibrary/ditctab20122_en.pdf.

Highlights

Oil seeds and edible vegetables are subject to the most SPS measures. However, vegetable alkaloids, tannins and dyes are only affected by TBT measures. The most common SPS measures are:

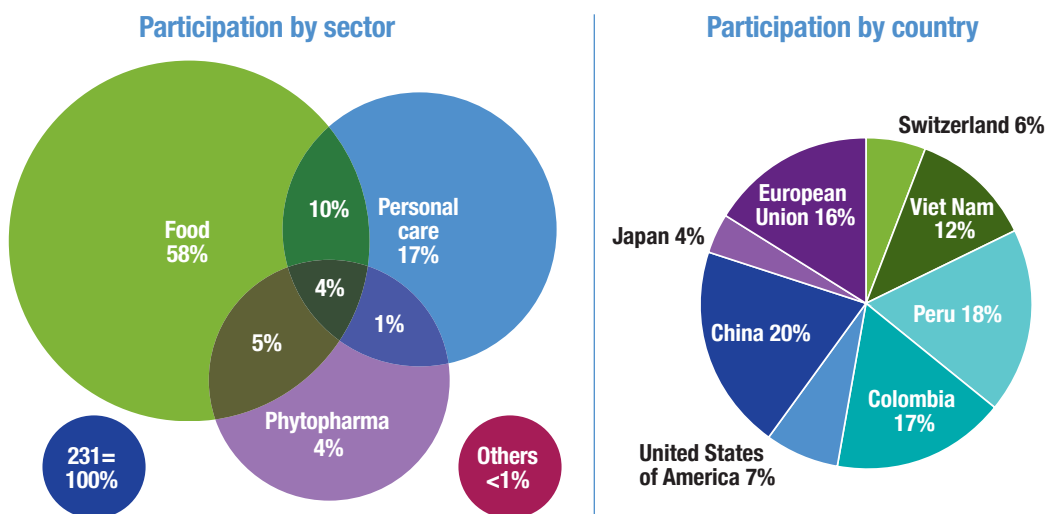
- **A6: Other requirements on production or post-production processes** relating to plant growth, food processing, storage and transport conditions, and other requirements, such as production and post-production requirements to avoid undesired mixing between genetically modified products and non-genetically modified organisms.
- **A8: Conformity assessments related to SPS**, e.g. foodstuffs, farm animals intended for the production of food, as well as all the substances likely to be transformed into food, must be traceable at all stages of production, processing and distribution; or that a phytosanitary certificate is required for importing plants and plant products that are subject to phytosanitary regulations from non-European Union countries (the certificate is issued by the phytosanitary service in the country of origin).

For more information on NTMs and to access full regulatory data, visit: [TAB, UNCTAD www.unctad.org/ntm](http://www.unctad.org/ntm)

5. NTMs company survey

Source: UNCTAD BioTrade Initiative (2016).

General overview



42%
of the surveyed companies
apply BioTrade principles

43%
of the surveyed companies
know BioTrade

53%
of Swiss companies
surveyed apply BioTrade
Principles and Criteria

General information from 231 surveyed companies

Most surveyed companies from Colombia, Peru and Viet Nam are exporters, whereas most companies from the European Union, Japan, Switzerland and the United States of America are both importers and exporters.

Number employees	Turnover in \$	Trade experience	Value chain actor
<ul style="list-style-type: none"> <20: 31.6% 20–250: 44.6% >250: 16.9% N/A: 6.9% 	<ul style="list-style-type: none"> < 1 million: 21.2% 1 to 5 million: 11.3% > 5 million: 29.9% N/A: 37.7% 	<ul style="list-style-type: none"> Importing: 4.3% Exporting: 54.1% Importing and exporting: 37.2% No international experience: 4.3% 	<ul style="list-style-type: none"> Producer: 27.4% Processor: 27.4% Manufacturer: 33.5% Service provider: 11.8%

Information from Swiss companies surveyed

Some 46 per cent of the Swiss companies employ between 20 and 250 employees and 53 per cent have an annual turnover of more than \$5 million.

