



19 November 2020

(20-8322)

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REPORT (2020) ON THE ACTIVITIES OF THE COMMITTEE ON SANITARY AND PHYTOSANITARY MEASURES

1.1. The present report is being circulated by the Chairperson of the Committee on Sanitary and Phytosanitary Measures (SPS Committee) on his own responsibility. This report provides a summary of the activities of the SPS Committee during 2020.

1.2. The SPS Committee held two regular meetings in 2020: a meeting on 25-26 June and a meeting on 5-6 and 13 November 2020.¹ In light of the COVID-19 situation, the meetings were held in person and via the virtual platform Interprefy, allowing for broad participation from Geneva-based and capital-based delegates.² The June 2020 meeting also included a written procedure, due to the shorter time available for the meeting as a result of the pandemic.³ For these two meetings, the SPS Committee made use of a new online tool, eAgenda, which allows Members to submit agenda items, statements, and specific trade concerns (STCs) online.⁴ In addition, the SPS Committee held subsequent discussions on the procedure and format used in the June 2020 SPS Committee meeting with a view to determining what aspects should continue to be used in future SPS Committee meetings.

1.3. Mr Daniel Arboleda (Colombia) had been elected in July 2019 as Chairperson for 2019-2020. Mr Gregory MacDonald (Canada) was elected as Chairperson for 2020-2021.

1.4. At its meeting of 25-26 June, the SPS Committee adopted the Report on the Fifth Review of the SPS Agreement (Fifth Review Report).⁵ This concluded a process that had been launched in March 2018 and had given rise to 22 proposals submitted by 29 Members, covering ten different topics.⁶ The Fifth Review Report contains information on areas identified for further work by the SPS Committee, including recommendations on the following topics: (i) appropriate level of protection, risk assessment and science; (ii) control, inspection and approval procedures; (iii) equivalence; (iv) fall armyworm; (v) national SPS coordination mechanisms; (vi) notification procedures and transparency; (vii) Maximum Residue Levels (MRLs) for plant protection products; (viii) regionalization; (ix) role of Codex, OIE and IPPC in addressing STCs; and (x) voluntary third-party assurance schemes.⁷ Members showed high levels of constructive engagement and great flexibility to reach consensus on the final set of recommendations.

1.5. Further to the adoption of the Fifth Review Report, a Working Group on Approval Procedures was set up to discuss: (i) key challenges of approval procedures that impact international trade, which Members should seek to address; (ii) principles of approval procedures that facilitate international trade while meeting the importing Member's appropriate level of sanitary or

¹ A first SPS Committee meeting initially scheduled to take place on 19-20 March 2020 was cancelled due to the COVID-19 pandemic.

² At the SPS Committee meeting of November 2020, in-person attendance was restricted to five individuals in line with recommendations issued by the Canton of Geneva and delegates were invited to join the meeting virtually.

³ See the procedure outlined in [JOB/SPS/7](#), and the annotated agenda for the June 2020 SPS Committee meeting in [JOB/SPS/8](#) (and [JOB/SPS/8/Add.1](#)). The written procedure was undertaken via the eAgenda platform, which facilitated an exchange of statements on STCs and other agenda items.

⁴ Members shared positive feedback on the use of eAgenda.

⁵ [G/SPS/64](#) and [G/SPS/64/Add.1](#).

⁶ The Fifth Review Report also contains information on the discussions that took place in the SPS Committee and thematic sessions and a list of the topics and proposals submitted under the Fifth Review. A summary of all submitted proposals and papers is also included in the Fifth Review Report as well as in document [G/SPS/GEN/1625/Rev.6](#).

⁷ [G/SPS/64](#) and [G/SPS/64/Add.1](#).

phytosanitary protection; (iii) available tools and best practices to enhance the implementation of the obligations of the SPS Agreement as they apply to approval procedures; and (iv) possible future work of the SPS Committee on this topic.⁸ The Working Group on Approval Procedures is led by Canada and Paraguay as co-stewards and it registered 25 participants. The Working Group on Approval Procedures held its first meeting in November 2020 and reported on its activities to the SPS Committee at its November meeting.

