

Annex III: Specific Commitments

Section 1. Non-Tariff Barriers and Related Matters

Industrial Goods

Article 1.1: Remanufactured Goods

Jordan shall not impose import restrictions on U.S. remanufactured goods or their parts.¹

Article 1.2: Medical Devices and Pharmaceuticals

1. Jordan shall accept a prior approval or clearance for a medical device manufactured in the United States that is issued by the U.S. Food and Drug Administration (FDA) as sufficient evidence that a medical device meets Jordan's requirements for marketing authorization.
2. Jordan shall recognize audits and certificates of device manufacturers' quality management systems that are:
 - (a) in accordance with the requirements established by the Medical Device Single Audit Program (MDSAP); and
 - (b) conducted by auditing organizations authorized by the regulatory authorities participating in MDSAP to audit under the MDSAP requirements.
3. Jordan shall not impose additional regulatory requirements beyond those required for MDSAP.
4. Jordan shall maintain an expedited pathway for determining that U.S. FDA-registered pharmaceuticals meet its requirements for product registration.
5. Jordan shall not require periodic re-authorization for a pharmaceutical product that has previously received marketing authorization from the United States, unless Jordan identifies a significant safety, effectiveness, or quality concern.
6. Jordan shall accept the results of a good manufacturing practice surveillance inspection conducted by the U.S. FDA of a manufacturing facility for pharmaceutical products without further

¹ "Remanufactured goods" means a good classified in HS Chapters 84 through 90 or under heading 94.02 except goods classified under HS headings 84.18, 85.09, 85.10, and 85.16, 87.03 or subheadings 8414.51, 8450.11, 8450.12, 8508.11, and 8517.11, that is entirely or partially composed of recovered materials and: (a) has a similar life expectancy and performs the same as or similar to such a good when new; and (b) has a factory warranty similar to that applicable to such a good when new.

need for an inspection or reinspection performed by Jordan's relevant regulatory authorities when the following conditions apply:

- (a) the manufacturing facility is within the territory of the United States; and
- (b) the most recent U.S. FDA inspection report as provided by the facility is classified as no action indicated, demonstrating no objectionable conditions or practices.

Agriculture

Article 1.3: Recognition of the U.S. Food and Agricultural Control System and Acceptance of Certificates Issued by U.S. Regulatory Authorities

1. Jordan shall recognize that the U.S. SPS measures and other measures for food and agricultural products, including technical regulations and standards, adopted or maintained by the U.S. government² satisfy the requirements of Jordan's measures applied to food and agricultural products imported into Jordan.
2. Further to paragraph 1, Jordan shall accept official U.S. government certification of compliance with U.S. requirements for imports of food and agricultural products into Jordan. Jordan shall ensure that any future changes made to any bilateral export certification documents or electronic data elements are made with the concurrence of the United States.
3. Jordan shall limit attestations and information required in certificates required for imports of U.S. food and agricultural products to what is necessary to comply with applicable U.S. requirements.
4. Jordan affirms its commitments under Annex B of the *WTO Agreement on the Application of Sanitary and Phytosanitary Measures*, and Articles 2 and 5 of the *WTO Agreement on Technical Barriers to Trade* to notify proposed measures to the WTO SPS or Technical Barriers to Trade Committee, as appropriate, and to take into account comments received from WTO Members before the measure is final.

² For greater certainty, these U.S. measures include: measures related to food safety; the regulatory oversight of processed food production; labeling of perishable and processed foods; measures to protect U.S. agricultural production from the introduction of plant and animal pests and diseases; and regionalization protocols for animal disease and plant pest outbreaks.

Article 1.4: Facility Registration / Establishment Listing

Dairy Products

1. Jordan shall:
 - (a) recognize the U.S. dairy-safety system as providing at least the same level of protection as Jordan's dairy-safety system;
 - (b) allow imports of U.S. dairy products of bovine, ovine, and caprine origins when accompanied by a U.S. Department of Agriculture (USDA) Agricultural Marketing Service (AMS) dairy sanitary certificate; and
 - (c) not adopt or maintain a facility registration requirement for imports of U.S. dairy products into Jordan.

