



**NARRATIVE REPORT USPTO AND OCO PARTNERSHIP
BILATERAL COOPERATION IN THE FIELD OF INTELLECTUAL PROPERTY RIGHTS AND
ENFORCEMENT, CAPACITY BUILDING AND TRAINING**

July 2024 - September 2024

Contents

BACKGROUND INFORMATION	2
INTRODUCTION	2
FISCAL YEAR JULY 2024 TO SEPTEMBER 2024	3
SUMMARY OF WORK PROGRAM.....	3
Templates to Monitor the Progress of IPR Work Programs	7
i. Template 1 – Framework to Monitor Progress of Trademark Laws – Cluster 1.....	7
ii. Template 2 – Framework to Monitor Progress of Trademark Laws – Cluster 2.....	9
iii. Template 3 – Framework to Monitor Progress of Trademark Laws – Cluster 3.....	13
a) Template 4 – Detecting Common Counterfeit Goods in the Region.....	15
b) CNMI	15
c) Vanuatu.....	17
d) Template 5 – National Food Policies & Regulations on Food & Agricultural Goods in Trade.	25

BACKGROUND INFORMATION

The OCO-USPTO Memorandum of Understanding was renewed on 28 September 2023. The vast and tedious work accomplished under the earlier MOU by OCO and USPTO resulted in the significant work undertaken to develop IP legal frameworks and capacity building to the 14 OCO members. The status quo of the members is summarized in templates 1-5 and is attached with this paper.

The OCO and the USPTO recognizes that the IP competences of the 14 members varies with their legislative empowerment and political will to fully establish IP laws and enforcement capabilities. Hence forth, the current MOU provides an opportunity to take forward the remaining tasks with the members and gain compatibility with international IP laws in order to create uniformity in legal implications and enforcement within the region. The core objective of the current MOU remains the same, however, the magnitude and focus of activities required in the current duration is to align the members to international standards and best practice whilst the earlier MOU focused on the development of baseline data and gap analysis.

INTRODUCTION

A generic work plan was developed as a roadmap to progress the necessary actions amidst any other activities that may arise during the course of agreement through the programs organized by the USPTO as well as in connection with the APEC and ASEAN.

A summary of the three (3) major activities endorsed for the OCO fiscal year July 2024 -June 2025 is provided below;

1. **Recruitment of a Project Coordinator (PC)** - The continuation of the project requires the immediate recruitment of a PC, who shall undertake the task under the supervision of the Operations Manager.
2. **Organize a Series of Online training webinars on enforcement** – Training on IPR enforcement at the border for Customs Officers is a need that was highlighted by members. This is an opportunity for members’ frontline officers to learn each brand owners distinguishing marks and identify genuine and counterfeit products.
3. **Organize and Coordinate Annual Regional IPR Workshop** – A regional workshop shall take place once every year and shall be attended by the country legal reps and Customs Enforcement.

During the period **July 2024 to September 2025**, the OCO in partnership with the USPTO, continued implementing its work program and were able to pursue the “Regional Pacific Colloquium on Consumer Protection, Border Security, and Enforcement Against Trade in Counterfeit Goods”, held during August 26-29, 2024, Los Angeles, USA. The event was a success and a report on this event is elaborated further below.

FISCAL YEAR JULY 2024 TO SEPTEMBER 2024

SUMMARY OF WORK PROGRAM

No	Name of Activity	Date of Activity	Activity Outcome & Attendees
1	Recruitment of Project Coordinator	14 September 2024	The vacancy for the Project Coordinator was re-advertised for the third time on 14 September 2024. The first two rounds of advertisement was unsuccessful as the applicants did not meet the requirements to administer the IPR project. Details of the recruitment are provided in the Notes Section below.
2	Regional Pacific Colloquium on Consumer Protection, Border Security, and Enforcement Against Trade in Counterfeit Goods	26-29 August 2024	<ul style="list-style-type: none"> • 20 Senior Customs Officials from Australia, Commonwealth of Northern Marianas, Fiji, Federated States of Micronesia, Guam, Kiribati, Nauru, Niue, Papua New Guinea, Marshal Islands, Samoa, Tonga and Tuvalu attended the event alongside with 4 Legal Officers from the Attorney General Office of Fiji, Nauru, Papua New Guinea and Tuvalu. An equivalent number from the private sector, academia and Attorneys General of the United States also took part in the event. • The Oceania Customs Organisation Head of Secretariat and Customs Enforcement Advisor also attended the event. • The event commenced with capacity building for participants, gaining awareness on Trademark and Consumer Protection Laws. • In entirety, the rest of the agenda was delivered through panel discussions and presentations with live questions and answers from the participants. The root of the discussions entailed: <ul style="list-style-type: none"> ○ Difficulties faced by the rights holders and consumers in combating counterfeits, particularly in e-commerce. ○ Officials from various US government agencies discussed

