

Notifications Relating to Tobacco Products

1st -29th February 2024

Under the WTO’s Agreement on Technical Barriers to Trade, member states, for valid reasons, are allowed to regulate markets, protect their consumers, and preserve their natural resources, using tools such as rules for product weight, size, or packaging; ingredient or identity standards; shelf -life restrictions; and import testing and certification procedures.

However, often these measures result in perceived discrimination against imports in order to protect domestic industries.

The TBT Agreement seeks to ensure that standards, technical regulations, and conformity assessment procedures are non-discriminatory and are applied on a non-discriminatory basis.

This Newsletter captures NTBs notified by WTO members and its relevance to Tobacco products for the month of February 2024. It also highlights the potential impact of these NTBs on India’s exports.

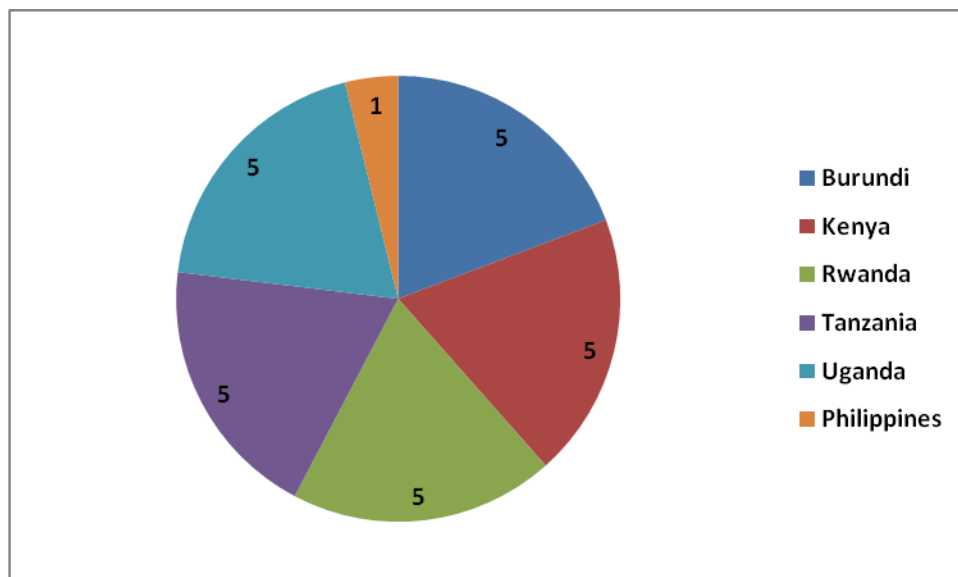
TBT Notifications Issued by WTO Member Countries

The various WTO Member countries issued 346 TBT notifications during February 2024. Of these, only 26 are relevant to tobacco.

Country-wise Break-up of NTB Notifications

A review of TBTs Notifications relating to electronic products for the month of February 2024 reveals that out of the total 26 notifications, Burundi issued the relatively largest number of Notifications relating to tobacco products, numbering 5, followed by Kenya (5), Rwanda (5), Tanzania (5), Uganda (5) and the Philippines issuing one notification. See Figure 1 for the distribution of TBT Notifications against tobacco products.

Figure 1 Distribution of TBT Notifications Against Tobacco Products



Potential Impact of TBT Notifications on Tobacco Products

Data analysis reveals that Notifications issued by the WTO Member countries in February 2024 could potentially affect India's exports worth US\$68.21 million if appropriate measures are not taken to resolve these issues in time.

At the country level, data review reveals that out of the total potential decline in India's exports, the Philippines alone would account for a decline of over US\$49.21 million, followed by Kenya at over US\$18.02 million, Tanzania at over US\$0.90 million, Burundi at over \$0.04 million, Rwanda at over US\$0.03 million, and Uganda at over US\$0.01 million.

A description of products and the Notifications issued is presented in Table 1.

