Experiences in making TBT Notifications in China

Guo Lisheng
Deputy Director General
China WTO/TBT National Notification Authority and Enquiry Centre, AQSIQ.
Notification agencies in China

China WTO Notification and Enquiry Bureau, MOFCOM

Responsible mainly for:
Issues in relation with WTO affairs and notifications of China
TBT Enquiry Point

China WTO/TBT National Notification and Enquiry Center, AQSIQ

Responsible mainly for:
Issues in relation with TBT notification and enquiry in China
TBT Enquiry Point

Specific work undertaken:

- TBT notifications of China
- comments from other Members on China’s TBT notifications
- TBT enquiries from home and abroad
- comments on other TBT notifications
- research work on key TBT issues
- popularization of TBT information
- maintenance of the China TBT-SPS website
- information exchange and international cooperation activities
Mechanism on Coordination among Government Departments

Inter-ministerial Coordination Conference on Technical Measures to Trade

Consisting of 18 ministries
Developed the document:
Temporary guidance for the notification and enquiry work on TBT issues
The notification procedure

- The regulatory agency determines what and when to notify and fill out the notification forms
- Enquiry Point check the notification forms
- Notification Authority review the forms again
- Permanent Mission in Geneva submit the final version to WTO Secretariat
Work with regulatory agencies

Hold seminars
- to discuss the TBT principles
- to explain the requirements of filling in the notification form
- to exchange experiences on notification
Under what condition should a notification be made

- relevant international standard does not exist
- technical content is not in accordance with international standard
- may have significant effect on trade of other Members
When a notification should be made

- At an early appropriate stage, when a draft is available
- Before adoption (being approved by the government department)
- Amendments can still be made and comments can be taken into account
Which committee should a notification be submitted to

**Objectives**

Protect human or animal or plant life or health from risks arising from pest, diseases, additives, toxins, contaminants, etc.

- Yes
  - SPS

- No
  - Technical regulation or Conformity assessment procedure
    - Yes
      - TBT
Is it an Urgent Notification?

When safety, health, environmental protection or national security problems arise or threaten to arise, upon adoption of new requirements Members shall:

- Notify the measure immediately to the WTO Secretariat, the products covered, the objective and rationale, and nature of urgent problem
- Provide copies of the measure upon request
- Allow reasonable time for Members to comment in writing without discrimination
- Publish or make available adopted measures
- Discuss comments & take them into account
With what format should notification be made?

The format is set by the TBT Committee. Detailed instruction is in G/TBT/1/Rev.8, Section III. We made the Chinese and English bilingual version.
How to fill in the notification form

Particular attention should be given to aspects such as:

- as complete as possible
- no item should be left blank
- Final date for comments
  (60 days after distribution by the WTO Secretariat)
- Proposed date of adoption (90 days after distribution by the WTO Secretariat)
- Proposed date of entry into force (6 months after adoption)
Technical check for the forms

- Give a serial number for new notification
- Examine if each item of the Chinese form is filled out appropriately
- Consult with regulatory agency to make necessary modifications
- Review whether the Chinese form is translated accurately into English
- Confirm by regulatory agency of the final version
- Make a dossier (include the original and final form, the full text of the document and the record of the process)
After notification circulated

- Upload the notification information on website: http://www.tbt-sps.gov.cn
- Upon request, provide the full text in PDF format
- Consult with regulatory agency to answer request for prolonging comment period
Deal with comments

- Receive comments from other WTO Members
- Translate into Chinese if possible, then pass to regulatory agency
- Regulatory agency prepare the reply in Chinese and English
- Review the translation version
- Submit the reply to relevant Member
TBT Notifications by China
Thank you