



Joint Programme Document and Fund Transfer Request
Development Emergency Modality – Response to the Global Crisis on Food, Energy, Finance

Non-Tariff Measures and UNCTAD's NTM programme

Barbados, March 2023

Ralf Peters, UNCTAD



Non-Tariff Measures everywhere

...



Safe food : technical non-tariff measures



Bringing dried mangoes into country A requires complying with

- tolerance limits for pesticide residues,
- hygienic practices during production,
- processing methods, microbiological criteria of the final product,
- certification, ...

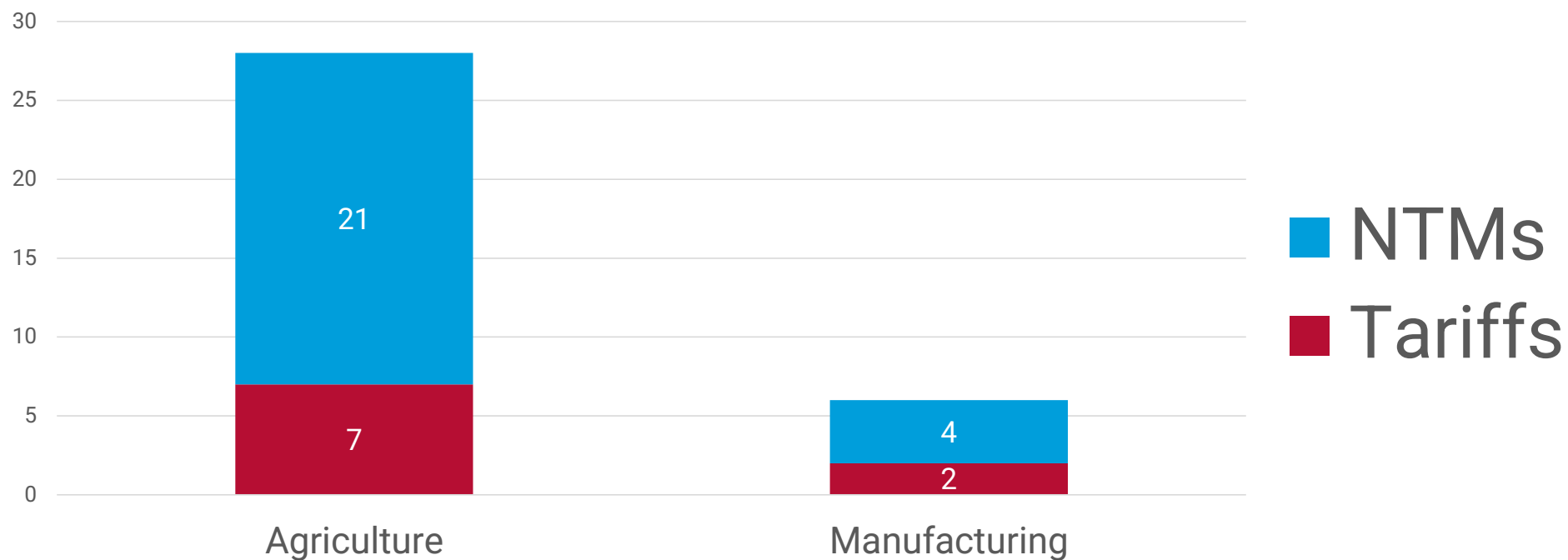
Import side:

- Safety and health
- Competitiveness
- Costs for consumers

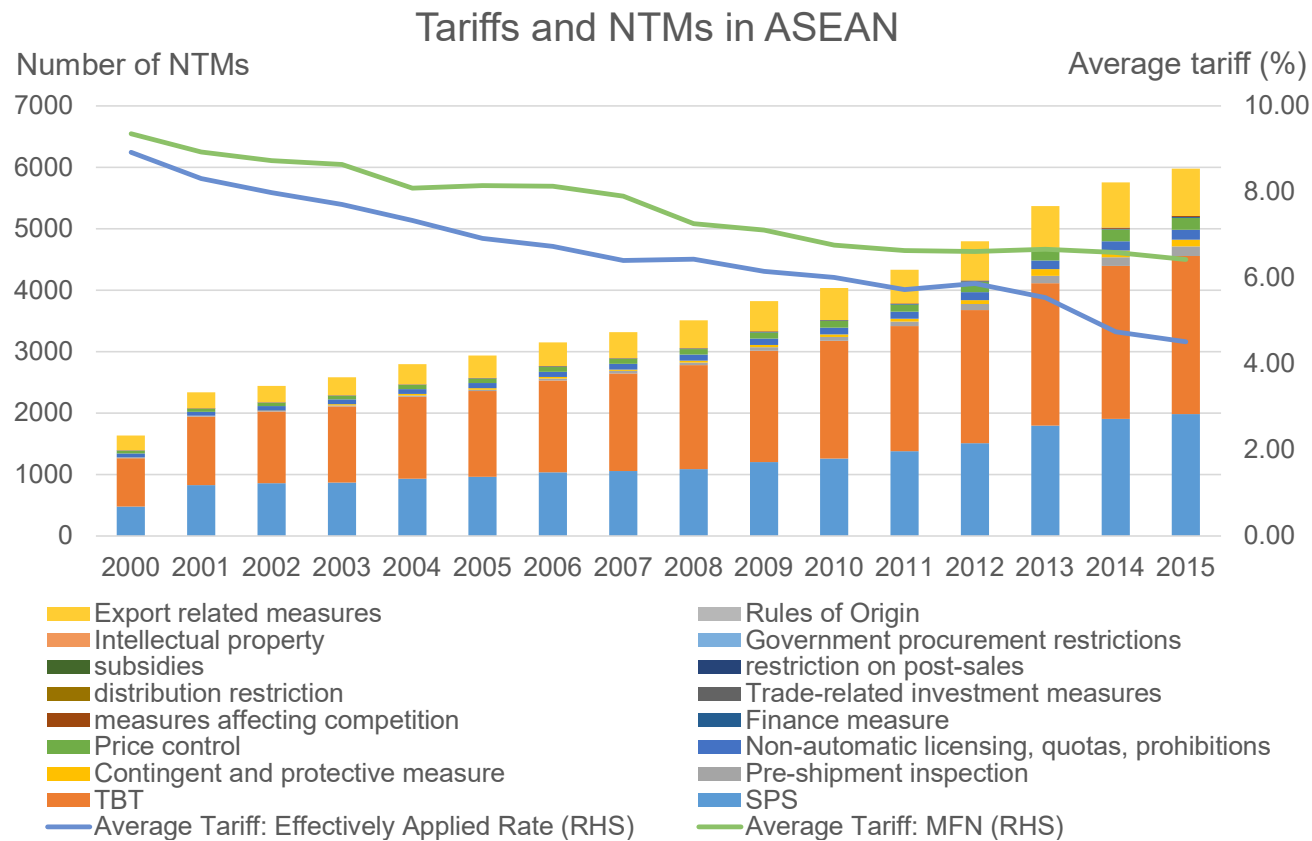


Estimated *ad-valorem* equivalents

(Percentage)



Tariffs and NTMs in ASEAN



Source: Ing, Cadot, Anandhika and Urata (2016), data on NTMs are from <http://trainsonline.unctad.org> and data on tariff are from UNCTAD TRAINS database in WITS.

Non-Tariff Measures



“Non-Tariff Measures 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 Group of Eminent Persons on NTBs)

