2023

FICCI Report on Non-Tariff Barriers



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ASEAN

Indonesia

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Pharmaceuticals	Registration Barriers	**Holding own Assets like Marketing Authorisation & filing Registrations**: Local entities/Representative offices cannot invest in Registration with BPOM (National Agency of Drug and Food Control) & hold Marketing Authorisations without having manufacturing facilities.	Indonesian Government should allow holding Market Authorisations under Registered office or Representative Offices as it is done in other ASEAN Countries (Vietnam, Myanmar, etc).
2.	Pharmaceuticals	Registration Barriers	**Registration Renewals**: Imported products cannot renew their registrations if local manufacturing starts (investments done by companies in Assets during registration).	Once an imported product is approved or Registered with Marketing Authorisation it should be valid for at least 10 years (if not, at least renew once after 5 years). This will motivate companies to invest and build Assets.
3.	Pharmaceuticals	Procurement restrictions	**New restrictions for tenders**: Tender participation is main business in Indonesia, and it is becoming more difficult. • Introduction of TKDN[1] scoring mechanism (points for local	Indonesian Government should allow fair participation without riders based on quality and price.

[1] A TKDN (Tingkat Komponen Dalam Negeri or the portion of cost carried out in Indonesia) certificate serves as proof of the legality of the value of the domestic component level in a product

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			sourcing & manufacturing) where price preference would be given. • Article 67: The price preference applies to Goods procurement, as follows: ○ It applies to goods having a minimum TKDN of 25% (twenty-five percent) ○ It is considered in the evaluation of the bid price that has satisfied the administrative and technical requirements.	
4.	Pharmaceuticals	Local sourcing requirement	**Local API procurement**[2]: New list of products released for which the API must be procured from local source only (sourcing for just one country becomes difficult and expensive for Indian exporters).	Instead of stating API must be procured from local source only, specific quality requirement should be stated.
5.	Automotive: Commercial Vehicles	Quota Restriction	Import of CBU[3] vehicles is restricted basis permit availability. There is a policy of granting quota/permit for every CBU model being imported in the country.	The Government should negotiate with the Indonesian Government for doing away with quota system for CBU vehicles

[2] https://ssek.com/blog/new-local-content-regulation-for-pharmaceutical-products-in-indonesia/

[3] CBU - Completely Built Unit

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
			There is an unofficial Quota restriction of 30 units max per Model for every two months on an average for import of Commercial Vehicles in CBU condition. This condition is an entry barrier (NTB) because of which Indian OEMs are not able to ramp-up the Volume. This NTB is to promote local assembly but restricts Indian OEMs to max 180 units CBU import in a year for one model. Therefore, every time the companies export another lot, there is a need to apply for permit. Permits are also not granted easily & requires lots of follow ups. The companies end up carrying stocks for longer time & sometime lose customer orders as well. Further, due to India-ASEAN Free Trade Agreement (against an import duty of 5%), it is difficult to justify local assembly as it turns out to be more expensive.	
6.	Automotive: Commercial Vehicles	Financing Concern	Inspite of having tie up with most of the banks / NBFC's, getting finance for vehicles is extremely difficult. The companies struggle to execute	Indian Bank Support system to enable easy finance for Indian OEM's.

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			orders because of non-availability of finance. Local financiers do restricted funding to customers if they intend to buy Indian make Commercial Vehicles whereas if same customer wants to buy non-Indian Brand, financiers do not have any restriction. Most of the banks /NBFC's have Japanese Influence.	EXIM bank can extend line of credit to Indonesia government banks/Indian banks based out in Indonesia. Indian government may consider giving collateral to Indian PSU bank operating in Indonesia to provide retail finance.
7.	Boneless Meat of Buffalo (Chilled/Frozen) 02013000 02023000	Import allowed by Government agencies only	Indian Buffalo meat is highly regulated and controlled for import into Indonesia as imports are canalized through State Owned Enterprises (SOEs). Indonesia does not impose the above restrictions on other exporting countries like Australia, New Zealand, USA & Spain who are permitted to export freely to the Indonesian distributors directly. The Indonesian Government is deliberately discriminating against Indian Buffalo meat. The bias is unwarranted and intentional hurdles are being created to curb the imports of Indian origin buffalo meat.	• The exports of buffalo meat to Indonesia can be increased substantially if Indian meat exporters are permitted to deal / supply directly to the Indonesian importers / distributors. • Indian government should discuss this issue with the Indonesian government, suggesting them to allow impots of Indian Buffalo Meat by the private importers also in addition to the state-owned Enterprises (SOEs) as permitted for other ASEAN nations.

