

**2007 UPDATE SURVEY OF NON
TARIFF BARRIERS TO TRADE:
SWAZILAND**

FINAL REPORT

Prepared by: Imani Development International Ltd

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CHAPTER 1: EXECUTIVE SUMMARY

1. Swaziland has limited intra-SADC/COMESA/EAC trade because of its unique geographical position and size; being landlocked and almost completely surrounded by South Africa. Swaziland's dependence on South Africa has been influenced more by its membership to SACU and the Common External Tariff.
2. Delay in return of export documents for the purpose of acquittals causes major problems. Failure to acquit at the stipulated 1 month results in fines of E1000.0 per set of documents. Failure to submit documents for acquittals on time may result in paying 14% VAT of total value of goods every time the goods are to exit through South Africa. Delays translate into higher costs.
3. While Swaziland is a net importer, there appear to be more NTBs related to exports than imports. However, a majority of NTBs apply to both the exports and imports
4. Customs and Administration NTBs are the most prevalent. The most common denominator in the NTBs is that they are cumbersome, cause delays thus increasing the cost of trading.
5. Trading with SADC countries and exporting through South Africa has a huge negative effect on trade in terms of lack of proper customs procedures and harmonization at the border posts. Customs regulations differ per individual officer, per border post, per country. There is no standard procedure of operation which is common to SADC countries.
6. Manual document systems at borders should be eliminated since there are a lot of delays which then result in unnecessary payment.
7. SACU Customs procedures can at times delay trade and increase costs.
8. Transport throughout the region is complicated by the different border procedures. Because the border requirements in the SADC and COMESA countries are not harmonized this causes congestion and delays resulting in rising costs. This lack of harmonization encourages corruption and bribery to get the process moving faster. The problem of bribery is especially prevalent in the corridor between the Beit Bridge border and Zambia, as well as some other borders in Zimbabwe and DRC. However, the SAD500 form is a good beginning towards harmonization, but needs to be improved and expanded. Further study needs to be done to facilitate regional harmonization.
9. The Federation of Swaziland Employers and Chamber of Commerce (FSE & CC) plays a pivotal role in receiving and coordinating all the NTB complaints from the private sector. After receiving the complaints, FSE & CC sends them to Government. Government then takes up the complaints with the individual governments involved under each NTB to solve them at a bilateral level. The process is long, tedious and in many cases, ineffective. A more effective mechanism for notification, tracking and elimination of NTBs needs to be established.

CHAPTER 2: OVERVIEW OF INTRA-SADC TRADE

South Africa is by far Swaziland's largest export market, with exports having grown considerably between 2002 and 2004. In 2004 Swaziland exports to South Africa stood at around US\$1.3 billion, representing 86% of Swaziland's exports to SADC and COMESA. Other important markets for Swaziland include Mozambique in SADC and Kenya in COMESA. The importance of the Zimbabwean market has diminished significantly from being the second most important export destination in 2002.

Table 1: Intra-Regional Exports by Country in US\$

Year	2002	2003	2004
Total Regional Trade	957,801,986	1,367,727,852	1,488,142,727
SADC			
Angola	8,119,872	3,066,180	13,515,221
Botswana	2,522	26,177	266,893
Democratic Republic of the Congo	0	0	0
Lesotho	99,275	98,457	27,166
Madagascar	2,332,482	4,414,933	7,458,837
Malawi	4,883,700	4,844,697	7,513,541
Mauritius	7,412,666	8,575,485	6,161,420
Mozambique	60,203,898	69,869,639	68,936,169
Namibia	83,868	70,509	21,833
South Africa	723,183,130	1,164,187,197	1,283,335,376
United Republic of Tanzania	13,674,558	12,399,632	15,177,718
Zambia	5,453,617	4,662,350	10,176,908
Zimbabwe	87,636,733	55,524,866	9,221,389

COMESA (- SADC)			
Burundi	0	264	0
Comoros	0	0	0
Djibouti	709,606	622	2,812
Egypt	37,356	0	19,340
Eritrea	0	0	0
Ethiopia	5,124,179	5,086,483	6,366,564
Kenya	31,338,183	24,553,477	46,375,273
Libyan Arab Jamahiriya	0	0	0
Rwanda	30,188	993,480	197,362
Seychelles	334,886	382,808	235,793
Sudan	278,290	0	0
Uganda	6,862,978	8,970,595	13,133,112

Source: TIPS SADC Trade Database

Where South Africa accounts for 86% of Swaziland's exports, it accounts for 99.5% of imports. However, this figure may well include imports from other regional and third countries that have been shipped through South Africa. As with the growth in exports, there has been a substantial growth in imports between 2002 and 2004.

Table 2: Intra-Regional Imports by Country (US\$)

Year	2002	2003	2004
Total Regional Imports	858,400,975	1,244,268,902	1,440,074,030
SADC			
Angola	56	32	0
Botswana	9,144	12,208	124,458
Democratic Republic of the Congo	0	366	0
Lesotho	28,290	36,020	15,937
Madagascar	0	0	0
Malawi	25,640	56,345	10,898
Mauritius	64,949	4,917	3,855
Mozambique	3,885,290	7,643,354	5,591,097
Namibia	841,606	112,414	447,817
South Africa	850,235,692	1,233,531,157	1,433,470,622
United Republic of Tanzania	6	73,556	46,442
Zambia	362,412	298,984	0
Zimbabwe	409,613	1,206,005	15,999

COMESA (- SADC)			
Burundi	0	0	0
Comoros	0	0	0
Djibouti	0	0	0
Egypt	1,766,288	1,107,784	164,122
Eritrea	0	0	0
Ethiopia	0	135,586	80,443
Kenya	771,913	49,866	102,340
Libyan Arab Jamahiriya	0	0	0
Rwanda	0	0	0
Seychelles	36	0	0
Sudan	0	0	0
Uganda	38	308	0

Source: TIPS SADC Trade Database

Although on a vastly different scale, the bundle of products exported to SADC are very similar to those exported to COMESA. The main products are essential oils, perfumes, cosmetics and toiletries; sugar; apparel and textiles; wood pulp; and machinery.