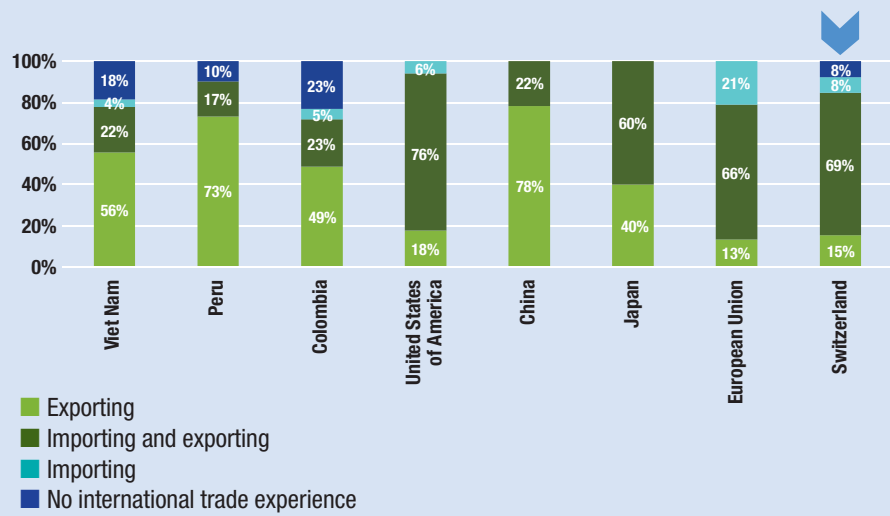
Number employees	Turnover in \$	Trade experience	Value chain actor
<ul style="list-style-type: none"> <20: 3 20–250: 6 >250: 3 N/A: 1 	<ul style="list-style-type: none"> < 1 million: 0 1 to 5 million: 0 > 5 million: 7 N/A: 6 	<ul style="list-style-type: none"> Importing: 1 Exporting: 2 Importing and exporting: 9 No international experience: 1 	<ul style="list-style-type: none"> Producer: 1 Processor: 6 Manufacturer: 9 Service provider: 4

53%
have an annual
turnover of more than
\$5 million

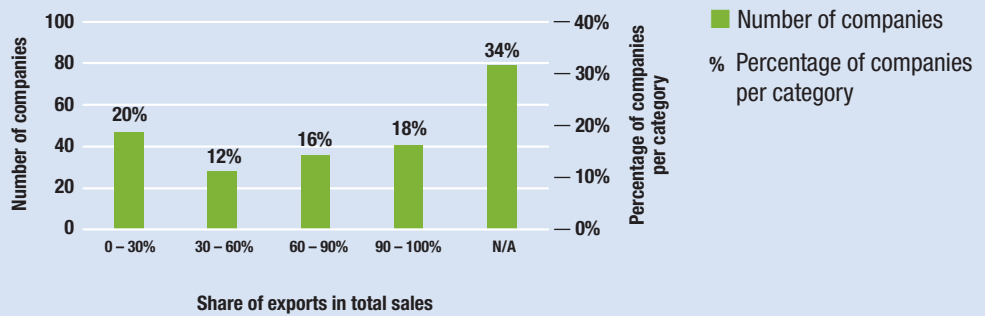
Trade experience and share of biodiversity-based exports

Some **84%** of the Swiss companies are exporters, out of which **69%** are also importers.

Trade experience of surveyed participants by country (percentage)

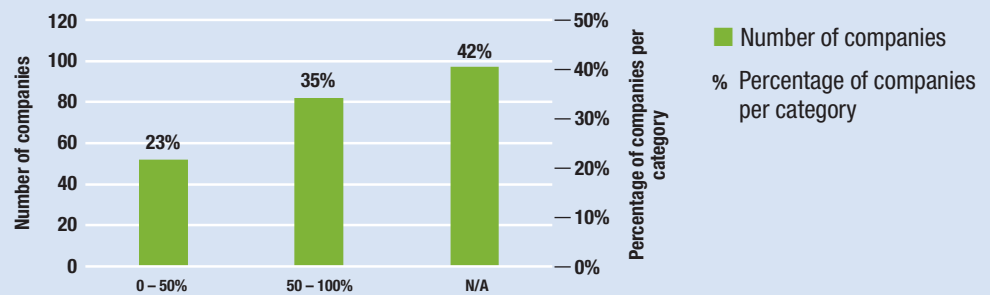


Percentage of exports in total sales



Nearly half of the Swiss companies analysed have a biodiversity-based products share between **50%** and **100%**

Number and share of companies with biodiversity-based exports



NTMs in the other markets analysed (China, European Union, Japan and United States of America) compared with the Swiss market

