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Committee on Customs Valuation

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AGREEMENT ON PRESHIPMENT INSPECTION

QUESTIONS FROM THE UNITED STATES TO INDONESIA

The following submission, dated 13 September 2013, is being circulated at the request of the Delegation of the United States.

United States exporters have been subjected to a growing number of preshipment inspection requirements, which have not been notified to the Committee on Customs Valuation. We are now compelled to raise with Indonesia through the Committee the ever growing list of products that are subject to preshipment inspection or as it is frequently referred to in Indonesia's laws and regulations, "surveys". During its Trade Policy Review earlier this year, Indonesia indicated that the purpose of these "surveys" is to "verify the quality, quantity, price and customs classification of goods to be exported to Indonesia."

We are including a list of those laws and regulations that we are aware contain preshipment inspection/survey requirements. They include:

- Ministry of Trade (MOT) Regulation No. 16/2013 on horticulture products, as amended by MOT Regulation No. 47/2013;
- MOT Regulation No. 24/2013 on soybeans, as amended by MOT Regulation No. 54/2013;
- MOT Regulation No. 83/2012 on certain products, including food and beverage products, traditional medicines and food supplements, cosmetics, apparel, footwear, electronics, and toys;
- MOT Regulation No. 82/2013 on cellular phones, handheld computers and tablet computers, as amended by MOT Regulation No. 38/2013;
- MOT Regulation No. 77/2012 on used capital goods;
- MOT Regulation No. 72/2012 and MOT Regulation No. 6/2007 on ceramics;
- MOT Regulation No. 71/2012 and MOT Regulation No. 40/2009 on sheet glass;
- MOT Regulation No. 58/2012, MOT Regulation No. 44/2007 and MOT Regulation No. 20/2005 on salt;
- MOT Regulation Nos. 42/2012 and 40/2012 on tires;
- MOT Regulation No. 8/2012; MOT Regulation No. 54/2010 and MOT Regulation No. 8/2009 on iron and steel;
- MOT Regulation No. 3/2012 on substances damage ozone layer (BPO);
- MOT Regulation No. 2/2012 on pearls; and
- MOT Regulation No. 2/2010, MOT Regulation No. 23/2009, and MOT Regulation No. 15/2008 on textiles and apparel.

Additionally, we request that Indonesia notify not only the measures we have mentioned above, but also any other measures that contain preshipment inspection requirements.

We have on numerous occasions requested that Indonesia notify its preshipment inspection requirements, as required by Article 5 of the WTO Agreement on Preshipment Inspection. We have received assurances from Indonesia, including during its Trade Policy Review, that it

would come into compliance, but these preshipment inspection requirements have not yet been notified. We again request that Indonesia notify the WTO of its preshipment inspection requirements, to come into compliance with its WTO transparency obligations and so Members can review those requirements.

Further, we request additional clarity on why Indonesia has chosen to adopt additional preshipment inspection requirements in recent years.