Table 3: Top 10 Exports to the SADC and COMESA Regions (USD)

SADC	2004	COMESA (- SADC)	2004
H33: Essential oils, perfumes, cosmetics, toiletries	673,774,074	H33: Essential oils, perfumes, cosmetics, toiletries	49,364,611
H17: Sugars and sugar confectionery	162,386,390	H17: Sugars and sugar confectionery	14,238,256
H61: Articles of apparel, accessories, knit or crochet	124,399,288	H96: Miscellaneous manufactured articles	2,071,136
H62: Articles of apparel, accessories, not knit or crochet	72,579,110	H48: Paper & paperboard, articles of pulp, paper and board	235,282
H47: Pulp of wood, fibrous cellulosic material, waste etc	72,436,293	H99: Commodities not elsewhere specified	64,895
H84: Nuclear reactors, boilers,	42,542,165	H63: Other made textile articles,	51,465

machinery, etc		sets, worn clothing etc	
H44: Wood and articles of wood, wood charcoal	29,562,655	H87: Vehicles other than railway, tramway	51,125
H20: Vegetable, fruit, nut, etc food preparations	21,457,030	H84: Nuclear reactors, boilers, machinery, etc	10,324
H87: Vehicles other than railway, tramway	19,707,778	H19: Cereal, flour, starch, milk preparations and products	8,360
H96: Miscellaneous manufactured articles	19,524,686	H74: Copper and articles thereof	7,237

Source: TIPS SADC Trade Database

As indicated above, imports are almost entirely dominated by South Africa, and only 8 products at the HS-2 digit level are recorded as being imported from the COMESA (- SADC) region. The most important imports are vehicles, mineral fuels and machinery, as well as iron and steel and articles of iron and steel.

Table 4: Top 10 Imports from the SADC and COMESA Regions (USD)

SADC	2004	COMESA (- SADC)	2004
H87: Vehicles other than railway, tramway	144,244,625	H84: Nuclear reactors, boilers, machinery, etc	164,122
H27: Mineral fuels, oils, distillation products, etc	141,052,727	H56: Wadding, felt, nonwovens, yarns, twine, cordage, etc	91,727
H84: Nuclear reactors, boilers, machinery, etc	116,362,470	H52: Cotton	80,443
H85: Electrical, electronic equipment	65,221,243	H87: Vehicles other than railway, tramway	9,753
H39: Plastics and articles thereof	57,581,862	H39: Plastics and articles thereof	633
H73: Articles of iron or steel	49,564,276	H49: Printed books, newspapers, pictures etc	115
H48: Paper & paperboard, articles of pulp, paper and board	46,046,030	H85: Electrical, electronic equipment	57
H10: Cereals	39,903,891	H73: Articles of iron or steel	56
H33: Essential oils, perfumes, cosmetics, toiletries	39,862,605		
H72: Iron and steel	31,179,285		

Source: TIPS SADC Trade Database

CHAPTER 3: NTB MEASURES DIRECTLY AFFECTING EXPORTS

Table 5: WTO NTB Categorisation Codes / Exports

INVENTORY CATEGORY	DESCRIPTION				
Part I	Government Participation in Trade and Restrictive Practices Tolerated by Governments				
	WTO Inventory Code	Problem Area	Description of the most severe NTBs	Impact of NTB to businesses and trade	Responsibility/Source of NTB
Part II	Customs and Administrative Entry Procedures				
	WTO Inventory Code B, G, H, F, D	Problem Area Administrative Procedures & Customs Documentation: <ul style="list-style-type: none"> • Import licensing • Rules of Origin 	There is a serious need for Quality Inspection Procedures which is hindered by: <ul style="list-style-type: none"> • Lack of proper customs procedures and harmonization at the border posts. • Lack of an automated customs declaration system linking Swaziland Borders • Lack of a Database to evaluate goods • Borders being understaffed - need Anti Smuggling, Quality Control & Examination Teams • These Teams lack proper equipment to carry out proper inspections, such as forklifts, motor vehicles, and weigh bridges • Inaccurate valuation of goods • Delays in issuing Certificates of Origin • SARS practices frustrate exporters with excessive & unnecessary checks that delay & create negative perceptions about exporting from SD. • Certain visas could be issued at the main border posts 	Trading with SADC countries and exporting through South Africa has a great negative effect on trade in terms of: <ul style="list-style-type: none"> • Customs regulations differ per individual officer, per border post, per country. • Return of export documents for the purpose of acquittals. Failure to acquit at the stipulated 1 month results in fines of E1000.0 per set of documents. • Failure to submit documents for acquittals on time may result in paying 14% vat of total value of goods every time the goods are to exit through South Africa. • Delays translate into higher costs 	Responsibility/Source of NTB SG Customs & Excise Department; SADC/COMESA need to harmonize and establish standard procedures throughout member states; SARS/SD Immigration <ul style="list-style-type: none"> • Where goods are exported to European Economic Countries, evidence of origin must be given by means of an EUR1 Movement Certificate issued by the Department of Customs and Excise • SARS/SD Government

INVENTORY CATEGORY	DESCRIPTION				
Part III	Technical Barriers to Trade				
WTO Inventory Code A, B,	Problem Area Immigration procedures; <ul style="list-style-type: none"> • Scan charge • Technical regulations & standards; 	Description of the most severe NTBs <ul style="list-style-type: none"> • Immigration laws; • A scan charge is due to be imposed in Maputo; • Standards Laws in importing countries different than local Standards Laws; • Lack of common auditing standards inhibits business transactions; • Exchange control should be offered at the airport • Inefficient animal disease diagnosis 	Impact of NTB to businesses and trade: <ul style="list-style-type: none"> • Visa requirements still problematic in some countries; • Delays transactions • Increases costs; • Delays transactions • Increases costs; • Must use quality body in South Africa (SABS) 	Responsibility/Source of NTB <ul style="list-style-type: none"> • Immigration Departments in the region; • SG Standardization & Quality Control Department; • Regional auditing bodies • Ministry of Agriculture 	
Part IV	Sanitary and Phytosanitary Measures				
WTO Inventory Code C, B	Problem Area <ul style="list-style-type: none"> • Testing, certification & other conformity assessment; • Turn around time for lab results from SA. 	Description of the most severe NTBs <ul style="list-style-type: none"> • Pallets need treatment, but SA must engage other countries before establishing policies that affect the region; • Transit charges in SA should be removed <p>To export meat to SA a sample must be tested in SA. Turn around time for lab results can be long thus delaying trade</p>	Impact of NTB to businesses and trade: Unannounced changes in requirements lead to: <ul style="list-style-type: none"> • Delayed transactions • Increases costs; 	Responsibility/Source of NTB <ul style="list-style-type: none"> • Ministry of Agriculture • Foreign Affairs and Trade 	
Part V	Specific Limitations				
WTO Inventory Code E	Problem Area Discrimination resulting from bilateral agreements	Description of the most severe NTBs COMESA Treaty	Impact of NTB to businesses and trade: Quick dispatch of COMESA Summit decisions to member countries, re Swaziland's derogation under COMESA	Responsibility/Source of NTB COMESA Secretariat	
Part VI	Charges on Imports				
WTO Inventory Code	Problem Area	Description of the most severe NTBs	Impact of NTB to businesses and trade	Responsibility/Source of NTB	