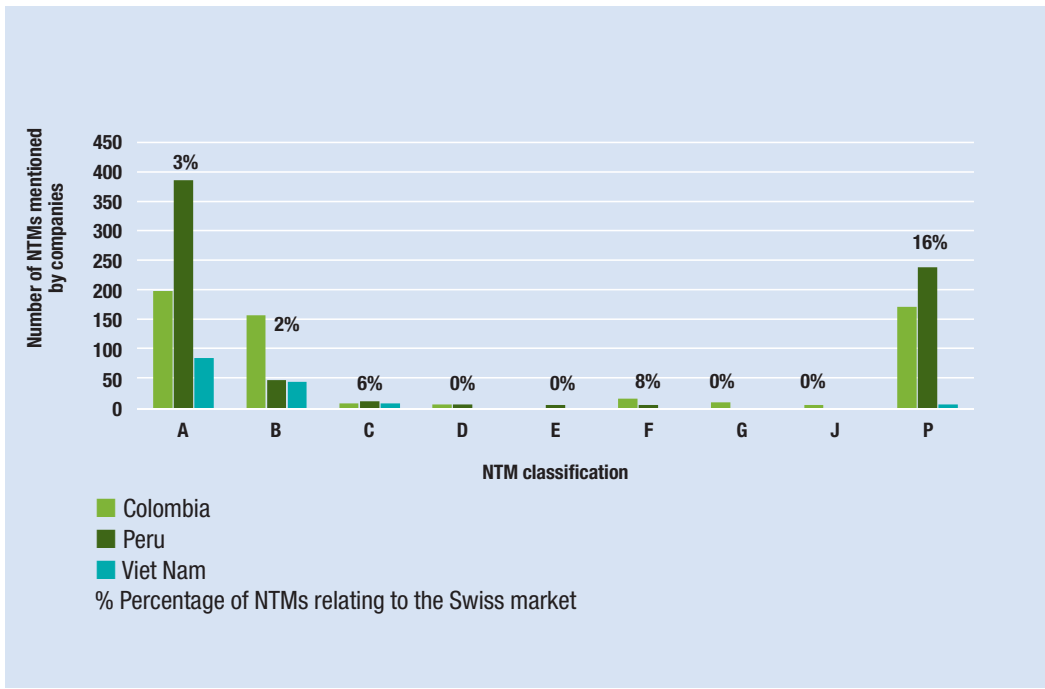
For other markets

SPS measures (A) are the most commonly identified by the surveyed participants. Category A1, which deals with prohibitions and restrictions of imports for SPS and its subcategories, represents 16 per cent of all the identified NTMs. Peruvian companies identified more NTMs than Colombia and Viet Nam.

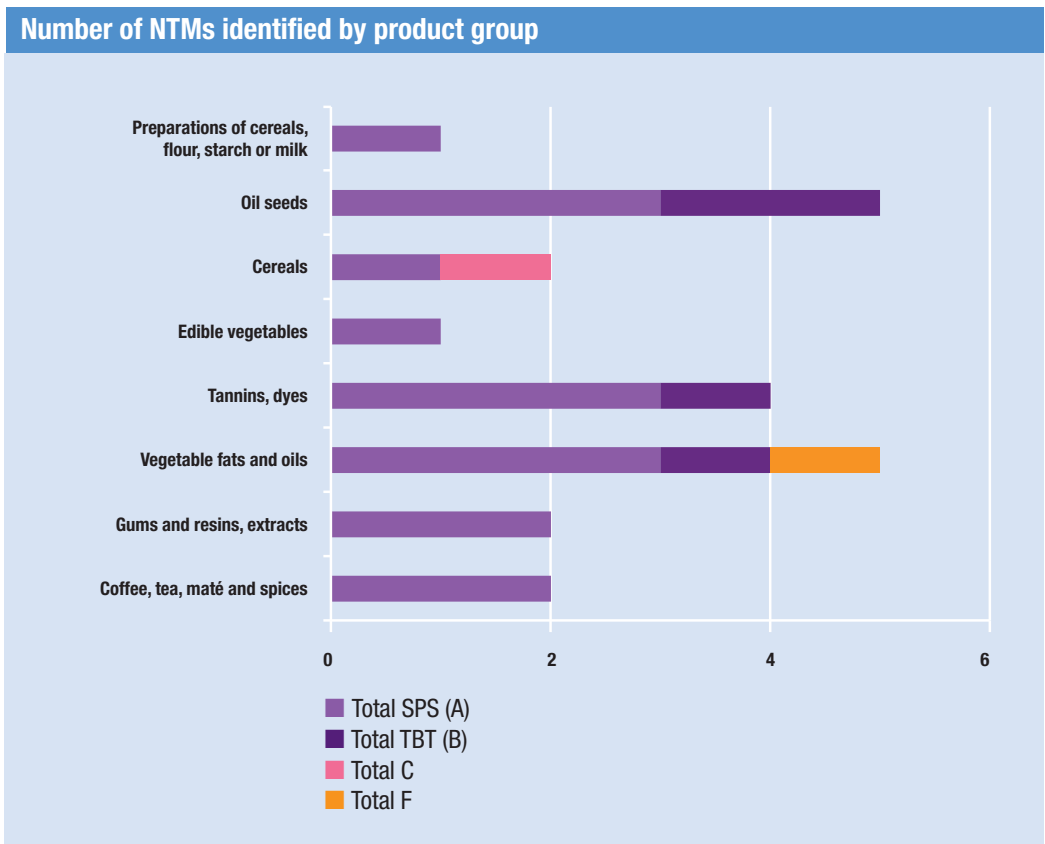
For the Swiss market

The NTMs identified were lower than for most of the other countries, representing only 8 per cent for the price-control measures, including additional taxes and charges (F), 6 per cent for pre-shipment inspection and other formalities measures (C), 3 per cent of SPS measures (A), and 2 per cent of TBT measures (B).

