

U.S. DEPARTMENT OF COMMERCE

Office of Environmental Technologies Industries

www.environment.ita.doc.gov

Survey of Non-Tariff Trade Barriers to the U.S. Environmental Industry

The U.S. Department of Commerce seeks your assistance in identifying non-tariff trade barriers (NTBs) that affect U.S. exports of environmental goods and services. The information you provide will be used to seek the elimination of these barriers. NTBs occur in many forms; examples include: quotas, licensing requirements, customs procedures, and limits on delivery of professional services.

Company Information

Name: Title:

Company Name:

Address:

City: State: Zip:

Phone Number: Fax:

E-mail:

Regions of Interest:

Is the information supplied in this survey business confidential? Yes No

Freedom of Information Act: Information submitted to the government may be subject to disclosure pursuant to the Freedom of Information Act. However, all confidential commercial information will be protected from disclosure to the extent permitted by law. You will be notified in advance if any such information submitted by you becomes subject to release pursuant to a Freedom of Information Act request.

Type of Company (check all that apply):

- | | | | | |
|--|---------------------------------------|---------------------------------------|---------------------------------------|-----------------------------------|
| <input type="checkbox"/> Architectural | <input type="checkbox"/> Construction | <input type="checkbox"/> Consulting | <input type="checkbox"/> Distributor | <input type="checkbox"/> Engineer |
| <input type="checkbox"/> Federal Agency | <input type="checkbox"/> Finance | <input type="checkbox"/> Legal | <input type="checkbox"/> Manufacturer | <input type="checkbox"/> Media |
| <input type="checkbox"/> Minority/Female | <input type="checkbox"/> Service | <input type="checkbox"/> State Agency | <input type="checkbox"/> State Enviro | <input type="checkbox"/> Trade |

- Owned Trade Center
 Provider Trade Show Firm
 University/Academic
 Bus Assoc U.S. NGO
 Association Utility
 Other

Industry (check all that apply):

- Air All Energy Finance Hazardous Waste
 Incineration Instrumentation/Monitoring Medical Waste Oil Cleanup Pollution Prevention
 Recycling Remediation Sanitation Services Solid Waste Equip.
 Solid Waste Serv. Water/Wastewater Equip. Water/Wastewater Serv. Other

Annual Sales (check one):

- Under \$1 million \$1-\$5 million \$6-\$50 million \$51-\$75 million Over \$75 million
 Unknown

Non - Tariff Barriers Survey

Please check the non-tariff trade barriers (NTBs) that your company has experienced. Provide as much information as possible for each barrier cited. Following each item checked, please include specific laws, regulations, etc... of the country that adversely affect the importation of your products and services, and in each instance, name specific countries. For example: "In country X, regulations (cite regulations) do not allow the establishment of foreign owned engineering companies. For every construction project in country Y, it is necessary to get design approval from local institutes that do not publish transparent design specifications."

1.) Subsidies:

- Internal subsidies for local producers or service providers
 Cheap financing and tax holidays for local manufacturers
 Other

Explain: Specific Examples-

2.) Quotas and Quantitative Restrictions:

- Limits on number of service suppliers in a market
 Limits on how many units/dollars of products can be imported

- Cut-off dates during calendar year for entry of products
- Other

Explain: Specific Examples-

3.) Sanitary and Phytosanitary (SPS) Measures:

- Onerous licensing procedures
- non Science-base regulations
- Other

Explain: Specific Examples-

4.) Restrictions on Who Can Import:

- Only state sanctioned trading companies may import
- Govt./Quasi Govt. organizations only are permitted to import
- Govt. organizations are sometimes/always exonerated from paying duties
- Govt. organizations can have preferential access to foreign exchange
- Private firms with accumulated "export credits" can have preferential access to foreign exchange/import permits
- Other

Explain: Specific Examples-

5.) Labeling, Packaging, & Documentation Requirements

- Date of expiration of chemical requirements

- Pallet/package fumigation requirements
- Conflicting hazardous material labeling requirements and packaging between countries of origin & destination
- Conflicting requirements of support documentation for hazardous materials (i.e.- MSDS documentation)
- Labeling indicating certification of requirements of importing country
- Other

