

**A GENERAL ASSESSMENT OF FOREIGN TRADE  
BARRIERS TO PHILIPPINE EXPORTS**

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## TABLE OF CONTENTS

| List of Tables   | <u>Page</u> |
|--|-------------|
| I. Introduction .....  | 1           |
| II. Definition and Types of NTMs .....                             | 3           |
| III. NTMs Used by the U.S., Japan and the European Countries ..... | 6           |
| IV. Coverage of NTMs on Philippine Exports .....                   | 26          |
| V. Summary and Highlights of the Study .....                       | 45          |
| VI. Bibliography .....   | 47          |

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## LIST OF TABLES

|   | <u>Page</u> |
|---|-------------|
| Table 1 : Weighted Tariff Average by Commodity Group and by Country .....               | 2           |
| Table 2 : Major Philippine Exports and Non-Tariff Measures in Developed Countries ..... | 8           |
| Table 3 : Percent Share of Exports Affected by Type of NTM .....                        | 24          |
| Table 4 : NTM Coverage of Philippine Exports to the U.S. ....                           | 32          |
| Table 5 : NTM Coverage of Philippine Exports to Japan .....                             | 36          |
| Table 6 : NTM Coverage of Philippine Exports to the European Community (EC) .....       | 40          |

## **A General Assessment of Foreign Trade Barriers To Philippine Exports\***

by:

**Erlinda M. Medalla**

### **I. INTRODUCTION**

Recent world developments in the area of trade policy and legislation reveal an intensification rather than a reversal of past protectionist trends. Tariffs are no longer the main instrument of protection (see Table 1). Instead, non-tariff measures (NTMs) have increasingly become the primary form of many countries. (The term "non-tariff measures" or NTMs is used almost synonymously with "non-tariff barriers" or NTBs. The only possible difference is that NTMs are not pre-judged as "barriers"). These developments have presented difficulties in tackling the problem of protectionism. First, there exists a

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TABLE I

Weighted Tariff Average by Commodity Group and by Country

| <u>CCCN Group<br/>Number</u> | <u>Description</u>        | <u>U.S.</u> | <u>Japan</u> | <u>EC</u> |
|------------------------------|---------------------------|-------------|--------------|-----------|
| 5                            | Mineral Products          | 1.3829      | 2.1682       | 0.6000    |
| 6                            | Chemical Products         | 4.1710      | 4.9852       | 5.5882    |
| 7                            | Plastic, Rubber Products  | 3.5863      | 3.3631       | 5.8498    |
| 8                            | Hides and Skins           | 7.6292      | 6.5905       | 2.8929    |
| 9                            | Wood, Wood Articles       | 1.6680      | 0.8148       | 2.5165    |
| 10                           | Paper, Paper Products     | 1.2716      | 2.3762       | 3.3663    |
| 11                           | Textile, Textile Products | 12.1799     | 5.4218       | 8.6425    |
| 12                           | Footwear                  | 18.8595     | 14.7644      | 12.7570   |
| 13                           | Stone, Cement Products    | 8.0297      | 3.7818       | 6.4896    |
| 14                           | Pearls, Precious Stones   | 2.7093      | 2.0792       | 1.5779    |
| 15                           | Base Metals Products      | 3.9862      | 4.4233       | 3.4233    |
| 16                           | Machinery & Equipment     | 3.9922      | 4.4998       | 4.8604    |
| 17                           | Vehicles, Aircraft        | 7.7392      | 3.2180       | 7.6831    |
| 18                           | Professional Instruments  | 4.8637      | 5.0441       | 5.7927    |
| 19                           | Arms, Ammunitions         | 5.4851      | 10.9290      | 5.3372    |
| 20                           | Misc. Manufactures        | 5.5750      | 5.5205       | 6.1383    |
| 21                           | Works of Art              | 0.6661      | 0.0000       | 0.0000    |

Source: GATT (1977)

large variety of NTMs which an importing country could impose for varying reasons. Second, application of NTMs can be discriminatory and discretionary. Consequently, there is often lack of transparency with regards to the real nature and restrictiveness of NTMs.

It would be ideal to be able to analyze and approximate the over-all impact of NTMs, e.g. through price comparisons, trade models, elasticities approach, etc. However, given the time and resources available, such analytical procedures would be beyond the scope of the study. Instead, a firm-level survey was conducted to determine the possible impact, the findings of which will appear in one section of the final report. Moreover, an attempt is made in this paper to make an inventory of NTMs imposed by the U.S., Japan, and the EC countries affecting most, if not all, of Philippine exports. This would provide a necessary input into the analyses of impact effects of NTMs.

## **II. DEFINITION AND TYPES OF NTMS**

In this paper, we follow the UNCTAD definition of non-tariff measures, i.e., "all those public regulations and government practices which introduce unequal treatment between domestic and foreign goods of the same or similar production." Following UNCTAD, non-tariff measures could be classified into five broad categories as follows:

## 1. Para-tariff measures

These are measures which levy additional tariffs and charges other than tariffs on imports. Examples are:

- a. Tariff quotas - wherein two tariff rates are applied, the higher rate becoming effective when a certain quota is exceeded.
- b. Seasonal tariffs - wherein higher tariff rates are applied at certain periods of the year (usually when domestic supply is at peak or available).
- c. Import deposit - wherein prior to importation, a deposit of a specified amount of money is required.

## 2. Control of price levels

This group includes measures designed to maintain the price of imports at a desired level, e.g., at so-called "minimal", "normal", or "fair" levels. There are two types of measures under this category. One involves setting a decreed price, e.g. minimum prices (trigger prices, threshold prices), price surveillance, and price investigation. The second type enforces the decreed prices such as the following:

- a. Variable levy - wherein variable rates are imposed to equalize the c.i.f import price with the decreed price.

- b. Countervailing duty - the duty levied to offset any subsidy enjoyed by any exporter or producer of imported goods.
- c. Anti-dumping duty - the duty levied on imports proven to have come in at a price lower than its normal value.
- d. Voluntary export price restraint - wherein a certain price is agreed upon between the exporting and importing country.

### 3. Control of volume level

This group includes measures which prevent and limit imports, i.e. the quantitative restrictions (QRs), or to simply monitor the volume of imports (e.g. volume surveillance). Under QRs, examples are:

- a. Prohibition - wherein importations are banned, whether totally or under certain conditions.
- b. Quota - wherein only a fixed volume or value of imports at a certain period of time is allowed. The quota can be global, allocated by country, or seasonal.
- c. Voluntary export restraint (VER) - wherein a maximum level of exports at a given period of time is agreed upon by exporting and importing countries. An example is the Multi-Fiber Agreement (MFA).



- d. Discretionary authorization.
- e. Conditional import authorization.

4. Requirement on specific imports

This category includes:

- a. Certification of compliance, e.g. on health and safety and quality requirements, phytosanitary and quarantine requirements.
- b. Additional customs formalities - e.g. requirements such as proof of origin and end-user of the product.

5. Non-border measures

This category covers measures controlling the quality of products for sale in the domestic market, and providing assistance to local production competing with certain imports to increase producers' gross returns, such as subsidies, tax concessions, price and marketing supports, consumption taxes and credit facilities and grants.

**III. NTMS USED BY THE U.S., JAPAN AND THE EC COUNTRIES**

It is very difficult, if not impossible, especially from the point of view of the exporting country, to gather enough data and information which would permit a detailed description of the nature and trade impact of non-tariff measures affecting a very wide range of products. We could only attempt to provide some

general information on some better-known NTMs used by our major trading partners -- U.S., Japan, and EC countries.

From the UNCTAD Data Base on Trade Measures, we picked out the non-tariff measures faced by 85 major exports of the Philippines from Japan, the U.S. and the EC countries. Table 2 summarizes the types of NTMs imposed on these export products. The list is not exhaustive because not all exports are covered, and also since some forms of non-tariff measures which could be important, may not be as open as the ones included.

All of the top Philippine exports are subject to some form of NTMs in the U.S., Japan and the EC countries. Exports of bananas have to contend with at least 6 types of NTMs upon entering Japan. Copra and coconut oil exports have to pass thru a battery of 6 types of NTMs in the EC countries. Exports of centrifugal sugar are subject to 5 types of NTMs in the U.S., 6 types of NTMs in Japan and 5 types of NTMs in the EC countries. Exports of pineapples (in syrup, concentrates and juice) complies with 6 types of NTMs in Japan and 8 types of NTMs in the EC countries. Moreover, garment exports in many cases are subject to 7 types of NTMs in the EC countries.