NTMs identified in the company surveys for the Swiss market



Challenging Swiss NTMs identified for selected HS codes



Total NTMs identified:

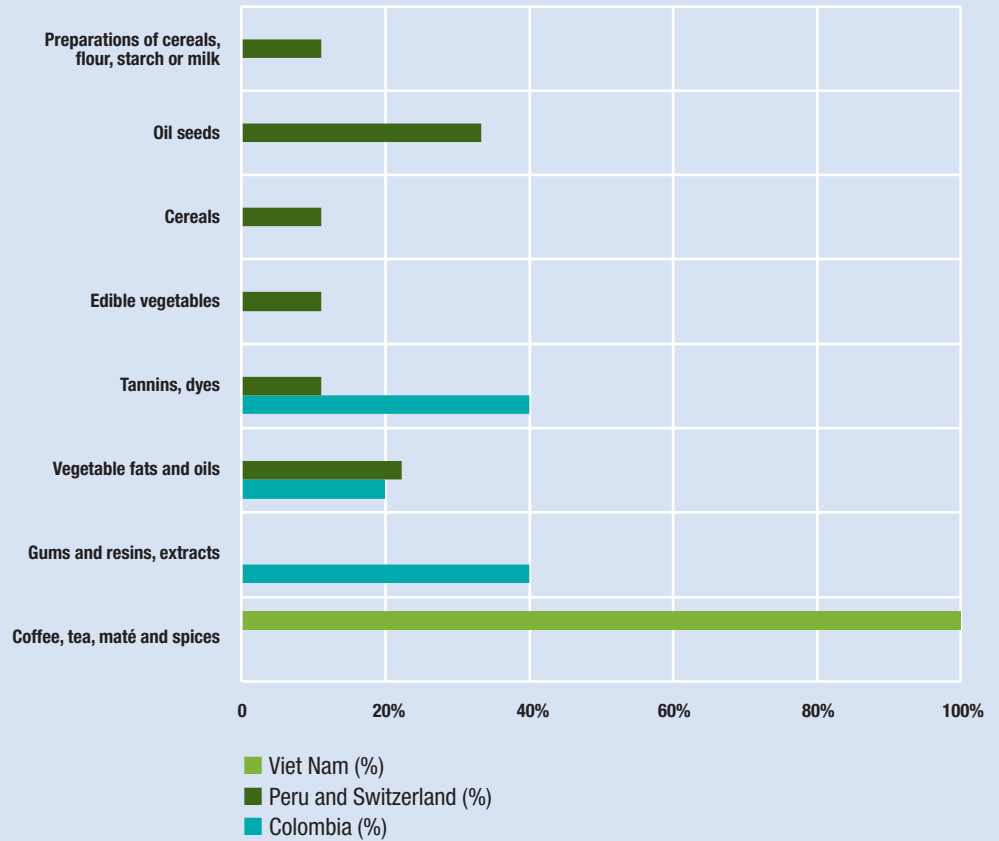
22

- SPS (A): 16
- TBT (B): 4
- Pre-shipment inspection and other formalities (C): 1
- Price-control measures, including additional taxes and charges (F): 1

List of HS codes identified during the survey

- Edible vegetables: **0712**
- Cereals: **1008**
- Oil seeds: **1211**
- Preparations of cereals, flour, starch or milk: **1904**
- Tannins, dyes: **3201**
- Coffee, tea, maté and spices: **0902; 0909**
- Gums and resins, extracts: **1302**
- Vegetable fats and oils: **1515**

SPS measures identified per product group in each exporting country (percentage)



Note: Accuracy is related to number of interviewers.

