
Committee on Technical Barriers to Trade

**SEVENTEENTH ANNUAL REVIEW OF THE IMPLEMENTATION AND
OPERATION OF THE TBT AGREEMENT**

Note by the Secretariat¹

1. The WTO Committee on Technical Barriers to Trade (the Committee) will conduct its Seventeenth Annual Review of the Implementation and Operation of the WTO Agreement on Technical Barriers to Trade (the TBT Agreement) under Article 15.3 at its next meeting on 20-22 March 2012. This document contains information on developments in the Committee relating to the implementation and operation of the TBT Agreement from 1 January to 31 December 2011.

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¹ This document has been prepared under the Secretariat's own responsibility and is without prejudice to the position of Members and to their rights and obligations under the WTO.

I. MEETINGS OF THE COMMITTEE

2. The Committee, pursuant to Article 13.1 of the TBT Agreement and to the Rules of Procedure, elected Ms Denise Pereira (Singapore) as its Chairperson for the year 2011-2012.

3. Three meetings were held in 2011 (24-25 March, 15-16 June and 10-11 November 2011).² At these meetings, the Committee's attention was drawn to new or revised statements on implementation and administration of the Agreement, submitted under Article 15.2. In 2011, three Members submitted a new statement under Article 15.2, while five issued revisions to existing statements, and one issued a supplement to its statement.³

4. Seventy-six specific trade concerns, forty-four of which were new concerns, were brought to the attention of the Committee with regard to the potential adverse trade effects of the measures, or possible inconsistency with the Agreement.⁴ Information on specific trade concerns is available through the TBT Information Management System (TBT IMS).⁵

5. During the reporting period, the Committee continued the exchange of experiences on recommendations agreed at the Fifth Triennial Review of the Operation and Implementation of the Agreement under Article 15.4, concluded on 6 November 2009 (G/TBT/26), namely: good regulatory practice, conformity assessment procedures, standards, transparency, technical assistance and operation of the Committee. At its meeting on 24-25 March 2011, the Committee adopted the Sixteenth Annual Review of the Implementation and Operation of the TBT Agreement under Article 15.3 (G/TBT/29). At the same meeting, the Committee carried out the Sixteenth Annual Review of the Code of Good Practice for the Preparation, Adoption and Application of Standards ("the Code"). This work was based on the following background documents: a list of standardizing bodies that have accepted the Code in the period under review (G/TBT/CS/1/Add.16), a list of standardizing bodies that have accepted the Code since 1 January 1995 (G/TBT/CS/2/Rev.18) and the Sixteenth Edition of the WTO TBT Standards Code Directory prepared by the ISO/IEC Information Centre.

6. During the reporting period, a Workshop on Regulatory Cooperation Between Members was held on 8-9 November 2011. The Workshop was organized pursuant to the mandate in the Fifth Triennial Review of the TBT Agreement. Funding for the participation of a limited number of officials from developing countries and Least-developed countries (LDCs) was provided by the Institute for Training and Technical Co-operation, through the Global Trust Fund. The report of this Workshop is contained in document G/TBT/W/348.

7. During 2011, representatives of the Codex, ISO, IEC, UNECE, ITC, OIML, ITU and WHO updated the Committee on activities relevant to the work of the TBT Committee, including on technical assistance.⁶

² G/TBT/M/53-55.

³ The full list of statements of Members having submitted a statement on implementation and administration of the TBT Agreement under Article 15.2 (since January 1995) is contained in document G/TBT/GEN/1/Rev.10. The new statements were received from Kuwait (G/TBT/2/Add.105), Zambia (G/TBT/2/Add.106) and Mozambique (G/TBT/2/Add.107). Cuba (G/TBT/2/Add.13/Rev.1), Croatia (G/TBT/2/Add.73/Rev.1), Ukraine (G/TBT/2/Add.100/Rev.1), Georgia (G/TBT/2/Add.81/Rev.1) and Turkey (G/TBT/2/Add.33/Rev.1) submitted revisions, and Israel (G/TBT/2/Add.72/Suppl.1) submitted a supplement to their statements.

⁴ <http://tbtims.wto.org/>

⁵ <http://tbtimsadmin/web/pages/search/stc/Search.aspx>

⁶ G/TBT/GEN/2/Rev.5.

II. MECHANISMS FOR REVIEW OF TBT MEASURES⁷

A. NOTIFICATIONS

1. Technical regulations and conformity assessment procedures

8. In 2011, Members submitted 1,217 new notifications (including revisions) of technical regulations and conformity assessment procedures along with 544 addendum/corrigenda to notifications. Since the entry into force of the Agreement on 1 January 1995, up to 31 December 2011, 14,194 notifications and 2,575 addenda/corrigenda to these notifications have been made by 113 Members.

Figure 1: Number of TBT Notifications since 1995

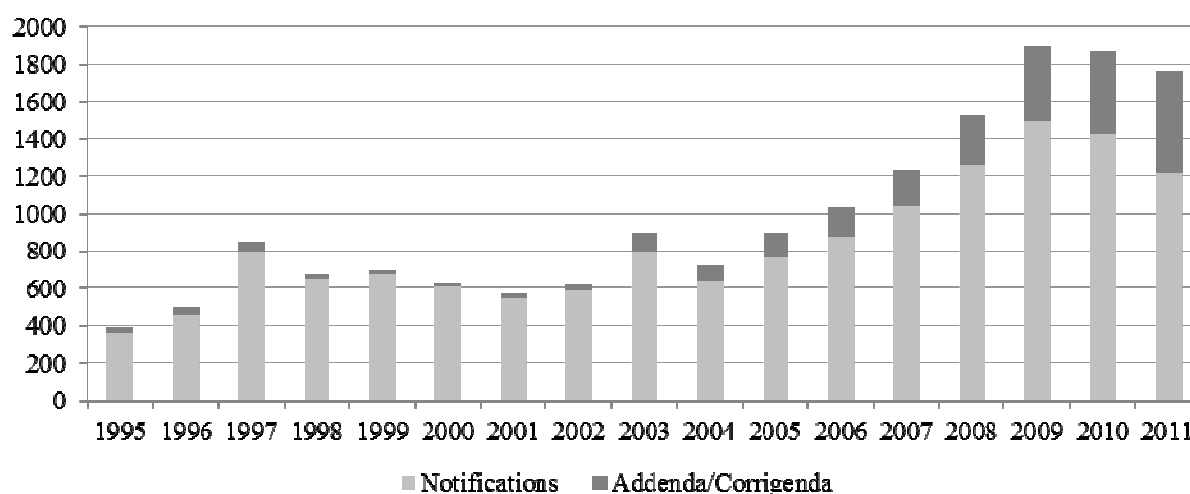
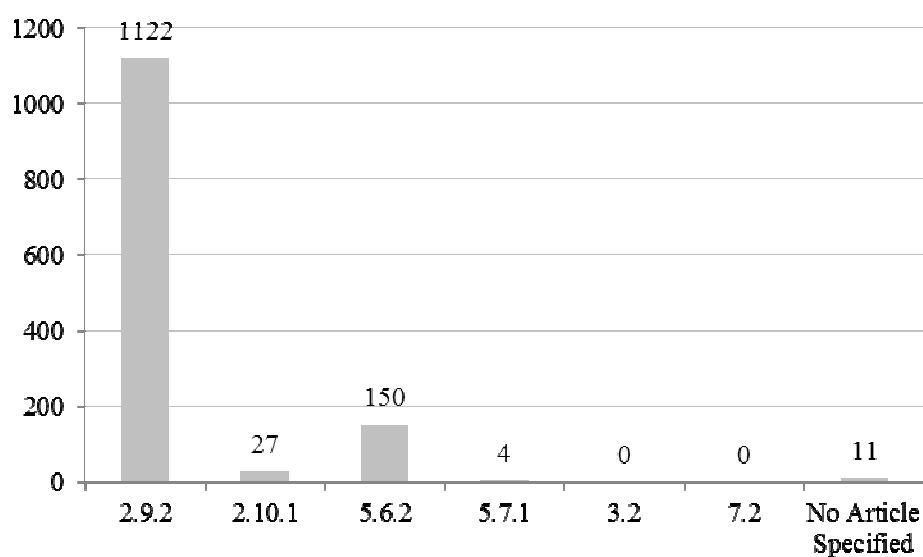


Figure 2: Notifications in 2011 by Article⁸



⁷ The data for the graphs in this section are drawn from the TBT IMS, more detail is contained in Annexes A and B.

