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REPORT (2023) 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 2023.

1.2. The SPS Committee held its formal meetings (in hybrid mode) on 22-24 March, 12-14 July, and 15-17 November 2023. Members continued to use [eAgenda](#) to submit agenda items, raise and support specific trade concerns (STCs), and upload statements.

1.3. Mr Tang-Kai Wang (Chinese Taipei) had been elected in June 2022 as Chairperson for 2022-2023. Mr Tayutic Mena (Costa Rica) was elected as the new Chairperson for 2023-2024.

MC12 SPS Declaration Work Programme

1.4. During the first part of 2023, Members continued to undertake the Work Programme foreseen in the SPS Declaration for the 12th WTO Ministerial Conference on Responding to Modern SPS Challenges ([MC12 SPS Declaration](#))¹ through the five thematic groups that had been set up in June 2022, namely on: (1) how to facilitate global food security and more sustainable food systems; (2) how to support basing SPS measures on scientific evidence and principles; (3) how to enhance the safe international trade in food, animals and plants and products thereof through the adaptation of SPS measures to regional conditions; (4) how to encourage cooperation with observer organizations that support the work of the SPS Committee and the international standard-setting bodies (ISSBs); and (5) how to increase participation of and support for the special needs of developing and least developed country Members in the development and application of SPS measures.²

1.5. These thematic groups, led by stewards, continued their discussions and heard presentations from a broad range of stakeholders including Members, ISSBs, international organizations and producers, on different topics related to the ongoing discussions in the context of the MC12 SPS Declaration. Further information on the thematic groups' work is contained in the reports that each of the stewards circulated in March 2023 ([G/SPS/W/332 to G/SPS/W/336](#)³) and in May 2023 ([G/SPS/W/339 to G/SPS/W/343](#)⁴), and also from the [dedicated webpage](#) of the SPS Declaration Work Programme.

1.6. During the second part of 2023, at the Committee's request, the former Chairperson (Mr Tang-Kai Wang) continued in the role of Facilitator to finalize the outcome documents of the MC12 SPS Declaration Work Programme. Based on inputs from Members and the discussions in the thematic groups, intersessional consultations and Committee meetings, two draft outcome

¹ The MC12 Declaration instructed the SPS Committee to launch a work programme to further enhance the implementation of the SPS Agreement in light of new opportunities and emerging challenges ([WT/MIN\(22\)/27](#)).

² At the June 2022 SPS Committee meeting, Members decided to organize thematic groups to discuss each of the five themes specifically identified in the Declaration. A summary of the discussions held in the informal June 2022 meeting is available in Section 2 of Annex C to the summary report of the June 2022 meeting ([G/SPS/R/107](#)).

³ [G/SPS/W/332](#) (Group 1); [G/SPS/W/333](#) (Group 2); [G/SPS/W/336](#) (Group 3); [G/SPS/W/334](#) (Group 4) and [G/SPS/W/335](#) (Group 5).

⁴ [G/SPS/W/339](#) (Group 1); [G/SPS/W/340](#) (Group 2); [G/SPS/W/341](#) (Group 3); [G/SPS/W/342](#) (Group 4) and [G/SPS/W/343](#) (Group 5).

documents were prepared: (i) a [factual summary](#) of the MC12 SPS Declaration Work Programme⁵; and (ii) a [draft report](#) to be presented to Ministers at MC13.⁶ Members first discussed these documents in the July Committee meeting, and then revised versions in the September intersessional consultations and November Committee meeting. During this period, the Facilitator also consulted with Members who had provided inputs on the text. In the November Committee meeting, the factual summary was finalized and subsequently circulated in document [G/SPS/70](#). Members also agreed to finalize the text of the report to MC13. Since a couple of delegations requested more time for internal procedures, the Chairperson urged them to complete them by the end of November. After that, the Chairperson will circulate the report ([G/SPS/GEN/344/Rev.3](#)) again in early December, proposing its adoption before the end of the year.

Working Group on Approval Procedures

1.7. In March 2023, the Working Group on Approval Procedures⁷ concluded its work and developed three output documents for the SPS Committee's consideration: (i) a comprehensive record of its work ([G/SPS/GEN/2097](#)); (ii) a collection of available tools and resources ([G/SPS/GEN/2098](#)); and (iii) an overview of outcomes and recommendations ([G/SPS/GEN/2099](#)). The Collection of available Tools and Resources, and the Recommendations were successfully adopted by the SPS Committee ([G/SPS/67](#) and [G/SPS/68](#)) in March 2023. The Collection lists readily available resources at the disposal of Members looking to adopt or refine SPS approval procedures. The Recommendations encourage Members to consider the use of SPS Committee mechanisms to facilitate discussions on approval procedures, to explore the need for additional guidance or tools, and to further the implementation of the SPS Agreement in relation to approval procedures. Among other things, Members are encouraged to: (i) make information available on official websites, ideally in multiple languages, and to use e-tools to provide clear and timely information; (ii) have up-to-date contact details on the e-Ping SPS&TBT Platform; (iii) notify new or changed approval procedures; (iv) provide information proactively at the start of the approval process; (v) maintain an open and ongoing communication throughout approval processes; and (vi) use international tools for the electronic exchange of certificates. Members are also encouraged to engage in regulatory cooperation and to make use of modern technologies and practices, such as remote audits.

