

Matrix of actual cases on NTMs/trade barriers

No (1)	Category (2)	Type of Measure (3)	Reporting MS (4)	Responding MS (5)	Case Title	Ref. No	Description of Measures/issues (6)	reported-issues/concern (7)	Sectoral Body/ relevant agency (8)	Status/ Remarks (9)
1	A	1.Border measures	MY	BN		0113MY	Transit charges of B\$25 per container of general consignment and B\$100 per container of controlled goods from Sabah/Miri to Limbang.	This affected the price of basic goods in Limbang. Note: This is a bilateral issue.	Customs	Resolved bilaterally through Brunei's MOFAT letter dated 19 Sep 2011. (15/02/12). MY (15/7/2013): Charges have been reduced.
2	A	2. Halal measures/ Halal Certificate	ID	BN		0212ID	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. Currently it is only performed in two labs: SGS and Indofood.	This process takes almost 1 month and incurs additional cost.	ACCSC	BN: 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 83 (3) Emergency Order (Halal Meat), 1998. (12/03/12)
3	A	2. Halal measures/ Halal Certificate	MY	BN		0312MY	- 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. - Officer from Ministry of Religious Affairs must be present at slaughter. - Large proportion of meat not accepted as "halal" because of strict requirements concerning damage to skulls 15/2/2012	Numerous and lengthy requirements which burden the exporters.	ACCSC	BN : 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 83 (3) Emergency Order (Halal Meat), 1998. (12/03/12) MY noted BN submission on the revised halal procedure appearing as ANNEX 1 .
4	A	2. Halal measures/ Halal Certificate	MY	ID		0412MY	- Majelis Ulama Indonesia (MUI) 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 trans-shipment of meat. - Meat plants need to be inspected and approved twice a year to ensure that they comply with Indonesian "halal" requirements. 15/2/2012	Note: OIC Forum in 2009 recognized Malaysia's Halal certification as the benchmark for certifying halal products.	CCA	ID will consult with the related agency. MY (4/7/2013): Jakim Malaysia has its SOP and halal standards for halal logo. Malaysia informed that Indonesia only recognises 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 JTIC in Jakarta and Annual Leaders Meeting in 2016. Malaysia was also made to understand that Indonesia is currently in the process of establishing a new agency/body 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. Additionally, Malaysia also encourage that this issue can be resolve bilaterally. she proposed for this issue should be addressed by G to G basis. ID (03/02/17): reiterated her position and requests Malaysia to consult domestically with JAKIM as this issue has been discussed in MABIMS forum (BD, ID, MY, and SG) and the members of MABIMS agreed to respect 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)
5	A	3. Import licensing/ SPS/permits and related measures	ID/ AFTEX	MY		0512MY	- Malaysia requires license from related institutions for import of cloth-sarong batik (Customs (Prohibition of Imports) Order 1998) - Malaysia requires bullet-proof vests, steel helmets and other article of clothing intended as protection against attack to get phyto-sanitary certificate.	Increases unnecessary cost for exporters and takes lengthy approval time.	CCA	The issue was raised by the AFTEX during 6 th CCA Meeting . (15/02/12) - MY Comment: As per 7th CCA, Malaysia provided her justification on the two regulations for bullet proof vests and batik sarong. The bullet proof vest is for security reason while the batik sarong is a cottage industry and it is for the purpose of uplifting the livelihood of the rural people. Batik Sarong is also classified as a national handicraft item. And noted that ASEAN Secretariat informed AFTEX through e-mail dated 2 March 2012.
6	A	3. Import licensing/ SPS/permits and related measures	ID	TH		0612ID	- Thailand imposes tariff quota for import of raw silk. - For statistical purpose, Thailand requires some of textile commodities must have license from DFT before imported	Increases unnecessary cost for exporters and takes lengthy approval time. Note: ATIGA Article 20	CCA	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) TH 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 AFTA since TRQ of raw silk have been eliminated since 2006. (2) Import License is required for the import of certain apparels and clothing accessories and raw silk to Thailand aiming for statistical purpose. (21/05/2012)
7	A	3. Import licensing/ SPS/permits and related measures	MY	BN		0712MY	- Import licenses required for Tele-communications equipment. - Meat, seafood and plant products require a license from the relevant government agency	Lengthy approval time taken by the respective agencies	CCA	- 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. (12/03/12)
8	A	3. Import licensing/ SPS/permits and related measures	MY	ID	Delay in Issuance of Form D for CKDs	0812MY	The delay in the issuance of Form D for CKDs	The delay in the issuance of Form D for CKDs which has deprived preferential duty to UMW Toyota Malaysia	CCA	27CCA MY would like to drop this case ID informed she is now conducting a system transformation from manual SKA to e-SKA. MY requested ID to officially inform her. MY/ID will resolve this issue bilaterally. (1/6/2012) MY (12/7/2013): Toyota indicated that the problem continue to exist. 26th CCA: ID seek clarification there is a delay in issuing the form D whether there is remain a problem on this issue
9	A	3. Import licensing/ SPS/permits and related measures	MY	VN		0913MY	Goods shipped to Cambodia through Viet Nam require a transit license.	Additional regulation that seems to be unnecessary.	Customs	VN (12/7/2013): All types of goods are permitted to transit 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 23/01/2006. Permission is necessary to ensure proper administration of exceptional goods that transit through VN. The regulation is issued for legitimate purposes. It is therefore NTB free and suggested to be removed for simplifying and making the Matrix user-friendly (following the Guideline adopted by CCA) MY (18/03/16): MY informed that both countries considered the case as resolved.

10	A	3. Import licensing/SPS/permits and related measures	MY	ID		1012MY	- Licensing system for imports of "strategic" commodities, such as rice, sugar, soybeans and corn. A non-automatic licensing system applies to some products. Tariff quotas on milk powders. - Import licenses required for seafood products	Need for TRQs	CCA	- ID informed no TRQs are imposed on milk powders. - ID informed there is no special import licensing on seafood products. (15/02/12)
11	A	3. Import licensing/SPS/permits and related measures	MY	MM		1112MY	Myanmar Telecoms requires issuing of license before a piece of Tele-communications equipment may be imported; authorities consider whether a product is essential or not.	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. (21/05/12)
12	A	3. Import licensing/SPS/permits and related measures	VN	MY		1212VN	Malaysia maintains TRQ for live pigs (HS 0103.91000, HS 0103.91000), live poultry (0105.11900, 010594190), pork of various kinds (HS 0203.11000, 0203.21000); poultry meat (0207.11000, 0207.12000, 0207.130000, 0207.14000), milk (0401.10110, 0401.20110, 0401.30110), chicken eggs and duck eggs (0407.00111, 0407.00112, 0407.00910, 0407.00920), round cabbage (0704.90110). While the tariff rate within quotas is from 10-25%, it's extremely high outside quotas, from 20%, 40%, 50% and 90% respectively (31/5/2012)	-	CCA	- Agencies managing quotas and grant import license is the Animal Health Department. Other cooperating agencies include Ministry of Agriculture, Ministry of Health 31/05/2012 TRQs are not applicable for ASEAN countries. VN will revert since she needs to check with her private sector. (1/6/2012) VN (12/7/2013): VN considered this case resolved.
13	A	4. Requirement for Pre-Shipping Inspection	SG	ID		1312SG	Pre-shipment inspection requirements reinforced. Products covered include, i.e. electronics and household appliances (HS 7321; 8413; 8414; 8415; 8418; 8419); textiles (HS 6105; 6301); footwear (HS 6401; 6402; 6403; 6404; 6405); and food and beverages (HS 1601; 1602).	-	CCA	- ID informed that a pre-shipment inspection (surveyor report) is needed for information on the quality/standard, items, specification, quantity, the importer name, tariff, entry port and also port destination of the goods. (15/02/12) SG requested Indonesia to provide a list of products that need pre-shipment inspections. SG noted that this is an onerous requirement (30/04/13)
14	A	5. Non-Recognition of Test Reports and Certification for cosmetics and glass products.	MY	ID		1412MY	Unnecessary re-testing of the products with accredited laboratories in the importing country.	- Unnecessary costs being incurred by exporters. - Non-implementation of The ASEAN Cosmetic	ACCSQ	- 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. - ID follows ACD for GMP compliance. (15/02/12) ID will provide the date of the notification pending Indonesia's information. (6/5/2013) ID (15/7/2013) : ID notified on 1 January 2011. This case was picked by Indonesia to be put as Pilot Case. MY submitted detailed information on 22/2/2014 which appears as ANNEX 9 (26/2/2014). • Indonesia provided her response on 26 February 2014: For testing laboratory of foreign could appointed by Ministry if the have Mutual Recognition Arrangement (MRA) between KAN and Accreditation Body of country concerned, and have bilateral or multilateral agreements in the field of technical regulations with Indonesia. MY responded on 6 June 2014: • Malaysia took note on the information provided by Indonesia as above. • The issue has been addressed by the implementation of the ASEAN Cosmetic Directive (ACD) which was adopted by all AMS in 2008 (3-years grace period). The Case is considered resolved.
15	A	5. Non-Recognition of Test Reports and Certification for cosmetics and glass products.	MY	ID & TH		1512MY	Requirement for repeat testing and inspection products exported from same manufacturer to different buyers or importers	Directive further requires GMP certification of affected products (this has been made away with by the ACD). Delayed implementation of ASEAN Cosmetic Directive. Defies the underlying purpose for facilitating trade for cosmetics products in the region.	ACCSQ	- 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), every importation of glass products (kaca lembaran) is obligated to be verified / inspected at port of origin first - According to Article 3 number (5) Regulation of Ministry of Trade Number 40/M-DAG/PER/9/2009 about Verification or Technical Inspection of Glass Products (Kaca Lembaran) states that for every verification / technical inspection, surveyor charges the cost or fee from importers. - ID informed that Based on Peraturan Menteri Perindustrian No. 86/M-IND/PER/9/2009 jo. SK Ka. BPPI No. 247/BPPI/X/2008, testing and certification period of SNI takes maximum of 41 days provided that the entire documents are completed and correct. (15/02/12)
16	A	5. Non-Recognition of Test Reports and Certification for cosmetics and glass products.	MY	VN		1612MY	Viet Nam requires all float glass manufacturers exporting to Viet Nam to comply with the Industrial Standards on environment ISO14001:2004 and ISO9001:2008.	- MSG 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	- ACCSQ	MY Comment: TBT Enquiry Point of Malaysia has sent an e-mail on 21/2/2012 seeking for clarification to TBT E.P. Viet Nam on: i. Whether these requirements are applied both to imported producers as well as domestic producers (National Treatment TBT/WTO requirement) ii. Whether this regulation has been notified to WTO, as required by Article 2.9 of the TBT Agreement. (14/05/12) VN (12/7/2013): VN clarified that the requirement was no longer applied.
17	A	7. Repetitive request for verification	MY	ID		1712MY	Repetitive request for verification and authentication of ATIGA Form Ds. Submitted: 15/2/2012	Leading to delays and increased cost for exporters.	CCA	ID informed that this is allowed by ATIGA OCP to verify the authentication of ATIGA Form D. ID requested for more detailed information on case by case basis. (15/02/12) MY Comment: Although verification is allowed under the ATIGA OCP, the request for verification of signatures should not be so frequent since the updated specimen signatures are already sent in a timely manner. Specimen signatures were hand-delivered to all AMS including Indonesia's focal point during the 6th SC-AROO Meeting in December 2011 and yet Malaysia received on March and April 2012 request for verification of authorized official signature which did not match the specimen signature) (14/05/12) IN 2012, Malaysia received a total of 31 request for retroactive check from Indonesia. From January - May 2013, Malaysia received 22 requests for retroactive check.

