

Email received on 14 August 2009 from Frosty Boy Australia

Hi Diana,

Thanks for your request.

We need equivalence.

Whatever trade barriers other countries insist on, we need to respond in kind.

The proverbial playing field must be level.

Let the market sort it out.

From our perspective, if you can achieve the following it will be grand:

Laboratory certificates of analysis from any NATA certified laboratory in the world must be accepted by all governments.

The latest trade barrier trick that countries are coming up with is:

1. You need a product import approval before the product can be imported.
2. To get this you have to submit a laboratory analysis certificate from a local laboratory in that country (amongst a heap of other information).
3. To be able to do that you have to send a sample to that country.
4. For the sample to get into the country you need the import approval for the product.

Catch 22.

Another very disconcerting thing that is taking place is:

Part of the import approval process is you have to submit the entire recipe, i.e. one's IP.

Investing millions in R&D therefore becomes meaningless.

Please also see my comments below.

Anyway, we wish you all the best with you submission and we hope you achieve as much freedom for us all as you can.

Thanks

Kind regards

Additional comments:

We would greatly appreciate any answers, comments and or insights regarding the below;

1. Are you currently trading with any of the mentioned above Pacific Island countries? **Not all, but yes we are.**
2. If so, what impediments to market entry you are facing? High tarrifs? Non- tarrif barriers? Anything else? **Any tariff in our opinion is too high. Any FTA must be just that, a FREE Trade Agreement. Anything else is just a Trade Agreement. Please refer to my above request.**
3. If you are not currently trading with these countries, what will make these markets more appealing to you to consider future trade with them? (You can find information on each country on DFAT's website www.dfat.gov.au)
4. Any other comments and suggestions? **RE: The IP protection. For us this is very important as you can imagine. So, Trade Agreements must ensure that IP is protectable please.**