→ **neutral concept!**



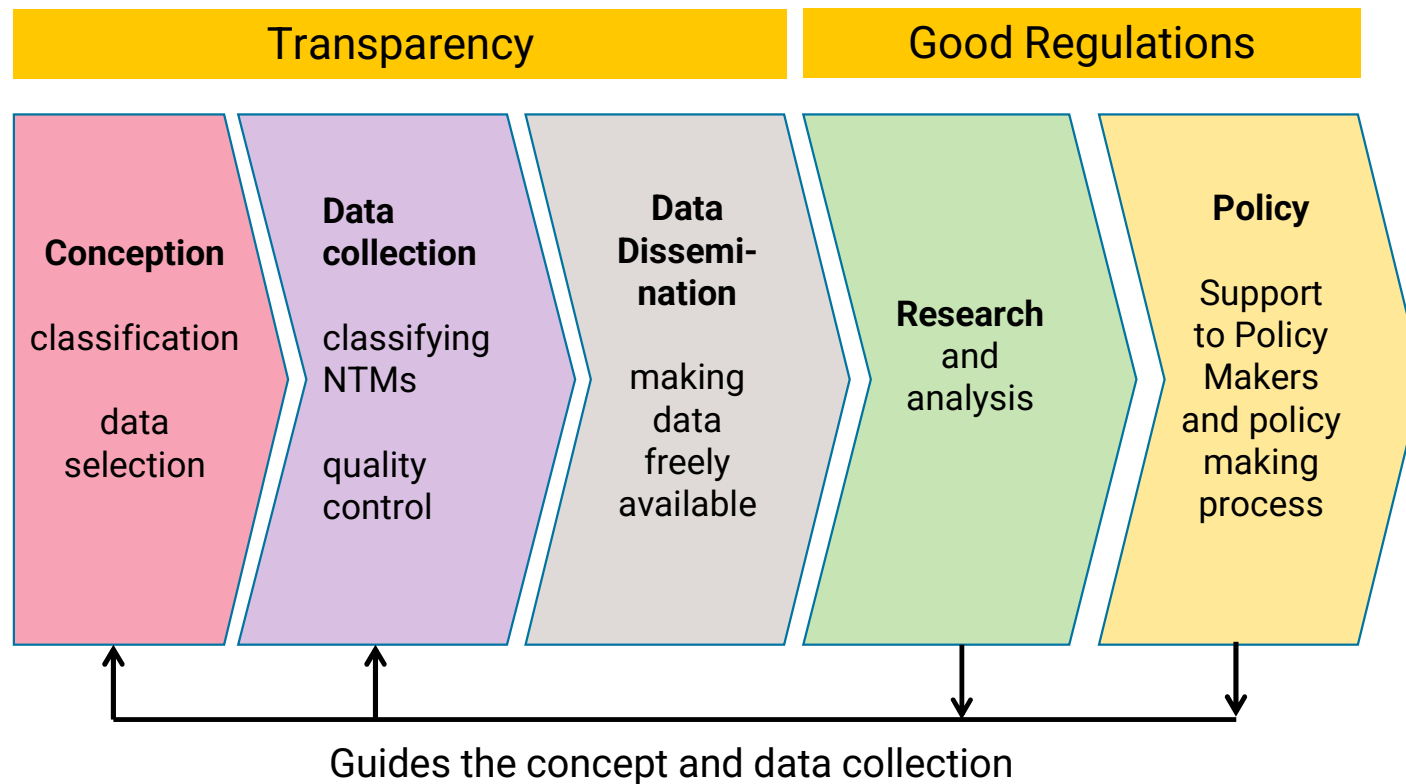
NTMs include a broad range of policy instruments including

1. **traditional trade policy instruments,** quotas, price controls, rules of origin
2. **regulatory and technical measures,** from non-trade objectives related to safety, health and environmental protection
 - Sanitary and Phytosanitary (SPS) measures
 - Technical Barriers to Trade (TBT)



UNCTAD NTM Programme

unctad.org/ntm



UNCTAD MAST Classification: The common language

Multi Agency
Support Team

(FAO, ITC, OECD,
UNCTAD, UNIDO,
World Bank,
WTO)

initiated by
UNCTAD
updated NTM
classification



Imports	Technical measures	<p>A Sanitary and phytosanitary measures (SPS)</p> <p>B Technical barriers to trade</p> <p>C Pre-shipment inspection and other formalities</p>
	Non technical measures	<p>D Contingent trade-protective measures</p> <p>E Non-automatic licensing, quotas, prohibitions and quantity-control measures other than for SPS or TBT reasons</p> <p>F Price-control measures, including additional taxes and charges</p> <p>G Finances measures</p> <p>H Measures affecting competition</p> <p>I Trade-related investment measures</p> <p>J Distribution restrictions</p> <p>K Restrictions on post-sales services</p> <p>L Subsidies (excluding export subsidies under P7)</p> <p>M Government procurement restrictions</p> <p>N Intellectual property</p> <p>O Rules of origin</p>
	Exports	<p>P Export-related measures</p>

A SPS measures

A1 Prohibitions/restrictions of imports for SPS reasons
(...)

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

A8 Conformity assessment related to SPS conditions

A81 Product registration requirement

A82 Testing requirements

A83 Certification requirements

A84 Inspection requirements

A85 Traceability requirements

A851 Origin of materials and
parts

A852 Processing history

A853 Distribution and location of
products after delivery

A859 Traceability requirements
not elsewhere specified

A86 Quarantine requirements

A89 Conformity assessments related to SPS
conditions not elsewhere specified

A9 SPS measures not elsewhere specified

NTM Classification: Tree Structure - Example

At this level of
coding: about 500
measures in the
classification

unctad.org/ntm
[Classification](#)

Official NTM data collection

• From here... ..to here

The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

අංක 1376/9 - 2005 ජනවාරි 19 වැනි බදාදා - 2005.01.19
No. 1376/9 - WEDNESDAY, JANUARY 19, 2005

(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.

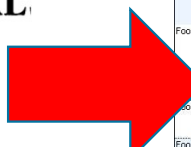
NIMAL SIRI
Minister of Health
Uva Wellawatte

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 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 national brand requested by the purchaser and is weighed, counted or measured in the presence of the purchaser.



