

**TRANSITIONAL REVIEW MECHANISM IN CONNECTION WITH
PARAGRAPH 18 OF THE PROTOCOL ON THE ACCESSION
OF THE PEOPLE'S REPUBLIC OF CHINA ("CHINA")**

**JAPAN'S COMMENTS TO THE COMMITTEE
ON TECHNICAL BARRIERS TO TRADE**

Submission by Japan

1. Japan welcomes China's efforts to implement its commitments under the Protocol on the Accession into the WTO. We have the view that the Transitional Review Mechanism (TRM) would contribute to improved adherence by China to rules, disciplines and its commitments, if it is operated in a meaningful and productive manner.

2. For fruitful discussion, we submit our comments well in advance of the Committee on Technical Barriers to Trade of 17 October 2002, in order for the Chinese authority to reply and to submit the necessary information. Japan looks forward to working with China and other Members, so as to ensure that China adheres to its transparency commitments under the Protocol, and would appreciate it if China could respond to our comments in written form by ten days before the meeting.

I. "REGISTRATION OF INITIAL IMPORTS OF CHEMICAL PRODUCTS"

3. In paragraph 196 (a) of the report of the Working Party, China has committed to enact and implement, within one year after its accession, a new law and relevant regulations regarding assessment and control of chemicals for the protection of the environment, in which complete national treatment and full consistency with international practices will be ensured. In paragraph 196 (a), China has also committed to ensure that chemicals listed in the "inventory chemicals" annexed to the above new law and its regulations will be exempted from a registration obligation and that a unified assessment procedure will be established for domestic and imported products under the new law and its regulations. Please explain the current state of preparation of this new law and the relevant regulations.

II. "THE CCC CERTIFICATION SCHEME FOR ELECTRICAL PRODUCTS"

4. Japan welcomes China's efforts to implement the unification of the former two certification schemes into one scheme, "CCC certification mark," under paragraph 196 (b) of the report of the Working Party.

5. However, the CCC certification scheme is implemented in the following way:¹

- (i) There exists AQSIQ Notification No. 670:2001 addressed to the local customs authorities, stating that the rejection of imported goods without having the safety certification (CCIB or CCC Certification) is to be enforced from 1 July 2002; and
- (ii) a product category in catalogues referred to by local customs authorities is wider than one referred to by designated test laboratories for granting CCC certification.

6. Considering the above, the existence of two similar but different product catalogues prevents consistency and causes varying interpretation at each customs authorities. This further causes import blockage and delay in customs clearance, which can be seen as an unnecessary obstacle to trade for exporters in other WTO Member territories.

7. Please inform us what steps you take to ensure that local customs authorities not request the CCC certification with regard to any imported product that is not subject to the CCC certification scheme.

¹ (i) The catalogues referred to by designated test laboratories for granting CCC certification:

"Joint Announcement No. 33:2001 issued by AQSIQ/CNCA: First Catalogue of Products Subject to Compulsory Certification" and "Implementation Rules issued by CNCA: CNCA-01C-XXX (XXX: Numbers classified by product category)".

(ii) The catalogue referred to by local customs authorities:

"Joint Notification issued by AQSIQ/CNCA.: Product Scope based on First Catalogue of Products Subject to Compulsory Certification (Comparison Table with HS Code)"