⁸ Notifications may refer to multiple articles.

9. Among the 1,217 notifications received in 2011, the following objectives were mentioned by Members: protection of human health or safety; prevention of deceptive practices; quality requirements; protection of the environment; adoption of new technology; protection of animal or plant life or health; harmonization; consumer information and labelling; cost saving and increasing productivity; trade facilitation; and national security requirements (See Table 1).

Table 1: Notifications in 2011 by Objective⁹

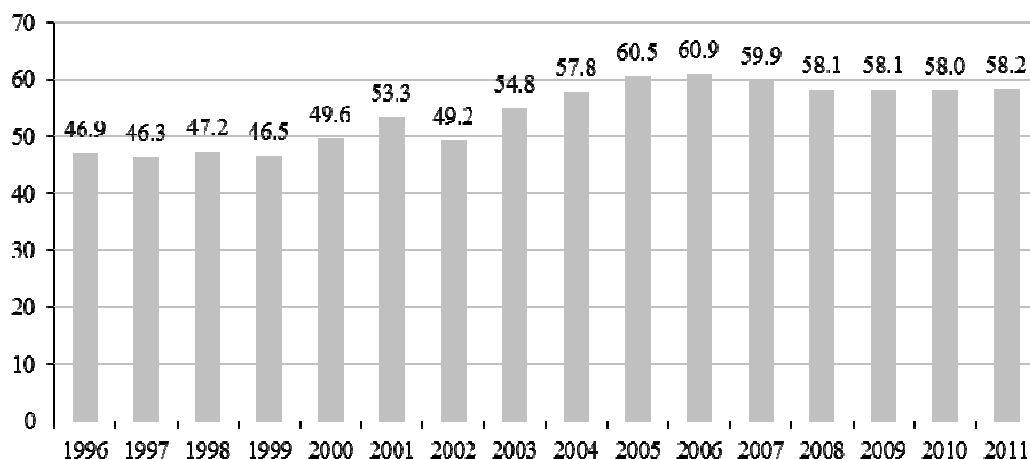
OBJECTIVES AND RATIONALES	NUMBER OF TIMES THAT THE OBJECTIVE WAS MENTIONED AS THE FIRST, SECOND OR THIRD OBJECTIVE IN THE NOTIFICATIONS RECEIVED IN 2011
Protection of human health or safety	782
Prevention of deceptive practices and consumer protection	253
Protection of environment	188
Quality requirements	154
Consumer information, labelling	112
Harmonization	44
Lowering or removal of trade barriers	41
Adoption of new domestic law and technology	32
Others	23
Protection of animal or plant life or health	22
National security requirements	15
Trade facilitation	15
Cost saving and increasing productivity	7
Not specified	1
Total	1684

10. In 1995, the Committee recommended that the normal time-limit for presentation of comments on notified technical regulations and conformity assessment procedures should be 60 days. Moreover, it was recommended that any Member able to provide more than 60 days, such as 90 days, was encouraged to do so.¹⁰ In 2011, Members allowed an average of 58.2 days for comments in the 1,126 cases where they specified a comment period. In total, 91 notifications did not specify a comment period, stated it as non-applicable, or had a comment period which had lapsed. Figure 3 shows the average time allowed for comments since 1995.

⁹ 467 notifications referred to two or more objectives.

¹⁰ G/TBT/1/Rev.10, page 23.

Figure 3: Average Number of Days Allowed for Comments since 1995¹¹



2. Notifications under the Code of Good Practice for the Preparation, Adoption and Application of Standards ("the Code")

11. In 2011, there were no notifications of acceptance of the Code. However, Japan notified the withdrawal of the Japan Fair Trade Commission. Since the entry into force of the Agreement and through December 2011, 162 standardizing bodies from 122 Members have adhered to the Code.¹² Document G/TBT/CS/2/Rev.18 contains a list, by Member, of standardizing bodies that have accepted the Code since 1 January 1995 through December 2011. The ISO/IEC Information Centre has prepared the Sixteenth Edition of the WTO TBT Standards Code Directory¹³ which lists all standardizing bodies that have notified their acceptance of the Code.

3. Notifications under Article 10.7

12. In 2011, Mexico notified under Article 10.7 an agreement with the United States on recognition for the Conformity Assessment for Telecommunications Equipment. Since the entry into force of the TBT Agreement, Members have submitted 127 notifications under Article 10.7 along with 6 corrigenda to these.

¹¹ Figures based only on notifications that specify a comment period. Figures do not take into account notifications, where the comment period was not specified, stated as non-applicable, or had lapsed at the time of circulation.

¹² Notifications of acceptance of the Code by standardizing bodies of Members are contained in documents G/TBT/CS/N/1-179. A list of standardizing bodies having accepted the Code in 2009 is contained in document G/TBT/CS/1/Add.16. In addition, standardizing bodies from nine WTO observers - Algeria (2003), Azerbaijan (2009), Belarus (2001), Bosnia and Herzegovina (1997), Kazakhstan (2006), Lebanon (2008), Libya (2009), Montenegro (2007) and Serbia (2005) - have already notified to the ISO/IEC Information Centre their acceptance of the Code.

¹³ <http://www.standardsinfo.net/info/inttrade.html>.

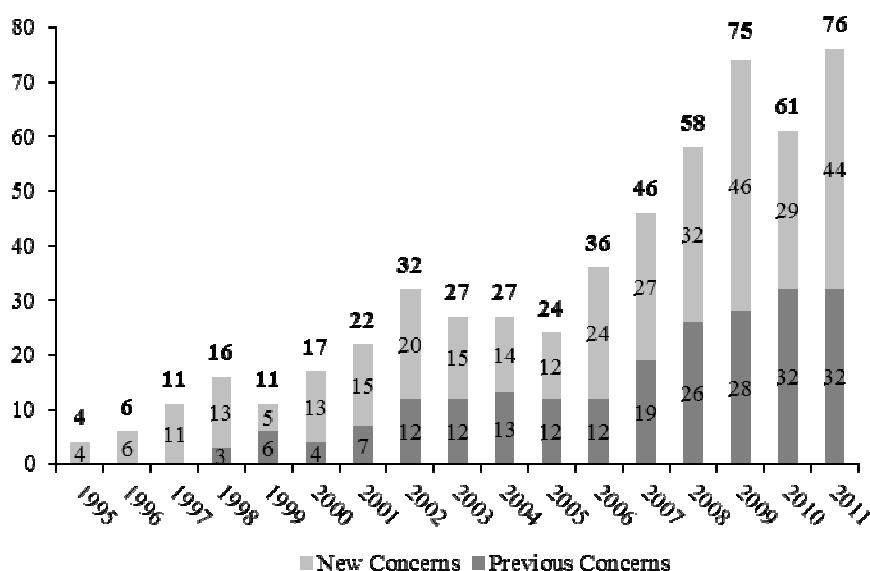
B. SPECIFIC TRADE CONCERNS

13. Since its first meeting, Members have used the TBT Committee as a forum to discuss issues related to specific measures (technical regulations, standards or conformity assessment procedures) maintained by other Members. These are referred to as "specific trade concerns" and relate variously either to proposed measures notified to the TBT Committee in accordance with the notification requirements in the Agreement, or to measures currently in force. Committee meetings, or informal discussions between Members held in the margins of such meetings, afford Members opportunity to review trade concerns in a bilateral or multilateral setting and to seek further clarification. Members regularly discuss follow-up in the Committee. In 2011, 76 specific trade concerns were raised (see Annex C). The following figures provide information on the 330 concerns raised to date.

