



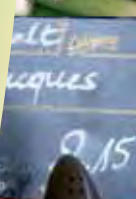
WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

[PROCEDURAL STEP-BY-STEP MANUAL
FOR]

[SPS NATIONAL NOTIFICATION
AUTHORITIES]

&

[SPS NATIONAL
ENQUIRY POINTS]



Acknowledgements

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CHAPTER ONE

1. TRANSPARENCY

1.1 Introduction

Under the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement), each Member of the WTO has obligations relating to "transparency".

In essence the word transparency in the context of the WTO is used to signify one of the fundamental principles of its agreements: the aim to achieve a greater degree of clarity, predictability and information about trade policies, rules and regulations of Members. In implementing this concept Members use notifications. Transparency under the SPS Agreement also implies answering reasonable questions and publishing regulations.

For example, Members are required to publish all sanitary and phytosanitary measures (SPS measures) and notify changes to SPS measures. In implementing the agreement, members are required to identify a single central government authority to be responsible for the notification requirements of the SPS Agreement, the National Notification Authority (NNA). Also, Members are required to establish a National Enquiry Point (NEP) responsible for answering questions from other Members about SPS measures and related issues.

This manual is meant as a practical step-by-step guide for governments to facilitate the implementation of the transparency provisions of the SPS Agreement. It deals in detail with the setting up and operation of enquiry points and notification authorities. While it may be especially useful for developing and least-developed countries (LDCs), it may also be a useful reference for countries that are acceding to the WTO and establishing notification authorities, as well as WTO Members in general (See Appendix 7 for a country's example in establishing a National Notification Authority and a National Enquiry Point).

This manual is not intended to provide any legal interpretation of the SPS Agreement and is without prejudice to the rights and obligations of Members under the WTO Agreements.

1.2 Background To The WTO Notification System

One of the principal innovations of the WTO's SPS Agreement is a requirement for prior notification of SPS measures as stated in Article 7 and Annex B of the Agreement. The SPS Committee, which oversees the implementation of the SPS Agreement, has adopted recommended procedures for Implementing the transparency obligations of the SPS Agreement. These recommended procedures have undergone several revisions in light of Members' experience and proposals. The latest version of the recommended procedures, which entered into effect on 1 December 2008, can be found in Appendix 8.

The main advantage of the notification system is to undertake consultation at an international level by allowing other WTO Members to comment on proposed measures. Any WTO Member country proposing to introduce new SPS measures is, in most circumstances, required to:

- ▶ notify other WTO Members of their intention;
- ▶ provide copies of the draft measure on request;
- ▶ allow reasonable time for other WTO Members to submit comments in writing;
- ▶ discuss these comments on request;
- ▶ take the comments and the results of the discussions into account;
- ▶ explain to the submitting Member how it plans to take their comments into account;
- ▶ where appropriate, provide additional relevant information on the proposed SPS measures concerned;

- ▶ provide the submitting Member with a copy of the corresponding SPS measures as adopted, or information that no corresponding SPS measures will be adopted for the time being.

The SPS notification system also facilitates trade by providing advance notice before new measures must be complied with and provides a 'no surprises' approach.

Whenever an SPS measure is raised in the SPS Committee, the first question usually asked to the Member imposing the measure is whether it was notified to the WTO. It is important that Members comply with the SPS transparency obligations.

Each WTO Member is required to designate a single central government authority as responsible for implementing, on a national level, the notification requirements of the SPS Agreement. In addition, each Member is required to establish an Enquiry Point, which is responsible for the provision of answers to all reasonable questions as well as the provision of relevant documents.

As the functions of a Member's Enquiry Point and Notification Authority are interlinked in many aspects, some countries have found it an advantage to have the same body operating both functions. The principal benefit of such an arrangement is to minimize the impact on financial and physical resources and to build up trade policy expertise in this area in a dedicated unit. In addition, it eliminates the need for coordination between NNA and NEP.

For the purposes of this operational manual, the term "SPS Contact Point" (CP) is used to describe the designated individual or team who undertakes or facilitates the roles and responsibilities of the National Notification Authority (NNA) and the National Enquiry Point (NEP).

This operational manual mainly contains processes which are recommended when you have a reliable internet connection. However, alternative/complementary operational processes such as paper-based systems and/or email-based systems have been included in Appendices 1 and 2, respectively.

CHAPTER TWO

2. RESOURCES

2.1 Establishing an SPS Notification Authority and Enquiry Point

The following part of the manual explains how to establish an SPS NNA (National Notification Authority) and SPS NEP (SPS National Enquiry Point) and the resources needed. It also describes the differences between the roles of the two offices as described in Article 7 and Annex B of the SPS Agreement.

2.1.1 The SPS National Notification Authority (NNA)

Responsibilities

Under the SPS Agreement, countries are required to designate a single central government authority as responsible for implementing, on a national level, the notification requirements of the SPS Agreement. This is the SPS NNA.

The NNA is responsible for:

- ▶ ensuring proposed regulations are published early, to allow for comments;
- ▶ notifying other Members through the Secretariat of SPS regulations, using the appropriate notification forms;
- ▶ providing copies of proposed regulations on request; and
- ▶ ensuring that comments are handled correctly.

Choice of Agency

The task of establishing a NNA is not very difficult. Most Members already have existing government departments or agencies responsible for handling the areas covered in the SPS Agreement (food safety, animal and plant health measures), or for disseminating government information. One of these agencies can be designated by the government to fulfill its notification obligations. The NNA must be part of the central government, so this function cannot be carried out at the sub-national level (by a state, provincial or regional agency).

Most Members find it most convenient for the NNA to be operated by the government department that is most concerned with the responsibilities covered by the SPS Agreement (e.g. food safety, animal health, plant health). Even if these functions are the responsibility of more than one government agency, there should be only one NNA.

The NNA should have access to or have relationships with the technical experts in the sanitary and phytosanitary areas who will be writing regulations which will potentially be future SPS measures. But it does not need to have such experts in its own staff. The primary role of NNA is to oversee the notification process, and scrutinize outgoing notifications to see whether they are correctly completed.

2.1.2 The SPS National Enquiry Point (NEP)

Responsibilities

The NEP is responsible for answering all reasonable questions and providing relevant documents regarding:

- ▶ any sanitary or phytosanitary regulations adopted or proposed within the country;
- ▶ any control and inspection procedures, production and quarantine treatment, pesticide tolerance and food additive approval procedures, which are operated within the country;

- ▶ risk assessment procedures, factors taken into consideration, as well as the determination of the appropriate level of sanitary or phytosanitary protection;
- ▶ the membership and participation of the country, or of relevant bodies within its territory, in international and regional sanitary and phytosanitary organizations and systems;
- ▶ the membership and participation of the country in bilateral and multilateral agreements and arrangements within the scope of the SPS Agreement; and,
- ▶ the texts of any such agreements and arrangements.

The NEP should also provide, upon request, information on participation in any bilateral or multilateral equivalence agreements and arrangements.

While the NNA may handle questions on notified draft measures, the NEP is responsible for answering questions on all existing SPS measures (even those that existed before the WTO and the SPS Agreement came into force).

To see templates of typical letters, faxes or emails that can be used by NEPs and NNAs when communicating with WTO Members, please refer to Appendix 6.

Choice of agency

The NEP system was created so that Members could easily obtain information about SPS and related issues, without having to identify and directly contact the agency responsible for any given function in another Member. NEP is the single contact point to which any relevant enquiries can be made. It has the responsibility of obtaining the answers from the relevant national bodies and replying to the Member making the enquiry.

As with the NNA, the task of establishing an NEP is not a very difficult one. Most Members will already have existing government departments or agencies responsible for handling the areas covered in the SPS Agreement, sanitary and phytosanitary measures, or for disseminating government information. The agency designated as NEP should have relationships with officials in the areas of food safety, animal and plant health so that any answers to any requests can be readily obtained.

Some Members have found an advantage in having the same body to operate both the NNA and NEP. The principal benefits of such an arrangement is, as mentioned earlier, that the roles are so closely linked that having them together minimizes the financial and physical resources needed and also builds up trade policy expertise in this area in a dedicated unit. In addition, it eliminates the need for coordination between NNA and NEP, which can be problematic.

There are two common choices for selecting an agency to operate the SPS NEP:

- ▶ an existing standards information office; or
- ▶ a government department that is most concerned with the responsibilities covered by the SPS Agreement (e.g. food safety, animal health, plant health).

The NEP does not necessarily have to be a government office; it could be contracted to an independent body. Nor does it necessarily have to have officials who can themselves answer any requests made by other Members. The primary role of the NEP is to manage this part of the transparency process: that is, to obtain answers from the relevant government bodies - as quickly as possible - and provide them to the Members requesting the information. Alternatively, the relevant government body could respond directly to the requestor, with the NEP providing oversight.

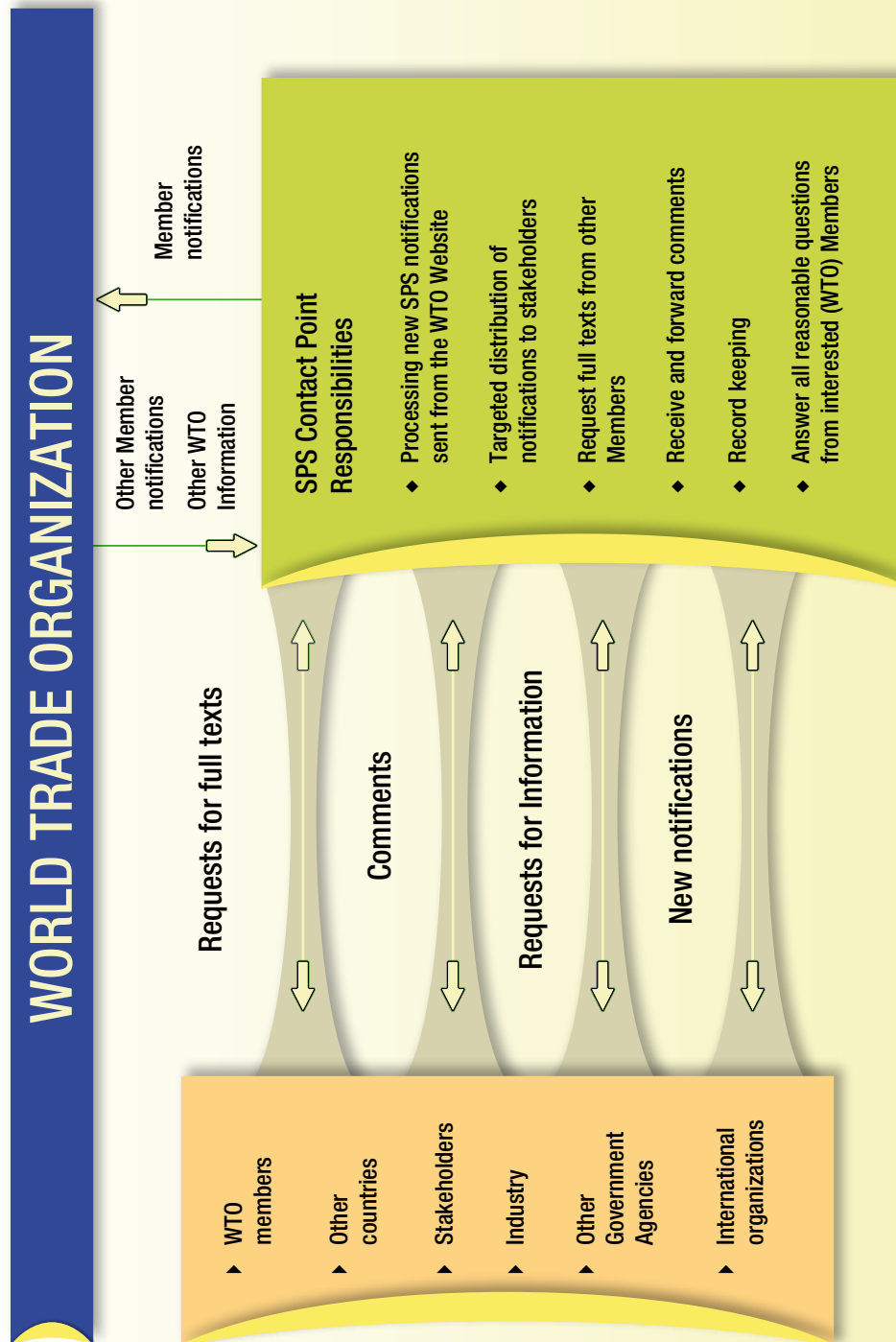
2.1.3 Letting the WTO know

When your country's NNA or NEP has been established, you should inform the WTO of this. The WTO Secretariat should also be informed if any contact information for them has changed. Information to include when notifying the WTO of your country's NNA & NEP are:

- ▶ Contact name
- ▶ Name of institution
- ▶ Postal address / Physical address
- ▶ Phone
- ▶ Fax
- ▶ E-mail
- ▶ Internet address

This information should be sent, preferably by email, to Gretchen Stanton (gretchen.stanton@wto.org) with a copy to Irma Bracco (irma.bracco@wto.org).

2.1.4 Responsibilities of the SPS Contact Point (Combination of NNA & NEP)



2.2 Personnel

Each Member will have their own internal governance requirements; however, it is recommended that at least one person be designated with the role that has primary responsibility for managing the duties of the CP (Contact Point).

It is recommended that at least two personnel are trained in CP operations as this allows for absences and commitments of staff to other duties. Where a Member operates using an efficient computer/electronic based CP, the roles and responsibilities of the CP would, on average, take one person approximately four (4) hours per week. Therefore, computer technologies should be used, where possible, to operate a more efficient CP.

2.3 Computer and Communication Hardware

The CP operate most efficiently if there is reliable / regular computer access to internet and email facilities. However SPS notifications, requests for full texts, comments, and draft member notifications can be managed using either hard copy (paper copies) or an electronic system.

A book containing the contact details for all Members' NEP and NNA should be available and kept up to date. (The most recent information on these contact details are available through the SPS Information Management System – SPS IMS – <http://spsims.wto.org> under **predefined reports** or **search NEP/NEP**). All materials need to be accessible to all officers involved in operating the CP. Telephones, fax machines, photocopiers and printers also need to be available for use.

The whole notification process associated with CPs relies heavily on efficient communication between domestic stakeholders, and internationally with the SPS Secretariat and other WTO Members. Given that full text documents requested by other Members should be provided within five working days, a system without email, internet and fax machine facilities does present additional challenges to meet the recommended procedures. However, recognizing that some Members do not have reliable internet access or computer technology, an efficient and simple paper based system can still be readily developed and adopted.

2.4 Computer software

It is recommended that a readily available software package be used. Each Member will have its individual software systems, however as Microsoft (MS) Windows is a widely used software package, this Operational Manual is based on the MS operating system with MS Excel for spreadsheet and database work, MS Word for basic word processing, Internet Explorer as the internet application and MS Outlook as the email application. Internet Explorer browser is used to access WTO documents and full texts which are available on the internet.