18	A	11. Electrical and Electronic Products (E&E)	MY	SG		1812MY	In Singapore, effective 1 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: 15/2/2012	Export of these products to Singapore is now subject to MEPS. Malaysian manufacturers and exporters of those products have to incur additional cost to send their products for testing at approved laboratories.	ACCSQ	SG informed that this is enforced by the national agency. (15/02/12) 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 lifecycle cost (i.e. accounting for both upfront costs and electricity cost over its useful lifespan); and (b) Ensuring reasonable availability and variety for each 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 on is the following NEA website: http://app.nea.gov.sg/cms/htdocs/article.asp?pid=2843#standards . On whether MEPS is being implemented globally, many countries (e.g. Australia, Canada, China, Japan, Korea, New Zealand, EU and the US) have introduced MEPS for various appliances, including air-conditioners and refrigerators. (12/03/12)
19	A	21. Consumer warning statement, Allergen additive statement.	MY	BN & TH		1912MY	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.	ACCSQ	BN does not require any statement on allergen but source of additive has to be presented as it is also required by Malaysia. (12/03/12) TH Comment: Thailand requests such information to inform local consumers of product usage in accordance with Thai regulations on consumer protection. (21/05/12)
20	A	23. COA for finished goods	MY	BN & ID		2012MY	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.	CCA	ID informed that the purpose of this CoA is for safety reason. Usually CoA has been provided by the manufacturer. (15/02/12) BN Comment: COA is required if they do not have health certificate/export certificate or any certificate certifying the product on every shipment. (12/03/12) Request Brunei and Indonesia to reduce the time taken for the test. ID (15/7/2013): INA informed that COA should be submitted as registration requirement and it is a normal
21	A	26. Import permit on meat products	BN	MY		2112MY	Export and import meat that pass through Limbang is being subjected to charges by Malaysia Agriculture Depart for import permit at RM0.10 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 license/permit fees as specified under the Third Schedule of the Veterinary Public Health Ordinance, 1999 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. (14/05/12)
22	A	8. Tedious and lengthy procedure and process for food and pharmaceutical products	ID	VN, MY, MM, KH		2213ID	Lengthy time of registration of pharmaceutical products :Vietnam, Singapore, Philippines : 18-24 months. Malaysia, Myanmar, Cambodia : 24 months. Lengthy time of renewal registration of pharmaceutical products : Vietnam : 10-15 months, Malaysia : 6 months, Myanmar : 9 months, Cambodia: 12 months Submitted: 15/2/2012	Lengthy approval time/ Delay importation Costly	ACCSQ	23 Nov 17 ID: proposed to put the case as resolved. she has a concern because it related to ATIGA and GATT TH: prefer to maintain this case and will provide information later MM Comment: Under the guidance of Drug Advisory Committee, Myanmar FDA is mainly focus on safety, quality, efficacy of pharmaceutical products according to ASEAN common technical document. Issuance of Health certificate for food importation and import recommendation for food are speeded up by restructuring the process and cost also reduced to an acceptable level. these modified processes are notified in public newspapers. (3/7/2013) KH (7/7/2013): -In accordance with the Joint Prakas of Ministry of Economy and Finance and Ministry of Health No. 994 MEF.PK, dated 28 December 2012, product testing before the registration of pharmaceutical products for the 1st shipment requires 6-8 months with validity of 5-years. -All required documents have to be submitted to the ministry of health. MY (12/7/2013): For renewal, MY takes the least time. For registration, MY will follow-up with her Ministry of Health. ID (12/7/2013): ID considered this case resolved. This case was picked by Cambodia as Pilot Case ID (6/3/2014): ID Submitted the detailed information which appears as ANNEX 12.
23	A	19. Requirement of documents.	MY/SG	AMS Except SG		2312MY	Manufacturing Process Chart, Ingredient list, Formulation list, Batch Numbering system, Product Ability test, Certificate of Analysis(COA) for raw materials and packaging materials. Submitted: 15/2/2012	Numerous documents lead to burdensome procedures.	PPFWG	MY Comment: Malaysia suggests that this to be taken up at the Working Group on Pre-Prepared Foodstuff (PPFWG) Meeting. (14/05/12) MY will revert by 7June 2013 (6/5/2013) PH comment: The existing requirements for registration of food are still in the current requirements since this has not been discussed at the ACCSQ PFPWG. Each Member State is still adopting its own national requirement. This will be addressed as soon as the discussion on the MRA for Prepared Foodstuff Sector is finalized. The discussion on MRA has just resumed last June after Thailand delegates got approval to join the discussion on MRA after two years. PH therefore suggests the deletion of this case. MY proposed to retain this case since there is work in progress as mentioned by PH (5/7/2013) this case was picked by Viet Nam to be put as Pilot Case MY sent detailed information on 22/2/2014 which appears as ANNEX 11 (26/2/2014). Singapore has voiced her concern on Viet Nam's document requirement case on 23 Feb 2014. Detailed information has also been submitted. The cases is still being discussed by officials concerned.(23/2/2014) Viet Nam consulted it with related agency that she notified WTO and ASEAN and the measure is in line with international practices and transparent. Viet Nam also requested Malaysia & Singapore on specific regulation/ evidence on the cost faced by the exporters towards the said regulations. And requested other countries to submit their prepared foodstuff requirements for reference. Since the case is being discuss under the PFPWG, the 3 countries agreed to recommend to the AEM to urge the PFPWG to expedite the finalisation on MRA as once of an option to solve this issue. (as of 6/3/2014)

24	A	20. 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.	ACSPS	CCA27 MY Agree to drop the case ID update 31 May 2018 The latest regulation of BPOM Regulation No 27 in 2017 on Registration of Prepared Foodstuff, EIF 8 January 2018 (https://e-reg.pom.go.id) -labelling, logo -distribution permit, etc TH comment: Types of products need to be clarified. (21/05/12) MY: Food products. Request TH to provide the time frame for approval. TH comment (11/7/2013): 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 (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
25	A	20. Certification Process	SG	ID	SNI certification process	2512SG	1. Using the reason of meeting certain minimum product quality, the government has been enforcing the Indonesian National Standards (SNI) certification process on certain finished-goods imports since 2001. 2. The SNI can be used as a non-tariff barrier. 3. In particular, there are concerns over (i) the long approval process; (ii) high cost of obtaining the SNI certification; and (iii) the need to re-apply every four years	The SNI can be used as a non-tariff barrier.	CCA	27CCA SG proposed to drop this case until there is a new development. ID (01/06/2018) The regulations governing the SNIs are clear and transparent and until now no other ASEAN Member states file (a) complaint(s) to Indonesia, whereby for AC (electronic) products before being traded at Indonesia must have SNI. SNI for AC (electronic) products has a clear and transparent issuing process, which is 41 working days calculated from the complete documents received by the designated LSPRO (attachment 1). More information can be accessed via http://pustan.kemenerin.go.id/List_LSPRO . The validity period of SPPT SNI for 4 years is regulated in the Regulation of the Minister of Industry No. 86/2009, in which the application is also adjusted to the period of accreditation LSPRO (the government appointed body to issue SPPT SNI) is evaluated every 4 years by the National Accreditation Committee. This is beyond AHEER's arrangement (3 year validity period for Certificate of Standard), also for Indonesia used certification type 5, different with Singapore (certification type 1b). Lastly, this all inline with ISO/IEC 17067 : 2013. For Certification Process SNI including Cost of Certification, More detail information at http://bsi.kemenerin.go.id/portalsmart/publik/simulasi/nav/53 . For Certification Bodies (LSPRO) for Electronic (AC/Refrigerator), Indonesia has 6 (six) LSPRO based on Ministry of Industry Regulation No75/M-IND/PER/2016 (attachment 2). For any complaints relating with the process of obtaining SNI, Indonesia have one dedicated email for Singapore's consideration: tb.indonesia@bsn.go.id . and to use ASSIST for communication Currently, BSN as standardization agency in Indonesia is in the middle of moving its server to another location, so changes could not be entertained until the set up process is finished, especially for SG's request at range of cost for the SNI's certification process 27CCA: Indonesia and Singapore agreed to postpone this Agenda from CCA, until new development arises (01/06/2018)
26	A	1.Border measures	ID	MY		2612ID	Malaysia requires imported wheat flour must obtain license in advance, in accordance with the quota set by Malaysia authorities. 15/2/2012	ATIGA Article 20 provides that AMS eliminate TRQ's	CCA	MY comment: The Import License or AP is required for monitoring purpose. No quota set for importation of wheat flour. (14/05/12) ID: request MY to provide the relevant info. (LE/regulations/website) (1/6/2012) MY (12/7/2013): Please refer to the information on www.customs.gov.my
27	A	2. Halal measures/ Halal Certificate	MY	TH		2712MY	Complexity of adhering to Thai Food and Drug Administration import regulations. 15/2/2012	Numerous and tedious regulations to be complied by the exporter/manufacturer	- CCA	TH will consult her Ministry of health and revert. - TH requested more info on the kind of food. (15/02/12) MY (4/7/2013): Food products in general. Request TH to provide the procedures/regulations for MY's reference TH comment (11/7/2013): Thailand has discussed internally with relevant agencies. Thailand's FDA asks Malaysia to specify the HS codes of the products that Malaysia requested Thailand to provide information on import procedures/regulations. Thailand will revert after receiving more info from Malaysia 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 Malaysia to check and revert whether this case could be removed. TH (03/02/17): She has received information provided by Malaysia on the products of her interest. The good involved is Biscuits products with HS code 1905.31.10, 1905.31.20 1905.32.10 and 1905.32.20. She will
28	A	3. Import licensing/ SPS/permits and related measures	MY	ID		2812MY	Decree of March 2002 on Special Importer Identification Code Numbers (NPIK) limits imports of electrical appliances and toys through special import licenses; and these are granted following a domestic needs assessment. (15/2/2012)	Note: ATIGA Article 20 provides that AMS eliminate TRQ's.	- CCA	- NPIK is aimed to maintain importer and commodities data based. - NPIK is not an import limitation, but an identity/registration number for importers. - This regulation is categorized as automatic licensing and it requires 10 working days to get approval. - NPIK shall be valid for 5 years starting from the issuance date of NPIK. - Exports of electrical appliances from MY to ID are affected by the restriction of IN to allow only for 5 Ports. - ID informed that the port restriction is to protect the smuggled goods. - MY informed that this is not trade facilitative and requested ID to reconsider and the export through Port Tebedu to be allowed (15/02/12) ID justified the reason of port improvement. ID Justification: • The purpose of issuing the NPIK is to maintain importer and commodities data based for traceability purpose. • NPIK is not an import limitation, but an identity/registration number for importers. • This regulation is categorized as automatic licensing and it requires 10 working days to get approval. • NPIK shall be valid for 5 years starting from the issuance date of NPIK. • Exports of electrical appliances from MY to ID are affected by the restriction of IN to allow only for 7 Ports of import of the said products. • ID informed that the port restriction is meant to prevent the incoming of smuggled goods. • MY informed that this is not trade facilitative and requested ID to reconsider other Ports as the export Ports for the said products ID will share the website information on the port lists. MY will discuss bilaterally with ID. MY added it affecting bilateral trade and not enhancing intra ASEAN trade. BN requested MY to give detail on the trade is being affected by this regulation and requested both country to share the information during bilateral progressive since it affecting other ASEAN country as well and requested ID to check BIMPEAGA that tebedu is highlighted under (CISQ) BIMPEAGA ports, thus anything restricted should be notified to other members.