1. Types and Number of Specific Trade Concerns Raised

14. In 2011, 44 new concerns were raised and 32 previously raised concerns were addressed. Figure 4 illustrates the number of specific trade concerns discussed each year since 1995.¹⁴

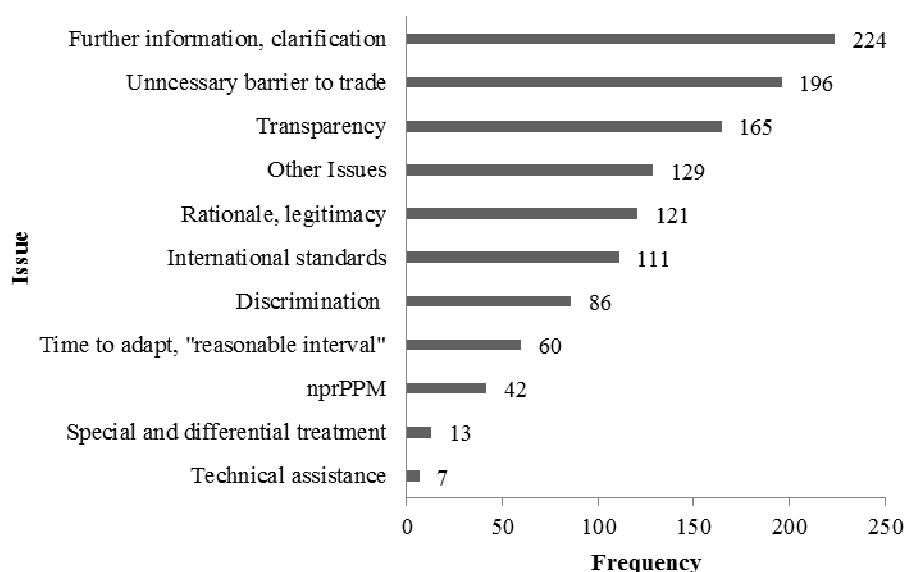
Figure 4: Number of specific trade concerns raised per year



15. In discussions at the Committee between 1995 - 2011, the most frequently invoked concerns were those relating to the need for more information, or clarification about the measure at issue. Concerns relating to the avoidance of unnecessary barriers to trade and to lack of transparency are also frequent.

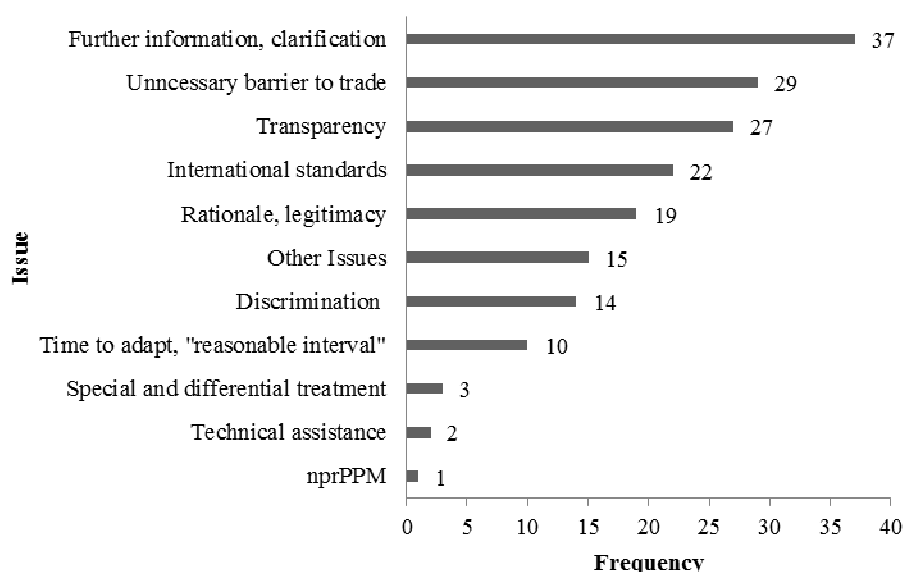
¹⁴ More detail on specific trade concerns raised in the TBT Committee is available on the TBTIMS platform (<http://tbtims.wto.org>).

Figure 5: Types of concerns raised in 1995 - 2011¹⁵



16. In 2011 alone, the types of concerns that were most frequently raised were similar to previous years. However, concerns regarding the use of international standards were raised slightly more frequently.

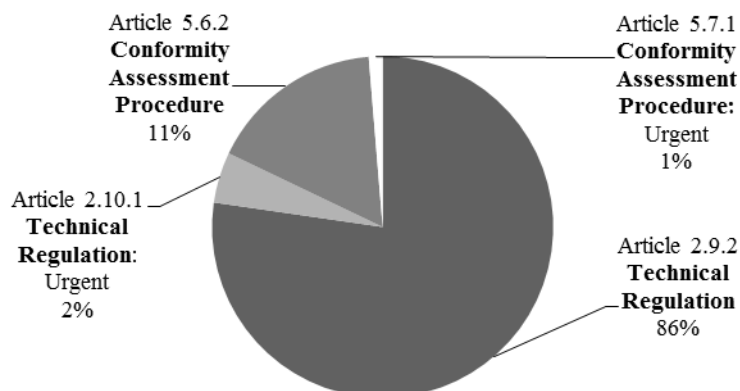
Figure 6: Types of concerns raised in 2011



17. About 70 per cent of the measures discussed in the Committee have been notified.¹⁶ Committee. Among those notified, measures that are technical regulations (Article 2.9.2) have the largest share (Figure 7).¹⁷

¹⁵ For each specific trade concern covered there may be more than one type of concern raised. 'Other Issues' that have been raised include, *inter alia*, "complexity", "lack of scientific evidence", and "intellectual property". "Time to adapt, "reasonable interval" refers to the period between the publication of technical regulations and conformity assessment procedures, and their entry into force.

