<table>
<thead>
<tr>
<th>No ( )</th>
<th>Category ( )</th>
<th>Type of Measure(s) ( )</th>
<th>Reporting MS ( )</th>
<th>Responding MS ( )</th>
<th>Case Title</th>
<th>Ref. No</th>
<th>Description of Measures/Issue ( )</th>
<th>reported-issues/concerns ( )</th>
<th>Sectoral Body/ relevant agency ( )</th>
<th>Status/ Remarks ( )</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A</td>
<td>4. Border measures</td>
<td>MY</td>
<td>SN</td>
<td>0313MY</td>
<td>Transport charges of R$155 per passenger of general cargo and R$530 per tonne of controlled goods from Salah/Mal to Limbang.</td>
<td>This affected the price of basic goods in Limbang. Note: This is a bilateral issue.</td>
<td>Customs</td>
<td>Resolved bilaterally through Brunei’s MUTAT letter dated 19 Sep 2011. (15/02/12). MY (15/7/2013): Charges have been reduced.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>A</td>
<td>2. Halal measures/ Halal Certificate</td>
<td>ID</td>
<td>BN</td>
<td>0218ID</td>
<td>Brunei requires every shipment must be completed with halal certificate from MUI. It makes manufacturers have to prepare Certificate of Analysis contains the results of testing (microbiological and heavy metals) of the ingredients used in finished goods that can only be done in laboratory that has been accredited by KAN.</td>
<td>This process takes almost 1 month and recurs additional cost.</td>
<td>ACCSQL</td>
<td>Brunei: The Halal Food Control Division has the authority to carry out the duties of controlling any halal meat that is imported into this country which is in accordance with the Order under Section B3 (3) Emergency Order (Halal Meat), 1998. (12/01/12)</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>A</td>
<td>2. Halal measures/ Halal Certificate</td>
<td>MY</td>
<td>SN</td>
<td>0312MY</td>
<td>Agricultural imports are subject to SPS measures and random border checks. - Imports of beef and poultry must meet Halal requirements and may only be obtained from government-approved abattoirs. - Officers from Ministry of Religious Affairs must be present at slaughter. - Large proportion of meat not accepted as “halal” because of strict requirements concerning damage in skulls.</td>
<td>Numerous and lengthy requirements which burden the exporters.</td>
<td>ACCSQL</td>
<td>Brunei: The Halal Food Control Division has the authority to carry out the duties of controlling any halal meat that is imported into this country which is in accordance with the Order under Section B3 (3) Emergency Order (Halal Meat), 1998. (12/01/12) MY noted BN submission on the revised halal procedure appearing in ANNEX 3.</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>A</td>
<td>2. Halal measures/ Halal Certificate</td>
<td>MY</td>
<td>ID</td>
<td>0312MY</td>
<td>Nepal’s Cattle Industry (RMA) views that JAKIM does not conduct complete tests on products with sensory profile. Because of this, Malaysian exporters with JAKIM certification are not allowed to enter the Indonesian domestic market. - Storage time from slaughter to shipping must be less than 3 months, storage temperature for frozen meat to be less than -18°C (other countries allow up to 24 months at a temperature of less than -12°C). - Approval required for transportation of meat - Meat plants need to be inspected and approved twice a year to ensure that they comply with Indonesian “halal” requirements.</td>
<td>Note: OC Farvaz in 2003 recognized Malaysia’s Halal certification as the benchmark for certifying halal products.</td>
<td>CCA</td>
<td>To consult with the relevant agency. MY (4/7/2013): Jakan Malaysia has its SOP and halal standards for halal logo. Malaysia informed that Indonesia only recognizes the certificate but not the logo. MY (03/02/17): Malaysia informed that the Halal issues between Malaysia and Indonesia are being discussed at several forums including the recent ITIC in Jakarta and Annual Leaders Meeting in 2016. Malaysia was also made to understand that Indonesia currently is in the process of establishing a new agency/authority to oversee the Halal issue. Following to this development, Malaysia is looking forward for the assurance that the process on halal will be made simpler and business facilitative. Meanwhile, Malaysia also encourage that this issue can be resolved bilaterally, specifically for this issue should be addressed by G to G basis. O (03/02/17): reiterated her position and requests Malaysia to consult domestically with JAKIM as this issue has been discussed in MAAMMS forum (K, NY, ID, ID and the members agreed to request halal procedures that implemented by each member. In this regard, Indonesia is of the view that it would be better if there is only 1 Halal logo in order to avoid confusion in the market. The two countries agreed to remove the matrix and continue discuss bilaterally to resolve the case. 04/02/17)</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>A</td>
<td>5. Import licensing/ SPS/permits and related measures</td>
<td>ID/ AFTEX</td>
<td>MY</td>
<td>0513MY</td>
<td>Malaysia requires license from related institutions for Import of communicable (Customers (Prohibition of Imports) Order 1998) - Halal meat: Halal meat certificate that must be present upon arrival to be granted sanitary certificate.</td>
<td>Increases unnecessary cost for exporters and takes lengthy approval time.</td>
<td>CCA</td>
<td>The issue was raised by the AFTEX during 6th CCA Meeting (15/02/12) - MY Comment: As per 1st CCA, Malaysia provided her justification on the two regulations for bullet proof vest and batik sarung. The bullet proof vest is for security reason while the batik sarung is a cottage industry and it is for the purpose of uplifting the livelihood of the rural people. Both Sarung is also classified as a national handcraft item. And noted that ASEAN Secretariat informed AFTEX through e-mail dated 2 March 2012.</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>A</td>
<td>5. Import licensing/ SPS/permits and related measures</td>
<td>ID</td>
<td>TH</td>
<td>0513MY</td>
<td>Thailand imposes tariff quota for import of raw silk. - For statistical purpose, Thailand requires some of textile commodities must have license from DIT before imported</td>
<td>Increases unnecessary cost for exporters and takes lengthy approval time. Note: ATIGA Article 20</td>
<td>CCA</td>
<td>TH informed all her TRQs have been eliminated. ID will check this information with the private sector and asked TH to provide the regulation. (15/02/12) FY Comment: (1) Import of raw silk is subjected to TRQ which Thailand has committed under the WTO. However, this measure is not applied to import under ATP since TRQ of raw silk have been eliminated since 2006. (2) Import license is required for the import of certain apparel and clothing accessories and raw silk to Thailand aiming for statistical purpose. (25/09/2012)</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>A</td>
<td>5. Import licensing/ SPS/permits and related measures</td>
<td>MY</td>
<td>BN</td>
<td>0512MY</td>
<td>Import businesses required for telecommunication equipment. - Meat, seafood and fruit products require a license from the relevant government agency.</td>
<td>Lengthy approval time taken by the respective agencies</td>
<td>CCA</td>
<td>BN Comment: A license should be obtained, which will take not more than 2 weeks. For personal use, it will take not more than one week. For business purpose, it will take not more than 2 weeks. The import licenses are one-off for one year. (12/01/12)</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>A</td>
<td>5. Import licensing/ SPS/permits and related measures</td>
<td>MY</td>
<td>ID</td>
<td>0512MY</td>
<td>The delay in the issuance of Form D for CEDs which has deprived preferential duty to BMW Toyota Malaysia</td>
<td>The delay in the issuance of Form D for CEDs. This measure has deprived preferential duty to BMW Toyota Malaysia</td>
<td>CCA</td>
<td>STECA MY would like to drop this case. O informed she is now conducting a system transformation from manual SIA to e-SIA. MY requested O to officially inform her. MY/ID will resolve this issue bilaterally. (1/9/2012) MY (12/7/2013): Toyota indicated that the problem continue to exist. 20th CCA: O seek clarification there is a delay in issuing the form D whether there is a real problem on this issue that were completed with halal certificate.</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>A</td>
<td>5. Import licensing/ SPS/permits and related measures</td>
<td>MY</td>
<td>VN</td>
<td>0612MY</td>
<td>Goods shipped to Cambodia through Viet Nam require a transit bond.</td>
<td>Additional regulation that seems to be unnecessary.</td>
<td>Customs</td>
<td>MY (12/7/2013): All types of goods are permitted to tranship through the territory of Vietnam, except for weapons, ammunition, explosives, other highly dangerous goods, and goods on the lists of goods the import and export of which is prohibited or temporarily suspended. Permission is required for these exceptions as stipulated in Vietnam's Decree 12/2006/ND-CP dated 23/02/2006. Permission is necessary to ensure proper administration of exceptional goods that transit through VN. The regulation is issued for legitimate purposes. It is therefore NTF (necessary for trade facilitation purposes, but not prohibited) and ought to be removed for simplifying and making the Matrix user-friendly (following the Guideline adopted by CCA) MY (18/02/16): MY informed that both countries considered the case as resolved.</td>
<td></td>
</tr>
</tbody>
</table>
10 A 3. Import licensing/SPs/permits and related measures

**ID & TH**

- Licensing system for imports of “strategic” commodities, such as rice, sugar, soya and others. A non-automatic licensing system applies to some products. Tariff quotas on milk powders.

