

Notifications Relating to Tobacco Products

1st -31st July 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 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 July 2024. It also highlights the potential impact of these NTBs on India's exports.

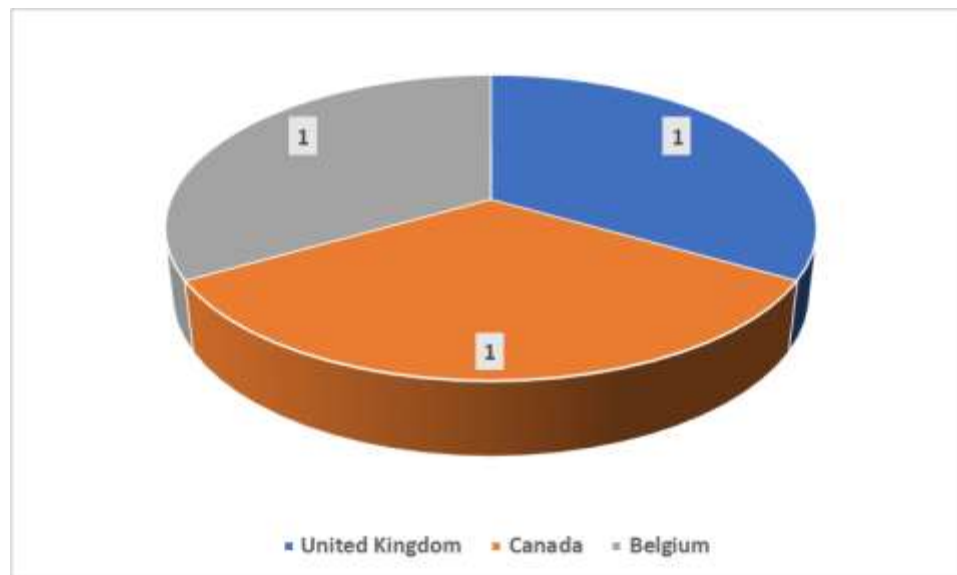
TBT Notifications Issued by WTO Member Countries

During July 2024, the various WTO Member countries issued 483 TBT notifications. Only three of these notifications are relevant to tobacco.

Country-wise Break-up of NTB Notifications

Review of TBT notifications relating to tobacco products for the month of July 2024: Canada issued one notification, Belgium issued one notification, and the UK issued 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 July 2024 could potentially affect India's exports worth US\$0.73 million if appropriate measures are not taken to resolve these issues in time.

At the country level, a review of data reveals that out of the total potential decline in India's exports, Canada alone would account for a decline of over \$0.73 million. India does not export any products to the markets of Belgium and the UK.

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 (Year 2022) Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
1	United Kingdom	11-07-2024	G/TBT/N/GBR/91	These regulations will apply to all businesses that operate in Northern Ireland. These regulations will introduce a ban on the sale and supply of: single-use electronic cigarettes that are not rechargeable, not refillable or are neither rechargeable nor refillable. Single-use electronic cigarettes retain both nicotine-containing e-liquid and non-nicotine-containing e-liquid. The restriction will not apply to devices that are both (1) refillable and contain a single-use container that is separately available and can be replaced by an individual user in the normal course of use or a container that can be refilled by an individual user in the normal course of use. (2) and that are rechargeable within the meaning of the definition in the regulation. Breach of these prohibitions will be an offence under the regulations. The regulations confer powers on enforcement authorities to investigate offences under the regulations, which may	240412, 240419	0	1177.69

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country (Year 2022) Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
				be referred for criminal prosecution.			
2	Canada	15-07-2024	G/TBT/N/CAN/675/Add.2	The Regulations Amending the Tobacco Products Appearance, Packaging and Labelling Regulations were published in the Canada Gazette, Part II on July 3, 2024. The Regulations come into force on their registered day (June 17, 2024). The Regulations strengthen the Tobacco Products Appearance, Packaging and Labelling Regulations (TPAPLR), which came into force on August 1, 2023, by clarifying requirements related to the placement of health-related messages on a secondary package that is a carton. The Regulations introduce minor technical amendments to provisions related to the placement of health warnings (HW) and toxicity information (TI) on secondary packages that are cartons to ensure they fully support the objectives of the TPAPLR.	24	0.73	570.08

Sl. No.	Notifying Member	Distribution date	Document symbol	Description	HS code(s)	India's Exports of the product to issuing country (Year 2022) Value in US \$ Million)	Notifying Member country's World Import in 2022 (Value in US\$ Million)
3	Belgium	18-07-2024	G/TBT/N/BEL/48/Ad d.1	Royal Decree amending the Royal Decree of 28 October 2016 on the manufacture and placing of electronic cigarettes on the market.	854340	0	35.58