The U.S., Japan and the EC countries employ, in varying degrees, at least 19 types of better-known NTMs; namely, (1) Health and Sanitary Regulations; (2) Consular and Customs Formalities and Documentations; (3) Rules of Origin; (4) Global Quota; (5) Price Support; (8) Tariff Quota; (9) Quota by Country;

TABLE 2

MAJOR PHILIPPINE EXPORTS AND NON-TARIFF MEASURES IN DEVELOPED COUNTRIES

| Products                                      | US                         |   | Japan                |  | EC                   |  |
|---|----------------------------|---|----------------------|--|----------------------|--|
|   | Total Value<br>('000 US\$) | NTM   | Value<br>('000 US\$) | NTM  | Value<br>('000 US\$) | NTM  |
| 1. Tuna, frozen (except fillets)              | 15,866                     | Sanitary regulation   | 4,793                | Production Control<br>Health Certification<br>Import Authorization<br>Global Quota   | 2,161                | Reference Import Price<br>Licensing<br>Technical Requirements<br>Tariff Quota<br>0,912   |
| 2. Shrimps & prawns, fresh, chilled or frozen | 46,473                     | Health & Sanitary Regulations   | 4,270                | Global Quota<br>Production Control<br>Health Certification<br>Import Authorization   |                      | Quota by Country<br>Price Control<br>Licensing   |
| 3. Bananas, fresh                             | 179,719                    | Health & Sanitary Regulations   |                      | Phytosanitary Regulations<br>Customs Certification<br>Packaging Requirement<br>Import Authorization<br>Global Quota<br>Seasonal Tariff | 42,203               | Global Quota<br>Selective Internal Tax<br>Quota by Country<br>Import Restriction<br>1,819  |
| 4. Densicated Coconut                         | 64,216                     | Health & Sanitary Regulations   | 42,800               | Phytosanitary Regulations  | 1,641                | Global Quota<br>Quota by Country<br>Import Restriction<br>19,767   |
| 5. Pineapples, fresh                          | 37,158                     | Consular & Customs Formalities & Doc.<br>Rules of Origin<br>Health & Sanitary Regulations | 189                  | Health Certification   | 36,969               | Global Quota<br>Quota by Country<br>Health & Sanitary Standards<br>Phytosanitary Regulations<br>Rules of Origin<br>Customs & Consular Formalities & Doc. |

| Products  | US                         |   |                      | Japan  |                      |   | EC                   |     |                      |
|---|----------------------------|---|----------------------|--|----------------------|---|----------------------|-----|----------------------|
|   | Total Value<br>('000 US\$) | NTM   | Value<br>('000 US\$) | NTM  | Value<br>('000 US\$) | NTM   | Value<br>('000 US\$) | NTM | Value<br>('000 US\$) |
| 6. Mangoes, fresh   | 2,556                      | Health & Sanitary<br>Regulations                    |                      | Phytosanitary<br>Regulations                                       | 2,556                | Global Quota<br>Quota by Country<br>Import Restriction  |                      |     |                      |
| 7. Robusta coffee, raw<br>or green not roasted<br>(e.g. robusta,<br>excelsa, liberica,<br>etc.) | 53,673                     | Health & Sanitary<br>Regulations                    | 40,122               | Commodity Tax<br>Internal Tax<br>Phytosanitary<br>Regulations      | 237                  | Quota by Country<br>Restriction (unspecified)   | 13,314               |     |                      |
| 8. Coora (excluding<br>flours & meals)  | 3,154                      | Global Quota<br>Price Support<br>Production Control |                      | Phytosanitary<br>Regulations<br>Global Quota<br>Deficiency Payment |                      | Import Restriction<br>Entry Control Measure<br>Licensing<br>Health Certification<br>Quota<br>Technical Requirements | 3,154                |     |                      |
| 9. Seaweeds, wet or dried   | 4,000                      |   | 2,020                | Health Certification<br>Import Authorization                       |                      |   | 2,020                |     |                      |
| 10. Coconut oil, refined  | 235,400                    | Health & Sanitary<br>Regulations                    | 212,214              | Health & Safety<br>Standards                                       | 23,093               | Certification Requirement<br>Import Levy<br>Import Restriction<br>Licensing<br>Entry Control Measure<br>Quota       | 173                  |     |                      |
| 11. Coconut oil, crude  | 193,777                    | Health & Sanitary<br>Regulations                    |                      | Health & Safety<br>Standards                                       |                      | Certification Requirement<br>Import Levy<br>Import Restriction<br>Licensing<br>Entry Control Measure<br>Quota       | 193,777              |     |                      |

1/

2/

| Products   | Total Value<br>('000 US\$) | US  |                      | Japan  |                      | EC   |                      |
|--|----------------------------|---|----------------------|--|----------------------|--|----------------------|
|  |                            | NTM   | Value<br>('000 US\$) | NTM  | Value<br>('000 US\$) | NTM  | Value<br>('000 US\$) |
| 12. Fatty Alcohols   | 6,949                      |   |                      | Health Certification   | 6,949                | Import Restriction<br>Quota by Country   |                      |
| 13. Tuna prepared or<br>preserved in airtight<br>containers  | 37,313                     | Countervailing Duty<br>Health & Sanitary<br>regulations<br>Tariff Quota                                     | 27,643               |  |                      | Restriction (Unse-<br>cificied)<br>Bilateral Quota<br>Quota<br>Licensing<br>Import Levy                            | 9,670                |
| 14. Centrifugal Sugar,<br>Refined Sugar and<br>other products of<br>refining beet and<br>cane sugar, solid | 168,368                    | Global Quota<br>Quota allocated by<br>Country<br>Import Levy<br>Domestic Subsidy<br>Minimum Import<br>Price | 117,844              | Internal Tax<br>Sugar Excise Tax<br>Import Levy<br>Health Certification<br>Import Certification<br>Price Support | 50,524               | Entry Control Measure<br>Import Levy<br>Licensing<br>Flexible Import Fee<br>System<br>Certification<br>Requirement |                      |
| 15. Molasses, inedible   | 1,207                      | Global Quota<br>Quota allocated by<br>Country<br>Import Levy<br>Domestic Subsidy                            |                      | Internal Tax<br>Sugar Excise Tax<br>Health Certification   |                      | Import Levy<br>Certification<br>Measurement (Health)<br>Licensing<br>Variable Levy                                 |                      |
| 16. Cocoa Butter<br>(fat or oil)   | 23,378                     | Health & Sanitary<br>Regulations<br>Phytosanitary<br>Regulations  | 21,923               | Phytosanitary<br>Regulations   | 2,356                | Selective Internal Tax<br>Health Certification<br>Licensing<br>Import Levy   |                      |
| 17. Pineapples in syrup<br>in airtight containers  | 77,101                     | Consular & Customs<br>Formalities and<br>Documentation  |                      | Global Quota<br>Discretionary<br>Licensing   |                      | Additional Duty on Sugar<br>Import Levy<br>Variable Levy   |                      |

| Products   | Total Value<br>('000 US\$) | US                            |                      | Japan  |                      | EC   |                      |
|--|----------------------------|-------------------------------|----------------------|--|----------------------|--|----------------------|
|  |                            | NTM                           | Value<br>('000 US\$) | NTM  | Value<br>('000 US\$) | NTM  | Value<br>('000 US\$) |
| 18. Pineapple concentrates & pineapple juice                           | 20,109                     | Rules of Origin               | 72,292               | Internal Tax   | 249                  | Health & Safety Standards  | 4,560                |
|  |                            | Health & Sanitary Regulations |                      | Health & Safety Standards<br>Phytosanitary Regulations<br>Consular & Customs Formalities & Doc.                                |                      |  |                      |
| 19. Ethyl Alcohol (ethanol)  | 1,240                      | Health & Sanitary Regulations | 15,971               | Internal Tax   | 158                  | Bilateral Quota  | 3,980                |
|  |                            |                               |                      | Commodity Tax<br>Discretionary Licensing<br>Production Control<br>Packaging Regulation<br>Global Quota<br>Health Certification |                      |  |                      |
| 20. Oil cake, & other residues of coconut (copra)                      | 99,534                     |                               |                      | Internal Tax   | 1,240                | Discretionary Licensing  | 99,534               |
|  |                            |                               |                      | Global Quota<br>State Trading  |                      |  |                      |
| 21. Leaf tobacco, fillers & binders, stripped virginia type, fluecured | 10,467                     |                               |                      | Phytosanitary Regulations<br>Marking & Packing Requirements  | 2,152                | Certification Requirement<br>Import Levy<br>Variable Levy<br>Licensing | 8,315                |
|  |                            |                               |                      | State Trading<br>Phytosanitary Regulations   |                      |  |                      |

| Products  | US                         |                      | Japan                |   | EC                   |   |
|---|----------------------------|----------------------|----------------------|---|----------------------|---|
|   | Total Value<br>('000 US\$) | NIM                  | Value<br>('000 US\$) | NIM   | Value<br>('000 US\$) | NIM   |
| 22. Leaf tobacco fillers<br>& binders, native<br>not stripped | 2,821                      | Customs Formalities  | 536                  | State Trading<br>Phytosanitary<br>Regulations | 777                  | State Trading<br>Entry Control Measure<br>Import Levy                                     |
| 23. Portland Cement   |                            |                      |                      | Quota by Country                              |                      | 3,169   |
| 24. Copper concentrates                                       | 41,417                     | Import Documentation | 12,621               | Discretionary<br>Licensing<br>Quota           |                      |   |
| 25. Gold from copper<br>ores and concentrates                 |                            |                      |                      | Discretionary<br>Licensing<br>Quota           | 26,796               |   |
| 26. Iron ore agglomerates<br>(sinters)                        | 126,452                    |                      |                      | Discretionary<br>Licensing<br>Quota           |                      |   |
| 27. Chromium ores and<br>concentrates                         | 4,158                      |                      | 1,732                | Discretionary<br>Licensing<br>Quota           | 126,452              |   |
| 28. Nickel ores   | 13,717                     |                      |                      | Discretionary<br>Licensing<br>Quota           | 2,793                |   |
| 29. Solvent naphtha, or<br>crude or refined                   |                            |                      |                      |   |                      | 1,365   |
| 30. Petroleum Naphtha   |                            |                      |                      |   | 13,717               |   |
|   |                            |                      |                      |   |                      | Restriction (unspecified)<br>State Trading<br>Global Quota                                |
|   |                            |                      |                      |   |                      | Restriction (Unspecified)<br>State Trading<br>Discretionary Licensing<br>Quota by Country |