INVENTORY CATEGORY	DESCRIPTION				
Part VII	Other				
	WTO Inventory Code D,E	Problem Area <ul style="list-style-type: none"> • Business practices or restrictions in market • Transiting Procedures 	Description of the most severe NTBs <ul style="list-style-type: none"> • Delayed service delivery & compliance to standards • Return/replacement of wrong goods/ Servicing of equipment 	Impact of NTB to businesses and trade: Delay in return of export documents for the purpose of acquittals. Failure to acquit at the stipulated 1 month results in fines of E1000.0 per set of documents. Failure to submit documents for acquittals on time may result in paying 14% vat of total value of goods every time the goods are to exit through South Africa. Delays translate into higher costs	Responsibility/Source of NTB Customs departments in the region;

Table 6: Specific Regulations Affecting Exports

WTO Inventory Category	Product Group	Government Controlling Agency	Regulatory Procedure
II F	<ul style="list-style-type: none"> • Fruit & Vegetables • Livestock • Cotton Seed • Dairy Products • Various • Sugar 	<ul style="list-style-type: none"> • Ministry of Agriculture • ^ • ^ • ^ • ^ & Health • Min of Foreign Affairs & Trade 	<ul style="list-style-type: none"> • National Agricultural Marketing Board Act of 1985 • Animal Disease Act 7/1965 • Seed cotton export permit regulation • Dairy Act 28/1968 • Phytosanitary regulations • Sugar Act /1967 establishing Swaziland Sugar Assn

CHAPTER 4: NTB MEASURES DIRECTLY AFFECTING IMPORTS

Table 7: WTO NTB Categorisation Codes / Imports

INVENTORY CATEGORY	DESCRIPTION				
Part I	Government Participation in Trade and Restrictive Practices Tolerated by Governments				
WTO Inventory C, D, E	Problem Area Government own several parastatals that carry out trade	Description of the most severe NTBs NAMBOARD receives vegetables on consignment from farmers and sells in hotels etc. If the consignment spoils because it is not bought, the farmer loses. At the same time NAMBOARD issues out licences for importing of similar items to those it trades in.	Impact of NTB to businesses and trade: High	Responsibility/Source of NTB	
Part II	Customs and Administrative Entry Procedures				
WTO Inventory Code D, H, I, G	Problem Area <ul style="list-style-type: none"> • Animal disease control • Import permits • Payment of provisional tax • Pre-shipment inspection • Import licensing • Border personnel not well trained • Border control not computerised • Acquittal take too long 	<ul style="list-style-type: none"> • Need to improve service delivery • Slows trading since it takes 14 days to get permit • Costs can be prohibitive • Double handling of goods i.e. both Swaziland & South Africa • Some import permits are denied in order to protect certain individual interest. • Implementation of GAQTT valuation not consistent • Application of border controls depend on who the officer is-thus inconsistent • Delays in processing trade data • The acquittal from SA at time have taken up to six months 	Impact of NTB to businesses and trade: <ul style="list-style-type: none"> • Delays translate into higher costs • Delays cause increased costs • Delays translate into higher costs • Slow down in processing is costly • GATT evaluation not applied consistently • Delays cost and cause inaccuracies • Acquittal ties up cash which is needed for trading. So must be cleared as soon as possible 	Responsibility/Source of NTB <ul style="list-style-type: none"> • Ministry of Agriculture & • Ministry of Finance • Ministry of Foreign Affairs & Trade • Customs & Excise • Customs & Excise • SA Customs 	

INVENTORY CATEGORY	DESCRIPTION				
Part III	Technical Barriers to Trade				
WTO Inventory Code A	Problem Area <ul style="list-style-type: none"> • Imports & exports formalities handled thru different ministries at different locations • Immigration 	Description of the most severe NTBs <ul style="list-style-type: none"> • Agricultural import permits issued by NAMBOARD in Manzini • Dairy products imports issued by Dairy Board in Manzini • Other miscellaneous goods import permits issued by Min Finance in Mbabane • Red tape on processes 	Impact of NTB to businesses and trade: <ul style="list-style-type: none"> • These cumbersome delays result in increased costs for trading. • Discourages trading • Red tape is cumbersome & costly 	Responsibility/Source of NTB <ul style="list-style-type: none"> • Ministry of Agriculture • Ministry of Finance • Immigration Department 	
Part IV	Sanitary and Phytosanitary Measures				
WTO Inventory Code B	Problem Area <ul style="list-style-type: none"> • Animal health control 	Description of the most severe NTBs <ul style="list-style-type: none"> • Ineffective disease control 	Impact of NTB to businesses and trade: <ul style="list-style-type: none"> • mild effect 	Responsibility/Source of NTB	
Part V	Specific Limitations				
WTO Inventory Code	Problem Area	Description of the most severe NTBs	Impact of NTB to businesses and trade	Responsibility/Source of NTB	
Part VI	Charges on Imports	Problem Area	Description of the most severe NTBs	Impact of NTB to businesses and trade	Responsibility/Source of NTB
	E	Sales Tax for goods bought in SA and used in Swaziland.	Trade from Swaziland is made cumbersome	Traders are forced to be out of cash during adjustment of the two taxes	SA and Swaziland Income Tax Departments
	B	Levies on imports	Substantial levies are applied on a variety of dairy products	Increased cost of dairy products.	Swaziland Dairy Board
Part VII	Other				
WTO Inventory Code	Problem Area	Description of the most severe NTBs	Impact of NTB to businesses and trade	Responsibility/Source of NTB	

Table 8: Specific Regulations Affecting Imports

WTO Inventory Category	Product Group	Government Controlling Agency	Regulatory Procedure
II H	See Appendix No. 1 - Various	Min Finance	Import Permit Control Older 1971
II H	See Appendix No. 2 - Fruit & Vegetables	Min Agriculture	National Agricultural Marketing Board Act No.13 of 1985
II H	See Appendix No. 3 - Dairy Products	Min Agriculture	Legal Notice 80 of 2006 (The Dairy Act 1968)
II H	Animals & Meat products	Min Agriculture	Animal Disease Act 7/1965
II H	Seed cotton	Min Agriculture	Seed cotton export permit regulation
II H	Sugar		Sugar Act /1967 establishing Swaziland Sugar Assn

CHAPTER 5: KEY ISSUES FROM INTERVIEWS AND DESK RESEARCH

5.1. Customs Issues

Implementation of the SAD500 - The SAD500 has replaced the CCA1 form from 1 October 2006. However, there were a number of comments that the introduction of the form was badly implemented. In addition concerns have been raised that where CCA1 had at least seven different tariff lines, SAD500 has only one item per sheet. SAD501 covers three products.