2.5 Operational manual

It is recommended that each Member develop and maintain an individualised (country specific) detailed operational manual for performing all duties of the CP. The manual is essential for training new staff and for maintaining continuity and consistency in the operation of the CP. It should contain detailed instructions that are highly specific to the Member's governance arrangements and standard operating requirements and work area. The manual is a living document and should be updated whenever there is a change in the Member's operational arrangements or governance structure.

CHAPTER THREE

3. DEVELOPMENT OF A FILING STRUCTURE

3.1 File Structure

A suggested basic storage/records management structure is outlined below. This structure can be used either for electronic or hardcopy storage.

A simple, logical filing/records management structure can easily be established, with files based on, for example:

- Relevant Notifications
 - Comments on [your country] Notifications
- Full Texts (of notified measures)
- Requests for Full Text
- SPS Committee documents
- Information requests
- SPS Contact Point Correspondence
- In-Country Contacts
 - In-Country Distribution lists

If stored electronically, it is important that there is a back up of the information so that damaged or deleted files can be retrieved if necessary. It is also recommended that within your filing structure an "SPS working file" is created, this providing a temporary place to save email attachments etc., while you are processing them. If hardcopy filing is used, it may be helpful to reflect any electronic filing structure.

3.2 Notifications

SPS notifications can be either saved electronically or in hardcopy folders, and it is recommended that they are sorted by Member and stored in alphabetical order for an easier reference. However, with the SPS IMS online system, there is now no real need to save notifications. It is recommended that notifications be saved individually by each Member only if they need to do follow-up on that particular notification or if access to the internet is difficult or unreliable.

3.3 Full text documents

Full text documents are stored electronically, grouped by the Member producing the document (e.g. sorted by Member and stored in alphabetical order for easy reference). It is recommended that they be stored electronically, and not in hardcopy as many are quite large which would require significant storage space. However if the Member's electronic storage is not reliable, then filing in hardcopy could be advantageous. It is recommended that all correspondence relating to full texts, including requests and receipts are also filed electronically and/or in hardcopy.

3.4 Comments

It is recommended that comments on any notifications be stored either electronically or in hardcopy.

3.5 Database

If an Excel database is established to record the movements of notifications and full texts, it is recommended that it is only stored and accessed electronically, and that back up copies of the file are made on an ad hoc basis.

CHAPTER FOUR

4. SPS CONTACT POINT EMAIL MANAGEMENT

4.1 Establish or Obtain access to the SPS Contact Point email box

To operate an efficient CP you need to set-up a dedicated email address for the "SPS Contact Point". This could also be a hotmail or a gmail address. To do this get assistance from your IT provider.

If you are establishing an Outlook address, then it is recommended that the dedicated email account be accessible to all CP operators in your department with 'read' and 'sending' access to the SPS Contact Point mailbox. If it is a hotmail etc., address, ensure that all those involved in operating the NNA & NEP have full access to the email address.

For the CP using Outlook, check whether you can send emails on behalf of the 'SPS Contact Point' (this can be determined by viewing the "From" field and inserting 'SPS Contact Point' and use Ctrl K to find the correct address - try sending an email to yourself to see if it works). Be aware that if you do not actively insert SPS Contact Point, the program will by default send from your usual email address.

4.2 Establish SPS Contact Point email signatures in Outlook

It is recommended that a number of standard 'SPS Contact Point' email signatures be used when sending out material, such as notifications. The email signatures have standard body text. These texts will need to be modified to include relevant contact details (such as name and phone number).

To add signatures in Outlook, go to **Tools\Options\Mail** format tab and select the signatures button. Select **New** then choose a title for the signature, click **next**, copy and paste the template signature across from the Word document. Edit it for your personal details.

Check what it looks like on emails by opening a new email and choosing Insert\Signature\{new signature name}.

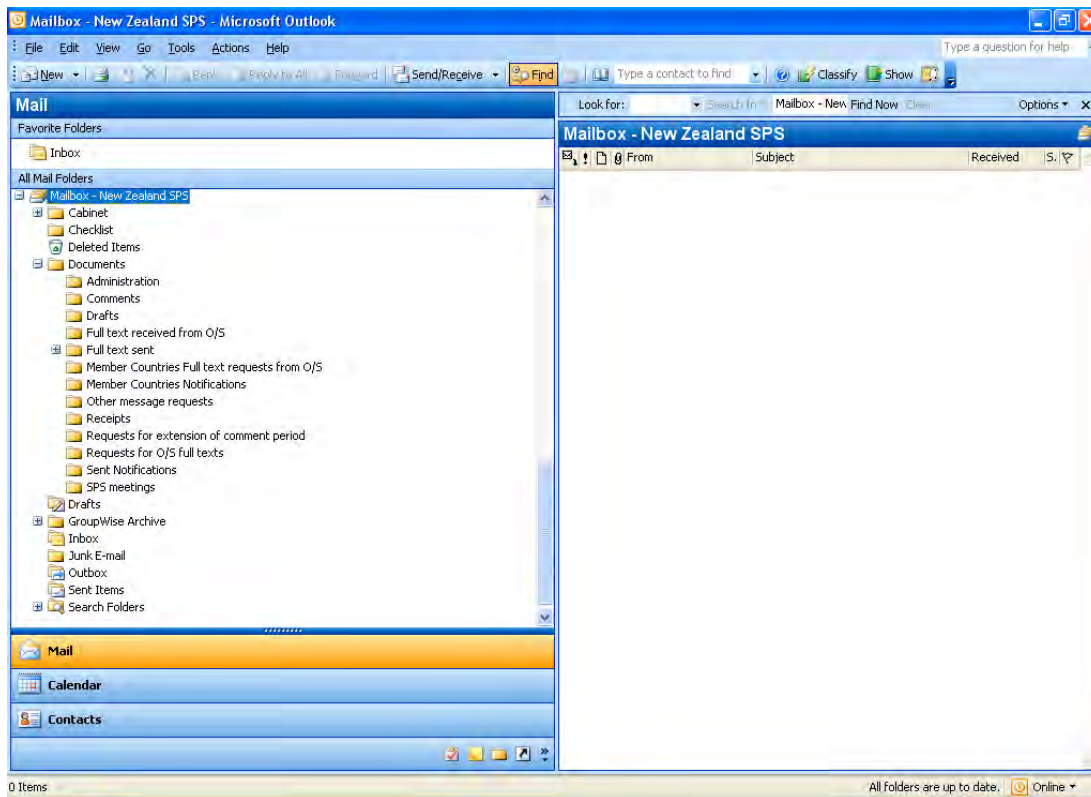
4.3 Email Filing

It is recommended that all relevant emails coming into and being sent from the 'SPS Contact Point' mailbox be categorized and saved into appropriate email folders, and then archived when appropriate (such as when memory space becomes limited). Some suggested folders/categories for email storage can include administration, folders relating to full texts, comments, sent notifications and other information requests. Descriptions of possible folders/categories of emails are outlined below, these are only suggestions, and each Member will need to design their own system that works best for them.

Important documents should be filed separately in the appropriate place (e.g. any full-text documents requested from another Member that are attached to an email should be filed in the that Member's file with the original notification.)

All emails need to be moved from the Inbox to the appropriate folder/category once they have been opened, read and acted upon.

The folders are shown in the next image:



Below is a brief description of what to move to each folder.

Administration folder – emails from Irma Bracco or the WTO's SPS Secretariat, which relate to adding or removing people from the email contact lists, emails about processes of the CP.

Comments folder – emails that contain comments on other Members' notifications, forwarded comments emails, comments received on your notifications from other Members, responses, etc.

Drafts folder – draft emails (such as those containing a notification, or advice to domestic stakeholders) can be used for preparing a notification that is to be emailed out. They can be saved to this box and sent when you are happy that the e-mail is correct. After a message has been moved to this folder, it is saved.

[Member] Full Text Requests from other Members' folder – all emails relating to requests for full texts of your notifications. (Please note that O/S is an abbreviation for "overseas" or "other Members".)

[Member] Notifications folder – all emails that relate to new notifications you submit to the WTO. This will include drafts, sent emails that relate to when, what and to whom emails and documents were sent.

Full Text Sent folder – all emails where full texts have been sent to the requesting person, to document that the request has been fulfilled. Outlook will automatically put these in your personal "sent mail" file, so you'll need to move them to this folder.

Full Text Received from other Members folder – all emails of full texts which have been received from other Members.

Other messages requests folder – All emails that request assistance or other non-notification requests.

Receipts folder – any emails where people have acknowledged receipt of emails/documents etc.

Requests for extension of comment period folder – any messages that relate to requests for extensions of the comment period for any notification.

Requests for Full Texts from other Members folder – all emails requesting full texts of other Members' notifications.

Sent notifications folder – after you have sent an SPS notification, the email will be automatically saved in your personal "Sent items" folder. Move the message to this folder so that you have a record of all sent SPS notifications in one folder.

SPS Meetings – any email regarding the quarterly SPS meetings, or related Panel meetings.

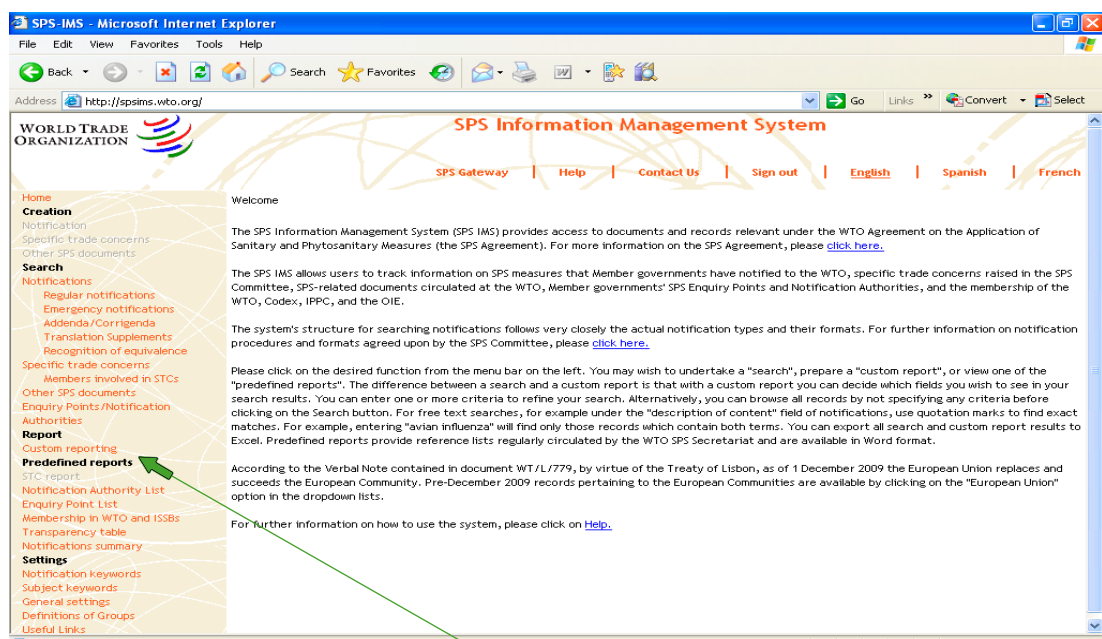
CHAPTER FIVE

5. PROCESSING NOTIFICATIONS MADE BY OTHER MEMBERS

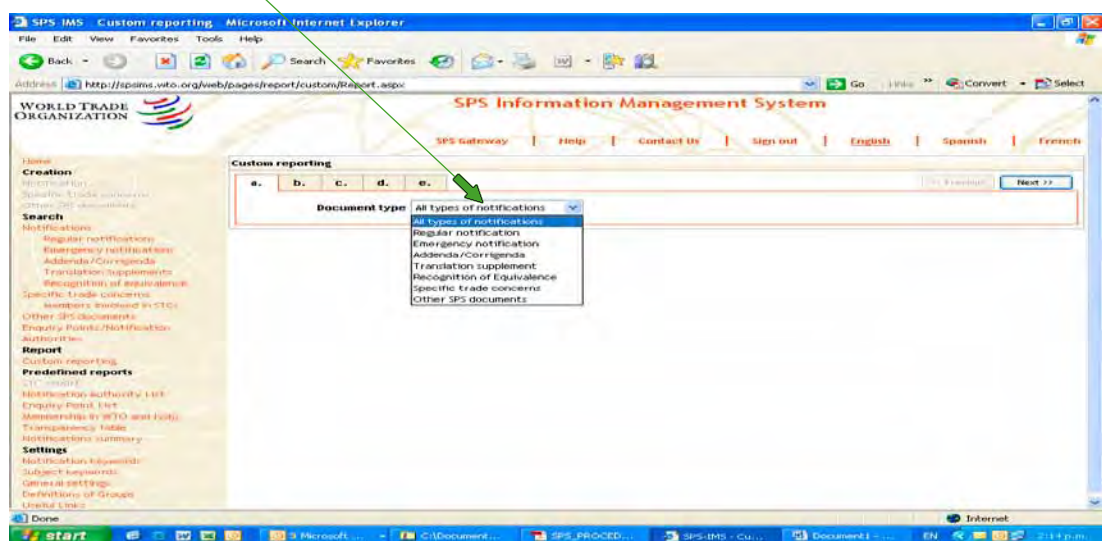
The SPS Information Management System (SPS IMS), which is accessible to Members and other interested parties since October 2007, is a specialized and detailed information source on SPS notifications and other SPS documents. It allows for advanced searches on SPS notifications and also facilitates creation of custom reports.

5.1 Accessing SPS IMS website and generating Excel summary sheets

Log on to the SPS IMS site <http://spsims.wto.org>



From the left hand menu under **Reports**, select **Custom reporting**.
Select **"All types of notifications"** from the drop down menu:



Then click **next** in the top right hand corner.

Enter the date range from which you wish to receive a summary report. The recommended process is for the NNA to complete and send the 'WTO summary sheet' once a week (select preferred day and always use that day) e.g.: Wednesday - if for some reason this can't be achieved weekly on a Wednesday, ensure that the reports are still run from Wednesday to Wednesday (or on your preferred days). You can do this in the **Date of Distribution** tab - enter the date the last report was run in the **From** box and the next Wednesdays date in the **To** box. This ensures that notifications don't get missed. For example if the last report was run on 16/01/08, put this in the **From** box. Then put the date 7 days from that e.g.: 23/01/08 in the **To** box. In this way, if a couple of weeks were missed, it is a reasonably simple process to ensure that the SPS IMS generated Excel sheet picks up all the notifications during that time.

Then click **next** again.