Table 1. Details of Notifications

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
1	Philippines	05-02-2024	G/TBT/N/PHL/324	The proposed issuance aims to provide the FDA authorization process for VNNPs and NTPs with medicinal or therapeutic claims or reduced-risk statements.	24	49.21	316.98
2	Burundi	05-02-2024	G/TBT/N/BDI/458, G/TBT/N/KEN/1577, G/TBT/N/RWA/1000 , G/TBT/N/TZA/1102, G/TBT/N/UGA/1914	This draft East African Standard prescribes the requirements, methods of test and sampling for pre-portioned nicotine pouches exclusively intended for oral use by placing them between the gum and buccal mucosa for a period, to facilitate uptake of the nicotine via the oral mucosa, followed by disposal of the pouch after use. Note: this includes products such as white-pouched nicotine products that are used by placing them under the upper lip for a period before disposal. This draft East African standard does not cover; pre-portioned, tobacco-free oral nicotine pouches in which the nicotine is not of natural origin; smokeless tobacco products, such as moist snuff, tobacco oral pouches, snus, nasal snuff, chewing tobacco or any other tobacco-containing smokeless	240412	0.00	0.00

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				tobacco products; Nicotine-Containing, Tobacco-Free Oral Products that are licensed medicinal nicotine products, such as nicotine replacement therapies (NRT); products that are subject to an authorization requirement under Directive 2001/83/EC (Community code relating to medicinal products for human use) or to the requirements set out in Directive 93/42/EEC (Medical Device Directive) or inhaled-nicotine products, such as cigarettes, other combusted tobacco products, tobacco-heating products or e-cigarettes. method for assessing the health risks or potential reduced health risks of tobacco-free oral nicotine pouches.			
3	Kenya	05-02-2024	G/TBT/N/BDI/457, G/TBT/N/KEN/1576, G/TBT/N/RWA/999, G/TBT/N/TZA/1101, G/TBT/N/UGA/1913	This draft East African Standard specifies the requirements, methods of test and sampling for cigars.	240210	0.00	0.14

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
4	Tanzania	05-02-2024	G/TBT/N/BDI/457, G/TBT/N/KEN/1576, G/TBT/N/RWA/999, G/TBT/N/TZA/1101, G/TBT/N/UGA/1913	This draft East African Standard specifies the requirements, methods of test and sampling for cigars.	240210	0.00	0.08
5	Tanzania	05-02-2024	G/TBT/N/BDI/455, G/TBT/N/KEN/1574, G/TBT/N/RWA/997, G/TBT/N/TZA/1099, G/TBT/N/UGA/1911	This draft East African Standard specifies general requirements for packaging and labelling of tobacco and tobacco products.	24	0.9	8.89
6	Rwanda	05-02-2024	G/TBT/N/BDI/457, G/TBT/N/KEN/1576, G/TBT/N/RWA/999, G/TBT/N/TZA/1101, G/TBT/N/UGA/1913	This draft East African Standard specifies the requirements, methods of test and sampling for cigars.	240210	0.00	0.00
7	Burundi	05-02-2024	G/TBT/N/BDI/457, G/TBT/N/KEN/1576, G/TBT/N/RWA/999, G/TBT/N/TZA/1101, G/TBT/N/UGA/1913	This draft East African Standard specifies the requirements, methods of test and sampling for cigars.	240210	0.00	0.00

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
8	Uganda	05-02-2024	G/TBT/N/BDI/456, G/TBT/N/KEN/1575, G/TBT/N/RWA/998, G/TBT/N/TZA/1100, G/TBT/N/UGA/1912	This draft East African Standard prescribes the requirements, methods of test and sampling for Fine-cut smoking tobacco including Roll-Your-Own (RYO) and Make-Your-Own (MYO). This standard does not include unprocessed tobacco	240210	0.00	0.05
9	Burundi	05-02-2024	G/TBT/N/BDI/456, G/TBT/N/KEN/1575, G/TBT/N/RWA/998, G/TBT/N/TZA/1100, G/TBT/N/UGA/1912	This draft East African Standard prescribes the requirements, methods of test and sampling for Fine-cut smoking tobacco including Roll-Your-Own (RYO) and Make-Your-Own (MYO). This standard does not include unprocessed tobacco	240120	0.00	0.00
10	Rwanda	05-02-2024	G/TBT/N/BDI/456, G/TBT/N/KEN/1575, G/TBT/N/RWA/998, G/TBT/N/TZA/1100, G/TBT/N/UGA/1912	This draft East African Standard prescribes the requirements, methods of test and sampling for Fine-cut smoking tobacco including Roll-Your-Own (RYO) and Make-Your-Own (MYO). This standard does not include unprocessed tobacco	240120	0.00	0.00
11	Burundi	05-02-2024	G/TBT/N/BDI/455, G/TBT/N/KEN/1574, G/TBT/N/RWA/997, G/TBT/N/TZA/1099, G/TBT/N/UGA/1911	This draft East African Standard specifies general requirements for packaging and labelling of tobacco and tobacco products.	24	0.04	8.55