Trading licence renewals – require an amount to be deposited equal to two months of wages.

Transiting Procedures - Provisional payment (of 14%) has to be paid to Swaziland Government Customs Department in order to secure Government revenue. This provisional payment is refunded after the goods have left the country and the exiting border officials confirm processing the transiting documents, thus proving they have left the country.

Acquittals – There is a particular problem with goods for repair sent to South Africa. If the repairs take longer than 30 days and an extension was not granted, businesses are penalised E1,000 for a late acquittal. Some businesses questioned the need for the acquittal system in a customs union.

Border delays – e.g., a truck containing fresh produce such as baby vegetables could spend two days at the border. The produce wilts and therefore is entirely lost. These trucks take fresh produce to Johannesburg for airfreight to Europe, delivering to the cold rooms in Johannesburg where export forms are prepared for re-export to France. Exemptions are obtained from the Swaziland Ministry of Agriculture for these exports.

Quality Inspection Procedures – Commercial vehicles are escorted to their business premises by the anti smuggling officers of the Customs and the examination is done there by the anti-smuggling team.

Inconsistency of border officials – some customs officers accept pro forma invoices and some do not. This has been highlighted as a problem among both Swaziland and South African officials. Part of the problem at borders seems to be that there are insufficient experienced personnel.

Returned Medication – the border gate at Oshoek will not accept returned medication from Swaziland importers. They therefore have to use airfreight from Matsapha airport. This is more expensive. They have to pay the 14% (same as for returned automotive parts).

Anti-Smuggling and Corruption - Anti smuggling and corruption initiatives are hampered by a shortage of equipment such as vehicles, fork lifts and weigh bridges.

SARS - There appears to be much frustration with Swaziland traders over SARS practices and perceived attitude towards Swazi products. It is perceived that there are excessive and unnecessary checks that delay exports, creating negative perceptions on exporting from Swaziland.

Tariff heading problems - Currently some traders do not receive changes in tariff details in sufficient time from Jacobson's. This is particularly the case when notifications are sent by paper mail. It is suggested that more efficient, electronic mechanisms are established, and/or traders are given a grace period for incorrectly filled in forms when there has been a recent change.

Police roadblocks – A particular complaint was made about Zambia that the police set up numerous road blocks, and requiring the driver to unpack the truck so the goods can be examined. At one stage there was a report of about ten road blocks from the border up to Masinga. This can lead drivers to offer bribes to avoid delays, counting it as part of the cost of doing business in that country.

5.2. Value Added Tax (VAT)

Goods from Swaziland entering South Africa pay 14% VAT at the border (cash or bank guaranteed cheque). Goods from Swaziland entering South Africa en route to BLN are stamped at the BLN border and then acquitted at the Swaziland-South-Africa border entry point. Problems have arisen in the past when goods have to be returned to South Africa. Here the importer pays tax in Swaziland to bring the good in from South Africa but if it is the wrong part, VAT is levied again when returning the part to South Africa. A suggestion was made that businesses should get one month's grace to return wrong parts.

VAT refunds from South Africa are also problematic, with the process involved being a highly cumbersome procedure. However, some firms obtain a deferment number from South Africa which is billed monthly by SARS.

5.3. Immigration Issues

Swaziland grants **work permits** for a maximum of two years irrespective of length of residence in Swaziland. This has a negative impact for investors – don't want to maximise investment if there is uncertainty re permits for expatriate staff. The **Department of Immigration** corrected this view by observing that Temporary Residence Permits are initially given for two years and then, if approved, extended for five years.

5.4. Import Permit Requirements

Import permits for different types of products are issued in different places by different authorities: Agricultural imports are issued by NAMBOARD in Manzini (See Appendix No. 2), dairy products imports are issued by Dairy Board in Manzini (See Appendix No. 3). Other miscellaneous goods import permits are issued by Min Finance in Mbabane under the Import Permit Control Order of 1971. (See Appendix No. 1) The list of sensitive items was gazetted in 2000 by the Ministry of Finance and has not changed since. One Government official stated that some of the items could be removed now, such as electrical appliances. There are some import bans, such as used blankets, which may not be imported for hygienic reasons. Import permits for goods on the sensitive list are not required for intra-SACU trade. Permits

are obtained in seven days by importers, and are examined every Wednesday. There are strict regulations with regard to the re-export of vehicles from Swaziland to South Africa.

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It was suggested that a One-Stop-Shop could solve this problem, centralize processing of permits and reducing expensive delays which sometimes take up to 14 days.

In terms of the National Agricultural Marketing Board Act no.13 of 1985, the board according to sections 6(a) and 6(d) respectively require:

- (i) Any person wishing to engage or who is engaged in importing and exporting scheduled products to register with and obtain a permit from the board.
- (ii) From any person information relating to source, type, grade, quality and price of scheduled products.

To get an import permit from NAMBOARD a person needs to have a valid trading licence which is issued by the Ministry of Enterprise & Employment. (See Appendix No. 2 below)

5.5 Standards and SPS issues

Swaziland is apparently establishing its own Bureau of Standards. The Act is in place but there is no budget to establish it. The Swaziland Standardisation and Quality Assurance Section has never carried out a survey to identify the NTBs arising from quality inspection procedures.