Explain: Specific Examples-

6.) Standards

- ISO certifications required to supply products or services- ISO 14000 environmental standards must be met
- Requirements for periodic proof of instrument calibration
- Emissions compliance requirements
- Safety requirements for grounding and other hazards
- Off-standard electrical requirements (90-120 VAC/60hz etc)
- Unclear quality regulations or those based on unique or outdated standards
- Use of metrological certification boards to determine if instrumentation is designed to standard(s)
- Milling mixing or other processing regulations
- Other

Explain: Specific Examples-

7.) Intellectual Property Requirements

- Inadequate protection
- Inadequate enforcement
- Arbitrary rulings on patent or trademark rights forcing time consuming court reviews

- Other

Explain: Specific Examples-

8.) Harassment of Imports:

- Onerous licencing or qualification requirements
- Embargoes (political or economic)
- Arbitrary values on goods for duty purposes including shipping charges
- National boycotts
- Currency fluctuations adversely affecting importers
- Delays resulting from competitor's influence on susceptible officials (corruption/bribery)
- Cumbersome customs formalities/requirements
- Restrictive customs procedures that promulgate complexities and regulations for classifying and valuing commodities making compliance difficult and expensive
- Other

Explain: Specific Examples-

9.) Restrictions on Distribution, Logistics, and Banking Services:

- Foreign exchange restrictions
- Access to hard currency
- Advanced deposit on import requirements
- National carrier preferences
- Foreign carrier restrictions
- Prohibition of collection-basis sales
- Govt requirements to withhold/reduce commission payments to distributors
- Arbitrarily short periods in which to apply for import licenses
- Pre-shipment inspections required prior to exportation from source country

- Other

Explain: Specific Examples-

10.) Restrictions on Marketing:

- Advertising restrictions
- Complicated bidding requirements
- Requirements for local surety and performance bonds
- Proof of % of national content requirements
- Letters of authorization to sell (or resell) product or service requirements
- Requirements for extended or extraordinary warranty coverage for product or service
- Arbitrary rulings on patent or trademark rights forcing time consuming court reviews
- National state or municipal requirements to use specific distribution channels at the wholesale and retail level
- Other

Explain: Specific Examples-

11.) Restrictions on Investment & Nature of Commercial Relationships

- Restrictions on foreign ownership of companies
- Restrictions on foreign management of companies
- Commercial relationships such as partnerships are not permitted
- Percentage of local workforce required
- Percentage of local content required
- Better treatment provided to home country investors or third party investors
- Other

Explain: Specific Examples-

12.) Discriminatory Devices:

- Unfair competition from local state-owned enterprises
- Competition from third-country exporters who enjoy subsidies monopolies or state-organization status
- Discriminatory government purchasing practices
- Discrimination resulting from bilateral trade agreements or barter agreements
- Discrimination arising from special relationships including ex-colonial status customs unions commonwealth preferences or currency areas
- Disguised tariffs such as "surcharges" revenue duties and consumption taxes levied against only imported goods
- Turnover equalization taxes ostensibly to put imports on the footing as local products
- Countervailing duties (offsets to subsidies)
- Arbitrary interpretations of anti-dumping laws
- Impact psychological or direct of "buy home products" policies
- Other

Explain: Specific Examples-

13.) Restrictions on the Cross-Border Supply of a Service:

- Limitations on movement of personnel to supply a service
- Restrictions on what services can be sold cross-border
- Local presence requirements that must be met before service can be supplied cross-border
- Other

Explain: Specific Examples-

14.) Transparency:

- Non-transparent regulations
- Unequal enforcement of regulations
- Regulations imposed without prior notice or input from interested parties
- Other

Explain: Specific Examples-

15.) Recognition:

- Licencing or certification requirements unevenly applied to professionals
- Other

Explain: Specific Examples-

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20230.

NOTE: You may also return this survey via e-mail, fax, or regular mail. Please also provide this survey to your agents or distributors in foreign countries. We need as much information as possible to help U.S. exporters!

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