



Non-tariff measures

Technical Barriers to Trade (TBT) and
Sanitary and Phytosanitary measures
(SPS)

TARIFFS VS. NTMS



Customs duties levied on goods object of import or export and that limit its market access:

- ≡ Ad-valorem: calculated as a % of its price;
- ≡ Specific: calculated as a fixed amount based on quantity;
- ≡ Mixed: part ad-valorem part specific.

Laws, regulations, policies or practices of a country which may or may not restrict the market access of an imported good:

BUT there is no agreed upon definition in the WTO!

DEFINITION OF NTM



Broad range!

Essentially, everything that is **not** a tariff.

Defined by its characteristics

Quotas, contingency measures (antidumping, countervailing measures, safeguards), subsidies, domestic measures (regulation), **sanitary and phytosanitary measures (SPS)** and **Technical Barriers to Trade (TBT)**

TARIFFS VS. NTMS



- ☰ **NTMs are different from tariffs**
 - ☰ Easy quantification of tariffs – transparent and calculable;
 - ☰ Difficult quantification of NTMs due to lack of data, transparency and information.
- ☰ **Effects of NTMs on international trade can be different from the impact of tariffs**
 - ☰ Negative impact of tariffs on trade;
 - ☰ Ambiguous impact of public policies and related NTMs on trade.

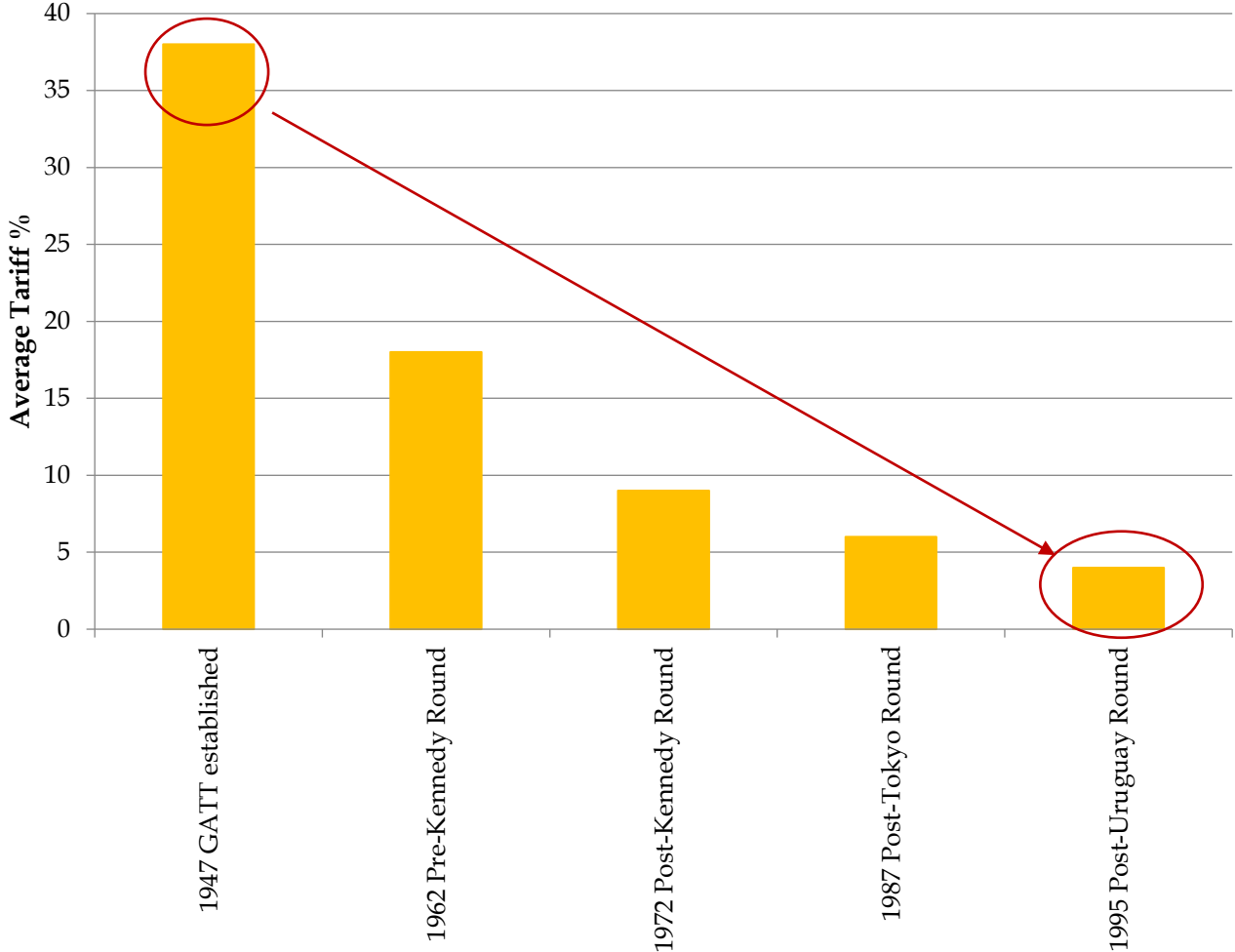
“A NT**M** is not necessarily a Non-Tariff Barrier (NT**B**)”