Functioning of the SPS Committee

1.8. Following the CTG Chairperson's request for subsidiary bodies to organize discussions on the functioning of committees and to produce written reports summarizing these discussions and describing the improvements,⁸ the SPS Committee held several discussions on the functioning of the SPS Committee. Members discussed several proposals on possible areas for improving the functioning of the SPS Committee and attention was drawn to relevant documents circulated in other Committees.⁹ In addition, Members made oral suggestions in meetings. In the discussions, Members underscored that the SPS Committee regularly discussed how to improve its practices, including in the context of the reviews, and had, in fact, already implemented many of the proposals which had been put forward by Members in the context of the CTG and other committees. In response to a request from a Member, the Secretariat provided feedback on one of the proposals and highlighted areas where the SPS Committee was already implementing best practices and identified areas that could be improved or harmonized.¹⁰ In October, the Chairperson prepared under his own responsibility a report to CTG on the improvements in the functioning of the SPS Committee.¹¹ Members' comments were taken into consideration in the finalization of this report.

⁵ [G/SPS/GEN/2134](#) (and subsequent revisions).

⁶ [G/SPS/W/344](#) (and subsequent revisions).

⁷ [G/SPS/W/328/Rev.1](#) and [G/SPS/W/328/Rev.1/Add.1](#). The Working Group on Approval Procedures was established in November 2020. Twenty-five Members participated in the Working Group: Argentina, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, the European Union, Japan, Mexico, New Zealand, Norway, Paraguay, Peru, the Philippines, the Russian Federation, Singapore, South Africa, Switzerland, Chinese Taipei, Ukraine, the United Kingdom, the United States, and Uruguay. The OECD also participated.

⁸ [JOB/CTG/29](#) and [JOB/CTG/33](#).

⁹ [JOB/SPS/25/Rev.3](#) submitted by Argentina, Brazil, Colombia, Ecuador, Paraguay, Peru and Uruguay; [WT/GC/W/874](#) submitted by India; and [JOB/CTG/26/Rev.1](#) submitted by the United Kingdom.

¹⁰ The Secretariat's presentation was circulated as room document [RD/SPS/227](#).

¹¹ [G/L/1508 - G/SPS/69](#).

1.9. At the November Committee meeting, Members again held discussions on how to further improve the Committee's functioning, considering suggestions regarding in-person participation at SPS Committee meetings, STC interventions and order of the meeting agenda, among others.

Sixth Review

1.10. In July, the Committee requested that the Secretariat prepare a process and timeline for the Sixth Review of the Operation and Implementation of the SPS Agreement. The Committee considered and adopted the procedure¹² at its November meeting.

Information from Members

1.11. Throughout the year, Members shared information on various SPS-related issues. Japan provided regular updates on the Fukushima Daiichi nuclear power station, including on the discharge of advanced liquid processing system (ALPS) treated water, and Ukraine provided information on the current functioning of its SPS infrastructure and other SPS aspects related to its food security situation. In addition, the United States highlighted an information session held on "Voices from the Field: Digital Solutions and Innovations for Sustainable Agriculture"¹³ and an APEC Food Safety Cooperation Forum Workshop on "Risk Communication Related to Maximum Residue Limits". Brazil and the United States also drew attention to their submissions on enhancing food security.¹⁴ The Russian Federation provided an overview of the results of an International Conference on Food Safety and Antimicrobial resistance (AMR) held in Moscow, in December 2022. Also, the European Union provided information on the European Commission proposal on plants obtained by certain new genomic techniques and their food and feed, as well as updated the Committee on EU recommendations to combat antimicrobial resistance as part of the One Health approach. Furthermore, the European Union drew attention to the Better Training for Safer Food (BTSF) initiative. Côte d'Ivoire shared information on the issuance of electronic phytosanitary certificates and Brazil drew attention to its request for the Chairperson to facilitate consultations with Nigeria regarding exports of its meat and other products under the SPS Committee's ad hoc consultations procedure in [G/SPS/61](#).