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
8.	Boneless Meat of Buffalo (Chilled/Frozen) 02013000 02023000	Import allowed only through one port	Unlike meats from other countries, Indian origin Buffalo meat is only permitted to be imported through a single port in Indonesia, namely, Tanjung Priok in Jakarta.	Allowing imports of Indian origin Buffalo meat at other strategic ports would substantially contribute towards increasing exports. Not only would this aid in greater penetration of Indian Buffalo in the Indonesian market, the distribution of Buffalo meat by the SOEs would be more efficient and economical as they would save on domestic logistics cost.
9.	Boneless Meat of Buffalo (Chilled/Frozen) 02013000 02023000	Quota restriction	The import of Indian Buffalo meat is subjected to Quota restrictions which is 100,000 MTs per annum.	Since India has the potential to supply much greater volumes and the trend in the Indonesian market of buffalo meat consumption has steadily increasing, it would be fair to request the Indonesian Government to consider enhancing the annual quota to at least 200,000 MTs per annum.
10.	Power	Procurement Restriction	PT PLN (Indonesian Govt. Utility Company) has stringent Pre-Qualification requirement for major Power Plant Equipment that such equipment should be supplied from only OECD member countries. It restricts Indian companies to participate in their tenders.	The government should discuss this issue at G2G level, seeking participation of Indian companies in the power equipment tenders as well.
11.	Palm Oil	Workforce Mobility	**Workforce Mobility:** For Indian corporates that have acquired Indonesian palm oil plantations, the	Government should seek a clause allowing the acquiring corporate to bring in its

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			main hurdle is the labour problem. There is a chronic shortage of semi-skilled/ unskilled labour in Indonesia.	own labour personnel for at least 50% of the total workforce.
12.	Palm Oil	Export Taxes	Indonesian Government levies an export duty on export of Crude Palm Oil.	**Minimise the Export Tax on Palm Oil:** When the commodity is sourced from the plantation owned by an Indian corporate and the export is happening to India, there can be a concessional treatment on export tax.

Other General Barriers

- Stringent regulatory provisions for remittance from India (in case if shareholders want to support for additional funds after establishment of the company in foreign geography)
- Mandatory Regulatory requirement of inclusion of local shareholder with 5% stake in business and having members in board of directors and board of commissioners, which becomes challenging for new entrant to find investor before commencement of operations.
- For Exports to Indonesia, the exporters face difficulties as the Indonesian importers must comply with numerous and overlapping import licensing requirements that impede access to Indonesia's market. The regulation requires all importers to obtain an import license as either importer of goods for further distribution (API-U) or as importers for their own manufacturing (API-P), but they cannot obtain license for both activities.

Malaysia

S. No.	Product/ Sector (HS Code may also be provided for specific product)	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Formulations	Conformity Assessment (including Testing, Certification, Inspection, Traceability)	a) Country specific COPP[4] requirement. b) Bio study requirement against Malaysia comparator or sameness comparison with Bio study reference product from US/EU if innovator manufacturing site is different.	a) Condition may not always be fulfilled, India should negotiate these terms b) A bio-equivalence study merely compares the drug levels as compared to the original drug in-vivo. There is no clinical efficacy evaluation. India should immediately negotiate to accept Indian bioequivalence (BE) studies conducted in BE centers accepted by US FDA, etc.