Need for TRQs: 

CCA

Id informed no TRQs are imposed on milk powders.

11 A 3. Import licensing/SPs/permits and related measures

**MY**

- Agencies managing quotas and import license is the Animal Health Department. Other cooperating agencies include Ministry of Agriculture, Ministry of Health.

Import License

CCA

MM Comment:

For security reason and as a standard requirement, the measures are imposed by concerned Ministries in accordance with the existing regulations.

12 A 3. Import licensing/SPs/permits and related measures

**VN**

- According to Article 2 of the Regulation of Ministry of Trade No. 40/M-DAG/PER/9/2009 on a Verification or Technical Inspection of Glass Products (Kaca Lembaran) states that for every verification / inspection of glass products (Kaca Lembaran) is obligated to be verified / inspected at port of origin first.

- Asia-Pacific Telecommunications Agreement.

CCA

- Agencies managing quotas and grant import license is the Animal Health Department. Other cooperating agencies include Ministry of Agriculture, Ministry of Health.

13 A 4. Requirement for Pre-Shipment Inspection

**SG**

- Pre-shipment inspection requirements reinforced. Products covered include, electrical and household appliances (HS 73, 84); footwear (HS 64); milk and milk products (HS 0401.10, 0401.20, 0401.30); chicken eggs and duck eggs (HS 0407.01, 0407.02, 0407.03), round cabbage (HS 0605.90) whole wheat flour (HS 1401.10), and food and beverages (HS 01, 02).

ACCSG

- ID informed that she has implemented a notification system since 2011 and a retesting or testing in the destination of the goods. (15/02/12)

14 A 5. Non-Recognition of Test Reports and Certification for cosmetics and glass products.

**MY**

- Unnecessary re-testing of the products with accredited laboratories in the importing country.

ACCSG

- ID informed that she has implemented a notification system since 2011 and a retesting or testing in the notification process does not require a laboratory testing.

15 A 5. Non-Recognition of Test Reports and Certification for cosmetics and glass products.

**MY**

- Requirement for repeat testing and reinspection products exported from same manufacturer to different buyers or importers.

ACCSG

- Directives further require GMP certification of affected products (this has been trade away with the ACDS).

16 A 5. Non-Recognition of Test Reports and Certification for cosmetics and glass products.

**VN**

- Viet Nam requires that all glass products entering Viet Nam must comply with the Industrial Standards on environment No.4001:2004 and No.09001:2008. 

ACCSG

- MFG claimed that this new regulation is discriminatory in nature since the other five (5) local manufacturers in Viet Nam are not certified under ISO14001:2004. These include two (2) companies which belong to the same group as 

17 A 5. Repeative request for verification

**MY**

- Repetitive request for verification and authentication of ATIGA Form Ds. Submitted: 10/12/2012

ACCSG

- ID informed that this is allowed by ATIGA CCP to verify the authentication of ATIGA Form D. 

18 A 5. Repeative request for verification

**MY**

- Leading to delays and increased cost for exporters.

ACCSG

- ID informed that this is allowed by ATIGA CCP to verify the authentication of ATIGA Form D.

Matrix of actual cases on NTMs/trade barriers as of 26 April 2021

Note:
- Category A: Resolved, B: Ongoing; C: Newly submitted
- ANNEX 9

Page 2 of 17
| Page 3 of 17 |

<table>
<thead>
<tr>
<th>18</th>
<th>A</th>
<th>2L. Electrical and Electronic Products (E&amp;E)</th>
<th>MY</th>
<th>SG</th>
</tr>
</thead>
</table>
| 18.13MF | In Singapore, effective 3 September 2011, all air-conditioners and refrigerators supplied must meet the minimum energy performance standards (MEPS) as prescribed in the Environment Protection and Management (Energy Conservation) regulations. Submitted: 12/02/2012 | Export of these products to Singapore is now subject to MEPS. Malaysian manufacturers and exporters of these products have to re-carry additional cost to send the products for testing at approved laboratories. | ACCSSL | GS informed that this is enforced by the national agency.
12/02/2012
In Singapore, MEPS is implemented for household air-conditioners and refrigerators, which together account for almost half of a typical home's energy consumption. The standards were set at a level based on two key principles: (a) Minimising/Reference cost i.e. accounting for both upfront costs and electricity cost over its useful life; and (b) Ensuring reasonable availability and warranty for every appliance type and model (e.g. a sufficient range of air-conditioner brands and models).
The test standards adopted under MEPS are internationally recognised standards, i.e. IEC, ISO and JIS standards. The list of test standards is on the following NEA website:

<table>
<thead>
<tr>
<th>19</th>
<th>A</th>
<th>2L. Consumer warning statement, Allergen additive statement.</th>
<th>MY</th>
<th>BN &amp; TH</th>
</tr>
</thead>
</table>
| 19.12MF | Thailand requires consumer warning statement whereas Brunei requires allergen additive statement which indicates that the product contains materials that some consumers may be allergic to, such as peanut, wheat, etc. | There is a need for harmonization or minimum requirement of statements on the products. | ACCSSL | NH does not require any statement on allergen but source of additive has to be presented as it is also required by Malaysia.
12/02/2012
TH Comment:
Thailand requests such information to inform local consumers of product usage in accordance with Thai regulations on consumer protection.
21/02/2012 |

<table>
<thead>
<tr>
<th>20</th>
<th>A</th>
<th>2V. COA for finished goods</th>
<th>MY</th>
<th>BN &amp; ID</th>
</tr>
</thead>
</table>
| 20.13MF | The Certificate of Analysis (COA) contains the results of testing (for microbes, heavy metals, etc. as required by them) of the ingredients used on the finished goods. Indonesia and Brunei require every shipment to be accompanied by this certificate with the results. The tests take up to 7 days to complete. | COA | ACCSSL | NH informed that the purpose of this CoA is for safety reason. Usually CoA has been provided by the manufacturer.
16/02/2012
BN Comment:
COA is required if they do not have health certificate/export certificate or any certificate certifying the product on every shipment.
21/02/2012
Request Brunei and Indonesia to reduce the time taken for the test.
2/03/2012 |

<table>
<thead>
<tr>
<th>21</th>
<th>A</th>
<th>2L. Import permit on meat products</th>
<th>BN</th>
<th>MY</th>
</tr>
</thead>
</table>
| 21.12MF | Export and import meat that pass through Brunei is being subjected to charges by Malaysia Agriculture Department for import permit at RM 10 per kg of meat products and RM 10 per export permit. | It affects the price of meat products. | Customs | MY Comment:
Sarawak State Government has agreed to waive the licence/permit fees as specified under the Third Schedule of the Veterinary Public Health Ordinance, 1990 for the import/export of livestock (animal and fish) and livestock products between Brunei and Sarawak, effective 1 March 2012. A letter to that effect has been sent to Brunei.
14/05/2012 |

<table>
<thead>
<tr>
<th>22</th>
<th>A</th>
<th>6. Tedious and lengthy procedure and process for food and pharmaceutical products</th>
<th>ID</th>
<th>VN, MY, AMM, KH</th>
</tr>
</thead>
</table>
Lengthy time of renewal registration of pharmaceutical products: Vietnam: 10-15 months, Malaysia: 6 months, Myanmar: 9 months, Cambodia: 12 months. Submitted: 15/02/2012 | Lengthy approval time/ Delays/ Imporation Costs | ACCSSL | - ID submitted the detailed information which appears as ANNEX 12.

