

# WORLD TRADE ORGANIZATION

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## REPORT (2006) 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 26 October 2006.
2. The Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") has held four regular meetings in 2006: a meeting commenced on 24 October 2005 was concluded on 1-2 February; 29-30 March; 27-28 June; and 11-13 October.<sup>1</sup> At the March meeting, Mr. Juan Antonio Dorantes (Mexico) was appointed Chairperson for the period 2006/2007.
3. The Committee began consideration of issues arising from the Second Review of the operation of the SPS Agreement at its February meeting. At the March, June and October meetings, the Committee further discussed submissions from Members at informal and regular meetings of the Committee.<sup>2</sup> The Committee should determine what further work may be appropriate on these issues.
4. During 2006, the Committee also continued its examination of the implementation of the SPS Agreement and the concerns of developing countries. The proposals referred to the SPS Committee by the General Council were on the agenda of each meeting of the Committee. Although there were substantive discussions of some revisions informally suggested by the African Group at the February, March and October meetings, the Committee was not able to reach a decision on any of the specific proposals as presented.<sup>3</sup> However, with a view to fulfilling the Doha Development Mandate, several Members suggested approaches to advance the work of the Committee to address the proposals as identified by Members including seeking clarification of the concerns underlying the proposals. At its meeting in February, the Committee agreed to extend the Procedure to enhance the transparency of special and differential treatment adopted in October 2004<sup>4</sup>, and Members were invited to share with the Committee their experiences under this procedure. In June, the United States introduced a paper containing a compilation of ideas related to technical assistance and special and differential treatment<sup>5</sup>, taking into account information provided by developing country Members at the Workshop on the Implementation of the Agreement, held on 31 March 2006.<sup>6</sup> The Committee agreed that special and differential treatment would remain a standing agenda item.

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<sup>1</sup> The report of the February meeting is contained in G/SPS/R/39 and corrigenda 1 and 2, that of the March meeting in G/SPS/R/40 and corrigendum, that of the June meeting in G/SPS/R/42 and the report of the October meeting will be circulated as G/SPS/R/43.

<sup>2</sup> G/SPS/GEN/722.

<sup>3</sup> G/SPS/41.

<sup>4</sup> G/SPS/33 and G/SPS/33/Add.1.

<sup>5</sup> G/SPS/W/198.

<sup>6</sup> G/SPS/R/41.

5. At its regular meetings, the SPS Committee considered a wide range of specific trade concerns, including many related to individual notifications. The issues discussed included, *inter alia*, trade restrictions relating to general administrative SPS procedures; concerns regarding maximum levels of pesticide residues in several products; measures taken in response to avian influenza, bovine spongiform encephalopathy (BSE), foot-and-mouth disease (FMD) and Newcastle disease; and various plant health concerns, including import restrictions on longhorn beetles in wooden handicrafts from tolerance levels for soil content on potato tubers, and import restrictions on Enoki mushrooms. A number of questions regarding the lack of recognition of animal disease-free and plant pest-free status and the implementation of the international phytosanitary standard on wood packing material were also considered by the Committee. In 2006, new specific trade concerns were raised, and five were reported to have been resolved.<sup>7</sup> Specific trade concerns raised in the Committee during 2006 will be summarized in the seventh revision of G/SPS/GEN/204.

6. In accordance with the transparency provisions of the SPS Agreement, 997 notifications (including addenda, corrigenda and revisions) were submitted in the period 1 January to 31 October 2006, bringing the total number of SPS notifications submitted since the entry into force of the Agreement to almost 7,196. Using the mechanism agreed in the March 2004 Committee meeting, the availability of two unofficial translations of notified documents were notified in the same period.<sup>8</sup>

7. The operation of the transparency provisions of the SPS Agreement continued to be a standing item on the agenda for the regular meetings of 2006. The Committee also continued discussion on the ways to provide targeted technical assistance to those developing country Members still failing to meet the transparency provisions of the Agreement. The Secretariat reported on the status of development of its information management system (SPS-IMS) designed to improve the management and analysis of the documentation received. The first phase was tested and the second phase would begin when the first phase was fully operational.