[4] COPP – Certificate of Pharmaceutical Products

Myanmar

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Pharmaceuticals	Conformity Assessment (including Testing, Certification, Inspection, Traceability)	a) For registration, samples with minimum shelf life of 85 % is required, as a result unable to file new product in Myanmar b) COPP with Yes clause is required. In certain cases, the product is developed only for export based on marketing plan, hence COPP with Yes clause is not possible.	a) Recognition of compliance inspections can be an effective step towards reducing duplicative tests and trials. By entering into Mutual Recognition Agreements with the concerned agencies in these countries, it may be possible to fast-track applications and address other concerns regarding testing and certification requirements. b) COPP with NO clause, provided relevant justification is shared.

Philippines

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Formulations	Conformity Assessment (including Testing, Certification, Inspection, Traceability)	Biostudy requirement against Philippines innovator or sameness comparison with Biostudy reference product from US/EU if innovator manufacturing site is different.	A bio-equivalence study merely compares the drug levels as compared to the original drug in-vivo. There is no clinical efficacy evaluation. India should immediately negotiate to accept Indian bioequivalence studies conducted in BE centers accepted by US FDA, etc.
2.	Boneless Meat of Buffalo (Chilled/Frozen) 02013000 02023000	Restricted market access	• Philippines have always imposed restriction that Indian meat can only be utilized for further processing into value added products by meat processors. Philippines have imposed this restriction as they are OIE recognized FMD free country. This restriction has only been imposed on Indian meat and not on imported meat from other origins like Australia, Brazil, Argentina and the EU. It is a clear discrimination and although the demand for meat is very high from other sectors like modern retail sector, hotel and catering sector and the wet market	Indian government should seek removal of this restriction by the Indonesian Government.

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
			but the industry is unable to cater to them due to this restriction. • Only deboned and deglanded frozen buffalo meat is allowed for imports from India. The Indian meat exporters are following the guidelines as per Terrestrial Animal Health Code of the OIE; especially Article 8.8.22[5], which ensures that no FMD virus transmission occurs by the export of deboned, deglanded frozen buffalo meat. OIE permits import of Buffalo meat from FMD infected countries.	

[5] Article 8.8.22 specifically lists the conditions required for the safe importation of fresh meat of bovines from FMD infected countries or zones, where an official control programme exists. As provided under the Article, the carcasses are chilled at a temperature of 2-4^{o}C for minimum 24 hours which bring down the pH value below 6.0. There is absolutely no chance for FMD virus to pass through deboned and deglanded meat having a pH value below 6.0. **Hence, deboned deglanded frozen buffalo meat exported from India is safe and risk free.**

Thailand

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Formulations	Conformity Assessment (including Testing, Certification, Inspection, Traceability)	Non acceptability of EU/US innovator with different manufacturing sites as compared to Thai innovator in biostudies or Pharmacokinetics (PK studies).	A bio-equivalence study merely compares the drug levels as compared to the original drug in-vivo. There is no clinical efficacy evaluation. India should immediately negotiate to accept Indian bioequivalence studies conducted in BE centers accepted by US FDA, etc.

Other Non-Tariff Issues with multiple ASEAN Nations

- **Toys (HSN Code 9503)** - Different countries have different conformity assessment procedures and regimes to certify toys to standards that are (in most instances) aligned with international standards for toy safety and quality. Nations like Indonesia, South Korea, China, EU and Malaysia all require toy products to show that they have met standards, but each country defines tests and enforces their standards differently (example- Indonesia – SNI; South Korea – KC Certification; China – CCC Certification; EU – CE Scheme; Malaysia – MC). The different regimes, with their different requirements for testing to a similar standard creates additional burden and costs for toy products entering different markets.

  Suggestion - For ease of doing business and simplification of procedures, there should be a Mutual Recognition Agreement (MRA) with these partner countries around the conformity assessment procedures for toys' safety and quality.

- **Gems and Jewellery** - The ASEAN region imposes non-tariff barriers such as pre-shipment inspection and other entry requirements. Exporters of gold jewellery are required to go through a very extensive and often cumbersome documentation that mandates submission of hard copies.