Measures
Enter the list of non-tariff measures you found in the official trade regulations you collected. These must be linked to

Document Title	Regulation Title	NTM Code	Implementation Date	Measure Repealed	Measure Description	Affected Products Description	Affected Countries
Food Act	Food (Control of import, labelling, and sale of genetically modified foods) Regulation 2006	B14	01/01/2007		Needs to get approval of the Chief Food Authority in order to import	Food products	All countries
Food Act	Food (Control of import, labelling, and sale of genetically modified foods) Regulation 2006	B31	01/01/2007		Labelling Requirements	Food products	All countries
Food Act	Food (Irradiation) Regulations 2005	A31	01/05/2006		Labelling Requirements	Food products that had been treated with irradiation	All countries
Food Act	Food (Irradiation) Regulations 2005	A83	01/05/2006		Certification by the competent authorities of the country of origin that the food has been inspected	Food products that had been treated with irradiation	All countries
Food Act	Food (Irradiation) Regulations 2005	A89	01/05/2006		Documentation that the Food Irradiation Facility concerned is approved, licensed, authorised by the competent national authority of food irradiation	Food products that had been treated with irradiation	All countries
Food Act	Food (Irradiation) Regulations 2005	P62	01/05/2006		Certification by the competent authorities of the country of origin that the food has been inspected	Food products that had been treated with irradiation	All countries
Food Act	Food (Melamine in Milk and Milk Products) Regulations 2010	A22	01/01/2011		Specifying permitted ppm levels of melamine in milk and milk products	Milk and Milk Products	All countries
Food Act	Food (Melamine in Milk and Milk Products) Regulations 2010	A83	01/01/2011		A health certificate required from the National Food Safety Authority of the country of origin that the products conform to the levels of melamine specified	Milk and Milk Products	All countries
Food Act	Food (Packaging materials and articles) Regulation 2010	A32	01/06/2011		Marking requirements - need to print the words "FOR FOOD USE" or any other relevant words or symbols as indicated in the regulation	Food packaging material	All countries
Food Act	Food (Packaging materials and articles) Regulation 2010	A83	01/06/2011		Certification by the manufacturer that the material meets required quality standards	Food packaging material	All countries
Food Act	Food (Packaging materials and articles) Regulation 2010	A22	01/06/2011		Restricted use of certain substances in food packaging material	Food packaging material	All countries
Food Act	Food (Preservations) Regulations	A19	01/01/1991		Prohibited to import, manufacture, sell or distribute food preservatives other than those specified in the regulation & food which has in or upon it any preservative that is permitted by the regulation	Food preservatives	All countries



Map of data availability

A global initiative led by UNCTAD

Data available:

- Barbados
- Antigua Barbuda
- C. of Dominica
- Grenada



- Data available
- Data in progress

- Data available:
- Australia
 - New Zealand



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.