Successful rounds of tariff negotiations



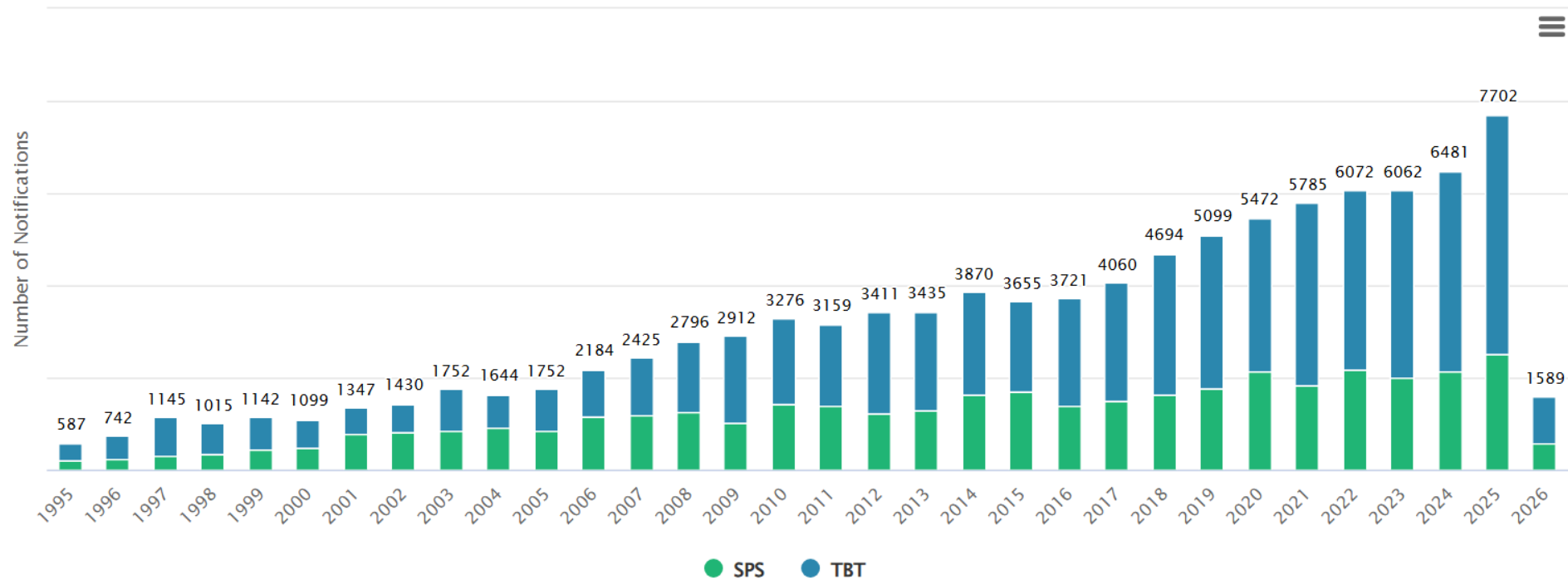
≈ 40%

Overall, import tariff on industrial products



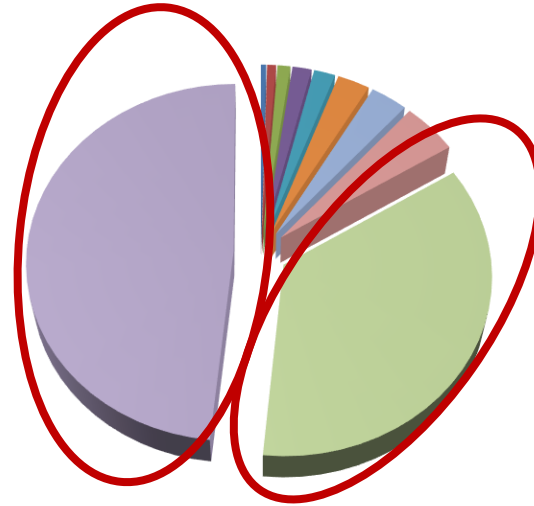
> 4%

... But what about non-tariff measures?



[SPS and TBT: ePing \(epingalert.org\)](http://epingalert.org)

NTMs notified - Goods



■ Countervailing

■ Export Subsidies

■ Special Safeguards

■ Tariff-rate quotas

■ Sanitary and Phytosanitary

■ Safeguards

■ Import licencing

■ Quantitative Restrictions

■ Anti-dumping

■ Technical Barriers to Trade

Standards and Regulations are a a subset of non-tariff measures (NTMs).



Impact is difficult to quantify / measure!
(tariffs much easier ...)

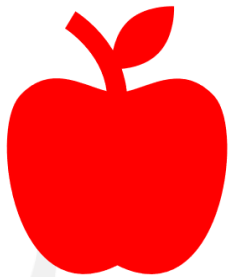
Ambiguous effects!

SPS and TBT

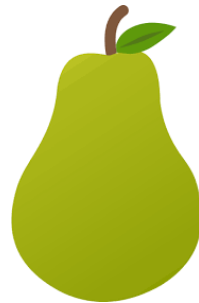
A problem with transparency / predictability

Which seems more complex?

The duties levied are as follows: apples 10% *ad valorem*, pears 12% *ad valorem*, and peaches, 11% *ad valorem*.



10% duty



12% duty



11% duty

Or this?

Ministerial ordinance X prohibits the imports of apples, pears and peaches from the United States (due to possibly transmitting plant pests). For each product, an exemption to the prohibition can be sought on a *variety-by-variety basis*. Import permits must be obtained for each variety ... others not permitted.



Gala



Golden delicious



Granny Smith

GATT 1947 on regulatory measures

Article III*: National Treatment on Internal Taxation and Regulation [back to top ▲](#)

1. The contracting parties recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production.*

4. The products of the territory of any contracting party imported into the territory of any other contracting party shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use. The provisions of this paragraph shall not prevent the application of

TREAT LIKE PRODUCTS ALIKE

Article XX: General Exceptions [back to top ▲](#)

Subject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade, nothing in this Agreement shall be construed to prevent the adoption or enforcement by any contracting party of measures:

(a) necessary to protect public morals;

(b) necessary to protect human, animal or plant life or health;

BUT IF DIFFERENT TREATMENT, NO ARBITRARY OR UNJUSTIFIABLE DISCRIMINATION

ONLY NECESSARY MEASURES

NTMs AND TRANSPARENCY



Important issue of transparency

(compared to tariffs, NTMs are opaque, hard to quantify, hard to negotiate (tariff negotiations use numbers, formulas and projections – how does one negotiate NTMs?), less predictable.

Historic option of GATT for tariffs
“tariffication” of trade barriers

WTO RULES ON NTMS



- ☰ **WTO disciplines on NTMs are essentially about resisting protectionist pressures.**
 - ☰ The “end game” is not to eliminate NTMs, as it could be with Tariffs
 - ☰ Recognition of the importance/necessity of NTMs
 - ☰ Recognition that it is not conceivable to introduce a measure to achieve a certain public policy objective whose effect on trade is \emptyset .

- ☰ **HOW TBT and SPS measures are designed and applied is the key.**

- ☰ **For both agreements, in general terms, rules are about:**
 - ☰ **No-discrimination**
 - ☰ **Unnecessary barriers to trade**
 - ☰ **Use of international standards**
 - ☰ **Transparency**
 - ☰ **S&D**

TBT Agreement the structure

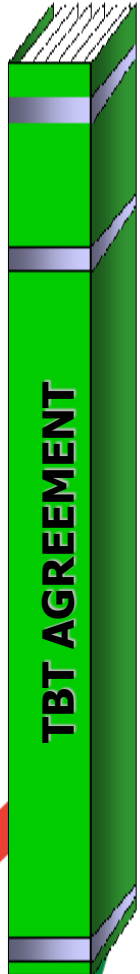


- Preamble
- General Provisions (Art. 1)
- Technical Regulations and Standards (Arts. 2 - 4)
- Conformity Assessment Procedures for technical regulations and standards (Arts. 5- 9)
- Information and Assistance (Arts. 10 - 12)
- Institutions, consultations and dispute settlement (Arts. 13-14)
- Final Provisions (Art. 15)
 - Annex 1: Definitions
 - Annex 2: Technical Experts Groups
 - Annex 3: Code of Good Practice (Standards)