Suggestion – It is suggested that to transform this process into electronic format. Submission and verification of key documents related to shipping, funding, and Bank Realization Certificates (BRC), should be done electronically.

Australia

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Generics	a) Price Control Measures	a) Pharmaceutical Benefits Scheme (PBS) is part of the Australian Govt's broader National Medicines Policy under which the government subsidizes the cost of medicine for most medical conditions.	a) India must gain access to the alternate resolution provision, and the listing, pricing & selection processes of the PBS through its FTA mechanism.
		b) Regulatory barriers	b) Getting regulatory clearance in Australia is much more time-consuming (nearly 11 months) which can result in sunk cost for the firm.	b) Utilization of data and approvals reference regulatory authorities to expedite the drug approval process may be suggested as existing exceptions to the timeline are difficult to avail due to the associated conditions.
		c) Intellectual Property Rights & patent protection	c) IP Protection can be extended up to 25 years for pharmaceutical substances.	c) The Indian Government should advocate for lower extensions to allow timely entry of generic products on the market.
		d) Packaging and labelling requirements	d) There are 2 basic instruments pertaining to packing medicinal products, (i) Code of Practice for Tamper-Evident Packaging of Therapeutic Goods and (ii) Therapeutic Goods Order 95 – Child-resistant packaging requirements for medicines	Although, these requirements do not cast significant burden on large Indian pharmaceutical companies, however, this may be onerous for Medium, Small and Micro Enterprises (MSME).

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
			("TGO"). India does not have a similar legislative instrument. Further, Australia's new labelling rules, TGO 91 and 92, require more prominent labelling of active ingredients, which differs from **India's Drugs and Cosmetics Rules 1945**. Exporters face additional compliance costs due to this disparity.	
2.	Gems and Jewellery	Export related measures (export taxes, export quotas or export prohibitions)	One notable challenge faced by exporters of Cut and Polished Diamonds (CPD) is the mandatory requirement to export through Singapore Airlines based on client demands, which often results in elevated expenses.	It is suggested that government should provide more export options, allowing exporters to choose from various agents rather than being restricted by the preferences of the importing client. This diversification would lead to increased flexibility and potentially more cost-effectiveness in exports.

Canada

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Pharmaceuticals	Labelling Requirements	In Canada, *bilingual labelling in French and English* is a mandatory requirement, which is not currently implemented in the Indian market. Additionally, different types of drugs may have specific labelling requirements, leading to increased compliance costs.	Although, these requirements do not cast significant burden on large Indian pharmaceutical companies, however, exploring potential solutions or exemptions for **MSMEs regarding bilingual labelling** requirements could help mitigate the compliance burden and reduce costs for these businesses.
2.	Pharmaceuticals	Price Controls	In Canada, patented medicine prices are regulated by the **Patented Medicine Prices Review Board**. The pan-Canadian **Pharmaceutical Alliance** (pCPA) negotiates prices with provincial governments for drugs supplied to public health programs. Negotiations result in a letter of intent, and manufacturers then negotiate individual product licensing agreements with each province based on these letters. This leads to non-uniform pricing across provinces, and public drug plans are not required to list drugs negotiated with the pCPA, potentially introducing additional criteria or limitations in each province.	The Indian Government may consider asserting the need for the relaxation of the fixed price policy.

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
3.	FIBC & PP Woven Sacks (63053200, 63053900, 63053300, 39269080, 392690, 39269099, 3923909001, 63053300, 630533, 630539, 3923299003)		FIBC from India has become 16% costlier due to cost benefits provided for imports from Bangladesh and other countries. Tariff rates faced by Indian exports in Canadian markets are significantly higher than other import partners of Canada (USA, Mexico, Japan etc.). Indian companies also face several non-tariff barriers which include anti-dumping and anti-subsidy cases.	India can export increased quantity of FIBC/PP Bags to Canada if upcoming FTA gives equal benefit to Indian export of FIBC/PP bags to Canada as that given to WTO Designated LDC Countries such as Bangladesh, Liberia etc.
4.	Gems and Jewellery	Export related measures (export taxes, export quotas or export prohibitions)	Exporters exporting Cut & Polished diamonds (CPD) often face certain export-related measures that include export taxes, quotas, or prohibitions. A significant obstacle emerges due to the reliance on only one courier service - FedEx, for export services to Canada. The high costs associated with shipping large volume shipments through FedEx increases the cost of exports.	The government should explore options to introduce alternative export services at more affordable rates, thus promoting a more competitive and accessible export environment.