1.6. At both regular meetings held in 2020, the SPS Committee discussed an SPS Declaration for the 12th Ministerial Conference, initially submitted by Brazil, Canada and the United States, and now co-sponsored by 21 Members.⁹ The purpose of this declaration is, via a proposed work programme, to address issues that are currently impacting trade in agriculture, including population pressure, technological innovation, climate change, the importance of sustainable agriculture, new pests and diseases, and continued application of SPS measures as disguised trade restrictions. Overall, Members welcomed this SPS Declaration, highlighting that the 12th Ministerial Conference is a good opportunity to recognize the importance of the SPS Agreement. An informal meeting was scheduled on 23 November 2020 for Members to exchange further on this declaration.

1.7. The SPS Committee also discussed a revised proposal on strengthening the consultative function of the SPS Committee, submitted by Brazil following exchanges with Members in 2019-2020.¹⁰ The proposal seeks to improve the consultation process among Members to make better use of the SPS Committee's meetings and increase the likelihood of resolving concerns within the SPS Committee. Suggestions were made for the proposal to be further updated to reflect changes in procedures and tools that have already been implemented. Other Members highlighted their preference for flexibility in procedures, without the need for a rigid decision.

1.8. Throughout the year, Members provided the SPS Committee with information regarding their status with respect to specific plant pests and animal diseases. This information that concerns the principle of regionalization is compiled in the Annual Report on the Implementation of Article 6, which the SPS Committee considered at its June meeting.¹¹ At each meeting, Members also provided information regarding changes in their SPS policies and situations.

1.9. Members also shared information on SPS issues pertaining to the COVID-19 pandemic at the SPS Committee meetings and at an informal information-sharing session in June 2020.¹² At this information-sharing session, Members stressed the importance of providing a coordinated response to global crises and ensuring that trade in agricultural and food products is not unduly restricted. Trade facilitating measures were commended, in particular the increased use of electronic certification.

1.10. The SPS Committee considered a wide range of STCs. Members raised 36 new STCs in 2020. These included, among others: pesticide-related policies; COVID-19 related restrictions on agricultural products; import restrictions on meat and dairy products; HPAI-related restrictions; and phytosanitary restrictions on grains, fresh vegetables and fruits. Many previously raised STCs continued to be discussed during 2020. Several Members intervened on issues such as measures regarding pesticides (including legislation on endocrine disruptors); restrictions on animal products, many due to animal diseases including avian influenza and African swine fever (several different STCs); and phytosanitary restrictions on grains and fresh fruits. Following an exercise conducted by the Secretariat in September 2020 enquiring about the status of certain STCs, 35 STCs were reported as resolved and 42 STCs were reported as partially resolved.¹³ Information on STCs is compiled on an annual basis.¹⁴

⁸ [G/SPS/64](#) and [G/SPS/W/328/Rev.1](#).

⁹ [G/SPS/GEN/1758/Rev.4](#), reflecting sponsorship by 20 Members. Mexico joined as a co-sponsor during the SPS Committee meeting of November 2020, after circulation of this document.

¹⁰ [G/SPS/W/319/Rev.2](#).

¹¹ [G/SPS/GEN/1777](#).

¹² https://www.wto.org/english/tratop_e/spse/spscovid_session_24620_e.htm.

¹³ [RD/SPS/114](#).

¹⁴ [G/SPS/GEN/204/Rev.20](#).