29	A	3.Import licensing/SPS/permits and related measures	SG	ID		2912SG	- This decree requires importers of certain product categories to apply for a special importer identity card. Products affected include: corn, rice, soybeans, sugar, textile and related products, footwear, electronics and toys. Trade Decree 56/12/2008 - New non-automatic import licensing requirements. The regulations place restrictions on the port of entry for 500 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 Soekarno-Hatta (Makassar). (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. - The description and the implication are not related. - ID sought more detailed information on this issue. (15/02/12) SG sought more clarification on the policy's measures. ID - the issue similar with MY's case. ID informed that regarding the amendment of the regulation in the 2010 under Trade Decree 57/2010, adding two more ports, thus there are 7 ports right now. (1/6/2012) 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)
30	A	3.Import licensing/SPS/permits and related measures	SG	VN		3012SG	New procedures requiring that imports of certain products, i.e. mobile phones, alcohol, motor vehicles, and cosmetics be authorized 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. (15/02/12) SG noted VN explanation and will revert for more information (1/6/2012) SG will provide details on the products. (6/5/2013) VN12/7/2013): The said regulation was no longer effective and since SG has not provided further details, it
31	A	4.Requirement for Pre-Shipping Inspection	MY	ID		3112MY	- 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 costly 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 needed 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. (15/02/12) - MY Comment: Malaysia requested that some consultations be held with the surveyors to impose reasonable fee to facilitate intra-ASEAN trade. (14/05/12) 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 / nursery 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 based: Decree of Minister of Trade No. 793/M-DAG/KEP/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	4.Requirement for Pre-Shipping Inspection	MY	ID		3212MY	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 subjected to same	Customs	- MY informed that the product is an un-finished product. - IN informed that a pre-shipment inspection (surveyor report) is needed for information of the quality/standard, items, specification, quantity, the importer name, pos tariff, entry port and also port destination of the goods. - IN sought more detailed information on the issue of unfair treatment and disadvantage relating to ceramic product and glass (15/02/12) - MY Comment: The ceramic product (mould former) involved and is used in Indonesia for the manufacture of finished product (gloves) which is meant for 100 %export market. (14/05/12)
33	A	8. Tedious and lengthy procedure and process for food and pharmaceutical products	ID	TH		3312ID	Thailand require Bioequivalence must use local subject. Submitted: 15/2/2012		ACCSQ	TH Comment: TH requests IN to clarify the complained barriers on Bioequivalence (BE) study and affected product information. (21/05/12) 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. (1/6/2012) . ID (12/7/2013): ID considered this case resolved.

Case No.	Category	Product	Country	Issue	Resolution/Status	Notes
34	A	8. Tedious and lengthy procedure and process for food and pharmaceutical products	MY; TH	ID	The registration for imported drug	<p>3412MY</p> <p>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/XI/2008 on Drug Registration, to gain distribution approval in Indonesia, imported drugs must have higher efficacy 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</p> <p>Article 41 (general Elimination of Quantitative Restrictions) Article 6 (National treatment on Internal Taxation and Regulation Article III (GATT) (National Treatment on Internal Taxation and regulation</p> <p>CCA</p> <p>(CCA27) Malaysia agreed to drop the case, however Thailand would like to retain this case</p> <p>TH (2 June 2018) : Thailand noted Indonesia updated. However, Indonesia's measure on the importation of pharmaceutical products has been a great concern to our pharmaceutical manufacturers and exporters. In this regard, Thailand would like to maintain this case for further discussion and reference.</p> <p>ID -31 May 2018 Indonesia would like inform to Thailand, if your private sector still not satisfy with Indonesia's explanation, Indonesia requested Thailand could submit to Dispute WTO Mechanism because our regulation has transparency for all exporter/importer.</p> <p>ID -31 May 2018 Indonesia would like inform to Thailand, if your private sector still not satisfy with Indonesia's explanation, Indonesia requested Thailand could submit to Dispute WTO Mechanism because our regulation has transparency for all exporter/importer.</p> <p>ID 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. Generic essential drug c. National public health program drug d. Investigational new drug (IND)</p> <p>Time line drug registration : 100 Working Days: 150 Working Days : a. New drugs already marketed in harmonized countries or in countries with established evaluation system b. Copy drugs 300 Working Days for other new drugs.</p>
35	A	10. Iron and steel products	MY	ID	Testing and verification by Standard Nasional Indonesia (SNI) on iron and steel products takes between 1-2 months before import permits are issued. Submitted: 15/2/2012	<p>Increases cost and is deterring buyers to import from overseas.</p> <p>ACCSQ</p> <p>ID informed that based on the Peraturan Menteri Perindustrian No. 86/M-IND/PER/9/2009 jo. SK Ka. BPP1 No. 247/BPPI/X/2008, a testing and certification period of SNI takes a maximum of 41 days provided that the entire documents are completed and the correctness of the documents. (15/02/12)</p> <p>MY Comment: Malaysia request Indonesia to expedite the process otherwise it continues to remain an NTB. (14/05/12)</p> <p>ID informed that she will discuss it internally and informed. Usually it only takes 41 days. MY Requested for the Regulation to be provided. ID will provide the information. (1/6/2012)</p> <p>ID will provide the regulation by 7 June 2013 (6/5/2013)</p> <p>ID (030217) : this case is similar with case between ID and Singapore as it relates to SNI certification. which can be accessed through www.kan.or.id and it links to the process of certification. She further suggested for future best practices, the company could contact LSPRO at website of National Certification Body (BSN) and/or Ministry of Industry regulations no. 49/2013 and 13/2015. With regards to certificate validation period, she informed that Indonesia refers to the international best practices of ISO/IEC 17065 and 17067. After the completion of document accepted by the certification body, excluding testing period and corrective actions, the SNI certificate could be issued within 41 working days.</p> <p>The two countries agreed to remove the matrix and continue discuss bilaterally to resolve the case. (04/02/12)</p>
36	A	11. Standards	ID	PH	Standards for refrigerators are too height making it difficult for industrial sector. Submitted: 15/2/2012	<p>Increases cost and is deterring buyers to import from overseas.</p> <p>ACCSQ</p> <p>ID sought clarification on the standards guidelines. ID informed that PH has only 2 laboratories. 6-month testing time.</p> <p>PH Comment: The refrigerators covered under mandatory certification are limited to 142 liters to 227 liters or 5-8 cubic feet. Safety standards were adopted from International Electrotechnical Commission (IEC) and performance standards were based on International Organization for Standardization. Regulations on refrigerators could be accessed at http://www.bps.dti.gov.ph/laws-and-regulations/cat_view/83-laws-and-regulations/56-implementing-guidelines.html?start=15 as ANNEX 2.</p> <p>ID was requested to consult with her private sectors, which sectors are restrictive and added that the EEF labeling procedures of the PH which only have two laboratories for the testing and exporters have to wait up to six month even though the testing only takes two weeks, however, probably because of the regulation and the number of laboratories, it became measures for the exporters..</p> <p>PH will take up to the relevant agency and requested ID to officially write the details of her concerns for PH usage to address the issue. (1/6/2012)</p> <p>ID will revert by 7 June 2013 (6/5/2013)</p> <p>PH is implementing a mandatory certification on refrigerators with 142 liters to 227 liters storage volume wherein PNS IEC 60335-2-24:2001 is used for safety requirements. On top of the safety requirements, the refrigerators covered by the regulation shall also comply with the performance and labeling requirements as per PNS 396-2:1997. This labeling requirement (Energy Efficiency Factor) is a joint program of the Department of Trade and Industry (DTI) and the Department of Energy (DOE) to ensure efficient refrigerators are being sold in the Philippine market. PH allows advance sampling and testing (prior to shipment) so that shipment would not be on hold while waiting for the result of testing. Likewise, the test</p>