NTMs most frequently identified by surveyed participants

A SPS

A12: Geographical restrictions on eligibility

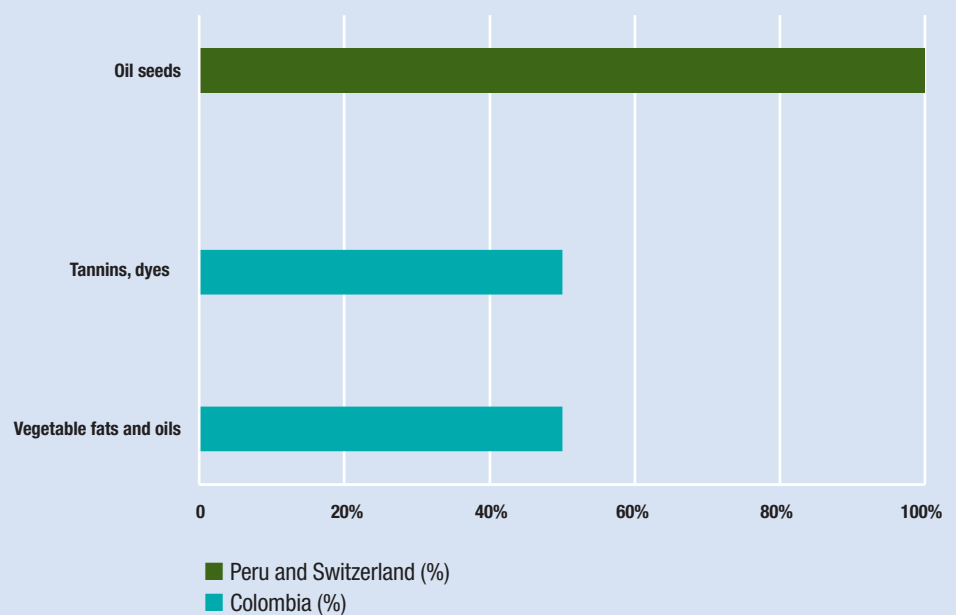
A21: Tolerance limits for residues of or contamination by certain (non-microbiological) substances

A84: Inspection requirement

B TBT

B82: Testing requirement

TBT measures identified per product group and country (percentage)

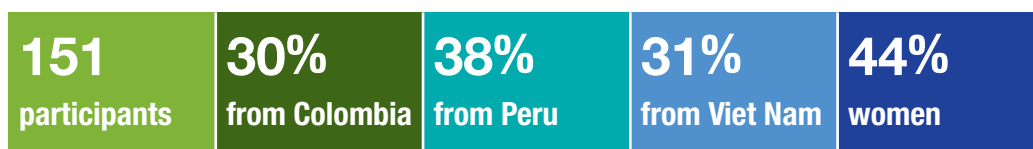


Note: Accuracy is related to number of interviewers.

6. Challenging NTMs identified in the workshops

Source: UNCTAD BioTrade Initiative (2016).

The workshops aimed to increase understanding and raise awareness of policymakers and private stakeholders on the main NTMs identified when exporting BioTrade and biodiversity-based products from Colombia, Peru and Viet Nam to the personal care, food and phytopharma sectors of China, the European Union, Japan, Switzerland and the United States of America.



Specific barriers identified by workshop participants from Colombia, Peru and Viet Nam

Personal care sector

Legislation, NTMs or barrier identified	HS codes affected	Participating countries
Good manufacturing practices (GMP) and good laboratory practices (GLP)	3304	Colombia
Personal Care Product Council (for substances to be included in the labelling list), particularly when registering as new ingredients	3301 1515 1302	
Limited knowledge and understanding of CITES	Not specified	Colombia
	<i>Aquilaria crassna</i> (agarwood)	Viet Nam
Product certificate of analysis (or certificate of analysis)	Not specified	Viet Nam
Sanitary registration in the importing country; also understood as the “sales permit”, as well as sanitary notifications	Not specified	Colombia
Product traceability and certification	3201	Colombia
Sustainable sourcing – systems approach (FairWild, UEBT, HACCP, GACP, GMP, Fair trade, access and benefit-sharing)	Not specified	Viet Nam

Personal care sector HS codes:

- 1302** (Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products)
- 1515** (Fixed vegetable fats and oils [including jojoba oil] and their fractions, whether or not refined; but not chemically modified)
- 3201** (Tanning extracts of vegetable origin; tannins and their salts, ethers, esters and other derivatives)
- 3301** (Oils; essential [concretes, absolutes]; concentrates thereof in fats, fixed oils, waxes or the like [obtained by enfleurage or maceration] aqueous distillates, solutions and terpenic by-products thereof; resinoids; extracted oleoresins)
- 3304** (Cosmetic and toilet preparations; beauty, make-up and skin care preparations [excluding medicaments, including sunscreen or sun tan preparations], manicure or pedicure preparations)

Food sector

Legislation, NTMs or barrier identified	HS codes affected	Participating countries
Codex Alimentarius, particularly the registration of new ingredients	0903 0810 3201 3203	Colombia
Automated Fingerprint Identification System (AFIS)	0903 0909 0910 0810	
Certifications and international standards. For example, laboratories with GLP	0802 2101	
Maximum residue limits (MRL)	0802 2101	
Certifications and standards	Not specified	Peru
Anti-dumping laws in import markets	Food sector	Viet Nam