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
12	Kenya	05-02-2024	G/TBT/N/BDI/458, G/TBT/N/KEN/1577, G/TBT/N/RWA/1000 , G/TBT/N/TZA/1102, G/TBT/N/UGA/1914	This draft East African Standard prescribes the requirements, methods of test and sampling for pre-portioned nicotine pouches exclusively intended for oral use by placing them between the gum and buccal mucosa for a period, to facilitate uptake of the nicotine via the oral mucosa, followed by disposal of the pouch after use. Note: this includes products such as white pouched nicotine products that are used by placing them under the upper lip for a period, before disposal. This draft East African standard does not cover; pre-portioned, tobacco-free oral nicotine pouches in which the nicotine is not of natural origin; smokeless tobacco products, such as moist snuff, tobacco oral pouches, snus, nasal snuff, chewing tobacco or any other tobacco-containing smokeless tobacco products; Nicotine-Containing, Tobacco-Free Oral Products that are licensed medicinal nicotine products, such as nicotine replacement therapies (NRT); products that are subject to an authorization requirement under Directive 2001/83/EC (Community	240412	0.00	0.02

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				code relating to medicinal products for human use) or to the requirements set out in Directive 93/42/EEC (Medical Device Directive) or inhaled-nicotine products, such as cigarettes, other combusted tobacco products, tobacco-heating products or e-cigarettes. Method for assessing the health risks or potential reduced health risks of tobacco-free oral nicotine pouches.			
13	Tanzania	05-02-2024	G/TBT/N/BDI/456, G/TBT/N/KEN/1575, G/TBT/N/RWA/998, G/TBT/N/TZA/1100, G/TBT/N/UGA/1912	This draft East African Standard prescribes the requirements, methods of test and sampling for Fine-cut smoking tobacco including Roll-Your-Own (RYO) and Make-Your-Own (MYO). This standard does not include unprocessed tobacco	240120	0.00	6.82
14	Uganda	05-02-2024	G/TBT/N/BDI/458, G/TBT/N/KEN/1577, G/TBT/N/RWA/1000 , G/TBT/N/TZA/1102, G/TBT/N/UGA/1914	This draft East African Standard prescribes the requirements, methods of test and sampling for pre-portioned nicotine pouches exclusively intended for oral use by placing them between the gum and buccal mucosa for a period, to facilitate uptake of the nicotine via the oral mucosa, followed by disposal of the pouch after use. Note: this includes products such as white pouched	240412	0.00	0.00

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				<p>nicotine products that are used by placing them under the upper lip for a period, before disposal. This draft East African standard does not cover; pre-portioned, tobacco-free oral nicotine pouches in which the nicotine is not of natural origin; smokeless tobacco products, such as moist snuff, tobacco oral pouches, snus, nasal snuff, chewing tobacco or any other tobacco-containing smokeless tobacco products; Nicotine-Containing, Tobacco-Free Oral Products that are licensed medicinal nicotine products, such as nicotine replacement therapies (NRT); products that are subject to an authorization requirement under Directive 2001/83/EC (Community code relating to medicinal products for human use) or to the requirements set out in Directive 93/42/EEC (Medical Device Directive) or inhaled-nicotine products, such as cigarettes, other combusted tobacco products, tobacco-heating products or e-cigarettes. method for assessing the health risks or potential reduced health risks of</p>			

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				tobacco-free oral nicotine pouches.			
15	Kenya	05-02-2024	G/TBT/N/BDI/455, G/TBT/N/KEN/1574, G/TBT/N/RWA/997, G/TBT/N/TZA/1099, G/TBT/N/UGA/1911	This draft East African Standard specifies general requirements for packaging and labelling of tobacco and tobacco products.	24	12.53	40.35
16	Uganda	05-02-2024	G/TBT/N/BDI/455, G/TBT/N/KEN/1574, G/TBT/N/RWA/997, G/TBT/N/TZA/1099, G/TBT/N/UGA/1911	This draft East African Standard specifies general requirements for packaging and labelling of tobacco and tobacco products.	24	0.01	4.21
17	Kenya	05-02-2024	G/TBT/N/BDI/456, G/TBT/N/KEN/1575, G/TBT/N/RWA/998, G/TBT/N/TZA/1100, G/TBT/N/UGA/1912	This draft East African Standard prescribes the requirements, methods of test and sampling for Fine-cut smoking tobacco including Roll-Your-Own (RYO) and Make-Your-Own (MYO). This standard does not include unprocessed tobacco	240120	5.49	36.69
18	Uganda	05-02-2024	G/TBT/N/BDI/457, G/TBT/N/KEN/1576, G/TBT/N/RWA/999, G/TBT/N/TZA/1101, G/TBT/N/UGA/1913	This draft East African Standard specifies the requirements, methods of test and sampling for cigars.	240210	0.00	0.05

