

WORLD TRADE ORGANIZATION

G/L/897

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REPORT (2009) 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 her own responsibility. This report provides a summary of the activities and decisions of the Committee as of 1 October 2009.

2. The Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") has held two regular meetings in 2009: 25-26 February and 23-24 June. A third regular meeting is scheduled for 28-29 October.¹ At the June meeting, Ms Miriam Chaves of Argentina was appointed Chairperson for the 2009-2010 period.

3. The Committee has been undertaking the Third Review of the Operation and Implementation of the SPS Agreement at its informal and regular meetings during 2009. In accordance with the procedures for the Third Review (G/SPS/W/228), and on the basis of information provided by Members, the Committee will consider a draft report for adoption at its meeting in October (G/SPS/W/237/Rev.1). In addition, as agreed by the Committee in its Second Review (G/SPS/36), the Committee has been considering proposals to facilitate the use of ad hoc consultations and negotiations to resolve trade problems. At its meeting in October, the Committee will be invited to consider a proposal based on a previous joint proposal from Argentina and the United States (G/SPS/W/243). Also as agreed in the Second Review, the Committee will address the issue of the relationship between the SPS Committee and the Codex, OIE and IPPC at a workshop to be held on 26 October 2009.

4. In accordance with the transparency provisions of the SPS Agreement, 733 notifications (including addenda, corrigenda, revisions, supplements and agreements on equivalence) were submitted in the period 1 January to 30 September 2009, bringing the total number of SPS notifications submitted since the entry into force of the Agreement to 10,570 by October 2009.

5. 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). The STDF is organizing a workshop on the use of economic analysis in SPS-decision making that will be held on 30 October 2009.

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

¹ The report of the February meeting is contained in G/SPS/R/54 and that of the June meeting in G/SPS/R/55.

² The procedure is contained in G/SPS/33, and the proposed modifications in G/SPS/W/224 and revisions.

7. The SPS Committee considered a wide range of specific trade concerns, including some related to individual notifications. The issues discussed included, *inter alia*, trade measures imposed in response to the Influenza A/H1N1 virus, restrictions relating to avian influenza and bovine spongiform encephalopathy (BSE); concerns with maximum levels of pesticide residues in various products, and restrictions related to plant health protection. To date during 2009, seven new specific trade concerns were raised, 18 previously raised concerns were again discussed, and three were reported to have been resolved.

8. The Committee also continued to discuss the effects of commercial and private SPS standards on trade, and the appropriate role of the SPS Committee. Members provided examples of specific products whose access into certain markets was affected by private standards. These examples were summarized in a descriptive report that was considered by the Committee at its June meeting (G/SPS/GEN/932). As agreed by the Committee, the Secretariat will prepare a report describing possible actions identified by Members that could be taken by the Committee and/or Members to address concerns regarding the effects of private SPS standards, for consideration at the October 2009 meeting.

9. The Eleventh Annual Report on the Procedure to Monitor the Process of International Harmonization was adopted by the Committee on an ad referendum basis following its June meeting.³ A number of Members raised concerns regarding the potential effects on trade of a draft North American Plant Protection Organization standard on Asian Gypsy moth.

10. The Committee will conduct the transitional review under Paragraph 18 of the Protocol of Accession of the People's Republic of China at its October 2009 meeting.

11. 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 2009. 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 (APCC), from the Convention on Biodiversity (CBD), and from the Gulf Cooperation Council Standardisation Organization (GSO).

12. 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.

13. The Committee agreed to the following tentative calendar for its regular meetings in 2010: 17-18 March, 30 June – 1 July and 20-21 October.

³ G/SPS/51.