TBT Agreement: the coverage



Art. 1.3

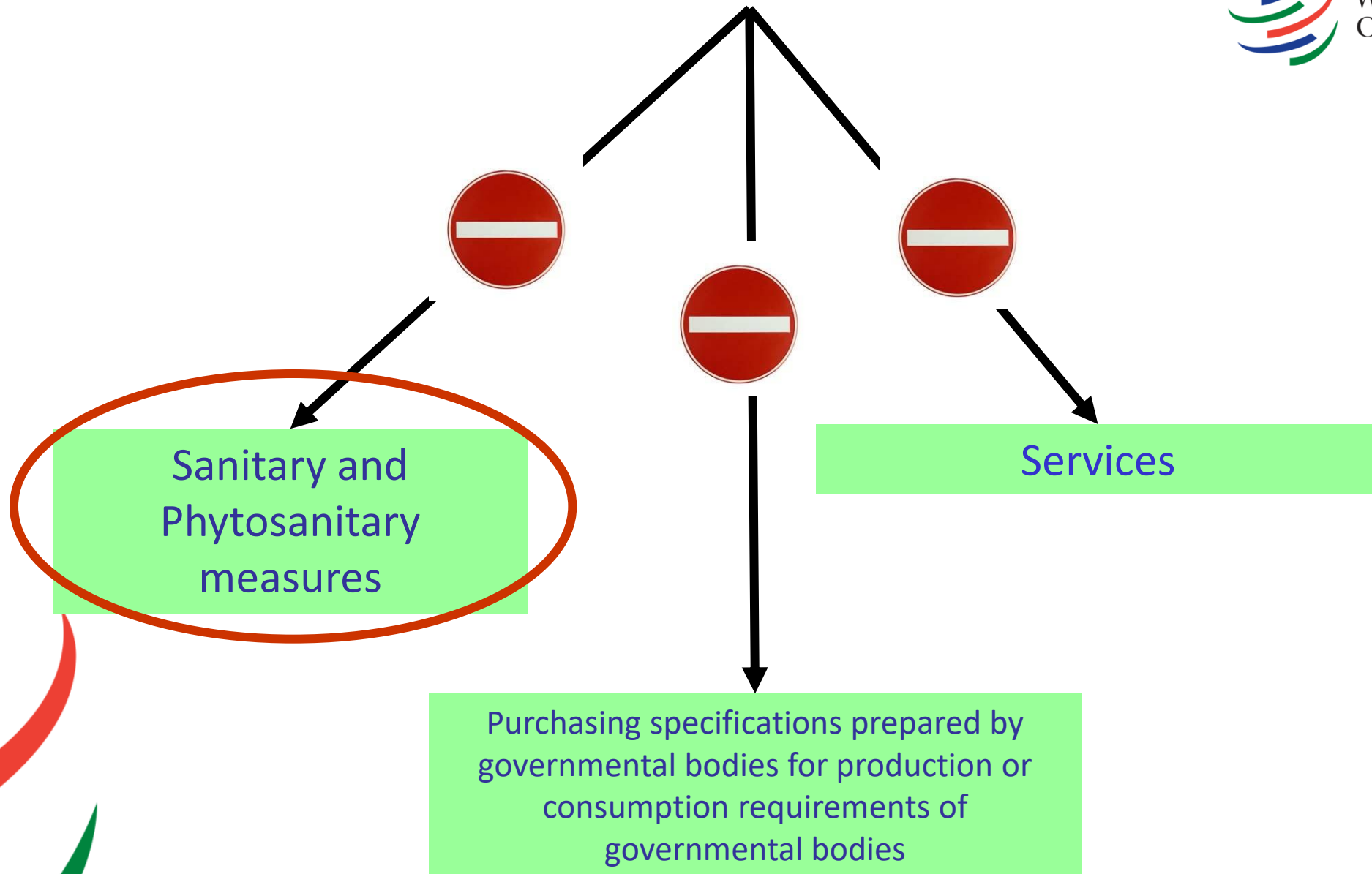


“All products, including **industrial** and **agricultural** products, shall be subject to the provisions of this Agreement.”

The TBT Agreement does not cover



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WHAT ARE TBT MEASURES?

TBT ???.....



Motor vehicles to be equipped with seat belts

Safety



Cigarette labelling

Human health

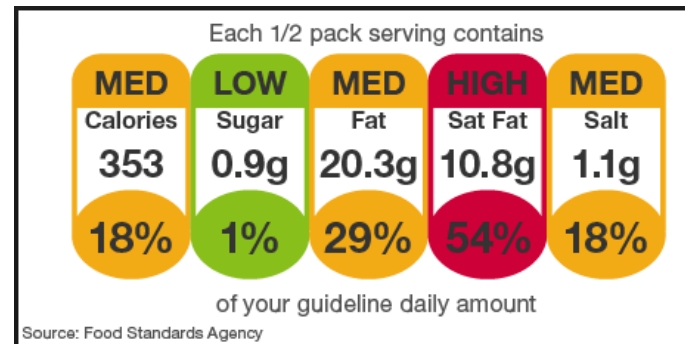


Bottled water for human consumption: Specifications on content, bottling and labelling requirements

Consumer information

Nutrition Facts	
8 servings per container	
Serving size	2/3 cup (55g)
Amount per 2/3 cup	
Calories	230
% DV*	
12%	Total Fat 8g
5%	Saturated Fat 1g
	<i>Trans Fat</i> 0g
0%	Cholesterol 0mg
7%	Sodium 160mg
12%	Total Carbs 37g
14%	Dietary Fiber 4g
	Sugars 1g
	Added Sugars 0g
	Protein 3g
10%	Vitamin D 2mcg
20%	Calcium 260mg
45%	Iron 8mg
5%	Potassium 235mg

* Footnote on Daily Values (DV) and calories reference to be inserted here.



Examples of TBT and SPS Measures



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Fruit

Regulation of treatment of imported fruit to prevent pests spreading?



Regulation on quality, grading and labelling of imported fruit?





Bottled Water: Specification for Bottles

Materials that can be used because safe for human health?

Requirement: no residues of disinfectant, so water not contaminated

Permitted size to ensure standard volume

Permitted shape to allow stacking and displaying

TBT «measures»

Technical
regulations

Standards

Conformity
Assessment
Procedures



- Technical regulation -

Annex 1.1



“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.”

- Technical regulation - Three criteria

EC – Asbestos
EC - Sardines

1. the document must apply to an **identifiable** product or group of products.
2. the document must lay down one or more **characteristics** of the product. These product characteristics may be intrinsic, or they may be related to the product. They may be prescribed or imposed in either a positive or a negative form.
3. compliance with the product characteristics must be **mandatory**

- Standard-



Annex 1.2

“Document approved by a **recognized body**, that provides, for **common and repeated use**, rules, guidelines or characteristics for products or related processes and production methods, with which **compliance is not 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.”

- Conformity Assessment Procedures-



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Annex 1.3

TBT AGREEMENT

“Any procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled.”

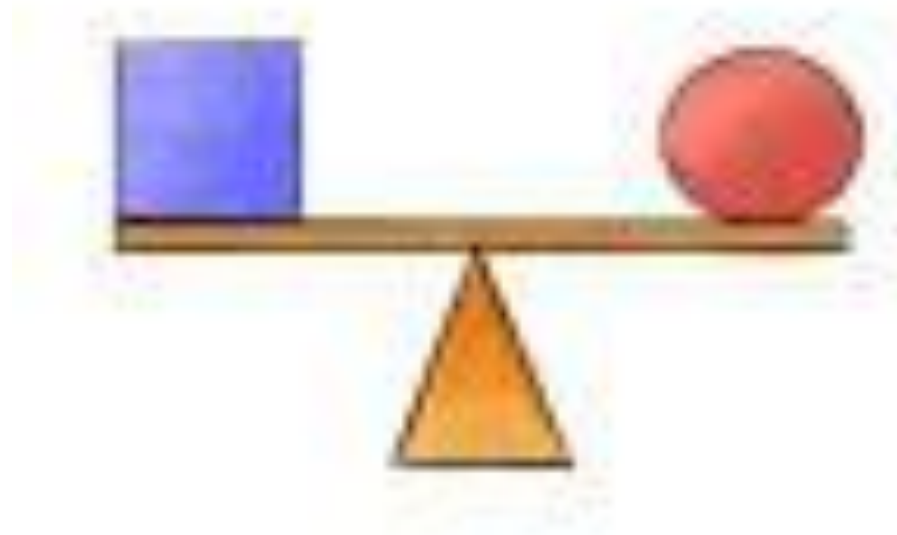
“Procedures for sampling, testing and inspection; evaluation, verification and assurance of conformity; registration, accreditation or approval as well as their combinations”

Objective of the Agreement



avoidance of
unnecessary obstacles
to international trade

allowing for regulatory
autonomy to protect
legitimate interests



promotion of international standards



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Article 2.1 of the TBT Agreement:

“Members shall ensure that in respect of **technical regulations**, products imported from the territory of any Member shall be accorded **treatment no less favourable** than that accorded to **like products** of national origin and to like products originating in any other country.”

Article 5.1 of the TBT Agreement

"Members shall ensure that, in cases where a positive **assurance of conformity** with technical regulations or standards is required, their central government bodies apply the following provisions to products originating in the territories of other Members:

5.1.1 **conformity assessment procedures** are prepared, adopted and applied so as to grant access for suppliers of **like products** originating in the territories of other Members under conditions **no less favourable** than those accorded to suppliers of like products of national origin or originating in any other country, in a comparable situation; access entails suppliers' right to an assessment of conformity under the rules of the procedure, including, when foreseen by this procedure, the possibility to have conformity assessment activities undertaken at the site of facilities and to receive the mark of the system;



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“like products”



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- (i) the properties, nature and quality of the products
(the physical properties of the products)
- (ii) the end-uses of the products
(the extent to which the products are capable of serving the same or similar end-uses)
- (iii) consumers' tastes and habits
(the extent to which consumers perceive and treat the products as alternative means of performing particular functions in order to satisfy a particular want or demand)
- (iv) the tariff classification of the products
(the international classification of the products for tariff purposes)

Like products

Different species of a **sardine**?