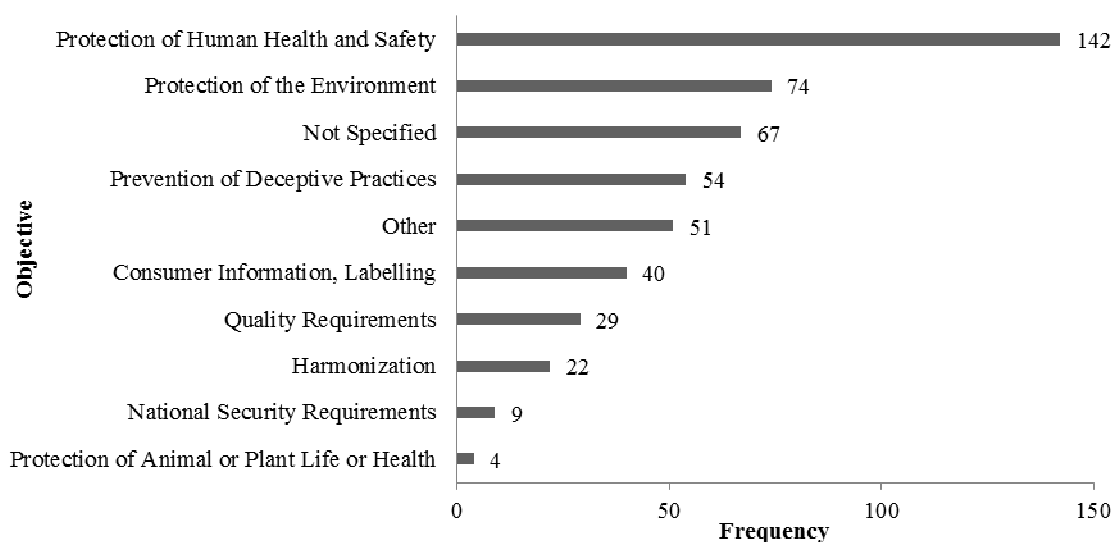
Figure 7: Specific trade concerns relating to measures that have been notified



2. Stated Objectives

18. Members whose measures are raised as specific trade concerns provide clarification on the objectives of the measures through discussion in the Committee; frequently the objective is also stated in the notification of the measure. The most commonly stated objectives of the measures discussed relate to health and safety, and the protection of the environment. The category 'other' covers a wide range of stated objectives including: consumer protection, consumer information, fair trade and trade facilitation. A significant number of trade concerns where no notification of the measure has been made to the TBT Committee, and where the objective is not readily apparent from discussions, have been classified as "not specified".

Figure 8: Stated objectives for the measures in 1995 - 2011¹⁸



19. For the measures raised in 2011, the protection of human health and safety continued to be the dominating objective. Moreover, in contrast long-term average, in 2011 there were more measures

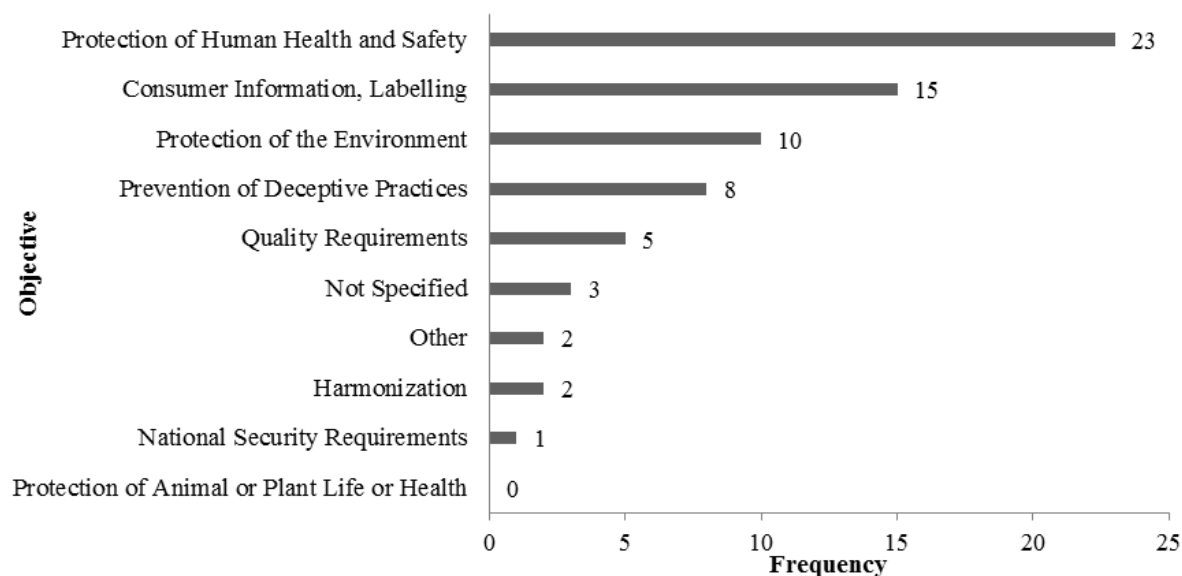
¹⁶ Five concerns discussed in the TBT Committee were also notified to the SPS Committee.

¹⁷ Some measures have been notified both as technical regulations and conformity assessment procedures.

¹⁸ For each specific trade concern there may be more than one stated objective.

that addressed consumer information and labelling than protection of the environment, prevention of deceptive practices and other objectives.

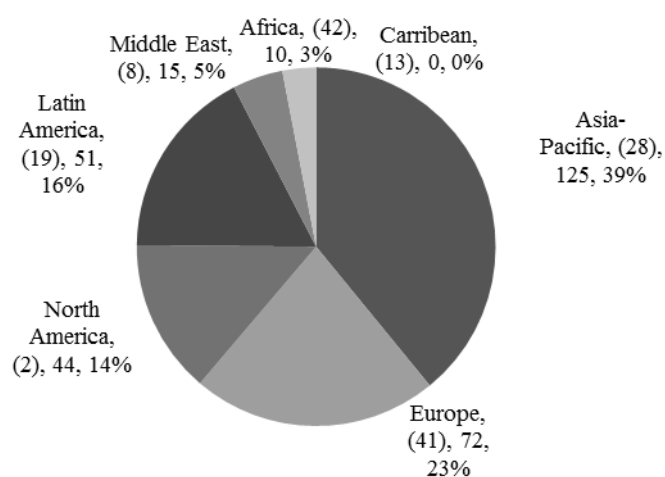
Figure 9: Stated objectives for the measures in 2011



3. Distribution of Measures by Member

20. By and large, the distribution of measures subject to discussion in the Committee reflects an even regional spread across the WTO membership, with the exceptions of Africa and Caribbean countries.¹⁹ No measures maintained by LDCs have been raised in the TBT Committee.

Figure 10: Regional distribution of measures raised for discussion²⁰

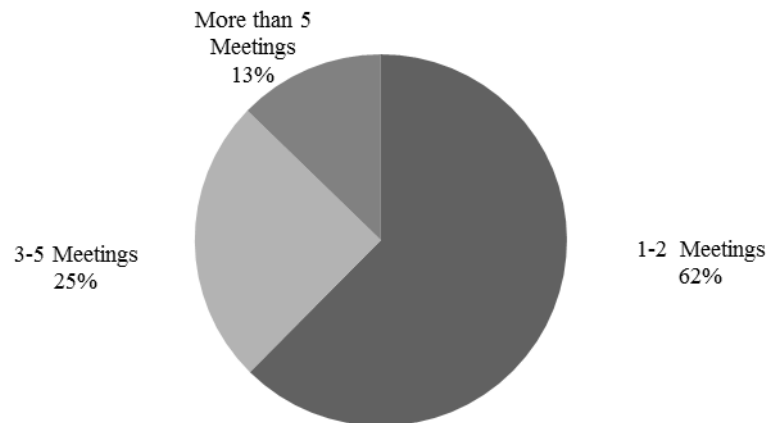


¹⁹ In other words, there have been very few or no concerns raised against measures maintained by country in these regions. However, in 2011, two new concerns were raised against African countries, one against Kenya, and one against South Africa.