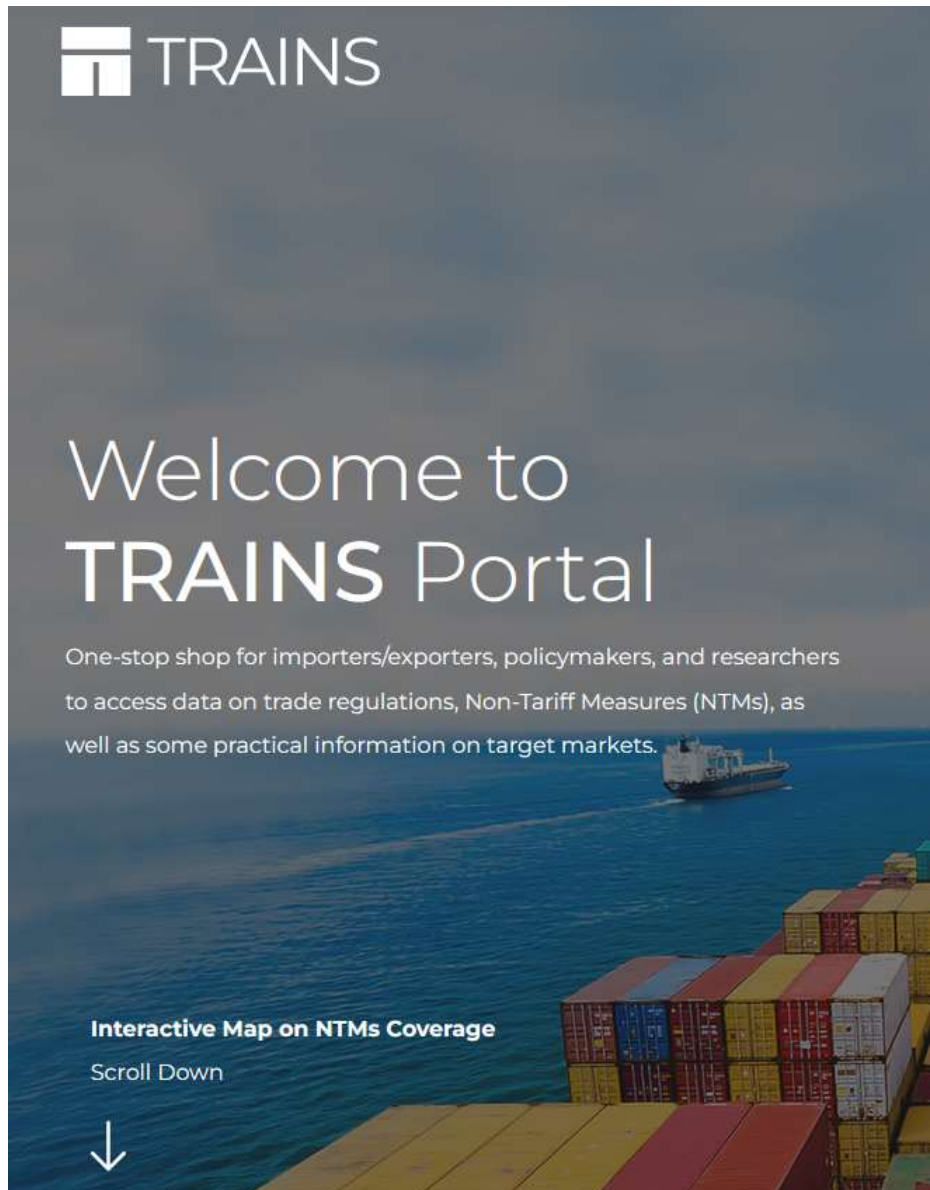
Data entry - TRAINS


Regulation for **Kyrgyzstan [A-I, P] - M4 (Published)**

Source * +	Publication Date
Eurasian Economic Commission - Official website ▾	2016-11-30 📅
Language *	Original Language *
English ▾	English ▾
Agencies * +	Implementation Date * 📅
Center on Standardization and Metrology at Ministry of economy of Kyrgyz Republic ✕	2017-01-01 📅
	Repeal Date 📅
Regulation Symbol	Country imposing *
No 157_2016	Kyrgyzstan ▾
	Publication Symbol
	No 157_2016
Official Title	Regulation Description
English * Original Language	English * Original Language
Decision of November 30, 2016 No 157 "About uniform quarantine phytosanitary requirements to quarantinable products and objects applied at the customs border and on customs territory of Eurasian Economic Union"	Regulation that establishes uniform quarantine phytosanitary requirements to quarantinable products and objects applied at the customs border and on customs territory of Eurasian Economic Union
Documentation * ?	Notes
Select files...	According to the text of the document, regulation comes in force when Decision "On changes to uniform Customs Commodity Code of Eurasian Economic Union and to uniform Customs tariff of Eurasian Economic Union" of 20 July 2016 No 157/2016/2017/Reg. (EU) of the Eurasian Intergovernmental Group of States is adopted.

Data Dissemination

- NTM data easily accessible:
NTM TRAINS database
 - by product
 - by country
 - by trade partner
- For Policy Makers: [TRAINS online](#)
- For researchers: [WITS World Bank](#)
- For companies: [Global Trade Helpdesk](#)


A banner for the TRAINS Portal. The background is a photograph of a large cargo ship at sea, with stacks of colorful shipping containers in the foreground. The text is overlaid on the image.