Clove cigarettes and menthol cigarettes?

Avoidance of unnecessary obstacles to international trade



Avoidance of unnecessary obstacles to trade



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Art. 2.2 – Technical regulations

“Members shall ensure that technical regulations are not prepared, adopted or applied with a view to or with the effect of creating **unnecessary** obstacles to international trade.

For this purpose, technical regulations shall **not be more trade-restrictive** than **necessary** to fulfill a **legitimate objective**, taking account of the **risks** non-fulfillment would create. ...”



“deconstruct” the concept of unnecessary obstacles



- Legitimate objective
- Necessity



- Legitimate objectives -

Art. 2.2



TBT Agreement

These legitimate objectives are, *inter alia*

1. National security requirements
2. Prevention of deceptive practices
3. Protection of human life or health
4. Protection of animal or plant life or health
5. Protection of the environment

- Necessity-



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Choice of the measure

- Existence of alternatives
 - Less restrictive alternatives
 - Proportionality



How to choose a measure?



On a case by case basis

The “necessity test”

The least trade restrictive alternative for a Member to achieve its regulatory (legitimate) objective, taking into account the **risks of non-fulfilment**.



UNNECESSARY BARRIERS TO TRADE

NECESSITY TEST



☰ Is the measure “more trade-restrictive than necessary”?

Four factors

The *Degree of contribution* made by the measure to the legitimate objective at issue;

The *trade-restrictiveness* of the measure;

The nature of the *risks* at issue and the *gravity* of consequences that would arise from non-fulfilment of the objective(s);

The existence of a *reasonably available less trade restrictive alternative measure* that would make an equivalent contribution to the relevant legitimate objective

☰ Idea of “weighting and balancing” as in GATT XX

- Assessment of risks -

Art. 2.2



Elements to consider

1. available technical and scientific information
2. related processing technologies
3. intended end-use of products

Use of international standards

Art. 2.4



« Where technical regulations are required and **relevant international standards** exist or their completion is imminent, Members **shall use them**, or the relevant parts of them, as a **basis** for their technical regulations

except when such international standards or relevant parts would be an **ineffective or inappropriate** means for the fulfilment of the **legitimate objectives** pursued, for instance because of fundamental climatic or geographical factors or fundamental technological problems”

Which international standards?



The TBT Agreement leaves each Member with the choice to decide which international standard is “**relevant**” in a particular situation

Note: The SPS Agreement lists the three relevant international standardizing bodies
(Codex, OIE, IPPC – the “three sisters”)

TBT Committee Decision on International Standards



- Principles:
 - transparency
 - openness
 - impartiality and consensus
 - relevance and effectiveness
 - coherence and
 - development dimension

Three fundamental questions



1. Does a **relevant international** standard exist?
2. Is the relevant international standard used **as a basis** for the technical regulation?
3. Is the international standard **ineffective or inappropriate** to achieve the legitimate objective?

TBT Agreement: using international standards



Members **shall** use...



relevant international standards

technical regulations
(Art. 2.4)

conformity assessment procedures
(Art. 5.4)

... as a *basis* for

when *ineffective or inappropriate* for policy objectives

(e.g. fundamental climatic or geographical factors, or technological problems)

except!



Justification / Presumption



Art. 2.5



“A Member preparing, adopting or applying a technical regulation which may have a significant effect on trade of other Members shall, *upon the request of another Member*, **explain the justification for that technical regulation** in terms of the provisions of paragraphs 2 to 4”

Whenever a technical regulation is prepared, adopted or applied for one of the legitimate objectives explicitly mentioned in paragraph 2, and is in accordance with relevant international standards, it shall be **rebuttably presumed not to create an unnecessary obstacle to international trade**”

Is it more difficult to challenge a measure based on an international standard?

Overview of the SPS Agreement

Objective and Scope

Definition of a SPS measure (Annex A): *A measure taken to protect:*

Human or animal health

from

risks arising from additives, contaminants, toxins or disease organisms in food, drink, feedstuff

Human life

from

plant- or animal-carried diseases

Animal or plant life

from

pests, diseases, disease-causing organisms

A country

from

other damage caused by entry, establishment or spread of pests



Pesticide MRLs



BSE-related restrictions



Measure to prevent introduction of fruit fly



Seed regulation to avoid introduction of exotic weeds

Overview of the SPS Agreement

Objective and Scope

All types of measures with these purposes, including:

- product criteria
- quarantine measures
- processing methods
- certification
- inspection
- testing
- packaging, labelling (food safety)



It is not the type of measure that counts, nor the products involved, but rather its objective.

Overview of the SPS Agreement

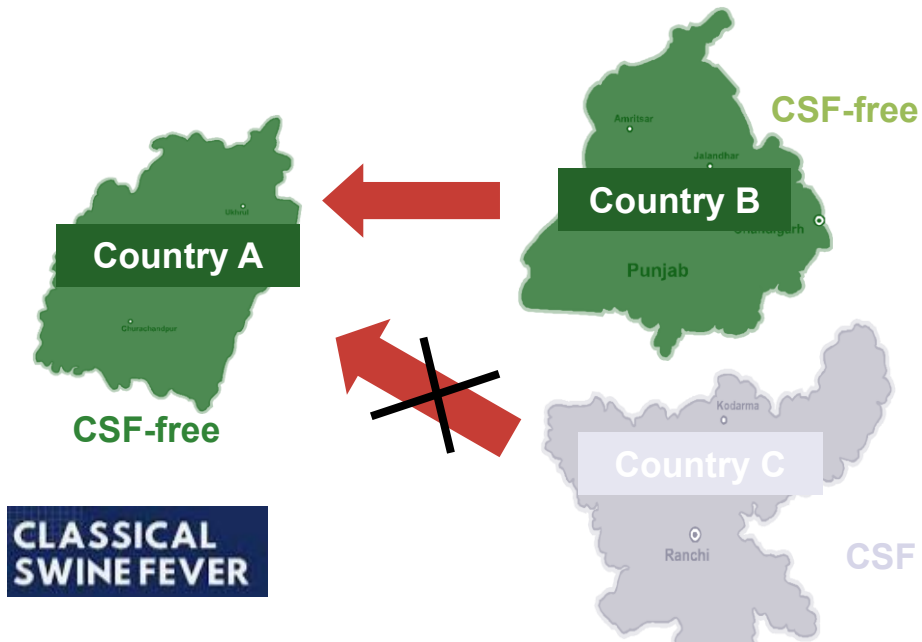
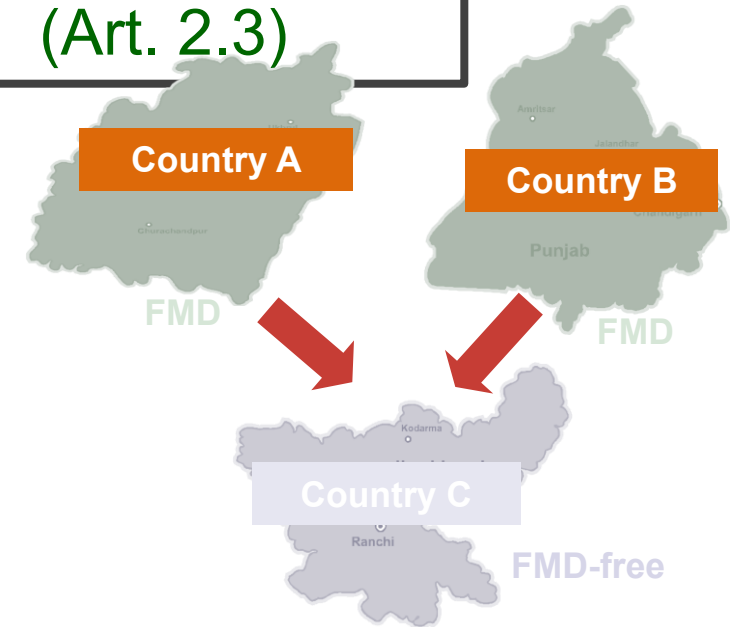
Key Provisions

1. Non-discrimination
2. Scientific justification
3. Least trade restrictive SPS measure
4. Equivalence
5. Regionalization
6. **Transparency**
7. Control, inspection and approval procedures
8. Technical assistance

Overview of the SPS Agreement: Key Provisions – Non-discrimination (Art. 2.3)

WORLD TRADE ORGANIZATION

- No **arbitrary or unjustifiable** discrimination:
 - between Members
 - between own territory and other Membersif similar conditions prevail.