Japan

GENERAL NON-TARIFF BARRIERS

- **Labelling and Language**: Japan follows specific labelling requirements for Japanese market. It seeks the labels should be printed in Japanese language.

SECTOR SPECIFIC NON-TARIFF BARRIERS

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Sports Goods & Toys (Chapter 95)	Technical Barriers to Trade (Regulations related to Standards)	**Japanese Inspection system**: The Japan Industrial Standards (JIS) prescribes its specific technical requirements, including its own inspection system and packaging requirements which are different from what is prescribed by other countries. Japanese Inspection System calls for 100% inspection whereas, other countries do random inspection. The Indian test houses which are signatories to International Laboratory Accreditation Cooperation (ILAC) are also not accepted by Japan. The Indian exporters have limited access to testing facilities for exporting to Japan which are required to be	There is a need to seek relaxation of 100% inspection for exports to Japan. Testing facilities for export to Japan need to be increased.

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
			increased in order to boost the exports to Japan.	
2.	Sports Goods & Toys (Chapter 95)	Rules of Origin Criteria	Provision of Rules of Origin (RoO) under India-Japan CEPA, non-originating material should not exceed 7% of the weight of good. The said clause limits India's exports to Japan as certain raw materials are non-existent in India (Willow & Cane for Cricket Bats), necessitating imports of such articles from third countries. This restricts the market access to Japan due to the limit of 7% of the weight of the good and hurts India's overall export of sports goods & Toys to Japan.	The matter should be referred to the sub-committee on RoO under India Japan CEPA.
3.	Sports Goods & Toys (Chapter 95)	Sanitary and Phytosanitary Measures	Toys entering the Japanese market are required to comply with the Japan Food Sanitation Law (JFSL) and/or the Japan Toy Safety Standard (ST Standard). JFSL is a legislative mandatory requirement for toys intended for children up to the age of 6, whereas the ST standard is a popular voluntary standard established by the Japan Toy Association (JTA) for toys intended for children up to the age of	The list of accredited labs should be provided by the concerned authorities to facilitate ease of doing business.

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
			14. Similarly, the Sports Goods require the S mark or the SG Mark. To export to the Japanese market, the products have to be tested in Japanese authorised list of testing labs. However, the list of these accredited labs available in India is not known to Indian exporters.	
4.	Steel	Technical Barriers to Trade (Certifications)	• Stringent rules of product certification. • Labelling standards and import approval requirements. • Lengthy and tedious technical approval process.	• Develop a mechanism for the Indian steel industry to access the steel markets in Japan using their trading houses and industry forums. • Jointly explore trade with third countries. • Modify the FTAs to a) Introduce a permanent safeguard duty clause at the prevailing MFN rate b) introduce a quantitative restriction (QR), limited to essential imports, above which the existing basic customs duty shall apply. c) 'Include Melt & Pour' provisions to prevent circumvention of imports into India d) Inclusion of suo moto safeguard measures by the competent authority

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
5.	Gems and Jewellery	Rules of origin Issues and Value Addition Norms	Under India-Japan CEPA tariff, preferential rates are NIL on the imports of silver jewellery in the country, however due to the rules of origin norms (ROO) i.e., CTSH + 35% RVC Indian exporters are not able to take the advantage of the preferential rates. Due to non-fulfilment of such condition MFN rates of 5.2 % becomes applicable on the imports of silver jewellery in Japan. In case of gold jewellery also under the ambit of IJCEPA tariff, preferential rates are NIL on the imports of gold jewellery in the country, however due to the rules of origin norms (ROO) i.e., CTSH + 35% RVC Indian exporters are not able to take the advantage of the preferential rates. It is because 35% RVC is not feasible to achieve in case of gold jewellery.	• The value addition norms may be renegotiated and decreased to 3.5% and 7% respectively for plain silver and studded silver items. • Relaxing the Rules of Origin norms for gold jewellery are suggested to enhance exports of gold jewellery to Japan and compete with the other countries.