37	A	12. Technical standards/conformance	MY	VN		3712MY	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: 15/2/2012	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 every 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.	ACCSQ	MY Comment: FMM Malaysia Ceramic Industry Group (MCIG) has raised this issue during their meeting with the Ceramic Industry Club of ASEAN on 29 July 2011 held in Hanoi, Viet Nam. The meeting was informed that they have to bear with the regulation. As such, FMM MCIG insists for G to G arrangement to solve this issue. (14/05/12) VN (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 in Da Nang), including 5 centers that covers ceramic testing (Institute of Building Materials, Quatest 3, Quatest 2, Coninco, Vinacontrol). 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. as it 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 ILAC / APLAC. Viet Nam should also do the same. This issue has been resolved bilaterally.
38	A	13. Imported food products	ID	VN		3813ID	Less of information on New regulation of food safety in Vietnam for imported foodstuff of plant origin (Circular Ref. No. 13/2011/TT-BNNPTNT dated 16 March 2011). Submitted: 15/2/2012	Rejection of consignment. Loss of market access in Vietnam.	- ACCSQ	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, as available at: http://www.nafiqad.gov.vn/b-legal-documents/circular-guiding-on-the-food-safety-control-for-imported-foodstuffs-of-plant-origin/ Further information if needed can be sought at the National Agro-Forestry-Fisheries Quality Assurance Department (NAFIQAD) of VN. Address: No.10 Nguyen Cong Hoan, Ba Dinh, Ha Noi. Fax: 84-4-38317221. Email: spsvietnam@mard.gov.vn and vietyn.nafi@mard.gov.vn ID (3/7/2013): Indonesia proposed to revoke this issue, because it has been discussed bilaterally with Vietnam 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
39	A	13. Imported food products	MY	ID, TH, VN,		3912MY	Agencies such as BPOM (Indonesia), FDA (Thailand), Health Department (Vietnam), Health Quarantine Department (China) etc., have been very strict in enforcing these food safety requirements such as, ISO, HACCP, GMP, Halal certification, Health Certificate, Free Sale Certificate, and Certificate of Analysis (COA) for various raw materials. Submitted: 15/2/2012	Even after these requirements are met, Malaysian companies have to apply for certification such as FDA number, ML number, etc 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)	ACCSQ	MY Comment: Malaysia requested that the processing time in obtaining ISO, HACCP, GMP, Health Certificate, Free Sale Certificate and Certificate of Analysis (COA) to be shortened. (14/05/12) ID TH VN took note of MY's comment. (1/6/2012)
40	B	13. Imported food products	TH	ID	Importation of fresh fruits, vegetables and fresh bulbs by reducing entry ports from 8 ports to 4 ports	4012TH	Indonesia 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 ports from 8 ports to 4 ports. These 4 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 seaport of Jakarta (Details: ANNEX 2). o The products must be approved by the Food and Drug Supervisory Board (BPOM) or must be registered with the Department of Health of Indonesia before obtaining the Registration Number (ML). Such process may take up to 6 months. Submitted: 15/2/2012	Article 41 (General Elimination of Quantitative Restriction) Article 81 (SPS Measures) (ATIGA) (General Provision and Obligations) Article 2 (WTO) Basic Rights and Obligations Article 5 (Assessment of Risk and Determination of the Appropriate Level of SPS Protection)	ACCSQ	27CCA TH (2 June 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 2d) ID (15/06/17): Indonesia would like to inform, in 19 June 2012, Ministry of Agriculture Republic of Indonesia has been stipulate and enforce Regulation No. 43/2012. This Regulation is substitutes of Regulation of Minister of Agriculture No. 18/2008 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 either the area free or not 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 stipulate 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 country that have received recognition of pest free area (PFA recognition). Referring to Guidelines of PFA Recognition, a country that want to apply PFA 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 PFA Recognition c. Provide additional information if needed d. Cooperate in field verification by NPPO of Indonesia in the submitted PFA 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)	4212PH	Indonesia has introduced Regulation No. 90/2011 which amends Ministry Regulation No. 18/2008 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 Belawan (North Sumatra), Soekranohatta Airport (Tangerang), Port of Makassar and Port of Tanjung Perak (Surabaya).	Article 41 (General Elimination of Quantitative Restriction) Article 81 (SPS Measures) (ATIGA) (General Provision and Obligations) Article 2 (WTO) Basic Rights and Obligations Article 5 (Assessment of Risk and Determination of the Appropriate Level of SPS Protection)	CCA	<p>ID [19 April 2021]</p> <p>Related to the Philippines' concern 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 RIPH for shallot, 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 Ilocos region, Nueva ecija, Zambales and Mindoro as shallot area free from Delia antiqua in Philippines through the Minister of Agriculture Regulation No. No.486/kpts/KR.020/K/02/2019 dated 07 February 2019. Indonesia has recognized Davao region, Northern Mindanao dan Soccksargen as banana area free from Bactrocera musae and Bactocera tsuneonis in Philippines through the Minister of Agriculture Regulation No. No. 467/kpts/kr.020/K/02/2019 dated 07 February 2019.</p> <p>Therefore, ID request PH to 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 provision on Horticulture Products, ie. import recommendation, proof of cold storage and proof of transportation mode of the characteristic of horticulture products. Indonesia further explained that the import recommendation must be submitted within two months to the Ministry of Trade cq. Directorate of Import. If the application is not done submitted within 2 months, the import recommendation will be void.</p> <p>To date, Indonesia [has not received any application for renewal laboratories/registration of new laboratories/import recommendation/import permit]</p> <p>If The Philippines facing any difficulties in obtaining import recommendation/licence, ID suggest to submit new cases on Import Recommendation/Import Licencing.</p> <p>Indonesia views that import recommendation issues is different SPS cases (laboratories registration and pest area)</p> <p>35th CCA</p> <p>The Philippines and Indonesia had a Bilateral Consultation on 19 March 2021 among its CCA representatives and technical experts to discuss the remaining issues under the Regulations Nos. 90/2011 and 88/2011. Even with the amendments on the regulations, Philippine exporters still face difficulties in bringing their goods to the Indonesian market. The Philippines and Indonesia had robust trade of shallots prior to the enactment of the two regulations and the trade has since declined until Philippine exports stopped entirely in 2017.</p> <p>The Philippines concerns are centered on delays in the processing of applications and issuance of permits and accreditations, as well as lack of clarity and transparency on the process, requirements, and timeframe of the requisite</p>
42	B		PH	ID	SPS Measure on Fresh Bulb (shallots)	4212PH	Indonesia introduced Regulation No.88/2011 concerning food safety controls for the importation and exportation of fresh food of plant origin, with provisions for: a) Country Recognition and b) Recognition of Equivalence.			<p>ID [19 April 2021]</p> <p>Related to the Philippines' concern 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 RIPH for shallot, 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 Ilocos region, Nueva ecija, Zambales and Mindoro as shallot area free from Delia antiqua in Philippines through the Minister of Agriculture Regulation No. No.486/kpts/KR.020/K/02/2019 dated 07 February 2019. Indonesia has recognized Davao region, Northern Mindanao dan Soccksargen as banana area free from Bactrocera musae and Bactocera tsuneonis in Philippines through the Minister of Agriculture Regulation No. No. 467/kpts/kr.020/K/02/2019 dated 07 February 2019.</p> <p>Therefore, ID request PH to 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 provision on Horticulture Products, ie. import recommendation, proof of cold storage and proof of transportation mode of the characteristic of horticulture products. Indonesia further explained that the import recommendation must be submitted within two months to the Ministry of Trade cq. Directorate of Import. If the application is not done submitted within 2 months, the import recommendation will be void.</p> <p>To date, Indonesia [has not received any application for renewal laboratories/registration of new laboratories/import recommendation/import permit]</p> <p>If The Philippines facing any difficulties in obtaining import recommendation/licence, ID suggest to submit new cases on Import Recommendation/Import Licencing.</p> <p>Indonesia views that import recommendation issues is different SPS cases (laboratories registration and pest area)</p> <p>35th CCA</p> <p>The Philippines and Indonesia had a Bilateral Consultation on 19 March 2021 among its CCA representatives and technical experts to discuss the remaining issues under the Regulations Nos. 90/2011 and 88/2011. Even with the amendments on the regulations, Philippine exporters still face difficulties in bringing their goods to the Indonesian market. The Philippines and Indonesia had robust trade of shallots prior to the enactment of the two regulations and the trade has since declined until Philippine exports stopped entirely in 2017.</p> <p>The Philippines concerns are centered on delays in the processing of applications and issuance of permits and accreditations, as well as lack of clarity and transparency on the process, requirements, and timeframe of the requisite</p>
43	A	16. Different format of Production/	MY	AMS Except ID PH		4312MY	Almost all ASEAN countries, except Indonesia, have different format for their Production and Expiry Date printed on the packaging of the product. Submitted: 15/2/2012	This difference means that our products produced for the local market cannot be exported to other countries. It implies that we have to keep more stocks in the inventory.	CCA	<p>MY suggested that this issue to be discussed further at PFPWG for harmonisation and standardisation. Most of the manufacturers are SMEs. Should look at on how ASEAN can enhance/strengthen this community.</p> <p>(16/03/16): This issue can be discussed under the PFPWG. Discussion is on-going under the MRA on prepared foodstuff under the PFPWG.</p> <p>MY proposed to consider the case as resolved.</p> <p>The Meeting considered this cases as resolved.</p>
44	A	19. Requirement of documents.	ID	PH		4413ID	Philippines -require GMP certificate in the notification process. Submitted: 15/2/2012	Non implementation of the ACD, ASEAN Member States should accept self-declaration on GMP implementation from other ASEAN Member States	CCA	<p>PH 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. (24/6/2013) ID (20/1/2015) Considered the case as resolved case.</p>
45	A	20. Certification Process	ID	MY		4512ID	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)	Loss of market access in Malaysia	SPS/ CCA	<p>MY 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 suggest to Malaysia about any changes of import conditions and any alternative treatment as effective as MB for the quarantine treatment. (14/05/12)</p> <p>ID complies with Montreal protocol to not use the MBand MB which is prohibited in ID and sought clarification from MY whether she is also a member of Montreal Protocol or not. MY will check with her Ministerial of Agriculture and revert with more details and requested IN to consult with her agriculture department and revert.</p> <p>ID and MY will conduct internal consultations and revert.</p> <p>ID has requested MY revert on whether phosphine is a viable or acceptable alternative. (1/6/2012)</p> <p>ID (3/7/2013) : Indonesia is a member of Montreal protocol, but still uses methyl bromide for limited fumigation, which means that the treatment is only for quarantine treatment and should not be used for other activities such as maintenance or building maintenance, or general pest control. Methyl bromide is still allowed for quarantine treatment for wood packaging material and plant products corresponding to methyl bromide, except for products that contain lots of oil plants. Besides the use of methyl bromide as a fumigant, alternatives fumigant can be used as a replacement for methyl bromide, such as ethyl formate, phospin liquid formation, spit. (adjusted with recommended dose, commodities and target pests)</p> <p>This Case was picked by MY to be put as Pilot Case. ID sent detailed information on 22/2/2014 which appears as ANNEX 10 (26/2/2014) MY sent response on 22/2/2014 which appears as ANNEX 10b (26/2/2014). ID (6/3/2014): • After clarification provided by Malaysia that she accepts alternative quarantine treatment,</p>

46	A	20. Certification Process	VN	ID		4612VN	Since 11/2009, Indonesia's Ministry of Agriculture issued Regulations 27 and 38 to increase SPS control on exported-imported fresh foods of plant origin. Accordingly, in addition to a certified letter certifying SPS compliance, fresh vegetable exporters must attach a self-declaration form on product information. (15/2/2012)		CCA	VN sought clarification on the requirement of a self-declaration form. ID will revert (1/6/2012) ID (3/7/2013): Regulation of the Minister of Agriculture No. 27 of 2009 and No. 38 of 2009 on Food Safety Control Against Import and Export of Fresh Food of Plant Origin has been revised through the Regulation of the Minister of Agriculture No. 88 of 2011 with changes limited to the contents of the submission of prior notice by the exporter. Additional types of fresh foods of plant origin from 39 to 100 species, target examination of 3 (three) types of test (contamination of pesticides, heavy metals, and aflatoxin) to 5 (five) types of test (contamination of pesticides, heavy metals and aflatoxins, microorganisms (E. coli and Salmonella sp, and formalin)). This Regulation enter into force on 19 April 2012 and has been notified to the WTO SPS Secretariat in 2009. Document requirements for importation of fresh food of plant origin are as follows: Accompanied by a Food Safety Certificate/Document which states that the fresh food of plant origin which comes from the country of origin is safe and suitable for consumption and processed through GAP and GHP; Accompanied with prior notice issued by the exporting country, which describes the applicant's description, shipment, and a description of the fresh food of plant origin, intent and purpose of entry, and other information; Imported into the designated entry points; Report and submitted to the quarantine officer in the designated entry points for food safety control. Information regarding the products and forms of prior notice as set forth in the Annex of the Regulation (can be downloaded on the website with the address of Agriculture Quarantine Agency http://www.deptan.go.id)
47	B	27. Export of maize	LA	TH		4712LA	Article 4 of the decision of the Ministry of Commerce of Thailand dated 22 February 2011 has restricted the export of maize from Cambodia and Lao PDR to Thailand. Cambodia and Lao PDR view that such restriction is not in line with the provisions of ACCAA and the WTO and requested the Article 11 of the ACCAA to be applied. Thailand is considering to allow the importation of maize under ACCAA through the Public Warehouse Organization (PWO) during 1 January-31 December 2012 and to extend the import period for general importation to accommodate concerns of Cambodia and Lao PDR (15/2/2012)		CCA	35th CCA LA requested ASEC to facilitate the consultation meeting among the 4 AMS to resolve this issue TH: Thailand's Foods Policy Committee already reviewed the measure on the importation of maize during 2021 – 2023 and the Committee imposed all the year-round importation through the Public Warehouse Organization (PWO) and importation by general importer during 1 March – 31 August. Further, Thailand has already complied with the ATIGA's tariff reduction commitment by reducing import duties to 0% since year 2010. 34th CCA TH informed that her MOC issues a letter to resolve the issue. TH Comment: Thailand allows importation of maize through PWO all year round, and extends general importation of maize from March 2012 to July 2012. Thai Ministry of Commerce has been in the process of developing contract farming scheme covering several agricultural procedures including maize with KH, LA and MM. (21/05/12) LA: seeks information on the quantity of maize imported by the PWO. She informs that 500,000 MT of maize affected. Requested TH to comply with Article 41 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 (1) all-year round importation with zero tariff through the Public Warehouse Organization (PWO) and, in addition to the all-year round importation through the PWO, (2) importation by general traders during peak importation period (March - August). Thailand will continue to discuss bilaterally with Cambodia and Lao PDR to address their concerns
48	B	27. Export of maize	KH	TH		4812KH	In accordance with article 5, 6, and 25 of the Sub-decree on the exportation and importation of Goods dated 25/22 and with the approval of the Council of Ministers, The Ministry of Commerce of Thailand decided that corn shall be imported into Thailand between March 1 st and June 30, 2010 through Customs check point with the presence of SPS agencies. Authorized importers by General Department of Foreign Trade and registered as corn importers have to report on the importation utilization distribution and the remaining 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 June 30. (15/2/2012)	The measures would restrict corn export to Thailand.	CCA	35th CCA KH requested ASEC to facilitate the consultation meeting among the 4 AMS to resolve this issue. KH also requested TH to share all her measures and regulations regarding Maize. TH Thailand's Foods Policy Committee already reviewed the measure on the importation of maize during 2021 – 2023 and the Committee imposed all the year-round importation through the Public Warehouse Organization (PWO) and importation by general importer during 1 March – 31 August. Further, Thailand has already complied with the ATIGA's tariff reduction commitment by reducing import duties to 0% since year 2010. 34th CCA TH informed that her MOC issues a letter to resolve the issue. TH has to address the issue on a notification dated 29 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 Thai Ministry of Commerce is in the process of developing contract farming scheme covering several agricultural procedures including maize with Cambodia, Lao PDR, and Myanmar. Cambodia and Lao PDR has requested Thailand to remove the measure. (15/02/12) TH Comment: In 2012, TH will allow importation of maize through the PWO all year round, and extends general importation of maize from March 2012 to July 2012. The issued permit will be valid in accordance with the permitted period for general importation of maize. (21/05/12) KH: Requested TH to submit the regulations of the Ministry of Commerce and Department of Foreign Trade regulations to be considered by MLE for legal opinion and be raised to CCA and SEOM. TH informed that she has no translation of the regulation. She eased the importation of maize of neighboring countries. KH informed that there is a translated version of the regulation by KH side. She insisted to seek MLE's view on such document. LA can go along with the circulation and to seek view from MLE The Meeting agreed that: 1. KH to circulate the informal translation. 2. TH to consider the translation and provide comments within one month.
49	A		MY	ID		4912MY	Minister of Energy and Mineral Resources (MEMR) Regulation No.7/2012 on Increasing Mineral Value Added through Mineral Processing and Refining Activities (6/8/2012)	Article 11(Notification Procedures) of ATIGA not complied with	CCA	The Minister of Energy and Mineral Resources (MEMR) released Regulation No.7/2012 on increasing Mineral value-added through Mineral Processing and Refining Activities was released on 6 February 2012. Based on the new regulation, companies holding mining license for mineral product and selected non-mineral products are obligated to do processing and refining activities. Further, they are also restricted from exporting mineral ores within 3 months after the issuance of the regulation. The objectives of this regulation include: increasing the value added of mining sector, preserving the limited mineral resources and securing future domestic mineral consumption in the future. Following the release of MEMR regulation No.7/2012, concerns have been raised by various parties, including foreign businesses and investors. The difficulties and challenges in building smelter in mining areas in Indonesia (particularly in the East of Indonesia) may be expected to provide negative sentiment for future investment in mining sector. Incorporating all these concerns, MEMR Regulation No.7/2012 was later amended by Regulation No.11/2012 (released 16 May 2012). Now, companies holding mining license for production (IUP Operasi Produksi) and IPR can export raw mineral ores after receiving recommendation from the Minister.

