

WORLD TRADE ORGANIZATION

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REPORT (1998) ON THE ACTIVITIES OF THE COMMITTEE ON SANITARY AND PHYTOSANITARY MEASURES

The present report is being circulated by the Chairman 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 during 1998.

1. The Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") held four meetings in 1998: on 12-13 March, 10-11 June, 15-16 September and 11-12 November.¹ At the March meeting, Mr. Alejandro Thiermann (United States) was re-appointed Chairman for 1998/99.

2. The Committee initiated informal consultations in order to deal with requests for observer status from a number of organizations. At the September meeting, the Committee decided that, given the decision of the General Council regarding non-governmental organizations, observer status would not be granted to the International Meat Secretariat and the International Seed Federation. Informal consultations regarding the requests for observer status from several intergovernmental organizations continued during 1998 but no agreement was reached.²

3. The SPS Committee considered a number of specific trade concerns, including several related to individual notifications. The issues discussed included, *inter alia*, measures related to BSE; measures related to maximum levels of aflatoxins in food; measures relating to establishments operating in the animal feed sector; measures relating to food and food ingredients treated with ionizing radiation; measures affecting apples, pears, quinces, ware potatoes, meat and livestock products (including other bovine products), pork and pork products, poultry products, dairy products, milled rice, coconut palms and related products and fish products.

4. Members provided the Committee with information in respect of: the recognition of disease-free areas, equivalence and the use of international standards. The operation of the transparency provisions was also discussed. The Secretariat circulated updated lists of National Enquiry Points and National Notification Authorities.³

5. In accordance with Article 12.2 of the Agreement, several bilateral or plurilateral consultations were held, including between Bolivia and the European Communities with regard to

¹ The reports of these meetings are contained in G/SPS/R/10, /11, /12 and /13.

² The Committee is currently considering applications from: the Office international de la vigne et du vin (OIV), the European Free Trade Association (EFTA), the Latin American Economic System (SELA), the European and Mediterranean Plant Protection Organization (EPPO), the Inter-American Institute for Cooperation on Agriculture (IICA), the Regional International Agricultural Health Organization (OIRSA) and the OECD.

³ G/SPS/ENQ/7, G/SPS/GEN/91, and G/SPS/GEN/27/Rev.3.

aflatoxins in chestnuts; and between the United States and Poland concerning weed seeds in grains and oilseeds. In a number of cases, the Chairman was requested to facilitate consultations.

6. On the basis of the provisional procedure to monitor the use of international standards, adopted in October 1997⁴, the Committee considered examples of what Members considered to be problems with significant trade impact which they believed related to the use or non-use of relevant international standards, guidelines or recommendations.

7. The SPS Committee held further informal consultations in connection with each of the Committee's formal meetings on the structure and substance of the guidelines to further the practical implementation of Article 5.5. Considerable progress on the draft guidelines was made.

8. In October 1997, the SPS Committee agreed on a procedure for conducting the review of the implementation and operation of the SPS Agreement, in accordance with Article 12.7.⁵ Accordingly, the Committee discussed issues concerning: transparency; technical assistance and cooperation; the needs of developing countries and special and differential treatment; equivalence; regionalization; harmonization; risk assessment; and resolution of trade disputes. At the November meeting, the Committee discussed a draft report of the review exercise.

9. At each meeting of the SPS Committee, Members, the Secretariat and the observer inter-governmental organizations reported on their technical activities. Members were provided the opportunity to identify specific needs for technical assistance. The European Communities provided the Secretariat with a list of experts from EC member States on SPS-related subjects which could be of assistance to developing countries and seminars organized by the Secretariat.⁶ The United States presented a paper on technical assistance and cooperation outlining various US programmes on technical assistance addressing SPS issues.⁷

10. In response to a request from the Council for Trade in Goods, the Committee considered the manner in which the Agreement, its implementation and the work of the Committee facilitated trade. This information was forwarded to the Council for Trade in Goods.

11. The SPS Committee formally responded to a request from Codex to clarify the status of Codex guidelines and codes of practice and the applicability of regional Codex standards in relation to the SPS Agreement.⁸ The IPPC reported on the adoption of the new revised text of the IPPC by the FAO Conference in November 1998.⁹ In this regard, the SPS Committee urged Members to ratify the text as quickly as possible and encouraged those Members which were not signatories to the IPPC to consider their adherence given the importance of the IPPC for the implementation of the SPS Agreement. The WHO reported on the revision of the International Health Regulations (IHR) and informal consultation were held with the Secretariat of the WHO in order to clarify the relationship between the SPS Agreement and the IHR.¹⁰ The OIE informed the Committee that there was a new draft chapter on BSE in the OIE Code, which defined more precisely the different health status categories. This draft will be proposed for adoption in May 1999.

12. The SPS Committee held informal discussions with the Secretariat of the Convention on Biological Diversity with regard to the ongoing negotiation of a UN Protocol on Biosafety.

⁴ G/SPS/11.

⁵ G/SPS/10.

⁶ G/SPS/GEN/69 and Add.1.

⁷ G/SPS/GEN/78.

⁸ G/SPS/W/86/Rev.1.

⁹ G/SPS/GEN/51, Annex 1.

¹⁰ G/SPS/GEN/59.

13. The following tentative schedule of meetings in 1999 was agreed by the SPS Committee: 10-11 March, 7-8 July and 10-11 November. Several Members emphasized the usefulness of establishing regular dates for future meetings of the Committee.