Before meat from Swaziland can be exported to South Africa, a sample must be sent to the national **Low Risk Laboratory in Pretoria** to be tested for chemical residue. Previously the samples were sent by road and the turn around time was short and cost effective. Now the South African Government requires that all meat samples sent for testing be sent by air through O.R.Tambo Airport. This has increased the cost in that now two Swaziland Government orders must be raised: 1. Testing and 2. Transport. Sometimes the samples arrive late and must stay in Johannesburg overnight, with no guarantee of the conditions, before they are collected by the Lab from Pretoria, increasing the cost and possibility of deterioration of the meat. In addition, the SA Customs officials at the airport are more stringent in their inspection and document requirements, increasing the turnaround time.

Swaziland is a member of the SADC Harmonization initiative on pharmaceutical regulations and also the COMESA harmonization initiative on pharmaceutical issues. Thus Swaziland is in line with the region. No specific national legislation referred to.

CHAPTER 6: ASSESSMENT OF PROCEDURES FOR HARMONIZATION OF TRANSIT TRAFFIC BETWEEN NAMIBIA AND THE REGION

Swaziland does not have an association of transporters or forwarders according to the Federation of Swaziland Employers and Chamber of Commerce. However, interviews were conducted with a number of key firms in these industries. There still appear to be problems, particularly with inconsistency of SADC and COMESA traffic border procedures. The lack of harmonisation causes congestion and delays resulting in rising costs, as well as encouraging corruption and bribery to get the process moving faster. The problem of bribery is especially bad at the Beit Bridge border through to Zambia, and some borders in Zimbabwe and DRC.

CHAPTER 7: RECOMMENDED ACTIONS ON NOTIFICATIONS, MONITORING AND ELIMINATION OF NTBS

Comments were received from the Director of Trade, Federation of Swaziland Employers and Chamber of Commerce with regard to the notification process. It is apparent that the current system of notification is purely a government to government issue, with the private sector taking up their case with the national government. A weakness of this system is the excessive bureaucracy which tends to slowdown any actions towards addressing the issues at the expense of the private sector.

The FSE & CC, as the most representative body for most business in Swaziland, plays a key role in advocating on behalf of its membership, on any issues affecting trade, including NTBs. FSE & CC ensures constant communication with its membership through emails and telephone communication, and is organized into special sectoral sub-committees where issues are discussed in detail. Sometimes FSE & CC secretariat pays physical visits to the members to ascertain if there are any NTBs regardless of whether there is an issue at hand or not. The good relations between the FSE & CC and Government have allowed FSE & CC to participate in a number of statutory bodies where some of the NTBs are addressed.

FSE & CC forward any issues that are raised to the concerned ministries for action. Since most problematic NTBs in Swaziland are administrative, more communication is usually directed to the Ministry of Finance, and the Ministry of Enterprise and Employment, and Ministry of Foreign Affairs and Trade. These ministries would then be required to relay the concerns to the respective Domestic, Regional and International forums through mechanisms known to them.

In some cases, the issues come from Government for discussions with the Private sector, most of which are anticipated changes. Some of these issues have resulted in workshops where both Government and the Private sector propose solutions. But as Swaziland is a member of the Southern African Customs Union, it remains upon Government to take the issues up to SACU forums for further deliberations. This has been another effective tool as the private sector informs Government about the NTBs and their effects.

APPENDIX 1

The list of sensitive items requiring Import Permits from the Ministry of Finance, under the Import Permit Control Order of 1971, updated by gazette in 2000 are as follows:

IMPORT CONTROL ORDER 12/1976 UNDER MINISTRY OF FINANCE

Goods requiring Import Specification Notice 2000/Section 3 include:

1. Used motor vehicles
2. Used earth moving equipment
3. Used clothing
4. Used tyres/tyre casings
5. Used footwear
6. Used textiles
7. Mineral fuels
8. Mineral oils
9. Automotive parts
10. Arms
11. Drugs
12. Gold and other precious metals
13. Wild animal products
14. Agricultural products (wheat, flour, dairy, maize, rice)
15. Electrical appliances

This negative list of items requiring import permits into Swaziland has not changed since it was updated in 2000.

It takes a maximum of 7 days to obtain an import permit on the above items. The requirements of documents to be submitted differ from item to item. Broadly we insist on ensuring that the importer is a resident of Swaziland, if it is a company we want to ensure that it is properly registered, has all relevant documents for carrying out trade in the country and that the items being imported are for use within the borders in the country.

APPENDIX 2

THE LIST OF SCHEDULED PRODUCTS REQUIRING AN IMPORT PERMIT FROM **NAMBOARD** IS AS FOLLOWS:-

1. WHOLE MAIZE EXCLUDING SEED MAIZE
2. MAIZE PRODUCTS INCLUDING ANIMAL & POULTRY FEEDS
3. RICE
4. FRESH FRUITS
5. FRESH VEGETABLES EXCLUDING SEED POTATOES
6. WHEAT AND WHEATEN PRODUCTS
7. SLAUGHTERED POULTRY AND POULTRY PRODUCTS
8. TURKEY

APPENDIX 3

The list of sensitive items requiring an Import Permit from the Swaziland Dairy Board, under the Dairy Act 1968 (Act No. 28 of 1968, updated by Legal Notice No 80 of 2006, and also requiring Importers to pay a levy as follows:

SWAZILAND DAIRY BOARD, LEVY ON MILK AND DAIRY PRODUCTS REGULATIONS, 2006 SCHEDULE:

PRODUCTS	IMPORT LEVY
1. Full Cream Milk UHT/Flavoured milk	44c per litre
2. Low fat UHT	43c per litre
3. Fresh full cream milk, low fat or skim milk	40c per litre
4. Fermented milk/Emasi/Buttermilk	57c per litre
5. Fresh/Sour cream or UHT	E1.97 per litre
6. Dairy Juices	29c per litre
7. Yoghurt/Sip	91c per litre
8. Condensed milk	E1.61 per litre
9. Dessert/Ice Cream/Mixtures	E1.28 per litre
10. Baby Formulas	E3.83 per kg.
11. Butter	E2.77 per kg.
12. Full Cream Milk Powder	E4.05 per kg.
13. Skim Milk Powder/Dairy powder blend	E1.61 per kg.
14. Whey/Buttermilk powder	59c per kg.
15. Cheese (Cheddar, Gouda or other	E4.10 per kg.