Korea

GENERAL NON-TARIFF BARRIERS

- Cultural and behavioural factors are at play in doing business with Republic of Korea. People in Republic of Korea have strong a sense of loyalty towards local products.
- Further, language being a huge procedural barrier, pose additional burden on the Indian exporters.

SECTOR SPECIFIC NON-TARIFF BARRIERS

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Organic Chemicals (HSN codes 29173500, 29171950, 29171910)	Conformity assessment - Act on the Registration and Evaluation of Chemicals (also known as Korea REACH or K-REACH)	The requirement of REACH Certification for selling products in Korean market makes difficult for Indian exporters to export to the country. The process of acquiring the certificate is long, tedious and cumbersome.	Removal of such barriers or imposing the same type of restrictions in new FTA under review
2.	Steel		The Republic of Korea tolerates anti-competitive practices by large domestic conglomerates and state-owned enterprises. This may act as a barrier to trade.	The government should highlight this issue in the bilateral meetings.
3.	Steel	Technical Barriers to Trade	• Stringent rules of product certification. • Labelling standards and import approval requirements.	• Develop a mechanism for the Indian steel industry to access the steel markets in Korea using their trading houses and industry forums.

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
			• Lengthy and tedious technical approval process.	• Jointly explore trade with third countries. • Modify the FTAs to a) Introduce a permanent safeguard duty clause at the prevailing MFN rate b) introduce a quantitative restriction (QR), limited to essential imports, above which the existing basic customs duty shall apply. c) 'Include Melt & Pour' provisions to prevent circumvention of imports into India d) Inclusion of suo moto safeguard measures by the competent authority
4.	Toys (HSN Code 9503)	Standards	Different countries have different conformity assessment procedures and regimes to certify toys to standards that are (in most instances) aligned with international standards for toy safety and quality. Nations like Indonesia, South Korea, China, EU and Malaysia all require toy products to show that they have met standards, but each country defines tests and enforces their standards differently (example- Indonesia – SNI; South Korea – KC Certification; China – CCC Certification; EU – CE Scheme; Malaysia – MC). The different regimes, with their different requirements for	For ease of doing business and simplification of procedures, there should be a Mutual Recognition Agreement (MRA) with these partner countries around the conformity assessment procedures for toys' safety and quality.

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			testing to a similar standard creates additional burden and costs for toy products entering different markets.	
5.	Gems and Jewellery	Rules of Origin and related certificate of origin	Procurement of APTA and KP certificate is time consuming and complex. Korea imposes non-tariff barriers in the form of rules of origin and related certificates of origin. Exporters of Cut and Polished Diamond have to comply with the stringent and time-consuming process of obtaining APTA (ASIA PACIFIC free trade area) and Kimberley Process (KP) certificates. APTA certificate is issued by the Korean council to give some rebate in the import duty which takes more than one week and as a result the consignment is kept waiting at customs.	The process should be streamlined and APTA certificates should be issued within a 24-hour timeframe. Additionally, reducing the mandatory examination parameters for APTA certificates and eliminating certain conditions required to prove rules of origin for KP certificates would prove as effective measures to provide relief to exporters.