50	A		MY	ID		5012MY	Regulation Of The Minister Of Trade No. 29/M-Dag/Per/5/2012 on Provisions for the Export of Mining Products. (8/8/2012)	Article 11(Notification Procedures) of ATIGA not complied with	CCA	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 Mineral 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: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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, ilmenite, titanium, zirconium, silver, gold, platinum and antimony. Meanwhile, the 10 non-metal minerals include: quartz, kaolin, limestone, feldspar, zirconium silicate, zeolite and diamond. The rock categories include: marble, onyx, granite, topaz, jade, toseki and peridotite. The government plans to impose a 20 percent export tariff on 14 mining minerals - copper, gold, silver, tin, lead, chromium, platinum, bauxite, iron ore, iron sand, nickel, molybdenum, manganese and antimony MY (12/7/2013): MY takes note on the explanation
51	A		MY	ID		5112MY	Regulation Of The Minister Of Trade Of The Republic Of Indonesia No. 35/M-Dag/Per/11/2011 Provisions On The Export Of Rattan And Rattan Products. Issued: 30 November 2011 (8/8/2012)	Article 11(Notification Procedures) of ATIGA not complied with	CCA	Starting <u>1 January 2012</u> , Indonesia totally banned exports of raw and semi-processed rattan as part of efforts to revive the ailing local rattan industry and to give higher value to the commodity. The regulation aims to attract investment in the related downstream industry as well as to stop the excessive exploitation of forest. MY (12/7/2013): MY takes note on the explanation
52	A		ASEAN Federation of Textiles Industries (AFTEX)	AMSs		5211AFTEX	To speed up the process of releasing the necessary documents to reduce the time lost in doing business and enhance the competitiveness of the industry. (8/12/2011)		CCA	ASEAN Member States (AMSs) will try to accommodate the request by coordinating with relevant agencies to accelerate the releasing of necessary documents. (8/12/2011) KH (7/6/2013): need further clarification on what are necessary documents? Releasing of Goods: For goods subject to green channel, after receiving customs declaration from the importer or customs broker, customs officer needs only 1 hour for verification before releasing the goods. The delay of goods releasing would happen if importer or custom broker could not submit all required documents or import duty is not paid. In accordance with risk management technique, some goods releasing requires more than 1 hour as physical examination is required. MY(11/7/2013) Customs is implementing online submission and scanning is conducted for the goods. Only upon suspension, as part of risk management physical examination and documents are required.
53	A		ASEAN Federation of Textiles Industries (AFTEX)	MY		5312AFTEX	Requirement for an import license from related institutions for the importation of cloth-sarong batik under of the Customs Prohibition of Imports Order 1998		CCA	It is a cottage industry and it is for the purpose of uplifting the livelihood of the rural people. Batik sarong is also classified as a national handicraft item (15/02/12) (16/03/16): Malaysia proposed to consider the case as resolved 23 Nov 17 (25th CCA)
54	A		ASEAN Federation of Textiles Industries (AFTEX)	ID		5412AFTEX	Regulation of Ministry of Industry and Trade Number 141/MPP/kep/3/2002, Jo. Regulation of Ministry of Trade Number 07/M-DAG/PER/3/2008 concerning Special Importer Identification Number (NPIK).		CCA	The regulation is for the purpose of maintaining the database of importers and commodities. The regulation is not aimed for import limitation but to identify/register of importers. This regulation is categorized as automatic licensing and it is required 10 working days to get approval. NPIK shall be valid for 5 (five) years starting from the issuance date of NPIK. The measure complies with ASEAN import licensing and WTO. 23 Nov 17 (25th CCA)
55	A		ASEAN Federation of Textiles Industries (AFTEX)	TH		5514AFTEX	Requirement of import licenses on imports of unfinished textile products and parts		CCA	Imports of unfinished textile products and parts are subject to import license issued by the Department of Foreign Trade, Ministry of Commerce for statistical information purpose. TH (26/2/2014): Several communications from ASEC and Thailand have been sent to AFTEX via emails. Thailand also sent a formal letter, dated 7 February 2014, to AFTEX asking for detailed information on the specific problems/barriers faced by AFTEX as a result of Thailand's requirements of import licenses on imports of unfinished textile products and parts. this case was picked by Thailand as Pilot Case. TH (6/3/2014): noting that AFTEX has not responded yet, she will continue contacting AFTEX to get further
56	A		ASEAN Federation of Textiles Industries (AFTEX)	VN		5613AFTEX	Circular No. 04/2006/TT-BTM dated 6 April 2006 guiding the implementation of the Decree No. 12/ND-CP dated 23 Jan 2006 of the Government		CCA	VN (12/7/2013): Circular No. 04/2006/TT-BTM bans the import of a number of used consumer goods, such as clothes, for public concerns VN suggested to remove the case as this is not NTB
57	A	Import Ban	TH	PH		5713TH	The Philippines imposed an import ban on poultry products from Thailand on 23 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) (30/04/13)	Article 41 (General Elimination of Quantitative Restrictions Article 44 (Import Licensing Procedures) Guidelines for the Implementation of Import Licensing Procedures in ASEAN Part E and F Article 3 (WTO) (non-Automatic Import Licensing)	CCA	Details: Annex 3 PH Comment: PH has lifted the ban in August 2004 but TH 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. (24/6/2013)

58	A		MY	VN		5813MY	Rejection of FORM D due to differences in signatures. • Preferential duties for the goods imported from Malaysia were denied due to issue on the signatures on the Form D issued to : I. Sumitomo Electric Wintec (M) sdn. Bhd. II. Sindutch Cable Manufacturer Sdn. Bhd. (24/11/2012)	1. Action taken not in compliance with OCP-ROO ATIGA. 2. Increase unnecessary cost for the importers as need to pay the MFN duties.	CCA	VN (12/7/2013): The Form D C/Os with errors were rejected. VN has positively considered the cases for MY. There is the difference between MY and VN in understanding the relevant OCP stipulation. VN requested MY to check with the exporters for updates RESOLVED BILATERALLY
59	A		MY	VN		5913MY	. All documents and clarifications for Petronas Chemicals Group Bhd. as requested by Vietnam submitted to the Ministry of Industry and Trade on October 31, 2012. • However no updates received as of to date. Email was sent to Ministry of Industry and Trade, Vietnam on November 23, 2012 to seek updates progress and time frame involved. (24/11/2012)	MFN duties paid and no refund as of to date.	CCA	VN (12/7/2013): The Form D C/Os with errors were rejected. VN has positively considered the cases for MY. VN requested MY to check with the exporters for updates. RESOLVED BILATERALLY
60	A		SG	VN		6013SG	No. 13/2011/TT-BNNPTNT is a new regulation on "Food Safety control for imported stuffs of plant origin" issued by the Ministry of Agriculture and Rural Development. According to Article 5 of the circular, it states that "importing stuffs must be produced by countries recognized by Vietnamese Competent Authorities to meet Vietnamese food safety requirements. Only List of approved countries allowed to export into Vietnam (25/11/2012)	Singapore companies cannot export into Vietnam. The affected HS codes are: Black Tea Leaves – 09023010 Green Tea Leaves – 09021010. Lack of transparency of Request for more information on if this is acceptable under ATIGA provisions	CCA	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 Singapore's) to notify the issuance. The procedure is transparent as in Circular 13/2011/TT-BNNPTNT VN advised SG to refer to the procedure in Circular 13/2011/TT-BNNPTNT, as available at: http://www.nafiqad.gov.vn/b-legal-documents/circular-guiding-on-the-food-safety-control-for-imported-foodstuffs-of-plant-origin/ Further information can be sought at the National Agro-Forestry-Fisheries Quality Assurance Department (NAFIQAD) of VN. Address: No.10 Nguyen Cong Hoan, Ba Dinh, Ha Noi. Fax: 84-4-38317221. Email: spsvietnam@mard.gov.vn and vietyn.nafi@mard.gov.vn
61	A		SG	ID		6113SG	Non-recognition of Singapore Halal Logo on food product packaging. Importer in Indonesia received letter issued by Badan POMRI to inform that the Singapore Halal Logo is not recognised in Indonesia. Affected products include the frozen Oriental Bread and Roti Paratha (25/11/2012)	Stickers have to be pasted over existing Halal logo that is found on product packaging.	ACCSQ	ID (15/7/2013): INA refer to Government Regulation on labeling no. 69/2010. The Halal certificate issued by MUI Authority. BPOM will only recognized the logo based on the halal certification, issued by MUI.
62	A	labelling	SG	ID	Non-recognition of the logo for meat products	6212SG	Non-recognition of Tasty Singapore Logo. Meat manufacturer from Singapore, is in the process of registering their canned meat products to be exported into Indonesia. The authority was reviewing the products' packaging and labels when company has been asked to remove the Tasty Singapore logo on the packaging of their products with the rationale that logo is not recognised in Indonesia (25/11/2012)	Logo will have to be removed from packaging; either stickers would have to be pasted over the logo OR packaging has to be redesigned	ACCSQ	35th CCA SG agreed that this case has been resolved since the 35th CCA Meeting. 33rd CCA (24 June 2020) ID: The regulation of food labeling in Indonesia is regulated in Government Regulation Number 69 of 1999 concerning Food Labels and Advertisements whereas regulations related to food logo stated in Para 1 Article 5 "Information and or statement about food on the label must be true and not misleading, whether it is writing, drawing or any other form." BPOM has requested further clarification from Singapore on the specific reason of rejection, however there is no feedback from Singapore up until now. Furthermore, there have been many imported processed food products from Singapore that have been approved with Tasty Singapore Logo not only on canned meat products but also other variant products too, such as: Baked Multi Grain Noodles by Koka, Lotus Seed by Kong Guan, Chicken Luncheon Meat by Golden Palm. Processed food distribution permits issued by BPOM are valid for 5 (five) years and can be extended through re-registration. Therefore, we views that this case can be resolved and suggest the company to resubmit the application electronically through BPOM's website on e-reg.pom.go.id. 29th CCA (15 Mar 19) ID: Labelling for foods distributed in Indonesia should be clear for consumer protection in Indonesia and inline with the latest labelling regulation in Indonesia (BPOM Regulation Nomor 31/2018, link and the regulation already provided interessionally). Indonesia seeks further clarification from Singapore on the specific reason of rejection, since this is already 2012. At this juncture Indonesia can only presume that Tasty singapore logo at the food packaging was rejected due to unclear nature of the purpose of the logo itself. That might mislead Indonesia's customer's understanding and perception of the specific food because of the logo, and also not related with health information and food safety. 28th CCA (6 Dec 18) SG still have difficulty to access ID's latest regulation on Registration of Prepared Foodstuff; requested ID to provide the actual regulation mentioned. ID: will revert to provide the regulation. 27CCA SG- will check and revert interessionally ID updated 31 May 2018 The latest regulation of BPOM Regulation No 27 in 2017 on Registration of Prepared Foodstuff, EIF 8 January 2018
63	A		ID	MM	Import licensing requirements for auto tires product	6312ID	MM applies an import licensing requirements for auto tires product. Importers can obtain the license within 2 (two) weeks. (26/11/2012)	Lengthy approval for the license and causing additional cost.	CCA	27CCA ID agree to drop this case ID - 31 May 2018 Indonesia consider to resolve this issue because exporter Indonesia can export to Myanmar MM informed that the application of her import licensing takes only one day (1/7/2013)
64	A		ID	MY	Import licensing on iron and steel products	6412ID	MAL applies an Import licensing on iron and steel products. Importers shall apply approval permit to MITI. (26/11/2012)	Causing additional cost.	CCA	ID - 31 May 2018 ID agree to drop this case Indonesia consider to resolve this issue because exporter Indonesia can export to Malaysia MY requested ID to provide more details on cost involved