Meat and Poultry (Including Offal), Meat and Poultry Products, Processed Meat and Poultry, Siluriformes, and Egg Products

2. Jordan shall recognize USDA Food Safety and Inspection Service (FSIS) oversight of U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg product facilities, including cold storage warehouses, for purposes of allowing imports of U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products.
3. Jordan shall accept the *FSIS Meat, Poultry and Egg Product Inspection (MPI) Directory*, which lists all Federally inspected establishments producing meat, poultry, Siluriformes, and egg products regulated by FSIS, as the official list of U.S. establishments eligible to export meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products to Jordan.
4. Jordan shall accept U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products inspected by FSIS and certified using a FSIS Export Certificate of Wholesomeness (FSIS 9060-5 series certificate) or electronic data elements, or any successor thereto.
5. Jordan shall impose no additional product registration or facility registration requirements on U.S. meat and poultry (including offal), meat and poultry products, processed meat and poultry, Siluriformes, and egg products.

Article 1.5: Agricultural Biotechnology

1. Noting the ability of agricultural biotechnology to improve lives by helping to feed growing populations and by promoting improved agricultural productivity while optimizing inputs, Jordan shall maintain, for products of agricultural biotechnology, science- and risk-based regulatory

frameworks and efficient authorization processes, in order to facilitate increased trade in such products.

2. Recognizing the efficacy of the U.S. regulatory system to assess the safety of products of agricultural biotechnology, within 12 months of the date of entry into force of this Agreement, Jordan shall implement a policy whereby any food or feed developed from products of agricultural biotechnology that can be legally sold in the United States can be imported and marketed in Jordan for the same purposes without requiring a pre-market review, deregulation, additional labeling requirements, or approval by Jordan's authorities.

3. In the event of an occurrence of low-level presence (LLP) affecting a U.S. shipment exported to Jordan, Jordan shall ensure that the LLP occurrence is managed without unnecessary delay. Jordan shall take into account any relevant risk or safety assessment provided, and authorization granted, by the United States or any third country when deciding how to manage the LLP occurrence.

Article 1.6: Maximum Residue Levels (MRLs)³

1. Recognizing the importance of establishing science- and risk-based MRLs, in cases where Jordan has not established an MRL, Jordan shall recognize and accept the corresponding U.S. tolerances, or Codex MRL where there is not an established U.S. tolerance.

2. In the event of a non-compliance with the relevant MRL, Jordan shall apply enhanced, risk-based surveillance, if warranted, only to the entity responsible for the non-compliance. Jordan shall also provide the entity responsible for the non-compliance with an opportunity to dispute or resolve the non-compliance.

3. Jordan shall limit suspension of U.S. entities based on MRL non-compliance to the responsible entity and only after multiple instances of non-compliance.

4. Jordan shall, upon request, communicate the testing methodologies and marker residues used to determine compliance with MRLs.

Article 1.7: Horticultural Products Market Access

For U.S. market access requests submitted to Jordan after the date of entry into force of this Agreement, Jordan shall complete the market access process and adopt a protocol to allow imports within 18 months of submission.

³ For greater certainty, "maximum residue level" has the same meaning as "maximum residue limit," including the term as used by Codex Alimentarius (Codex).

Intellectual Property

Article 1.8: Geographical Indications⁴

With respect to the protection or recognition of a geographical indication, including pursuant to an international agreement, Jordan shall:

- (a) ensure transparent and fair procedures for examination, opposition, and cancellation, including with respect to a translation or transliteration;
- (b) provide that the grounds for refusal, opposition, and cancellation include the likelihood of confusion with a prior trademark and whether the term is the term customary in common language as the common name for the relevant good in its territory;
- (c) publicly identify which component or components it is protecting and which it is not protecting;
- (d) not protect an individual component of a multi-component term that is protected or is recognized as a geographical indication if that individual component is the term customary in common language as the common name for the relevant good in its territory;
- (e) not prevent third parties from commercial use of a term, sign, or image based on the evocation of a geographical indication protected or recognized in its territory;
- (f) in determining whether a term is the term customary in common language as the common name for the relevant good in its territory, have the authority to take into account how consumers understand the term in its territory and recognize that factors relevant to that consumer understanding may include:
 - (i) whether the term is used to refer to the type of good in question, as indicated by competent sources such as dictionaries, newspapers, and relevant websites;
 - (ii) how the good referenced by the term is marketed and used in trade in its territory;
 - (iii) whether the term is used in relevant international standards to refer to a type or class of good in its territory, such as pursuant to a standard promulgated by Codex;
 - (iv) whether persons other than the person who claims rights in the term use the term as the name for the type of product in question;

⁴ In order to facilitate the implementation of this Article, Jordan may request technical assistance. Such assistance will be subject to the availability of resources and on terms and conditions mutually decided upon by the Parties.

- (v) whether the good in question is imported into its territory, in significant quantities, from a place other than the territory identified in the application or petition, and whether those imported goods are named by the term; and
- (vi) whether the product associated with the term is manufactured or traded in significant quantities from a place other than the territory identified in the application or petition.