Overview of the SPS Agreement

Key Provisions: Scientific Justification (Article 2.1)



SPS
measures
must be:

Based on **scientific principles**

Applied only to the **extent necessary** to protect human, animal or plant life or health

Not maintained **without sufficient scientific evidence**

Except as provided for in Article 5.7

Overview of the SPS Agreement

Key Provisions: Scientific Justification

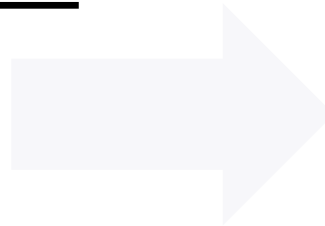


Measures must be based on:

International standards,
guidelines or recommendations
(Article 3.1)

OR

Risk Assessment
(Article 5)



- Appropriate to the circumstances of SPS risks
- Take into account risk assessment techniques developed by relevant international organizations

Risk assessment exception (Article 5.7):

- **Insufficient** scientific evidence; **Provisional** measure
- Seek to obtain **additional information**; Review measure within a **reasonable period of time**

Overview of the SPS Agreement

Key Provisions: Scientific Justification - Harmonization

Standard-setting organizations

(Annex A. Para. 3)

Food safety



Animal health



Plant health



Codex = Joint FAO/WHO Codex Alimentarius Commission

WOAH = World Organization for Animal Health

IPPC = International Plant Protection Convention (FAO)

Overview of the SPS Agreement

Key Provisions: Scientific Justification - Consistency

- Article 3.2: Measures that conform to international standards **shall be deemed to be necessary** to protect human, animal or plant life or health, and **presumed to be consistent** with the relevant provisions of this Agreement....



[G/SPS/15](#): Guidelines to Further the Practical Implementation of Article 5.5

Overview of the SPS Agreement

Key Provisions: Least Trade Restrictive (Article 5.6)

- Once a Member has determined the need for an SPS measure

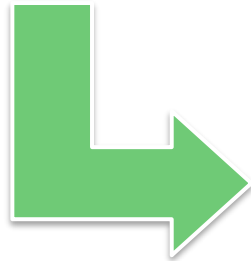
AND

- Has determined the **level** of protection needed,
 - The Member must select the **least trade restrictive measure** (technically and economically feasible) **to achieve their appropriate level of protection.**

Overview of the SPS Agreement

Key Provisions: Equivalence (Article 4)

If the exporting Member **objectively demonstrates** that its measures achieve the ALOP of the importing country



Members **shall**

accept SPS measures of other Members as **equivalent**



Overview of the SPS Agreement

Key Provisions: Regionalization (Article 6)

- **Adapt SPS measures** to characteristics of area (all or part of a country, all or parts of several countries) taking into account (Article 6.1)
 - prevalence of diseases or pests
 - existence of eradication or control programmes
 - criteria/guidelines developed by ISSBs
- Recognize concept of **pest- or disease-free areas** (Article 6.2)
- Exporters = **proof** (Article 6.3)



Overview of the SPS Agreement

Key Provisions: Control, Inspection & Approval Procedures

(Article 8 and Annex C)

- Any procedure to **check and ensure** the fulfilment of SPS measures (e.g. sampling, testing, certification, etc.)
- Members required to avoid unnecessary trade disruption and transaction costs:
 - No **undue delays**
 - Information requirements **limited** to what is **reasonable and necessary**
 - **Non-discriminatory** fees (not higher than actual cost of service)



Transparency in TBT/SPS

- Regulatory requirements / changes may affect market access
- Enhance clarity, predictability; facilitate trade
- Reduce trade disruptions/problems through advance warning
- Improve accountability and responsiveness of regulatory system
- Signal for a functioning system



Main Transparency Elements in the TBT and SPS agreements

Notification of draft regulations

Publication of regulations

Establishment of National Enquiry Point (NEP)

Designation of National Notification Authority (NNA)

Obligations under
the SPS & TBT
Agreements

Main Transparency Elements notification of drafts

Notification of draft regulations

WHAT TO NOTIFY?



- New or modified regulation



- No existing international standard or
Different than the international standard

- Significant impact on trade
(restricting or facilitating)

Same as International Standard

Notify

Main Transparency Elements notification of drafts

Notification of draft regulations

WHEN TO NOTIFY?

- Regular measures



Regular notifications shall be made at an **early stage** when amendments **can still be introduced** and comments taken into account before a regulation is finalized.

60-day comment period

- Emergency measures



Notify immediately!

Notification formats

Addendum – Modifications/additional information

Corrigendum – Correction of an error

Revision – Replace an existing notification

Supplement – Unofficial translations

SPS: Paras. 2.30-2.38 of [G/SPS/7/Rev.5](#)

TBT: Pages 159-160 of [TBT handbook](#) and G/TBT/59/Rev.1– Compilation of TBT notification formats and guidelines adopted at the TBT Committee meeting of 26-28 March 2025

NOTIFICATION



The following notification is being circulated in accordance with Article 10.6

1.	Notifying Member: <u>CHINA</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2.	Agency responsible: State Administration for Market Regulation (Standardization Administration of the P.R.C.) Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4.	Products covered (HS or CCN where applicable, otherwise national tariff heading, ICS numbers may be provided in addition, where applicable): Centrifugal pumps (HS code(s): 8413); (ICS code(s): 27.010)
5.	Title, number of pages and language(s) of the notified document: National Standard of the P.R.C., Minimum allowable values of the energy efficiency and energy efficiency grades for centrifugal pumps; (12 page(s), in Chinese)
6.	Description of content: This document specifies the energy efficiency grades, minimum allowable values of energy efficiency and testing methods and calculation methods for centrifugal pumps for fresh water and petrochemical centrifugal pumps. This document applies to single-stage single-suction centrifugal pumps for fresh water, single-stage double-suction centrifugal pumps for fresh water, multistage centrifugal pumps for fresh water, as well as single-stage single-suction petrochemical centrifugal pumps and single-stage double-suction petrochemical centrifugal pumps with closed (largest) impeller for transporting clean liquid.
7.	Objective and rationale, including the nature of urgent problems where applicable: Consumer information, labelling; Protection of the environment; Cost saving and productivity enhancement
8.	Relevant documents: -
9.	Proposed date of adoption: To be <u>determined</u> Proposed date of entry into force: 12 months after approval
10.	Final date for comments: 60 days from notification

11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:
WTO/TBT National Notification and Enquiry Center of the People's Republic of China
Tel : +86 10 57954633/ 57954627
E-mail: tbt@customs.gov.cn
https://members.wto.org/crattachments/2024/TBT/CHN/24_04952_00_x.pdf

TBT Notification template

29 July 2024

(24-5416)