²⁰ The information presented uses the following format: Region, (Number of WTO Members), Measures subject to discussion, per cent of total measures subject to discussion.

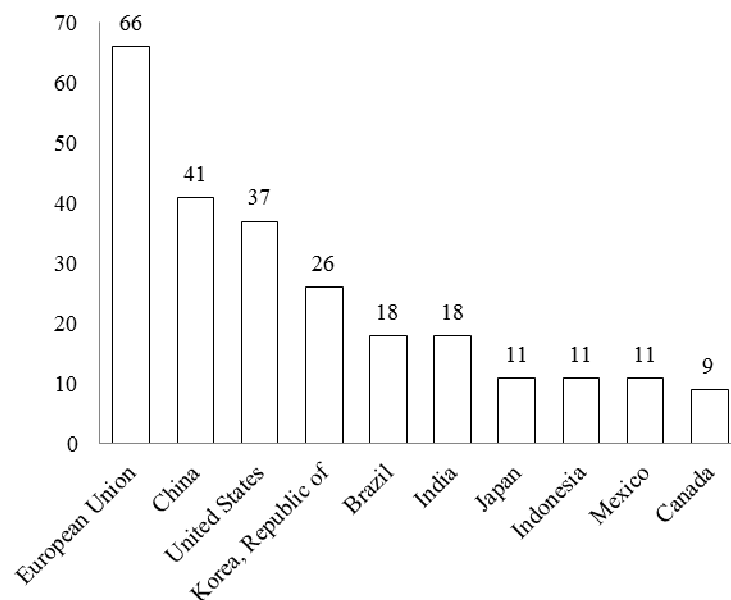
21. Figure 11 illustrates how frequently concerns with one particular measure are raised in Committee meetings. Most (62 per cent) specific trade concerns have been raised once or twice. Some, however (13 per cent), have been raised more than five times, and, amongst these, several have been on the agenda for a number of years.

Figure 11: The number of meetings at which the same concern is raised



22. Measures maintained by the European Union, China and the United States have been most frequently raised for discussion in the Committee (Figure 12).

Figure 12: Members whose measures have been most frequently discussed



C. THE TBT INFORMATION MANAGEMENT SYSTEM

23. The TBT Information Management System (IMS)²¹ is a publicly-available online database system that allows users to search and access information on TBT notifications and specific trade concerns. It also includes information on TBT enquiry points and Members' Statements on Implementation and Administration of the TBT Agreement under Article 15.2. TBT notifications can also be accessed through Documents Online.²² Users can extract data from the TBT IMS through the "Custom Reporting" function (in excel format),²³ and it is also possible to extract a series of "Predefined Reports".²⁴ The IMS is currently undergoing enhancements and further developments including with respect to on-line submission of notifications.

III. DISPUTES INVOLVING PROVISIONS OF THE TBT AGREEMENT

24. During the review period, three panel reports have been circulated that are of particular relevance to the TBT Agreement:

- (a) United States of America — Measures Affecting the Production and Sale of Clove Cigarettes (Complainant: Indonesia). The panel report was circulated on 2 September 2011, and was appealed by the United States on 5 January 2012.²⁵
- (b) United States — Certain Country of Origin Labelling (Cool) Requirements (Complainants: Canada and Mexico). The panel report was circulated on 18 November 2011. It has not yet been adopted or appealed.²⁶
- (c) United States — Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products (Complaint: Mexico). The panel report was circulated on 15 September 2011, and was appealed by the United States on 20 January 2012.²⁷

25. In addition to the above mentioned disputes, since the entry into force of the Agreement, some 41 other cases cited the TBT Agreement in their request for consultations. A full listing of the cases relevant to the TBT Agreement together with more detail on these disputes can be found on the WTO website under "Disputes by Agreement".²⁸

IV. TECHNICAL ASSISTANCE

- (i) *Advanced Course on the Agreement on Technical Barriers to Trade*

26. A two-week Specialized Course on the TBT Agreement was held in Geneva on 6-17 June 2011. The 26 selected participants in this advanced TBT activity were government officials from

²¹ See <http://tbtdms.wto.org/>

²² See http://docsonline.wto.org/gen_home.asp?language=1&_=1

²³ See <http://tbtdms.wto.org/web/pages/report/custom/Report.aspx>

²⁴ These predefined reports can be used to extract: lists of Enquiry Points; list of Statements Under Article 15.2; list of Members' Publications in Relation to Technical Regulations, Conformity Assessment Procedures and Standards (in Publications); list of Standardizing Bodies, and Monthly Notification Summaries.

²⁵ For more detail, see: http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds406_e.htm.

²⁶ For more detail, see: http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds384_e.htm (complaint by Canada) and http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds384_e.htm (complaint by Mexico).

²⁷ For more detail, see: http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds381_e.htm.

²⁸ http://www.wto.org/english/tratop_e/dispu_e/dispu_agreements_index_e.htm?id=A22#selected_agreement

developing and least-developed WTO Members and Observers.²⁹ The course was designed to promote a greater understanding of the TBT Agreement and to help participants identify concrete initiatives to deal with implementation challenges. The Course comprised of a series of sessions and practical exercises related to the implementation of the Agreement. Participants also debated various TBT-relevant issues currently being discussed in the TBT Committee.

(ii) *Geneva-based Workshop*

27. Pursuant to the mandate in the Fifth Triennial Review of the TBT Committee, the TBT Committee held a Workshop on Regulatory Cooperation between Members on 8-9 November 2011. Over 130 TBT Officials attended. Participation of thirty-three developing country TBT officials was sponsored by the WTO through the DDA Global Trust Fund. The Workshop provided an opportunity for Members to share experiences and information on challenges and opportunities in regulatory cooperation, including the role of the WTO TBT Committee in promoting regulatory cooperation.³⁰

(iii) *Regional Workshops*

28. In 2011, the Secretariat organized two regional workshops. The first was held in Doha, Qatar from 5-7 April 2011. The programme of this workshop was designed to assist participating economies from the region to consolidate knowledge of the principles and disciplines of the TBT Agreement. The second regional workshop was held in Vienna, Austria, from 24-28 October 2011. This workshop was designed to assist economies from Central and Eastern Europe, Central Asia and the Caucasus to improve understanding of the principles and disciplines of the Agreement and its application.

(iv) *National Workshops*

29. In response to requests received from individual Members, workshops were held in Chile, Costa Rica, Burundi, Serbia, Qatar, and Nicaragua during 2011. These workshops aimed at promoting a better understanding of the TBT Agreement and at addressing issues of specific interest to these Members.

²⁹ Participants were from: Armenia, Azerbaijan, Belarus, Brasil, China, Federal Democratic Republic of Nepal, Georgia, Guatemala, Jamaica, Kenya, Malawi, Malaysia, Mexico, Namibia, Nigeria, Oman, Peru, Russian Federation, Rwanda, Samoa, Thailand, Trinidad and Tobago, Turkey, Vietnam, Zimbabwe.

³⁰ The report of this workshop is contained in G/TBT/W/348.

(v) *Trade Policy Courses*

30. TBT training was also provided in the trade policy courses organized by the WTO Secretariat, both Geneva-based and regional. Training sessions on the TBT Agreement were organized in the trade policy course held in Geneva on 24 February 2011, and in the regional trade policy courses held in Swaziland (for English-speaking African countries from 12-14 July 2011), India (for Asia and Pacific countries from 12-14 October 2011), and Benin (for French-speaking African countries from 17-18 October 2011).