European Union

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Organic Chemicals (HSN codes 29173500, 29171950,	Conformity assessment – EU Reach (Registration,	The requirement of EU REACH Certification for selling products in EU makes difficult for Indian exporters to export to this region. The process of	Removal of such barriers or imposing the same type of restrictions in new FTA

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
	29171910)	Evaluation, Authorisation and Restriction of Chemicals)	acquiring the certificate is long, tedious and cumbersome.	
2.	Agricultural Commodities (eg Basmati Rice)	Sanitary and Phytosanitary measures	EU has set a very stringent default MRL limit for many crop protection products at 0.01 ppm. These EU MRLs are unrealistically low. MRLs are not safety limits. The excursions beyond the EU MRLs leads to rejection of agri-export commodities from India to EU. Hence the EU is using it as a trade barrier. It also leads to issuance of domestic restrictions on use/sale of the crop protection products in India by the major producers and exporters of the affected crop commodity. It also adversely affects the choice of farmers in using CIB&RC approved CP products and forces them to adopt other costly products.	It is suggested that Indian Government should request EU authorities to consider risk base approach instead of hazard base approach while establishing MRLs on non-registered (in EU) crop protection active substances. Indian Government should promote acceptance of CODEX MRLs in absence of national MRLs in all member countries of United Nations.
3.	Toys (HSN Code 9503)		Different countries have different conformity assessment procedures and regimes to certify toys to standards	For ease of doing business and simplification of procedures, there should be a Mutual Recognition Agreement (MRA) with these

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
			that are (in most instances) aligned with international standards for toy safety and quality. Nations like Indonesia, South Korea, China, EU and Malaysia all require toy products to show that they have met standards, but each country defines tests and enforces their standards differently (example- Indonesia – SNI; South Korea – KC Certification; China – CCC Certification; EU – CE Scheme; Malaysia – MC). The different regimes, with their different requirements for testing to a similar standard creates additional burden and costs for toy products entering different markets.	partner countries around the conformity assessment procedures for toys' safety and quality.
4.	Gems and Jewellery	Restriction on post-sales services	In the European Union, a notable non-tariff barrier takes the form of restrictions on post-sales services. Specifically, exporters have to face delays in procuring Bank Realization Certificates (BRC) from banks even after import payments have been made.	To address this issue, automation of the BRC procurement process is recommended. By implementing an automated system, exporters would be able to monitor the status of their BRC applications in real-time, thereby expediting the entire process.

Latin America

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Sports Goods and Toys (Chapter 95)		1. Major Countries of the region have complicated Import policies. Additionally, the Importer must also be registered under the specific product category to import the product. 2. The SPS and TBT barriers make the export unviable, most of the arrangements/agreements are with a view to export as the region is resource rich. 3. The number of documents required and the number of days required to trade further act as a hindrance to export to LAC. The imports of sports goods to LAC region are mostly through USA. The regional FTA's of the LAC region including NAFTA makes imports from India expensive.	The government should consider negotiating agreements with these countries in order to boost the direct outbound shipments from the country.

Middle East

Egypt

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Generics	Intellectual Property Rights	Box close clause has been made applicable, however innovator and 1st imported generic filings are allowed	The Indian Government should advocate for lower extensions to allow timely entry of generic products on the market.
2.	Pharmaceuticals	Conformity assessment/ Quality Control measures	Approval in reference country and reference country COPP are mandatory	Condition may not always be fulfilled, India should negotiate these terms.

Iran

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Generics	Finance measures such as regulation of foreign exchange	Iran sanctions are hindering transactions/ payments thereby making it difficult to ensure timely access to life saving medicines	India must advocate on the need for low priced drugs in Iran and emphasize on the opportunity cost for the country and its people

Iraq

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Drugs/ Pharmaceuticals	Conformity assessment	Mandatory requirement of approval in minimum 2 countries	India must gain an easy access route to make drugs available in the Iraq Drug list

Israel

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Pharmaceuticals	Packaging & Labelling Requirements	The packaging for pharma products requires name of the pharmaceutical, an instruction to review consumer information on the packaging, and the API in 4 languages - Hebrew, Arabic, English and Russian.	Although, these requirements do not cast significant burden on large Indian pharmaceutical companies, however, this may be onerous for Medium, Small and Micro Enterprises (MSME).