<table>
<thead>
<tr>
<th>23</th>
<th>A</th>
<th>10. Requirement of documents.</th>
<th>MY/SG</th>
<th>AMIS Except SG</th>
</tr>
</thead>
</table>
| 23.13MF | Manufacturing Process Chart, Ingredient list, Formulation list, Batch Numbering system, Product Stability test, Certificate of Analysis(COA) for raw materials and packaging materials. Submitted: 15/02/2012 | Numerous documents lead to burdensome procedures. | FPPWG | MY Comment:
Malaysia suggests that this to be taken up at the Working Group on Pre-Prepared Foodstuff (FPPWG) Meeting.
14/05/2012

| Note: |
| Category A: Resolved; B: Ongoing; C: Newly submitted |

| Matrix of actual cases on NTMs/trade barriers as of 26 April 2021 |
24 A ID: Certification Process MY ID & TH Approval Importation 2412MY Before a product is allowed to be imported, Indonesia and Thailand require exporting countries to apply for approval. This application must be accompanied by the actual product, packaging design, ingredient list, nutrition facts and, in some cases, allergen advice. The process for approval may take up to 4 months. ACPS CCA3 MY: Agree to drop the case ID: update 31 Mar 2018 The latest regulation of BPOM Regulation No 27 in 2017 on Registration of Prepared Foodstuffs, ETF 8 January 2018 (https://e-reg.pom.go.id) labeling, logo distribution permit, etc TH comment: Types of products need to be clarified. 21/05/21 MY: Food products. Request TH to provide the time frame for approval. TH comment (21/7/2013): Thailand has discussed internally with relevant agencies. Thailand’s Food and Drug Administration (FDA) asks Malaysia to specify the HS codes of the “food products” that Malaysia requested Thailand to provide the time frame for import approval. Thailand will revert after receiving more info from Malaysia TH (21/5/2016): pending for Malaysia’s further information since 2013, having considered general circumstances of the cases, Thailand proposed the deletion of the cases from the Matrix and requested ID informed that ID and MY have a border trade agreement, thus this issue will be solved bilaterally. ID: request MY to provide the relevant info. (LE/regulations/website) TH (25/10/2016): pending for Malaysia’s further information since 2013, having considered general circumstances of the cases, Thailand proposed the deletion of the cases from the Matrix and requested ID: request MY to provide the relevant info. (LE/regulations/website) TH (25/10/2016): pending for Malaysia’s further information since 2013, having considered general circumstances of the cases, Thailand proposed the deletion of the cases from the Matrix and requested ID: request MY to provide the relevant info. (LE/regulations/website) TH (25/10/2016): pending for Malaysia’s further information since 2013, having considered general circumstances of the cases, Thailand proposed the deletion of the cases from the Matrix and requested ID: request MY to provide the relevant info. (LE/regulations/website) TH (25/10/2016): pending for Malaysia’s further information since 2013, having considered general circumstances of the cases, Thailand proposed the deletion of the cases from the Matrix and requested ID: request MY to provide the relevant info. (LE/regulations/website) TH (25/10/2016): pending for Malaysia’s further information since 2013, having considered general circumstances of the cases, Thailand proposed the deletion of the cases from the Matrix and requested ID: request MY to provide the relevant info. (LE/regulations/website) TH (25/10/2016): pending for Malaysia’s further information since 2013, having considered general circumstances of the cases, Thailand proposed the deletion of the cases from the Matrix and requested TH informed that the port restriction is meant to prevent the incoming of smuggled goods. TH (02/02/2017): She has received information provided by Malaysia on the products of her interest. The goods involved to Bosch products with HS code 1905.10.10, 1905.10.20, 1905.10.15 and 1905.10.20. She will continue to monitor the situation of these products.
| No. | A. Import licensing/SPS/permits and related measures | SG | ID | 25/12SG | - This decree requires importers of certain product categories to apply for a special importer identity card. Products affected include: corn, tapioca, sugar, textile and related products, footwear, electronics and toys. Trade Decree 16/12/2008 - New non-automatic import licensing requirements. The regulations place restrictions on the port of entry for SPS product imports in the following categories: electronics, shoes, children’s toys, F&B, and garments to the ports of Tanjung Priok (Jakarta), Tanjung Emas (Semarang), Tanjung Perak (Surabaya), Belawan (Medan) and Sukarno-Hatta (Malaysia). (15/2/2012) - Products can be detained at port. - Products can be imported into Indonesia only if the importer has approval to do so from the Ministry of Trade and if the product has had pre-shipment verification or inspection by an Indonesian official surveyor in the port of loading of the exporting country (importers must bear all the cost). The regulation has been criticized as unfairly discriminates against imports and presents additional costs. - CCA ID sought more details information on the issue. ID sought more detailed information on this issue. (15/02/21) SG sought more clarification on the policy’s measures. ID - on the issue similar with MY’s case. ID informed that regarding the amendment of the regulation in the 2030 under Trade Decree 57/2010, adding two more ports, thus there are 7 ports right now. (1/9/2021) SG would like to continue discussing this issue at the next meeting. ID requested SG to provide more detailed information on this case. (6/5/2013) SG proposed to remove the case (30/11/2015)  |
| 28 | A. Import licensing/SPS/permits and related measures | SG | VN | 30/12SG | New procedures requiring that imports of certain products, i.e. mobile phones, alcohol, motor vehicles, and cosmetics be authorised by a Vietnamese diplomatic mission in the country of origin. Determination of exclusive entry point (three selected seaports) for those imported items. (15/2/2012) CCA These are administrative procedures, among others, to enhance market control, prevent frauds and ensure proper and efficient handling of the goods. (15/02/21) SG noted VN explanation and will revert for more information (1/9/2021) SG will provide details on the products. (6/5/2013) SG invited not to use local subject anymore. (1/6/2012) The said regulation was no longer effective and since SG has not provided further details, it is proposed to be resolved. (6/5/2013) SG would like to continue discussing this issue at the next meeting. ID requested SG to provide more detailed information on this case. (1/6/2012)  |
| 31 | A. Requirements for Pre-Shipment inspection | MY | ID | 32/12MY | Products are being subjected to pre-shipment inspection in order to protect the domestic consumers. The inspection is undertaken by a Third Party Surveyor. - High cost for pre-shipment inspection of US$1,000 per shipment; and there is only one Third Party Surveyor in Malaysia namely SGS. Unnecessary and costs Third Party Survey inspection report. - Additional cost of doing business for the exporter. - CCA ID will check and revert. ID informed that a pre-shipment inspection (surveyor report) is neededed for information on the quality/standard, items, specification, quantity, the importer name, pos tariff, entry port and also port destination of the goods. No provision that stipulate the amount of fee for pre-shipment inspection. (15/02/21) MY Comment: Malaysia requested that some consultations be held with the surveyors to impose reasonable fee to facilitate intra-ASEAN trade. (14/06/21) ID Justification: A pre-shipment inspection is conducted to maintain the quality of imported goods, whether the imported goods comply with the import permission/license. It is also done to protect consumers and prevent smuggling /幼儿园 goods. Inspection fee is charged to the importer and the amount of the fee is determined based on the principle of mutual benefit between surveyor, importer and exporter. The decree does not regulate the fee for pre-shipment inspection. Legal basis: Decree of Minister of Trade No. 795/MI-04G/107/11/2008 concerning on Stipulation of Surveyors as the Executor of Technical Verification or Inquiry into the Import of Certain Products (1/6/2012)  |
| 32 | A. Requirements for Pre-Shipment inspection | MY | ID | 32/12MY | Ceramic products and more recently glass sheets are subjected to verification/pre-shipment inspection. Unfair competition/trading practice as Malaysian products cannot enter Indonesian market. Created Unfair Disadvantage to AMS which have duly implemented The Directive. - Unfair treatments as local (Indonesian) products are not subject to same Customs - MY informed that the product is an un-finished product. - MY informed that a pre-shipment inspection (Surveyor report) is neededed for information on the quality/standard, items, specification, quantity, the importer name, pos tariff, entry port and also port destination of the goods. - INV sought more detailed information on the issue of unfair treatment and disadvantage relating to ceramic product and glass (15/02/21) MY Comment: The ceramic product (would former) involved and is used in Indonesia for the manufacture of finished product (glasses) which is meant for 100 Newport market. (14/05/21)  |
| 33 | A. Tedious and lengthy procedures for food and pharmaceutical products | ID | TH | 30/12ID | Thailand require Bioequivalence must use local subject. Submitted: 15/2/2012 AICCSG TH Comment: TH requests IN to clarify the complained barriers on Bioequivalence (BE) study and affected product information. (21/05/21) TH informed that many countries have applied BE with local subject but not in ID. ID will discuss with her relevant agencies and revert. She sought more clarification on the needs of BE study to be repeatedly done or just once study per medication type that is exported, TH will revert specifically regarding the repetitiveness of the study after receiving clarification from ID. (1/9/2012) ID (12/7/2013) ID considered this case resolved. |
34 A Tedious and lengthy procedure and process for food and pharmaceutical products MY; TH ID: The registration for imported drug

