

# WORLD TRADE ORGANIZATION

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## REPORT (2005) 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 through 24 October 2005.

2. The Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") has held two regular meetings in 2005: on 9-10 March and 29-30 June.<sup>1</sup> A third regular meeting was commenced on 24 October 2005 to consider several agenda items; the meeting was subsequently suspended and will reconvene on 1-2 February 2006. At the June meeting, Mr. Gregg Young (United States) was re-appointed Chairperson for the period 2005/2006.

3. As agreed in the Process for the Review of the Operation and Implementation of the Agreement adopted by the Committee in June 2004<sup>2</sup>, the Committee further discussed, at its March meeting, issues related to the Second Review of the operation of the SPS Agreement. At the June meeting, the Committee concluded the Second Review of the Operation of the SPS Agreement, and adopted a report on this review including recommendations for future work.<sup>3</sup> Issues arising from this report will be considered by the Committee at its February 2006 meeting.

4. During the March and June meetings, the Committee continued its examination of the implementation of the SPS Agreement and the concerns of developing countries. Special and differential treatment remained a standing agenda item for the Committee in 2005. Members were invited to share with the Committee their experience under the new procedure to enhance the transparency of special and differential treatment adopted in October 2004.<sup>4</sup>

5. With respect to the proposals referred to the SPS Committee by the General Council, the Committee adopted, in June 2005, a report to the General Council on these proposals.<sup>5</sup> The report expresses the Committee's commitment to continue to examine the proposals before it, and any revision of these proposals, with the aim of developing specific recommendations for a decision. The report also identifies elements for discussion on further work to assist the Committee to address the concerns underlying the proposals as identified by Members, with a view to fulfilling the Doha Development Mandate. Discussion of these elements was commenced at the meeting of 24 October.

6. 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

<sup>1</sup> The report of the March meeting is contained in G/SPS/R/36 and revision and corrigendum. The report of the June meeting is in G/SPS/R/37 and revision and corrigendum.

<sup>2</sup> G/SPS/32.

<sup>3</sup> G/SPS/36.

<sup>4</sup> G/SPS/33.

<sup>5</sup> G/SPS/35.

spongiform encephalopathy (BSE), foot-and-mouth disease (FMD) and classical swine fever (CSF); and various plant health concerns including fire blight. 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. Specific trade concerns raised in the Committee during 2005 will be summarized in the sixth revision of G/SPS/GEN/204.

7. In accordance with the transparency provisions of the SPS Agreement, 620 notifications (including addenda, corrigenda and revisions) were submitted in the period 1 January to 30 September 2005, bringing the total number of SPS notifications submitted since the entry into force of the Agreement to almost 5,970. Using the mechanism agreed in the March 2004 Committee meeting, one Member notified the availability of an unofficial translation of a notified document during the same period.<sup>6</sup>

8. The operation of the transparency provisions of the Agreement has been a standing agenda item for the regular meetings of 2005. The Committee considered proposals for establishing a 60-day period for submitting comments on a notification and to encourage the voluntary notification of SPS measures when based on a relevant international standard. The Committee also discussed 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.

9. Equivalence remained a standing item on the SPS Committee agenda. As agreed in the Programme for Further Work, the observer organizations reported on their work with respect to equivalence and Members informed the Committee about their experiences regarding the implementation of Article 4.<sup>7</sup>

10. At both March and June meetings, numerous proposals regarding the implementation of Article 6 were considered by the Committee, including proposals that the Committee develop procedural guidelines to facilitate the recognition of pest- or disease-free areas.<sup>8</sup> Many Members provided information regarding their achievement of pest- or disease-free status. 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>9</sup> The Committee agreed to continue work on this issue.

11. Following the provisional procedures adopted in October 1997, the SPS Committee continued to monitor the use of international standards. Since the implementation of the procedure, Members have raised eleven issues. The Seventh Annual Report on the Procedure to Monitor the Process of International Harmonization was adopted by the Committee at its June meeting.<sup>10</sup>

12. Members, observer organizations and the Secretariat provided information regarding their technical assistance activities at each meeting of the SPS Committee. By the June meeting of the Committee, 36 Members had submitted responses to the questionnaire regarding their technical

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<sup>6</sup> G/SPS/GEN/487.

<sup>7</sup> G/SPS/20.

<sup>8</sup> G/SPS/W/162/Rev.1, G/SPS/W/164, G/SPS/W/165, G/SPS/W/166, G/SPS/W/167, G/SPS/W/168, G/SPS/W/170, G/SPS/W/171, G/SPS/W/172, G/SPS/W/176, G/SPS/W/177, G/SPS/GEN/584 and G/SPS/GEN/588.

<sup>9</sup> G/SPS/GEN/542, G/SPS/GEN/568, G/SPS/GEN/569 and G/SPS/GEN/574.

<sup>10</sup> G/SPS/37.

assistance needs.<sup>11</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>12</sup>

13. At the 24 October 2005 meeting, the Committee conducted a transitional review under Paragraph 18 of the Protocol of Accession of the People's Republic of China.<sup>13</sup>

14. 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. Consideration continued of 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).

15. 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.

16. The meeting of 24 October 2005 will be reconvened on 1-2 February 2006. The Committee agreed to the following tentative calendar of regular meetings for 2006: 29-31 March, 28-30 June, and 11-13 October.

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<sup>11</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>12</sup> G/SPS/GEN/545 and G/SPS/GEN/572.

<sup>13</sup> The report by the Chairperson to the Council for Trade in Goods is contained in G/SPS/39.