

*T*echnical Barriers
to Trade(TBT) and Agricultural
Products Trade

技术性贸易壁垒 与 农产品贸易

李爽 著

 中国农业出版社

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摘 要

入世改善了我国农产品的出口环境，农产品出口受关税、配额、许可证等贸易限制的程度大大减弱，为我国扩大农产品出口提供了有利机遇。但是，在伴随全球贸易自由化的同时，各国贸易保护主义思潮也在抬头，形形色色的贸易壁垒几乎无处不在。近年来，一些发达国家，在工业品市场上极力主张贸易自由化而对农业产品贸易则拼命设置壁垒。我国农产品出口频繁遭受贸易技术壁垒的限制，给国民经济带来一定的负面影响，农产品、食品所占比例最高达到了 54%，所造成的损失每年达 200 亿美元左右。

在这种背景下，本书拟深入研究农产品技术性贸易壁垒的基本特征和各国的农产品技术性贸易壁垒体系，从理论和实证两个方面剖析农产品技术性贸易壁垒的影响，分析对我国实施农产品技术性贸易壁垒的国家和遭受贸易技术壁垒的主要产品的情况，分析外国对我国实行技术贸易壁垒的原因和造成的影响，并借鉴国外先进经验和结合我国资源、技术实际，提出我国农产品贸易应对技术壁垒的对策，为政府部门提供决策依据，对外增强我国农产品的国际竞争力，对内调控国外农产品进口，促进农民增收和农业增效，保护我国国内农业生产能力、农业生态环境和居民生命健康免受进口农产品负外部性的影响具有重要的意义。

本书主要采用理论和实证分析相结合，静态分析和动态分析相结合，定性分析和定量分析相结合的方法，运用相关的国际贸易和经济学理论结合大量翔实的案例，对我国农产品出口贸易遭遇技术壁垒的形成原因及对我国农产品出口贸易的影响及对策作系统研究。

主要的研究内容如下：

1. 介绍技术性贸易壁垒的相关理论。农产品贸易的内涵、地位与作用。技术性贸易壁垒的涵义、特征、形式与表现形式。农产品技术性贸易壁垒的涵义、分类与发展趋势。

2. 对我国农产品出口贸易遭遇技术性贸易壁垒的总体状况进行分析。我国农产品的主要出口市场是日本、韩国、东盟、美国、欧盟、俄罗斯、印度和加拿大，以及中国台湾省、香港特别行政区。这些国家和地区近年来几乎都对我国农产品实施了技术性壁垒措施。在受技术壁垒限制的出口企业中，40%的企业受欧盟限制，27%受美国限制，25%受日本限制，8%受韩国等其他国家和地区限制。欧盟、美国、日本实施的技术壁垒对中国出口造成的损失占总损失的95%。其中，欧盟所占份额最大，为41%；日本和美国分别为30%和24%。

从近年发生的我国农产品出口企业受阻于技术性贸易壁垒的情况来看，欧盟主要对冻虾、水产品氯霉素超标，茶叶农药残留，禽肉中含有动物疫病和农药、兽药残留，果汁乙烯利问题为由实施严格的技术法规标准或卫生检疫合格程序；美国主要以禽肉、水产品、蜂蜜为对象，设置较为严格的技术性进出口限制措施；日本主要对蔬菜、蜂蜜农药残留，贝类产品是否含有贝类毒素为由实施近乎苛刻的卫生检疫措施；其他国家还有如英国、德国、法国、阿拉伯联合酋长国、俄罗斯、韩国、荷兰、加拿大、墨西哥、西班牙、沙特阿拉伯等国家主要干涉我国的蜂蜜、水产品是否检测到氯霉素，畜禽类是否符合动物源产品卫生安全，是否检测出禽流感病原体等等而不断发起技术性贸易措施。

3. 分析了主要发达国家技术性贸易壁垒体系及对我国的启示。

4. 对我国农产品出口贸易遭遇技术性贸易壁垒的形成原因进行分析。从生产方面，由于我国农产品的生产成本低，价格低，质量差，检测技术落后，技术水平落后，农业科研投入不

足,生产环境恶劣以及生产过程不完善,动物福利标准的阻碍;从管理方面,情报信息系统薄弱,信息不对称,农业生产的组织形式、外贸管理模式不适应国际市场竞争;从企业方面,企业对技术标准重视不够,企业的技术水平低,企业对国际标准、规则缺乏预测能力,不能利用合法武器保护自身利益,对相关的国际规则不了解,信息不足;从营销方面,对外贸易出口市场相对集中,信息不通畅,管理透明度低;在国际环境方面,国际环境变化导致贸易保护主义抬头,以及政治经济的原因。

5. 技术性贸易壁垒对我国农产品进出口贸易影响的定性分析。农产品技术性贸易壁垒将限制我国农产品出口的数量,将增加出口农产品的生产成本,将使得我国农产品出口出现逆差的趋势,并且壁垒的程度将扩散到发展中国家,出口市场正在面临缩小的趋势,将产生贸易禁止影响,并降低了我国农产品的国际市场竞争力,技术性贸易壁垒有利于我国农产品科技水平的进步。技术性贸易壁垒可以限定不符合标准的农产品的进口,保障我国市场安全;可以加强生物安全管理。