 TRAINS

Welcome to TRAINS Portal

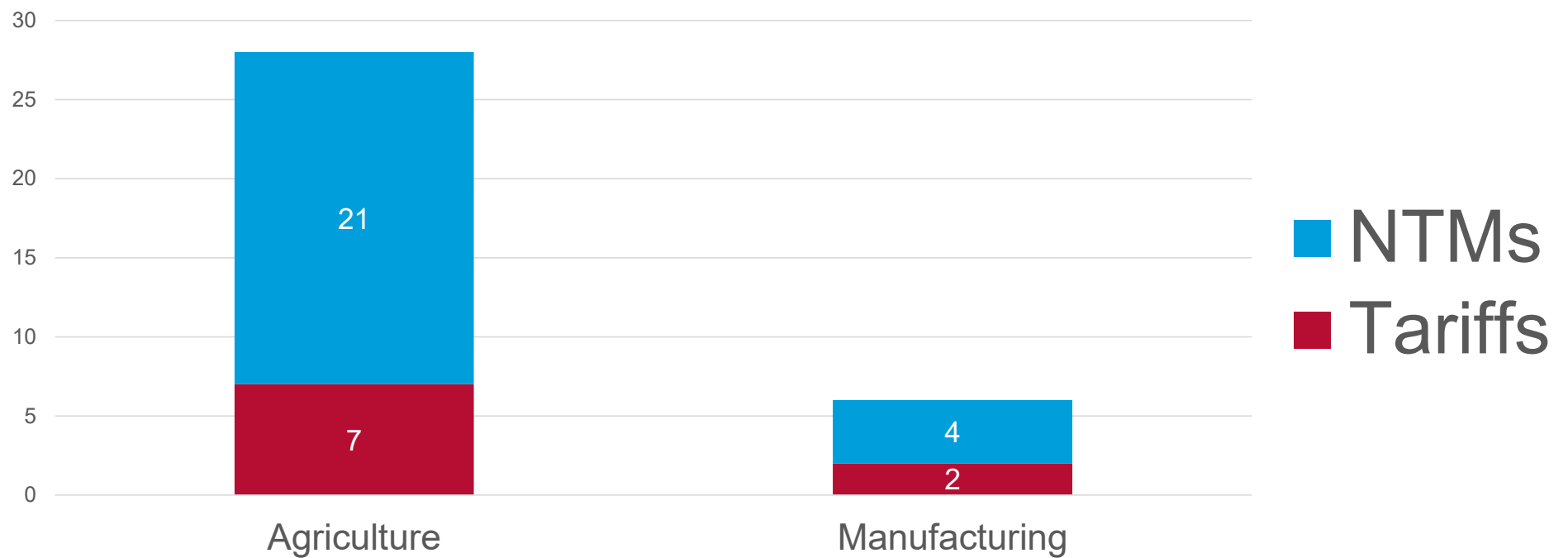
One-stop shop for importers/exporters, policymakers, and researchers to access data on trade regulations, Non-Tariff Measures (NTMs), as well as some practical information on target markets.