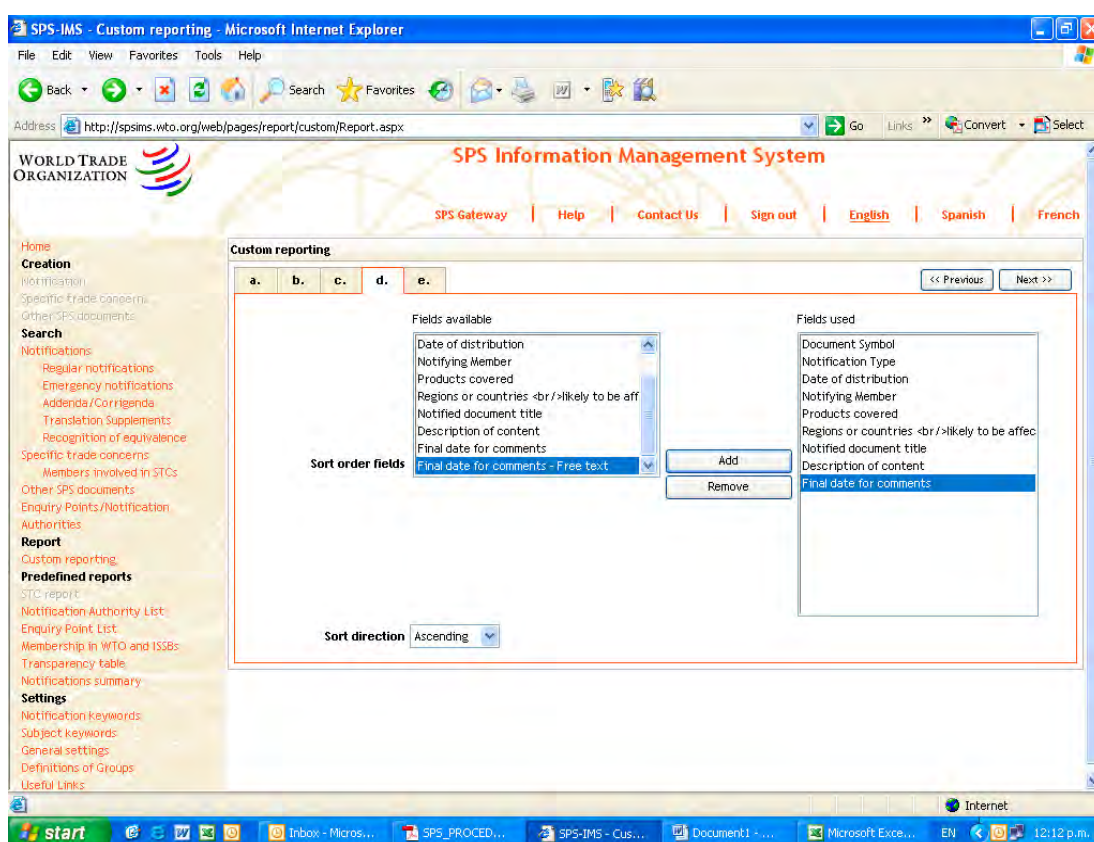
On this screen tick the boxes for the information you require in your report. You can change the order the fields by using the **First, Up, Down, Last** tabs under the field order box, but unless there is a good reason to change them then the order on the SPS IMS is best as it will always be consistent.

Handy hints

If you tick the boxes in the order you wish for them to appear and wait for the screen to refresh after each tick, then the software will put them in that order in the 'field order', which means you don't have to use the 'First', 'Up', 'Down' and 'Last' buttons at the bottom of the 'Field order' box. Another useful option is to select the checkbox named "Links". This option provides you with the hyperlink to the official document.

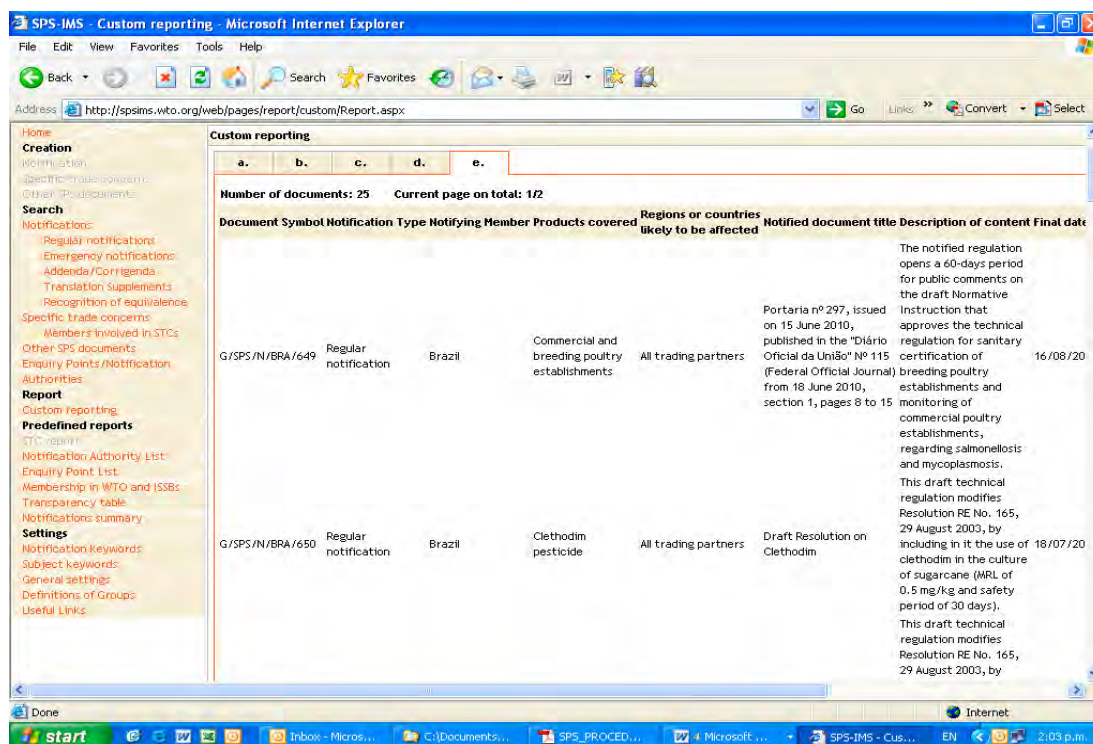
Once you have finished click **next**.

On this screen, highlight the field items in the left hand box, click the **Add** button and it will then transfer into the 'Field used' box on the right side, in the same order you chose on the previous screen. Ensure you have chosen either **ascending** or **descending** option depending on your sort direction preference, remember to use the same one each time you generate an SPS IMS Excel report.



Click **next**.

The following screen shows you all the information you requested in a webpage format.



Scroll to the bottom right hand corner on the webpage and click **Export to Excel**. Wait for a moment and the following message will appear.



Click **open**. Microsoft Excel will automatically open the file. Fields independent of language (non-translatable fields) from newly circulated notifications (such as dates, notifying Members, groups of Members, product codes, keywords) will be immediately available in these custom reports. However, certain fields that contain free-text will only be in the original language until the translations become available and are entered into the system. Since there is a time lag in translating notifications, some of the fields in these tables will therefore be missing.

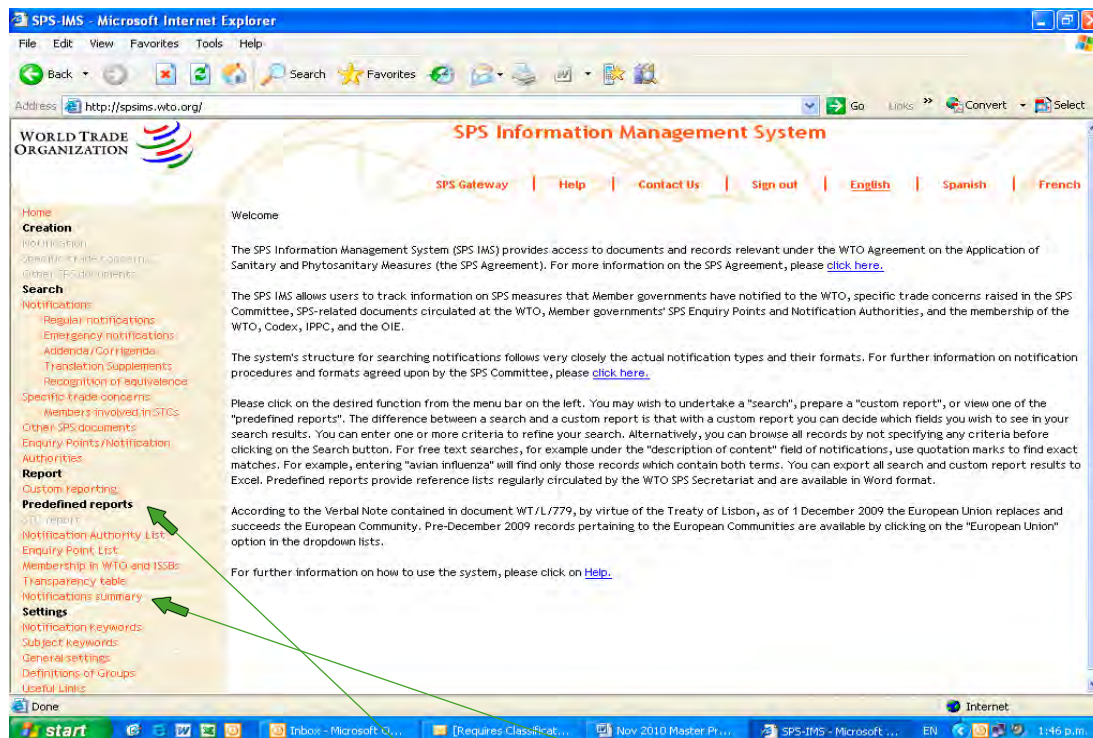
	A	B	C	D	E
	Document Symbol	Notification Type	Notifying Member	Products covered	Regions or countries likely to be affected
1					
2	G/SPS/NBRA/649	Regular notification	Brazil	Commercial and breeding poultry establishments	All trading partners
3	G/SPS/NBRA/650	Regular notification	Brazil	Clethodim pesticide	All trading partners
4	G/SPS/NBRA/651	Regular notification	Brazil	Fluazifop-P pesticide	All trading partners
5	G/SPS/NBRA/652	Regular notification	Brazil	Brassica oleracea var. botrytis seeds	Peru
6	G/SPS/N/CAN/448	Regular notification	Canada	Pesticide propiconazole in or on cereal grain	All trading partners
7	G/SPS/N/CAN/449	Regular notification	Canada	Pesticide cyazofamid in livestock commodities	All trading partners
8	G/SPS/N/CAN/450	Regular notification	Canada	Pesticide difenoconazole in or on various food crops	All trading partners
9	G/SPS/N/CAN/451	Regular notification	Canada	Pesticide boscalid in or on specified leafy vegetables	All trading partners
10	G/SPS/N/CAN/452	Regular notification	Canada	Pesticide S-metolachlor in or on garden bees	All trading partners
11	G/SPS/N/CAN/453	Regular notification	Canada	Pesticide fluazinam in or on dry shelled beans	All trading partners
12	G/SPS/N/COL/198	Regular notification	Colombia		United States
13	G/SPS/N/COL/199	Regular notification	Colombia		All trading partners
14	G/SPS/N/EGY/39	Regular notification	Egypt	Wheat	All trading partners
15	G/SPS/N/IND/69	Regular notification	India	All food products	All trading partners
16	G/SPS/N/JPN/253	Regular notification	Japan	- Meat and edible meat offal (HS Codes: 02.01 to 02.03)	All trading partners
17	G/SPS/N/JPN/254	Regular notification	Japan	Food additives, i.e. phenethylamine, butylamine, and benzylamine	All trading partners
18	G/SPS/N/JPN/255	Regular notification	Japan	Food additives	All trading partners
19	G/SPS/N/NOR/30	Regular notification	Norway	Living alien organisms	All trading partners
20	G/SPS/N/PER/340	Emergency notification	Peru		Ecuador
21	G/SPS/N/PER/341	Regular notification	Peru		Costa Rica
22	G/SPS/N/PER/342	Regular notification	Peru		All trading partners
23	G/SPS/N/PHL/93/Add.1	Addenda/Corrigenda	Philippines	Domestic and wild birds and their products	Romania and Turkey
24	G/SPS/N/SAU/3	Emergency notification	Saudi Arabia	Meat and meat by-products (chilled, frozen)	Kazakhstan
25	G/SPS/N/THA/185/Add.1	Addenda/Corrigenda	Thailand	Plants and plant products	All trading partners
26	G/SPS/N/USA/2041	Regular notification	United States	Plants	Mendoza Province, Argentina
27					
28					
29					
30					
31					
32					
33					

Rename the spreadsheet with your preferred reference e.g.: WTO summary sheet 09-01-08 and save in the appropriate place in your filing system. Then format the spreadsheet so that it is easy to read for recipients and consistent with previous reports.

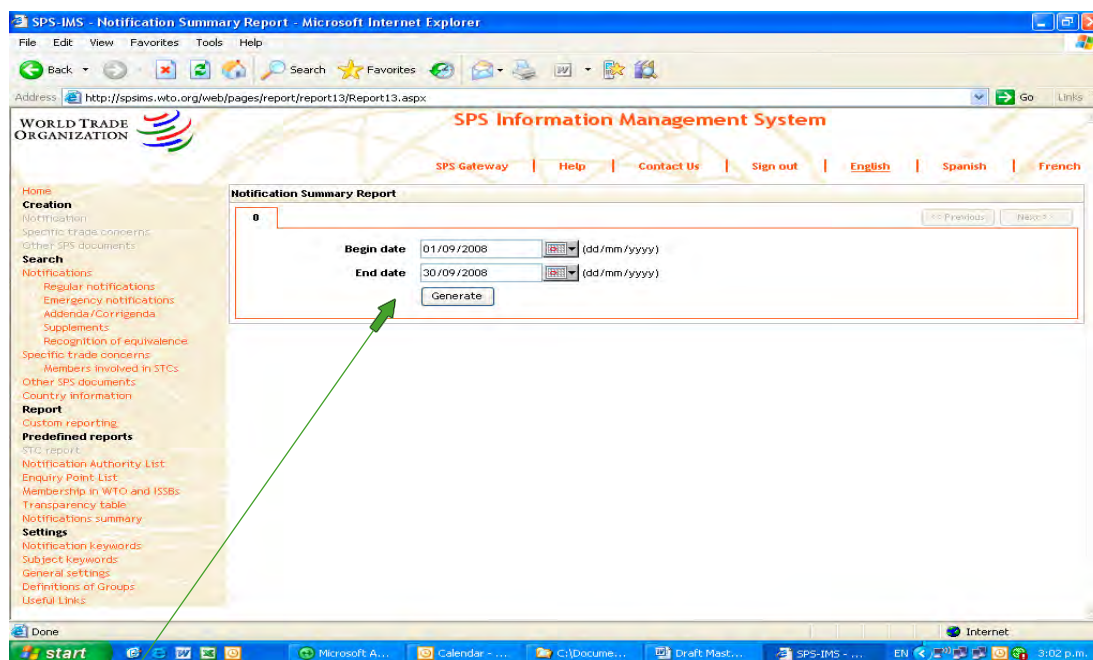
Once you have completed this process log off the SPS IMS site, email the WTO summary sheet to appropriate stakeholders (as described in Chapter 7) and save it in the appropriate place in your filing system. As noted in the handy hints box above, if you were to have selected the "Links" option in Tab c., interested stakeholders could then access the full texts of the notifications by clicking on the hyperlinks in the summary sheet.