(vi) *E-Learning*

31. In 2011, 231 participants from 45 WTO Members and Observers successfully completed TBT e-training courses. The TBT-online course is addressed to government officials from Members and Observers and covers all aspects of the TBT Agreement. As of 2011, the TBT on-line course is available throughout the year in all three languages.³¹

³¹ While the WTO E-Learning material is freely available in the WTO E-Learning website, participants have to register and submit a nomination form in order to participate in a monitored course, access the module exams and obtain a WTO certificate. More information can be obtained at: <http://etraining.wto.org/>.

ANNEXES

A. NOTIFICATIONS MADE BY MEMBERS AND BY RELEVANT ARTICLES OF THE AGREEMENT IN 2011 AND SINCE THE ENTRY INTO FORCE OF THE AGREEMENT

[illegible]

Members	Number of notifications made in 2011	2.9	2.10	3.2	5.6	5.7	7.2	Not specified	Total number of notifications made since 1995
Cameroon	0	0	0	0	0	0	0	0	8
Canada	32	31	1	0	17	0	0	0	503
Cape Verde	0	0	0	0	0	0	0	0	0
Central African Republic	0	0	0	0	0	0	0	0	10
Chad	0	0	0	0	0	0	0	0	0
Chile	31	17	0	0	15	0	0	0	255
China	90	82	0	0	8	0	0	0	862
Colombia	9	8	0	0	5	0	0	0	208
Congo	0	0	0	0	0	0	0	0	0
Costa Rica	21	19	0	0	0	0	0	2	138
Côte d'Ivoire	0	0	0	0	0	0	0	0	0
Croatia	0	0	0	0	0	0	0	0	38
Cuba	0	0	0	0	0	0	0	0	5
Cyprus	0	0	0	0	0	0	0	0	1
Czech Republic	13	13	0	0	0	0	0	0	268
Democratic Republic of the Congo	0	0	0	0	0	0	0	0	0
Denmark	3	3	0	0	0	0	0	0	243
Djibouti	0	0	0	0	0	0	0	0	0
Dominica	0	0	0	0	0	0	0	0	11
Dominican Republic	47	40	0	0	6	0	0	1	147
Ecuador	16	15	0	0	1	0	0	0	81
Egypt	0	0	0	0	0	0	0	0	34
El Salvador	8	8	0	0	2	0	0	0	209
Estonia	1	1	0	0	0	0	0	0	8
European Union	65	63	0	0	13	0	0	0	610

Members	Number of notifications made in 2011	2.9	2.10	3.2	5.6	5.7	7.2	Not specified	Total number of notifications made since 1995
Fiji	0	0	0	0	0	0	0	0	1
Finland	3	3	0	0	0	0	0	0	68
Former Yugoslav Republic of Macedonia	0	0	0	0	0	0	0	0	6
France	13	13	0	0	0	0	0	0	197
Gabon	0	0	0	0	0	0	0	0	0
Gambia	0	0	0	0	0	0	0	0	0
Georgia	11	0	11	0	0	0	0	0	47
Germany	1	1	0	0	0	0	0	0	21
Ghana	1	1	0	0	1	0	0	0	7
Greece	0	0	0	0	0	0	0	0	0
Grenada	0	0	0	0	0	0	0	0	14
Guatemala	6	6	0	0	0	0	0	0	79
Guinea	0	0	0	0	0	0	0	0	0
Guinea Bissau	0	0	0	0	0	0	0	0	0
Guyana	0	0	0	0	0	0	0	0	20
Haiti	0	0	0	0	0	0	0	0	0
Honduras	6	6	0	0	1	0	0	0	69
Hong Kong, China	3	1	0	0	2	0	0	0	71
Hungary	1	1	0	0	0	0	0	0	24
Iceland	0	0	0	0	0	0	0	0	2
India	0	0	0	0	0	0	0	0	87
Indonesia	4	3	1	0	0	0	0	0	56
Ireland	0	0	0	0	0	0	0	0	0
Israel	59	59	0	0	0	0	0	0	597
Italy	1	1	0	0	0	0	0	0	23

[illegible]

[illegible]

Members	Number of notifications made in 2011	2.9	2.10	3.2	5.6	5.7	7.2	Not specified	Total number of notifications made since 1995
Senegal	0	0	0	0	0	0	0	0	12
Sierra Leone	0	0	0	0	0	0	0	0	0
Singapore	3	2	1	0	0	1	0	0	29
Slovak Republic	0	0	0	0	0	0	0	0	46
Slovenia	3	3	0	0	0	0	0	0	100
Solomon Islands	0	0	0	0	0	0	0	0	0
South Africa	15	15	0	0	0	0	0	0	193
Spain	0	0	0	0	0	0	0	0	72
Sri Lanka	0	0	0	0	0	0	0	0	46
Suriname	0	0	0	0	0	0	0	0	0
Swaziland	0	0	0	0	0	0	0	0	0
Sweden	12	12	0	0	1	0	0	0	209
Switzerland	10	9	0	0	1	0	0	0	218
Chinese Taipei	22	21	0	0	17	0	0	0	117
Tanzania	8	8	0	0	0	0	0	0	44
Thailand	33	31	0	0	1	0	0	1	498
Togo	1	1	0	0	0	0	0	0	1
Tonga	0	0	0	0	0	0	0	0	0
Trinidad and Tobago	7	7	0	0	0	0	0	0	102
Tunisia	0	0	0	0	0	0	0	0	26
Turkey	1	1	0	0	0	0	0	0	10
Uganda	5	5	0	0	0	0	0	0	191
Ukraine	13	11	0	0	9	0	0	0	65
United Arab Emirates	38	38	0	0	0	0	0	0	94
United Kingdom	1	1	0	0	0	0	0	0	42
United States	63	57	0	0	0	0	0	6	868

Members	Number of notifications made in 2011	2.9	2.10	3.2	5.6	5.7	7.2	Not specified	Total number of notifications made since 1995
Uruguay	0	0	0	0	0	0	0	0	7
Viet Nam	5	5	0	0	0	0	0	0	18
Zambia	0	0	0	0	0	0	0	0	44
Zimbabwe	0	0	0	0	0	0	0	0	0
TOTAL	1217	1122	27	0	150	4	0	11	14194

B. OBSERVATION OF THE RECOMMENDED COMMENT PERIOD BY MEMBERS IN 2011

Members	Less than 45 days	45-59 days	60 days or more	Not specified, lapsed or stated as non-applicable	Of which notified under Articles 2.10 and 5.7	Total
Albania	0	0	6	0	0	6
Argentina	5	0	1	1	0	7
Armenia	0	0	3	0	0	3
Australia	1	2	2	0	0	5
Bahrain	0	0	38	1	1	39
Belize	0	4	0	0	0	4
Brazil	20	0	3	16	2	39
Canada	6	9	13	4	0	32
Chile	3	16	9	3	0	31
China	1	0	88	1	0	90
Colombia	0	0	9	0	0	9
Costa Rica	0	0	19	2	0	21
Czech Republic	0	4	9	0	0	13
Denmark	0	0	0	3	0	3
Dominican Republic	47	0	0	0	0	47
Ecuador	0	11	5	0	0	16