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
19	Rwanda	05-02-2024	G/TBT/N/BDI/455, G/TBT/N/KEN/1574, G/TBT/N/RWA/997, G/TBT/N/TZA/1099, G/TBT/N/UGA/1911	This draft East African Standard specifies general requirements for packaging and labelling of tobacco and tobacco products.	24	0.03	4.25
20	Tanzania	05-02-2024	G/TBT/N/BDI/458, G/TBT/N/KEN/1577, G/TBT/N/RWA/1000 , G/TBT/N/TZA/1102, G/TBT/N/UGA/1914	This draft East African Standard prescribes the requirements, methods of test and sampling for pre-portioned nicotine pouches exclusively intended for oral use by placing them between the gum and buccal mucosa for a period, to facilitate uptake of the nicotine via the oral mucosa, followed by disposal of the pouch after use. Note: this includes products such as white pouched nicotine products that are used by placing them under the upper lip for a period, before disposal. This draft East African standard does not cover; pre-portioned, tobacco-free oral nicotine pouches in which the nicotine is not of natural origin; smokeless tobacco products, such as moist snuff, tobacco oral pouches, snus, nasal snuff, chewing tobacco or any other tobacco-containing smokeless tobacco	240412	0.00	0.00

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				products; Nicotine-Containing, Tobacco-Free Oral Products that are licensed medicinal nicotine products, such as nicotine replacement therapies (NRT); products that are subject to an authorization requirement under Directive 2001/83/EC (Community code relating to medicinal products for human use) or to the requirements set out in Directive 93/42/EEC (Medical Device Directive) or inhaled-nicotine products, such as cigarettes, other combusted tobacco products, tobacco-heating products or e-cigarettes. method for assessing the health risks or potential reduced health risks of tobacco-free oral nicotine pouches.			
21	Rwanda	05-02-2024	G/TBT/N/BDI/458, G/TBT/N/KEN/1577, G/TBT/N/RWA/1000 , G/TBT/N/TZA/1102, G/TBT/N/UGA/1914	This draft East African Standard prescribes the requirements, methods of test and sampling for pre-portioned nicotine pouches exclusively intended for oral use by placing them between the gum and buccal mucosa for a period, to facilitate uptake of the nicotine via the oral mucosa, followed by disposal of the pouch after use. Note: this includes products such as white pouched	240412	0.00	0.00

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				<p>nicotine products that are used by placing them under the upper lip for a period, before disposal. This draft East African standard does not cover pre-portioned, tobacco-free oral nicotine pouches in which the nicotine is not of natural origin; smokeless tobacco products, such as moist snuff, tobacco oral pouches, snus, nasal snuff, chewing tobacco or any other tobacco-containing smokeless tobacco products; Nicotine-Containing, Tobacco-Free Oral Products that are licensed medicinal nicotine products, such as nicotine replacement therapies (NRT); products that are subject to an authorization requirement under Directive 2001/83/EC (Community code relating to medicinal products for human use) or to the requirements set out in Directive 93/42/EEC (Medical Device Directive) or inhaled-nicotine products, such as cigarettes, other combusted tobacco products, tobacco-heating products or e-cigarettes. method for assessing the health risks or potential reduced health risks of</p>			

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				tobacco-free oral nicotine pouches.			
22	Uganda	06-02-2024	G/TBT/N/BDI/139/Add.2, G/TBT/N/KEN/1126/Add.2, G/TBT/N/RWA/518/Add.2, G/TBT/N/TZA/628/Add.2, G/TBT/N/UGA/1412/Add.2	The aim of this addendum is to update WTO Members that the Draft East African Standard, DEAS 110:2021, Cigarettes — Specification 2nd edition notified in G/TBT/N/BDI/139, G/TBT/N/KEN/1126, G/TBT/N/RWA/518, G/TBT/N/TZA/628, G/TBT/N/UGA/1412, G/TBT/N/BDI/139/Add.1, G/TBT/N/KEN/1126/Add.1, G/TBT/N/RWA/518/Add.1, G/TBT/N/TZA/628/Add.1 and G/TBT/N/UGA/1412/Add.1 entered into force in Uganda on 1 December 2023. The Uganda Standard, US EAS 110:2022, Cigarettes — Specification 2nd edition, can be purchased online through the link: https://webstore.unbs.go.ug/	240220	0.00	4.01
23	Kenya	06-02-2024	G/TBT/N/BDI/139/Add.2, G/TBT/N/KEN/1126/Add.2, G/TBT/N/RWA/518/	The aim of this addendum is to update WTO Members that the Draft East African Standard, DEAS 110:2021, Cigarettes — Specification 2nd edition notified in G/TBT/N/BDI/139, G/TBT/N/KEN/1126, G/TBT/N/RWA/518, G/TBT/N/TZA/628,	240220	0.00	1.50