65	B		TH	ID	Import regulation limitation on horticultural products (shallots, longan, etc)	6513TH	Complicated and restrictive procedures for the importation of horticultural products – Under the Regulations of the Minister of Trade No. 16/2013 and 47/2013, as well as the Regulation of the Minister of Agriculture No. 86/2013, Indonesia has imposed complicated and restrictive procedures for the importation of horticultural products	These regulations specify the requirements, as well as the time limits for the importation of horticultural products into Indonesia	CCA	<p>35th CCA TH seeks more information on import procedure on horticultural product. ID has approved import license for horticultural product from TH. Based on internal data, there is importation of longan from Thailand, in 2020 amounted 37,022 ton and 2021 (until 7 Mar 2021) amounted 1,031 ton.</p> <p>34th CCA (16 December 2020) TH seeks clarification on ID's import procedure on horticultural product as TH's exporters are still unable to export. ID Based on our domestic consultation, RPH Thailand has been approved by Ministry of Agriculture. However there is no utilisation by Thailand up until now. Hence ID request TH to drop this case as resolve.</p> <p>33rd CCA (24 June 2020) TH: We still have difficulty on Agricultural Product Import Restriction of Indonesia. From the 32nd CCA meeting, Thailand raise her concern on Indonesia's restrictive procedures for the importation of horticultural products. The importer of Thai agriculture products cannot get the Import Recommendation of Horticulture Product (RIPH) from Indonesia. Consequently, the importer cannot process for Import Permit (SPI) from Indonesia. Since, the new measure, MoA 2/2020, has been enacted on January, 2020. While the importers have all the documents and follow the regulation, Indonesian ministry of agriculture still does not grant them RIPH certificate. In addition, the importer must obtain Global GAP certificate, which is not included in the MoA 2/2020. Therefore, we would like to follow up Thailand's concern and asked Indonesia the result of domestically to provide the answer to Thailand. ID: Indonesia will inform by email intersessional.</p> <p>32nd CCA (27 Feb 2020) TH would like to raise our concern on Indonesia's restrictive procedures for the importation of horticultural products. The importer of Thai agriculture products cannot get the Import Recommendation of Horticulture Product (RIPH) from Indonesia. Consequently, the importer cannot process for Import Permit (SPI) from Indonesia. Since, the new measure, MoA 2/2020, has been enacted on January, 2020. While the importers have all the documents and follow the regulation, Indonesian ministry of agriculture still does not grant them RIPH certificate. In addition, the importer must obtain Global GAP certificate, which is not included in the MoA 2/2020. We kindly ask for clarification regarding the importing procedure. ID noted the concern from TH and will consult domestically to provide response at the next Meeting.</p> <p>31st CCA (27 Nov 2019) TH: follow up on the update of the revised regulation for the importation of horticultural products.</p>
66	A		ID	MY		6613ID	Prohibition of introducing founder on label of product as specified in appendix 5.2.7.4 of Drug Registration Guidance Document (DRGD) by National Pharmaceutical control Bureau (NPCB)	Under these regulation, each manufacturer must not include information about who the owner or 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 BPFK / NPCB and should not be circulated in Malaysia	CCA	<p>Details: Annex 6 (13 Nov 13) MY responded that the case has been resolved bilaterally. (14 nov 13)</p>
67	A		ID	MY		6714ID	<p>1. The counterfeit product of Kapal Api coffee in Malaysia, have been exist in Malaysia market since 2010. The counterfeit product has similar packaging to the original product and the price is 40% cheaper than the original, but the content of the counterfeit product found below the standard and can impact consumer's health.</p> <p>2. The Ministry of Domestic Trade, Co-operatives and Consumerism (MDTCC) received the complaint of counterfeit product of 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 know as this case is still under further investigation.</p>	Counterfeit Products of 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	<p>Details: Annex 7 (24/2/14) MY(12/6/2014): The Ministry of Domestic Trade, Co-operatives and Consumerism (MDTCC) received the complaint of counterfeit product of 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 know as this case is still under further investigation.</p> <ul style="list-style-type: none"> • 20th CCA (27 Jan 16): - MY informed that the action has been undertaken against the local distributors. - ID informed that due to the low fine and not effective legal enforcement, there are still counterfeit products of Kapal Api coffee. • 21st CCA (22 June 16): - MY informed that since the action has been undertaken and the local distributors were fined. She viewed that the case can be considered as resolved. She proposed to recommend to the Ministers that the stronger enforcement is needed to prevent the case of counterfeit products. • 24th CCA (15 June 17): 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 her 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.
68	A		ID	MY		6814ID	Based on Article 40 ATIGA "each member state shall not adopt or maintain any NTMs on the importation of any good o 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 of in accordance with this Agreement	The confiscation are due to the "Kopiko LA Coffee" labelling statement of "Low Acid" which believed by Malaysian Authority against the said regulation and create misconfusion, 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 rules/regulation in general and Food Regulation 1985 Article 18 (6) (d) in specific	CCA	<p>Details: Annex 8 (24/2/14) MY(6/3/2014). she conveyed it to the Ministry of Health and seek updates from the agency. She will update after receiving the detail information from the said agency. MY(12/6/2014): The technical committee and legal advisor of the Ministry of Health are currently checking and vetting the appeal and evidence submitted by the company in terms of its compliance to the Food Regulation. ID(12/6/2014): Informed that she sent the Letter to Ministry of Health of Malaysia dated 16 May 2014, which stating that the company has sent the scientific evidence and study requested bythe Ministry, however, the label is still being rejected. she requested more information on the Standard used by the Malaysia for its guidelines. ID(11/7/2014): ID informed that Ministry of Health of Malaysia decided to accept the new label "low acid" Kopiko from Indonesia. ID proposed to consider the case as resolved case.</p>

69	A		TH	ID		6914TH	Requirements to Affix Bahasa Indonesia Label on Goods – Indonesia issued Ministry of Trade Regulation No. 67/2013 on Obligation to Affix Bahasa Indonesia Label on Goods, which came into force on 25 June 2014	The exporters were not given sufficient time to prepare for the new requirement, as they need to change from sticker labels to permanently attached labels, and have requested Indonesia to postpone the entry into force of the MOT Reg No. 67/2013 for another 6 months (until 25 December 2014)	CCA	Details: Annex 13 (14/10/14) (23/10/2013): The Case will be discussed bilaterally
70	A	Rejection of Wholesale and Retail Trade (WRT) Permit	ID	MY	Requirement of the WRT license (Pharmacore)	7016ID	Pharmacore Technology and Innovation Sdn Bhd. (97006-D) have received official permission since November 2011 to import Wardah products from Indonesia and distribute Wardah Products in Malaysia. The license has received from Suruhanjaya Syarikat Malaysia (SSM) under Ministry of Domestic Trade, Co-operative & consumerism of Malaysia (KPDNKK /Kementerian Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan). The company shares are 100% owned by Indonesian	Indonesia is now having difficulties in obtaining the working visa due to the requirement of the WRT license and consequently the Pharmacore operation is stalled. Over the past 5 years, Pharmacore suffered a loss of about Rp. 2 billion (including the expired Wardah™ products which has imported previously). For this reasons, Indonesia views that KPDNKK Malaysia doesn't support the principle of transparency and trade facilitation in ASEAN, therefore I sincerely wish that KPDNKK Malaysia would grant the WRT permit to Pharmacore Company, as the implication of this issues, the Pharmacore company may experience tremendous losses and impede the Wardah™ market access in Malaysia	CCA	33rd CCA (24 June 2020) ID considers this case resolved. 32nd CCA (27 Feb 2020) MY informed that Wardah products are now being distributed to Malaysia. She seeks information from ID if there is any other concern on this case and seeks consideration to close it. ID will consult domestically. 31st CCA (27 Nov 2019) ID is waiting final information from MY and will consider to close this case after receiving information from MY. 30th CCA (19 June 2019) ID: seeks information from MY on the follow up of this issue. MY: The 3rd Malaysia-Indonesia Joint Trade and Investment Committee Meeting (JTIC) in Kuching, Sarawak on 2017 agreed for the company to resubmit their new application. However, upon checking with Ministry of Domestic Trade and Consumer Affairs (MDTC) of Malaysia, there is no submission received yet. 29th CCA (15 Mar 19) ID: seeks update from MY on the progress of the registration WRT for Wardah in Malaysia for Pharmacore. MY will further follow-up this case. 27CCA ID - 31 May 2018 Exporter of Indonesia still on process this application to comply Malaysia's regulation Details: Annex 14 (18/10/2016) ID (03/02/17): Indonesia would like to inform the meeting on the discussion of the cases between Indonesia and Malaysia on rejection of WRT Permit application. As stated on her email to Malaysia, The Wardah Company has submitted the application to Kementerian Perdagangan Dalam Negeri Koperasi dan Kepenggunaan (KPDNKK) for three times in 2013, 2015 and 2016 and all of those submission was rejected without specifying the reasons formally on the letter. (Timeline of submission and rejection letter available). The company has communicated intensively and work
71	B		MY; TH	ID	Import regulation limitation on tires	7117TH	Indonesia's restrictive and unnecessary requirements and procedures for the importation of tires. Ministry of Trade of the Republic of Indonesia has enacted the Regulation of the Minister of Trade of the Republic of Indonesia No.77/M-DAG/PER/11/2016 on 9th November 2016 with the effective date on 1st January 2017, regarding import approval and preshipment inspection measures for the importation of tires into Indonesia, which imposes burdensome and unnecessary requirements on tire imports	Detail appears as ANNEX 15	CCA	35th CCA TH requested ID to provide the details of this regulation for further study as she still received complaints from provide sector. ID requested the number import license that has been rejected in order to follow up this case. 33rd CCA (24 June 2020) TH: Our main concern is the clarity of import procedure where the number of tires that will be imported to Indonesia must be declared one year ahead of time. As the result of that, importation of tires to Indonesia has remained difficulty. ID: to revert through email to TH and MY interessionally. TH (updated 6 Dec 18) Thailand would like to follow up on the MoT Regulation No. 6/2018 since we haven't got any updated from Indonesia on this matter 27 CCA (2 June 2018) Thailand request Indonesia to provide the MoT Regulation No.6/2018 in English as well as the specific timeframe for this regulation in order for us to inform the exporter ID (updated 31 May 2018) The latest regulation on import tire is Minister of Trade Regulation Number 6/2018 revised MOT Regulation No 77/2016 . EIF 1 Feb 2018 This regulation is one of the regulation post border in Indonesia ID (updated 31 May 2018) The latest regulation on import tire is Minister of Trade Regulation Number 6/2018 revised MOT Regulation No 77/2016 . EIF 1 Feb 2018 This regulation is one of the regulation post border in Indonesia MY - she look at the detail of the Eng. version of the regulation
72	A		TH	MY	Import prohibition of refined sugar	7217TH	Malaysia's import prohibition of refined sugar	Our sugar exporters have raised their concerns about Malaysia's import prohibition of refined sugar, which negatively affects their sugar exports to Malaysia. According to sugar import procedures by Ministry of Domestic Trade, Co-operatives and Consumerism, starting from 1 March 2016, the Ministry has decided to freeze all the application and release of refined sugar import permit, while the domestic food and beverage companies may obtain supplies of refined sugar from local sugar manufacturer	CCA	26th CCA: Thailand informed the Meeting that the issue has resolved as Malaysia sent letter that the prohibition of sugar has been lifted. 23 Nov 17 (25th CCA) TH: would like seek update from MY and requested MY to reconsider the measure. MY: • Effective 1 March 2016, Malaysia froze the issuance of import license (AP) for the importation of refined sugar. The decision was made in reaction to the fluctuation of world raw sugar price then, which prompted local F&Bs to source refined sugar from local manufacturers. • Nonetheless, in light of the current world raw sugar price, the respective Ministry in Malaysia is currently looking at the matter closely, in order to take the necessary measures to balance the situation for the benefits of industries and consumers.
73	A		ID	TH	Importation of CPO	7317ID	Importation of CPO from Lao PDR through Thailand	Details: Annex 16 (15/6/2017)	CCA	26th CCA: ID update that the case is resolved as the company has received the response.