6. 技术性贸易壁垒对我国农产品出口贸易影响的定量分析。运用引力模型的实证分析方法以我国蔬菜出口日本、美国、欧盟为例,对技术性贸易壁垒对农产品出口贸易的影响进行定量的测定,得出结论:日本、美国、欧盟的蔬菜农药残留标准对我国农产品出口均存在负面影响,进口国特异性的标准和技术法规的实施,会增加国外供应商的负担,引起生产成本和出口成本的增加。我国要加强有关产品的标准和技术法规的制定,因为完善的标准和技术法规体系不仅能帮助提高本国产品质量,促进出口;还能有效的阻挡国外产品的进入,保护国内市场。我国应该更多的将国内标准与国际先进标准接轨。国内的生产商需要尽力提高产品质量,政府也要积极制定有利于保护消费者的质量标准。进口国和我国的农药残留最大限量标准对于实施技术性贸易壁垒起了关键性的作用。我国的农药残留最大限量标准越高,与进口国

的标准相差的少或接近，就可以促进我国的出口贸易。进口国的农药残留限量指标越高，对我国的壁垒程度就越高。

7. 在上述分析的基础上，提出对策与措施。建立农产品质量安全及技术性贸易措施组织管理体系，建立农产品质量安全标准化、检验检测体系，建立技术性贸易壁垒预警体系，建立重大病虫害检测预警和控制体系，建立相关的法律法规，从农产品生产层面、信息与管理层面、国际环境层面、企业层面和营销层面分别采取不同的措施。我国农产品进口应对相关国家的同类产品采取相关的技术性贸易壁垒，应当完善进口的检验检疫应对措施体系，采取入境前检疫审批、指定口岸进口等其他有效措施，限定转基因农产品的进口。

关键词：农产品 进出口贸易 技术性贸易壁垒

Abstract

With entering WTO, it improved the export environment of agricultural products in our country. The restriction of export of agricultural products caused by custom, quota, licence were significantly reduced, which provided more opportunities of the export of farm produce of our country. However, with the elevation of the freedom of foreign trade in the whole world, the thoughts of protective trade from many countries were also increased, and all kinds of Technical Barriers to Trade (TBT) exist everywhere. In recent years, some developed countries proposed to trade freely, but set TBT for agricultural products at full split in the meantime. The exports of agricultural products in our country were frequently affected by the restriction of TBT. Among those, more than 54% were from the agricultural products, which produce around 200 million USD economy losses every year.

Based on this background, the study therefore further explored the basic characteristics of TBT of agricultural products as well as the systems of TBT in other countries. This study also analyzed the effects of trade barrier from both the theory and demonstration aspects, and analyzed the reasons as well as the effects of trade barrier produced by foreign countries, proposed the countermeasures of technical barriers to trade of agricultural products in our country based on the advanced experiences of for-

eign countries and the resources in our country, provided evidence for government's decision-making and improved our international competition capacity of our agricultural products, controlled the import of foreign farm produce, protected our agriculture, improved the farmers' harvest as well as the agricultural efficacy and finally protected the agricultural throughput of our country, which has significant effected on protecting the environment of agriculture in our country and protecting the health of the habitant from the negative effect caused by imported agricultural products.

Using the combination of theoretical and demonstrational methods, the combination of static state and dynamic analyses, the combination of quantitative and quantities methods, and the combination of relevant trade and economy theory based on a great deal of actual cases, the present study investigated thoroughly on the reasons which caused the technical barrier to trade and their effects on farm produce of our country. The decision-making was also examined systemically.

The main content of the present study as follows:

1. Introduction of the relevant theory about technology trade barriers. The connotation, role and effect of farm produce. The paper gave the introduction of meaning, characteristics, form and its format of TBT, the meaning, classification, and its development tendency of technical Barriers to trade on of farm produce.

2. The analyses of overall situation of TBT of export trade of our country. The main export markets of our farm products are Japan, Hongkong area, Korea, East Union, US, European Union, Russia, Taiwan, Indian, as well as Canada. Almost all

of these countries actualized technical barriers to trade policy to our agricultural products in recent years. Among the export corporations which effected by the technology barrier restriction, 40% of them are affected by European Union, 27% are effected by US, 25% are affected by Japan, 8% are a restricted by Korean and other countries. The total economy loss caused by the technical barrier from EU, US, and Japan are 95% of the total losing. Among these loss, EU account for the most, 41%, and Japan, US occupy 30%, 24% respectively.

From the situation of agricultural products produced by the TBT in our country in recent years, we can see a very strict step of technical imports and exports: Japanese using a rigorous quarantine step mainly to detect remaining pesticide on vegetables, honey, and chloramphenicol on seashell products; Other countries such as England, Germany, France, United Arab Emirates, Russia, Korea, Holland, Canada, Mexico, Spain, Saudi Arabia etc al, mainly interfere with the honey, water products to detect the chloramphenicol, and examine whether domestic animal accord with animal product health safety and whether birds-flu pathogeny were detected, they incessantly launch technology trade steps.