| Products   | US                         |     | Japan                |     | EC                   |  |
|--|----------------------------|-----|----------------------|-----|----------------------|--|
|  | Total Value<br>('000 US\$) | NTM | Value<br>('000 US\$) | NTM | Value<br>('000 US\$) | NTM  |
| 31. Esters of acetic acids (amyl acetates, abtyl acetate, other acids)                                     |                            |     |                      |     |                      |  |
|  |                            |     |                      |     |                      | Value ('000 US\$)  |
| 32. Other heterocyclic compounds, n.e.s. nuclear acids   |                            |     |                      |     |                      |  |
| 33. Activated carbon   |                            |     |                      |     |                      |  |
| 34. Bags of synthetic materials (including cellophane bags)  |                            |     |                      |     |                      |  |
| 35. Lauan, white, in the rough and Apitong, in the rough   | 13                         |     |                      |     |                      |  |
|  |                            |     |                      |     |                      | Health Certification 13  |
| 36. Lauan, red   | 117,640                    |     |                      |     |                      |  |
|  |                            |     |                      |     |                      | Entry Control Measure Automatic Licensing Surveillance 117,640 |
| 37. Lauan, red   | 1,405                      |     |                      |     |                      |  |
|  |                            |     |                      |     |                      | Quota by Country 1,405   |
| 38. Wood sawn lengthwise sliced or peeled but not further prepared, of a thickness exceeding 5mm, of lauan | 34,504                     |     |                      |     |                      |  |
|  |                            |     |                      |     |                      | Health Certification 34,504                                    |



| Products  | US                         |     | Japan                |     | EU                   |   |
|---|----------------------------|-----|----------------------|-----|----------------------|---|
|   | Total Value<br>('000 US\$) | NIM | Value<br>('000 US\$) | NIM | Value<br>('000 US\$) | NIM   |
| 39. Wood (including blocks, strips and friezes or parquet or wood block flooring not assembled) planed, tongued, grooved, rebated, chamfered, v-jointed, center v-jointed, beaded center beaded or the like, but not further manufactured | 1,468                      |     |                      |     |                      |   |
| 40. Veneer Corestock, Veneer sheets and sheets for plywood  | 29,525                     |     | 2,710                |     | 6,204                | Entry Control Measure   |
| 41. Plywood ordinary (Lauan and tangailie)  | 28,448                     |     | 50                   |     |                      | Quota by Country<br>Marketing Standard<br>Regulations<br>Tariff Quota |
| 42. Other Builders woodwork, n.e.s.   | 147                        |     | 147                  |     | 26,358               |   |
| 43. Household utensils of wood  | 1,139                      |     | 1,139                |     |                      |   |
| 44. Articles of basket-work or wickerwork n.e.s.  | 5,509                      |     | 2,289                |     | 3,220                | Discretionary Licensing<br>Quota by Country                           |

| Products  | US          |   |             | Japan                     |             |     | EC          |     |             |
|---|-------------|---|-------------|---------------------------|-------------|-----|-------------|-----|-------------|
|   | Total Value | NTM   | Value       | NTM                       | Value       | NTM | Value       | NTM | Value       |
|   | ('000 US\$) |   | ('000 US\$) |                           | ('000 US\$) |     | ('000 US\$) |     | ('000 US\$) |
| 45. Bags and baskets<br>(e.g. bamboo, rattan<br>red, wood pulp plaited<br>paper yarn)4/                             | 643         |   |             |                           |             |     |             |     |             |
| 46. Cordage, cables,<br>ropes and twine, of<br>abaca and true hemp  | 9,087       | Bilateral Quota   | 8,711       | Import Authorization      | 643         |     |             |     |             |
| 47. Gloves and mittens,<br>other than leather,<br>manufactured from<br>materials imported<br>on consignment basis   | 7,347       | Bilateral Quota   | 3,501       |                           |             |     |             |     |             |
| 48. Undershirts, men's<br>& boys, knitted or<br>crocheted, of<br>synthetic fibers,<br>not elastic nor<br>rubberized | 9,332       | Voluntary Export<br>Restraint<br>Customs Formalities<br>& Documentation | 2,109       |                           |             |     |             |     |             |
| 49. Undershirts, men's<br>boys', knitted or<br>crocheted, not<br>elastic nor<br>rubberized, of cotton               | 24,777      | Voluntary Export<br>Restraint<br>Customs Formalities<br>& Documentation | 22,413      |                           |             |     |             |     |             |
|   |             |   |             | Discretionary Licensing   |             |     |             |     |             |
|   |             |   |             | Global Quota              |             |     |             |     |             |
|   |             |   |             | Automatic Licensing       |             |     |             |     |             |
|   |             |   |             | Export Restraint          |             |     |             |     | 376         |
|   |             |   |             | State Trading             |             |     |             |     |             |
|   |             |   |             | Global Quota              |             |     |             |     |             |
|   |             |   |             | Automatic Licensing       |             |     |             |     |             |
|   |             |   |             | Restriction (Unspecified) |             |     |             |     | 3,846       |
|   |             |   |             | Export Restraints         |             |     |             |     |             |
|   |             |   |             | Packaging Requirement     |             |     |             |     |             |
|   |             |   |             | Global Quota              |             |     |             |     |             |
|   |             |   |             | Bilateral Quota           |             |     |             |     |             |
|   |             |   |             | Discretionary Licensing   |             |     |             |     |             |
|   |             |   |             | Testing & Certification   |             |     |             |     |             |
|   |             |   |             | Requirement               |             |     |             |     |             |
|   |             |   |             | Restriction (Unspecified) |             |     |             |     | 7,846       |
|   |             |   |             | Surveillance              |             |     |             |     |             |
|   |             |   |             | Packaging Requirement     |             |     |             |     |             |
|   |             |   |             | Global Quota              |             |     |             |     |             |
|   |             |   |             | Bilateral Quota           |             |     |             |     |             |
|   |             |   |             | Discretionary Licensing   |             |     |             |     |             |
|   |             |   |             | Testing & Certification   |             |     |             |     |             |
|   |             |   |             | Requirement               |             |     |             |     |             |
|   |             |   |             | Restriction (Unspecified) |             |     |             |     | 2,364       |
|   |             |   |             | Surveillance              |             |     |             |     |             |

| Products   | US                         |   | Japan                |     | EC                   |   |
|--|----------------------------|---|----------------------|-----|----------------------|---|
|  | Total Value<br>('000 US\$) | NTM   | Value<br>('000 US\$) | NTM | Value<br>('000 US\$) | NTM   |
| 50. Polo-shirts & sport shirts, knitted or crocheted of synthetic fibers, not elastic nor rubberized/        | 1,400                      | Bilateral Quota<br>Customs Formalities & Documentation  | 2,400                |     |                      | Packaging Requirement<br>Global Quota<br>Bilateral Quota<br>Discretionary Licensing<br>Testing & Certification Requirement<br>Restriction (Unspecified)<br>Surveillance |
| 51. Panties, women's girls' & infants', knitted or crocheted, of synthetic fibers, not elastic or rubberized | 2,562                      | Bilateral Quota<br>Global Quota<br>Packaging Requirement<br>Customs Formalities<br>Voluntary Export Restraint | 2,562                |     |                      | Packaging Requirement<br>Global Quota<br>Bilateral Quota<br>Discretionary Licensing<br>Testing & Certification Requirement<br>Restriction (Unspecified)                 |
| 52. Nightwear, men's and boys', knitted or crocheted, or cotton, not elastic nor rubberized                  | 3,096                      | Bilateral Quota<br>Customs Formalities and Documentation  | 358                  |     |                      | Packaging Requirement<br>Global Quota<br>Bilateral Quota<br>Discretionary Licensing<br>Testing & Certification Requirement<br>Restriction (Unspecified)<br>Surveillance |
| 53. Polo-shirts & Sport shirts, knitted or crocheted, not elastic nor rubberized, of cotton 6/               | 5,798                      | Bilateral Quota<br>Customs Formalities & Documentation  | 5,798                | 11  |                      | Packaging Requirement<br>Global Quota<br>Bilateral Quota<br>Discretionary Licensing<br>Restriction (Unspecified)<br>Surveillance  |