No	Name of Activity	Date of Activity	Activity Outcome & Attendees
			<p>their roles in enforcing consumer protection laws.</p> <ul style="list-style-type: none"> ○ The practical steps for identifying, detaining, and disposing of dangerous counterfeit goods. ○ Representatives from the private sector presented strategies for working closely with government bodies to protect consumers. <p>The sessions in the colloquium were tailored to address various aspects of counterfeit trade, consumer protection laws, enforcement strategies, and inter-agency cooperation. It offered a platform for cross-sector learning and partnership-building for participants from government agencies, legal entities, and industry. Additional details are provided in the Notes Section below.</p>

NOTES

1. Project Coordinator

The first vacancy was advertised on 11 May 2024. There were only 2 applicants, hence the OCO found it fit to readvertise to get a larger group for the interview process. The second vacancy was readvertised on 29 June 2024, and we received 6 applications whereby 4 were shortlisted. On the day of interview, only 2 applicants attended the interview whilst 1 applicant declined before the interview and 1 other applicant did not turn up for the interview. Unfortunately, the 2 applicants that were interviewed did not meet the caliber that the OCO had been looking for in this position. Therefore, this vacancy has been readvertised for the third time, on 14 September 2024.

2. Pacific Colloquium on Consumer Protection, Border Security, and Enforcement Against Trade in Counterfeit Goods

The Colloquium was a four-day event, being co-organized with the support of the Arizona State University McCarthy Institute; Attorney General Alliance; International Judicial Relations Committee of the United States Judicial Conference; Oceania Customs Organization (OCO); and the National Association of Attorneys General Center for Consumer Protection; brought together Customs and Law Enforcement Officials, Attorneys General and Legal Officers, Policymakers and Judges to discuss effective approaches to consumer protection, border security, and cooperation against the trade in counterfeit and illicit goods in the region.

The Colloquium enabled the Customs, Judiciary and the Attorneys Office to discuss the collaborative approach relating to the enforcement of IPR laws concerning consumer protection, border security and enforcement measures.

The outcome of the Colloquium is summarized below:

- The colloquium highlighted the necessity of enhanced cooperation between national and international bodies to effectively combat the trade in counterfeit goods. Participants emphasized the importance of transnational collaboration in enforcing intellectual property rights and ensuring consumer protection in the global marketplace.
- The colloquium underscored the critical role of border security agencies in detecting and preventing the entry of counterfeit and illicit goods. Various sessions detailed the need for improved training and the adoption of advanced technologies by Customs and border protection agencies to identify and seize dangerous counterfeit products.
- The colloquium highlighted that, despite the lack of IPR laws, enforcement can still be achieved through Import Prohibited Regulations. This approach enables Customs authorities to prevent the entry of goods that do not meet the described credibility standards, thereby protecting local markets from counterfeit products.
- The colloquium emphasized the growing challenges in protecting consumers from counterfeit goods, particularly in online marketplaces. There was a consensus on the need for stronger legislative frameworks and enforcement mechanisms to safeguard consumer rights and ensure the integrity of products available in the market.
- The role of judicial and administrative bodies in the enforcement of intellectual property rights was highlighted, with discussions on the need for specialized training for judges and the importance of transparency and consistency in decision-making processes related to counterfeit goods.

The colloquium proposed the following recommendations and follow up activities to enhance the impact of discussions that took place:

- Continue with comprehensive training programs and dialogues for Customs Officers, Judiciary and the private sector.
- Expand the use of Import Prohibited Regulations as an interim enforcement mechanism in the absence of Intellectual Property Rights (IPR) laws.
- Partner with industry leaders to create educational content on identifying counterfeit products.
- Hold a training within one year, focused on new technologies for detecting counterfeit goods and reinforcing cross-border cooperation protocols. This would preferably be held in Nadi, Fiji.