Food sector HS codes:

0802 (Nuts [excluding coconuts, Brazil and cashew nuts]; fresh or dried, whether or not shelled or peeled)

0810 (Fruit, fresh; n.e.c. in chapter 08)

0903 (Maté)

0909 (Seeds of anise, badian, fennel, coriander, cumin, caraway or juniper)

0910 (Ginger, saffron, turmeric, thyme, bay leaves, curry and other spices)

2101 (Extracts, essences, concentrates of coffee, tea or maté; preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof)

3201 (Tanning extracts of vegetable origin; tannins and their salts, ethers, esters and other derivatives)

3203 (Colouring matter of vegetable or animal origin, including dyeing extracts, not animal black, whether or not chemically defined; preparations based on colouring matter of vegetable or animal origin)

Phytopharma sector

Legislation, NTMs or barrier identified	HS codes affected	Participating countries
Product certificate of analysis (or certificate of analysis)	Not specified	Viet Nam
Limited knowledge and understanding of CITES	Not specified	Colombia
	<i>Aquilaria crassna</i> (agarwood)	Viet Nam
Sanitary registration in the importing country; also understood as the “sales permit”	Not specified	Colombia
Sustainable sourcing – systems approach (e.g. FairWild, UEBT, HACCP, GACP, GMP, Fair trade, access and benefit-sharing)	Not specified	Viet Nam

Other measures also identified by workshop participants

Export-related measures by country	Participating countries
Product analysis required at country level	Colombia
Clarity regarding the standardization of natural ingredients in line with international standards	
Customs procedures and inspections (drug-related inspections)	
Limited knowledge of customs authorities regarding the biodiversity product exported (e.g. containers polluted or the frozen chain was broken, under which HS codes they should be included)	
P3 Export price-control measures	
P6 Export technical measures	
Ensure quality of raw material for production	Viet Nam
Certificate of origin issued by government institutes and forms as required by buyer	
P5 Export taxes and charges	Colombia, Viet Nam
Limited clarification of the HS codes	Colombia, Peru and Viet Nam
Certifications and permits for products (e.g. phytosanitary and those delivered by Servicio Forestal y de Fauna Silvestre [SERFOR])	Peru
Lack of phytosanitary requirements for new products	
Identification of species and its corresponding scientific and technical information needed for the trade of biodiversity-based products, such as essential oils, vegetable oils, extracts, etc. (toxicology, nutritional values, etc.). Identified species are: aguaymanto (<i>Physalis peruviana</i>), sacha inchi (<i>Plukenetia volubilis</i> L.), cañihua (<i>Chenopodium pallidicaule</i>) and algarrobo or mezquite (<i>Prosopis pallida</i>)	
Harmonization of national and international requirements, regulations and norms related to biodiversity-based products (e.g. aguaymanto [<i>Physalis peruviana</i>]) as well as other issues (e.g. accredited laboratories which are accepted by importers)	
Limited knowledge/capacity of customs authorities to carry out inspections	
Enhance statistics for BioTrade products	

Non-sector specific information

Legislation, NTMs or barrier identified	HS codes or products affected	Participating countries
Certification of products (A83 and B83)	3201	Colombia
A85 Traceability requirements	3201	Colombia
	Not specified	Viet Nam
Certification of origin (O)	Not specified	Colombia
Sanitary permits in the country of origin	Not specified	Colombia
P62 Certification required by the exporting country	Not specified	Peru
Limited understanding of the scope and how to implement the Nagoya Protocol, and the differences it has between countries and regions	Not specific	Peru*

Non-sector specific information HS codes:
3201 (Tanning extracts of vegetable origin; tannins and their salts, ethers, esters and other derivatives)

* This topic was mentioned during the peer review process by experts and organizations, including SERFOR.

Non-sector specific information HS codes:

3201 (Tanning extracts of vegetable origin; tannins and their salts, ethers, esters and other derivatives)

Non-sector specific information (continued)

Legislation, NTMs or barrier identified	HS codes or products affected	Participating countries
A5 Treatment for elimination of plant and animal pests and disease-causing organisms in the final product (e.g. post-harvest treatment) A13 Systems approach A14 Special authorization requirement for SPS reasons A15 Registration requirements for importers A21 Tolerance limits for residues of or contamination by certain (non-microbiological) substances A22 Restricted use of certain substances in foods and feeds and their contact materials A31 Labelling requirements A32 Marking requirements A33 Packaging requirements (directly related to food safety) A41 Microbiological criteria of the final product A42 Hygienic practices during production A63 Food and feed processing A82 Testing requirement A83 Certification requirement A84 Inspection requirement A86 Quarantine requirement B33 Packaging requirements C3 Requirement to pass through specified port of customs	Not specified	Viet Nam
Identification of potential suppliers for materials, inner and outer carton, hygienic requirements, certified package or not, residuals of the materials made for the package	Not specified	Viet Nam
Market information	Not specified	Viet Nam