| Products   | US                         |  |                      | Japan |                      |     | EC                   |   |                      |
|--|----------------------------|--|----------------------|-------|----------------------|-----|----------------------|---|----------------------|
|  | Total Value<br>('000 US\$) | NTM  | Value<br>('000 US\$) | NTM   | Value<br>('000 US\$) | NTM | Value<br>('000 US\$) | NTM   | Value<br>('000 US\$) |
| 54. Jerseys, pullovers, slippers, twinsets cardigans, bed, jackets & jumpers, of synthetic fibers knitted or crocheted   | 30,450                     | Bilateral Quota<br>Discriminatory Sourcing<br>Rules of Origin<br>Restrictive Practices<br>tolerated by<br>Government<br>Customs Formalities<br>& Documentation | 24,090               |       |                      |     |                      | Global Quota<br>Bilateral Quota<br>Discretionary Licensing<br>Restriction (Unspecified)<br>Surveillance | 6,362                |
|  |                            |  |                      |       |                      |     |                      |   |                      |
| 55. Dresses, skirts, suits & costumes, women's, girls' and infants, of synthetic fibers, knitted or crocheted  | 2,393                      | Bilateral Quota<br>Customs Formalities<br>& Documentation  | 1,425                |       | 6                    |     |                      | Global Quota<br>Bilateral Quota<br>Discretionary Licensing<br>Restriction (Unspecified)<br>Surveillance | 968                  |
|  |                            |  |                      |       |                      |     |                      |   |                      |
| 56. Other outer garments & clothing accessories (other than gloves stockings, and the like), of synthetic fibers, knitted or crocheted, not elastic nor rubberized | 8,597                      | Bilateral Quota<br>Customs Formalities<br>& Documentation  | 6,021                |       |                      |     |                      | Global Quota<br>Bilateral Quota<br>Discretionary Licensing<br>Restriction (Unspecified)<br>Surveillance | 2,576                |
|  |                            |  |                      |       |                      |     |                      |   |                      |
| 57. Dresses, skirts, suits & costumes, women's, girls' and infants, of cotton knitted or crocheted   | 1,079                      | Bilateral Quota<br>Customs Formalities<br>& Documentation  | 595                  |       | 41                   |     |                      | Global Quota<br>Bilateral Quota<br>Discretionary Licensing<br>Restriction (Unspecified)<br>Surveillance | 484                  |
|  |                            |  |                      |       |                      |     |                      |   |                      |

| Products  | US                         |   | Japan                |     | EC                   |  |
|---|----------------------------|---|----------------------|-----|----------------------|--|
|   | Total Value<br>('000 US\$) | NTM   | Value<br>('000 US\$) | NTM | Value<br>('000 US\$) | NTM  |
| 58. Trousers, breeches and the like, men's and boys', of cotton other than knitted or crocheted                               | 26,850                     | Bilateral Quota<br>Customs Formalities<br>& Documentation | 17,601               |     |                      | Global Quota<br>Discretionary Licensing<br>Export Restraint<br>Restriction (Unspecified)<br>Surveillance |
|   |                            |   |                      |     |                      | 11,249   |
| 59. Jackets, blazers & the like, men's & boys', or man-made fibers (e.g. rayon, nylon, etc.), other than knitted or crocheted | 484                        | Bilateral Quota<br>Customs Formalities<br>& Documentation | 484                  |     |                      | Global Quota<br>Discretionary Licensing<br>Export Restraint<br>Restriction (Unspecified)<br>Surveillance |
| 60. Dresses, women's, girls', & infants', of man made fibers (e.g. rayon, nylon, etc.), other than knitted or crocheted.      | 12,285                     | Bilateral Quota<br>Customs Formalities<br>& Documentation | 10,664               |     |                      | Global Quota<br>Bilateral Quota<br>Automatic Licensing<br>Restriction (Unspecified)<br>Surveillance      |
|   |                            |   |                      |     |                      | 1,621  |
| 61. Blouses, women's girls' and infants' of man-made fibers (e.g. rayon, nylon, etc.), other than knitted or crocheted        | 15,795                     | Bilateral Quota<br>Customs Formalities<br>& Documentation | 12,331               |     |                      | Global Quota<br>Bilateral Quota<br>Automatic Licensing<br>Restriction (Unspecified)                      |
|   |                            |   |                      |     |                      | 3,464  |
| 62. Other outer garments, women's, girls' & infants', of cotton other than knitted or crocheted                               | 9,462                      | Bilateral Quota<br>Customs Formalities<br>& Documentation | 9,432                |     |                      | Global Quota<br>Bilateral Quota<br>Automatic Licensing<br>Restriction (Unspecified)<br>Surveillance      |
|   |                            |   |                      |     |                      | 210  |

| Products  | Total Value<br>('000 US\$) | US   |                      | Japan                                      |                      | EC  |                      |
|---|----------------------------|--|----------------------|--|----------------------|---|----------------------|
|   |                            | NTM  | Value<br>('000 US\$) | NTM  | Value<br>('000 US\$) | NTM   | Value<br>('000 US\$) |
| 63. Coats & jackets, women's, girls' & infants' of man made fibers (e.g. rayon, nylon, etc.) other than knitted or crocheted. | 14,453                     | Bilateral Quota<br>Customs Formalities<br>& Documentation      | 9,723                |  |                      | Global Quota<br>Bilateral Quota<br>Automatic Licensing<br>Restriction (Unspecified)<br>Surveillance | 4,730                |
| 64. Brassieres (completed and/or partially completed) manufactured from materials imported on consignment basis)              | 9,575                      |  |                      |  |                      | Bilateral Quota<br>Export Restriction<br>Restriction (Unspecified)<br>Licensing<br>Surveillance     | 9,575                |
| 65. Footwear with outer soles & uppers of rubber or artificial plastic materials  | 1,270                      | Quota by Country<br>Import Documentation<br>Import Monitoring  | 511                  | Global Quota<br>Discretionary<br>Licensing |                      | Bilateral Quota<br>Global Quota<br>Restriction (unspecified)<br>Licensing                           | 755                  |
| 66. Footwear with uppers of leather or composition leather and outer soles of rubber  | 1,270                      | Quota by Country<br>Import Documentation<br>Import Monitoring  | 166                  | Global Quota<br>Discretionary<br>Licensing |                      | Bilateral Quota<br>Licensing for<br>Surveillance  | 1,104                |
| 67. Footwear with uppers of textile materials and outer soles of rubber (excluding sports footwear)                           | 23,590                     | Import by Country<br>Import Documentation<br>Import Monitoring | 22,500               |  |                      | Bilateral Quota<br>Licensing for<br>Surveillance  | 1,090                |
| 68. Costume jewelry and other articles for personal adornment, n.e.s.   | 2,098                      |  |                      |  |                      | Automatic Licensing   | 2,098                |

| Products                                    | US                         |     | Japan                |  | EC                   |   |
|---|----------------------------|-----|----------------------|--|----------------------|---|
|   | Total Value<br>('000 US\$) | NTM | Value<br>('000 US\$) | NTM                                      | Value<br>('000 US\$) | NTM   |
| 69. Ferro-silicon                           |                            |     |                      |  |                      | Global quota<br>Discretionary Licensing           |
| 70. Electric Power                          | 2,783                      |     | 2,783                | Import Licensing<br>(Method Unspecified) |                      | Import Licensing<br>(Method Unspecified)          |
| 71. Television<br>Broadcast Receivers       | 15,250                     |     | 15,250               | Surveillance                             |                      | Surveillance                                      |
| 72. Radio Broadcast<br>Receivers            | 3,703                      |     | 3,703                | Surveillance                             |                      | Surveillance                                      |
| 73. Telecommunications<br>Equipment, n.e.s. | 2,626                      |     | 2,703                | Surveillance                             |                      | Surveillance                                      |
| 74. Well drilling<br>machinery              |                            |     |                      |  |                      |   |
| 75. Electronic Micro-<br>circuits           | 88,707                     |     |                      | Commodity Tax                            | 5,096                | Bilateral Quota<br>Discretionary Licensing 83,611 |

| Products  | Total Value<br>('000 US\$) | US  |                      | Japan  |                      | EC   |                      |
|---|----------------------------|-----|----------------------|--|----------------------|--|----------------------|
|   |                            | NT# | Value<br>('000 US\$) | NTP  | Value<br>('000 US\$) | NT#  | Value<br>('000 US\$) |
| 76. Transistor  | 6,798                      |     |                      | Commodity Tax                                  | 462                  | Bilateral Quota<br>Discretionary Licensing<br>Tripartite Accord<br>Restriction (Unspecified) 2,173 |                      |
| 77. Other parts of the<br>electronic components<br>falling within group | 419                        |     |                      | Commodity Tax                                  | 7                    | Bilateral Quota<br>Discretionary Licensing<br>Tripartite Accord<br>Restriction (Unspecified) 412   |                      |
| 78. Chassis, frames &<br>other parts for<br>automobiles, n.e.s.         | 934                        |     |                      |  |                      | Bilateral Quota<br>Quota by Country<br>Entry Control Measure<br>Restriction (Unspecified) 934      |                      |
| 79. Watch movements<br>(including stopwatch<br>movements, assembled)    | 935                        |     |                      |  |                      | Restriction Unspecified 935  |                      |
| 80. Furniture, n.e.s.<br>of rattan                                      | 5,354                      |     |                      | Supplementary<br>Internal Tax<br>Commodity Tax | 1,448                | Quota by Country<br>Automatic Licensing 3,906  |                      |
| 81. Furniture of other<br>materials 7/                                  | 4                          |     |                      | Supplementary<br>Internal Tax<br>Commodity Tax | 40                   | Quota by Country<br>Automatic Licensing  |                      |
| 82. Other manufactures<br>of shell                                      | 14                         |     |                      | Global Quota<br>Internal Tax                   | 14                   |  |                      |



| Products   | US                 |                   | Japan                  |                   | EC                  |                   |
|--|--------------------|-------------------|------------------------|-------------------|---------------------|-------------------|
|  | NTM                | Value ('000 US\$) | NTM                    | Value ('000 US\$) | NTM                 | Value ('000 US\$) |
| 83. Lampshades, chimneys, globes and other lighting fittings of shell/ | Import Restriction |                   |                        |                   |                     |                   |
| 84. Dolls, including parts and accessories                             | 2,442              |                   | Certification (Health) | 562               | Automatic Licensing | 1,980             |
| <b>TOTAL</b>   |                    | <b>2,053,407</b>  |                        | <b>770,330</b>    |                     | <b>685,882</b>    |