CONCLUSION

The recruitment of a Project Coordinator remains a critical priority for the smooth execution of the MOU's objectives. Despite challenges in filling this role, the ongoing efforts reflect the commitment to finding a suitable candidate.

The successful organization of the "Regional Pacific Colloquium on Consumer Protection, Border Security, and Enforcement Against Trade in Counterfeit Goods" in August 2024 highlighted the importance of regional cooperation. It provided a platform for Customs Officials, Legal Representatives, and private sector stakeholders to share knowledge and strategies to combat counterfeit goods, particularly in the growing realm of e-commerce.

The training and capacity-building initiatives, such as the future webinars on IPR enforcement and the annual regional IPR workshop, further underscore the commitment to equipping frontline officers and legal professionals with the skills needed to enforce IP laws effectively.

Looking ahead, the recommendations from the colloquium, including enhanced training programs, the expanded use of Import Prohibited Regulations, and the continued partnership with industry leaders, provide a roadmap for the next phase of the MOU's implementation. With continued collaboration, these efforts will help ensure stronger IP protection, improved border security, and more effective enforcement measures throughout the region.



Ms. Nancy Oraka
Head of Secretariat

Templates to Monitor the Progress of IPR Work Programs

i. Template 1 – Framework to Monitor Progress of Trademark Laws – Cluster 1

Cluster 1 Niue, RMI, Timor Leste & Tuvalu												
Name & contact details of focal point:												
No	Countries	Adoption of IPR Strategies/Govt Policies	Consultation Phase (Provide Agencies & Stakeholders involved)	Completed Consultation	Drafting Stage - Trademark Bill (merges concurrently with the consultation phase)	Scope of Trademark Bill	Enforcement References within the Trademark Bill (procedures & penalties)	Enforcement References within the Trademark Bill		Trademark Bill Passed (Indicate Year beside response)	Trademark Law Commencement Date	Comments
								Trademark Registration with IP Office	Recordation with Customs			
1	Niue	Trademark in Niue is currently regulated by NZ law - <i>Niue Law as at December 2006 Vol 3</i>	N/A	N A	N A	N A	N/A	N/A	N/A	N/A	N/A	USPTO/OCO/Niue Trade & Niue Customs had a meeting discussing ways moving forward with Niue IP laws. The Report on Developing a National IP Strategy for Niue with a draft national IP Strategy will be used as a groundwork and to encompass their future developments on IPR with USPTO. Further sought assistance to trademark its Ocean Conservation Credits to which USPTO provided advise on. Note: Niue refer to NZ trademark law.
2	RMI	Currently file a cautionary notice to register a trademark	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	No response yet as per this monitoring framework

3	Timor Leste	Currently file a cautionary notice to register a trademark	N/A	USPTO has been liaising with Timor Leste through The US Agency International Development in Timor Leste. The USPTO has been assisting Timor Leste with drafting its Trademark law.								
4	Tuvalu	Currently refers to the <i>Registration of UK Trade Marks Act [2008 Edn] Cap 40.52</i>										Currently, no trademark laws in place. There's also no border control measures & process to detain & destroy counterfeit goods. Customs has neither seized and destroyed any counterfeit product at the borders. Important to note: Currently the AOG & Customs Office have been discussing an amendment to the Customs Act or an alternative of a regulation on procedural measures and the demarcating of roles on how to treat trademark goods when suspected at the border entries which is currently not in Tuvalu laws.

i. Template 2 – Framework to Monitor Progress of Trademark Laws – Cluster 2

Cluster 2 – FSM, Kiribati, Nauru, Palau & Solomon Islands

Name & contact details of focal point:

No	Countries	Adoption of IPR Strategies/Government Policies	Consultation Phase (Provide Agencies & Stakeholders involved)	Completed Consultation	Drafting Stage - Trademark Bill (merges/done concurrently with the consultation phase)	Scope of Trademark Bill	Enforcement References within the Trademark Bill (procedures & penalties)	Enforcement References within the Trademark Bill		Trademark Bill Passed - (Indicate Year)	Trademark Law Commencement Date	Comments
								Trademark Registration with IP Office	Recordation with Customs			
1	FSM											FSM Customs Administration have recommended that IP can be part of the Registrar of Corporation (ROC) under the Department of Justice. For now, the IP legislative framework project will be taken by the Division of Trade & Investment under the Department of Resources and Development (R&D). Thus, the Division of Trade & Investment have requested funding through the FSM Congress to convene a comprehensive assessment of the IPR. The funding requested is to recruit a Consultant or a firm to assist the Division of R&D to assist in carrying out the assessment and amendment of the current legislation.

2	Kiribati	<p>Government of Kiribati used to refer to the <i>United Kingdom Trademark Ordinance Cap 88</i> to register a trademark</p> <p>(Important to note: registration is done in the UK)</p> <p>Endorsement and adoption of the National Intellectual Property Strategy (NIPS) in 2017. The strategy aims to achieve a modern well-balanced intellectual property system which enhances sustainable and inclusive social and economic development, reflects and supports the country's traditions and culture. The new Trade Marks Act 2019 now replaced the outdated UK trademarks legislation.</p>	<p>Consultation with the private sector & relevant Government ministries, members of the Kiribati Chamber of Commerce (which are big & small businesses) as well as visits to communities that request to have the meetings</p>	<p>Yes - completed</p>	<p>WIPO model law was used as a guide. WIPO legal experts initiated & started the whole process with the legal drafters from the AG's Office taking into account the local context and local factors through consultations carried out drafting the <i>Trademark Bill of 2019</i>.</p>	<p>The Scope of the Trade Marks Act 2019 is for the registration and protection of the Trademarks which include Collective Marks and Certification Marks. Registration include application process, formal and substantive examinations. Protection through Licensing and enforcement of rights through criminal and civil remedies.</p>	<p>Enforcement of Rights through Civil remedies - Part VIII from section 76 to section 85. Criminal Offences from section 86 to section 93.</p>	<p>Part III - Registration of Trademarks section 22 to 44</p>	<p>Part III - section 22 to 44</p>	<p><i>Trademark Act 2019</i> - yet to be fully implemented. Currently working on implementing the <i>Trademark Act 2019</i></p>	<p>First quarter of 2023</p>	<p>It took more than 2 years to complete the drafting of the <i>Trademark Bill 2019</i> now the <i>Trademark Act 2019</i>. During the consultation process there was no opposition from the public, relevant stakeholders.</p> <p>Important Note The Trademark Act 2019: Trademark regulation is in progress</p> <p>Patent Act 2022: Patent regulation will be draft soon once the Trademark regulation completed.</p> <p>Copyright Act 2018: Registration has proceeded, however the implementation still in progress.</p> <p>Industrial Design: remain UK Designs Protection Ordinance – the regulation on the design decided to draft soon.</p>
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3	Nauru	The Government of Nauru took forward Trademark Law to be recognized internationally. Another policy drive/support was Nauru's heavy reliance on imported goods - aim to have regulatory controls on imported goods	Consultation with the private sector, relevant Government ministries and the public	Yes - completed	Through WIPO's assistance, WIPO model law & legal experts assisted Nauru's legal drafters team taking into account the local context and factors through consultations carried out the drafting of the <i>Trademark Bill of 2019</i>					<i>Trademarks Act 2019</i>		<p>It took about 2 years since 2018 to 2019 to complete the drafting of the <i>Trademark Bill</i> now the <i>Trademark Act of 2019</i>. Also have in place the <i>Copyright Act 2019</i> - came into effect 12 July 2019, & the <i>Patents Registration Act 1973</i>, came into effect 1 June 1976. Companies registering their trademarks has commenced.</p> <p>Important Note: The IP lawyers have recommended no changes to Nauru IP laws.</p>
4	Palau									<i>Patents Act 2021</i>		<p>Palau has recently passed the <i>Patents Act 2021</i> which also permits the establishment of the Republic of Palau Intellectual Property Office under the supervision of the Attorney General with the disseminated responsibilities and duties under the Act.</p>