Members	Less than 45 days	45-59 days	60 days or more	Not specified, lapsed or stated as non-applicable	Of which notified under Articles 2.10 and 5.7	Total
El Salvador	0	0	8	0	0	8
Estonia	0	0	1	0	0	1
European Union	0	1	64	0	0	65
Finland	1	1	1	0	0	3
France	0	0	9	4	0	13
Georgia	0	0	3	8	8	11
Germany	0	0	1	0	0	1
Ghana	0	0	1	0	0	1
Guatemala	0	0	6	0	0	6
Honduras	0	0	6	0	0	6
Hong Kong, China	0	0	3	0	0	3
Hungary	0	0	1	0	0	1
Indonesia	0	0	4	0	0	4
Israel	0	0	59	0	0	59
Italy	0	0	0	1	0	1
Jamaica	0	0	5	0	0	5
Japan	7	3	17	0	0	27
Jordan	1	0	0	0	0	1
Kenya	6	0	30	2	2	38
Kingdom of Saudi Arabia	0	0	59	0	0	59
Korea, Republic of	3	1	42	1	0	47
Kuwait	0	0	68	0	0	68
Kyrgyz Republic	0	0	9	0	0	9
Lithuania	0	0	1	0	0	1

Members	Less than 45 days	45-59 days	60 days or more	Not specified, lapsed or stated as non- applicable	Of which notified under Articles 2.10 and 5.7	Total
Malaysia	0	0	6	3	0	9
Mexico	2	14	1	2	0	19
Netherlands	0	0	1	0	0	1
New Zealand	1	0	4	0	0	5
Nicaragua	0	0	5	0	0	5
Norway	0	1	0	0	0	1
Oman	0	1	26	0	0	27
Pakistan	0	0	6	0	0	6
Paraguay	0	0	5	15	3	20
Peru	0	0	7	1	1	8
Philippines	8	17	2	2	0	29
Qatar	0	0	44	0	0	44
Singapore	1	0	2	0	0	3
Slovenia	0	3	0	0	0	3
South Africa	0	7	8	0	0	15
Sweden	0	3	9	0	0	12
Switzerland	0	4	6	0	0	10
Chinese Taipei	2	0	20	0	0	22
Tanzania	0	0	8	0	0	8
Thailand	0	0	29	4	0	33
Togo	0	0	0	1	0	1
Trinidad and Tobago	7	0	0	0	0	7
Turkey	0	0	1	0	0	1
Uganda	0	0	5	0	0	5

Members	Less than 45 days	45-59 days	60 days or more	Not specified, lapsed or stated as non-applicable	Of which notified under Articles 2.10 and 5.7	Total
Ukraine	2	4	3	4	0	13
United Arab Emirates	0	0	38	0	0	38
United Kingdom	0	0	1	0	0	1
United States	25	16	16	6	0	63
Viet Nam	0	0	4	1	0	5
TOTAL	149	122	858	86	17	1217

C. NEW SPECIFIC TRADE CONCERNS RAISED IN 2011

1. The following table lists the 76 specific trade concerns raised in the TBT Committee during 2011. The second column contains the name of specific trade concern, and in parentheses, its unique identification number in the online TBT IMS (IMS ID).¹ The specific trade concerns are sorted as follows:

- (a) **Date:** date of meeting when the specific trade concern was last raised (in reverse chronological order);
- (b) **Frequency:** number of meetings at which the specific trade concern has been raised; and
- (c) **Members:** number of Members that have expressed concern about the measure since it was first raised.

	Specific trade concerns (IMS ID)	Date	Frequency	Members
1	European Communities – Regulation on the Registration, Evaluation and Authorization of Chemicals (REACH) (ID 88)	10 November 2011	27	34
2	European Communities – Directive 2002/95/EC on the Restriction of the Use of certain Hazardous Substances in Electrical and Electronic Equipment (RoHS) and Directive 2002/96/EC on Waste Electrical and Electronic Equipment (WEEE) (ID 35)	10 November 2011	27	13
3	European Communities – Regulation on Certain Wine Sector Products (ID 39)	10 November 2011	26	13
4	India – Pneumatic tyres and tubes for automotive vehicles (ID 133)	10 November 2011	16	4
5	Canada – Compositional requirements for cheese	10 November 2011	14	5

¹ Enter this 'item number' into the TBT IMS 'specific trade concern' search (<http://tbtime.wto.org/web/pages/search/stc/Search.aspx>) to locate additional information on any STC.

	Specific trade concerns (IMS ID)	Date	Frequency	Members
	(ID 162)			
6	India – Drugs and Cosmetics Rules 2007 (ID 167)	10 November 2011	14	2
7	Colombia – Draft Decree Establishing Provisions to Promote the Use of Biofuels (ID 216)	10 November 2011	9	3
8	India – Mandatory Certification for Steel Products (ID 224)	10 November 2011	7	5
9	Thailand – Health warnings for alcoholic beverages (ID 259)	10 November 2011	6	9
10	United States – Hazardous Materials: Transportation of Lithium Batteries (ID 262)	10 November 2011	6	5
11	Brazil – Alcoholic Beverages (ID 263)	10 November 2011	6	3
12	Turkey – New conformity assessment procedures for pharmaceuticals (ID 264)	10 November 2011	6	3
13	European Union – Directive 2004/24/EC on Traditional Herbal Medicinal Products (ID 265)	10 November 2011	5	3
14	Korea – KS C IEC61646:2007 Standard for Thin-film Solar Panels (ID 271)	10 November 2011	5	2
15	Colombia – Shelf life Requirements for Milk Powder (ID 269)	10 November 2011	5	1
16	India - New Telecommunications related Rules (Department of Telecommunications, No. 842-725/2005-VAS/Vol.III (3 December 2009); No. 10-15/2009-AS-III/193 (18 March 2010); and Nos. 10-15/2009-AS-III/Vol.II/(Pt.)/(25-29) (28 July 2010); Department of Telecommunications, No. 10-15/2009-AS-III/Vol.II/(Pt.)/(30) (28 July 2010) and accompanying template, "Security and Business Continuity Agreement") (ID 274)	10 November 2011	4	3
17	Brazil – Instructions for Registration for Labels of Imported Products of Animal Origin (ID 273)	10 November 2011	4	3
18	Indonesia – Labelling Regulations (Ministry of Trade Regulation 62/2009 and 22/2010) (ID 279)	10 November 2011	4	3
19	Italy – Law on "Provisions concerning the marketing of textile, leather and footwear products" (ID 272)	10 November 2011	4	2
20	Turkey – Communiqué SUT 2010 regarding documentation requirements for medical devices (ID 276)	10 November 2011	4	1
21	Brazil – Draft Resolution No. 112, 29 November 2010; maximum levels of tar, nicotine and carbon monoxide permitted on tobacco products and prohibition of additives (ID 288)	10 November 2011	3	22
22	China – Requirements for information security products, including, inter alia, the Office of State Commercial Cryptography Administration (OSCCA) 1999 Regulation on commercial encryption products and its on-going revision and the Multi-Level Protection Scheme (MLPS) (ID 294)	10 November 2011	3	4
23	Brazil – Canned Sardines - Ministerial Act N° 406, 10 August 2010 (ID 290)	10 November 2011	3	3
24	China – Administration on the Control of Pollution Caused by Electrical and Electronic Products (ID 297)	10 November 2011	3	3
25	Indonesia – Draft Decree of Minister of Industry on Mandatory Implementation of Indonesia National	10 November 2011	3	3