8. At the regular and informal meetings in 2006, numerous proposals regarding the implementation of Article 6 were considered by the Committee, including recognition of regions by international standard-setting bodies and by Members. Many Members provided information regarding their achievement of pest- or disease-free status and a number of Members proposed that the Committee should develop procedural guidelines to facilitate the recognition of pest- or disease-free areas, enhancing predictability and transparency.<sup>9</sup> Other Members maintained the view that the relevant international standard-setting bodies were best placed to develop guidelines on regionalization. Several trade concerns related to the non-recognition of pest- or disease-free areas were also raised. The Committee's discussions benefited from inputs from the OIE and IPPC.<sup>10</sup> The Committee agreed to continue work on this issue.

9. The Eighth Annual Report on the Procedure to Monitor the Process of International Harmonization was adopted by the Committee at its June meeting.<sup>11</sup> The Committee reviewed the operation of the provisional procedure, and agreed to extend it indefinitely, but to review its operation every four years in the context of the periodic Review of the Operation of the SPS Agreement.<sup>12</sup>

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<sup>7</sup> Items No. 60, 102, 164 & 194 in G/SPS/GEN/204/Rev. 6 and Addendum 1 and No. 94 in G/SPS/GEN/204/Rev. 5 and Addendum 1.

<sup>8</sup> G/SPS/N/BOL/16/Suppl.1 and G/SPS/N/COL/118/Suppl.1.

<sup>9</sup> G/SPS/GEN/636/Rev.1.

<sup>10</sup> G/SPS/GEN/617, G/SPS/GEN/625, G/SPS/GEN/626 and G/SPS/GEN/707.

<sup>11</sup> G/SPS/42 and G/SPS/42/Corr.1.

<sup>12</sup> G/SPS/40.

10. The Secretariat, Members and Observer Organizations provided information on their technical assistance activities at each meeting of the SPS Committee. By the June meeting of the Committee, 34 Members had submitted responses to the questionnaire regarding their technical assistance needs.<sup>13</sup> At the October meeting, the Secretariat prepared a compendium of the information received to date on SPS-related technical assistance, by the WTO Secretariat and by Members and other international organizations.<sup>14</sup> The Secretariat also reported regularly on the projects and project preparation grants supported by the Standards and Trade Development Facility (STDF) and provided details regarding its own SPS-related technical assistance training activities.<sup>15</sup>

11. At the October 2006 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 by the European Communities.<sup>16</sup>

12. The SPS Committee continued to grant ad hoc observer status on a meeting-by-meeting basis to the European Free Trade Association (EFTA), the Latin American Economic System (SELA), the Inter-America Institute for Cooperation on Agriculture (IICA), the Regional International Agricultural Health Organization (OIRSA), the ACP Group and the OECD. The Committee also continued to consider requests for observer status from the Asian Pacific Coconut Community (APCC), the Convention on Biological Diversity (CBD) and its Cartagena Protocol on Biosafety, and the International Organization of Vine and Wine (OIV).

13. The SPS Committee maintained its close working relationships 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.

14. The Committee agreed to the following tentative calendar of regular meetings for 2007: 7-8 March, 27-28 June, and 17-18 October.

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<sup>13</sup> The questionnaire is contained in G/SPS/W/113, and the responses to the questionnaire have been circulated as addenda to G/SPS/GEN/295.

<sup>14</sup> G/SPS/GEN/726.

<sup>15</sup> G/SPS/GEN/648 and G/SPS/GEN/718.

<sup>16</sup> G/SPS/W/207 and G/SPS/W/208, respectively. The report by the Chairperson to the Council for Trade in Goods will be contained in G/SPS/43.