1.12. During 2023, Canada, the European Union, Japan and the United States reported on their technical assistance activities to developing countries. Argentina also presented on its international technical cooperation for global food security provided between 2012 and 2022. In addition, the Russian Federation provided information on its technical support in the area of AMR.

1.13. Certain Members also shared information on their pest or disease status. With respect to control, inspection and approval procedures, one Member shared information on its actions taken to protect poultry from HPAI.

Specific Trade Concerns

1.14. The SPS Committee considered a wide range of STCs. Members raised seventeen new STCs in 2023, including in relation to: import restrictions on several products after the discharge of ALPS treated water; pesticide maximum residue limits (MRLs); import restrictions on account of bovine spongiform encephalopathy (BSE), highly pathogenic avian influenza (HPAI), African swine fever (ASF), foot and mouth disease (FMD) concerns; *xylella fastidiosa* surveillance requirements; and delays, burdensome requirements, and communication issues in relation to SPS approval procedures. In addition, many previously raised STCs continued to be discussed. Members intervened on issues such as: the regulatory approach to pesticide MRLs, including the lowering of certain MRLs in food and feed to protect pollinators (which many Members considered to be an issue linked to the protection of the environment, outside the scope of the SPS Agreement), legislation on endocrine disruptors; maximum levels for contaminants in food products; legislation on veterinary medicinal products; COVID-19 related import restrictions; and registration requirements for exporting establishments, including delays in listing or reinstatement. Other STCs pertained to: GM-related certificate requirements; restrictions on animal products, many due to

¹² [G/SPS/W/346](#).

¹³ This event was organized in November 2022 by Argentina, Brazil, Canada, Israel, Paraguay, and the United States, in coordination with the Digital Agriculture Association. A summary of the event and the link to the recordings are available in document [G/SPS/GEN/2092](#).

¹⁴ [JOB/SPS/31](#) (submission by Brazil) and [G/SPS/GEN/2168](#) (submission by the United States).

animal diseases (e.g. HPAI, ASF, and BSE concerns), as well as disease status of countries or areas as recognized by WOAH; and import restrictions due to pest-related issues.

Annual Reports

1.15. During 2023, the Committee considered several annual reports prepared by the Secretariat, such as the Annual Overview on Implementation of SPS Transparency Provisions and Specific Trade Concerns,¹⁵ issued before the March SPS Committee meeting. The Secretariat also drew attention to the updated Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement,¹⁶ which reflects the new ePing SPS&TBT Platform and notification practices.

1.16. At its July meeting, the SPS Committee considered the Annual Report on the Implementation of Article 6 (this concerns the principle of regionalization),¹⁷ and the Annual Report on the Procedure to Monitor the Process of International Harmonization.¹⁸ Members continued to discuss three issues that had been raised in previous years related to Members' implementation of standards developed by WOAH on African swine fever (ASF), highly pathogenic avian influenza (HPAI), and bovine spongiform encephalopathy (BSE). WOAH also provided an update on the work of its [Observatory](#) in the March meeting.¹⁹

1.17. In addition, the Secretariat presented in the November meeting, the Annual Report on the Use of the Procedure to Encourage and Facilitate the Resolution of Specific Sanitary or Phytosanitary Issues among Members in accordance with Article 12.2 ([G/SPS/61](#)).²⁰ In this report, an update was provided on a request for the Good Offices of the Chairperson received in 2022.²¹

Special and Differential Treatment

1.18. At the request of Members, in the March meeting the Secretariat presented, the special and differential treatment provisions and mechanisms in the SPS Agreement, as well as the related work of the SPS Committee and other WTO fora in this area.²² Members highlighted the importance of operationalizing these provisions and referred to the work of the thematic groups under the MC12 Declaration. In July and November, the Secretariat also provided an update on the ongoing discussions in the Special Session of the Committee on Trade and Development regarding the G-90 special and differential treatment proposals on the SPS and TBT Agreements.²³ The United States also drew attention to its submission²⁴ on its experiences and observations in the TBT area shared at the event on the SPS and TBT Agreements during the CTD-SS.

International Standard-Setting Bodies and Other Observer Organizations

1.19. The SPS Committee maintained its close working relationship with Codex, the IPPC, and the WOAH (founded as OIE) and received regular updates on their activities. Other observer organizations also provided information on their activities. In 2023, one renewed expression of interest for observer status was submitted by the International Olive Council (IOC).²⁵ However, the SPS Committee did not reach consensus on IOC's request.

1.20. In relation to the number of outstanding requests for observer status²⁶, the Committee agreed with the Chairperson's proposal that the Secretariat send a letter to these organizations, on his behalf, indicating that these requests had been pending for several years without consensus on granting observer status, and that the Committee considered it important to renew their interest if

¹⁵ [GEN/804/Rev.15](#) and [GEN/204/Rev.23](#).