[Interactive Map on NTMs Coverage](#)
Scroll Down

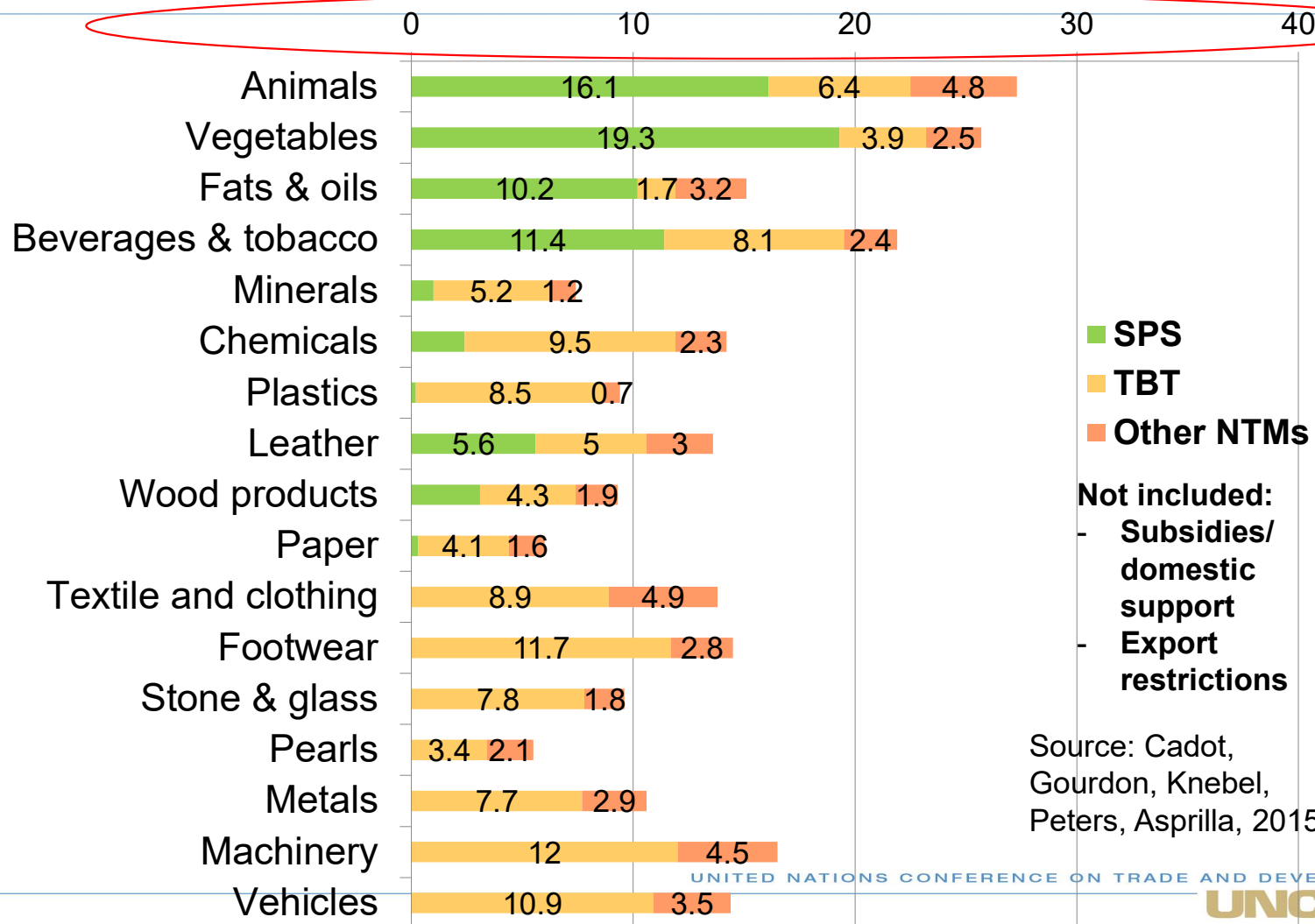


Estimated *ad-valorem* equivalents

(Percentage)



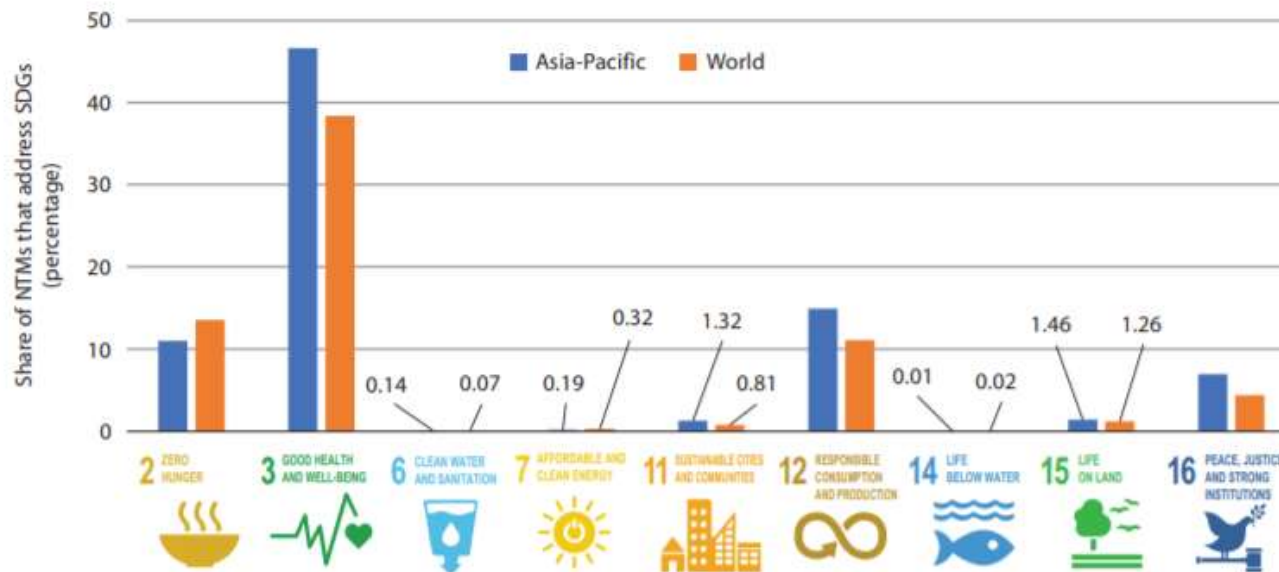
World average ad-valorem equivalent of NTMs



To which extent NTMs in each economy/region directly address specific SDGs?