APPENDIX 4

Detailed Trade Data:

Table 1: Intra SADC Imports by Country by Value (US\$) 2001-2004 ¹

Table 1A: Intra SADC Imports by Country by Value 2001 to 2002				
Flow: Imports-Swaziland				
HS CODE	Origin	Commodity	CIF Value 2002	CIF Value 2001
271016	RSA	Distillate Fuels (eg ags oil and diesel oil)	\$3 963 741 912.01	\$3 313 262 873.31
870431	RSA	Goods vehicles, with spark-ignition piston engines, gvw =<5tonnes	\$1 367 426 192.54	\$1 143 828 430.08
100590	RSA	Maize (excl. seed)	\$1 234 305 553.41	\$920 505 805.94
330210	RSA	Mixtures of odoriferous substances, for the food or drink industries	\$1 008 496 854.97	\$682 884 408.35
870490	RSA	Motor vehicles for the transport of goods, nes	\$1 310 331 862.59	\$1 128 743 277.08
230990	RSA	Other preparations of a kind used in animal feeding, nes	\$915 412 653.50	\$862 648 139.89
870899	RSA	Parts and accessories, nes, for vehicles of 87.01 to 87.05(e g motor spares	\$1 107 963 899.77	\$1 112 007 914.70
271012	RSA	Petrol	\$3 876 765 836.06	\$2 806 273 471.54
252329	RSA	Portland cement (excl. white)	\$960 619 436.33	\$816 432 021.04
100190	RSA	Spelt, common wheat and meslin	\$1 106 155 171.07	\$284 153 740.41
870323	RSA	Vehicles with spark-ignition engine of cylinder capacity 1500-3000cc	\$2 219 939 873.09	\$1 840 988 716.36
		TOTAL	\$19 071 159 245.33	\$14 911 728 798.68

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Table 1B: Intra SADC Imports by Country by Value 2003 to 2004 (US\$)

Table 1B: Intra SADC Imports by Country by Value 2003 to 2004				
Flow: Imports-Swaziland				
HS CODE	Origin	Commodity	CIF Value 2004	CIF Value 2003
271012	RSA	Petrol	\$2 743 189 964.21	\$2 795 131 927.66
271016	RSA	Distillate Fuels (eg ags oil and diesel oil)	\$2 385 792 565.04	\$2 624 221 339.15
870323	RSA	Vehicles with spark-ignition engine of cylinder capacity 1500-3000cc	\$1 296 444 851.35	\$816 496 003.79
330210	RSA	Mixtures of odoriferous substances, for the food or drink industries	\$894 407 932.02	\$2 400 553 355.30
999900	RSA	Used personal effects (not for resale or commercial use)	\$880 914 981.47	\$331 196 536.75
870490	RSA	Motor vehicles for the transport of goods, nes	\$854 070 166.76	\$795 792 885.01
100590	RSA	Maize (excl. seed)	\$825 113 775.94	\$1 023 653 238.79
252329	RSA	Portland cement (excl. white)	\$761 791 161.31	\$473 134 996.34
282530	RSA	Vanadium oxides and hydroxides	\$721 984 394.60	\$587 589 358.36
300490	RSA	Other medicaments of mixed or unmixed products, for retail sale, nes	\$662 811 423.09	\$586 935 698.19
870321	RSA	Vehicles with spark-ignition engine of cylinder capacity <1000cc	\$635 559 294.14	\$866 585 787.79
		<u>TOTAL</u>	\$12 662 080 509.92	\$13 301 291 127.15

Table 2a: Intra SADC Export by Country by Value – 2001 to 2002 (US\$)

Table 2A: Intra SADC Exports by Country by Value - 2001 to 2002				
Flow: Total Exports-Swaziland				
MS CODE	Destination	Commodity Description	FOB Value	FOB Value
			2002	2001
330210	RSA	Mixtures of odoriferous substances, for the food or drink industries	\$35 827 479 499.63	\$5 138 226 922.99
330210	ZIMBABWE	Mixtures of odoriferous substances, for the food or drink industries	\$9 578 291 227.21	\$1 098 553 351.27
470311	RSA	Unbleached coniferous chemical wood pulp, soda or sulphate, nes	\$6 152 526 405.44	\$5 596 487 229.97
170111	RSA	Raw cane sugar, in solid form	\$4 357 800 949.07	\$4 775 364 406.28
330210	MOZAMBIQUE	Mixtures of odoriferous substances, for the food or drink industries	\$1 855 005 595.10	\$642 291 214.09
170490	RSA	Sugar confectionery (incl. white chocolate), not containing cocoa, nes	\$1 843 769 121.75	\$1 765 047 630.76
610990	RSA	T-shirts, singlets, etc, of other textiles, nes, knitted or crocheted	\$1 759 843 925.84	\$2 168 230 121.89
610910	RSA	T-shirts, singlets and other vests, of cotton, knitted or crocheted	\$1 626 476 476.55	\$936 319 885.31
330210	TANZANIA	Mixtures of odoriferous substances, for the food or drink industries	\$1 499 731 123.73	\$1 289 421 648.66
610510	RSA	Men's or boys' shirts of cotton, knitted or crocheted	\$1 450 057 278.73	\$781 853 153.24
491199	RSA	Other printed matter, nes including Text Books for schools and Colleges	\$1 183 088 656.27	\$877 622 554.05
		TOTAL	\$67 134 070 259.32	\$25 069 418 118.50

Table 2B: Intra SADC Export by Country by Value - 2003 to 2004 (US\$)

Table 2B: Intra SADC Exports by Country by Value - 2003 to 2004				
Flow: Total Exports- Swaziland				
HS Code	Destination	Commodity Description	FOB Value	FOB Value
			2004	2003
330210	RSA	Mixtures of odoriferous substances, for the food or drink industries	\$30 725 107 011.57	\$24 924 177 898.24
170111	RSA	Raw cane sugar, in solid form	\$5 003 113 423.40	\$5 157 790 400.60
470311	RSA	Unbleached coniferous chemical wood pulp, soda or sulphate, nes	\$3 366 588 788.16	\$2 991 747 334.42
610910	RSA	T-shirts, singlets and other vests, of cotton, knitted or crocheted	\$2 090 813 478.80	\$2 579 925 925.01
170490	RSA	Sugar confectionery (incl. white chocolate), not containing cocoa, nes	\$1 185 520 785.84	\$1 541 242 901.42
491199	RSA	Other printed matter, nes including Text Books for schools and Colleges	\$1 083 188 115.08	\$731 085 970.43
610990	RSA	T-shirts, singlets, etc, of other textiles, nes, knitted or crocheted	\$946 159 915.80	\$780 643 160.36
620342	RSA	Men's or boys' trousers, breeches, etc, of cotton	\$847 201 693.22	\$696 211 345.89
330210	TANZANIA	Mixtures of odoriferous substances, for the food or drink industries	\$700 809 895.91	\$704 052 826.50
330210	ANGOLA	Mixtures of odoriferous substances, for the food or drink industries	\$686 700 954.55	\$169 156 486.88
330210	MOZAMBIQUE	Mixtures of odoriferous substances, for the food or drink industries	\$659 782 901.55	\$748 031 913.23
		TOTAL	\$47 294 986 963.89	\$41 024 066 162.99

