

## **B. TECHNICAL BARRIERS TO TRADE**

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

A "technical regulation" is a document which lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method. A "conformity assessment procedure" is any procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled; it may include, inter alia, procedures for sampling, testing and inspection; evaluation, verification and assurance of conformity; registration, accreditation and approval as well as their combinations.

Measures classified under B1 through B7 are Technical Regulations while those under B8 are their Conformity Assessment Procedures. Among the Technical Regulations, those in B4 are related to production processes, while others are applied directly on products.

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

Such prohibitions/restrictions may be established for reasons related, inter alia, to national security requirements; the prevention of deceptive practices; protection of human health or safety, animal or plant life or health, or the environment. . Restrictions on the tolerance limits on residues or use of certain substances contained in the final products are classified under B2 below.

#### **B11 Prohibition for TBT reasons**

Import prohibition for reasons set out in B1:

*Example: Imports are prohibited for hazardous substances including explosives, certain toxic substances covered by the Basel Convention such as aerosol sprays containing CFCs, a range of HCFCs and BFCs, halons, methyl chloroform and carbon tetrachloride*

#### **B14 Authorization requirement for TBT reasons**

Requirement that the importer should receive authorization, permit or approval from a relevant government agency of the destination country, for reasons such as national security reasons, environment protection etc:

*Example: Imports must be authorized for drugs, waste and scrap, fire arms, etc.*

#### **B15 Registration requirement for importers for TBT reasons**

Requirement that importers should be registered in order to import certain products: To register, importers need to comply with certain requirements, documentation and registration fees. It also includes the registration of establishments producing certain products.

***Example:** Importers of "sensitive product" such as medicines, drugs, explosives, firearms, alcohol, cigarettes, game machines, etc. may be required to be registered in the importing country.*

**B19 Prohibitions/restrictions of imports for objectives set out in the TBT agreement, n.e.s.**

**B2 Tolerance limits for residues and restricted use of substances**

**B21 Tolerance limits for residues of or contamination by certain substances**

A measure that establishes a maximum level or "tolerance limit" of substances, which are used during their production process but are not their intended ingredients:

***Example:** Salt level in cement, or sulphur level in gasoline, must be below specified amount.*

**B22 Restricted use of certain substances**

Restriction on the use of certain substances as components or material to prevent the risks arising from their use:

***Example:** a) Restricted use of solvents in paints; b) the maximum level of lead allowed in consumer paint.*

**B3 Labelling, Marking and Packaging requirements**

**B31 Labelling requirements**

Measures regulating the kind, colour and size of printing on packages and labels and defining the information that should be provided to the consumer: Labelling is any written, electronic, or graphic communication on the packaging or on a separate but associated label, or on the product itself. It may include requirements on the official language to be used as well as technical information on the product, such as voltage, components, instruction on use, safety and security advises, etc.

***Example:** Refrigerators need to carry a label indicating its size, weight as well as electricity consumption level.*

**B32 Marking requirements**

Measures defining the information for transport and customs that the transport/distribution packaging of goods should carry:

***Example:** Handling or storage conditions according to type of product, typically signs such as "FRAGILE" or "THIS SIDE UP" etc. must be marked on the transport container.*

**B33 Packaging requirements**

Measures regulating the mode in which goods must be or cannot be packed, and defining the packaging materials to be used:

*Example: Palletized containers or special packages need to be used for the protection of sensitive or fragile products.*

## **B4      Production or Post-Production requirements**

### **B41          TBT regulations on production processes**

Requirement on production processes not classified under SPS above: It also excludes those specific measures under **B2: Tolerance limits for residues and restricted use of substances** (or its sub-categories):

*Example: Use of environmentally-friendly equipment is mandatory.*

### **B42          TBT regulations on transport and storage**

Requirements on certain conditions under which products should be stored and/or transported:

*Example: Medicines should be stored below a certain temperature.*

### **B49          Production or Post-Production requirements n.e.s.**

## **B6      Product identity requirement**

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

*Example: In order for a product to be identified as “chocolate”, it must contain a minimum of 30% cocoa.*

## **B7      Product quality or performance requirement**

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

*Example: Door must resist certain minimum high temperature.*

## **B8      Conformity assessment related to TBT**

Requirement for verification that a given TBT requirement has been met: it could be achieved by one or combined forms of inspection and approval procedure, including procedures for sampling, testing and inspection, evaluation, verification and assurance of conformity, accreditation and approval etc.:

### **B81          Product registration requirement**

Product registration requirement in the importing country

*Example: Only the registered drugs and medicine may be imported.*

**B82      Testing requirement**

A requirement for products to be tested against a given regulation, such as performance level: It includes sampling requirement.

*Example: A testing on a sample of motor vehicle imports is required against the required safety compliance and its equipment, etc.*

**B83      Certification requirement**

Certification of conformity with a given regulation: required by the importing country but may be issued in the exporting or the importing country

*Example: Certificate of conformity for electric products is required.*

**B84      Inspection requirement**

Requirement for product inspection in the importing country: may be performed by public or private entities. It is similar to testing, but it does not include laboratory testing.

*Example: Textile and clothing imports must be inspected for size and materials used before entry is allowed.*

**B85      Traceability information requirements**

Disclosure requirement of information that allows following a product through the stages of production, processing and distribution:

**B851      Origin of materials and parts**

Disclosure of information on the origin of materials and parts used in the final product:

*Example: Manufactures of automobiles must keep the record of the origin of the original set of tyres for each individual vehicle.*

**B852      Processing history**

Disclosure of information on all stages of production: may include their locations, processing methods and/or equipment and materials used.

*Example: For wool apparel product, disclosure of information on the origin of the sheep, location of the textile factory as well as the identity of the final apparel producer may be required.*

**B853      Distribution and location of products after delivery**

Disclosure of information on when and/or how the goods have been distributed during any time after the production and before the final consumption.

***Example:** Before placing imported cosmetic products on the EU market, the person responsible must indicate to the competent authority of the Member State where the products were initially imported, the address of the manufacturer or the address of the importer.*

**B859**                      **Traceability requirements, n.e.s.**

**B89**                      **Conformity assessment related to TBT n.e.s.**

**B9**                      **TBT Measures n.e.s.**