74	A		ID	TH		7417ID	Bird Nest brand's Suntory	Details: Annex 17 (15/6/2017)	CCA	31st CCA (27 Nov 2019) ID informed that this case is no longer an issue. However she will seek information from TH. This case is considered as closed. ID TH will resolve bilaterally.
75	A		TH	PH	Portland cement	7517TH	Portland cement and Blended Hydraulic Cement with Pozzolan / Import Licensing Procedures	Portland cement and Blended Hydraulic Cement with Pozzolan under classification HS 2523 Details: Annex 18 (20/09/2017)		26th CCA: the Philippines had amended the regulation and considered as resolved. TH (20/09/17): The New Guidelines require that only cement sourced from foreign cement manufacturer plant(s) holding a valid Philippine Standard (PS) Quality and/or Safety Certification Mark License(s) shall be permitted to be imported into the Philippines. Moreover, an Import Commodity Clearance (ICC) shall be required for all cement importations except those imported by cement manufacturers with operating Integrated Cement Plant(s) in the Philippines. As a consequence of these new regulations, importers or manufacturers have to apply for both PS License and ICC, which creates unnecessary obstacles to trade as well as burdensome and duplication of procedures. These duplicate requirements also delay customs clearance and create unnecessary cost of occupying warehouses for ICC sampling and testing. At the same time, these regulations lead to shorten shelf life and worsened market competitiveness of imported products. 23 Nov 17 TH: PH has informed the positive update to TH on this issue. She sought clarification on local verification test, pre shipment and post shipment. TH will further consult with relevant agency and revert whether this case will be considered as resolved. PH: the DTI has issued revised regulation on 13 Nov 2017 she views that the concern of TH has been addressed and the case should be resolved as soon as possible. PH: The Department of Trade and Industry (DTI) issued a revised Department Administrative Order (DAO 17-06) on cement importation. This revised DAO was issued on 13 November 2017 and will take effect fifteen days from publication. Having been published on 14 November 2017, it will take effect at the end of November. The new DAO repeals DAO 17-05 whilst continuing to ensure consumer protection through compliance on quality standard procedure. In the new DAO, the main concern highlighted by Thailand, namely the distinction between the regular trader importers from integrated cement producer (ICP) importers in the Philippines, was removed and both are now subject to the same import procedures including the option to
76	B		MY	ID	Import-Quota Regulation on Various Steel Products	7617MY	Implementation of a New Import-Quota Regulation on Various Steel Products	Malaysia raised its concern on the new regulation: No.82/M-DAG/PER/12/2016 which is the consolidation of two previous regulations No.28/M-DAG/PER/6/2014 and No.113/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 derivatives to Indonesia. Details: ANNEX 19	CCA	34th CCA 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. 27CCA ID (29/05/2018): Indonesia would inform the meeting that Indonesia has launched several Economic Policy Package. In the Economic Policy Package XV, Iron or Steel import and export licensing is one of the regulations that should be simplified. This is aimed to improve the effectiveness of the implementation of the import policy of iron, alloy steel, and its derivative products and to provide convenience to business actors, the Government Indonesia has made 3 changes to the iron and alloy steel import regulation, which are: a. The 1st amendment through Ministry of Trade Regulation No. 63/M-DAG/PER/8/2017, provides convenience to business actors in accelerating clearance time, since compliance with import requirements is no longer done in the port (border), but is shifted outside the customs area (post border). b. The 2nd amendment through Ministry of Trade Regulation No. 71/2017, the delay in enforcing the implementation of shifting supervision from border to post border to February 1, 2018. c. The 3rd amendment through Ministry of Trade Regulation No. 22 of 2018, which came into force on 1 February 2018. This regulation reduced the import requirements document by eliminating the technical recommendation requirements of the Ministry of Industry, thus accelerating the process of administrative completion. In principle, the Ministry of Trade Regulation does not restrict or prohibit the import of iron, alloy steel, and its derivative products, but regulates the amount of incoming import allocations, as it is done by other countries. Related to time of issue of import permit: Due to the absence of import recommendation from the technical ministry, the Ministry of Trade needs time to analyze the application, but it is still held as optimal as possible. The grant of the allocation of imports shall be determined based on the analysis of the attached documents as follows: 1. Allocation of imports to the previous Import License (PI) 2. Realization of imports on previous Import License 3. For manufacturer, especially new importers, consider company's production capacity 4. For trader, consider the sales contract attached at the time application for import licensing.
77	B		TH; ID; MY; SG	VN	Burdensome and strict requirement of Viet Nam's new regulation of importing car to Viet Nam	7717TH	New regulation of importing car to Viet Nam	the regulation has a very short timing to implement changes to the new import processes as well as the new documentation, Thailand also concern that the Decree is not aligned with the WTO Principle. Indonesia concerns that the regulation has a very short timing and difficulty to fulfill the requirement		35th CCA VN: As the Decree 17 addressed all concerns raised by AMS, Viet Nam urges Thailand to consider the case as resolved. In case Thailand has other concerns related to this Decree, it should be identified and submitted as a new case. TH has conducted domestic consultation, relevant agencies still received complaints from private sector regarding Decree 116. Therefore, TH could not close this case. SG agreed to resolve this case, but will submit a new case should any issue arise. MY (revert interessionally on 14 Jan 2021): Given the relaxation provided by Viet Nam in the latest decree and there is no complaint registered from our industries and business entities, Malaysia agrees to solve case no. 77 (Reg. No.: 7717TH) in the MAC without the need to undertake further bilateral discussion with Viet Nam. 34th CCA (16 Dec 2020) VN: seeks consideration from the reporting AMS for closing this case. TH: would like to keep this case under the MAC since she still receives some complaints. ID: considers this case resolved, but will submit a new case should any issue arise. MY, SG are still under domestic consultation. 33rd CCA (24 June 2020) VN: Seeks consideration from the reporting AMS for closing this case. TH: Currently, we are taking our domestic consultation for the Viet Nam Decree 17, whether it will be effect or facilitate trade of exporting car to Viet Nam. We will get back to Viet Nam as soon as possible. ID MY SG: still under domestic consultation. 32nd CCA (27 Feb 2020) VN: Viet Nam informed that on February 5, 2020, the Government issued Decree 17/2020/ND-CP on amending and supplementing a number of Articles of Decrees which includes Decree 116. She highlighted the changes in the Decree 17, ie. each type of vehicle only needs to be sampled to check quality, the results are accepted for all subsequent import shipments, within 36 months, if there is no change in specifications. Provisions on qualification of persons in charge with the motor vehicle manufacturing and assembly were also simplified. Viet Nam also emphasized the increase of automobile import volume from Thailand and Indonesia from 1.4 billion USD in 2018 to 1.7 billion USD in 2019. As it is obvious that Decree 17 addressed the proposals and completely remove obstacles of enterprises which had been

78	A		ID	VN	registration documents for Pantoprazole Powder	7817ID	Document registration of Pantoprazole Powder Injections 40mg rejected by Drug Administration of Viet Nam in reference to regulation of ASEAN for Zone 4b	Rejection of registration		<p>31st CCA (27 Nov 2019) VN: the storage condition of product under 250C is not according to regulation of ASEAN for Zone 4B (ASEAN Stability Guideline). VN ensures that she complies with the regulation in the ASEAN on storage condition. If Indonesian explained that Pantoprazole Powder is heat sensitive product and seek for exceptional treatment, Viet Nam urges ID to provide technical studies to prove the storage condition is appropriate to the Drug Administration of Viet Nam for consideration. ID: Since the exporter already moved on with this case. ID agreed to close this case</p> <p>30th CCA (19 June 2019) VN since this is very technical issue, she needs more time to consult internally.</p> <p>29th CCA ID seeks update from VN on the progress of her domestic consultati on this case as ID has provided more explanation. VN will revert intersessionally.</p> <p>27CCA ID (29/05/2018) Indonesia would 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)</p> <p>Chapter 4.7: "vii. Other storage conditions are allowable if justified, e.g., under the following circumstances: Heat sensitive drug products should be stored under an alternative lower temperature condition which will eventually become the designated long term storage temperature." Products containing less stable active ingredients and formulations not suitable for experimental studies on storage at elevated temperature (e.g., suppositories) will need more extensive long term stability studies."</p>
79	B	seasonal import restriction	MM	TH	Seasonal Import restriction on corn/ maize export of Myanmar through land trade at the border area	7917MM	Thailand's seasonal restriction on importation of corn/ maize at the border area. (land trade between Myawaddy and Maesot)	Thailand allows the importation of corn/maize only during from February 1 to and August 31. The harvest of corn/maize in Myanmar is usually done in November and December. Therefore the farmers/ growers have to store the harvested crops for 2 to 3 months to be able to export to Thailand. Therefore, Myanmar would like to export its corn/maize from Myawaddy Trade Zone to Thailand all year round regardless of the Thailand's seasonal restriction on seasonal importation of maize.	<p>35th CCA MM: requested ASEC to facilitate the consultation meeting among the 4 AMS to resolve this issue. TH: Thailand's Foods Policy Committee already reviewed the measure on the importation of maize during 2021 – 2023 and the Committee imposed all the year-round importation through the Public Warehouse Organization (PWO) and importation by general importer during 1 March – 31 August. Further, Thailand has already complied with the ATIGA's tariff reduction commitment by reducing import duties to 0% since year 2010.</p> <p>Submitted on 19-12-17 CCA 26th CCA Noted the progress of the case which also discussed on the agenda pertaining Maize.</p>	
80	B		VN	ID	Local content requirement for 4G-LTE mobile devices	8018VN	Local Content Requirements For 4g Lte Mobile Devices	CCA	<p>35th CCA VN reiterate 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 urges Indonesia to provide official respond 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 VN to provide the letter.</p> <p>34th CCA (24 June 2020) VN: Viet Nam remained deeply concerned about 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's Prime Minister as well as Minister of Industry and Trade of Viet Nam sent letters to Indonesia to express concern on these regulation, however, we have not received respond from Indonesia. These regulations have negatively affected Viet Nam's export of mobile phones to Indonesia, causing great harm to the manufacturing and exporting enterprises of Viet Nam as well as adversely affecting the employment and income of thousands of Vietnamese workers. Our government is under great pressure from enterprises as they continuously request Viet Nam government to impose retaliation 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. Therefore, Viet Nam urged Indonesia to expedite her effort on deregulating this regulation as soon as possible. ID: Indonesia inform the meeting that the regulation is still valid and suggest to have bilateral meeting with our regulator hence they can explain the regulation directly to Vietnam.</p> <p>33rd CCA (24 June 2020) VN: seeks updates from ID on this case and requested information. ID: Indonesia will inform by email intersessionally.</p> <p>32nd CCA (27 Feb 2020) VN seeks updates from ID on this case and requested information on the timeline for ID's domestic consultation. ID is in the process of review to amend the regulaton. Will provide information requested by VN.</p> <p>31st CCA (27 Nov 2019)</p>	

