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| **U.S. DEPARTMENT OF COMMERCE****Office of Energy and Environmental Industries** [www.environment.ita.doc.gov](http://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.

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| **Company Information** |

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| **Name:** **Title:**  | http://web.ita.doc.gov/icons/ecblank.gif |
| http://web.ita.doc.gov/icons/ecblank.gif | http://web.ita.doc.gov/icons/ecblank.gif |
| **Company Name:**  | http://web.ita.doc.gov/icons/ecblank.gif |
| **Address:**  | http://web.ita.doc.gov/icons/ecblank.gif |
| **City:** **State:** **Zip:**  | http://web.ita.doc.gov/icons/ecblank.gif |
| **Phone Number:** **Fax:**  | http://web.ita.doc.gov/icons/ecblank.gif |
| http://web.ita.doc.gov/icons/ecblank.gif | http://web.ita.doc.gov/icons/ecblank.gif |
| **E-mail:**  | http://web.ita.doc.gov/icons/ecblank.gif |

**Regions of Interest:** **Is the information supplied in this survey business confidential?** Yes NoFreedom 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):**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Architectural** | **Construction** | **Consulting** | **Distributor** | **Engineer** |
| **Federal Agency** | **Finance** | **Legal** | **Manufacturer** | **Media** |
| **Minority/Female Owned** | **Service Provider** | **State Agency** | **State Enviro Bus Assoc** | **Trade Association** |
| **Trade Center** | **Trade Show Firm** | **University/Academic** | **U.S. NGO** | **Utility** |
| **Other** | http://web.ita.doc.gov/icons/ecblank.gif | http://web.ita.doc.gov/icons/ecblank.gif | http://web.ita.doc.gov/icons/ecblank.gif | http://web.ita.doc.gov/icons/ecblank.gif |

**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 Eqp.** |
| **Solid Waste Serv.** | **Water/Wastewater Eqp.** | **Water/Wastewater Serv.** | **Other** | http://web.ita.doc.gov/icons/ecblank.gif |