	Specific trade concerns (IMS ID)	Date	Frequency	Members
	Standard for electroplating tin coated thin steel sheets. (ID 303)			
26	India – Food Safety and Standards Regulation - Food labelling requirements (ID 298)	10 November 2011	3	2
27	Korea – PVC flooring material and Wallpaper and paper linoleum, and toys (ID 302)	10 November 2011	3	2
28	Colombia – Alcoholic beverages (ID 291)	10 November 2011	3	2
29	China – Provisions for the Administration of Cosmetics Application Acceptance (ID 296)	10 November 2011	3	2
30	Korea – Good Manufacturing Practice requirements for cosmetics (ID 292)	10 November 2011	3	2
31	Ecuador – Certification of Ceramic Tiles (ID 289)	10 November 2011	3	1
32	Australia – Tobacco Plain Packaging Bill 2011 (ID 304)	10 November 2011	2	24
33	Viet Nam – Conformity assessment procedures for alcohol, cosmetics, and mobile phones (Notice regarding the import of alcohol, cosmetics and mobile phones, No.: 197/TB-BCT (6 May 2011) and Ministry of Finance No.: 4629/BTC-TCHQ on the importation of spirits and cosmetics (7 April 2011) (ID 316)	10 November 2011	2	6
34	Malaysia – Draft Protocol for Halal Meat and Poultry Production (ID 317)	10 November 2011	2	5
35	Korea – Regulation on Registration and Evaluation of Chemical Material (ID 305)	10 November 2011	2	5
36	Mexico – Energy Labelling Measures (Law for Sustainable Use of Energy, 28 November 2008; Regulation of the Law for Sustainable Use of Energy, 11 September 2009; National Program for Sustainable Use of Energy 2009-2012, 27 November 2009; and Catalogue of equipment and appliances used by manufacturers, importers, distributors and marketers that require mandatory inclusion of energy consumption information, 10 September 2010) (ID 314)	10 November 2011	2	5
37	Kenya – Alcohol Labelling: The Alcoholic Drinks Control (Licensing) Regulations, 2010: Legal Notice No. 206: 2010 (ID 311)	10 November 2011	2	3
38	Korea – Proposed Cosmetics Labelling and Advertisement Guidelines: KFDA draft Guidelines for Management of Nanomaterials in Cosmetics (ID 313)	10 November 2011	2	2
39	Colombia – Commercial Truck Diesel Emissions Regulation (Resolution 2604, 24 December 2009) (ID 318)	10 November 2011	2	1
40	Korea – Amendment to Radio Waves Act 1/2011 (RRA) (ID 312)	10 November 2011	2	1
41	South Africa – Liquor Products Act of 1989 (ID 315)	10 November 2011	2	1
42	Peru – Draft Supreme Decree Approving the Regulations Governing the Labelling of Genetically Modified Foods (ID 320)	10 November 2011	1	6
43	European Union – issue with respect of honey containing pollen from genetically modified maize MON810, Ruling from ECJ (ID 322)	10 November 2011	1	6

	Specific trade concerns (IMS ID)	Date	Frequency	Members
44	Mexico – Draft Decree Amending Provisions for Drinks with Caffeine (ID 319)	10 November 2011	1	2
45	Korea – National Tax Service Notice 2011-17 (Requirements for Radio-Frequency Identification Tags for Imported Whiskeys) (ID 329)	10 November 2011	1	2
46	Argentina – Resolution 453/2010 establishing mechanisms in order to eliminate dangers arising from the use of inks with a high lead content in graphic products (ID 325)	10 November 2011	1	2
47	China – Specification for Import and Export of Food Additives Inspection, Quarantine and Supervision (2011 No. 52) - Disclosure of formulas for imported food additives (ID 326)	10 November 2011	1	2
48	China – GB/T xxxx-xxxx, Information Security Technology -- Office Devices Security and YD/T xxxx-xxxx, High spectrum efficiency and high throughput wireless LAN technical requirements (ID 327)	10 November 2011	1	1
49	Indonesia – Technical Guidelines for the Implementation of the Adoption and Supervision of Indonesian National Standards for Obligatory Toy Safety (ID 328)	10 November 2011	1	1
50	Mexico – Refusal of the National Water Commission to re-certify HDPE pipe products meeting quality/safety standards for piping set out in NOM 001 and NMX 241 (ID 330)	10 November 2011	1	1
51	El Salvador – Law on hygienic production of milk and milk products and the regulation of their sale (ID 331)	10 November 2011	1	1
52	United States – ENERGYSTAR 6.0 Draft 2 Program Requirements for Displays-Draft Partner Commitments (ID 323)	10 November 2011	1	1
53	United States – Amendments to Sterility Test Requirements for Biological Products (ID 324)	10 November 2011	1	1
54	European Union – Draft Commission Regulation implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for air conditioners and comfort fans (ID 321)	10 November 2011	1	1
55	European Communities – Regulation on Classification, Labelling and Packaging of Substances and Mixtures (ATPs and CLP) (ID 165)	15 June 2011	13	26
56	Norway – Proposed regulation concerning specific hazardous substances in consumer products (ID 178)	15 June 2011	7	5
57	European Communities – Accreditation and market surveillance relating to the marketing of products (ID 238)	15 June 2011	7	4
58	China – Regulations of the PRC on Certification and Accreditation (promulgated by Decree No. 390 of the State Council of the PRC on September 3, 2003) (ID 270)	15 June 2011	4	1
59	European Union – Proposal for a Council Regulation on the Indication of the Country of Origin of Certain Products Imported from Third Countries (SEC(2005)1657) (ID 285)	15 June 2011	3	2

	Specific trade concerns (IMS ID)	Date	Frequency	Members
60	Ukraine – Draft Technical Regulation on the labelling of foodstuff (ID 293)	15 June 2011	2	1
61	India – Toys and Toy Products (Compulsory Registration) Order (ID 309)	15 June 2011	1	3
62	France – Loi No. 2010-788: The National Commitment for the Environment (Grenelle 2 Law) (ID 306)	15 June 2011	1	2
63	European Union – Renewable Energy Directive (EU - RED) (ID 307)	15 June 2011	1	2
64	Brazil – ANVISA Enforcement of CATEC Technical Opinions 4, 5, 6 and 7 of 21 December 2010 (ID 308)	15 June 2011	1	2
65	India – E-Waste (Management and Handling) Rules 2010 (ID 310)	15 June 2011	1	1
66	United States – Consumer Product Safety Improvement Act (ID 208)	24 March 2011	7	1
67	Canada – Bill C-32 amendment to Tobacco Act (ID 249)	24 March 2011	5	29
68	Italy – Dairy products (ID 261)	24 March 2011	4	2
69	European Communities – Toys (ID 187)	24 March 2011	4	2
70	Indonesia – Decree No. Kep-99/MUI/III/2009 relating to Halal certification (ID 253)	24 March 2011	4	1
71	China – Textiles (ID 266)	24 March 2011	3	1
72	United States – California Code of Regulations: Chapter 53 Safer Consumer Product Alternatives (ID 284)	24 March 2011	2	1
73	China – The Provisions on the Environmental Administration of New Chemical Substances (Amendments) (ID 301)	24 March 2011	1	2
74	Brazil – Disposition (Portaria) n° 371, December 29th 2009 and Annex; INMETRO approves Conformity Assessment Requirements for Security of Electronic Appliances (ID 299)	24 March 2011	1	1
75	United States – Food Safety Modernization (FSMA) Public Law 111-353 (ID 300)	24 March 2011	1	1
76	China – Lighting and Light-Signalling Devices for Motorcycles (ID 295)	24 March 2011	1	1