5.2 Accessing SPS IMS website and generating Word summary sheets

Log on to the SPS IMS site <http://spsims.wto.org>



From the left hand menu under **Predefined Reports**, select **Notification summary**.



Select dates to fit with your desired summary timeframe, e.g.: If you want to report weekly, you could chose to run the report from a Monday to a Monday. Once you have selected the dates, click **Generate**.

The system will then automatically generate a 'word document' summarizing all notifications received by the WTO over that period.

Once you have completed this process log off the SPS IMS site, email the Word WTO summary sheet to appropriate stakeholders (as described in Section 6.3) and save it in the appropriate place in your filing system.

5.3 Downloading notifications

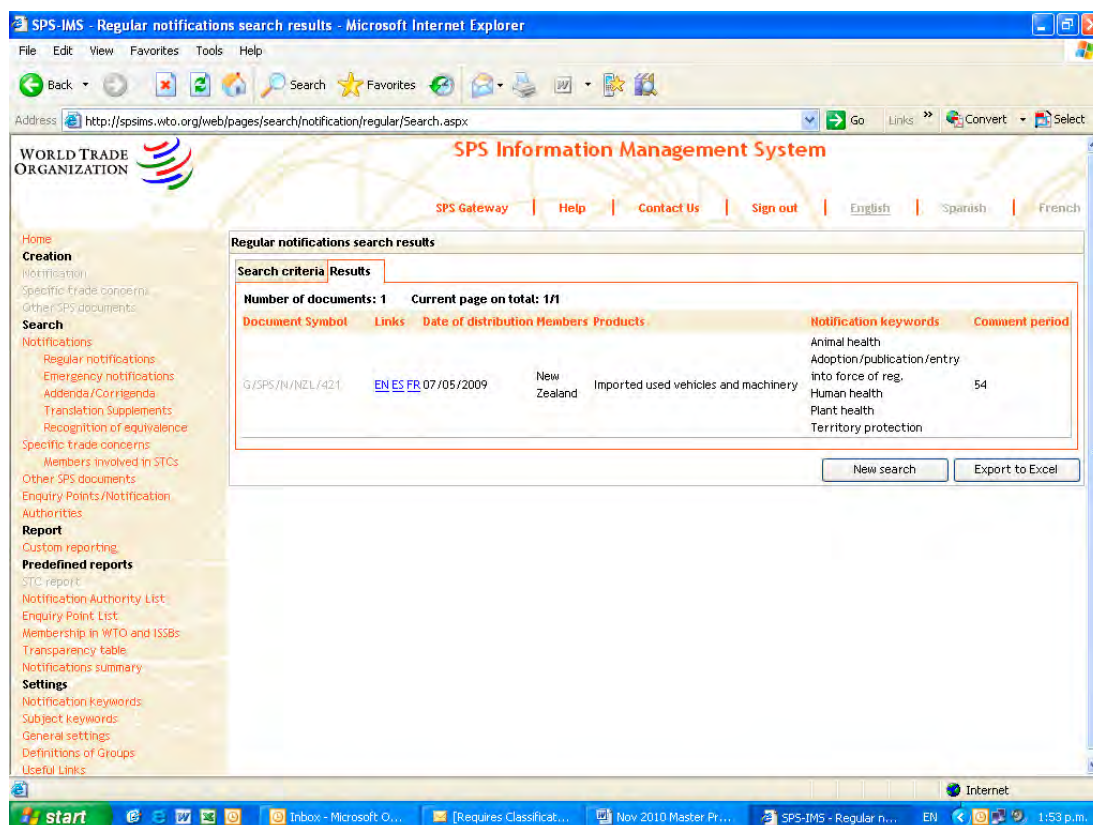
If you use the **Custom reporting** function to prepare a summary sheet, the texts of notifications can be accessed through their hyperlinks (see the handy hint box above). In this case, there is no need to download the notifications. However, this also means that if your internet connection is down you will not have easy access to the notifications when you want them on the WTO website. For this reason, it is recommended that Members without reliable internet access also download notifications of interest. To access the documents, log on to the SPS IMS site <http://spsims.wto.org>. Select from the left hand menu under **notifications** the type of notification it is e.g. regular, addendum, etc. The screen below will appear:

The screenshot displays the SPS Information Management System (SPS IMS) search interface. The browser window title is "SPS-IMS - Search regular notifications - Microsoft Internet Explorer". The address bar shows the URL "http://spsims.wto.org/web/pages/search/notification/regular/Search.aspx". The page features a header with the WTO logo and navigation links: "SPS Gateway", "Help", "Contact Us", "Sign out", "English", "Spanish", and "French". A left sidebar contains a menu with categories: "Home", "Creation", "Search", "Report", "Predefined reports", "STC report", "Notification Authority List", "Enquiry Point List", "Membership in WTO and ISSBs", "Transparency table", "Notifications summary", "Settings", "Notification keywords", "Subject keywords", "General settings", "Definitions of Groups", and "Useful Links". The main content area is titled "Search regular notifications" and contains a search criteria form. The form includes a "Document Symbol" field, "Date of communication to CRN" (From/To), "Date of reception at CRN" (From/To), "Date of distribution" (From/To), "Notifying Member" (dropdown), "Development status" (dropdown), "Geographic/economic groups" (dropdown), and "Products covered" (text input). Below the form is a list of available products with checkboxes and buttons to add, remove, or view details. The list includes: 01 - LIVE ANIMALS, 02 - MEAT AND EDIBLE MEAT OFFAL, 03 - FISH AND CRUSTACEANS, MOLLUSCS AN, 04 - DAIRY PRODUCE; BIRDS' EGGS; NATURA, 05 - PRODUCTS OF ANIMAL ORIGIN, NOT EL, 06 - LIVE TREES AND OTHER PLANTS; BULBS, 07 - EDIBLE VEGETABLES AND CERTAIN ROC, 08 - EDIBLE FRUIT AND NUTS; PEEL OF CITR, 09 - COFFEE, TEA, MATE AND SPICES.

Complete the **Document Symbol** box with the WTO number for the document you wish to download. All notifications are identified by a number, beginning with *G/SPS/N* where the N denotes a notification. The full name will include the Member and the number of notification for that member; e.g. *G/SPS/N/CHL/34* for notification number 34 from Chile.

This number is termed a '*Document symbol*', so when searching for a specific notification, you will need to enter its number in the document symbol box. Other WTO documents are stored differently. For example, general SPS documents from the WTO are found under *G/SPS/GEN*.

Click **Search**.



To the left hand side there is a column for Links with EN, ES, FR. Choose your language by placing the cursor over it and left click your mouse. A message will appear asking if you want to open or save the document, select save. Save it into your 'SPS working' folder. Once downloaded repeat the process for any other documents you have received requests for. Log off the SPS IMS website. Email downloaded document to the requesting stakeholder.

Handy hints

For further functions of the SPS IMS, you may wish to click on the "Help" link on the SPS IMS welcome page. The help file has recently been updated and contains further explanations and examples to guide users through the multiple features the system has to offer. If you have additional questions, you may wish to click on the "Contact us" link and pose your questions to the WTO SPS Secretariat.

CHAPTER SIX

6. FOLLOWING UP NOTIFICATIONS MADE BY OTHER MEMBERS

6.1 Initiating a request for further information

A Member notifying an SPS regulation is obliged to supply, on request, copies of the proposed regulation. All requests from a Member should be made through the CP to avoid duplication.

Stakeholders should make requests through the CP using the 'Stakeholder Information Request Form' (Appendix 4). All requests for notified documents will be made to the notifying Member's CP, unless it is otherwise specified or an alternative address is listed in box 12 of the notification.

It is a good idea to input the official addresses in your email address book (see below). These can also be found online in both the SPS IMS and Documents Online sites. On the SPS IMS website, to generate automatically the list of all NEPs and NNAs in Word, go to the predefined reports in SPS IMS site <http://spsims.wto.org> and click on Notification Authority and/or Enquiry Points Lists.

Full Name	Company	File As	Business Phone	Business Fax
Alain Randall	Ministry of Agric...	Alain Randall	+3906 5705 4390	+3906 5705 4393
Algeria - SPS Inquiry Point	Servicio Agrícola ...	Algeria - SPS Inquiry Point		
Antonieta Urrutia	AQSIQ	Antonieta Urrutia	+562 672 36 35	+562 671 74 19
Argentina SPS National E...	Coordinación de Relaciones Internacionales e Institucionales		+5411 4331 604...	
Argentina SPS National N...	Dirección Naciona...	Argentina SPS National Notification Authority	+541 349 22 42/...	+541 349 22 44
Australia SPS National En...	Agriculture, Fische...	Australia SPS National Enquiry Point	+612 62725242	+612 6272 3678
Australia SPS Notification	Agriculture, Fische...	Australia SPS Notification Authority	+612 6272 4146	+612 6272 3678
Austria SPS National Enq...	Federal Ministry f...	Austria SPS National Enquiry Point	+431 711 00 5774	+431 715 9651
Barbados SPS National En...	Ministry of Agric...	Barbados SPS National Enquiry Point	+246 429 4150	+246 420 0444
Barbados SPS Notification...	Ministry of Foreign...	Barbados SPS Notification Authority	+1 246 430 1200	+1 246 228 7840
Barbara Bridg...		Barbara Bridge	+64 4 494 8257	
Belarus SPS National Enq...	National Informat...	Belarus SPS National Enquiry Point	+375 17262 1250	+375 17262 1520
Belarus SPS Notification A...	National Informat...	Belarus SPS Notification Authority	+375 17262 1250	+375 17262 1520
Belgium SPS National Enq...	Belgian Standard...	Belgium SPS National Enquiry Point	+322 734 92 05	+322 730 42 64
Benin SPS Notification Aut...	Ministère du Dev...	Benin SPS Notification Authority	+229 21 32 90	+229 21 44 13
-BIO Executive Manag...				
Brazil SPS National Enq...	Ministerio da Agri...	Brazil SPS National Enquiry Point (Biosecurity)	+5561 218 2314	+5561 228 3995
Brazil SPS National Enq...	Agencia Nacional ...	Brazil SPS National Enquiry Point (Food Safety)	+5561 448 1078	+5561 448 1089
Brazil SPS Notification Aut...	Ministerio das Rel...	Brazil SPS Notification Authority	+5561 441 6369	+5561 226 3255
Bulgaria SPS National Enq...	Ministry of Health	Bulgaria SPS National Enquiry Point (Food safety)	+359 2 930 1250...	+359 2 954 9503
Bulgaria SPS National Enq...	National Service f...	Bulgaria SPS National Enquiry Point (phytosanitary)	+359 2 953 4116...	+359 2 525 450
Bulgaria SPS Notification ...	Ministry of Agric...	Bulgaria SPS Notification Authority (sanitary)	+359 2 525 298	+359 2 854 8583
Bulgaria SPS Notification ...	Ministry of Health	Bulgaria SPS Notification Authority	+359 2 930 1250	+359 2 930 1413
Burkina Faso SPS National...	Dirección de la No...	Burkina Faso SPS National Enquiry Point	+336 31 13 00/3...	+226 31 14 69
Canada SPS National Enq...	Standards Council...	Canada SPS National Enquiry Point	+1 613 238 32 22	+1 613 569 03 78
Caryl Shaler		Caryl Shaler		

Any requests for the documents notified should give the notification number and specify which documents are needed. If the notifying Member is a developed country, it shall provide, if requested by other Members, copies of the documents or summaries of the documents covered by a specific notification in English, French or Spanish in accordance with paragraph 8 of Annex B of the SPS Agreement.

Further to this, paragraph 33 of G/SPS/7/Rev.3 encourages Members to grant requests for extension of the recommended 60-day comment period wherever practicable, in particular with regard to notifications relating to products of particular interest to developing country Members. Also extensions should be considered where there have been delays in receiving and translating the relevant documents or where there is a need for further clarification of the measure notified. A 30-day extension should normally be provided and notified to the WTO.

Members are also encouraged to use the "Procedure to Enhance Transparency of Special and Differential Treatment in Favour of Developing Countries" (see G/SPS/33/Rev.1 in Appendix 9).

The CP should operate a reminder system to ensure that pending requests are re-sent after a certain period. If there is no response after two requests, the best course of action is to ask for assistance from the accredited Member country's embassy or high commission (if there is one).

6.2. Filing

When documents requested have been received by your CP, acknowledge receipt of the documents by email or with a letter/fax (see Appendix 6 for example), distribute the documents to the originator of the request, and then file the email request in your email file structure in the 'SPS Contact Point' inbox, thereby removing it from your inbox to indicate that task is completed.

CHAPTER SEVEN

7. DETERMINING STAKEHOLDER DISTRIBUTION LISTS

The CP is responsible for distributing the notification and/or summary sheets to the stakeholders' lists. The categories under "Objective" (in box 7 of the notification form) can be used to ensure efficient distribution of the summary sheets. Through the SPS IMS, it is possible to search according to specific "objectives" or keywords (such as GMOs, labelling) which are assigned by the WTO Secretariat. However, it may not be necessary to separate out the various objectives/categories if you use a summary sheet based system. Appendix 5 illustrates how to create one or more distribution lists.

7.1 Sending notifications to the distribution list using Outlook

1. Open Outlook and select the **Contact** tab on the left hand side. If the **Contact** tab is not showing, there will be an icon on the bottom of the bar that looks like an identity card. Select that. In the **My Contacts** box at the top left hand side, select **Contacts** in SPS Contact Point. All the category lists will appear.
2. Select all the categories needed by holding the control key.
3. After they have all been highlighted, go to **Actions\New message to contact**. This will create a new message and will put all the contacts in the **To** field. Just accept if Outlook tells you that some of the names appear not to have email addresses.
4. In the **From** field, type 'SPS Contact Point' or enough so that Outlook recognizes the address. This will mean that the email will be sent from the **sps.contact.point** email address. If you forget to enter this, Outlook will send the email from your personal address.
5. Complete the subject line with: WTO summary sheets
6. Click on the **Insert** button and select **Signature**, select the appropriate signature template. Make sure you delete/replace any personal signature.
7. Attach the WTO summary sheet which you have created to the email.
8. If appropriate, attach the actual notification documents; however be aware that including a number of notifications to one email can overload your computer network unnecessarily.
9. If you have created your summary sheet using the SPS IMS custom reporting function, you can include a column to your table which includes hyperlinks to the actual notifications. This way, you avoid attaching too many documents to your message.
10. The email is now ready to be sent. Before sending, recheck then send.
11. The sent message will automatically be stored in your personal 'Sent Mail' folder. Move it to the SPS mailbox folder 'Sent notifications' under the SPS Inbox.

CHAPTER EIGHT

8. IS A NOTIFICATION NECESSARY?

The SPS Agreement requires WTO Members to notify to the WTO proposed sanitary and phytosanitary regulations whenever:

- ▶ **either** an international standard, guideline or recommendation does not exist, **or**;
- ▶ the content of a proposed SPS regulation is not substantially the same as the content of an international standard, guideline or recommendation, **and, in both cases, if**;
- ▶ the regulation may have a significant effect on trade of other WTO Members.