- 1/ Value for US in pineapple, fresh.
- 2/ Value for US and Japan included in No. 10
- 3/ All values included in No. 29
- 4/ Value for EEC included in No. 44
- 5/ Value for EEC included in No. 46
- 6/ Value for EEC included in No. 48
- 7/ Value for EEC included in No. 80
- 8/ Value included in No. 82

Sources: a) NTMs Unclad Study on Protectionism and Structural Adjustments, January 1985  
 b) Trade Data - 1) US General Imports & Imports for Consumption, 1983-84  
 2) Japan's Exports & Imports, 1982-1983  
 3) Imports for EEC, 1983

(10) Import Levy; (11) Domestic Subsidy; (12) Minimum Import Price; (13) Phytosanitary Regulations; (14) Import Documentation; (15) Bilateral Quota; (16) Voluntary Export Restraint; (17) Packaging Requirement; (18) Discriminatory Sourcing and (19) Import Monitoring (See Table 3).

In the U.S., the most widely-used type of NTM is Health and Sanitary Regulations which affect 26% of all Philippine exports to that country (see Table 2). The regulations apply to 15 major product exports such as coconut products, tuna, pineapple products [fresh, in syrup (in airtight containers), concentrated], banana and fresh mangoes. Another type of NTM often resorted to by the U.S. is Bilateral Quota which covers 7% of all Philippine exports, and applied to 24 export products such as sugar, abaca products, and a number of garment products. Consular and Customs Formalities and Documents are also used significantly, covering at least 9% of all exports to the U.S.

In Japan, one of the most commonly-used type of NTM is Phytosanitary Regulations, covering 18 percent of total Philippine exports to Japan. This is applicable to 12 export products, mostly agricultural, such as bananas, dessicated coconut, pineapple, mangoes, coffee beans, copra, cocoa butter, tobacco and others. Customs Classification, Packaging Requirements, Seasonal Tariff Discretionary Licensing and Quotas are also commonly-used NTMs, applying to 14% of all Philippine exports. Subject to quota are 14 products like pineapple, copper ore and concentrates, iron ore agglomerates, chromium and nickel

**TABLE 3**  
**PERCENT SHARE OF EXPORTS AFFECTED BY TYPE OF NTM**

| Type of NTM  | % Share of Exports Affected |       |      |
|--|-----------------------------|-------|------|
|  | U.S.                        | Japan | EC   |
| 1. Health & Sanitary Regulations                   | 26                          |       |      |
| 2. Consular & Customs Formalities & Doc.           | 9                           | 0.02  | 0.48 |
| 3. Rules of Origin                                 | 4                           |       | 0.48 |
| 4. Global Quota                                    | 6                           | 4     | 7    |
| 5. Price Support                                   | 0                           | 4     |      |
| 6. Production Control                              | 0                           | 4     |      |
| 7. Countervailing Duty                             | 1                           |       |      |
| 8. Tariff Quota                                    | 7                           |       | 7    |
| 9. Quota Allocated by Country                      | 7                           |       | 8    |
| 10. Import Levy                                    | 6                           | 4     | 34   |
| 11. Domestic Subsidy                               | 6                           |       |      |
| 12. Minimum Import Price                           | 6                           |       |      |
| 13. Import Restrictions                            | 0.28                        |       |      |
| 14. Phytosanitary Regulations                      | 0.99                        | 18    | 0.48 |
| 15. Import Documentation                           | 2                           |       |      |
| 16. Bilateral Quota                                | 7                           |       | 15   |
| 17. Voluntary Export Restraint                     | 1                           |       |      |
| 18. Packaging Requirements                         | 0.12                        | 14    | 1    |
| 19. Discriminatory Sourcing                        | 1                           |       |      |
| 20. Restrictive Practices tolerated by Governments | 1                           |       |      |
| 21. Import Monitoring                              | 1                           |       |      |
| 22. Import Restrictions                            | 0.28                        |       | 24   |
| 23. Surveillance                                   | 1                           |       | 18   |
| 24. Other Price Distorting Measures                | 0.56                        |       |      |
| 25. Import Licensing (Method unspecified)          | 1                           |       |      |
| 26. Health Certification                           |                             | 4     | 0.33 |
| 27. Import Authorization                           |                             | 4     |      |
| 28. Customs Classification                         |                             | 14    |      |
| 29. Seasonal Tariffs                               |                             | 14    |      |
| 30. Commodity Tax                                  |                             | 0.38  |      |
| 31. Internal Tax                                   |                             | 4     |      |
| 32. Deficiency Payment                             |                             | 0.05  |      |
| 33. Health & Safety Standards                      |                             | 2     | 0.48 |
| 34. Sugar Excise Tax                               |                             | 4     | 13   |
| 35. Discretionary Licensing                        |                             | 14    |      |
| 36. State Trading                                  |                             | 0.33  | 1    |
| 37. Marking & Packing Requirements                 |                             | 14    |      |
| 38. Quota  |                             |       | 22   |
| 39. Technical Regulations                          |                             |       |      |
| 40. Supplementary                                  |                             | 0.12  |      |
| 41. Reference Import Price                         |                             |       | 0.94 |
| 42. Licensing                                      |                             |       | 35   |
| 43. Technical Requirements                         |                             |       | 1    |

| Type of NTM                              | % Share of Exports Affected |       |      |
|--|-----------------------------|-------|------|
|  | US                          | Japan | EC   |
| 44. Price Control                        |                             |       |      |
| 45. Selective Internal Tax               |                             |       | 0.19 |
| 46. Restriction (Unspecified)            |                             |       | 18   |
| 47. Entry Control Measure                |                             |       | 35   |
| 48. Certification Requirement            |                             |       | 31   |
| 49. Flexible Import Fee System           |                             |       |      |
| 50. Variable Levy                        |                             |       | 11   |
| 51. Additional Duty on Sugar             |                             |       | 0.90 |
| 52. Automatic Licensing                  |                             |       | 15   |
| 53. Marketing Standard Regulation        |                             |       | 3    |
| 54. Export Restraint                     |                             |       | 3    |
| 55. Testing & Certification Requirements |                             |       | 1    |
| 56. Licensing for Surveillance           |                             |       | 0.23 |
| 57. Tripartite Accord                    |                             |       | 9    |

- Sources: 1. Tariff Schedule of the U.S. (T.S.U.S.), 1983- 1984  
2. U.S. General Imports and Imports for Consumption, 1982-1983  
3. Custom's Tariff schedule of Japan, 1982  
4. Japan's Generalized System of Preference as of April, 1984  
5. Japan's Exports and Imports 1982-1983  
6. Imports of EEC, 1983

ores and their concentrates. Health certification, although covering only 4% percent of total exports, is nonetheless a prevalent type of NTM applicable to 21 Philippine exports such as pineapples, fatty alcohols, refined coconut oil and molasses.

The European countries seem to have the biggest number and most varied type of NTMs among the three countries. Furthermore, a single commodity would usually have to deal with more than one type of NTM i.e. there are many overlapping forms of NTMs by product. The most commonly-used NTM in the EC countries is quantitative restrictions in the form of import licensing, which covers 35% of total exports and is applied to 56 commodities. Quota (global/bilateral) covers 52% of total exports and is applied to 50 commodities. There is also an unspecified number of import restrictions applied to 41 commodities and covers 35% of total exports to EC countries. Certification requirements also widely affect Philippine exports, with 31% of total exports to the EC countries covered. Other NTMs cover more than 15% of total exports e.g. Entry Control Measure, Additional Duty on Sugar, Surveillance, etc.

#### **IV. COVERAGE OF NTMS ON PHILIPPINE EXPORTS**

The previous section listed known NTMs affecting major exports of the Philippines to the U.S., Japan and the EC countries. The next logical questions are: (1) How extensive is the coverage of these NTMs? and (2) How restrictive are they?

### 1. Measurement of the extent of NTM coverage

In general, an index  $I$ , which would indicate the extent of coverage of NTMs imposed by an importing country  $j$ , on a particular set of commodities ( $Q$ ), exported by country  $i$ , could be constructed using the following formula:

$$I = \frac{\sum_{q \in Q} w_q N_q}{\sum_{q \in Q} w_q} = \frac{\sum_{q \in Q} W_q N_q}{\sum_{q \in Q} W_q}$$

where  $N_q$  = indicator relating to the presence of NTM on imports of  $q < Q$ .

and  $w_q = \frac{W_q}{\sum_{q \in Q} W_q}$  = weight (importance) of NTMs covering  $q$ .