CCA-SMT Indonesia applies different requirements on marketing authorization for domestically produced and imported drugs. According to the Decree of the Minister of Health No. 1010/MENKES/PER/9/2006 on Drug Registration, to gain distribution approval in Indonesia, imported drugs must have higher efficiency than local drug, be new-invented drug and are required drug which cannot be produced locally (Art 9). In addition, the registration for imported drug can only be executed by local pharmaceutical industry with a written consent by the overseas pharmaceutical industry, and such written consent must include transfer of technology and should be locally manufactured within 5 years (Art 10). However, the same requirements do not apply to locally manufactured drugs.

Submitted: 15/2/2012

35 A 10. Iron and steel products MY ID

CCA-SMT Testing and verification by Standard National Indonesia (SNI) on iron and steel products takes between 1-2 months before import permits are issued.

Submitted: 15/2/2012

36 A 11. Standards ID PH

CCA-SMT Standards for refrigerators are too height making it difficult for industrial sector.

Submitted: 15/2/2012

Note: Category A: Resolved; B: Ongoing; C: Newly submitted

Matrix of actual cases on NTMs/trade barriers as of 26 April 2021

1. Informed that Pharmaceutical companies could export their products, without set up manufacturing plant, but they can give authorization to a local manufacturer. Provision of import drug registration particularly for:
   a. New drugs (life saving drug, Orphan drug)
   b. Generics essential drug
   c. National public health program drug
   d. Investigational new drug (IND)

2. Time line drug registration:
   - 100 Working Days:
     a. New drugs already marketed in harmonized countries or in countries with established evaluation system
     b. Copy drugs
     c. 100 Working Days for other new drugs

3. Information:
   - ID informed that he will discuss it internally and informed. Usually it only takes 41 days.
   - ID Requested for the Regulation to be provided.
   - ID will provide the information.

4. Matrix of actual cases on NTMs/trade barriers as of 26 April 2021
Repetitive conformity assessment tests which cause delays the release of the goods to access the Viet Nam's market. Viet Nam undertakes a 100% check on the ceramic products for money shipment. Testing facilities are only available in Ha Noi and Ho Chi Minh whereas the shipments are at Da Nang Port. This has burdened the industry since the process is time consuming and incurs increased exportation cost.

**ANNEX 2**

Annexes such as BPOM (Indonesia), FDA (Thailand), Health Department (Vietnamese), Health Quarantine (Halal certification, Health Certificate, Free Sale Certificate, and Certificate of Analysis (COD) for various raw materials. Submitted: 10/12/2012

Even after these requirements are met, Malaysian companies have to apply for certification such as FDA number, ML number, and which may take up to 4 months to approve. Note: These requirements are NTMs and are in line with WTO regulations. However, the time taken to issue the certificate/approval is 4 months. (This is the barrier component)

Specific products covered by this SPS measure are:

- "Imported Circular No.14/2010/TT-BXD dated 20 August 2010 requires selected ceramic products imported into Viet Nam to undergo testing to ensure conformance to Vietnamese standards and subject to conformity assessment by the 2 organizations in Viet Nam (Institute of Building Materials and Science and Technology Department - Ministry of Construction). Submitted: 11/2/2012

- "Rejection of consignment. Loss of market access in Vietnam. - ACCQ

- "VN (12/7/2013): Prior to issuance, the draft regulation was notified to the WTO (Notification G/SPS/N/VNM/21) in 2010. Official letter No. 0427/QLCL-CL2 dated 21/03/2011 was sent to embassies in Viet Nam (including Indonesia's) to notify the issuance. VN advised IN (to refer to the procedure in Circular 13/2011/TT-BNNPTNT dated 16 March 2011). Submitted: 11/2/2012

- "Further information if needed can be sought at the National Agro-Forestry-Fisheries Quality Assurance Department (NARIGAQ) of VN. Address: No.10 Nguyen Cong Hoan, Ba Dinh, Ha Noi. Fax: 84-4-38317221. Email: spsvietnam@mard.gov.vn and vietnam.viet@mard.gov.vn

- "ID (2/1/2013): Indonesia proposed to resolve this issue, because it has been discussed bilaterally with Vietnamese delegation on the occasion of the 52nd WTO-SPS Committee on October, 2011 in Geneva.

- "VN (12/7/2013): VN proposes the case to be considered as resolved

**ANNEX 3**

Indonesian issued Agriculture Ministerial Regulation No. 42/2012 and 43/2012, which came into effect on 19 June 2012, to regulate the importation of fresh fruits, vegetables and fresh bulbs by reducing entry points from 8 ports to 4 ports. These ports are Makassar seaport, Surabaya seaport, Medan seaport, and Jakarta's International Airport. Therefore, imported fresh fruits, vegetables and fresh bulbs from Thailand have been unable to enter the main support of jakarta (Details: ANNX 2). The products must be approved by the Food and Drug Supervisory Board (BPOM) in order to be registered with the Department of Health of Indonesia before obtaining the Registration Number (ML). Such process may take up to 4 months. Submitted: 11/2/2012

- "Indonesia undertakes a 100% check on the goods to access the Viet Nam’s market. Viet Nam undertakes a 100% check on the ceramic products for money shipment. Testing facilities are only available in Ha Noi and Ho Chi Minh whereas the shipments are at Da Nang Port. This has burdened the industry since the process is time consuming and incurs increased exportation cost.

- "MY Comment: FMM Malaysia Ceramic Industry Group (NOKI) has raised this issue during their meeting with the Ceramic Industry Club of ASEAN on 20 July 2011 held in Hanoi, Viet Nam. The meeting was informed that they have to bear with the regulation. As such, FMM NOKI insists for G to G arrangement to solve this issue. (14/06/21)

- "MY (12/7/2013): The regulation is necessary to ensure quality of construction work in Viet Nam. VN has 7 testing centers, of which 5 centers (including Da Nang), including 5 centers that covers ceramic testing (Institute of Building Materials, Quan 3, Quan 1, Conner, Vincontrol). The Science and Technology Department - Ministry of Construction is not a testing center as reflected by MY. Clarification is sought on repetitive conformity assessment tests. VN does not undertake 100% check on the goods for every shipment. VN is also burdensome to VN’s administration and not relevant to the customs’ risk management.

- "MY (12/7/2013): Imports of ceramic products into Malaysia are through the product certification requirement while Viet Nam requires Malaysia’s exports to be certified on consignment basis and is repetitive. Malaysia accepts Viet Nam’s test certification as their accredited body is the member of IAC / MFUAC. Viet Nam should also do the same.

The issue has been resolved bilaterally.

**ANNEX 4**

Based on this regulation, Importation of fresh bulb vegetables into the territory of Republic Indonesia may come from Thailand in expanded area Pest Free Areas (PFA) because since 2015, Thailand has recognised Pest Free Area for Onion (Institute of Building Materials and Jakarta’s International Airport).

- "ID TH VN took note of MV’s comment. (1/9/2012)

- "ID (21/6/2018): Thailand would like to seek clarification from Indonesia for the reason of rejection so we could inform the relevant agencies accordingly.