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
			Add.2, G/TBT/N/TZA/628/A dd.2, G/TBT/N/UGA/1412 /Add.2	G/TBT/N/UGA/1412, G/TBT/N/BDI/139/Add.1, G/TBT/N/KEN/1126/Add.1, G/TBT/N/RWA/518/Add.1, G/TBT/N/TZA/628/Add.1 and G/TBT/N/UGA/1412/Add.1 entered into force in Uganda on 1 December 2023. The Uganda Standard, US EAS 110:2022, Cigarettes — Specification 2nd edition, can be purchased online through the link: https://webstore.unbs.go.ug/			
24	Tanzania	06-02-2024	G/TBT/N/BDI/139/A dd.2, G/TBT/N/KEN/1126/ Add.2, G/TBT/N/RWA/518/ Add.2, G/TBT/N/TZA/628/A dd.2, G/TBT/N/UGA/1412 /Add.2	The aim of this addendum is to update WTO Members that the Draft East African Standard, DEAS 110:2021, Cigarettes — Specification 2nd edition notified in G/TBT/N/BDI/139, G/TBT/N/KEN/1126, G/TBT/N/RWA/518, G/TBT/N/TZA/628, G/TBT/N/UGA/1412, G/TBT/N/BDI/139/Add.1, G/TBT/N/KEN/1126/Add.1, G/TBT/N/RWA/518/Add.1, G/TBT/N/TZA/628/Add.1 and G/TBT/N/UGA/1412/Add.1 entered into force in Uganda on 1 December 2023. The	240220	0.00	1.62

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				Uganda Standard, US EAS 110:2022, Cigarettes — Specification 2nd edition, can be purchased online through the link: https://webstore.unbs.go.ug/			
25	Burundi	06-02-2024	G/TBT/N/BDI/139/Add.2, G/TBT/N/KEN/1126/Add.2, G/TBT/N/RWA/518/Add.2, G/TBT/N/TZA/628/Add.2, G/TBT/N/UGA/1412/Add.2	The aim of this addendum is to update WTO Members that the Draft East African Standard, DEAS 110:2021, Cigarettes — Specification 2nd edition notified in G/TBT/N/BDI/139, G/TBT/N/KEN/1126, G/TBT/N/RWA/518, G/TBT/N/TZA/628, G/TBT/N/UGA/1412, G/TBT/N/BDI/139/Add.1, G/TBT/N/KEN/1126/Add.1, G/TBT/N/RWA/518/Add.1, G/TBT/N/TZA/628/Add.1 and G/TBT/N/UGA/1412/Add.1 entered into force in Uganda on 1 December 2023. The Uganda Standard, US EAS 110:2022, Cigarettes — Specification 2nd edition, can be purchased online through the link: https://webstore.unbs.go.ug/	240220	0.00	0.25

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country in 2022 (Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
26	Rwanda	06-02-2024	G/TBT/N/BDI/139/Add.2, G/TBT/N/KEN/1126/Add.2, G/TBT/N/RWA/518/Add.2, G/TBT/N/TZA/628/Add.2, G/TBT/N/UGA/1412/Add.2	The aim of this addendum is to update WTO Members that the Draft East African Standard, DEAS 110:2021, Cigarettes — Specification 2nd edition notified in G/TBT/N/BDI/139, G/TBT/N/KEN/1126, G/TBT/N/RWA/518, G/TBT/N/TZA/628, G/TBT/N/UGA/1412, G/TBT/N/BDI/139/Add.1, G/TBT/N/KEN/1126/Add.1, G/TBT/N/RWA/518/Add.1, G/TBT/N/TZA/628/Add.1 and G/TBT/N/UGA/1412/Add.1 entered into force in Uganda on 1 December 2023. The Uganda Standard, US EAS 110:2022, Cigarettes — Specification 2nd edition, can be purchased online through the link: https://webstore.unbs.go.ug/	240220	0	0