5	Solomon Islands	Adopted the <i>Intellectual Property Strategy in 2015</i> . The Strategy outlines the processes to improve and update the trademark & copyright laws of the Solomon Islands. Not a member of the Madrid Agreement & Madrid Protocol	N/A	<p>Still refer to the <i>Registration of United Kingdom Trade Marks Act [1996 Edn] Cap 180</i> to register trademark (Note: registration of trademark must be based on a corresponding registration done in the UK and then can be submitted to redo the reregistration. Application is filed with the Office of the Register General. Note - still using the <i>Intellectual Property Strategy 2015</i></p> <p>Important Note - Approval has been granted to share with USPTO the IP Strategy & IP Report compiled by WIPO to the USPTO. This will be the basis of its way forward on IP.</p>								
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Template 3 – Framework to Monitor Progress of Trademark Laws – Cluster 3

Cluster 3 – Fiji, Papua New Guinea, Samoa, Tonga & Vanuatu

Name & contact details of focal point:

No	Countries	Adoption of IPR Strategies/Govt Policies	Consultation Phase (Provide Agencies & Stakeholders involved)	Completed Consultation	Drafting Stage - Trademark Bill (merges/done concurrently with the consultation phase)	Scope of Trademark Bill	Enforcement References within the Trademark Bill (procedures & penalties)	Enforcement References within the Trademark Bill		Trademark Bill Passed - (Indicate Year)	Trademark Law Commencement Date	Comments
								Trademark Registration with IP Office	Recordation with Customs			
1	Fiji	Strategy adopted before the Trademarks Act 2021 was passed	Completed	Completed	Trademark Bill completed	√	√	Yet to commence	Yet to commence	<i>Trademarks Act 2021</i>	TBC	Still awaiting passing of the Commencement date.
2	Papua New Guinea	Strategy adopted before the Trademarks Act 2021 was passed	Completed	Completed	Trademark Bill completed	√	√	Completed	Completed	<i>Trade Marks (Amendment) Act 1980</i>	The Act is implemented	<i>The Trade Marks (Amendment) Act 1980</i> of PNG has been enforced & customs border control officers have been seizing & destroying counterfeit goods
3	Samoa	Strategy adopted before the Trademarks Act 2021 was passed	Completed	Completed	Trademark Bill completed	√	√	Yet to commence	Yet to commence	<i>Intellectual Property Act of 2011</i>	√	The Act consolidates the Patent, Trade Mark, Registered Designs thus repealing the <i>1972 Patent Act, Trade Marks Act & Industrial Design Act</i>

4	Tonga	Strategy adopted before the <i>Copyright Act of 2022</i> & the <i>Industrial Act of 1994</i> was passed	Completed before passing the 2 laws mentioned	Completed before passing the 2 laws mentioned	Copyright Act of 2022 & the Industrial Act of 1994 completed & passed	√	√	Yet to commence	Yet to commence	<i>Copyright Act of 2022 & Industrial Property Act of 1994</i>	√	Tonga IPR Office & Customs Office are currently working on a Border Measures Bill. The team is at the moment reviewing its Customs legislation to address concerns raised by the WCO Mercator Program
5	Vanuatu	Strategy adopted before the Trademarks Act 2021 was passed	Completed	Completed	Trademark Bill completed	√	√	Yet to commence	Yet to commence	<i>Trade Marks Act 2003</i>	√	

a) Template 4 – Detecting Common Counterfeit Goods in the Region

A template detecting common counterfeit goods was circulated to the OCO members however Australia, CNMI and Vanuatu responded. Noting further that Australia did not permit to have its provided data reported except CNMI and Vanuatu.

b) CNMI

Data from the CNMI provided below is for the year 2022. Pertinent to note that there was no detection of counterfeit goods in the years 2019, 2020 and 2021.

