

**United States – Revised Origin Marking Requirement  
for Goods Produced in Hong Kong**

**Hong Kong, China’s Statement at  
the Committee on Technical Barriers to Trade Meeting  
(30 October 2020)**

Hong Kong, China would like to express its strong objection to the revised requirement promulgated by the United States Customs and Border Protection (USCBP) that affects goods produced in Hong Kong and imported into the US.

2. On 11 August 2020, the USCBP published a notice that, after 25 September 2020, goods produced in Hong Kong must be marked to indicate that their origin is “China” for the purposes of the origin marking requirement set forth in Section 304 of the Tariff Act of 1930, 19 U.S.C. § 1304. By a subsequent notice, the USCBP extended the date for compliance with this requirement to 9 November 2020.

3. The US’ measure arbitrarily dictates the name to be used on the origin marking without regard to the facts, prevailing commercial practices and relevant WTO rules. It in effect deprives the rights of Hong Kong products being marked “Hong Kong” in their origin markings. The US’ measure constitutes a “technical regulation” under the Agreement on Technical Barriers to Trade (TBT Agreement) and such technical regulation is inconsistent with the TBT Agreement as the US does not accord to products imported from Hong Kong treatment no less favourable than the treatment that it accords to like products originating in other countries.

4. In mid-September, Hong Kong, China wrote to request the US to withdraw such measure with immediate effect and sought bilateral discussions with the US with a view to resolving the matter in our mutual interests. We also took the opportunity at the General Council meeting on 13 October and the Committee on Trade Facilitation meeting on 20 October to register our concerns. Regrettably, the US has so far not withdrawn the measure. As a result, earlier today, Hong Kong, China filed a request for consultations with the US in accordance with the rules and procedures of the WTO dispute settlement mechanism and relevant provisions in the WTO agreements.

5. We urge, again, the US to honour its commitment under the TBT Agreement, take necessary actions to ensure its compliance with the Agreement as well as other rules under the WTO, and withdraw immediately its revised origin marking requirement on Hong Kong products.

6. Thank you, Chair.

**Hong Kong Economic and Trade Office in Geneva**  
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