Ideally,  $N$  should indicate the relative strength or "restrictiveness" of NTMs imposed on  $q$ , and  $W$  would be the amount by which exports of  $q$  (imports of  $q$  from the point of view of the importing country) are reduced due to the NTMs. As such, the higher  $I$  is, the more restrictive and the greater the incidence and coverage of the NTM for the particular set of commodities. However, neither of these variables are directly observable. Furthermore, the purpose of the whole exercise is precisely to estimate them - i.e., the degree of restrictiveness and the trade effects of the NTMs.

Thus, in this study, as is usually done in other similar studies,

(1) we set

$$N_q = 1 \text{ if } q \text{ is subject to NTM in importing} \\ \text{country } i; \\ = 0 \text{ if otherwise; and}$$

(2) we define  $W_q$  as the value of country  $i$ 's exports of  $q$  to country  $j$  (or country  $j$ 's imports of  $q$  from country  $i$ ) i.e., the weight of  $N_q$  is the export share of  $q$  to total exports of the particular set of commodities to country  $j$ .

In other words, we are simply taking the export coverage of the various NTMs, i.e., the extent of the NTMs is given by the volume of trade they affect.

There are obvious limitations in the use of such an index. First, the more restrictive the NTM is, the greater the reduction in exports (imports from the point of view of the imposing country), and thus the lower the weight given to the NTM. This creates a downward bias in our estimate of the coverage index. For example, a total prohibition on  $q$  would mean no exports of  $q$  and thus a zero weight for the prohibition. On the other hand, an NTM may not be binding at all (e.g. a large quota) so that the exporting country may export as much as it could and yet this particular NTM would be given the full export weight. Thus, there is

simultaneously a tendency for an upward bias in such an index.

Given that NTMs have varying degrees of restrictiveness, hopefully, aggregation would tend to even out the inherent biases in our estimate of the coverage index. Thus, there is some advantage in aggregation although some details are lost regarding the variability of the effects of the NTMs.

Another limitation in the use of such an index is that in setting  $N$  to be either 1 or 0, depending upon the presence or absence of an NTM, each NTM is assumed to be uniformly restrictive. This problem is, however, very difficult to avoid.

## 2. The Data

To estimate the coverage index, we need to look at export data and the information on types of NTMs imposed by the countries under study. In this study, we estimate the coverage index for the 21 CCCN\* broad categories, for the U.S., Japan and the EC countries.

For information on NTMs, we used the Tariff Commission's Inventory of NTMs covering the Philippines' top 100 exports, constituting 70 - 80% of total exports to the

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\*Custom's Cooperation Council Nomenclature - formerly Brussels Tariff Nomenclature (BTN)



U.S., Japan, and the EC countries. The Tariff Commission inventory drew heavily from the UNCTAD Data Base on Trade Measures.

The export products included are fairly disaggregated-- i.e. the 5-digit Tariff Heading Classification is more disaggregated than the 4-digit CCCN classification. Nevertheless, in some cases, this may not be disaggregated enough so that a particular NTM may in fact be applicable only to a smaller subset of the product group. If there are more than a few of such cases, then the coverage index may tend to be overestimated.

However, the list does not cover all Philippine exports which could negate the tendency to overestimate the index. Furthermore, the list of NTMs may not be exhaustive. This could be important in the case of the U.S., where only limited information is available regarding NTMs on semi-conductors (and thus taken to be freely importable), but which comprises almost 30 percent of total exports to the U.S. (The results of a firm survey done for the project, however, shows that exporters do not perceive barriers to semi-conductors' exports. Hopefully, this may not present much of a problem).

Finally, the export data used are from importing countries' trade statistics for 1983.

### 3. Estimates of the Coverage index of NTMs

Tables 4, 5, and 6 summarize the results of coverage estimation for the U.S., Japan, and the EC countries, respectively. CCCN categories II (vegetable products) and III (animal, vegetable fats and oils) consistently have high coverage index for all three markets. Indeed, agricultural commodities (CCCN groups I to IV), in general, have high coverage indices, which is also the same destination for our major exports (except semi-conductors in the case of the U.S. and mineral products in the case of Japan).

Estimates of the over-all index of NTM coverage show that 48 percent of our exports to the U.S. are covered by some form of NTM, 47 percent in the case of Japan, and 75 percent in the case of the EC countries. However, due to the limitations of the index used and data availability, comparisons among countries should be done with some reservation.

The index for the U.S. may be relatively lower since, as mentioned earlier, semi-conductors are not included among exports facing NTMs (which may or may not be the fact). Perhaps, the index for Japan may be lower because it imports a lot of mineral products which are not subject to a lot of NTMs, or because the NTMs imposed by Japan are less transparent. However, it seems clear that the EC countries impose the most prevalent NTMs, confirming previous

TABLE 4

## NTM COVERAGE OF PHILIPPINE EXPORTS TO THE US

| Description                        | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures                              |   |
|------------------------------------|---|--|--|---|
|                                    |   |  | Description                                      | % Share of Exports by Type of NTM to Total NTM Affected Exports |
| 1. Live Animals                    | 9,063   | 47   | Health & Sanitary Regulations                    | 100   |
| 2. Vegetable Products              | 83,119  | 90   | Health & Sanitary Regulations                    | 100   |
|                                    |   |  | Consular & Customs Formalities & Documentation   | 0.23  |
|                                    |   |  | Rules of Origin                                  | 0.23  |
| 3. Animal, Vegetable Fats and Oils | 214,234   | 100  | Global Quota                                     | 0   |
|                                    |   |  | Price Support                                    | 0   |
|                                    |   |  | Production Control                               | 0   |
|                                    |   |  | Health & Sanitary Regulations                    | 99  |
| 4. Beverages & Tobacco             | 256,866   | 89   | Countervailing Duty                              | 11  |
|                                    |   |  | Health & Sanitary Regulations                    | 53  |
|                                    |   |  | Tariff Quota                                     | 11  |
|                                    |   |  | Global Quota                                     | 46  |
|                                    |   |  | Quota Allocated by Country                       | 46  |
|                                    |   |  | Import Levy                                      | 46  |
|                                    |   |  | Domestic Subsidy                                 | 46  |
|                                    |   |  | Minimum Import Price                             | 46  |
|                                    |   |  | Phytosanitary Regulations                        | 0   |
|                                    |   |  | Consular & Customs Formalities and Documentation | 28  |
|                                    |   |  | Rules of Origin                                  | 28  |
| 5. Mineral Products                | 33,451  | 76   | Import Documentation                             | 30  |
| 6. Chemical Products               | -   | -  | -  | -   |
| 7. Plastic, Rubber Products        | -   | -  | -  | -   |

| Description                   | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures   |   |
|-------------------------------|---|--|---|---|
|                               |   |  | Description   | % Share of Exports by Type of NTM to Total NTM Affected Exports |
| 8. Hides and Skins            | -   | -  | -   | -   |
| 9. Wood, Wood Articles        | 108,017   | 87   | Health and Sanitary<br>Tariff Quotas  | 100<br>100  |
| 10. Paper, Paper Products     | 7,822   | 72   | Tariff Quotas   | 100   |
| 11. Textile, Textile Products | 168,742   | 52   | Bilateral Quota<br>Voluntary Export Restraint<br>Customs Formalities &<br>Documentation<br>Global Quota<br>Packaging Requirements<br>Discriminatory Sourcing<br>Rules of Origin<br>Restrictive Practices<br>tolerated by<br>Governments | 62<br>16<br><br>75<br>2<br>2<br>14<br>14<br><br>14              |
| 12. Footwear                  | 23,177  | 58   | Quota by Country<br>Import Documentation<br>Import Monitoring   | 100<br>100<br>100   |
| 13. Stone, Cement Products    | -   | -  | -   | -   |
| 14. Pearls, Precious Stones   | -   | -  | -   | -   |
| 15. Base Metal Products       | -   | -  | -   | -   |
| 16. Machinery Equipment       | 38,364  | 4  | Import Licensing (method<br>unspecified)<br>Surveillance  | 100<br>100  |
| 17. Vehicles, Aircraft        | -   | -  | -   | -   |

| Description                  | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures                            |  |
|------------------------------|---|--|--|--|
|                              |   |  | Description                                    | % Share of Exports Type of NTM to Total Total NTM Affected Exports |
| 18. Professional Instruments | -   | -  | -  | -  |
| 19. Arms Ammunitions         | -   | -  | -  | -  |
| 20. Misc. Manufactures       | 68,489  | 62   | Import Regulations                             | 7  |
| 21. Works of Art             | -   | -  | -  | -  |
| TOTAL                        | 1,023,344   | 48   | Health & Sanitary Regulations                  | 53   |
|                              |   |  | Consular & Customs Formalities & Documentation | 20   |
|                              |   |  | Rules of Origin                                | 9  |
|                              |   |  | Global Quota                                   | 12   |
|                              |   |  | Price Support                                  | 0  |
|                              |   |  | Production Control                             | 0  |
|                              |   |  | Countervailing Duty                            | 3  |
|                              |   |  | Tariff Quota                                   | 15   |
|                              |   |  | Quota Allocated by Country                     | 14   |
|                              |   |  | Import Levy                                    | 12   |
|                              |   |  | Domestic Subsidy                               | 12   |
|                              |   |  | Minimum Import Price                           | 12   |
|                              |   |  | Import Restrictions                            | 0.57   |
|                              |   |  | Phytosanitary Regulations                      | 2  |
|                              |   |  | Import Documentation                           | 3  |
|                              |   |  | Bilateral Quota                                | 15   |
|                              |   |  | Voluntary Export Restraint                     | 3  |
|                              |   |  | Packaging Requirements                         | 0.25   |
|                              |   |  | Discriminatory Sourcing                        | 2  |

| Description | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures                            |   |
|-------------|---|--|--|---|
|             |   |  | Description                                    | % Share of Exports by Type of NTM to Total NTM Affected Exports |
|             |   |  | Restrictive Practices tolerated by Governments | 2   |
|             |   |  | Import Monitoring                              | 2   |
|             |   |  | Import Restrictions                            | 0.57  |
|             |   |  | Surveillance                                   | 3   |
|             |   |  | Other Price Distorting Measures                | 1   |
|             |   |  | Import Licensing (Method Unspecified)          | 3   |

Sources: a) NTMs-Tariff Commission based on UNCTAD Study on Protectionism and Structural Adjustment, January, 1985.