Notes 1: Please provide figure (it can be an approximate) in numeral box

Notes 2: Please indicate actual counterfeit product if it falls under item 3, 8, 10 & 11

Common Counterfeit Products - Detected																															
Country - CNMI		Reported and Unreported Cases																													
Year – 2022																															
No	List - Common Counterfeit Products	Detained						Seized						Prosecuted						Destroyed											
		1 to 20	21 to 40	41 to 60	61 to 80	81-100	101 - onwards	1 to 20	21 to 40	41 to 60	61 to 80	81-100	101 - onwards	1 to 20	21 to 40	41 to 60	61 to 80	81-100	101 - onwards	1 to 20	21 to 40	41 to 60	61 to 80	81-100	101 - onwards						
1	Footwear									49																					
2	Clothing & Textiles												271																		
3	Electronics incl mobile phones																														

c) Vanuatu

Data from Vanuatu is for the years 2019, 2020, 2021 and 2022

Notes 1: Please provide figure (it can be an approximate) in numerical box

Notes 2: Please indicate actual counterfeit product if it falls under item 3, 8, 10 & 11

Important Note:

In 2016, counterfeit singer brand machines were destroyed/destroyed. A total number of 261 counterfeit singer machines were destroyed.

Common Counterfeit Products - Detected																																
Country - Vanuatu		Reported and Unreported Cases																														
Year - 2019																																
No	List - Common Counterfeit Products	Detained						Seized						Prosecuted						Destroyed												
		1 to 20	21-40	41-60	61-80	81-100	101+	1 to 20	21-40	41-60	61-80	81-100	101+	1 to 20	21-40	41-60	61-80	81-100	101+	1 to 20	21-40	41-60	61-80	81-100	101+							
1	Footwear	0	0	0	0	0	1000+	0	0	0	0	0	1000+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1000+
2	Clothing & Textiles	0	0	0	0	0	1000+	0	0	0	0	0	1000+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1000+
3	Electronics incl mobile phones	0	0	0	0	0	√	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4	Sportswear	0	0	0	0	0	500+	0	0	0	0	0	500+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	500+
5	Food	0	0	0	0	0	√	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
6	Beverages	0	0	0	0	0	√	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Cosmetics	0	0	0	0	0	√	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8	Medication & Pharmaceutical	0	0	0	0	0	√	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

9	Watches	0	0	0	0	0	√	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
10	Accessories as in bags, purses, wallets	0	0	0	0	0	1000+ hats, 200+ bags	0	0	0	0	0	1000+ hats, 200+ bags	0	0	0	0	0	0	0	0	0	0	0	1000+ hats, 200 bags
11	Others						√																		

Common Counterfeit Products - Detected																									
Country - Vanuatu		Reported and Unreported Cases																							
Year - 2020																									
No	List - Common Counterfeit Products	Detained					Seized					Prosecuted					Destroyed								
		1 to 20	21-40	41-60	61-80	81-100	101-200	201-400	401-600	601-800	801-1000	101-200	201-400	401-600	601-800	801-1000	101-200	201-400	401-600	601-800	801-1000	101-200	201-400	401-600	601-800
1	Footwear	0	0	0	0	0	√ - 590 shoes, 400 sandals	0	0	0	0	0	√ - 590 shoes, 400 sandals	0	0	0	0	0	0	0	0	0	0	0	590 shoes, 400 sandals
2	Clothing & Textiles	0	0	0	0	0	2000+ Clothings (Shirts, trousers, etc.)	0	0	0	0	0	2000+ Clothings (Shirts, trousers etc.)	0	0	0	0	0	0	0	0	0	0	0	500+

							trousers etc.)																			
3	Electronics incl mobile phones	0	0	0	0	0	60+ Singer sewing machines, 138 phone batteries, 30 BOSE speakers	0	0	0	0	0	60 Singer sewing machines, 138 phone batteries, 30 BOSE speakers	0	0	0	0	0	0	0	0	0	0	0	0	60+ Singer sewing machines, 138 phone batteries, 30 BOSE speakers
4	Sportswear	0	0	0	0	0	600+ (soccer uniforms, sport trousers etc..)	0	0	0	0	0	600+ soccer uniforms, sport trousers	0	0	0	0	0	0	0	0	0	0	0	0	600+

5	Food	0	0	0	0	0	200+ tuna can "Solomon Blue"	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
6	Beverages	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
7	Cosmetics	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
8	Medication & Pharmaceutical	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
9	Watches	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
10	Accessories as in bags, purses, wallets	0	0	0	0	0	v - 2000 + wrist band, 1420 + hats	0	0	0	0	0	v - 2000+ wrist band, 1420+ hats	0	0	0	0	0	0	0	0	0	0	0	v - 2000 + wrist band, 1420 + hats
11	Others																								