- "ID (updated 31 May 2018): Indonesian Agricultural Quarantine Agency has sent official letter to Thailand on rejected application Pest Free Area from Thailand for expanded area Pest Free Area because since 2015, Thailand has recognised Pest Free Area for Onion at Srisaket’s Province.

- "ID (updated 31 May 2018): Indonesian Agricultural Quarantine Agency has sent official letter to Thailand on rejected application Pest Free Area from Thailand for expanded area Pest Free Area because since 2015, Thailand has recognised Pest Free Area for Onion at Srisaket’s Province. (Detail letter ANNEX 3)

- "ID (1/16/6/17): Indonesia would like to inform, in 18 June 2012, Ministry of Agriculture Republic of Indonesia has been established and enforce Regulation No. 42/2012. This Regulation is substitutes of Regulation of Minister of Agriculture No.68/2008 concerning Phytosanitary Requirements. And Measures For Importation Of Fresh Bulb Vegetables Into The Territory Of Republic Indonesia. Based on this regulation, importation of fresh bulb vegetables into the territory of Republic Indonesia may come from production areas (Pest Free Area or PFA) of country other than the area. The area gives free from quarantine pest. Indonesia does not close the port of entry for the importation of fresh bulb vegetable, but only set the port of entry in order to safeguard agricultural resources from exotic pests more effectively. Indonesia stipulates 4 (four) ports of entry for fresh bulb vegetable (Makassar seaport, Surabaya seaport, Medan seaport, and Jakarta’s International Airport).

- "Based on these regulations, the importation of fresh bulb vegetable bulbs can enter through Tanjung Priok Seaport only from countries that have received recognition of pest free area (PFA recognition).

- "Referring to Guidelines of FPA Recognition, a country that want to apply FPA recognition shall meet the requirements as follows:

  a. Provide technical information related to certain pest free area
  b. Determine the Contact Points during the process FPA Recognition
  c. Provide additional information if needed
  d. Cooperate in field verification by NFPO of Indonesia in the submitted FPA area
  e. All costs incurred in the implementation of field verification shall be the responsibility of the applicant
41 B PH ID SPS Measure on fresh bulb (shallots) 6122PH Indonesia has introduced Regulation No. 40/2011 which amends Ministry Regulation No. 16/2008 on the technical requirements and plant quarantine measures for importing fresh produce in the form of fresh bulbs. It restricts the points of entry for fresh bulb vegetables, only in the Port of Bireuen (North Sumatra), Samosir-Sentani Airport (Tanggulangin, Port of Medan and Port of Tanjung Perak Surabaya).

- Article 3 (General Elimination of Quantum Restrictions) Article 5 (SPS Measures)
- Article 7 (General Provision and Obligations) Article 9 (Measurement of Risk and Determination of the Appropriate Level of SPS Protection)

CCA ID (15 April 2021)

Related to the Philippines’ concerns on laboratories accreditation, Indonesia informed that the application of three food safety testing laboratories had been granted since 2019 and are valid until 24 October 2021, and may be extended. The deadline for the renewal application is 6 months before the expiration date. Moreover, Indonesia has also provided IDP for stallion, pineapple and banana products. For the renewal application process for food safety laboratories, Indonesia requested the Philippines to write a letter to the Minister of Agriculture.

Indonesia has recognized Bicatorceria in Philippines through the Minister of Agriculture Regulation No. 128/npb/2021 dated 17 February 2021. Indonesia has recognized Davao region, Northern Mindanao and Soccsksargen as banana area free from Bactorceria, and Bactorceria niusuensis in Philippines through the Minister of Agriculture Regulation No. 60/npl/2019 dated 20/5/2019 dated 07 February 2019.

Therefore, if request PTT consider the case related to the laboratories accreditation and pest free area as resolved. With regard to the issuance of import permit, Indonesia explained the requirement for import permits are regulated under Ministry of Trade Regulation No.44/2019 on Import provisions on Horticulture Products, ie. Import recommendation, proof of cold storage and proof of transportation mode of the characteristics of horticulture products. Indonesia further explained that the import recommendation must be submitted within two months to the Ministry of Trade. If the application is not done submitted within 3 months, the import recommendation will be void.

To date, Indonesia has not received any application for renewal/registration of new laboratories/Import recommendation/Import permit

- If The Philippines facing any difficulties in obtaining import recommendation/licences, ID suggest to submit new cases on import recommendation/Import licensing.
- Indonesia views that import recommendation issues is different SPS cases (laboratories registration and pest area)

42 B PH ID SPS Measure on fresh bulb (shallots) 6122PH Indonesia introduced Regulation No. 46/2011 concerning food safety controls for the importation and processing of fresh produce for the origin, with provisions for Authority Declaration on Guarantee of Equivalence.

- Article 7 (General Provision and Obligations) Article 9 (Measurement of Risk and Determination of the Appropriate Level of SPS Protection)

CCA ID (15 April 2021)

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To date, Indonesia has not received any application for renewal/registration of new laboratories/Import recommendation/Import permit

- If The Philippines facing any difficulties in obtaining import recommendation/licences, ID suggest to submit new cases on import recommendation/Import licensing.
- Indonesia views that import recommendation issues is different SPS cases (laboratories registration and pest area)

44 A FI ID SPS Measure on fresh bulb (shallots) 6122PH Philippines require GMP certificate in the notification process.

- Article 7 (General Provision and Obligations) Article 9 (Measurement of Risk and Determination of the Appropriate Level of SPS Protection)

CCA FI Comment:

- PH complies with the requirements of the ACD. GMP is by self-declaration and applicant must maintain its declaration. PH proposes the deletion of this case as there is no basis for such complaint. (24/8/2013)
- ID (20/1/2013) Considered the case as resolved.

The Meeting considered this case as resolved.

45 A ID SPS Measure on fresh bulb (shallots) 6122PH Malaysia requires phyto-sanitary certificate must be completed with methyl bromide fumigation treatment that is active substance which is not recommended for use in Indonesia (15/2/2012)

- Article 7 (General Provision and Obligations) Article 9 (Measurement of Risk and Determination of the Appropriate Level of SPS Protection)

CCA ID Comment:

- Phyto-sanitary certificate (PC) is being issued under the terms and requirements of importing country. In this case, Malaysia as the importing country requires Indonesia to do the Methyl bromide (MB) treatment for issuing the PC. Indonesia has to inform and to suggest to Malaysia about any changes of import conditions and any alternative treatment as effective as MB for the quarantine treatment. (14/5/2021)
- ID complies with Montreal protocol to not use the Methyl MB which is prohibited in ID and sought clarification from MF whether she is also a member of Montreal Protocol or not. MF will check with her Ministry of Agriculture and revert with further details and requested IN to consult with her agriculture department and revert.

ID and MF will conduct internal consultations and revert.

ID has requested PTT revert on whether phosphine is a viable or acceptable alternative. (14/9/2021)

This Case was picked by MF to be put as Pilot Case

ID has detailed information on 22/2/2014 which appears as ANNEX 10 (26/1/2014)

ID sent response on 22/2/2014 which appears as ANNEX 10B (26/2/2014)

ID (5/3/2014) • After clarification provided by Malaysia that she accepts alternative quarantine treatment,
46 A 4612PA Article 5 of the decision of the Ministry of Commerce of Thailand dated 23 February 2011 has restricted the export of maize from Cambodia and Laos to Thailand.

A: Export of maize (21/02/12) TH: In accordance with Article 5 of the decision of the Ministry of Commerce of Thailand dated 23 February 2011, it has restricted the export of maize from Cambodia and Laos to Thailand.

LA requested ASEC to facilitate the consultation meeting among the 4 AMS to resolve this issue. TH: Thailand’s Food Policy Committee already reviewed the measure on the importation of maize during 2011–2013 and the Committee imposed all-year-round importation through the Public Warehouse Organization (PWO) and importation by general importer during 1 March – 31 August. Further, there has already complied with the ATIGA’s tariff reduction commitment by reducing import duties to 0% since year 2010.

34th CCA (11/7/2013): Thailand’s measure on the importation of maize under AFTA comprises two channels, which are (i) all-year-round importation with zero tariff through the Public Warehouse Organization (PWO) and, in addition to that, the all-year-round importation through the PWO. (ii) Importation by general traders during peak importation period (March – August). Thailand will continue to discuss bilaterally with Cambodia and Laos to address their concerns.