**Annual Sales (check one):****Under $1 million $1-$5 million $6-$50 million $51-$75 million Over $75 million Unknown**

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| **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 providersCheap financing and tax holidays for local manufacturersOther***Explain: Specific Examples-*****2.) Quotas and Quantitative Restrictions:**Limits on number of service suppliers in a marketLimits on how many units/dollars of products can be importedCut-off dates during calendar year for entry of productsOther***Explain: Specific Examples-*****3.) Sanitary and Phythosanitary (SPS) Measures:**Onerous licensing proceduresnon Science-base regulationsOther***Explain: Specific Examples-*****4.) Restrictions on Who Can Import:**Only state sanctioned trading companies may importGovt./Quasi Govt. organizations only are permitted to importGovt. organizations are sometimes/always exonerated from paying dutiesGovt. organizations can have preferential access to foreign exchangePrivate firms with accumulated "export credits" can have preferential access to foreign exchange/import permitsOther***Explain: Specific Examples-*****5.) Labeling, Packaging, & Documentation Requirements**Date of expiration of chemical requirementsPallet/packaging fumigation requirementsConflicting hazardous material labeling requirements and packaging between countries of origin & destinationConflicting requirements of support documentation for hazardous materials (i.e.- MSDS documentation)Labeling indicating certification of requirements of importing countryOther***Explain: Specific Examples-*****6.) Standards**ISO certifications required to supply products or services- ISO 14000 environmental standards must be metRequirements for periodic proof of instrument calibrationEmissions compliance requirementsSafety requirements for grounding and other hazardsOff-standard electrical requirements (90-120 VAC/60hz etc )Unclear quality regulations or those based on unique or outdated standardsUse of metrological certification boards to determine if instrumentation is designed to standard(s)Milling mixing or other processing regulationsOther***Explain: Specific Examples-*****7.) Intellectual Property Requirements**Inadequate protectionInadequate enforcementArbitrary rulings on patent or trademark rights forcing time consuming court reviewsOther ***Explain: Specific Examples-*****8.) Harassment of Imports:**Onerous licencing or qualification requirementsEmbargoes (political or economic)Arbitrary values on goods for duty purposes including shipping chargesNational boycottsCurrency fluctuations adversely affecting importersDelays resulting from competitor's influence on susceptible officials (corruption/bribery)Cumbersome customs formalities/requirementsRestrictive customs procedures that promulgate complexities and regulations for classifying and valuing commodities making compliance difficult and expensiveOther***Explain: Specific Examples-*****9.) Restrictions on Distribution, Logistics, and Banking Services:**Foreign exchange restrictionsAccess to hard currencyAdvanced deposit on import requirementsNational carrier preferencesForeign carrier restrictionsProhibition of collection-basis salesGovt requirements to withhold/reduce commission payments to distributorsArbitrarily short periods in which to apply for import licensesPre-shipment inspections required prior to exportation from source countryOther***Explain: Specific Examples-*****10.) Restrictions on Marketing:**Advertising restrictionsComplicated bidding requirementsRequirements for local surety and performance bondsProof of % of national content requirementsLetters of authorization to sell (or resell) product or service requirementsRequirements for extended or extraordinary warranty coverage for product or serviceArbitrary rulings on patent or trademark rights forcing time consuming court reviewsNational state or municipal requirements to use specific distribution channels at the wholesale and retail levelOther***Explain: Specific Examples-*****11.) Restrictions on Investment & Nature of Commercial Relationships**Restrictions on foreign ownership of companiesRestrictions on foreign management of companiesCommercial relationships such as partnerships are not permittedPercentage of local workforce requiredPercentage of local content requiredBetter treatment provided to home country investors or third party investorsOther***Explain: Specific Examples-*****12.) Discriminatory Devices:**Unfair competition from local state-owned enterprisesCompetition from third-country exporters who enjoy subsidies monopolies or state-organization statusDiscriminatory government purchasing practicesDiscrimination resulting from bilateral trade agreements or barter agreementsDiscrimination arising from special relationships including ex-colonial status customs unions commonwealth preferences or currency areasDisguised tariffs such as "surcharges" revenue duties and consumption taxes levied against only imported goodsTurnover equalization taxes ostensibly to put imports on the footing as local productsCountervailing duties (offsets to subsidies)Arbitrary interpretations of anti-dumping lawsImpact psychological or direct of "buy home products" policiesOther***Explain: Specific Examples-*****13.) Restrictions on the Cross-Border Supply of a Service:**Limitations on movement of personnel to supply a serviceRestrictions on what services can be sold cross-borderLocal presence requirements that must be met before service can be supplied cross-borderOther***Explain: Specific Examples-*****14.) Transparency:**Non-transparent regulationsUnequal enforcement of regulationsRegulations imposed without prior notice or input from interested partiesOther***Explain: Specific Examples-*****15.) Recognition:**Licencing or certification requirements unevenly applied to professionalsOther***Explain: Specific Examples-***[Privacy Statement](http://www.ita.doc.gov/foia/Priv2.html)Burden StatementPublic reporting for this collection of information is estimated to be 10 minutes per response, including the time for reviewing instructions, and completing and reviewing the collection of information. All responses to this collection of information are voluntary, and will be provided confidentially to the extent allowed under the Freedom of Information Act. Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Clearance Officer, International Trade Administration, Department of Commerce, Room 4001, 14th and Constitution Avenue, N.W., Washington, D.C. 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!**Todd DeLelle or Maureen Hinman**U.S. Department of CommerceRoom 4053Washington, DC 20230Email: todd.delelle@trade.gov , maureen.hinman@trade.gov Tel: 202-482-5225 Fax: 202-482-0170URL: [www.environment.ita.doc.gov](http://www.environment.ita.doc.gov)

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**OMB No: 0625-0241Expires: 06/30/2013** |