



# TPP IMPACT: CONSUMER PRODUCTS

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Legal Briefings

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The Trans-Pacific Partnership (TPP) represents a trade bloc second only to the European Union in the size of its total trade value, bringing together key Latin American and Asia-Pacific states within a broad trade liberalisation scheme and reorienting global trade flows across almost every sector. The TPP is expected to be of great significance for the consumer products sector across the participating states' 800 million consumers.

As a free trade agreement, the TPP is primarily concerned with the elimination of barriers to trade such as tariffs and export controls. The TPP eliminates or reduces tariff and non-tariff barriers and is expected to benefit a number of consumer sectors, particularly pharmaceuticals and healthcare; tobacco; food and beverages; technology and manufacturing; textiles, apparel and footwear and the automotive industry.

## KEY ELEMENTS

- A key part of implementing this liberalisation is harmonising regulation on various trade-related issues, so as to facilitate the development of regional production and supply chains and cross-border integration. For example, the TPP sets out common regulatory standards for customs procedures and policies, including changes in quarantine restrictions on the import of certain goods, the provision of expedited customs procedures for express shipments and transparent rules on customs penalties; agreement on some sanitary and phytosanitary standards (SPS), which impose restrictions on the import of certain animal and plant products, including provision for emergency measures for the protection of human, animal or plant life or health, as well as audits of states' regulatory controls; and rules of origin to determine whether a

product originates in the TPP region.

- The TPP contains commitments in relation to intellectual property regulations, including patents, trademarks, copyrights, industrial designs, geographical indications and trade secrets. These commitments are intended to make it easier to search for, register and protect intellectual property rights in new markets around the region. A number of countries, such as Australia, have existing laws which are largely consistent with the intellectual property chapter of TPP. The intellectual property chapter does contain measures to enforce intellectual property rights that are likely to be more stringent than the existing domestic regulations of other signatory states around the region (including the provision of criminal procedures to address trade mark counterfeiting on a commercial scale and the criminalisation of the disclosure of trade secrets). Such provisions will be of particular significance to consumer products businesses in the Pacific region that are heavily reliant on the protection of commercially valuable, confidential information, including in the manufacturing, technology and food/beverage production sectors.
- The TPP also includes significant measures designed to harmonise the regulation of a variety of other issues directly related to the consumer products sector, including substantial changes to labour standards, environmental regulation, data protection rules and e-commerce (including specific commitments on electronic payment card services, consumer protection laws relating to fraudulent or deceptive commercial activities online and cooperation on personal information protection policies), investment protection mechanisms and government procurement regimes.

**For more information or if you have any questions please contact the sector experts listed below.**



## KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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