47 B 4712LA The Minister of Energy and Mineral Resources (MEMR) released Regulation No.7/2012 on Increasing Mineral Value Refining Activities (15/02/2012) TH: The Minister of Energy and Mineral Resources (MEMR) released Regulation No.7/2012 on Increasing Mineral Value Refining Activities (15/02/2012) and the Committee imposed all-year-round importation through the Public Warehouse Organization (PWO) and importation by general importer during 1 March – 31 August. Further, there has already complied with the ATIGA’s tariff reduction commitment by reducing import duties to 0% since year 2010.

LA: seeks information on the quantity of maize imported by the PWO. TH: informs that 500,000 MT of maize affected. Requested TH to comply with Article 4 of the ATIGA, seasonal restriction, contract farming, bilateral discussion and requested TH to remove the notification (1/6/2012)

TH comment (11/7/2013): Thailand’s measure on the importation of maize under AFTA comprises two channels, which are (i) all-year-round importation with zero tariff through the Public Warehouse Organization (PWO) and, in addition to that, the all-year-round importation through the PWO. TH: Thailand will continue to discuss bilaterally with Cambodia and Laos to address their concerns.

48 B 4812KH In accordance with article 5, 6, and 25 of the Sub-decree on the execution and importation of Goods dated 2012 and with the approval of the Council of Ministers, the Ministry of Commerce of Cambodia decided that corn shall be imported into Thailand between March 1 and June 30, 2012 through Customs check point with the presence of SPS agencies. Authorized persons by General Department of Foreign Trade and registered as corn importers have to report on the importation utilization distribution and the importing quantity to be further imported to GDFT with evident document such as invoice bill of lading. Those importers that do not do so would be allowed to apply for other import permit. The permit is valid for one month from the issuance date. All issued permit validity cannot go beyond one month from the issuance date.

KH: requested ASCG to facilitate the consultation meeting among the 4 AMS to resolve this issue.

LA: seeks information on the quantity of maize imported by the PWO. TH: informs that 500,000 MT of maize affected. Requested TH to comply with Article 4 of the ATIGA, seasonal restriction, contract farming, bilateral discussion and requested TH to remove the notification (1/6/2012)

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49 A 4912MF The measure would restrict corn export to Thailand.

KH: requested ASCG to facilitate the consultation meeting among the 4 AMS to resolve this issue.

KH: requested TH to submit the regulations of the Ministry of Commerce and Department of Foreign Trade regulations regarding maize. TH: Thailand’s Food Policy Committee already reviewed the measure on the importation of maize during 2011–2013 and the Committee imposed all-year-round importation through the Public Warehouse Organization (PWO) and importation by general importer during 1 March – 31 August. Further, there has already complied with the ATIGA’s tariff reduction commitment by reducing import duties to 0% since year 2010.

KH: requested TH to inform the MSCP issues a letter to resolve the issue.

KH: to address this issue on a notification dated 24 December 2011 to allow a public warehouse organization to import maize all year round. The period of importation has been extended from March to July.

KH: requested TH to submit the regulations of the Ministry of Commerce and Department of Foreign Trade regulations to be considered by MSCP for legal opinions and be raised to CCA and SCSD. TH: informed that he has no translation of the regulation. He asked the attribution of maize of neighboring countries. KH: informed that there is a translated version of the regulation by KH side. KH: informed to seek the translation of the regulation. KH: informed to seek the translation of the regulation.

KH: informed the MSCP issues a letter to resolve the issue.

KH: has to address this issue on a notification dated 24 December 2011 to allow a public warehouse organization to import maize all year round. The period of importation has been extended from March to July. The TH Ministry of Commerce is in the process of developing contract farming scheme covering several agricultural procedures including maize with Cambodia, Laos, and Myanmar. Cambodia and Laos have requested Thailand to remove the measure.

TH comment (16/02/12): TH has to address this issue on a notification dated 24 December 2011 to allow a public warehouse organization to import maize all year round. The period of importation has been extended from March to July. The TH Ministry of Commerce is in the process of developing contract farming scheme covering several agricultural procedures including maize with Cambodia, Laos, and Myanmar. Cambodia and Laos have requested Thailand to remove the measure.

KH: informed to seek the translation of the regulation.

KH: informed to seek the translation of the regulation.

The Meeting agreed that:

KH to circulate the informal translation.

KH: to consider the translation and provide comments within one month.
The regulation is part of the government's policy to control exports of mining products, prevent excessive mining, meet domestic needs and ensure environment-friendly mining activities, in addition to the Minerals Resources Minister's regulation on increasing value addition through processing and refining minerals.

The new regulation requires mining companies to obtain a recommendation from the Directorate General of Minerals if they wish to conduct exports. The recommendation, meanwhile, will be given only to companies that have met the three conditions:

- Submitting their working plan on the development of processing and refining plants before 2014;
- Signing integrity pacts; and
- Having a clear and clean status.

According to the regulation, companies that wish to conduct exports are also required to pay off their royalty and possess a mining permit. The mining products are divided into three categories, namely:

- Metal minerals;
- Non-metal minerals; and
- Rocks.

There are 21 types of metal-minerals, including iron ore, manganese, copper, nickel, cobalt, aluminium, lead, zinc, chromium, molybdenum, lithium, titanium, zirconium, silver, gold, platinum and antimony.

Meanwhile, the 10 non-metal minerals include: quartz, kaolin, limestone, feldspar, zirconium silicate, asbestos and diamond.

The rock categories include: marble, onyx, granite, topaz, jade, towwil and serpentine.

The government plans to impose a 20 percent export tariff on 14 mining minerals - copper, gold, silver, tin, lead, chromium, platinum, bauxite, iron ore, sand nickel, molybdenum, manganese and antimony.

**MY (12/7/2013): MT takes note on the explanation**

**Note:**

- **Category A: Resolved**
- **B: Ongoing**
- **C: Newly submitted**

**Matrix of actual cases on NTMs/trade barriers as of 26 April 2021**

<table>
<thead>
<tr>
<th>ID</th>
<th>Department</th>
<th>ID</th>
<th>NTM</th>
<th>Description</th>
<th>Country</th>
<th>Status</th>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>A</td>
<td>MY</td>
<td>5013MTF</td>
<td>Regulation Of The Minister Of Trade</td>
<td>TH</td>
<td>04/06/2012</td>
<td>Article 11/Notification Procedures of ATIGA not complied with</td>
</tr>
<tr>
<td>51</td>
<td>A</td>
<td>MY</td>
<td>5113MTF</td>
<td>Regulation Of The Minister Of Trade</td>
<td>TH</td>
<td>04/06/2012</td>
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</tr>
<tr>
<td>52</td>
<td>A</td>
<td>ASEAN</td>
<td>5211AFTEX</td>
<td>Regulation Of The Minister Of Trade</td>
<td>TH</td>
<td>04/06/2012</td>
<td>Article 44 (Import Quantitative Restrictions Elimination of ATIGA)</td>
</tr>
<tr>
<td>53</td>
<td>A</td>
<td>ASEAN</td>
<td>5312AFTEX</td>
<td>Requirement for an import licence from related institutions for the importation of cloth-sarong bark under of the Customs Prohibition of Imports Order 1998</td>
<td>TH</td>
<td>12/07/2013</td>
<td>Case is classified as automatic licensing and it is required 10 working days to get approval. NIPK is not paid.</td>
</tr>
<tr>
<td>54</td>
<td>A</td>
<td>ASEAN</td>
<td>5412AFTEX</td>
<td>Requirement for an export licence</td>
<td>TH</td>
<td>12/07/2013</td>
<td>The regulation is for the purpose of maintaining the database of importers and commodities. The regulation is categorized as automatic licensing and it is required 10 working days to get approval. NIPK is not paid.</td>
</tr>
<tr>
<td>55</td>
<td>A</td>
<td>ASEAN</td>
<td>5514AFTEX</td>
<td>Requirement for import licences on imports of unfinished textile products and parts</td>
<td>TH</td>
<td>12/07/2013</td>
<td>The regulation requires importers to obtain import licence issued by the Department of Foreign Trade, Ministry of Commerce for statistical information purpose. The regulation is categorised as automatic licensing and it is required 10 working days to get approval. NIPK shall be valid for 5 (five) years starting from the issuance date of NIPK.</td>
</tr>
<tr>
<td>56</td>
<td>A</td>
<td>ASEAN</td>
<td>5614AFTEX</td>
<td>Circular No. 24/2006</td>
<td>TH</td>
<td>12/07/2013</td>
<td>The Philippines imposes an import ban on poultry products from Thailand on 20 October 2004 due to spread of bird flu in Asia. Even the Philippines has lifted the ban, Thai poultry products have not yet been able to enter into the Philippines market due to complicated procedures to be completed. (Details: Annex 3)</td>
</tr>
<tr>
<td>57</td>
<td>A</td>
<td>Import Ban</td>
<td>5719PH</td>
<td>Circular No. 31/2007</td>
<td>PH</td>
<td>12/07/2013</td>
<td>The Philippines imposed an import ban on poultry products from Thailand on 7 January 2004 due to spread of bird flu in Asia. Even the Philippines has lifted the ban, Thai poultry products have not yet been able to enter into the Philippines market due to complicated procedures to be completed. (Details: Annex 3)</td>
</tr>
</tbody>
</table>