Page: 1/3

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

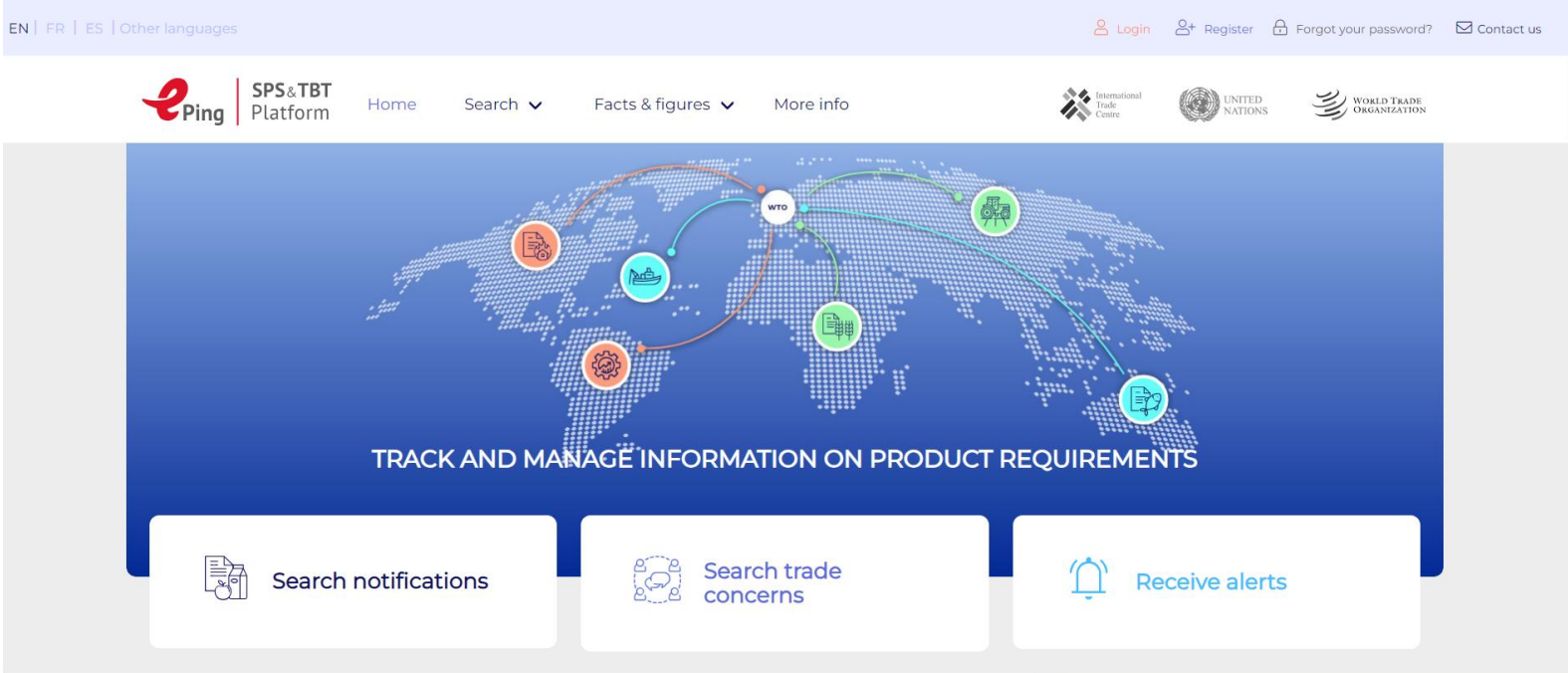
1.	Notifying Member: KAZAKHSTAN If applicable, name of local government involved:
2.	Agency responsible: The Eurasian Economic Commission
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Feed additives
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5.	Title of the notified document: Draft Decision of the Council of the Eurasian Economic Commission on the Rules for regulation of the circulation of feed additives in the customs territory of the Eurasian Economic Union. Language(s): Russian. Number of pages: 419 The draft document has been posted on the legal portal of the Eurasian Economic Union at: https://docs.eaeunion.org/ria/ru-ru/0106708/ria_07062024
6.	Description of content: The draft provides for the approval of the Rules for regulation of the circulation of feed additives in the customs territory of the Eurasian Economic Union (hereinafter - the Union), which include: <ul style="list-style-type: none"> - a unified procedure for the registration of feed additives, as well as other procedures related to <u>registration</u>; - a unified procedure for assessing the quality, safety and efficiency of feed additives and criteria for their <u>assessment</u>; - unified principles of information interaction in organizing and conducting state control (supervision) in the sphere of feed additives <u>circulation</u>; - unified forms of registration <u>documents</u>; - a unified register of feed additives registered under unified Union <u>rules</u>; - a unified information database on low-quality, unsafe feed additives, falsified and (or) counterfeit feed additives detected within the framework of state control (supervision) in the sphere of feed additives <u>circulation</u>; - a unified information database on adverse reactions in animals detected during the use of feed <u>additives</u>; - a unified register of producers of feed additives, the production of which is recognized as complying with the unified requirements of the Union.
7.	Objective and rationale: <input type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8.	Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):

<input checked="" type="checkbox"/>	World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number): Terrestrial Animal Health Code, Chapter 6.4
<input type="checkbox"/>	International Plant Protection Convention (e.g. ISPM number):
<input type="checkbox"/>	None
Does this proposed regulation conform to the relevant international standard? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, describe, whenever possible, how and why it deviates from the international standard:	
9.	Other relevant documents and language(s) in which these are available:
10.	Proposed date of adoption (dd/mm/yy): To be determined. Proposed date of publication (dd/mm/yy): To be determined.
11.	Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): To be determined. <input type="checkbox"/> Trade facilitating measure
12.	Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 27 September 2024 Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body: Ministry of Trade and Integration of the Republic of Kazakhstan Department for Foreign Trade Activity 8 Mangilik Vel ave., "House of Ministries" Adm. Bldg., Entrance 7 Nur-Sultan, Republic of Kazakhstan, 010000 Tel: +7 7172 74 37 61 +7 7172 76 86 02 Fax: +7 7172 76 88 04 E-mail: wto.kaz.ntf@gmail.com The Eurasian Economic Commission Department for Sanitary, Phytosanitary and Veterinary Measures 2 Letnikovskaya St., bld.1/2 115114 Moscow, Russian Federation Tel: +(7 495) 669 2400 (ext. 5151) Fax: +(7 495) 669 2415 E-mail: info@eeccommission.org dept_sps@eeccommission.org

SPS Notification template

How to notify?

- Online using the [ePing SPS&TBT Platform](#)
- By email to the Central Registry of Notifications (CRN) at crn@wto.org



The screenshot shows the ePing SPS&TBT Platform website. The header includes language options (EN | FR | ES | Other languages), user actions (Login, Register, Forgot your password?, Contact us), and navigation links (Home, Search, Facts & figures, More info). The main content area features a world map with icons representing various trade-related activities and the text "TRACK AND MANAGE INFORMATION ON PRODUCT REQUIREMENTS". Below the map are three prominent buttons: "Search notifications", "Search trade concerns", and "Receive alerts".

What if a measure contains both **SPS** and **TBT** elements?