Members are encouraged to notify all regulations that are based on, conform to, or are substantially the same as an international standard, guideline or recommendation, if they are expected to have an effect on trade of other Members.

8.1 SPS regulations

The scope of what constitutes a 'regulation' is quite broad. SPS regulations are defined as "sanitary and phytosanitary measures such as laws, decrees or ordinances that are applicable generally" (SPS Agreement Annex B, footnote 5).

That part of the agreement goes on to say that:

Sanitary or phytosanitary measures include all relevant laws, decrees, regulations, requirements and procedures including, inter alia, end product criteria; processes and production methods; testing, inspection, certification and approval procedures; quarantine treatments including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and packaging and labelling requirements directly related to food safety.

The subject areas covered by the term 'SPS measure' are defined quite specifically:

- ▶ to protect animal or plant life or health within the Member country from risks arising from the entry, establishment or spread of pests, diseases, disease-carrying organisms or disease-causing organisms;
- ▶ to protect human or animal life or health within the Member country from risks arising from additives, contaminants, toxins or disease-causing organisms in foods, beverages or feedstuffs;
- ▶ to protect human life or health within the Member country from risks arising from diseases carried by animals, plants or products thereof, or from the entry, establishment or spread of pests; or
- ▶ to prevent or limit other damage within the Member country from the entry, establishment or spread of pests.

All SPS measures, which fit these criteria, including generic standards and import health standards, and which apply to bilateral or plurilateral measures, should be notified to the WTO.

8.2 International standard, guideline or recommendation

What constitutes an 'international standard, guideline and recommendation' is also quite specifically defined below:

For food safety:

- ▶ the standards, guidelines and recommendations established by the Codex Alimentarius Commission relating to food additives, veterinary drug and pesticide residues, contaminants, methods of analysis and sampling, and codes and guidelines of hygienic practice;

For animal health and zoonoses:

- ▶ the standards, guidelines and recommendations developed under the auspices of the World Organization for Animal Health (OIE);

For plant health:

- ▶ the international standards, guidelines and recommendations developed under the auspices of the Secretariat of the International Plant Protection Convention (IPPC) in cooperation with regional organizations operating within the framework of IPPC.

No other standard-setting bodies have yet been recognized by the SPS Committee for matters not covered by the above organizations, although this possibility is allowed for under the agreement.

Note that this criterion for notification is whether the **content**, not the intent, of a proposed SPS regulation is substantially the same as the content of an international standard, guideline or recommendation. So even if the health objective of, or level of protection achieved by, the measure is the same as that delivered by the standard, if the measures required are not substantially the same as those required in the international standard, then the measure needs to be notified.

8.3 Significant effect on trade

When assessing whether the SPS regulation may have a significant effect on trade, the WTO requires Members to take into account, using relevant information which is available, elements such as:

- ▶ the value or other importance of imports in respect of the importing and/or exporting WTO Member countries concerned, whether from other WTO Members individually or collectively;
- ▶ the potential development of such imports, and;
- ▶ difficulties for producers in other Member countries to comply with the proposed SPS regulations.

The concept of a significant effect on trade of other WTO Members should include both import-enhancing and import-reducing effects on the trade of other Members, as long as such effects are significant.

This definition of 'significant effect on trade' is quite broad. If there is any chance the measure could have a significant effect on trade, then it should be notified.

CHAPTER NINE

9. WHEN SHOULD A NOTIFICATION BE MADE?

9.1 Regular notifications

Except in emergencies, a notification should be made when a **draft** with the **complete text of a proposed regulation** is available, and when amendments can still be introduced and comments be taken into account.

The WTO SPS notification procedures require that measures be notified "well before the entry into force of the relevant measure". The procedures recommend that a normal time limit for comments on notifications of at least 60 days be allowed before a measure is finalized for adoption. Ensure you allow time for handling notifications well before the measure is intended to come into force.

For proposed SPS measures which facilitate trade, WTO Members may reduce or eliminate the period for receiving comments. Though it is important to note that what might be trade facilitating for one WTO Member might still be of concern to, and warrant comment from, other Members, so they should still be notified with this in mind.

9.2 Emergency measures

The routine consultation process can be restricted or eliminated in genuine emergencies, which the SPS Agreement defines as cases "where urgent problems of health protection arise or threaten to arise" for the WTO Member implementing the measure.

Emergency measures may be notified either before or immediately after they come into effect, with an explanation of the reasons for resorting to emergency action.

CHAPTER TEN

10. WRITING AN SPS NOTIFICATION

Notifications should be written, or at least scrutinised, by someone (such as the author of the document being notified) who has a good knowledge of the measure being notified. Templates for notifications are in Appendix 8 of this document. They are also accessible through the SPS IMS and the WTO's SPS gateway (http://www.wto.org/english/tratop_e/sps_e/sps_e.htm). The WTO Secretariat is currently developing the SPS Notification Submission System (NSS) which will allow for the online submission of notifications directly by Members (described in chapter 11). At the time of publication, a working prototype had been developed and an official launch of the NSS was expected for 2011.

10.1 Regular notifications

Regular notifications must be made on an official WTO notification form. Information contained in the notifications should be as complete as possible and no section should be left blank. Where necessary, 'none' or 'not applicable' should be indicated.

Item 1: WTO Member

The name of the WTO Member making the notification.

Item 2: Agency responsible

The name of the agency responsible for developing the draft SPS measure being notified under the notification, e.g.:

- ▶ Health
- ▶ Fisheries
- ▶ Agriculture
- ▶ Forestry
- ▶ Environment

The diagram shows a template for a WTO notification form. It is a light green rectangular box with a white central area containing the form fields. Above the box is a label 'Items 1 - 3'. To the left of the box is a callout box pointing to the 'Notifying Member' field, containing the text 'Specific Agency responsible eg: Ministry of Commerce'. To the right of the box is a callout box pointing to the 'Agency responsible' field, containing the text 'Member Government'. Below the box is a callout box pointing to the 'Products covered' field, containing the text 'Clearly describe products'.

Items 1 - 3

Notifying Member:
If applicable, name of local government involved:

2. **Agency responsible:**

3. **Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers may be provided in addition, where applicable). Regions or countries likely to be affected, to the extent relevant or practicable:**

Item 3: Products covered

Use clear descriptions to aid understanding of the notification by Member officials and translators. Avoid abbreviations. It is recommended that tariff item numbers (e.g. HS Code) to be provided where possible, at least to chapter level.

Example

Items 1- 3

G/SPS/N/NVL/2
22 June 2010

1.	Notifying Member: Blogvilli If applicable, name of local government involved:
2.	Agency responsible: MAF Biosecurity
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Coconuts

Item 4: Region or Member's likely to be affected, to the extent relevant or practicable

Identify the geographical regions or Members likely to be affected, to the extent relevant or practicable. Where possible (and not too cumbersome), list the Members affected. If it is not possible to identify specific regions or Members then tick the box "All trading partners".

Item 5: Title, language and number of the notified document

This must contain the exact title, language and number of pages in the notified document; usually a standard.

Item 6: Description of content

Summarise the SPS measure clearly, indicating its health protection objective and content. The summary should be as complete and accurate as possible to allow full understanding of the proposed regulation. Write clearly and without abbreviations.

For this item you should:

- ✓ describe the species or products and Members affected, the status quo and significance of the proposed changes
- ✓ where practicable include an outline of the specific sanitary or phytosanitary measures the regulation will impose
- ✓ to the extent possible, describe the likely effects on trade

However, when completing the item you should

- ✗ avoid using abbreviations
- ✗ use acronyms only where absolutely necessary

Items 4-7

Indicate the Member / regions affected

4. Regions or countries likely to be affected, to the extent relevant or practicable:
☐ All trading partners
☐ Specific regions or countries:

5. Title of the notified document: Language: Number of pages:

6. Description of content:

7. Objective and rationale: ☐ food safety, ☐ animal health, ☐ plant protection, ☐ protect humans from animal/plant pest or disease, ☐ protect territory from other damage from pests.

Summarise the regulation

What is the purpose of the measure – what is it protecting?

Items 4-7

What Members will be affected?

4. Regions or countries likely to be affected, to the extent relevant or practicable:
☐ All trading partners
☒ Specific regions or countries: Neverland

5. Title of the notified document: IHS Coconuts from Neverland Language: English
 Number of pages: 4

6. Description of content: This new Import Health Standard allows for the importation of Coconuts from Neverland under specific phytosanitary measures.

7. Objective and rationale: ☐ food safety, ☐ animal health, ☒ plant protection, ☐ protect humans from animal/plant pest or disease, ☐ protect territory from other damage from pests. To enable imports of coconuts from Neverland

What is it protecting?

Item 7: Objective and rationale

Put a cross in the relevant box. SPS measures must belong to one of these categories (and can fit into more than one). Apart from marking one of the boxes, you could also specify the exact risks, e.g. "to protect New Zealand poultry production from the entry, establishment or spread of Avian Influenza".

SPS measures will belong to:

- ✓ food safety
- ✓ animal health
- ✓ plant protection
- ✓ protect humans from animal/plant pest or disease
- ✓ prevent territory from other damage from pests

Food safety

Put a cross in this box if the measure relates to foods, beverages or feedstuffs and is to protect human life or health within the Member country from risks arising from:

- ✓ additives, or
- ✓ contaminants, or
- ✓ toxins, or
- ✓ disease-causing organisms.

Take particular care that food safety measures fit these very specific criteria. They must be imposed to protect against health risks, and not merely set compositional standards. They must also deal with one of the four categories of health risk covered by the SPS Agreement (additives, contaminants, toxins or disease-causing organisms). Food safety measures involving labelling or nutrition might also (or alternatively) require notification under the TBT Agreement.

Animal health

Put a cross in this box if the measure is to protect animal life or health within the Member country from risks arising from the entry, establishment or spread of:

- ✓ pests, or
- ✓ diseases, or
- ✓ disease-carrying organisms, or
- ✓ disease-causing organisms.

You should put a cross in this box if alternatively; the measure relates to foods, beverages or feedstuffs and is to protect animal life or health within the Member country, from risks arising from:

- ✓ additives, or
- ✓ contaminants, or
- ✓ toxins, or
- ✓ disease-causing organisms.

Plant protection

Put a cross in this box if the measure is to protect plant life or health within the Member, from risks arising from the entry, establishment or spread of:

- ✓ pests, or
- ✓ diseases, or
- ✓ disease-carrying organisms, or
- ✓ disease-causing organisms.

Protect humans from animal/plant pest or disease

Tick this box if the measure is to protect human life or health within the Member, from risks arising from:

- ✓ diseases carried by animals or products thereof, or
- ✓ plants or products thereof, or
- ✓ from the entry, establishment or spread of pests.

Prevent territory from other damage from pests

This category applies in case of damage that does not fit into one of the above categories, but should be used sparingly and only after careful thought. Put a cross in this box if the measure is to protect the Member from:

- ✓ other damage from pests.

Item 8: Is there a relevant international standard, guideline or recommendation

Put a cross in the box provided if a relevant international standard, guideline or recommendation (from OIE, Codex Alimentarius or IPPC) does not exist.

Otherwise give the appropriate reference of the existing standard, guideline or recommendation, and briefly describe how the proposed regulation deviates from it. It can be helpful to notify even when an international standard, guideline or recommendation exists, and the measure is based on it. Indicate if the proposed regulation conforms to the relevant international standard, if it doesn't describe how and why it deviates from it.

Item 8

8. Is there a relevant international standard? If so, identify the standard:

☐ **Codex Alimentarius Commission** (e.g. title or serial number of Codex standard or related text)

☐ **World Organization for Animal Health (OIE)** (e.g. Terrestrial or Aquatic Animal Health Code, chapter number)

☒ **International Plant Protection Convention** (e.g. ISPM number)

☐ **None**

Does this proposed regulation conform to the relevant international standard?

☐ Yes ☐ No

If no, describe, whenever possible, how and why it deviates from the international standard:

What International Standard Setting Body is relevant?

Note: Members are encouraged to notify all regulations that are based on, conform to, or are substantially the same as an international standard, guideline or recommendation, if they are expected to have a significant effect on trade of other Members

Item 9: Relevant documents and language

Several different types of publications can be referenced here, but for some measures, it is also appropriate to state 'None'.

Publications which you should reference are:

- ✓ Publication where notice of the proposed regulation appears, including date and reference numbers.
- ✓ Proposal and basic document to which proposal refers (e.g. the principal act, for amendments to legislation), with specific reference number or other identification. Give also the language(s) in which the notified documents and any summary of these are available.
- ✓ Publication in which the proposed regulation will appear when adopted (e.g. *New Zealand Gazette* for regulations).

Item 9

9. Other relevant documents and language(s) in which these are available:

Relevant documents:

- Publications where a notice of the proposed regulation appears
- The basic document to which regulation refers eg Risk Assessment

Other information

- What language?
- Are summaries available?
- Any relevant charges for documents etc?

Item 10: Proposed date of adoption and proposed date of publication

The date when the sanitary or phytosanitary regulation is expected to be adopted (or approved) and published; when no more changes will be made to the text of the measure.

Item 11: Proposed date of entry into force

The date from which the requirements in the regulation will, or are expected to, enter into force.

Item 12: Final date for comments

The date by which other WTO Members may submit comments should normally be at least 60 days after the notification is distributed by the WTO. Where possible, tick the sixty days from the date of circulation in the notification option. Otherwise, give a specific date. Give a specific contact for receipt of comments. This should be the person actually considering submissions (usually the author of the regulation or standard), and not the CP. Give the full address, including fax number in international format, and email address.

Item 13: Texts available from

SPS measures should always be available from the NNA, so put a cross in the box provided. For measures notified on behalf of other agencies, give the name, address, fax number and email address for the appropriate contact for that agency; this might be the designated SPS CP or the author of a standard. If the document is available on the internet give the precise URL (world wide web address). Ask your IT support for advice on how to find the URL of a specific document on your web site.

Where possible when sending notifications to the WTO Secretariat attach full texts (PDF format only) of the notified measures. When circulating notifications, the WTO creates hyperlinks to these in the notification format for easy access for Members. This provides a useful facility for Members not in a position to operate their own websites.

Items 10 - 13

Is it Trade facilitating?
– will new trade now be available?
If not make sure you put the date!

10. Proposed date of adoption (dd/mm/yy):
Proposed date of publication (dd/mm/yy):

11. Proposed date of entry into force: ☐ Six months from date of publication, and/or (dd/mm/yy):
☐ Trade facilitating measure

Final date for comments: ☐ Sixty days from the date of circulation of the notification and/or (dd/mm/yy):
Agency or authority designated to handle comments: ☐ National Notification Authority, ☐ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

13. Texts available from: ☐ National Notification Authority, ☐ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

The intended dates for comments, adoption and publication.

Who is dealing with comments and how long does a Member have?

Whom can Members get copies from?