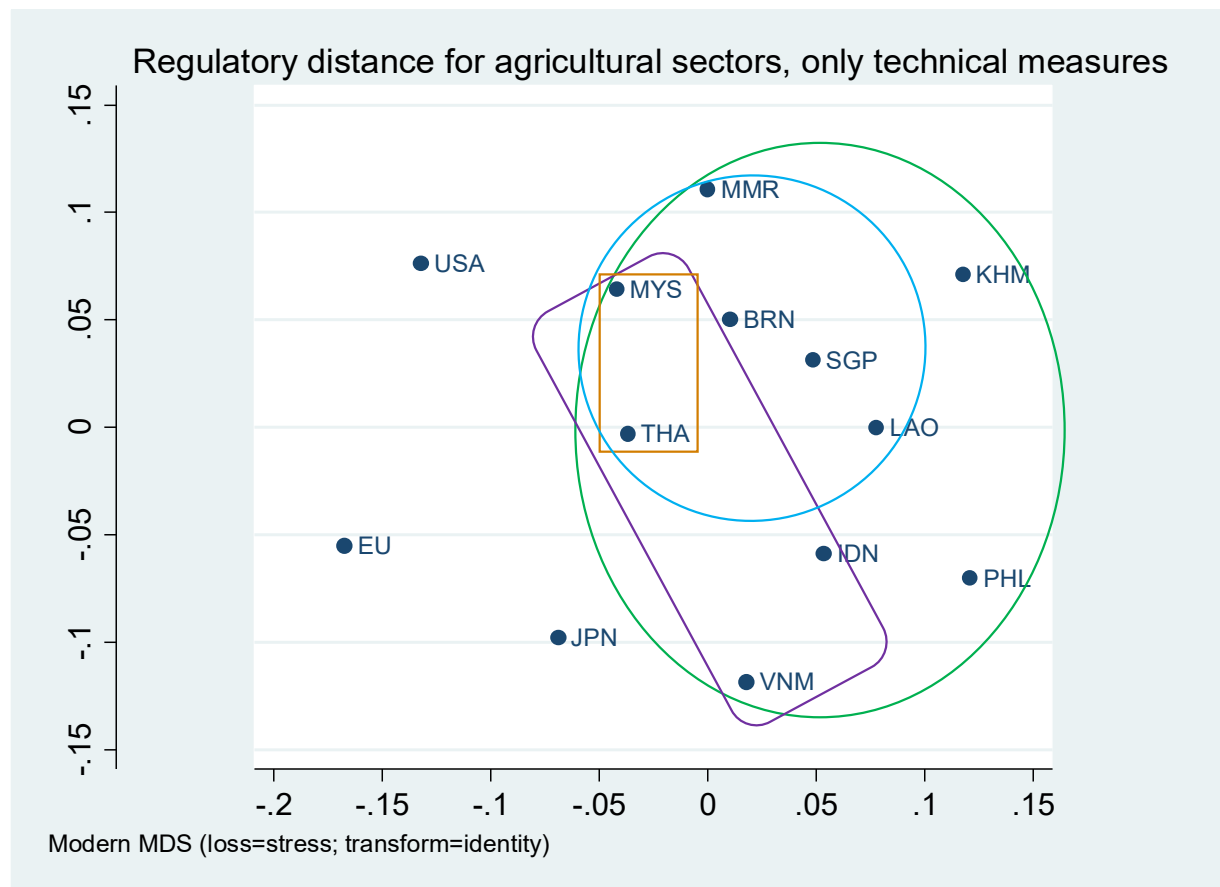
Figure 1.4

Distribution of NTMs that directly address SDGs, by Goal



Source: ESCAP calculations based on UNCTAD TRAINS database and methodology developed by ESCAP and UNCTAD (Kravchenko and others, 2019).

Regulatory distance plotted onto 2-dimensional space: agriculture only



Good Regulatory Practice Approach

1. Commitment to GRP by the government

- Oversight by independent agency
- Commitment by entire government (all line ministries)

Malaysia vs
West Africa

2. Need for regulation, i.e. problem cannot be solved otherwise

- Threat, benefit from regulation, underregulation (NTM data of others), ...
- Market failure

3. Design regulation by relevant agency

- Involve all relevant stakeholders
 - Info on regulatory agenda
 - Scientists, private sector, consumers, ...
- Coherent national approach
 - Which regulations exist already (own NTM data)
- International standards, trading partners, ...

No overlap
New Zealand

Diversity of
regulations:
why?

Switzerland
and Europe
wood

Good Regulatory Practice Approach

4. Regulatory Impact Assessment

- Assess potential impacts of future regulation before issuing regulations
 - Including on trade and sustainable development

Mexico:
Regulatory Impact
Calculator

5. Implementation

- Transparency:
 - Share draft before it comes into force, then final version (NTM data)
- Trade Facilitation: no unnecessary burden
- Ensure capacity to enforce

Private sector
needs time to
adjust

6. Monitor and evaluate performance regularly

- After regulations have been in place for some time, evaluate their performance in delivering the intended outcomes.
- E.g. every 5 years

Myanmar,
Laos

One ASEAN
customs: «do not
know if applied»

Thank you!

UNCTAD.org/ntm
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