Article 1.9: International Agreements⁵

Jordan shall ratify or accede to each of the following agreements, if it is not already a party to that agreement, and shall fully implement each agreement within five years of the date of entry into force of this Agreement:

- (a) *Berne Convention for the Protection of Literary and Artistic Works*, done at Berne on September 9, 1886, as revised at Paris on July 24, 1971;
- (b) *Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite*, done at Brussels on May 21, 1974;
- (c) *Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure*, done at Budapest on April 28, 1977, as amended on September 26, 1980;
- (d) *Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs*, done at Geneva on July 2, 1999;
- (e) *Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks*, done at Madrid on June 27, 1989;
- (f) *Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled*, done at Marrakesh on June 27, 2013;
- (g) *Paris Convention for the Protection of Industrial Property*, done at Paris on March 20, 1883, as revised at Stockholm on July 14, 1967;
- (h) *Patent Cooperation Treaty*, done at Washington on June 19, 1970, as amended on September 28, 1979, and modified on February 3, 1984;
- (i) *Patent Law Treaty*, done at Geneva on June 1, 2000;

⁵ In order to facilitate the implementation of this Article, Jordan may request technical assistance. Such assistance will be subject to the availability of resources and on terms and conditions mutually decided upon by the Parties.

- (j) *Singapore Treaty on the Law of Trademarks*, done at Singapore on March 27, 2006;
- (k) *International Convention for the Protection of New Varieties of Plants*, done at Paris on December 2, 1961, as revised at Geneva on March 19, 1991;
- (l) *World Intellectual Property Organization (WIPO) Copyright Treaty*, done at Geneva on December 20, 1996; and
- (m) *WIPO Performances and Phonograms Treaty*, done at Geneva on December 20, 1996.

Services and Investment

Article 1.10: U.S. Investment Participation

Jordan shall favorably consider requests from U.S. investors to own, contribute, or participate in a percentage up to 100 percent in large-scale investments in the economic activities that are subject to foreign ownership restrictions under Article 11 of Regulation No. (7) for the Year 2023 Regulating the Investment Environment Regulation Issued pursuant to paragraph (A) of Article (51) of the Investment Environment Law No. (21) of the year 2022 (referred to as the “Regulating the Investment Environment Regulation for the year 2023”), or any superseding regulation.⁶

Article 1.11: Services Domestic Regulation

Jordan shall take effective actions to implement the Joint Initiative on Services Domestic Regulation, including submitting its revised Specific Commitments for certification by the WTO, within five years of the date of entry into force of this Agreement.

Transparency and Good Regulatory Practices

Article 1.12: Adoption and Implementation of Good Regulatory Practices

With respect to the adoption and implementation of good regulatory practices at the central level of government, Jordan shall:

- (a) ensure that laws, regulations, procedures, and administrative rulings are promptly published and made easily accessible online;

⁶ Jordan may satisfy its obligations under this provision through a decision of the Council of Ministers made pursuant to Article 12 of the Regulating the Investment Environment Regulation for the year 2023, or any superseding regulation.

- (b) publish and make easily accessible online the text of proposed regulatory actions, as well as any regulatory impact analysis, an explanation of the regulation, and its objective;
- (c) conduct public consultations for proposed regulatory actions in a transparent manner; allow adequate time for interested persons, domestic and foreign, to submit comments, taking into account the complexity or possible impact of the proposed regulation; and give consideration to comments received;
- (d) give reasonable notice of planned regulatory actions and publish regulatory policy priorities that will be developed, modified, or eliminated in the near term;
- (e) use publicly accessible high-quality data, evidence, technical information, and risk assessments, where appropriate, during the planning and development of regulation;
- (f) support international regulatory cooperation through the use of, as appropriate, relevant international standards, guides, and recommendations to avoid unnecessary obstacles to trade;
- (g) conduct reviews of regulation in effect to determine whether new information or other changes justify modification or repeal of regulation; and
- (h) use tools, such as regulatory impact analysis, to assess the need for and possible impacts of regulations, which could also include alternative approaches to regulation, where appropriate.

Labor

Article 1.13: Labor Laws and Other Measures

To ensure Jordan's law and practice protect internationally recognized labor rights, Jordan shall ensure:

- (a) foreign workers who exercise their labor rights are not denied approval for subsequent visas on the basis of exercising such rights; and
- (b) the fair recruitment of migrant workers, including by ensuring that their recruitment and employment contracts are in accordance with international labor standards.