Notify according to both Agreements

Indicate which parts fall under:

- SPS (e.g. a food safety measure)
- TBT (e.g. quality or compositional requirements)

SPS: Para. 2.39 of [G/SPS/7/Rev.5](#)

TBT: pages 12-16 and 112 of [TBT handbook](#)

Main Transparency Elements publication



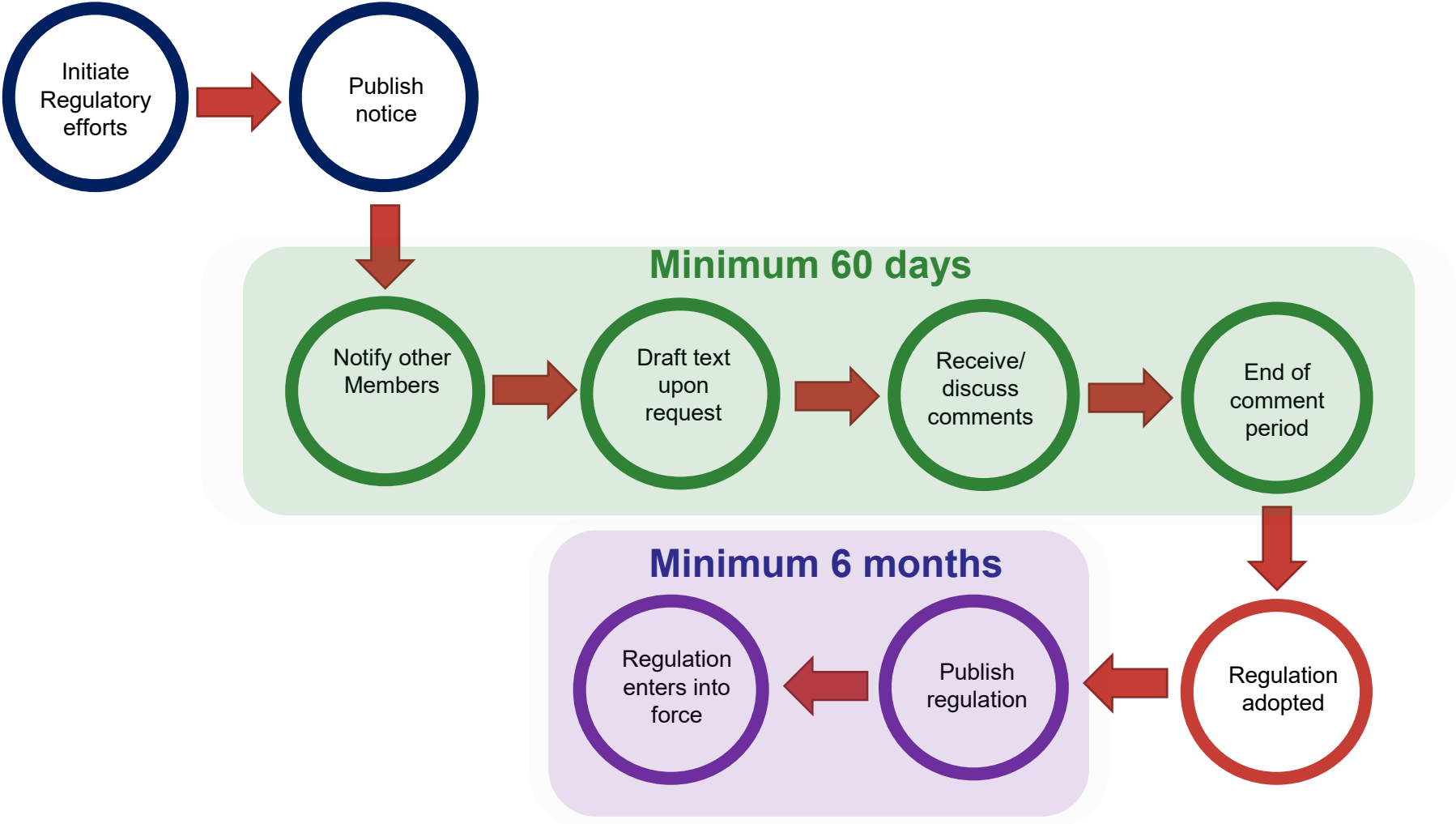
WORLD TRADE
ORGANIZATION

Publication of regulations

- Members to publish all adopted regulations promptly
- Except in urgent circumstances, allow **reasonable interval** between publication and entry into force
 - Normally entry into force **6 months after date of publication**
 - If trade facilitating, do not delay (WT/MIN(01)/17, para. 3.2)

SPS: Annex B, paras. 1 and 2 of the SPS Agreement (and paras. 4.1-4.5 of [G/SPS/7/Rev.5](#)).
TBT: pages 41-42, 125-126 of [TBT handbook](#)

Regulatory timeline



Main Transparency Elements



Establishment of National Enquiry Point (NEP)

- Provides answers to all **reasonable questions** from interested Members and relevant documentation...
- ...regarding **any SPS (or TBT) regulation adopted or proposed within its territory...**
- There can be one or more than one National Enquiry Point, but clearly define responsibilities
- National Enquiry Point can be the same as the National Notification Authority

SPS: Annex B, para. 3 of the SPS Agreement (and paras. 3.1-3.6. of [G/SPS/7/Rev.5](#));

[Practical manual for SPS national notification authorities and SPS national enquiry points.pdf](#)

TBT: pages 38, 41, 64-65 and 134-138 of [TBT handbook](#)

2. Main Transparency Elements



Designation of National Notification Authority (NNA)

- Single central government authority responsible for the implementation of notification requirements of the SPS and TBT Agreements
- Only one NNA
- Notifications to be submitted in English, French or Spanish

SPS: Annex B, Paras. 7 and 10 ([G/SPS/7/Rev.5](#));

[Practical manual for SPS national notification authorities and SPS national enquiry points.pdf](#).

TBT: page 66 of [TBT handbook](#)

IN ADDITION, FOR TBT



STATEMENT ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT - OBLIGATION TO NOTIFY

- A statement on the measures in existence or taken, including their changes, to ensure the implementation and administration of the TBT Agreement (Art. 15.2)
 - Relevant laws and regulations, including names of publications;
 - Time allowed for comments;
 - Name and address of enquiry point(s), other national authorities and agencies.

See: Guidelines for submitting Article 15.2 notifications adopted at the TBT Committee meeting of 13-15 March 2024 [G/TBT/55](#)

NOTIFICATIONS RELATED TO STANDARDS

- To be submitted to ISO/IEC information Centre

To summarize: Sanitary and Phytosanitary Measures

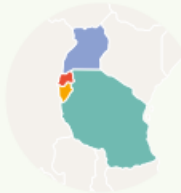
- Basic documents: G/SPS/7/Rev. 7
- Annex B para. 10 - “one-time” National Notification Authority (NNA)
All Members ->
- Annex B para. 3 - “one-time” National Enquiry Point (NEP) –
All Members ->
- SPS measures not based on international standards...
– *ad-hoc* – ()

2025 SPS Transparency Overview - 5 Key Facts



65 Members submitted a total of **2,496 notifications** of new or modified SPS measures, a new annual record!

Four least developed country (LDC) Members, **Burundi, Rwanda, Tanzania** and **Uganda**, are among the top 10 notifiers of regular notifications in 2025.



The highest share (63%) of regular notifications submitted refer to **food safety**; 94% of the emergency notifications submitted refer to **animal health**.

Members discussed **80 STCs**, including **21 new** concerns; **19 Members** raised at least one STC.



A total of **347 (56%) STCs** have been reported as **resolved** or partially resolved since 1995.