7. Summary of potential trade barriers to the export of biodiversity and BioTrade products to Switzerland

Summary of potential trade barriers to the export of biodiversity and BioTrade products to Switzerland

- Limitations to trade – general and specific to Switzerland
- Standards
- Requirements – both at the border (B) and internal/domestic (I)

Limitations to trade – general and specific to Switzerland	Standards
General	Sanitary and phytosanitary conditions
Understanding of import and export requirements: CITES	Process standards
Specific	Process standards
Listing of substances/ingredients (e.g. Codex Alimentarius and Personal Care Products Council)	Corporate social responsibility
	Packaging and labelling

Requirements – both at the border (B) and internal/domestic (I)	
Safety and security (B)	Consumer protection (I)
Environmental health (B)	Inadequate Infrastructure (I/B)
Rules of origin (B)	Intellectual property (I/B)
Lengthy customs procedures (B)	Corruption (I/B)
HS codes classification – to avoid inconsistencies, overlap in the registration of the biodiversity products exported (B)	Knowledge and understanding of trade policies affecting the products and sectors exported (I/B)
Product classification, as the product identity and right classification are essential for export (B)	

8. Recommendations for addressing the NTMs identified

Standardization	Standardization of processes and documentation along the entire chain (production processes, harvesting, processing, sampling, documentation, etc.); standard operating procedures (SOPs), GMP, GACP (WHO), etc. This standardization should be aligned with international market requirements, including those from the export market.
Human resource development	Raise awareness and capacity-building of second-line leadership, regular training of staff regarding procedures, trade development, language, etc. Importantly, another training course should refer to the NTMs identified per sector, as depending on the material to be traded, obligations vary. Training should also address the gaps between what is identified by practitioners versus what importers need to fulfil in terms of obligations. Therefore, pragmatic support should be provided, for example, by listing obligations by HS code (e.g. traded material), by sectorial use, and in using this information to train the various categories of stakeholders (to complement this point, see listing of legal obligations point below). Additionally, there is a need to enhance the capacity of public and private stakeholders to implement and understand biodiversity-related agreements and protocols, such as CITES and the Nagoya Protocol, and their implications for biodiversity-based businesses.
Contingency plan and risk management	Develop a risk management tool, which will provide a clear action plan indicating what to do in case an outcome is different from what was expected. For example, if the product has different qualities between samples and lots; if the company has storage problems; or there are disruptions in the production chain.
Revision of HS codes	Consistency of HS codes to better identify biodiversity and BioTrade-related products; revision of botanical identification.
Product documentation and traceability for certification	Carry out extensive, in-depth and coherent compilation of documents, studies and other information needed beforehand to obtain and maintain the products' traceability and certification.
Training for customs	Raise awareness, capacity-building and regular updates on the most recent changes in policies by the customs authorities, and the differences between countries and products in relation to, for example, rules on the validity of the exit of the product from the country of origin as well as its entry into the destination country.
Transport costs	Realistic cost calculation and knowledge on inter-/national packaging and transportation requirements, documentation and the respective costs.
Better infrastructure	Improve infrastructure in every possible context – company, internal, national and international. For example, establishing quality laboratories that are recognized in international markets.

Recommendations for addressing the NTMs identified:

- Standardization
- Human resource development
- Contingency plan and risk management
- Revision of HS codes
- Product documentation and traceability for certification
- Training for customs
- Transport costs
- Better infrastructure
- Inclusion of native biodiversity-based ingredients and products in official listings at national and international levels
- Listing of legal obligations either by HS code or by sector

Recommendations for addressing the NTMs identified (continued)

Inclusion of native biodiversity-based ingredients and products in official listings at national and international levels	Adding to standardization and product documentation, exporting countries and companies need support to include their native biodiversity-based ingredients into importing markets listings such as PCPC, Codex Alimentarius or country-specific (e.g. the Inventory of Existing Chemical Substances Produced or Imported in China [IECSC]). This also applies in domestic markets, e.g. the Colombian approval process and technical requirements to include new ingredients derived from native biodiversity into official listings in cosmetic products are challenging.
Listing of legal obligations either by HS code or by sector	Mapping of NTMs by selected HS codes and by sector is important, so that companies and government representatives have access to a list of legal obligations. This is already done by TAB (UNCTAD) for all HS codes, and accessible at: www.unctad.org/ntm . However, training on this online database could be envisaged for BioTrade and biodiversity-related companies, governments and other relevant stakeholders.