Article 1.14: Enforcement of Labor Law

To facilitate the effective enforcement of its labor law, Jordan shall:

- (a) ensure its labor inspectorate is sufficiently resourced, including with respect to funding, personnel, training, transportation, and equipment; and
- (b) increase labor law enforcement in the garment sector, including by funding the ILO's Better Work Jordan program at previous or increased levels and supporting the independent Migrant Worker Centers.

Environment

Article 1.15: Environmental Law

Jordan shall ensure that its environmental laws and policies provide for, and encourage, high levels of environmental protection.

Article 1.16: Illegal Logging and Associated Trade

Jordan shall take measures to combat, and cooperate to prevent, trade in illegally harvested forest products.

Article 1.17: A More Resource Efficient Economy

Jordan shall take measures to promote a more resource efficient economy. Such measures may include: addressing trade barriers that inhibit a more resource efficient economy; encouraging innovation that promotes circularity, for example through improving resource efficiency in product design; and promoting trade facilitative approaches to enable reverse supply chains.

Article 1.18: Fisheries Subsidies

1. Jordan shall fully implement the obligations of the WTO *Agreement on Fisheries Subsidies* (AFS), notwithstanding Article 12 of the AFS.
2. Jordan shall ensure its fisheries subsidies do not contribute to overcapacity and overfishing, including through the use of robust fisheries management regimes and reform of such subsidies.

Article 1.19: Sustainable Fisheries Management and Illegal, Unreported, and Unregulated Fishing

1. Jordan shall operate a sustainable fisheries management system that regulates marine wild capture fishing and promotes the long-term conservation of marine species including sharks, sea turtles, seabirds, and marine mammals.
2. Jordan shall strengthen enforcement of fisheries related laws, regulations, and other measures to effectively combat illegal, unreported, and unregulated (IUU) fishing and deter trade in products from IUU fishing, including through:
 - (a) implementing port state measures, including through actions consistent with the *Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*;
 - (b) adopting or strengthening measures to deter vessels flying its flag and its nationals from engaging in IUU fishing; and
 - (c) preventing the transshipment at sea of fish caught through IUU fishing or fish products derived from IUU fishing.

Article 1.20: Combating Illegal Wildlife Trade

Jordan shall take measures to combat, and cooperate to prevent, the trade of wild fauna and flora that were taken or traded in violation of that country's law or another applicable law, including through the following actions:

- (a) taking measures to enhance the effectiveness of inspections of shipments containing wild fauna and flora, including parts and products thereof, at ports of entry;
- (b) taking measures to combat the trade of wild fauna and flora transshipped through its territory that, based on credible evidence, were illegally taken or traded; and
- (c) treating intentional transnational trafficking of wild fauna and flora as a serious crime, as defined in the *United Nations Convention against Transnational Organized Crime*.

Customs & Trade Facilitation

Article 1.21: Pre-arrival Processing and Risk Management

Jordan shall endeavor to collect and process pre-arrival declaration data electronically for imports of U.S. express shipments and apply risk management systems prior to arrival to facilitate the release of low-risk shipments upon arrival without transfer to a customs bonded warehouse.

Article 1.22: Electronic Bills of Lading

Jordan shall not deny the legal effect of a bill of lading issued by a private party to another private party for the carriage of goods solely on the basis that the bill of lading is in electronic format.

Article 1.23: Protection of Proprietary Data

Jordan shall protect proprietary data submitted to its customs service by U.S. traders from unauthorized disclosure.

Article 1.24: Electronic Certification (eCert) Data Exchange

Jordan shall establish or maintain a system that receives system-to-system electronic certification (eCert) data exchange from FSIS, and eliminate any barriers preventing the establishment of this exchange.⁷

Article 1.25: Digital Logistics Platforms and Data Security

Jordan shall endeavor to ensure that its ports, port terminals, logistics tracking networks, transport corridors, and commercial transportation fleets use digital logistics platforms that provide appropriate cybersecurity protection, protection against unauthorized disclosure of data, protection against national security risks, and protection against data-access by other foreign governments.

Section 2. Digital Trade and Technology

Article 2.1: Data Transfers

1. Jordan shall provide certainty regarding the ability to move personal data out of its territory to the United States through recognition of the United States as a country or jurisdiction that provides adequate data protection under Jordan's law, including the Personal Data Protection Law.

⁷ In order to facilitate the implementation of this paragraph, Jordan may request technical assistance. Such assistance will be subject to the availability of resources and on terms and conditions mutually decided upon by the Parties.

2. Jordan shall recognize the Global Cross Border Privacy Rules (CBPR) System certification as a valid mechanism under Jordan's law to transfer personal data across borders while protecting personal data and reducing compliance costs.