Table 3: Top 10 Products Exported to SADC Countries by Value 2004

Table 3: Top 10 Products Exported to SADC Countries by Value 2004			
Flow: Total Exports- Swaziland			
HS Code	Destination	Commodity Description	FOB Value
			2004
330210	RSA	Mixtures of odoriferous substances, for the food or drink industries	\$30 725 107 011.57
170111	RSA	Raw cane sugar, in solid form	\$5 003 113 423.40
470311	RSA	Unbleached coniferous chemical wood pulp, soda or sulphate, nes	\$3 366 588 788.16
610910	RSA	T-shirts, singlets and other vests, of cotton, knitted or crocheted	\$2 090 813 478.80
170490	RSA	Sugar confectionery (incl. white chocolate), not containing cocoa, nes	\$1 185 520 785.84
491199	RSA	Other printed matter, nes including Text Books for schools and Colleges	\$1 083 188 115.08
610990	RSA	T-shirts, singlets, etc, of other textiles, nes, knitted or crocheted	\$946 159 915.80
620342	RSA	Men's or boys' trousers, breeches, etc, of cotton	\$847 201 693.22
330210	TANZANIA	Mixtures of odoriferous substances, for the food or drink industries	\$700 809 895.91
330210	ANGOLA	Mixtures of odoriferous substances, for the food or drink industries	\$686 700 954.55
330210	MOZAMBIQUE	Mixtures of odoriferous substances, for the food or drink industries	\$659 782 901.55
TOTAL			\$47 294 986 963.89

Table 4: Top 10 Products Imported from SADC Countries by Value 2004

Table 4: Top 10 Products Imported from SADC Countries by Value 2004			
Flow: Imports-Swaziland			
HS CODE	Origin	Commodity	CIF Value
			2004
271012	RSA	Petrol	\$2 743 189 964.21
271016	RSA	Distillate Fuels (eg ags oil and diesel oil)	\$2 385 792 565.04
870323	RSA	Vehicles with spark-ignition engine of cylinder capacity 1500-3000cc	\$1 296 444 851.35
330210	RSA	Mixtures of odoriferous substances, for the food or drink industries	\$894 407 932.02
999900	RSA	Used personal effects (not for resale or commercial use)	\$880 914 981.47
870490	RSA	Motor vehicles for the transport of goods, nes	\$854 070 166.76
100590	RSA	Maize (excl. seed)	\$825 113 775.94
252329	RSA	Portland cement (excl. white)	\$761 791 161.31
282530	RSA	Vanadium oxides and hydroxides	\$721 984 394.60
300490	RSA	Other medicaments of mixed or unmixed products, for retail sale, nes	\$662 811 423.09
870321	RSA	Vehicles with spark-ignition engine of cylinder capacity <1000cc	\$635 559 294.14
TOTAL			\$12 662 080 509.92

Table 5A: Intra COMESA/EAC Imports by Country by Value 2001 to 2002

Table 5A: Intra COMESA/EAC Imports by Country by Value 2001 to 2002
Flow: COMESA Imports-Swaziland

HS Code	Origin	Commodity	CIF Value	CIF Value
			2002	2001
330112	EGYPT	Essential oils of orange (incl. concretes and absolutes)	\$11 121 487.60	\$88 314.95
442190	EGYPT	Articles of wood, nes	\$9 183 380.33	\$9 424.03
520100	EGYPT	Cotton, not carded or combed	\$7 113 898.09	\$63 399 127.19
570500	EGYPT	Other carpets and other textile floor coverings, nes	\$6 682 489.86	\$12 562.52
690890	EGYPT	Glazed ceramic flags and paving, hearth or wall tiles, etc	\$6 674 525.21	\$125 659.52
732393	EGYPT	Table, kitchen or household articles... of stainless steel	\$6 332 066.05	\$0.00
820559	EGYPT	Hand tools, nes (incl. graziers' diamonds)	\$4 672 867.95	\$0.00
090210	KENYA	Green tea in immediate packings	\$3 046 082.43	\$65 436.59
130120	KENYA	Natural Gum Arabic	\$2 778 294.51	\$0.00
170290	KENYA	Artificial honey, caramel and other sugars (incl. invert sugar),nes	\$2 755 727.99	\$0.00
220110	KENYA	Mineral waters and aerated waters, unsweetened	\$2 753 386.68	\$0.00
		TOTAL	\$63 114 206.71	\$63 700 524.80

Table 5B: Intra COMESA/EAC Imports by Country by Value 2003 - 2004

Table 5B: Intra COMESA/EAC Imports by Country by Value 2003-2004
Flow: COMESA Imports-Swaziland

HS Code	Origin	Commodity	CIF Value	CIF Values
			2004	2003
520100	EGYPT	Cotton, not carded or combed	\$20 376 169.75	\$56 564 238.88
330210	NAMIBIA	Mixtures of odoriferous substances, for the food or drink industries	\$14 831 459.41	\$575 458.89
841430	EGYPT	Compressors for refrigerating equipment	\$6 835 590.78	\$3 197 181.98
560890	KENYA	Knotted netting of twine, cordage or rope of textile materials, nes	\$3 820 370.64	\$0.00
392321	TANZANIA	Sacks and bags (incl. cones) of polymers of ethylene	\$3 145 448.76	\$0.00
999900	ZIMBABWE	Used personal effects (not for resale or commercial use)	\$2 879 414.34	\$845 913.16
999900	TANZANIA	Used personal effects (not for resale or commercial use)	\$1 934 280.00	\$0.00
870323	ZAMBIA	Vehicles with spark-ignition engine of cylinder capacity 1500-3000cc	\$1 666 704.60	\$0.00
900150	MAURITIUS	Milk and cream in solid forms of >1.5% fat, unsweetened	\$1 361 023.88	\$0.00
870323	NAMIBIA	Spectacle lenses (excl. of glass)	\$1 310 603.65	\$0.00
271012	EGYPT	Vehicles with spark-ignition engine of cylinder capacity 1500-3000cc	\$1 199 556.64	\$0.00
300490	NAMIBIA	Petrol	\$1 039 391.81	\$0.00
		TOTAL	\$60 400 014.26	\$61 182 792.91