Common Counterfeit Products - Detected

Country - Vanuatu		Reported and Unreported Cases																							
Year - 2021																									
No	List - Common Counterfeit Products	Detained					Seized					Prosecuted					Destroyed								
		1 to 20	21-40	41-60	61-80	81-100	101-200	201-400	401-600	601-800	801-1000	1001-2000	2001-4000	4001-6000	6001-8000	8001-10000	10001-20000	20001-40000	40001-60000	60001-80000	80001-100000	100001-200000	200001-400000	400001-600000	600001-800000
1	Footwear	0	0	0	0	0	2000+ shoes, sandals and slippers	0	0	0	0	0	2000+ shoes, sandals and slippers	0	0	0	0	0	1044 sandals, shoes,	0	0	0	0	0	2000+ sandals, shoes, slippers
2	Clothing & Textiles	0	0	0	0	0	2000+ T-shirts, Trousers, socks etc.	0	0	0	0	0	2000+ T-shirts, Trousers, socks etc.	0	0	0	0	0	0	0	0	0	0	2000+ T-shirts, Trousers, socks etc.	
3	Electronics incl mobile phones	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
4	Sportswear	0	0	0	0	0	400+ sports trousers,	0	0	0	0	0	200+	0	0	0	0	0	0	0	0	0	0	200+	

							unifor ms etc.																		
5	Food	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
6	Beverages	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
7	Cosmetics	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
8	Medication & Pharmaceu tical	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
9	Watches	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
1 0	Accessories as in bags, purses, wallets	0	0	0	0	0	2000 + includ es hats hand bags etc.	0	0	0	0	0	2000+	0	0	0	0	0	0	0	0	0	0	0	2000 +
1 1	Others																								

Common Counterfeit Products - Detected

Country - Vanuatu		Reported and Unreported Cases																							
Year - 2022																									
No	List - Common Counterfeit Products	Detained					Seized					Prosecuted					Destroyed - Burnt								
		1 to 20	21-40	41-60	61-80	81-100	101-200	201-400	401-600	601-800	801-1000	101-200	201-400	401-600	601-800	801-1000	101-200	201-400	401-600	601-800	801-1000				
1	Footwear - shoes & sandals						1000 + Shoes, Sandals slippers						500+ Shoes, Sandals slippers						v						1000 + sandals, shoes
2	Clothing & Textiles - t-shirts						1500 + trousers, shirts						600+						v						2000 + trousers, shirts etc.
3	Electronics incl mobile phones																								
4	Sportswear						500+						500												
5	Food																								
6	Beverages																								
7	Cosmetics																								
8	Medication & Pharmaceutical																								

d) Template 5 – National Food Policies & Regulations on Food & Agricultural Goods in Trade

No	Country	List National Food Import Policies & Regulations	Does Food Import Policy comply with International Food Policies, International Food Standards & Regulations		National Office/Unit that works with Border Customs Enforcement & Control Officers for Food Control & Safety Measures	Does the Border Control Enforcement Agencies communicate, collaborate & cooperate with the National Food Control Office, Private Sector, Law Enforcement Agencies,		Does the Border Control Enforcement Agencies communicate, collaborate & cooperate with the International Food Control Agencies & International Enforcement Control Agencies		State the gaps that exist within your respective food import laws & policies (regulations & practice)	Further comments & way forward
			Yes/No	If yes/no, list Int. Food Laws & Policies either/not followed		Yes/No	If yes/no list National Food Control Office, Private Sector & National Law Enforcement Agencies in communication, collaboration and cooperation with	Yes/No	If yes/no list the International Food Control Agencies & International Control Agencies in communication, collaboration and cooperate with		
1	Fiji	CPIER (Customs Prohibited Import & Export Regulations)	No	Pure Foods Act – some of the definitions to be included in the CIPER	Ministry of Health	No	Foods Unit of the Ministry of Health	Yes	But only with the listed regulated products. they need to broaden it to include some of the terms in the Pure Foods Acts which is connected to imports	CPIER to include the Pure Foods Act	Relook at the other International Customs Laws [CPIER] and make submission accordingly during budget and legislation submission
2	Niue	Importation (1) Subject to subsection (2), the importation of any article which does not comply with this Act or any regulations made	Yes		Ministry of Health	No	Director of Health Public Health Office	No		It is not enforced or overlooked mainly because most of the imports are from NZ.	