Example

on (dd/mm/yy): 30/04/10
ation (dd/mm/yy): 30/03/10

into force: ☐ Six months from date of

☒ Trade facilitating measure

12. Final date for comments: ☒ Sixty days from the date of circulation of the notification and/or (dd/mm/yy):
Agency or authority designated to handle comments: ☒ National Notification Authority, ☐ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

13. Texts available from: ☒ National Notification Authority, ☐ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

Items 10 -13

10.2 Emergency notifications

Emergency notifications are also made on a specific WTO template (Appendix 8). Information contained in the notifications should be as complete as possible and no section should be left blank. Where necessary, 'none' or 'not applicable' should be indicated.

Much of the detail required for an emergency notification is the same as that required for a routine notification. There are however, three key boxes that require specific important information.

Item 6: Description of content

Summarize the SPS measure clearly, indicating its health protection objective and content. Describe the species or products and Members affected; and the status quo and significance of the proposed changes. Where practicable also include an outline of the specific sanitary measures the regulation will impose. To the extent possible, describe the likely effects on trade.

The summary should be as complete and accurate as possible to allow full understanding of the proposed regulation. Write clearly and without abbreviations.

Item 8: Nature of the urgent problem(s)

Indicate the reason(s) for resorting to emergency action (e.g. outbreak of a particular disease in a particular country).

Item 11: Date of entry into force/period of application

The date from which the requirements in the measure entered into force, and the period of time during which they will apply. For example: immediate entry into force on [date], duration [of two months] or [to be decided].

Key Points & Example of an Emergency Notification

Items 6, 8 & 11

6. Description of content: Import requirements to mitigate the risk of the importation of *Drosophila suzukii* on host fruit from Neverland to Blogvilli

What is the nature of the emergency action being taken?

8. Nature of the urgent problem(s) and reason for urgent action: Risk posed by an emerging new pest (*Drosophila suzukii*) of fruit exported to Blogvilli from Neverland.

Why is there a need for emergency action?

11. Date of entry into force: 03/05/10 – Will remain in force for a period not exceeding 6 month unless risk can not be mitigated or it is revoked earlier.

[] Trade facilitating measure

When did it enter into force and how long will it stay in place?

10.3 Addendum, Corrigendum & Revision

An Addendum is used when there are changes to the regulatory document that has previously been notified, e.g. a new plant to be included in the Import Health Standard for nursery stock or the comment period has been extended by 30 days.

A Corrigendum is used when there was an error made in the original notification.

A Revision is when a particular regulation has had a major review. In this case the form is very much like that of a routine notification.

All of these will be notified under either routine or emergency depending on how they were notified in the first place (WTO templates in Appendix 8).

10.4 Allocation of WTO Number

Once a notification has been written, it requires a sequential number to be applied to it - the official WTO SPS number. Although it is useful to allocate this number for internal purposes, the Central Registry of Notifications (CRN) at the WTO will automatically assign this number once it receives the notification. This is at the top right hand corner of the WTO notification template:

Example:

WORLD TRADE ORGANIZATION	
	G/SPS/N/COUNTRY/??? 14 Oct 2009
	(04-2153)
Committee on Sanitary and Phytosanitary Measures	Original: English

A spreadsheet using MS Excel is an effective method of allocating the numbers (see next picture).

Date	Number Allocated	Comments deadline	Type of Notification	Description	Checked	Sent to WTO	Sent to Website
Jun-09	230	22/08/09	Regular	Proposed MRLs Food Standard			
Jun-09	231	22/08/09	Regular	IHS for Greasy Wool			
July-09	232	27/09/09	Regular	IHS for hatching eggs from all countries			
Aug-09	233	1/10/09	Regular	IHS for Scoured wool			
Aug-09	234	1/10/09	Regular	IHS for Triticum (wheat) grain for processing			
Oct-09	235	13/12/09	Regular	IHS for fish food, fish bait, artemia salina & artemia franciscana			
Oct-09	236	15/12/09	Emergency	Temporary ban on importation of Horses from Australia			

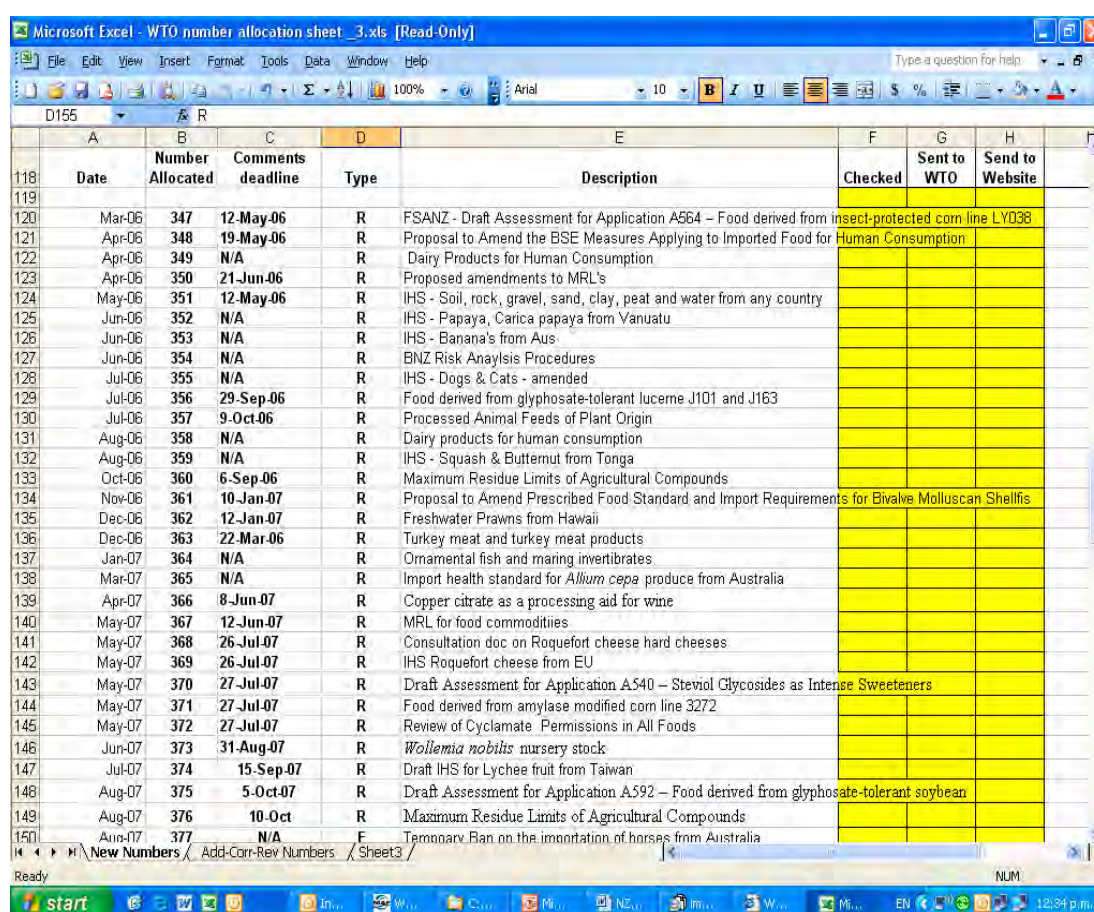
The first 5 columns are to record important information that relates to the specific notifications: Date sent to WTO; WTO number; type of notification, e.g. regular or emergency and description of the notification (it is helpful if the description is the same as the file name the notification for easy tracking). The final three columns are to ensure that each notification has been checked, posted on your website (if applicable) and sent to WTO. Each Member might require additional information which can easily be added to the spreadsheet or table.

If it is an addendum, corrigendum or revision, then you use the original WTO notification number allocated to it and then add the suffix of Add, Corr or Rev with the appropriate number, e.g. if it is the first addition to a previously notified regulation then it would be *G/SPS/N/BLOG/199/Add 1*. Record these in the "Add-Corr-Rev Numbers" tab.

10.5 When a draft notification is completed

The author of a draft notification should send it to the CP who will check the notification is completed correctly and then forward it to the WTO in Geneva.

It is recommended that all documents that are notified (e.g. full-text regulations being notified) be sent to the CP at the same time so that they can be sent to the WTO secretariat (in PDF format only) at the same time as the notification and also be filed in the CP file structure for effective information management.



	A	B	C	D	E	F	G	H
	Date	Number Allocated	Comments deadline	Type	Description	Checked	Sent to WTO	Sent to Website
118								
119								
120	Mar-06	347	12-May-06	R	FSANZ - Draft Assessment for Application A564 – Food derived from insect-protected corn line LY038			
121	Apr-06	348	19-May-06	R	Proposal to Amend the BSE Measures Applying to Imported Food for Human Consumption			
122	Apr-06	349	N/A	R	Dairy Products for Human Consumption			
123	Apr-06	350	21-Jun-06	R	Proposed amendments to MRL's			
124	May-06	351	12-May-06	R	IHS - Soil, rock, gravel, sand, clay, peat and water from any country			
125	Jun-06	352	N/A	R	IHS - Papaya, Carica papaya from Vanuatu			
126	Jun-06	353	N/A	R	IHS - Banana's from Aus.			
127	Jun-06	354	N/A	R	BNZ Risk Analysis Procedures			
128	Jul-06	355	N/A	R	IHS - Dogs & Cats - amended			
129	Jul-06	356	29-Sep-06	R	Food derived from glyphosate-tolerant lucerne J101 and J163			
130	Jul-06	357	9-Oct-06	R	Processed Animal Feeds of Plant Origin			
131	Aug-06	358	N/A	R	Dairy products for human consumption			
132	Aug-06	359	N/A	R	IHS - Squash & Butternut from Tonga			
133	Oct-06	360	6-Sep-06	R	Maximum Residue Limits of Agricultural Compounds			
134	Nov-06	361	10-Jan-07	R	Proposal to Amend Prescribed Food Standard and Import Requirements for Bivalve Molluscan Shellfish			
135	Dec-06	362	12-Jan-07	R	Freshwater Prawns from Hawaii			
136	Dec-06	363	22-Mar-06	R	Turkey meat and turkey meat products			
137	Jan-07	364	N/A	R	Ornamental fish and marling invertebrates			
138	Mar-07	365	N/A	R	Import health standard for <i>Allium cepa</i> produce from Australia			
139	Apr-07	366	8-Jun-07	R	Copper citrate as a processing aid for wine			
140	May-07	367	12-Jun-07	R	MRL for food commodities			
141	May-07	368	26-Jul-07	R	Consultation doc on Roquefort cheese hard cheeses			
142	May-07	369	26-Jul-07	R	IHS Roquefort cheese from EU			
143	May-07	370	27-Jul-07	R	Draft Assessment for Application A540 – Steviol Glycosides as Intense Sweeteners			
144	May-07	371	27-Jul-07	R	Food derived from amylase modified corn line 3272			
145	May-07	372	27-Jul-07	R	Review of Cyclamate Permissions in All Foods			
146	Jun-07	373	31-Aug-07	R	<i>Wollemia nobilis</i> nursery stock			
147	Jul-07	374	15-Sep-07	R	Draft IHS for Lychee fruit from Taiwan			
148	Aug-07	375	5-Oct-07	R	Draft Assessment for Application A592 – Food derived from glyphosate-tolerant soybean			
149	Aug-07	376	10-Oct	R	Maximum Residue Limits of Agricultural Compounds			
150	Aug-07	377	N/A	F	Temporary Ban on the importation of horses from Australia			

10.6 Sending notifications

The completed notification can be sent as:

- E-mail attachment to the WTO secretariat (crn@wto.org) . It can also be good to cc. the author of the notification into the email to ensure they are aware it has been sent.
- Fax to WTO secretariat 0041 022 739 5760.
- Post to Central Registry of Notifications, World Trade Organization, Centre William Rappard, rue de Lausanne 154, CH-1211 Geneva 21, Switzerland.

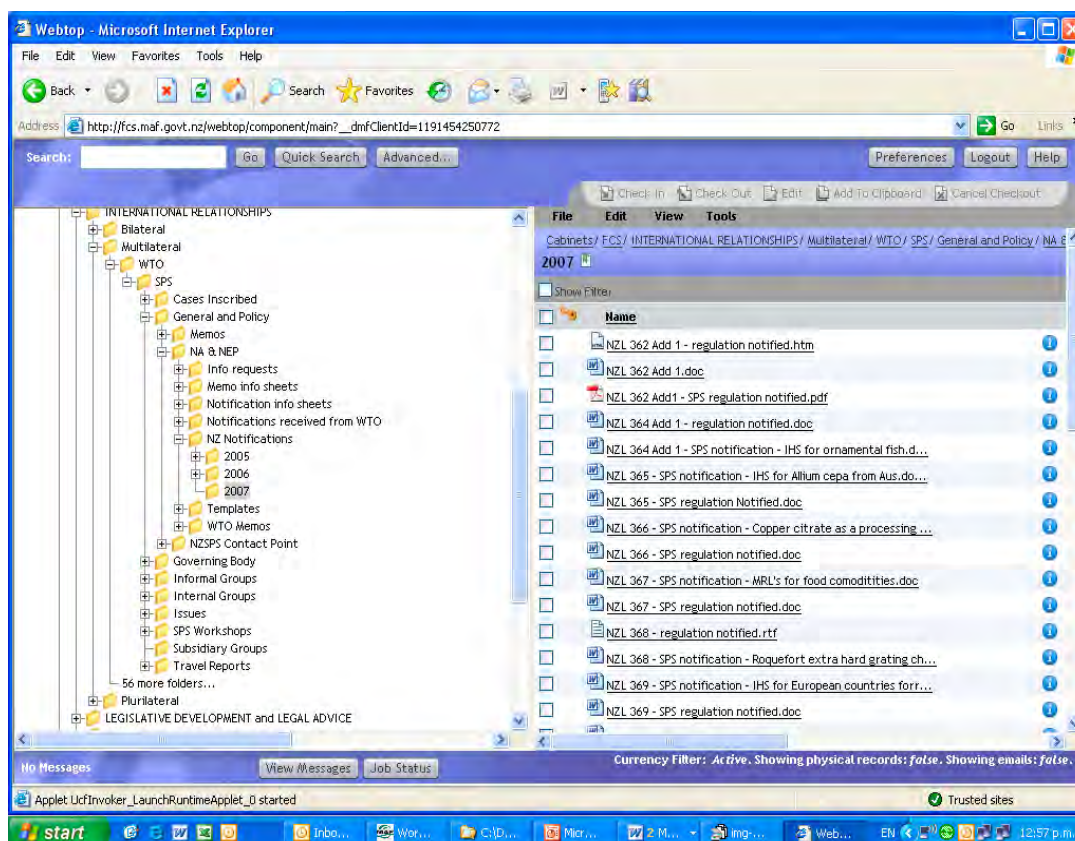
The WTO Secretariat's preference is email and they note that processing time is much less than when using the other two options. As noted earlier, the WTO Secretariat is developing the online notification submission system (NSS). This facility is expected to be operational by 2011 and will significantly shorten the processing time and allow for more efficient and accurate submission of information.

10.7 Website

Where applicable, send both the notification and the full text regulation to your website IT personnel for placing on the web site. It is helpful to include the title of the regulation and the comments deadline date. The WTO Secretariat provides access to full-texts of regulations along with notifications through the SPS IMS. This has lessened the need for Members to develop and maintain their own websites for this purpose.

