

To:
Cc:

Art. 4(1)(b)

Subject:

Today's meeting with Herbalife on Indonesia, 13 October 2016

FYI

Today I have met Art. 4(1)(b) regulatory affairs section of Herbalife, to discuss the trade barriers her company faces on the Indonesian market and the state of play of FTA negotiations.

Art. 4(1)(b) referred to a general lack of transparency and clear rules. Art. 4(1)(b) pointed to three main issues:

- 1) Registration of application to authorize food supplements on the Indonesian market take longer than one year, despite conformity with local regulations. Delays are of discretionary nature.
- 2) Art 4(1)(a)
- 3) Herbalife does not object to compulsory labelling with regard to halal and food supplements. However, the implementing Regulation 83/2015 set out a strict timeline for implementation of the new rules, with the first phase being applied for food and beverages from November 2016 (N.B. reportedly, implementation of this regulation had been suspended but a draft regulation of May 2016 re-confirms the implementing phases and the industry is not prepared to meet the new requirements).

Herbalife already exports non-halal food supplements to Indonesia. It has also exported some halal products (N.B. Art. 4(1)(b) committed to revert and explain how the process has worked so far), though it mainly does so towards Turkey (where voluntary labelling applies).

In addition to the timeline for implementing the new rules on halal in Indonesia, Herbalife is concerned about mutual recognition. While the Indonesian authorities initially showed some openness with regard to the recognition of certifying organisms other than Indonesian, they are currently denying such possibility.

Art. 4(1)(b) committed to contacting us again and looked forward to contributing to the forthcoming industry consultations.

Best regards,

Art. 4(1)(b)



European Commission

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