**Note:**

- **Matrix of actual cases on NTMs/trade barriers as of 26 April 2021**

**ANNEX 3**

- **PH Comment:**
  - PH has lifted the ban in August 2004 but PH meat establishments intending to export to PH would need to be accredited in accordance with the PH Department of Agriculture Administrative Order No. 16 series of 2006.
  - PH reiterates that this is a bilateral issue and measures are already being undertaken to address this one. As such, PH suggests the deletion of this case. (24/6/2010)
VN No. 13/2011/TT-BNNPTNT is a new
5813MY
VN (12/7/2013): The Form D C/Os with errors were rejected. VN has positively considered the cases for MY.
VN ID (15/7/2013): INA refer to Government Regulation on labeling no. 69/2010. The Halal certificate issued by
SG ID MY 27CCA Import
VN (12/7/2013): The Form D C/Os with errors were rejected. VN has positively considered the cases for MY.
MAL applies an Import licensing on iron and steel products. Importers shall apply approval permit to MITI. (25/11/2012)
ID - 31 May 2018
ID agree to drop this case (https://e-reg.pom.go.id)
ID updated 31 May 2018
SG- will check and revert intersessionally

II. Sindutch Cable Manufacturer Sdn. Bhd.
I. Sumitomo Electric Wintec (M) sdn. bhd.

RESOLVED BILATERALLY
MY to check with the exporters for updates.
RESOLVED BILATERALLY
MY requested IT to provide more details on cost involved.
Matrix of actual cases on NTMs/trade barriers as of 26 April 2021

Page 11 of 17
55 A  ID  MY

661360

Prohibition of introducing founder on label of product as specified in appendix 2.7.4 of Drug Registration Guidance Document (DRGD) by National Pharmaceutical control Bureau (RPCB)

Under these regulation, each manufacturer must not include information about who the owner of the inventor of obat-obatan/jamu products. This rule applies since January 2013. Should the product packaging includes the name information about the founder/manufacturer that the product will not get the registration number from BPOM/ANPQ and should not be circulated in Malaysia

CCA

Details: Annex 6 [13 Nov 13] MY responded that the case has been resolved bilaterally. [14-Nov-13]

56 A  ID  MY

671400

The counterfeit product of Kopi Kapal Api coffee in Malaysia since 2010. The counterfeit product has similar packaging to the original product and the price is 40% cheaper than the original. However, the counterfeit product has been identified as a new category of coffee which is a new category of coffee that can impact consumer's health.

Counterfeit Products of Kopi Kapal Api Coffee in Malaysia has violated SPS Chapter Trade Description Act 2011, Trade Marks Act 1976, Consumer Protection Act 1999 and Food Act 1983

CCA/SPS

Details: Annex 7 [24/2/14]

MM1216/2014: The Ministry of Domestic Trade, Co-operatives and Consumerism (MDTC) received the complaint of counterfeit product of Kopi Kapal Api in December 2013. Several rounds of meetings with the local distributor of Kopi Kapal Api, Indadi Utama (M) Sdn Bhd were held to investigate on the complaint and assess extent of counterfeit Kopi Kapal Api distribution in the market. Based on the information received, the investigation is on-going and MDTCC will continue to work closely with Indadi Utama (M) Sdn Bhd to further investigate and solve this case as soon as possible. The extent of losses occurred by Indadi Utama (M) Sdn Bhd from the counterfeit product in the market is yet to known as this case is still under further investigation.

• 20th CCA (27 Jan 16): MY informed that the action has been undertaken against the local distributors.

• 24th CCA (15 June 15): Indonesia sought clarification whether this case has been taken up to criminal/civil court and how Malaysia handles this case since the counterfeit product is still in the market. And sought clarification on how Malaysia handle the case upon the decision made in the court.

Malaysia informed that the process is consistent with its national laws and also committed in this meeting to resolve this case as soon as possible. She also assured Indonesia that necessary steps and measure has been taken by the relevant enforcement authority to fights against counterfeit goods in a country.

58 A  ID  MY

681400

Based on Article 40 ATIGA "Each member state shall not adopt or maintain any NTTs on the importation of any good to any other member state or on the exportation of any good destined for the territory of any other Member State, except in accordance with its WTO rights and obligations in accordance with this Agreement."

The仿制产品，如 Kopi L.A Coffee, have been sold in Malaysia.

The confiscation are due to the "Kopi L.A Coffee" labelling statement of "Low Acid" which believed by Malaysian Authority against the said regulation and create misconception. In contrary, Indonesia believe that the statement of "Low Acid" is a new category of coffee which has scientific evident and has not violate any rule/regulation in general and food regulation 1985, Article 18 (d) (f) in specific

CCA

Details: Annex 8 (24/2/14)

MM1216/2014: The ministry committee and legal advisor of the Ministry of Health are currently checking the complaint of counterfeit Kopi L.A Coffee.ised the complaint of counterfeit Kopi L.A Coffee. The Ministry of Health of Malaysia (MoH) received the complaint of counterfeit Kopi L.A Coffee in December 2013. Several rounds of meetings with the local distributor of Kopi L.A Coffee, Indadi Utama (M) Sdn Bhd. were held to investigate on the complaint and assess extent of counterfeit Kopi L.A Coffee distribution in the market. Based on the information received, the investigation is on-going and MDTCC will continue to work closely with Indadi Utama (M) Sdn Bhd to further investigate and solve this case as soon as possible. The extent of losses occurred by Indadi Utama (M) Sdn Bhd from the counterfeit product in the market is yet to known as this case is still under further investigation.

• 20th CCA (27 Jan 16): MY informed that the action has been undertaken against the local distributors.

• 24th CCA (15 June 15): Indonesia sought clarification whether this case has been taken up to criminal/civil court and how Malaysia handles this case since the counterfeit product is still in the market. And sought clarification on how Malaysia handle the case upon the decision made in the court.

Malaysia informed that the process is consistent with its national laws and also committed in this meeting to resolve this case as soon as possible. She also assured Indonesia that necessary steps and measure has been taken by the relevant enforcement authority to fights against counterfeit goods in a country.

58 A  ID  MY

Based on Article 40 ATIGA "Each member state shall not adopt or maintain any NTTs on the importation of any good to any other member state or on the exportation of any good destined for the territory of any other Member State, except in accordance with its WTO rights and obligations in accordance with this Agreement."

The仿制产品，如 Kopi L.A Coffee, have been sold in Malaysia.

The confiscation are due to the "Kopi L.A Coffee" labelling statement of "Low Acid" which believed by Malaysian Authority against the said regulation and create misconception. In contrary, Indonesia believe that the statement of "Low Acid" is a new category of coffee which has scientific evident and has not violate any rule/regulation in general and food regulation 1985, Article 18 (d) (f) in specific

CCA

Details: Annex 8 (24/2/14)

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6084TH

Requirements to Affix Bahasa Indonesia Label on Goods – Indonesia has enacted the Regulation of the Ministry of Trade No. 47/2013 on Obligation to Affix Indonesian Language Labels to Goods, which came into force on 25 June 2014

The Regulation requires the permanent attachment of sticker labels to goods. The companies that obtain the Work Permit Trade (WRT) license have to apply for the sticker label "Bahasa Indonesia Label on Goods – Indonesia" and pay for the sticker label on the goods.