1.11. The Secretariat also issued prior to the SPS Committee's November meeting, the Annual Report on the Use of the Procedure to Encourage and Facilitate the Resolution of Specific SPS Issues (to date, never used).¹⁵

1.12. The SPS Committee maintained its close working relationship with the Codex, the IPPC, and the OIE (often referred to as the "Three Sister" organizations) and received regular updates on their activities. Other observer organizations also provided information on their activities, including the WHO on COVID-19 related activities. Two new requests for observer status in the SPS Committee were submitted by the United Nations Industrial Organization (UNIDO)¹⁶ and the Arab Organization for Agricultural Development (AOAD).¹⁷ Observer status was granted to AOAD but Members did not reach consensus on the request submitted by UNIDO.

1.13. The SPS Committee also considered in its June 2020 meeting the Annual Report on the Procedure to Monitor the Process of International Harmonization.¹⁸ Four new issues have been raised under this procedure in 2020. Two of these issues related to Members' use of Codex standards on residues of veterinary drugs in foods¹⁹ and on foods derived from recombinant-DNA plants²⁰; one related to Members' implementation of OIE standards on Newcastle disease; and another related to the lack of an international standard for chocolate and cocoa products. Members continued to discuss two issues that had been raised in previous years related to Members' implementation of OIE standards on African swine fever and on highly pathogenic avian influenza (HPAI). In addition, at the SPS Committee meeting of November 2020, one Member submitted a proposal for opening discussions on how the SPS Committee could further assist the three standard-setting bodies in monitoring the use and implementation of international standards.²¹

1.14. The SPS Committee normally considers the Annual Overview on Transparency²² in its November meeting of every year, however, the SPS Committee decided to issue this report in March of every year, along with the Annual Report on Specific Trade Concerns.²³ The issuance of both reports at the same time will allow coverage of the same reporting period, as well as facilitate analysis and comparisons.

1.15. At each of its meetings, the SPS Committee was also kept informed of the work of the Standards and Trade Development Facility (STDF) by the STDF Secretariat²⁴, and of SPS-related technical assistance activities.

1.16. The SPS Committee continued to organize dedicated activities to exchange experiences and hear from experts. In November 2020, it held a Thematic Session on Voluntary Third-Party Assurance Programme, a topic that had been suggested by Belize, and was subject to a recommendation in the Fifth Review Report. This session provided an opportunity to receive updates from the international standard-setting bodies on their work in the area; facilitate an exchange of information among Members on their use of voluntary third-party assurance as part of national SPS control systems; obtain the perspectives and experiences of the private sector; and learn about relevant capacity-building initiatives.²⁵ Several other events were organised at the margin of the SPS Committee meetings. This included an SPS@25 event to take stock of the 25 years of implementation of the SPS Agreement and look ahead to future challenges; an information session on Farmers' Perspectives on SPS Challenges for Sustainable Food Production and Trade organised by a handful of Members; an OIE Information Session launching two new publications; and an FAO Information Session on pesticide maximum residue limits based on a case study on rice.

1.17. The SPS Committee tentatively agreed to hold regular meetings on 25-26 March, 15-16 July, and 5-6 November 2021.²⁶ The SPS Committee decided to hold a Thematic Session on African Swine

¹⁵ [G/SPS/GEN/1829](#).

¹⁶ [G/SPS/GEN/121/Add.18](#).

¹⁷ [G/SPS/GEN/121/Add.19](#).

¹⁸ [G/SPS/GEN/1776](#).

¹⁹ CX/MRL 2-2018.

²⁰ CAC/GL 45-2003.

²¹ [G/SPS/GEN/1851](#).

²² [G/SPS/GEN/804](#) and revisions.

²³ [G/SPS/GEN/204](#) and revisions.

²⁴ [G/SPS/GEN/1785](#) and [G/SPS/GEN/1843](#).

²⁵ [G/SPS/GEN/1754/Rev.3](#).

²⁶ [G/SPS/GEN/1823](#).

Fever in March 2021 and a Workshop on Risk Assessment, Risk Management and Risk Communication in July 2021.²⁷ In addition, it discussed holding a thematic session on default pesticide MRLs in 2021.

²⁷ This activity had initially been scheduled to take place in 2020 but had to be postponed due to the COVID-19 pandemic.