10.8 Filing

Once you have allocated the number, file all associated documents in appropriate filing structure e.g. NZL 352 – SPS notification – IHS Bananas from Australia (this is the notification) and NZL 352 – SPS regulation notified (this is the regulation that the notification refers to).



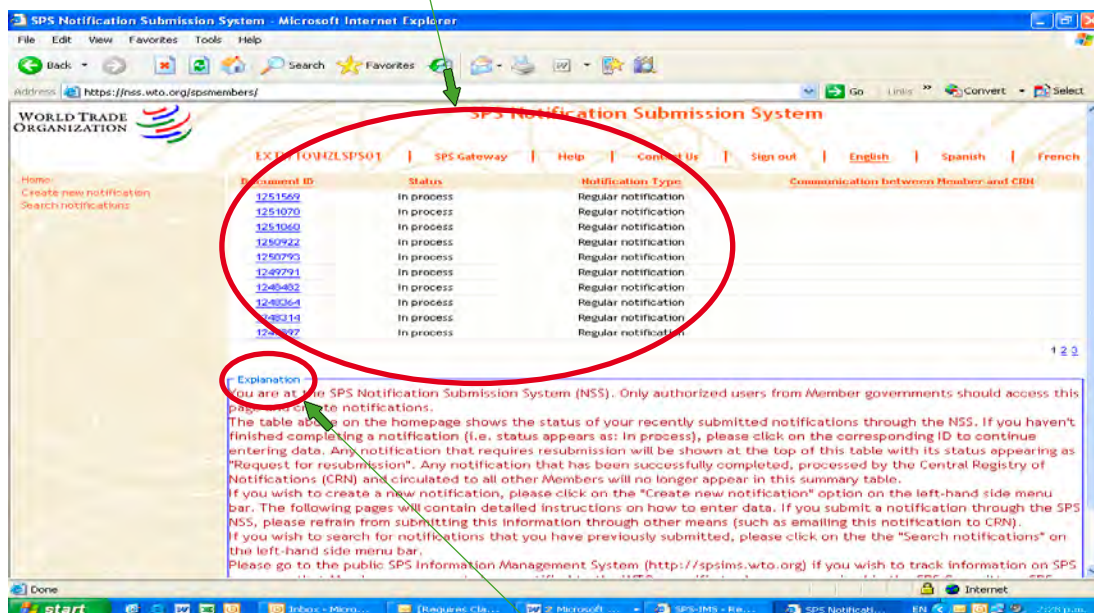
CHAPTER ELEVEN

11. SUBMITTING NOTIFICATIONS USING NSS (NOTIFICATION SUBMISSION SYSTEM)

The WTO Secretariat is currently developing the SPS Notification Submission System (NSS) which will allow for the online submission of notifications directly by Members. The NSS will allow members to input information directly into the system. This means that notifications submitted this way will be more accurately and efficiently processed by the WTO Secretariat and thus be accessible to Members much more quickly.

To enter the NSS system each member will be allocated a login and password for the website. Multiple login names per country will be possible for accessing and filling out information; however, only one of the login names will have administrative rights to officially submit the notification to CRN (in the final step). It is highly recommended that only the SPS Contact Point of the Member have access to this particular login name and password. As soon as you log on, the system will automatically load with your country's name. As soon as you enter, you should select your preferred interface language on the top of the page. By default the interface language, decides in which language you will be inputting data (i.e. Country name, HS Codes, etc.).

Go to <https://nss.wto.org/spsmembers>. To access the NSS website you must enter your unique Member login and password. Once you are in the system the following screen will appear. Initially there would be nothing in the main body of the screen; however once you start filling out notifications, a table will appear with those that are currently in process and/or those that have been requested by CRN to be resubmitted. Any notification that requires resubmission will be shown at the top of this table with its status appearing as "Request for resubmission". Any notification that has been successfully completed, processed by the CRN and circulated to all other Members will no longer appear in this summary table.

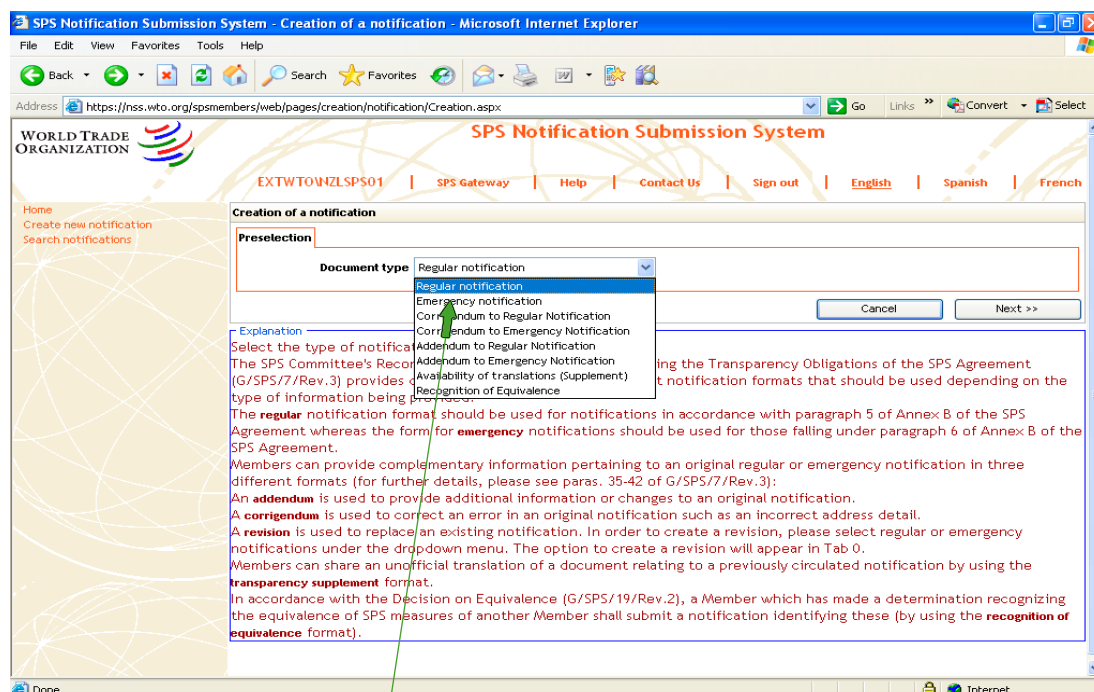


11.1 Making a Notification

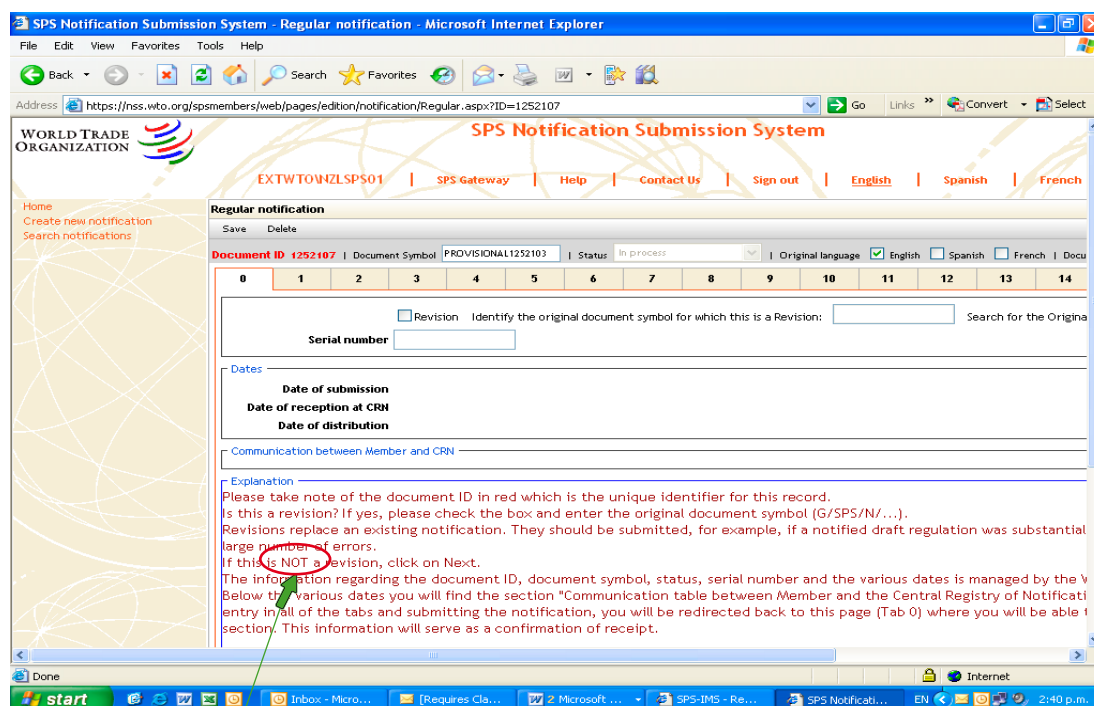
Members will receive guidance on each screen (tab) under the **Explanation** heading; this will assist Members to better fill out notification and will provide efficiency gains for the Secretariat.

Information contained in the notifications should be as complete as possible and no section should be left blank. Where necessary, 'none' or 'not applicable' should be indicated.

From the left hand menu select **create new notification**.



From the drop down menu select the type of notification you are submitting. Follow the instructions on the screen and continue through the process.



Handy hints

Take note if this is NOT a REVISION notification then just click on **Next** in the top right hand corner of the screen.

You will also note that there is a PROVISIONAL number at the top of the screen, the notification remains provisional until the WTO Secretariat has checked and verified it; at that point it will then have the document symbol allocated. As mentioned on the webpage ensure that you take note of the red **ID number**. The NSS system allocates an ID number at the point in which you start the process of submitting a notification. Once this number is allocated you have the flexibility to go in and out of the website at any stage of the notification process. The system will save all the information completed so you can go back to it anytime prior to submitting it to CRN. However once submitted, you will no longer be able to amend or delete it (you will need to contact CRN directly at CRN@wto.org).

SPS Notification Submission System - Regular notification - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Address <https://nss.wto.org/spsmembers/web/pages/edition/notification/Regular.aspx?ID=1252107>

WORLD TRADE ORGANIZATION

Home
Create new notification
Search notifications

EXTWT01WZLSPS01 | SPS Gateway | Help | Contact Us | Sign out | English | Spanish | French

Regular notification

Save Delete

Document ID **1252107** | Document Symbol PROVISIONAL1252103 | Status In process | Original language ☒ English ☐ Spanish ☐ French | Docu

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14
<input type="checkbox"/> Revision Identify the original document symbol for which this is a Revision: <input type="text"/> Search for the Original Serial number <input type="text"/>														

Dates

Date of submission
Date of reception at CRN
Date of distribution

Communication between Member and CRN

Explanation

Please take note of the document ID in red which is the unique identifier for this record.
Is this a revision? If yes, please check the box and enter the original document symbol (G/SPS/N/...).
Revisions replace an existing notification. They should be submitted, for example, if a notified draft regulation was substantial large number of errors.
If this is NOT a revision, click on Next.
The information regarding the document ID, document symbol, status, serial number and the various dates is managed by the V
Below the various dates you will find the section "Communication table between Member and the Central Registry of Notificati
entry in all of the tabs and submitting the notification, you will be redirected back to this page (Tab 0) where you will be able
section. This information will serve as a confirmation of receipt.

As each tab is completed click **Next** on the top right corner to continue. In some instances where the information is critical to the notification, the system will not take you to the next tab and highlight in red what is required. Until you complete the current screen with the missing critical information the system will not let you proceed to the next tab.

SPS Notification Submission System - Regular notification - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Address <https://nss.wto.org/spsmembers/web/pages/edition/notification/Regular.aspx?ID=1252107>

WORLD TRADE ORGANIZATION

Home
Create new notification
Search notifications

EXTWT01WZLSPS01 | SPS Gateway | Help | Contact Us | Sign out | English | Spanish | French

Regular notification

Save Delete

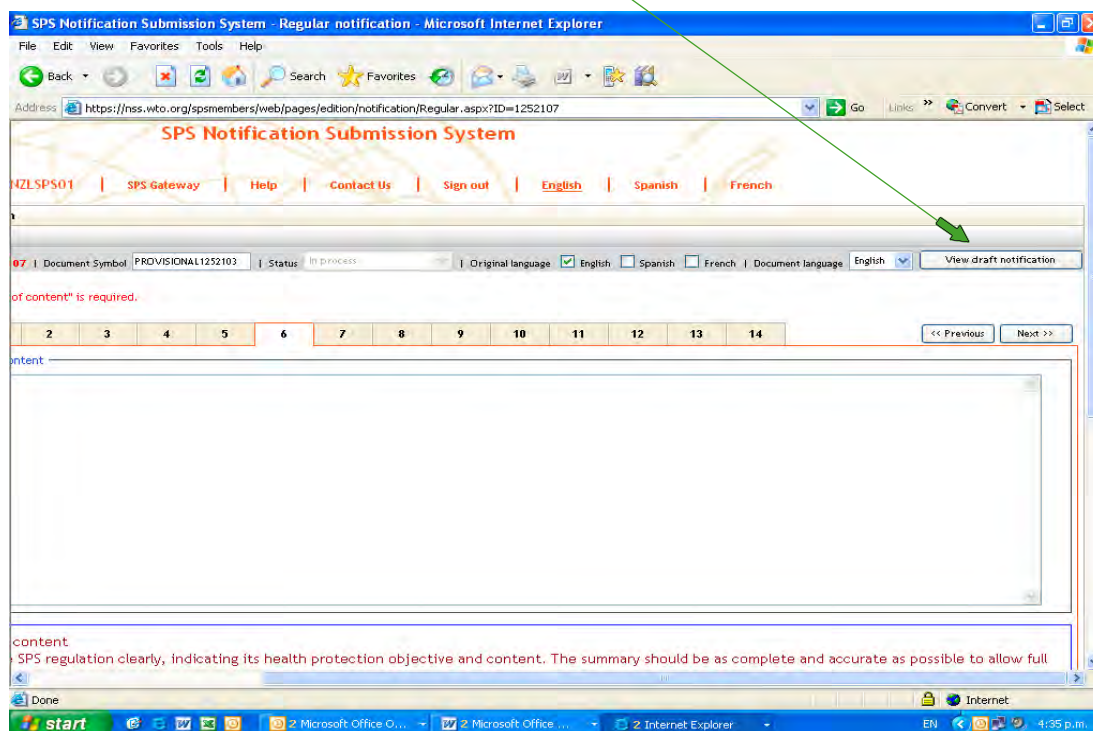
Document ID **1252107** | Document Symbol PROVISIONAL1252103 | Status In process | Original language ☒ English ☐ Spanish ☐ French | Docu