To summarize: Technical Barriers to Trade (1)



- Basic document: G/TBT/1/rev.15
- Art. 15.2, 10.2 and 10.10 - “one-time”-
 - Art. 15.2: Statement on the implementation and administration of the Agreement
 - Art. 10.2: Enquiry point(s): Art. 10.10: Designation of a Government authority for implementation of notification obligations
- Technical regulations and CAPs – *ad-hoc* →

To summarize: Technical Barriers to Trade



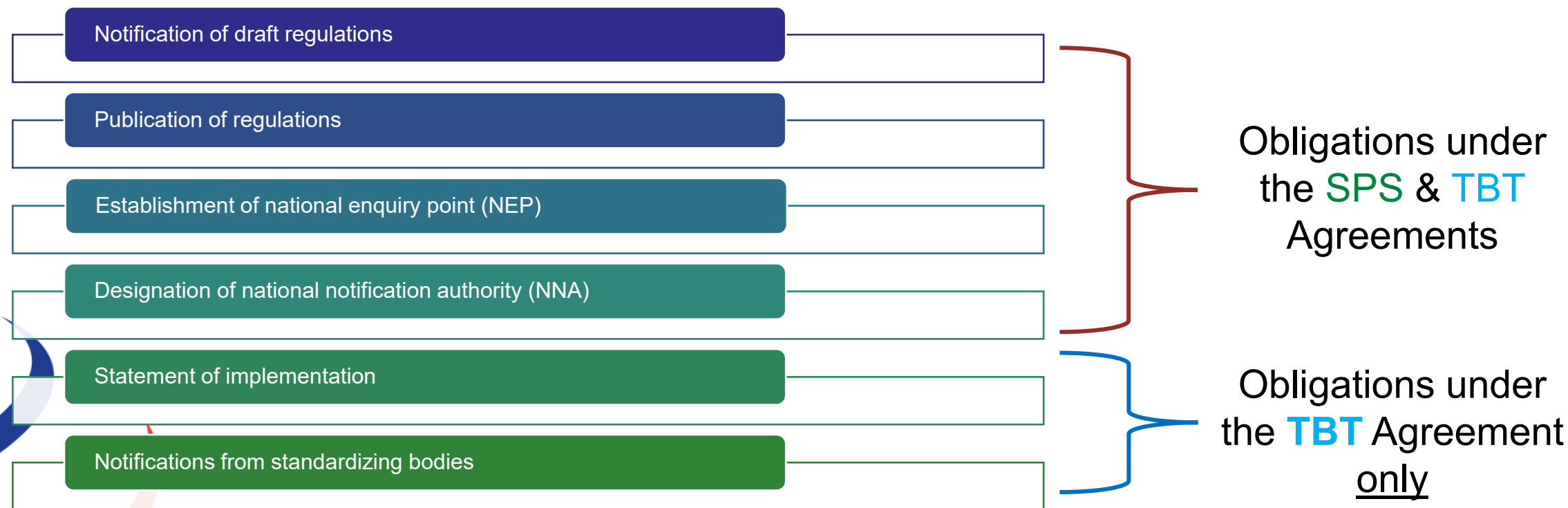
- **Annex 3 - Code of Good Practice – paragraph C
“one-time” - ISO/IEC Information Centre in Geneva
Notification of standardizing bodies having accepted the Code –**

All Members

- **Annex 3 - Code of Good Practice – paragraph J “every six months” - ISO/IEC
Information Centre (send to: tbtcode@iso.org see <https://tbtcode.iso.org>)
Work programme on development of standards**

All standardizing bodies having accepted the Code

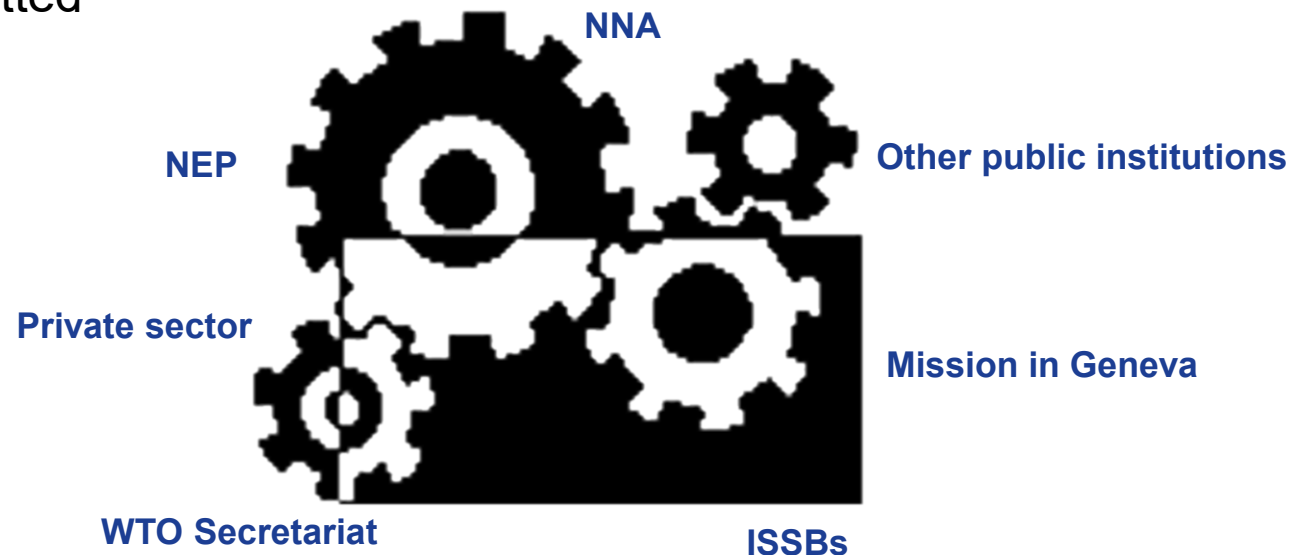
Main transparency elements – Recap



Beyond Obligations

National Enquiry Point or National Notification Authority could:

- Track/ filter/disseminate SPS/TBT documents and notifications to interested parties
- Alert other government agencies, private sector, other stakeholders of important changes
- Coordinate/submit comments on notifications of concern to trading partners
- Follow-up on comments submitted



What does it take?



- Awareness by public and private sector
- Commitment/motivation of individuals/teams
- Accountability
- Coordination
- Procedural guidelines for continuity
- Basic communication tools; access to internet
- Some training
- Some external pressure

• ...





**ePing
SPS&TBT
Platform**
Centralized platform
integrating SPS and TBT IT tools.

The diagram features a central semi-circular graphic with a green-to-blue gradient. Six lines radiate from this center to small blue circles, which are further connected to larger green circles. These green circles are aligned with six horizontal callout boxes on the right side of the page, each containing a specific feature of the platform.

SEARCH SPS AND TBT NOTIFICATIONS AND RECEIVE EMAIL ALERTS

on new or changed regulations using specific search criteria. Registered users can also create search filters, follow-up on favourite notifications and interact with other users. It is also possible to receive daily or weekly emails on notifications of interest. [Delegates can also register to eSubs to receive email alerts on SPS and TBT documents].

SEARCH TRADE CONCERNS

discussed in the SPS and TBT Committees. The Trade Concerns Database (TCD), also accessible from the ePing SPS&TBT Platform, contains more information on STCs discussed in WTO Committees.

SEARCH SPS AND TBT DOCUMENTS

other than notifications, circulated in the SPS and TBT Committees, using specific search criteria. [Documents can also be searched for in WTO Docs Online].

REACH OUT TO OTHER USERS

Registered users can participate in national fora to exchange on notifications, view discussions on international fora and share notifications with stakeholders. Outreach admins can activate national fora and participate in international fora on notifications, chat with other admins on topics of their choice, and manage groups to share information with users and non-registered contacts.

PREPARE FOR UPCOMING COMMITTEE MEETINGS

by accessing eAgenda through the ePing SPS&TBT Platform, using the single sign-in credentials. Users with relevant eAgenda rights can access detailed information on the SPS and TBT Committee meetings and add interventions, raise STCs and upload their statements for upcoming meetings.

SUBMIT NOTIFICATIONS ONLINE

to enhance accuracy, efficiency and domestic coordination. Notification admins can submit notifications, as well as grant notification submission rights or drafting rights only to other domestic registered users.

For further information, check:

https://www.wto.org/english/tratop_e/spis_e/transparency_toolkit_e.htm.

https://www.wto.org/english/tratop_e/tbt_e/tbt_transparency_toolkit_e.htm.

Please use the "Contact us" tab in the ePing SPS&TBT Platform to request credentials for the restricted functions.

Outreach and notification admin rights are managed by the WTO Secretariat and granted upon request, mainly to officials from national notification authorities and enquiry points.

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