- b) Trade Data - 1) US General Imports and Imports for Consumption, 1983-1984  
 2) Japan's Exports and Imports, 1982-1983  
 3) Imports for EEC, 1983

Note: (-) means information is not available

TABLE 5

NTM COVERAGE OF PHILIPPINE EXPORTS TO JAPAN

| Description                        | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures       |   |
|------------------------------------|---|--|---------------------------|---|
|                                    |   |  | Description               | % Share of Exports by Type of NTM to Total NTM Affected Exports |
| 1. Live Animals                    | 44,364  | 62   | Production Control        | 100   |
|                                    |   |  | Health Certification      | 100   |
|                                    |   |  | Import Authorization      | 100   |
|                                    |   |  | Global Quota              | 100   |
| 2. Vegetable Products              | 218,383   | 97   | Phytosanitary Regulations | 100   |
|                                    |   |  | Customs Certification     | 81  |
|                                    |   |  | Packaging Requirement     | 81  |
|                                    |   |  | Import Authorization      | 81  |
|                                    |   |  | Global Quota              | 81  |
|                                    |   |  | Seasonal Tariffs          | 81  |
|                                    |   |  | Health Certification      | 17  |
|                                    |   |  | Commodity Tax             | 0.11  |
| Internal Tax                       | 0.11  |  |                           |   |
| 3. Animal, Vegetable Fats and Oils | 38,683  | 88   | Phytosanitary Regulations | 2   |
|                                    |   |  | Global Quota              | 2   |
|                                    |   |  | Deficiency Payment        | 2   |
|                                    |   |  | Health Certification      | 23  |
|                                    |   |  | Import Authorization      | 0   |
|                                    |   |  | Health & Safety Standards | 75  |
| 4. Beverages & Tobacco             | 57,793  | 52   | Internal Tax              | 95  |
|                                    |   |  | Sugar Excise Tax          | 88  |
|                                    |   |  | Import Levy               | 87  |
|                                    |   |  | Health Certification      | 88  |
|                                    |   |  | Import Certification      | 87  |
|                                    |   |  | Price Support             | 87  |

| Description                   | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures            |   |
|-------------------------------|---|--|--------------------------------|---|
|                               |   |  | Description                    | % Share of Exports by type of NTM to Total NTM Affected Exports |
|                               |   |  | Phytosanitary Regulations      | 10  |
|                               |   |  | Global Quota                   | 3   |
|                               |   |  | Discretionary Licensing        | 0.74  |
|                               |   |  | Health & Safety Standards      | 0.43  |
|                               |   |  | Consular & Customs Formalities |   |
|                               |   |  | Documentation                  | 0.43  |
|                               |   |  | Commodity Tax                  | 0.27  |
|                               |   |  | Production Control             | 0.27  |
|                               |   |  | Packaging Regulation           | 0.27  |
|                               |   |  | State Trading                  | 7   |
|                               |   |  | Marking & Packing requirements | -   |
| 5. Mineral Products           | 173,758   | 33   | Discretionary Licensing        | 100   |
|                               |   |  | Quota                          | 100   |
| 6. Chemical Products          | 5,467   | 26   | Technical Regulations          | -   |
|                               |   |  | Global Quota                   | -   |
| 7. Plastic, Rubber Products   | -   | -  | Internal Tax                   | -   |
| 8. Hides and Skins            | -   | -  | -                              | -   |
| 9. Wood, Wood Articles        | 43,003  | 30   | Health Certification           | 100   |
|                               |   |  | Commodity Tax                  | 7   |
| 10. Paper, Paper Products     | -   | -  | -                              | -   |
| 11. Textile, Textile Products | 7,232   | 28   | Import Authorization           | -   |
| 12. Footwear                  | 4   | 0.09                                       | Global Quota                   | -   |
|                               |   |  | Discretionary Licensing        | 100   |
| 13. Stone, Cement Products    | -   | -  | -                              | -   |
| 14. Pearls, Precious Stones   | -   | -  | -                              | -   |



| Description                  | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures        |   |
|------------------------------|---|--|----------------------------|---|
|                              |   |  | Description                | % Share of Exports by Type of NTM to Total NTM Affected Exports |
| 15. Base Metals, Products    | -   | -  | -                          | -   |
| 16. Machinery Equipment      | 9,728   | 81   | Commodity Tax              | 100   |
| 17. Vehicles, Aircraft       | -   | -  | -                          | -   |
| 18. Professional Instruments | -   | -  | -                          | -   |
| 19. Arms Ammunitions         | -   | -  | -                          | -   |
| 20. Misc. Manufactures       | 2,864   | 19   | Supplementary Internal Tax | 72  |
|                              |   |  | Commodity Tax              | 73  |
|                              |   |  | Global Quota               | 72  |
|                              |   |  | Health Certification       | 0.68  |
|                              |   |  |                            | 27  |
| 21. Works of Art             | -   | -  | -                          | -   |
| TOTAL                        | 592,399   | 47   | Production Control         | 8   |
|                              |   |  | Health Certification       | 8   |
|                              |   |  | Import Authorization       | 8   |
|                              |   |  | Global Quota               | 8   |
|                              |   |  | Phytosanitary Regulations  | 38  |
|                              |   |  | Customs Classification     | 30  |
|                              |   |  | Packaging Requirement      | 30  |
|                              |   |  | Seasonal Tariffs           | 30  |
|                              |   |  | Commodity Tax              | 0.81  |
|                              |   |  | Internal Tax               | 10  |
|                              |   |  | Deficiency Payment         | 0.11  |
|                              |   |  | Health & Safety Standards  | 4   |
|                              |   |  | Sugar Excise Tax           | 9   |
|                              |   |  | Import Levy                | 9   |
|                              |   |  | Price Support              | 9   |
|                              |   |  | Discretionary Licensing    | 29  |

| Description | 1983 Value of<br>Exported Affected<br>by NTM 9'000 US\$) | % of NTM<br>Affected Exports<br>To Total Exports | Non-Tariff Measures                               |  |
|-------------|--|--|---|--|
|             |  |  | Description                                       | % Share of Exports<br>by Type of NTM to<br>Total NTM Affected<br>Exports |
|             |  |  | Consular & Customs Formalities<br>& Documentation | 0.04   |
|             |  |  | State Trading                                     | 0.70   |
|             |  |  | Marking & Packing Requirements                    | -  |
|             |  |  | Quota   | 29   |
|             |  |  | Technical Regulations                             | -  |
|             |  |  | Supplementary                                     | 0.25   |

Sources: a) NTMs-Tariff Commission based on UNCTAD Study on Protectionism and Structural Adjustment, January, 1985.

- b) Trade Data - 1) US General Imports and Imports for Consumption, 1983-1984  
 2) Japan's Exports and Imports, 1982-1983  
 3) Imports for EEC, 1983

Note: (-) means information is not available

TABLE 6

NTM COVERAGE OF PHILIPPINE EXPORTS TO THE EUROPEAN COMMUNITY (EC)

| Description                        | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures                            |   |
|------------------------------------|---|--|--|---|
|                                    |   |  | Description                                    | % Share of Exports by Type of NTM to Total NTM Affected Exports |
| 1. Live Animals                    | 8,912   | 71   | Reference Import Price                         | 100   |
|                                    |   |  | Licensing                                      | 100   |
|                                    |   |  | Technical Requirement                          | 100   |
|                                    |   |  | Tariff Quota                                   | 100   |
|                                    |   |  | Quota by Country                               | 0   |
|                                    |   |  | Price Control                                  | 0   |
| 2. Vegetable Products              | 34,900  | 73   | Global Quota                                   | 62  |
|                                    |   |  | Selective Internal Tax                         | 5   |
|                                    |   |  | Quota by Country                               | 100   |
|                                    |   |  | Import Restriction                             | 62  |
|                                    |   |  | Health & Safety Standards                      | 0   |
|                                    |   |  | Phytosanitary Regulations                      | 0   |
|                                    |   |  | Rules of Origin                                | 0   |
|                                    |   |  | Customs & Consular Formalities & Documentation | 0   |
|                                    |   |  | Restriction (Unspecified)                      | 30  |
| 3. Animal, Vegetable Fats and Oils | 196,053   | 100  | Import Restriction                             | 99  |
|                                    |   |  | Entry Control Measure                          | 99  |
|                                    |   |  | Licensing                                      | 99  |
|                                    |   |  | Health Certification                           | 2   |
|                                    |   |  | Quota  | 99  |
|                                    |   |  | Technical Requirements                         | 2   |
|                                    |   |  | Certification Requirement                      | 97  |
|                                    |   |  | Import Levy                                    | 97  |
|                                    |   |  | Quota by Country                               | 0   |