¹⁶ [G/SPS/7/Rev.5](#).

¹⁷ [G/SPS/GEN/2127](#).

¹⁸ [G/SPS/GEN/2126](#).

¹⁹ On the margins of the March 2023 Committee meeting, Codex, the IPPC and WOAH organized a side event on [Monitoring the Implementation of International Standards](#) (also see document [G/SPS/GEN/2100](#)).

²⁰ [G/SPS/GEN/2154](#).

²¹ [G/SPS/GEN/2078](#) and [G/SPS/GEN/2079](#).

²² The presentation was circulated as document [RD/SPS/226](#).

²³ [JOB/TN/CTD/3](#) and [JOB/TN/CTD/3/Corr.1](#).

²⁴ [G/SPS/GEN/2162](#).

²⁵ Previously, the IOC had submitted an initial expression of interest ahead of the June 2022 SPS Committee meeting in document [G/SPS/GEN/121/Add.20](#).

²⁶ List of pending requests available in document [G/SPS/W/78/Rev.15](#).

they still wished their request to be considered. In the absence of a response, these organizations would be removed from the list of pending requests.

Technical Assistance, Thematic Sessions and Side Events

1.21. At each of its meetings, the SPS Committee was kept informed of the work of the Standards and Trade Development Facility (STDF).²⁷ In addition, the Secretariat kept the SPS Committee apprised of SPS-related technical assistance activities in 2023²⁸, including: (1) [a revamped Advanced Course on the SPS Agreement](#); and (2) a regional SPS workshop for Central and Eastern Europe, Central Asia and the Caucasus countries.

1.22. The SPS Committee also continued to organize dedicated activities to exchange experiences and hear from experts on the margins of its meetings. In November 2023, a [Thematic Session on Risk Communication, Misinformation, and Disinformation](#) was held,²⁹ based on a proposal by the United States.³⁰ This thematic session focused on SPS risk communication with an emphasis on public perceptions of issues concerning food technology, health, and the environment. The session explored the concepts surrounding information manipulation and their relevance within the context and implementation of the SPS Agreement. In particular, speakers focused on the evolution of misinformation and disinformation, including its possible effect on policy decisions, how it is being deployed around agricultural food safety issues, and how Members can identify and address it at early stages.

1.23. In addition to these activities, several side events were organized on the margins of the SPS Committee meetings. These included: (1) an OECD side event to present its report on [Sanitary and Phytosanitary Approval Procedures: Key Issues, Their Impact on Trade and Ways to Address Them](#)³¹; (2) a Codex-IPPC-WOAH side event on [Monitoring the Implementation of International Standards](#)³²; (3) an STDF side event entitled [Facilitating safe trade: Why does gender matter for SPS compliance?](#)³³; (4) a side event organized by the European Union titled "Empowering Learning and Impact: BTSF in your language"³⁴; (5) a Book Launch on the Second Edition of the WTO Agreement on Sanitary and Phytosanitary Measures – A commentary, organized by Oxford University Press³⁵; and (6) an OECD event on "Costs, Benefits and Effectiveness of Remote Audits for International Food Safety"³⁶

2024 SPS Committee Meetings

1.24. The SPS Committee tentatively agreed to hold regular meetings on 20-22 March, 26-28 June, and 13-15 November 2024.³⁷ In addition, a workshop on transparency will be held during the March SPS Committee week, and thematic sessions will be further scheduled during the year, based on Members' proposals.

²⁷ [G/SPS/GEN/2102](#), [G/SPS/GEN/2135](#), and [G/SPS/GEN/2158](#).

²⁸ [G/SPS/GEN/997/Rev.13](#).

²⁹ The final programme of the thematic session is contained in document [G/SPS/GEN/2155/Rev.1](#), and the presentations and links to the recording are available on the dedicated [webpage](#). In addition, the presentations have been circulated as room documents (RD/SPS/229 to RD/SPS/243), and the report of the thematic session will be made available in the annex of the summary report of the November 2023 SPS Committee meeting.

³⁰ [G/SPS/GEN/2067/Rev.1](#).

³¹ [G/SPS/GEN/2105](#).

³² [G/SPS/GEN/2100](#).

³³ [G/SPS/GEN/2135](#).

³⁴ [G/SPS/GEN/2157](#).

³⁵ A recording of the Oxford University Press side event is available at: <https://youtu.be/iLOMzPrOeIo>.

³⁶ [G/SPS/GEN/2156](#).

³⁷ [G/SPS/GEN/2117](#).