81	B		MY	ID	Prohibition on the importation of Wireless products involving EMC	8218MY	Prohibition on the importation of Wireless products involving Electro-magnetic Compatibility (EMC) Details: Annex 25 (20/11/2018)	CCA	CCA	<p>33rd CCA (24 June 2020) ID: Importation of Wireless telecommunication products involving Electro-magnetic Compatibility is not prohibited. Based on Indonesia's telecommunication act number 36/1999, The telecommunications equipment traded, manufactured, assembled, imported and/or used within the territory of the Republic of Indonesia shall comply with the technical requirements and be based on a license pursuant to prevailing statutory regulations. The compliance of the technical requirements is proven through conformity assessment procedure standardized by ISO/IEC 17065, performed by accredited conformity assessment bodies in Indonesia. These procedure are also known to be applied by other ASEAN member states. Furthermore, SIRIM is not registered yet in 121 listed laboratory to testing EMC of Minister of Communication and Information Technology (KOMINFO). We suggest SIRIM to registered first so that the test report of EMC with WIFI from SIRIM can be acceptable. MY: Will revert after domestic consultation.</p> <p>30th CCA (19 Jun 19) MY: Request from ID the document Peraturan Menteri Komunikasi & Informatika Nomor 16 Tahun 2018, preferably in English version if available for our reference. ID: Inform AMS that any formal translation will be provided by Ministry of Law and Human Right of ID upon request.</p> <p>29th CCA (15 Mar 19) ID: Under Minister of Communication and Information Technology (KOMINFO) Regulation Number 16/2012, SIRIM is one of temporary listed laboratory to MRAs; in 2016, KOMINFO have 121 listed laboratory to testing EMC with WIFI which SIRIM is not in 121 listed laboratory. In 2018, Minister Kominfo Regulation Number 16/2018 regulated mandatory EMC testing with Wifi should using 121 listed until now. To long cooperation, Indonesia suggests SIRIM to register as accepted testing laboratories to Directorate General of Resources and Equipment of Post and Information Technology (Ditjen SDPP) in Kemenkominfo to avoid rejection testing EMC with Wifi from SIRIM and possibility MRAs between SIRIM and Listed Laboratories in Kominfo. PerKominfo 16/2018: https://jdih.kominfo.go.id/produk_hukum/unduh/id/625/1/peraturan+menteri+komunikasi+dan+informatika+nomor+16+tahun+2018+tanggal+31+desember+2018</p> <p>28th CCA (6 Dec 18) ID: noted this case and will provide respond intersessionally; sought additional information on the new regulation and types of MRA.</p>
82	B		LA	TH	Principles, method, and criteria for sugar importation into Thailand	8218LA	Notice for sugar cane and sugar on the principles, method, and criteria for sugar importation into Thailand details: ANNEX 26 (05/12/18)		CCA	<p>35th CCA LA sought update from TH TH Thailand's relevant agencies is under the process of modifying the regulation on sugar importation under AFTA, this regulation will then submit to the higher-level Committees to get approval, which expected to be completed by the second-half of this year.</p> <p>34th CCA (16 Dec 2020) LA urged Thailand to expedite the process of issuing the document and notice on description of importation criteria of sugar into Thailand to come out as soon as possible. Lao also inform Thailand that during last year and this year Thai is in needed of huge amount of sugar. Thai companies which import Sugar from Laos has bearing the cost of 60% tariff MFN rate which make the cost of retail sale of sugar in Thailand is even more expensive for Thai consumer. The sooner the notice on importation criteria of sugar come out the faster for the utilization of Form D and the better for Thai consumer to access cheaper price of sugar at retail. TH still are still in process of adjusting the regulation on importing sugar.</p> <p>33rd CCA (24 June 2020) LA: Seeks updates from TH on this issue. TH: Relevant agencies are in the process of adjusting the regulation on importing sugar, including the method and conditions for import to Thailand under AFTA. We will notify AMS as soon as new procedure has been in place.</p> <p>32nd CCA (27 Feb 2020) LA seeks updates from TH on this issue. TH informs Lao PDR regarding the latest status of Sugar case that the concerned agencies have currently under the process of amending the import regulation.</p> <p>31st CCA (27 Nov 19) LA seeks update from TH on this issue. TH is still in discussion with relevant ministries on this issue and will inform any development.</p> <p>30th CCA (19 Jun 19) LA seeks update from TH on this issue. TH: conveyed LA's enquiry to the responsible agency, Office of the Cane and Sugar Board (OCSB), under the supervision of the Ministry of Industry. Currently, the OCSB is in the middle of reviewing the Sugar Cane and Granulated Sugar Act.</p>
83	B		LA	TH	Exportation of Coffee Beans and Coffee Products to Thailand	8319LA		LA's difficulty to grant preferential tariff treatment on exporting coffee bean to Thailand ANNEX 27 (19/06/19)	CCA	<p>35th CCA LA sought update from TH TH Based on Thailand's tariff commitment under ATIGA, she has already eliminated her tariff for coffee product and remained some coffee bean tariff lines in the Sensitive List, moreover, Thailand does not impose import quota.</p> <p>34th CCA LA seeks updated from TH on this issue.</p> <p>33rd CCA (24 June 2020) LA: Seeks updates from TH on this issue. TH: Currently, Thailand is working a draft of 10 years National Coffee Development Plan (2020-2030). Thailand considers on making importation of coffee align with 10 years National Coffee Development Plan.</p> <p>32nd CCA (27 Feb 2020) LA seeks updates TH has facilitated the importation of coffee. In the year 2019, she imported coffee from some AMSs such as Viet Nam, Malaysia, and Lao PDR. Thus, if Lao PDR has found any difficulties in exporting coffee to Thailand, please inform.</p> <p>31st CCA (27 Nov 19) LA seeks update from TH on this issue TH is still in discussion with relevant ministries on this issue and will inform any development.</p> <p>30th CCA (19 Jun 19) TH: would coordinate with relevant authorities on the issue and initially viewed that importation of coffee beans required an importer to comply with the required procedures of import permit.</p>
84	B		LA	TH	Specified border checkpoints and limited transportation routes of the palm oil from Malaysia to Lao PDR, transiting through Thailand	8420LA	In 21 Feb 2020, the Ministry of Commerce of Thailand has issued the Notification on "palm oil and its fraction and palm oil seed subject to enforce compliance with the import and export regulation", which the main content of said regulation is determine the new transit route including new specified customs check point at Bangkok port check point;	The notification caused farther transportation and hence increasing in the traders' costs. The details appears as ANNEX 28 (25 June 2020).	CCA	<p>35th CCA LA sought update from TH TH Based on Thailand's tariff commitment under ATIGA, she has already eliminated her tariff for coffee product and remained some coffee bean tariff lines in the Sensitive List, moreover, Thailand does not impose import quota.</p> <p>34th CCA LA informed that Lao company still have problem moving the product due to the Implementation of such Letter by custom authority of Thailand at the actual port did not recognize the mentioned letter of Ministry of commerce of Thailand. Hence, Lao would like Thailand to help follow up on the implementation of the letter by Thai custom at that port of the reason why they did not implement or follow the notice letter from Ministry of commerce of Thailand. TH informed she has issued of Letter of Minister of Commerce of Thailand allowing for the product of Palm oil by the HS code to be transport from Malaysia to Laos via any port of Thailand</p> <p>33rd CCA (24 June 2020) TH will consult domestically.</p>

85	B		TH	VN	Technical Barrier to Trade in Marketing authorization of Pharmaceutical Products	8520TH	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 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. (e))	Details appears as ANNEX 29. 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.	ACCSQ	<p>35th CCA</p> <p>Viet Nam 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 1/52 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.</p> <p>Viet Nam and Thailand agreed that CCA Chair will send a letter to ACCSQ Chair to request for supporting resolution of this case.</p> <p>34th CCA 16 December 2020</p> <p>VN: Circular 32/2018/TT-BYT is totally in line with the MFN as well as NT principles since it is applied on all countries, including Viet Nam's enterprises.</p> <p>Secondly, the verification procedures as well as the requirement on providing information on drug substance, drug product, name and address of drug substance manufacturing site are aimed at preventing the situation in which enterprises using fake CPP and ensure the quality of the medicines exported to Viet Nam, so that we can protect people health.</p> <p>In fact, these abovementioned information is easy to obtain, therefore it does not create trade barriers.</p> <p>However, as she always tries to improve her regulations in a way that she can facilitate trade and ensure the quality of the medicines at the same time, she request TH to share her regulations related to monitoring imported pharmaceutical products so that we can learn from your experience.</p> <p>ID informed that she joined the case with Thailand because Pharmaceutical enterprises in Indonesia also faced the same difficulties to enter Viet Nam's market.</p>
86	A		ID	VN	Tariff Quota for Cigarette Paper	8620ID	Ministry of Industry and Trade Vietnam promulgated Circular No. 57/2018/TT-BCT which entered into force from February 19, 2019. Referring 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.	Details appears as ANNEX 30. 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 contradict with ATIGA commitment to eliminate all TRQs.	CCA	<p>35th CCA</p> <p>ID agreed to resolve this case but look forward to receive further information (e.g. export procedures)</p> <p>VN confirmed to submit the information as requested by Indonesia.</p> <p>34th CCA</p> <p>VN Since tobacco trading is a conditional business line in Viet Nam, the domestic tobacco production and trading including the plan to use domestic and imported raw materials is required to be controlled by the competent authorities. This regulation is designed to implement the tobacco consumption control regulations stipulated in the Law on Prevention and Control Tobacco Harms, which is in line with the WHO Framework Convention on Tobacco Control.</p> <ul style="list-style-type: none"> - Besides, please note that the regulation on managing the import of cigarette paper has been in force since 2013, hence, it is not a new regulation for the enterprises. - and she views that she does not impose TRQ on cigarette paper. <p>ID requested VN to provide the mentioned regulation in English.</p> <p>ID and VN to resolve interessionally and update at the next meeting.</p>