

WORLD TRADE ORGANIZATION

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REPORT (2008) ON THE ACTIVITIES OF THE COMMITTEE ON SANITARY AND PHYTOSANITARY MEASURES

1. The present report is being circulated by the Chairperson of the Committee on Sanitary and Phytosanitary Measures on his own responsibility. This report provides a summary of the activities and decisions of the Committee as of 1 November 2008.
2. The Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") has held three regular meetings in 2008: 2-3 April; 24-25 June; and 8-9 October.¹ At the April meeting, Mr. Marinus Huige of the Netherlands was re-appointed Chairperson for the 2008-2009 period.
3. At its meeting of 2-3 April, the Committee adopted, on an ad referendum basis, revised recommended procedures for transparency (G/SPS/7/Rev.3). This decision was confirmed on 31 May 2008. The new procedures, *inter alia*, clarify the definition of the comment period, encourage the notification of measures conforming to international standards, request inclusion of HS codes in notifications, and provide links for access to full texts of regulations and their translations. New notification formats were adopted, which will be used as of 1 December 2008. The Secretariat also developed a mechanism for "mentoring" to assist officials responsible for transparency in developing countries, and a number of Members have already been "matched" to provide guidance when requested.
4. The Committee also adopted guidelines on the implementation of Article 6 of the SPS Agreement, to facilitate the recognition of pest- and disease-free areas or areas of low pest or disease prevalence (G/SPS/48). The guidelines identify the type of information normally needed for the recognition of "regionalization", as well as typical administrative steps in the recognition process. The Committee agreed to monitor the implementation of Article 6, on the basis of information provided by Members.
5. In the context of the Second Review of the Operation and Implementation of the SPS Agreement (G/SPS/36), the Committee considered proposals to facilitate the use of ad hoc consultations and negotiations to resolve trade problems, and agreed to address the issue of the relationship between the SPS Committee and the Codex, OIE and IPPC at a workshop to be held in October 2009.
6. The Committee adopted, at its meeting in October 2008, procedures for undertaking the Third Review of the SPS Agreement during 2009 (G/SPS/W/228).
7. In accordance with the transparency provisions of the SPS Agreement, 956 notifications (including addenda, corrigenda, revisions, supplements and agreements on equivalence) were submitted in the period 1 January to 30 September 2008, bringing the total number of SPS notifications submitted since the entry into force of the Agreement to 9,522 by October 2008.

¹ The report of the April meeting is contained in G/SPS/R/49, that of the June meeting in G/SPS/R/51, and the report of the October meeting will be circulated as G/SPS/R/53.

8. At each of the Committee's meetings, Members, Observer Organizations and the Secretariat provided information on their respective SPS-related technical assistance activities, and the Secretariat kept the Committee informed of the work of the Standards and Trade Development Facility (STDF). A special workshop on best practices in SPS-related technical cooperation was held in October 2008, in collaboration with the OECD. More than 200 delegates participated in the workshop, some with assistance from the WTO Global Trust Fund or the STDF. The workshop presented the results of research on good practice in SPS-related projects identified by Members as having been successful, and considered how to apply the Paris Principles on Aid Effectiveness in this area. SPS Committee delegates also participated in an STDF-organized workshop on SPS-related capacity evaluation tools in March 2008.

9. The issue of special and differential treatment was considered at each meeting of the Committee. The Committee has considered proposals for the revision of the procedure to enhance the transparency of special and differential treatment², but has not yet reached a decision in this regard.

10. The SPS Committee considered a wide range of specific trade concerns, including many related to individual notifications. The issues discussed included, *inter alia*, concerns with maximum levels of pesticide residues in various products, including pineapple and cacao and control procedures for residue levels; measures taken in response to avian influenza and bovine spongiform encephalopathy (BSE) that exceed the OIE standards; restrictions relating to foot-and-mouth disease (FMD); costs of inspections; and requirements for assessing the safety of traditional foods. In total, during 2008, thirteen new specific trade concerns were raised, ten previously raised concerns were again discussed, and four were reported to have been resolved.

11. The Committee also continued to discuss the effects of commercial and private SPS standards on trade, and the appropriate role of the SPS Committee. At its June meeting, an informal information session was held with representatives of entities involved in the development and certification of private standards, as well with organizations who have undertaken related studies. Members were invited to propose possible actions by the SPS Committee in response to a series of questions. On this basis, at its October meeting, the Committee agreed to: (1) encourage Members to share information regarding any relevant studies of which they were aware; (2) request the Secretariat to organize further information sessions with representatives of private standard-setting bodies as appropriate; and (3) undertake a study on the effects of private standards for specific products based on documentation provided by Members.

12. The Tenth Annual Report on the Procedure to Monitor the Process of International Harmonization was adopted by the Committee at its June meeting.³

13. At the October 2008 meeting, the Committee conducted a transitional review under Paragraph 18 of the Protocol of Accession of the People's Republic of China. Questions were submitted in advance of the meeting by the United States and, at the meeting, by the European Communities.⁴ The report of the review is contained in the document G/SPS/50.

14. The Committee agreed to invite those organizations which had been granted observer status on an ad hoc, meeting-by-meeting basis to participate in each of its meetings during 2008. The Committee was unable to reach any decision with regard to pending requests for observer status from the Office International de la Vigne et du Vin (OIV), from the Asian and Pacific Coconut Community

² The procedure is contained in G/SPS/33, and the proposed revisions in JOB(07)/104, G/SPS/W/224 and Rev.1.

³ G/SPS/49.

⁴ G/SPS/W/229 and G/SPS/W/231, respectively.

(APCC), from the Convention on Biodiversity (CBD), and from the Gulf Cooperation Council Standardisation Organization (GSO).

15. The SPS Committee maintained its close working relationship with the IPPC, the OIE and Codex and received regular updates on their activities. Other observer organizations also provided information on their activities, including technical assistance activities.

16. The Committee agreed to the following tentative calendar for its regular meetings in 2009: 25-26 February, 24-25 June and 14-15 October.