Details: Annex 16

Note: As of 24 June 2020, the number of applications approved by Indonesia is 73 and the number of applications rejected is 72.

643ID

Requirement of Permit for Import Tire – Indonesia enacted the Regulation of the Ministry of Trade No. 6/2018 on the requirement for the importation of tires into Indonesia, which came into force on 25 June 2014

The Regulation requires the approval and preshipment inspection of tires in Indonesia, which imposes burdensome and unnecessary requirements on the importers.

Details: Annex 2

Note: As of 24 June 2020, the number of applications approved by Indonesia is 73 and the number of applications rejected is 72.
Implementation of a New Import-Quota Regulation on Various Steel Products

Malaysia raised its concern on the new regulation No.28/M-DAG/PER/6/2014 which is the consolidation of two previous regulations No.26/M-DAG/PER/9/2014 and No.111/M-DAG/PER/12/2015 as it limits the quantity of the goods that can be imported and increased the number of documents in the process. This has adversely affected Malaysia’s export of iron, steel, alloy steel and its derivative to Indonesia. Details: Annex 1B

SIA: Regulation has been resolved and replaced by the regulation of the MoT No. 09/2020.

TH: requested ID to share the said latest regulation for domestic consultation.

ID: This regulation has been revoked and replaced by the regulation of the MoT No. 3/2020.

MY: requested ID to share the said latest regulation for domestic consultation.

ID: requested ID to share the said latest regulation for domestic consultation.

TH: ID TH will resolve bilaterally.

Note: Category A: Resolved; B: Ongoing; C: Newly submitted

Matrix of actual cases on NTMs/trade barriers as of 26 April 2021

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Noted the progress of the case which also discussed on the agenda pertaining Maize.

TH (29/5/2018)
Indonesia will inform the meeting that Vietnam should be able to comply with the Asean Stability Guidelines as a stability test guidelines in ASEAN (as in chapter 4.7 Storage Condition, page 7)

Chapter 4.7: “vi. Other storage conditions are allowable if justified, e.g., under the following circumstances: • Products containing less stable active ingredients and formulations not suitable for experimental studies on storage at elevated temperature (e.g., suppositorys) will need more extensive long-term stability studies.”

ID: since the exporter already moved on with this case, ID agreed to close this case

ID seeks update from VN on the progress of her domestic consultation on this case as ID has provided more explanation.
VN will revert interpersonally.

27th CCA

ID sought update from VN on the progress of her domestic consultation on this case as ID has provided more explanation.

VN will revert interpersonally.

27th CCA

VN: Viewed that this NTM does not comply with ATIGA and WTO and VN urges ID to expedite the resolution for this case.

31st CCA (27 Nov 2019)

VN seeks updates from ID on this case and requested information on the timeline for ID’s domestic consultation.

32nd CCA (27 Feb 2020)

ID: Since the exporter already moved on with this case, ID agreed to close this case.

Therefore, Viet Nam urged Indonesia to expedite her effort on deregulating this regulation as soon as possible.

Viet Nam would consider retaliatory measures on Indonesia’s exports to Viet Nam such as coal, automobile, steel to remedy the adverse impact caused by the local content requirement imposed by Indonesia. However, we want to discuss with Indonesia to resolve this matter by consultations first before using Dispute Settlement Mechanism.

Viet Nam’s Prime Minister as well as Minister of Industry and Trade of Viet Nam sent letters to Indonesia to express her concern on the regulations on the mandatory local content requirement for 4G LTE mobile devices stipulated in Regulation 27/2015 of Indonesia’s Ministry of Communication and Information Technology and Regulation 65/2016 of Indonesia’s Ministry of Industry since this regulations violate TRIMs Agreement. Viet Nam urged Indonesia to provide official response to the letter of our Prime Minister and the Minister of Industry and Trade of Viet Nam as well as provide specific timeline for the bilateral discussion on this case.

ID requested ID to provide the letter.

ID: Since the exporter already moved on with this case, ID agreed to close this case.

ID requested ASEC to facilitate the consultation meeting among the 4 AMS to resolve this issue.

TH: Thailand’s Food Policy Committee already reviewed the measure on the importation of maize during 2021 - 2023. Since the Committee imposed all the year-round importation through the Public Warehouse Organization (PWO) and border area (Mae Sot and Maesot).

MM: requested ASEC to facilitate the consultation meeting among the 4 AMS to resolve this issue.

ID: Since the exporter already moved on with this case, ID agreed to close this case.

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Principles, method, and criteria for sugar importation into Thailand

Notice for sugar cane and sugar on the transportation limited checkpoints and to Thailand

Notice of the importation of Wireless telecommunication products involving electro-magnetic compatibility (EMC) Details: ANNEX 25 (05/12/18)

Notice for the importation of Coffee beans and Coffee Products into Thailand

A Tariff update from TH

A Tariff update from TH on this issue.

A Tariff update from TH on this issue.

A Tariff update from TH on this issue.

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<td>Matrix of actual cases on NTMs/trade barriers as of 26 April 2021.</td>
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<td>Details appear as ANNEX 28, ACCSQ. Drug manufacturers in Thailand have complained that the technical barriers to trade from requirements for Certificate of Pharmaceutical Product, as applied by Vietnam, has severely disadvantaged in exporting drugs to Vietnam, as they found difficulties to enter Vietnam’s market due to such restrictive and unnecessary requirements.</td>
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<td>Details appear as ANNEX 29. For foreign pharmaceutical products (import) in obtaining and maintaining marketing authorization in Vietnam, as part of the registration requirements, companies must submit Certificate of Pharmaceutical products (CPPs) which are issued by health authorities of the manufacturing exporting country to the Vietnam Ministry of Health (MOH). (Circular of the Ministry of Public Health No: 32/2018/TT-BYT MARKETING AUTHORIZATION OF DRUGS AND MEDICINAL INGREDIENTS Article 23. 4. 5)</td>
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<td>Details appear as ANNEX 30. Vietnamese informed that she issued The Circular 29/2020/TT-BYT dated 31 December 2020, which provides a number of improvements to Circular 32/2018/TT-BYT. Furthermore, as SEOM US mandated ACCSQ to look into it carefully in order to resolve the issue on CPP and to update SEOM on the outcome of these discussions. Viet Nam proposes the case to be discussed at ACCSQ.</td>
</tr>
<tr>
<td>86</td>
<td>A</td>
<td>TH</td>
<td>VN</td>
<td>Tariff Quota for Cigarette Paper</td>
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<td>Details appear as ANNEX 31. Ministry of Industry and Trade Vietnam promulgated Circular No. 57/2018/TT-BCT which entered into force from February 19, 2019. Refering to Article 3 stated on this circular, import of cigarette paper under HS CODE 4813.10.00; 4813.20.00; 4813.90.10 and 4813.90.90 into Vietnam will be granted based on tariff quotas defined each year, production output of each enterprise, capabilities of meeting demands for tobacco ingredients in the country and application needs of each enterprise.</td>
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<td>Details appear as ANNEX 32. Indonesia considers the said Article 3 as a form of obstructing or causing difficulty to import cigarette paper because cigarette companies need to put a lot of time and effort to get import quota approval. It is also contradicted with ATIGA commitment to eliminate all TRQs.</td>
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<td>Details appear as ANNEX 33. Indonesian considers he said Article 3 as a form of obstructing or creating difficulty to import cigarette paper because cigarette companies need to put a lot of time and effort to get import quota approval. It is also contradicted with ATIGA commitment to eliminate all TRQs.</td>
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<td>Details appear as ANNEX 34. Indonesia informed that he joined the case with Thailand because Pharmaceutical enterprises in Indonesia also faced the same difficulties to enter Viet Nam’s market.</td>
</tr>
</tbody>
</table>

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**Note:**

- **Category A:** Resolved; **B:** Ongoing; **C:** Newly submitted
- **Matrix of actual cases on NTMs/trade barriers as of 26 April 2021**