Saudi Arabia and Kuwait

GENERAL NON-TARIFF BARRIERS

- **Visa Issue** : The Business visa in Saudi Arabia & Kuwait is mostly arranged by the Importer/ Sponsor in these Countries. Mostly sponsors are travelling or hardly visit offices, which delays the business visa process. Further, there is no other way to opt for Business Visa.

  Suggestion: The government should address the issue of Business Visa at G2G level.

UAE

GENERAL NON-TARIFF BARRIERS

- **Agents/Distributorship:** The UAE maintains non-tariff barriers in trade and investment in the form of restrictive agency/ sponsorship/ distributorship requirements. In order to do business in the UAE outside of one of the free zones, a foreign business must have a UAE national sponsor, agent, or distributor. Once chosen, sponsors, agents, or distributors have exclusive rights. Agents and distributors cannot be easily replaced without their agreement.

- **Tenders:** The UAE requires a company to be registered in order to be invited to receive government tender documents. Government tendering is not conducted according to generally accepted international standards. Re-tendering is the norm, often as many as three or four times. To bid on federal projects, a supplier or contractor must either be a UAE national or a company in which UAE nationals own at least 51 percent of the share capital.

- **Labelling Requirement:** The labelling requirement in Arabic language pose additional burden on the Indian exporters.

SECTOR SPECIFIC NON-TARIFF BARRIERS

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Sports Goods & Toys (Chapter 95)		The Gulf countries require G-mark approved products. For this, all the products need to be tested from the G-mark/GSO issuing company which is not in India and sending amount for such certificates outside India is a tedious task. The G-mark needs to be obtained for each and every product.	It is suggested to address this issue at the bilateral meetings or under India-UAE CEPA.

Turkey

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Organic Chemicals (HSN codes 29173500, 29171950, 29171910)	Conformity assessment - Turkish REACH "KKDIK"	The requirement of Turkish REACH "KKDIK" Certification for selling products in Turkey makes difficult for Indian exporters to export to these countries. The process of acquiring the certificate is long, tedious and cumbersome.	Removal of such barriers or imposing the same type of restrictions in new FTA
2.	Synthetic Filament Yarn (HS Code 5402)	Anti-competitive measures (grant exclusive or special preferences or privileges to one or more limited groups of economic operators)	DTY product – only selected companies are allowed to export DTY yarn to Turkey market as per their Tariff measure	Entire Indian origin DTY yarn should be allowed to sell to Turkey marker and not just specific players

Yemen

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Pharmaceuticals (HSN Code 3004)	Conformity assessment	Mandatory certification requirement from authorized government laboratory, leading to significantly enhanced lead time for exports	The government should negotiate for waiver based on registered product.
2.	Pharmaceuticals	Labelling, Marking and Packaging requirements	Samples submission has to be same as per proposed Yemen brand name/pack material	India should insist on acceptance of globally advised packaging of drugs.

Africa

Morocco

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Generics	Preference to local manufacturers	If a product is once locally manufactured, importation of that product is not further allowed.	India must negotiate these terms

Nigeria and Mozambique

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Pharmaceuticals (HSN Code 3004)	Pre-shipment inspection	Pre-shipment inspection includes, QCS (for Nigeria), Quntrol (for Mozambique) inspection, testing for API & finished product before shipment. This leads to higher lead time for delivery (~20 days)	The government should negotiate for waiver based on registered products in Nigeria / Mozambique, in order to simplify the process.

United Kingdom

S. No.	Product/ Sector	Type of Non-Tariff Barrier	Description of NTB/ Issue faced	Suggestions for Government to address the issue
1.	Gems and Jewellery	Restriction on post-sales services	In United Kingdom, a notable non-tariff barrier takes the form of restrictions on post-sales services. Exporters of Ruby_ Sapphire & Emeralds (Worked Precious Stones) seeking to obtain Bank Realization Certificates (BRC) from banks have to do regular follow-ups which results in delay in obtaining the certificates, often exceeding one week.	An automated BRC procurement procedure is suggested whereby, BRCs would be issued as soon as confirmation of payment from the importing client is received and verified by the banks, thus minimizing delays and enhancing efficiency.