

Negotiating Group on Market Access

NON -TARIFF BARRIER NOTIFICATIONS

Addendum

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I. JAPAN

(Japan reserves the right to submit further items in the course of negotiations)

Maintaining participant 1	Products affected by the barrier 2	Nature of the barrier 3	Trade effects of the barrier 4	Inventory category 5	Relevant WTO provision 6	Treatment of the barrier 7
	forest products (HS Chapter 44)	Export ban and export restriction	trade distortive effect	V-G	GATT Articles XI, XX	a
	forest products (HS Chapter 44)	Export taxes and levies	trade distortive effect	V-J		a
	textiles (HS Chapters 50 to 63), machinery (HS Chapters 84 to 85)	Lack of preventive measures in the countries concerned for false country of origin marking, e.g. false country of origin marking of textile products	trade distortive effect	II-F, VII-E	GATT Article IX	a
	information technology products, electrical machinery (HS Chapters 84, 85 and 90)	Inappropriateness, non-transparent and unstable customs classification, e.g. levying duties on camcorders, FPD (Flat Panel Display) based on inappropriate customs classification	unstablens and unpredictability of trade	II-C	GATT Article X	a, or b (Trade Facilitation =TF)
	information technology products (HS Chapters 84, 85 and 90), base metals (HS Chapters 72 to 83), textiles (HS Chapters 50 to 63) cosmetics (HS Headings 3303 to 3305, 3307, HS Subheading 3401.11)	Discrimination by country in refunding of internal tax	trade restrictive effect	VI		a
	mineral products (HS Heading 25.29,28.46)	Export quantity restrictions and their untransparent quota allocation e.g. export quantity restrictions on fluorspar, rare earth by E/L.	trade restrictive effect	V-G	GATT Articles X, XI, XX	a, or b(TF)
	textiles (HS Chapters 50 to 63) automobiles (HS Chapter 87)	Import prohibition on used products, e.g. import ban on used textile products and used cars	trade restrictive effect	V-A	GATT Articles XI, XX	a

Maintaining participant 1	Products affected by the barrier 2	Nature of the barrier 3	Trade effects of the barrier 4	Inventory category 5	Relevant WTO provision 6	Treatment of the barrier 7
	textiles (HS Chapters 50 to 63) , automobiles and their parts (HS Chapters 84, 85 and 87)	Lack of enforcement for infringement of intellectual property rights, e.g. false representation on well-known brand names and designs, and free circulation of counterfeit goods Inappropriate and insufficient protection of intellectual property rights, e.g. lack of protection system on intellectual property rights	trade restrictive effect	VII-A	TRIPS	d
	automobiles and their parts (HS Chapters 84, 85 and 87)	Non-transparency of customs classification and customs valuation, inconsistent with classification by the WCO, e.g. non-transparency of customs classification of CKDs, arbitrary determined customs values	unstablens and unpredictability of trade	II-B, II-C, II-G	GATT Articles VII, X	a, or b(TF)
	automobiles and their parts (HS Chapters 84, 85 and 87)	Non-transparency and unfairness of implementation of issuing import licenses, e.g. import licensing process lacks transparency, non-transparency of management of import quotas	unstablens and unpredictability of trade	II-H, V-A	GATT Articles X, XI, XIII	a, or b(TF)
	automobiles (HS Chapter 87)	Price registration system on import products, e.g. requirement to submit price registration form and difficulty in modifying the registered price	trade restrictive effect	V-H	GATT Article VIII	a, or b(TF)
	automobiles and their parts, machinery for building automobiles (HS Chapters 84, 85 and 87)	Customs procedure lacks transparency, is complicated and unstable - more time needed for procedures and import ports are limited, e.g. complicated customs procedures for imported cars	unstablens and unpredictability of trade	II-G, VII-E	GATT Articles VIII, X	a, or b(TF)
	automobile parts (HS Chapters 84, 85 and 87)	Local contents requirements, e.g. use of local contents is required for foreign companies	trade restrictive effect	V-F	TRIMs	d

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	automobile parts (HS Chapters 84, 85 and 87), petroleum oils and their products (HS Chapter 27)	Restriction on foreign investment (investment ratio, restriction on liaison offices, e.g. restriction on joint-venture investment, restriction on setting up liaison offices	trade and investment restrictive effect	VII-D	TRIMs	d
	automobile parts (HS Chapters 84, 85 and 87)	Trade balancing requirements, e.g. imposing export requirements on automobile companies in relation to the import value	trade and investment restrictive effect	VII-D	TRIMs	d
	automobile (HS Chapter 87)	prohibition of selling both imported cars and domestic cars	trade distortive effect	VII-C	GATT Article III	a
	generic	Trading rights	trade distortive effects	VII-E		a
	generic	Unstableness of refund of Value-Added Tax on imported goods, e.g. though it is the object of a refund, it is not refunded nor delayed, due to new regulations or for fiscal reasons. Also, there is a lack of a clear explanation prior to any change of regulations - it changes so often and it is not stable	unpredictability of trade	VII-E		a
	Mineral Resources (copper or copper concentrates /HS chapter 26)	Price of raw copper material is soaring due to the refund of the internal tax on domestic raw copper material and to buying the material at a high price, e.g. a part of the value added tax (VAT) is refunded on raw copper material imported by the refinery	trade distortive effects	I-A		a

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	chemical products (HS Chapters 28 to 40)	Registration of new and existing chemicals (REACH), e.g. under the REACH system; in the regulation for the protection of health, safety and the environment, there is a possibility that a greater burden could be imposed on importers than on the manufacturers within the EU member states, and that the importers could be placed in a disadvantageous position in the competition. (This measure is under consideration by the EU member states concerned)	trade restrictive effect caused by excessive burden on importers	III-B	GATT Article 3 TBT Articles 2.1 and 2.2	a, d
	cosmetics (HS Chapter 33)	Requirement of a production license from the government of an importing country, e.g. export is prohibited without a license issued by the government of an importing country	substantial import restriction	III-C		a
	cabotage (HS Chapter 89)	Measures taken by a Member under specific mandatory legislation, enacted by that Member before it became a contracting party to GATT 1947, which prohibit the use, sale or lease of foreign-built or foreign-reconstructed vessels in commercial applications between points in national waters	substantial import restriction	I-C, V-B		a