| Description                 | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures            |   |
|-----------------------------|---|--|--------------------------------|---|
|                             |   |  | Description                    | % Share of Exports by Type of NTM to Total NTM Affected Exports |
| 4. Beverages & Tobacco      | 127,167   | 78   | Restriction (Unspecified)      | 8   |
|                             |   |  | Bilateral Quota                | 11  |
|                             |   |  | Quota                          | 8   |
|                             |   |  | Licensing                      | 93  |
|                             |   |  | Import Levy                    | 100   |
|                             |   |  | Entry Control Measure          | 7   |
|                             |   |  | Flexible Import Fee System     | 0   |
|                             |   |  | Certification Requirement      | 82  |
|                             |   |  | Health Certification           | 0   |
|                             |   |  | Variable Levy                  | 82  |
|                             |   |  | Selective Internal Tax         | 0   |
|                             |   |  | Consular & Customs Formalities |   |
|                             |   |  | Documentation                  | 4   |
|                             |   |  | Additional Duty on Sugar       | 7   |
|                             |   |  | Health & Safety Standards      | 4   |
|                             |   |  | Phytosanitary Regulations      | 4   |
| Rules of Origin             | 4   |  |                                |   |
| Import Restriction          | 3   |  |                                |   |
| Discretionary Licensing     | 0   |  |                                |   |
| State Trading               | 7   |  |                                |   |
| 5. Mineral Products         | 1,365   | 42   | Quota by Country               | 0   |
|                             |   |  | Licensing                      | 100   |
|                             |   |  | Restriction (Unspecified)      | 0   |
|                             |   |  | State Trading                  | 0   |
|                             |   |  | Global Quota                   | 0   |
|                             |   |  | Discretionary Licensing        | 0   |
| 6. Chemical Products        | -   | -  | -                              | -   |
| 7. Plastic, Rubber Products | -   | -  | -                              | -   |
| 8. Hides and Skins          | -   | -  | -                              | -   |

| Description                   | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures                 |   |
|-------------------------------|---|--|-------------------------------------|---|
|                               |   |  | Description                         | % Share of Exports by Type of NTM to Total NTM Affected Exports |
| 9. Wood, Wood Articles        | 167,338   | 90   | Entry Control Measure               | 74  |
|                               |   |  | Automatic Licensing                 | 70  |
|                               |   |  | Surveillance                        | 70  |
|                               |   |  | Quota by Country                    | 20  |
|                               |   |  | Marketing Standard Regulations      | 17  |
|                               |   |  | Tariff Quota                        | 17  |
|                               |   |  | Discretionary Licensing             | 2   |
| 10. Paper, Paper Products     | -   | -  |                                     |   |
| 11. Textile, Textile Products | 57,786  | 44   | Global Quota                        | 83  |
|                               |   |  | Automatic Licensing                 | 85  |
|                               |   |  | Export Restraints                   | 43  |
|                               |   |  | State Trading                       | 1   |
|                               |   |  | Restriction (Unspecified)           | 95  |
|                               |   |  | Packaging Requirement               | 21  |
|                               |   |  | Bilateral Quota                     | 33  |
|                               |   |  | Discretionary Licensing             | 54  |
|                               |   |  | Testing & Certification Requirement | 21  |
|                               |   |  | Surveillance                        | 93  |
|                               |   |  | Licensing                           | 17  |
| 12. Footwear                  | 2,949   | 24   | Bilateral Quota                     | 100   |
|                               |   |  | Global Quota                        | 26  |
|                               |   |  | Restriction (Unspecified)           | 26  |
|                               |   |  | Licensing                           | 26  |
|                               |   |  | Licensing for Surveillance          | 74  |
| 13. Stone, Cement Products    | -   | -  |                                     |   |
| 14. Pearls, Precious Stones   | 2,098   | 62   | Automatic Licensing                 | 100   |
| 15. Base Metals, Products     | 12,142  | 88   | Global Quota                        | 0   |
|                               |   |  | Discretionary Licensing             | 0   |

| Description                  | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures                            |   |
|------------------------------|---|--|--|---|
|                              |   |  | Description                                    | % Share of Exports by Type of NTM to Total NTM Affected Exports |
| 16. Machinery Equipment      | 86,196  | 78   | Bilateral Quota                                | 100   |
|                              |   |  | Discretionary Licensing                        | 100   |
|                              |   |  | Tripartite Accord                              | 100   |
|                              |   |  | Restriction (Unspecified)                      | 100   |
| 17. Vehicles, Aircraft       | 934   | 20   | Bilateral Quota                                | 100   |
|                              |   |  | Quota by Country                               | 100   |
|                              |   |  | Entry Control Measure                          | 100   |
|                              |   |  | Restriction (Unspecified)                      | 100   |
| 18. Professional Instruments | 935   | 7  | Restriction (Unspecified)                      | 100   |
| 19. Arms, Ammunitions        | -   | -  | -  | -   |
| 20. Misc. Manufactures       | 17,813  | 49   | Quota by Country                               | 22  |
|                              |   |  | Automatic Licensing                            | 32  |
| 21. Works of Art             | -   | -  | -  | -   |
| TOTAL                        | 719,699   | 75   | Reference Import Price                         | 1   |
|                              |   |  | Licensing                                      | 47  |
|                              |   |  | Technical Requirements                         | 2   |
|                              |   |  | Tariff Quota                                   | 5   |
|                              |   |  | Quota by Country                               | 10  |
|                              |   |  | Price Control                                  | -   |
|                              |   |  | Global Quota                                   | 10  |
|                              |   |  | Selective Internal Tax                         | 0.25  |
|                              |   |  | Import Restriction                             | 31  |
|                              |   |  | Health & Safety Standards                      | 0.63  |
|                              |   |  | Phytosanitary Regulations                      | 0.63  |
|                              |   |  | Rules of Origin                                | 0.63  |
|                              |   |  | Customs & Consular Formalities & Documentation | 0.63  |
|                              |   |  | Restriction (Unspecified)                      | 24  |

| Description | 1983 Value of Exports Affected by NTM ('000 US\$) | % of NTM Affected Exports To Total Exports | Non-Tariff Measures                 |   |
|-------------|---|--|-------------------------------------|---|
|             |   |  | Description                         | % Share of Exports by Type of NTM to Total NTM Affected Exports |
|             |   |  | Entry Control Measure               | 46  |
|             |   |  | Health Certification                | 0.44  |
|             |   |  | Quota                               | 29  |
|             |   |  | Certification Requirement           | 41  |
|             |   |  | Import Levy                         | 45  |
|             |   |  | Bilateral Quota                     | 20  |
|             |   |  | Flexible Import & Fee System        | -   |
|             |   |  | Variable Levy                       | 14  |
|             |   |  | Additional Duty on Sugar            | 1   |
|             |   |  | Discretionary Licensing             | 17  |
|             |   |  | State Trading                       | 1   |
|             |   |  | Automatic Licensing                 | 19  |
|             |   |  | Surveillance                        | 24  |
|             |   |  | Marketing Standard Regulation       | 4   |
|             |   |  | Export Restraint                    | 3   |
|             |   |  | Packaging Requirement               | 2   |
|             |   |  | Testing & Certification Requirement | 2   |
|             |   |  | Licensing for Surveillance          | 0.30  |
|             |   |  | Tripartite Accord                   | 12  |

Sources: a) NTMs-Tariff Commission based on UNCTAD Study on Protectionism and Structural Adjustment, January, 1985.

- b) Trade Data - 1) US General Imports and Imports for Consumption, 1983-1984  
 2) Japan's Exports and Imports, 1983-1984  
 3) Imports for EEC, 1983

Note: (-) means information is not available

observations in this study and other similar studies done in the past.

## V. SUMMARY AND HIGHLIGHTS OF THE STUDY

The following are the major conclusions that emerged from the study:

1. The commonly used types of NTMs by the U.S. are health and sanitary regulations, which affect 26% of all Philippine exports to the U.S.; customs formalities which affect 9% of total exports; and bilateral quota which affect 7% of all exports.

2. The commonly used types of NTMs by Japan include phytosanitary regulations, 18% ; customs classification; packaging requirements; seasonal tariffs; discretionary licensing; and quotas, 14% each. Health certification, although applying only to 4% of all exports to Japan, is nevertheless, a prevalent type of NTM applicable to 21 out of 85 product groups included in the study.

3. EC countries seem to have the biggest number and most varied types of NTMs. Furthermore, a single commodity would usually be subject to multiple NTMs. The commonly used NTMs are quantitative restrictions in the form of import licensing, 35% ; quotas (both global and bilateral), 52% ; unspecified import restrictions, 35% ; certification requirements, 31% ; and several others, 15% coverage.



4. Estimates of the over-all index of NTM coverage show that 48% of Philippine exports to the U.S. are covered by some form of NTMs; Japan, 47%; and the EC countries, 75%. Although comparison among them using the index should be done with some reservation, the indices strongly suggest that the EC countries imposes the most prevalent NTMs.

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