In actual practice, most countries apply a whole host of procedures, taxes, and restraints on imports. Some countries, like the United States, rely primarily on duties. Others have, in addition to duties, extensively utilized direct quantitative restrictions and more subtle regulatory practices. The United States has been extensively reducing trade barriers for two decades; by contrast, many other countries have been increasing restrictions, especially in the area of nontariff barriers.

The U.S. Department of Commerce, Business and Defense Services Administration, and the Bureau of International Commerce, have set forth a definition of "nontariff trade barriers" and listed many practices which are or can be used to impede imports:

### Definition of "Nontariff Trade Barrier"

A nontariff trade barrier is defined as any law, regulation, policy, or practice of a government, other than the import duty proper, which has a restrictive impact on imports. For purposes of this questionnaire, this definition does not include impediments to trade resulting from the operation of foreign cartels, private monopolies, or other nongovernmental business practices.

Some nontariff restrictions may be specially designed to insulate segments of the domestic economy from the effects of imports from foreign competition. There are, however, many other reasons for these barriers including the conservation of scarce foreign exchange, the promotion of economic development, the protection of domestic business against unfair competition from abroad, the protection of the public health, safety and morals, the protection of the national security, the collection of revenue, and the control of imports of products for the public account in favor of domestic procurement. Some of these barriers are recognized as legitimate under international commitments to the extent that they are not abused.

The following is an illustrative list of trade regulations and practices which may be so drawn or administered as to have a restrictive effect on the sale of U.S. goods abroad, and should be considered as nontariff trade barriers.

#### A. CUSTOMS LAW

(1) Regulations governing the right to import.
(2) Valuation and appraisement of imported goods.
(3) Classification of goods for customs purposes.
(4) Marking, labeling, and packaging requirements.
(5) Documentary requirements (including consular invoices).
(6) Measures to counteract disruptive marketing practices, e.g., antidumping and countervailing duties.
(7) Penalties (for example, fees charged for mistakes on documents).
(8) Fees assessed at customs to cover cost of processing (handling) goods.
(9) Administrative exemptions (for example, administrative authority to permit duty-free entry of goods for certain purposes).
(10) Treatment of samples and advertising material.