Table 6A: Intra COMESA/EAC Export by Country by Value 2001 to 2002

Table 6A: Intra COMESA/EAC Exports by Country by Value 2001 to 2002				
Flow: COMESA Exports-Swaziland				
HS CODE	Country	Commodity	FOB Value 2002	FOB Value 2001
330210	ZIMBABWE	Mixtures of odoriferous substances, for the food or drink industries	\$7 858 060 436.70	\$1 098 553 351.27
330210	KENYA	Mixtures of odoriferous substances, for the food or drink industries	\$2 473 199 703.17	\$540 126 881.01
330210	TANZANIA	Mixtures of odoriferous substances, for the food or drink industries	\$1 230 384 160.34	\$1 289 421 648.66
330210	UGANDA	Mixtures of odoriferous substances, for the food or drink industries	\$558 746 107.11	\$423 099 978.80
330210	MAURITIUS	Mixtures of odoriferous substances, for the food or drink industries	\$493 172 034.44	\$362 369 945.81
330210	ZAMBIA	Mixtures of odoriferous substances, for the food or drink industries	\$472 600 789.72	\$469 852 024.26
330210	MALAWI	Mixtures of odoriferous substances, for the food or drink industries	\$349 568 856.46	\$218 232 453.36
170111	KENYA	Raw cane sugar, in solid form	\$259 919 770.35	\$397 613 495.34
330210	MADAGASCAR	Mixtures of odoriferous substances, for the food or drink industries	\$178 645 881.51	\$217 103 652.92
960711	MAURITIUS	Slide fasteners fitted with chain scoops of base metal	\$69 748 542.83	\$44 596 702.65
		TOTAL	\$13 944 046 282.61	\$5 060 970 134.07

Table 6B: Intra COMESA/EAC Exports by Country by Value 2003 to 2004

Table 6B: Intra COMESA/EAC Exports by Country by Value 2003 to 2004				
Flow: COMESA Exports-Swaziland				
HS CODE	Origin	Commodity	FOB VALUE	
			2004	2003
330210	KENYA	Mixtures of odoriferous substances, for the food or drink industries	\$1 698 327 157.24	\$1 140 081 839.11
330210	TANZANIA	Mixtures of odoriferous substances, for the food or drink industries	\$700 809 895.91	\$704 052 826.50
170111	KENYA	Raw cane sugar, in solid form	\$440 307 313.24	\$139 781 431.68
330210	UGANDA	Mixtures of odoriferous substances, for the food or drink industries	\$433 313 356.51	\$441 483 593.16
330210	ZIMBABWE	Mixtures of odoriferous substances, for the food or drink industries	\$414 229 234.22	\$3 141 151 672.66
330210	MALAWI	Mixtures of odoriferous substances, for the food or drink industries	\$272 782 107.80	\$238 729 310.68
330210	MAURITIUS	Mixtures of odoriferous substances, for the food or drink industries	\$247 176 824.84	\$385 023 020.47
841810	ZAMBIA	Combined refrigerators-freezers, with separate external doors	\$227 257 042.01	\$19 443 992.07
330210	ZAMBIA	Mixtures of odoriferous substances, for the food or drink industries	\$208 559 911.13	\$228 009 794.86
		TOTAL	\$4 642 762 842.89	\$6 437 757 481.19

Table 7: Top 10 Products Exported to COMESA/EAC Countries by Value 2004

Table 7: Top 10 Products Exported to COMESA/EAC Countries by Value 2004			
Flow: Import-Swaziland			
HS CODE	Origin	Commodity	FOB VALUE
			2004
330210	KENYA	Mixtures of odoriferous substances, for the food or drink industries	\$1 698 327 157.24
330210	TANZANIA	Mixtures of odoriferous substances, for the food or drink industries	\$700 809 895.91
170111	KENYA	Raw cane sugar, in solid form	\$440 307 313.24
330210	UGANDA	Mixtures of odoriferous substances, for the food or drink industries	\$433 313 356.51
330210	ZIMBABWE	Mixtures of odoriferous substances, for the food or drink industries	\$414 229 234.22
330210	MALAWI	Mixtures of odoriferous substances, for the food or drink industries	\$272 782 107.80
330210	MAURITIUS	Mixtures of odoriferous substances, for the food or drink industries	\$247 176 824.84
841810	ZAMBIA	Combined refrigerators-freezers, with separate external doors	\$227 257 042.01
330210	ZAMBIA	Mixtures of odoriferous substances, for the food or drink industries	\$208 559 911.13
		TOTAL	\$4 642 762 842.89

Table 8: Top 10 Products Imported to COMESA/EAC Countries by Value 2004

Table 8: Top 10 Products Imported to COMESA/EAC Countries by Value 2004			
Flow: COMESA Imports-Swaziland			
HS Code	Origin	Commodity	CIF Value
			2004
520100	EGYPT	Cotton, not carded or combed	\$20 376 169.75
330210	NAMIBIA	Mixtures of odoriferous substances, for the food or drink industries	\$14 831 459.41
841430	EGYPT	Compressors for refrigerating equipment	\$6 835 590.78
560890	KENYA	Knotted netting of twine, cordage or rope of textile materials, nes	\$3 820 370.64
392321	TANZANIA	Sacks and bags (incl. cones) of polymers of ethylene	\$3 145 448.76
999900	ZIMBABWE	Used personal effects (not for resale or commercial use)	\$2 879 414.34
999900	TANZANIA	Used personal effects (not for resale or commercial use)	\$1 934 280.00
870323	ZAMBIA	Vehicles with spark-ignition engine of cylinder capacity 1500-3000cc	\$1 666 704.60
900150	MAURITIUS	Milk and cream in solid forms of >1.5% fat, unsweetened	\$1 361 023.88
870323	NAMIBIA	Spectacle lenses (excl. of glass)	\$1 310 603.65
271012	EGYPT	Vehicles with spark-ignition engine of cylinder capacity 1500-3000cc	\$1 199 556.64
300490	NAMIBIA	Petrol	\$1 039 391.81
TOTAL			\$60 400 014.26