9. Sources of market and NTMs information

- UNCTAD BioTrade Initiative: www.biobtrade.org
- UNCTAD Integrated Trade Intelligence Portal (i-TIP): <http://i-tip.unctad.org>
- UNCTAD Integrated Trade Intelligence Portal (ASEAN): <http://asean.i-tip.org>
- World Integrated Trade Solutions (WITS): <http://wits.worldbank.org>
- Organisation for Economic Co-operation and Development (OECD): www.oecd.org
- European Commission (Trade): <http://ec.europa.eu/trade>
- Centre for the Promotion of Imports from developing countries (CBI): www.cbi.eu
- Swiss Import Promotion Programme (SIPPO): www.sippo.ch
- Asociación Latinoamericana de Integración (ALADI): www.aladi.org
- Comunidad Andina: www.comunidadandina.org
- Sistema Integrado de Información de Comercio Exterior (Peru): www.siicex.gob.pe
- Ministry of Health (Peru): www.digesa.minsa.gob.pe
- Drug Administration of Viet Nam: www.dav.gov.vn

10. Partners

Country partners

Colombia	Peru	Viet Nam
Ministry of Environment and Sustainable Development (MADS)	Ministry of Foreign Trade and Tourism (MINCETUR)	BioTrade Implementation Group (BIG Viet Nam)
Ministry of Commerce, Industry and Tourism (MinCIT)	National Commission for the Promotion of BioTrade	Vietnam Trade Promotion Agency (VIETRADE)
ProColombia	Peru Export and Tourism Promotion Agency (PROMPERU)	Vietnam Society for Medicinal Materials (VIMAMES)
Cámara de la Industria Cosmética y de Aseo/Asociación Nacional de Empresarios de Colombia (ANDI)	Ministry of Environment (MINAM)	HELVETAS Swiss Intercooperation - Viet Nam
Cámara de Comercio de Bogotá		

Global partners

Global
UNCTAD BioTrade Initiative and Trade Analysis Branch (TAB)
Klaus Duerbeck Consulting (KDC)
Asociación Latinoamericana de Integración (ALADI)
Union for Ethical BioTrade (UEBT)

References

- CBI and ProFound (2015). Market information. Study. Oilseeds. Adapted by KDC (2016) and Véronique Rossow (2017).
- CBI and ProFound (2016). Trade segments, channels and structures for food, food ingredients and natural ingredients for health products. CBI Expo Vitafoods 2016: Natural Ingredients Export Coaching Programme - Pakistan.
- Council Regulation (EU) No 1169/2011 of 25 October 2011 on the provision of food information to consumers. Accessed on 18 September 2018. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011R1169>.
- ITC calculations based on United Nations COMTRADE statistics until January 2016 and Administration fédérale des douanes de Suisse statistics since January 2016.
- KDC (2016). Company survey information (internal documents).
- Lojenga RK, Oliva MJ (2016). Business engagement in BioTrade: Contributing to the Sustainable Development Goals. Union for Ethical BioTrade. Internal document.
- UNCTAD (2015). International classification of non-tariff measures (Version 2012). United Nations. (UNCTAD/DITC/TAB/2012/2/Rev.1). Available at: http://unctad.org/en/PublicationsLibrary/ditctab20122_en.pdf.
- UNCTAD BioTrade (2016). NTMS workshop reports from Colombia, Peru and Viet Nam (prepared by Lorena Jaramillo, with inputs from ALADI and KDC).
- UNCTAD BioTrade Initiative (2016).
- UNCTAD Trade Analysis Branch (2017). Mapping of Swiss NTMs (Excel sheets).
- UNCTADSTAT. <http://unctadstat.unctad.org/CountryProfile/GeneralProfile/en-GB/757/index.html>.
- World Bank. <http://databank.worldbank.org/data/reports.aspx?source=2&country=CHE>.

Acronyms

AFIS	Automated Fingerprint Identification System	KDC	Klaus Duerbeck Consulting
CBI	Centre for the Promotion of Imports from developing countries	MAPs	medicinal and aromatic plants
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora	MRL	maximum residue limits
CPI	consumer price index	NTMs	non-tariff measures
GLP	good laboratory practices	SERFOR	Servicio Forestal y de Fauna Silvestre (Peru)
GMP	good manufacturing practices	SOPs	standard operating procedures
HS	Harmonized System	SPS	sanitary and phytosanitary measures
IECSC	Inventory of Existing Chemical Substances Produced or Imported in China	TAB	Trade Analysis Branch (UNCTAD)
ITC	International Trade Centre	TBT	technical barriers to trade
		UEBT	Union for Ethical BioTrade
		UNCTAD	United Nations Conference on Trade and Development

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This fact sheet has been edited externally.