

**Committee on Technical Barriers to Trade**

NOTIFICATIONS MADE UNDER THE TOKYO ROUND  
AGREEMENT ON TECHNICAL BARRIERS TO TRADE

Note by the Secretariat

At its meeting of 20 October 1995, the WTO TBT Committee agreed that the first Annual Review of the Implementation and Operation of the WTO TBT Agreement would take place at the first meeting in 1996 with the format contained in document G/TBT/W/12 (G/TBT/M/3).

The Annual Review will include, *inter alia*: a table indicating the number of notifications made by Members under relevant Articles since the entry into force of the Agreement; and a table providing the number of notifications made under different objectives and rationales stated in notifications by Members.

The Secretariat has examined notifications made under the Tokyo Round TBT Agreement for the period 1980-1994. This Note contains the Secretariat's findings regarding:  
(i) notifications made by Signatories under relevant Articles of the Tokyo Round TBT Agreement; and (ii) different objectives and rationales stated in notifications by Members.

Regarding notifications made under relevant Articles, Table I shows that 84.5 % of the notifications were made under Article 2.5.2 of the Tokyo Round TBT Agreement; this Article corresponds to Article 2.9.2 of the WTO TBT Agreement.

Regarding objectives and rationales stated in notifications by Members over the period, ten categories have been grouped of which five are stated in Article 2 of both the Tokyo Round and the WTO TBT Agreements: "... *inter alia*: national security requirements; the prevention of deceptive practices; protection for human health or safety, animal or plant life or health, or the environment...". The other five categories are: quality requirements; harmonization; adoption to new domestic laws; lowering or removal of trade barriers; and cost saving and increasing productivity. In cases where a notification does not contain a clearly defined objective, it has been included in the category which appears most suitable. Certain notifications provide several objectives and rationales and they have been classified under more than one category.

The following is a brief description of the five categories of objectives and rationales not stated in Article 2 of the Agreement:

- "Quality Requirements" covers minimum quality and performance requirements that products must comply with, especially in the case of new products taking account of latest advances in technology (e.g., in the area of telecommunications). The technical regulations concerned usually involve quality and standard controls such as certification and inspection procedures.
- "Harmonization" involves the adaptation of laws, regulations and standards to international standards and regional standards.

- "Adaptation to New Domestic Laws" involves adaptation of existing technical regulations to new decisions and regulation reviews and amendments.
- "lowering or Removal of Trade Barriers" covers notifications of regulations whose purpose is to facilitate trade and allow an improvement in market access; e.g. lowering or withdrawing of a standard, exemption from requirements, withdrawal of bans, broadening of the range of goods permitted for sale, simplification and rationalization of administrative procedures.
- "Cost Saving and Increasing Productivity" covers cost reducing and productivity increasing objectives.

Over the period of 1980-94, the most frequently cited objective and rationale was the "protection of human health or safety" which made up over 47% of notifications. This refers to the protection of the general public, consumers or workers and their property. "Quality requirements" is the second largest category, followed by the "Prevention of deceptive practices", "Harmonization" and "Protection of the environment". Relating to the "prevention of deceptive practices", the greater part concerns the protection of consumers through consumer information, mainly in the form of labelling requirements. Others include classification and definition, packaging requirements, and measurements (size, weight etc.) for the assurance of good results in trade and market transparency.

# 1. NOTIFICATIONS MADE UNDER RELEVANT ARTICLES

The following table depicts the percentage of notifications made under different articles of the Tokyo Round TBT Agreement by year and the total for the period of 1980-1994.

Year	Percentage of notifications made under the relevant Articles each year					
	2.5.2	2.6.1	7.3.2	7.4.1	other	not stated
1980	72.2	11.9	9.9	5.0	0.9	0
1981	77.0	8.0	4.7	0.3	9.6	0.3
1982	73.0	6.4	17.6	2.0	0	1.0
1983	63.9	7.1	28.2	0.4	0.4	0
1984	73.5	11.2	12.6	0.9	0.4	1.3
1985	75.1	10.7	9.6	4.6	0	0
1986	71.8	19.0	7.4	0	0	1.9
1987	82.4	8.0	9.0	0.5	0	0
1988	87.2	5.7	4.6	0.4	0.4	1.8
1989	93.6	2.7	3.4	0	0	0.3
1990	89.3	5.5	2.7	0	0	2.5
1991	89.7	5.0	2.8	0.3	0.8	1.4
1992	93.2	3.0	2.3	0.3	0	1.3
1993	89.8	4.2	2.6	1.0	0	2.4
1994	89.8	6.3	2.0	0.2	0.2	1.6
<b>TOTAL</b>	84.5	6.8	6.6	0.7	0.8	1.2

## 2. NOTIFICATIONS MADE UNDER DIFFERENT OBJECTIVES AND RATIONALES

Percentage of Notifications Made														
Objectives and Rationales	1980-1989	1990-1994	1995-1999	2000-2004	2005-2009	2010-2014	2015-2019	2020-2024	2025-2029	2030-2034	2035-2039	2040-2044	2045-2049	2050-2054
1. National Security Requirements	0	0	0.5	0	0	0	0.3	0	0.2	0	0.6	0	0.1	0
2. Prevention of Deceptive Practices	8.4	8.5	10.1	8.4	7.3	6.6	8.6	10.2	8.5	13.2	8.8	12	8.8	12.4
3. Protection of Human Health or Safety	66.2	54.5	55.7	50.1	45.3	51.5	53.9	55.8	47.6	45.8	47	41.6	35.4	43.1
4. Protection of Animal or Plant Life or Health	4.6	2.1	1	2.3	1.9	2	1.2	1.7	2.9	1.2	0.6	2.4	1	3.4
5. Protection of the Environment	7.1	7.6	4.5	3.5	9	4.6	5.3	7.5	9.6	7.2	10.6	9.4	8.7	12.8
6. Quality Requirements	9.1	8.5	17.8	16.3	23.5	21.6	14.2	12.6	15.9	11.1	16.4	11.9	22	15.4
7. Harmonization	1	7.6	5.2	3.3	7.8	2.5	8.4	3.2	8.1	15.2	9.4	10.2	19.4	6.7
8. Adaptation to New Domestic Laws	1.5	1	0.2	7.5	2	2.3	1.9	2	1.5	2.6	3.5	7	1.9	1.2
9. Lowering or Removal of Trade Barriers	1	8.6	4	8.2	1.6	5.3	4.2	6.6	4.9	1.8	2.4	4.1	2.3	3.6
10. Cost Saving and Increasing Productivity	0	0.7	0	0.4	0	0	0	0	0.2	0.6	0.3	0.3	0.6	0.7
Other	1	1	1	0	1.6	3.6	2.3	0.5	0.4	0.6	1.1	1.1	0	0.6
TOTAL	100 %													