		<p>under this Act, is prohibited.</p> <p>(2) Where an article sought to be imported into Niue would, if sold in Niue, constitute a contravention of this Act or any regulation made under this Act, the article may be imported into Niue for the purpose of satisfactorily relabelling or reconditioning the same so that this Act or the regulations are complied with and, where such relabelling or reconditioning is not carried out within 3 months of the importation, such article shall be exported by the importer within a further period of one month or such other period as Cabinet may direct and, where it is not so exported, it shall be forfeited and disposed of as the Director may direct.</p>									
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3	Tonga	Food Act 2020 Consumer Protection Act Consumer Protection (Product Safety & Labelling Standards) Regulations Public Health (Meat) Regulations National Food and Nutrition Policy	Not sure		Ministry of Trade and Economic Development Ministry of Health Ministry of Agriculture & Food, Fisheries & Forestry	Only with line Ministries	National Food and Nutrition Committee	No		Not sure	Diagnostic Mission on where we are
4	Van	Food (Control) Act Cap 228 Food (Control) Regulation Order No.37 of 2007	Yes	Food (Control) Act – The Act codify with international food policies. However, the implementation of the Act to control the food safety standards is not sufficient to enforce the full Act. This is mainly due to the lack of proper facility to test the food standard that	The Department of Customs is carrying out the counterfeit goods at the border on behalf of the Ministry of Health. Also the Municipal Council also enforcing expiry goods in shops and removing them from shops.	Yes	The Department of Customs is currently enforcing the Food (Control) Act at the border on behalf of the Ministry of Health. We also have the Municipal Council enforcing the expiry of food products in shops. The IPR Office is collaborating with the Department of Customs, Municipal Council and the	Yes	The Department of Customs is currently collaborating with the Ministry of Health, Municipal Council and the IPR Office. The Department of Customs had signed an MOU with the INTERPOL. We will be contacting the INTERPOL for further assistance.	There should be more collaboration in enforcements between the Ministry of Health, Municipal Council, The IPR Office and the Department of Customs. The Ministry of Health who are the custodian of the Food (Control) Act should have their own compliance team to enforce the Food (Control) Act. Vanuatu needs proper facility such as labs to test the food standards.	There should be more consultations and awareness by the stake agencies about food standards and food security.

			are imported to the country. Also the Ministry of Health does not have compliance team to carry out the enforcement part.			Ministry of Health in enforcing the counterfeit food products.				
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5	PNG	National Policy: PNG National Food Security Policy 2016 – 2025 National Regulation / Legislation: 1. Food & Sanitation Act 1991 2. Food Sanitation Regulation 2007	CODEX was mentioned and am assuming Policies/legislations were made with reference to CODEX.	National Department of Health (NDoH) National Agriculture and Quarantine Inspection Authority (NAQIA) Department of Agriculture and Livestock (DAL)	Yes	PNG Customs has a MoU with NDoH and NAQIA	No		Legislations are outdated and powers are limited with very low penalty rates. Penalty provisions are so minimum and cannot be used as a deterrent mechanism NIL existing Enforcement desks from competent agencies of food control Not enough awareness from competent agencies to Customs Right now food control is a cross cutting issues and administered by 3 or more competent agencies, hence no clear demarcation of roles by these	Food fraud is a national issue so national legislations need to really capture and address the issue. In PNG, the issue of food fraud is a cross cutting issue to be addressed by 3 or more competent agencies, hence the need for effective collaboration and networking between competent agencies as well as enforcement agencies. Food Fraud need to be seen as a national issues
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										competent agencies of food control	and be addressed in a holistic manner by all agencies concerned. There is a need for a similar workshop to be conducted in our respective economies to gain political support and only then an effective collaboration will be established.
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Food Policies & Regulations in Place – Specific focus on the consumers & the public @ large

Fiji – Claudette Whippy, Niue – Acestacey Kalauni, Tonga – Mele Mangisi, Vanuatu – Joylee Seresere, & PNG – Brenda Itagau