3. To analyze the main TBT system of advanced countries, and its use for reference in our country.

4. It analyzed the causes of TBT to agricultural products in our country. From manufacturing aspects, it was caused by the low manufacturing cost, lower price, the low quality of our farm produce; the lower detection technology, the deficient research investment, the survives of the manufacturing environment as well as the faultiness of manufacturing process, and the barrier

of animal welfare criteria. From administration aspects, it was caused by the weakness of our information system, asymmetry of information, the maladjustment of agriculture organization model, foreign trade organization model to the international market competition. From enterprise aspects, the enterprise didn't recognition the technology standard, technology is low, the enterprise don't have enough predictive ability, fail to protect their own interest using legalistically weapons, don't understand the international rule of law, and lack of information. From international environment, the international environment increases the protective of foreign trade.

5. The qualitative analysis of the effects of technology barriers to trade on agricultural products export trade. From the short-term aspects, the amount of export product from china will decrease after the new regulation and standard were published in the import countries, and also due to the uncertainty of the customs exists. From the long-term aspects, the technology trade barrier will produce both advantages and disadvantages. On one hand, the environmental criteria published by import country will increase the products cost or decrease their demand from the domestic customer, which will produce both the domino effect of cost control and demand control effect. Based on different effects from these two on the trade, we can further divide the negative effect of technology trade barrier into two subcategory such as trade prohibition, trade restriction, and trade transfer effects. On the other hand, because of the existence of the technical barrier to trade of import countries, export manufacturers have to improve their technology reconstruct and reform in order to span this barrier, therefore will introduce new technology innovation

effects. The publication of new rule of laws from government, and reinforce the administration will also produce the new system renovation effects.

6. The qualitative analyses of effects of technical barrier to trade on our agricultural products. Using the gravitation model demonstration analyses methods, the effects of the technical barrier to trade on agricultural products export of our country were measured from the export of the vegetables export to Japan, US, and EU countries examples. Conclusions: The criteria of the remaining pesticide on vegetables produced a negative effects on our farm produce export, the actualize of specific criteria and technology rule of law from importing country will increase the burden of the provider from foreign countries, which further produce the elevation of the cost of both manufacture and export. We should reinforce the criteria and technology rules of relevant products. Perfect criteria and technology rule of law, not only help improve the produce quantity, but also accelerate export, block off the entrance of foreign products, therefore protect our national markets. We should improve national criteria to fits the international criteria. The manufacture in our country should improve the quality of their products; government should establish the quantity criteria that protect the customers. The criterion of maximum amount of remaining pesticide plays a key role in trade barrier. The more restrict of the criteria for maximum remaining pesticide, the closer to the standard of importing country, which will facilitate the foreign trade of our country. The higher standard of the restriction of remaining pesticides is, the higher degree of the trade barrier is.

7. The study proposed new countermeasures and steps,

based on the above analyses. Established the organization and administration system on quantity and safety of our farm produce, established the standardization of the safety and quantity of farm produce, established the warning system of the technology trade barriers, established the warning and control system of serious insect infection, established relevant laws and rules, and use different strategies from manufacture, organization, international environment, enterprise, marketing aspects.

Key words: Agricultural products Import and export trade
Technical barriers to trade

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1 引言

1.1 研究目的与意义

在国际经济一体化运动与贸易自由化的趋势下,传统的关税和非关税壁垒因不能适应发展的需要而逐渐削弱,但技术壁垒这种新型的非关税壁垒措施却日趋增强,给我国及其他国家,尤其是发展中国家的对外贸易造成巨大的阻碍。相比国际贸易中的反倾销、反补贴等保障性措施,技术贸易壁垒具有隐蔽性强、透明度低、不易被监督和预测的特点,正成为发达国家贸易保护措施中最具有杀伤力的武器。据科技部专家介绍,目前在国际贸易中,技术壁垒已占非关税壁垒的 30%,贸易壁垒的重点正向技术性壁垒转移。随着经济全球化和贸易自由化的不断发展,各国采取的贸易保护措施也发生了很大变化。传统的贸易保护措施如关税、许可证、配额等逐步削弱甚至取消,一些如技术性贸易壁垒(TBT)、知识产权、包装等新型的技术保护措施不断出现。

国外技术性贸易壁垒对我国出口的影响日益显著。自从加入世贸组织以来,我国有 2/3 的出口企业遭遇国外技术性贸易壁垒,有 2/5 的出口产品受到不同程度的影响,每年造成的损失达 200 亿美元左右。据我国商务部网站数据显示,1995—2001 年 TBT 争议共 4 321 件,其中农产品、食品占 23%。2003 年我国有 71% 的出口企业遭遇到国外贸易技术壁垒不同程度的限制,有 39% 的出口产品受到影响,造成损失约 170 亿美元,相当于我国同期商品出口总额的 5.2%。1995 年世贸组织正式运行至 2005 年底,各成员通报总量 20 387 件。自加入 WTO 至 2006 年 8 月,我国通报总量 683 件,其中涉及技术规则的 461 件,占我