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Description of content														

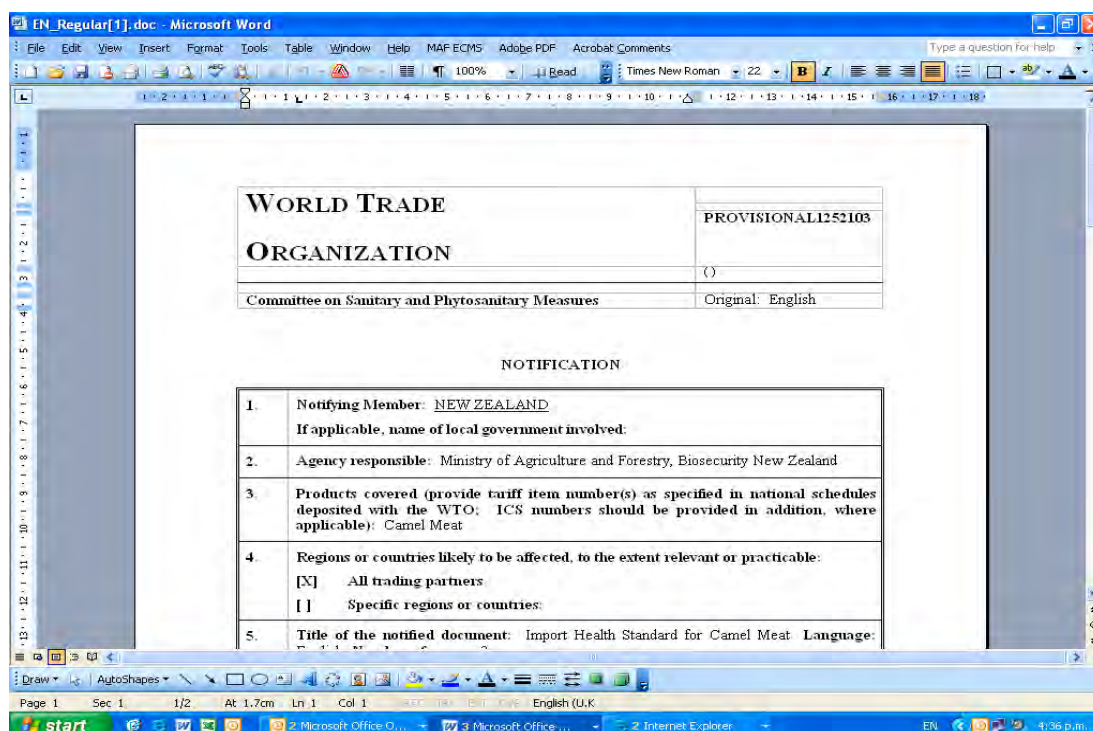
Explanation

Description of content
Summarize the SPS regulation clearly, indicating its health protection objective and content. The summary should be as complete
understanding of the proposed regulation. To the extent possible, describe the likely effects on trade. Where practicable, also
measures the regulation will impose. The summary should enable trading partners to determine whether the notified measure
wish to export to the notifying Member. Write clearly and without abbreviations or acronyms.
If a regulation contains both SPS and TBT measures, it should be notified according to both the SPS and TBT Agreements, prefer

Anytime during the process you can click on **View draft notifications** at the top left hand of the screen.



When you click on this, the system opens another window with the notification as a word document. Once you have viewed the document you can simply close it to continue filling out the notification.



Once you reach tab 14 the screen featured below will appear. On this tab it is necessary to include the contact details (phone number or email) of the person submitting the notification so that if there are any issues with the notification, the WTO secretariat can contact the appropriate person. This screen also allows you to write a note to the WTO person who will check and verify your notification.

Upon completion of all the steps click **View draft notifications**. Check and amend if necessary and then save the document for your own files. When you are completely satisfied with the notification you can click "Submit to CRN". As noted above, this button will only be enabled for those login names that have administrative rights to officially submit notifications.

CHAPTER TWELVE

12 HANDLING COMMENTS ON NOTIFIED DOCUMENTS

When other WTO Members make comments on a notified SPS measure, the CP is responsible for overseeing this process. If the submission is only sent to the CP then it is the CP's responsibility to forward it to the author of the regulation. If the CP has only been copied into the email then they must ensure that the author of the original WTO notification was included in the email address and any other recipients are the correct and appropriate contacts.

It is the responsibility of the agency or group receiving submissions on notified documents to:

- ▶ acknowledge receipt of comments;
- ▶ discuss comments if requested to;
- ▶ explain to all submitting comments how their comments are (or are not) being taken into account in the final SPS measure;
- ▶ provide extra information on the measure if requested;
- ▶ and, in all cases, send to all those providing comments a copy of the final SPS measure when it is adopted, or (if applicable) advice that no measure is being adopted for the time being. (The web address of the final standard would be an acceptable alternative for most countries).

12.1 Method of delivery

Where possible, documents should be sent as an email attachment. The second preference is fax. Use postal options only if the document is too large to fax or the CP doesn't have the other facilities.

12.2 Which documents to send

Documents to be sent may include the following:

- ▶ A cover fax responding to the request;
- ▶ The document to be notified (as specified in section 4 of the routine or emergency notification form);
- ▶ An explanatory note (if necessary and available).

Any documents which are still at a draft stage should be clearly stamped DRAFT on each page. Each document sent should be marked with the relevant WTO notification number.

Members who do not use your WTO working language may ask for a list of other Members who have previously requested a notified document; this is to assist them to share the costs of translation. If asked, add this information to the email or fax.

12.3 Filing

File all the notification faxes and supporting documents in the appropriate place.

12.4 General Operation

The CP is responsible for providing answers to all reasonable questions from interested WTO Members as well as for the provision of relevant documents regarding:

- a. any sanitary or phytosanitary regulations adopted or proposed within its territory;
- b. any control and inspection procedures, production and quarantine treatment, pesticide tolerance and food additive approval procedures, which are operated within its territory;
- c. risk assessment procedures, factors taken into consideration, as well as the determination of the appropriate level of sanitary or phytosanitary protection;
- d. the membership and participation of the Member, or of relevant bodies within its territory, in international and regional sanitary and phytosanitary organizations and systems, as well as in bilateral and multilateral agreements and arrangements within the scope of this Agreement, and the texts of such agreements and arrangements.

12.5 Receipt of requests

Requests to the CP for information usually come from other WTO Members' NEP. Each CP can hold a list in either hard or electronic format. However on the SPS IMS website, the most up-to-date contact information submitted to the WTO can be found on the menu bar under **predefined reports** – NNA List and NEP List, or under the Enquiry Point / Notification Authority **search** option.

In practice requests for information will also originate from other interested parties (such as government departments or industry groups) and from non-Member countries. Members should treat all such enquiries equally, and respond to all reasonable requests for information about SPS measures.

Requests for information which are best filled (completely or in part) by other departments or agencies should be forwarded appropriately. That department or agency should be asked to advise the CP when the request is fulfilled; if this is not done within a reasonable time a reminder should be sent.

12.6 Acknowledging, recording and filing

Requests should be responded to within five working days. If the request cannot be filled, then an acknowledgment estimating the envisioned delay for a full reply should be sent.

All relevant emails coming into and being sent from the 'SPS Contact' mailbox are categorized and saved into email folders, and then archived when memory space becomes limited. As an alternative to using the email system to record requests, an Excel file can be created and filed in NNA & NEP/Info requests.

	A	B	C	D	E	F	G	H
	Date	Information requested	Department Responding	Date Forwarded	Acknowledgement letter sent (date)	Request fulfilled by NEP (date)	Status	
1	20/01/2007	Copies of all standards	MAF Plants	n/a	n/a	20/01/2007	Fulfilled	
2	24/02/2007	Regulations on specified tropical fruit	MAF Plants	n/a	26/02/2007	8/03/2007	Fulfilled	
3	26/02/2007	Milk & Milk products	NZFSA	26/02/2007	26/02/2007	8/03/2007	Pending MoH response	
4	28/02/2007	Copies of all standards	MAF Plants	n/a	28/02/2007	28/02/2007	Fulfilled	
5	19/03/2007	Regulations on fresh flowers	MAF Plants	n/a	19/03/2007	28/04/2007	Fulfilled	
6	28/03/2007	Food quality and safety (fish and fish products)	MoH	28/03/2007	27/03/2007	28/03/2007	Pending MoH response	
7	20/04/2007	Copies of all standards	MAF Plants	n/a	20/04/2007	20/04/2007	Fulfilled	
8	24/04/2007	Regulations on seeds for sowing	MAF Plants	n/a	24/04/2007	24/04/2007	Fulfilled	
9	26/04/2007	Regulations for beef	NZFSA	26/04/2007	27/04/2007	28/04/2007	Pending NZFSA response	
10	28/05/2007	Copies of all standards	MAF Plants	n/a	28/05/2007	28/05/2007	Fulfilled	
11	19/05/2007	Regulations on fresh flowers	MAF Plants	n/a	19/05/2007	26/05/2007	Fulfilled	
12								

12.7 Which documents to send

Requests will often be very general, e.g. "Send me all your regulations for plant health". In such cases, the best course of action may be to respond with a request for more detail or to send a list of available information.

12.8 Method of delivery

In the interests of speed and economy, the following delivery methods (in priority order) should be used. In all cases of enquiries that have not come from a CP, send to that Member's CP (if there is one) a copy of the information requested (or, in the case of bulky material, a list of items sent).

E-mail	<p>If the request came by e-mail or the request letter or fax contained an e-mail address.</p> <p>Try sending the documents as attachments. It is recommended that an acknowledgment of receipt be provided, as there is often incompatibility in handling attachments between different mail software packages.</p>
Diplomatic mission	<p>For large consignments, first make contact with the appropriate diplomatic mission, explaining the government-to-government nature of the request, and seek agreement from the mission to pass on the information. When the material is ready, provide it to the relevant embassy or high commission with a covering letter of explanation.</p>
Airmail	<p>If only small amounts of information are to be sent, material can be despatched by airmail.</p>

APPENDICES

1 to 8

APPENDIX 1

PAPER-BASED SYSTEM

1. PROCESSING NOTIFICATIONS MADE BY OTHER MEMBERS

1.1 Receipt

The CP either receives notifications from the WTO via their Foreign Affairs/Trade Department/Ministry or directly from the WTO secretariat in hardcopy.

1.2 Sorting, Recording and Filing

The CP sorts each incoming notification or other SPS document by:

Relevance – Will it affect your country (e.g. do you have any exports to the Member notifying?) – discard non-relevant notifications

Date – both of notification and comments deadline.

Member notifying – prioritize importance

Product – prioritize importance

SPS Procedure (quarantine requirements, inspection requirements, maximum residue level, labelling requirements, etc – prioritize importance)

Record the information either onto a standard template either electronically in MS Excel (Appendix 2) or by hand (Appendix 4). The information to enter into the template is described below:

Notifications:

Member Name	Use the Member's full country name, unless a standard abbreviation (e.g. USA) is used.
Document symbol	Number used by WTO (e.g. G/SPS/N/BLOG 255)
Notification Type	E = emergency; R = routine as stated in the notification
Summary	Summary of content
May affect your country	Yes or No (If you are not sure put "yes" Does the measure relate to your country? – you can see in Box 4 what region the notification will effect.)
Issued (WTO)	Date printed at the top of notification.
Comments deadline	Final date for comments.
Date of distribution to country's key stakeholders	Date summary emailed

Other SPS Documents:

Document symbol	Number used by WTO (e.g. G/SPS/W or G/SPS/GEN etc)
Author	Organization or member responsible for the submission – you will find that just under the title of the subject of the notification.
Summary of title and content	Summary of content.
Issued (WTO)	Date printed at the top of notification.
Date of distribution to country's key stakeholders	Date summary emailed

As you are categorizing each notification, label it in the top right corner for ease of filing later. Suggested coding shorthand is below:

Genetically Modified Organisms	GMOs , formerly Biotechnology
Food standards and food labelling	Fd std/label
Processed food	Proc food
Dairy and eggs	D/E
Animal and meat	A/M
Seafood	SF
Plant	PL
Pesticides, agricultural and veterinary chemicals, food additives and contaminants	Pest/ag
Members ' notifications	E.g. NZL or CHN or BRA etc

Once all the information has been recorded, copy and file original to the appropriate place. Use the copy to either fax or post to the appropriate stakeholder.

Example of WTO summary sheet - handwritten

Appendix 2

Notifications made by other countries recording sheet template or exercise book – hand written

Country Name	Document Number	Type	Summary	May affect country	Issued (WTO)	Comments deadline	Date of distribution to country's key stakeholders
Albania	ALB/9	E	Import permission for day old poultry from Turkey	No	3 May 07	N/A	15 May 07.
Brazil	BRA/310	R	Phyto requirements for tomato seeds produced in Chile	No	27 April 07	Trade facilitating	15 May 07.
Canada	CAN/285	R	Proposed MRL's for Triclopyr (PNRL 2007-53)	Yes	4 May 07	11 July 07	15 May 07
Canada	CAN/286	R	Proposed MRL's for Novaluron (PNRL 2007-04)	Yes	4 May 07	11 July 07	15 May 07

2. FOLLOWING UP NOTIFICATIONS MADE BY OTHER MEMBERS

2.1 Initiating a request for further information

A Member notifying an SPS regulation is obliged to supply, on request, copies of the proposed regulation. All requests from a Member should be made through the CP to avoid duplication.

Stakeholders should make requests through the CP using the 'Stakeholder Information Request Form' (Appendix 4). All requests for notified documents will be made to the notifying Member's CP, unless it is otherwise specified or an alternative address is listed in the final box 13 of the notification.

Current NNA and NEP addresses are listed in SPS IMS under **predefined reports** – Notification Authority List and Enquiry Point List, or under the Enquiry Point / Notification Authority **search** option. Most CPs prefer using electronic means of communication but are still obligated to respond to requests that are faxed or posted.

Any requests for the documents notified should give the number of the notification and specify exactly which documents are needed. If the notifying Member is a developed country, it shall provide, if requested by other Members, copies of the documents or summaries of the documents covered by a specific notification in English, French or Spanish in accordance with paragraph 8 of Annex B of the SPS Agreement.

Further to this, paragraph 33 of *G/SPS/7/Rev.3* encourages Members to grant requests for extension of the recommended 60-day comment period wherever practicable, in particular with regard to notifications relating to products of particular interest to developing country Members. Also extensions should be considered where there have been delays in receiving and translating the relevant documents or where there is a need for further clarification of the measure notified. A 30-day extension should normally be provided and notified to the WTO.

Members are also encouraged to use the "Procedure to Enhance Transparency of Special and Differential Treatment in Favour of Developing Countries" (see *G/SPS/33/Rev.1* in Appendix 9).

When the CP requests further information from another Member they can use the 'Stakeholder Information Request Form' (Appendix 4) to record arrival of requested information. If the request is not met in two weeks then send another request. If there is still no response, the best course of action is to ask for assistance from the accredited Member's embassy or high commission (if there is one). Using the request form ensures there is a paper trail of correspondence.

2.2 Filing

When documents requested have been received by your CP then acknowledge receipt of the documents with a letter/fax, distribute the documents to the originator of the request as per 'Stakeholder Information Request Form' and then file all information relating to the request.

3. DETERMINING STAKEHOLDER DISTRIBUTION LISTS

The CP is responsible for distributing the notification and/or summary sheets to the stakeholders' list. The categories under "Objective" (in Box 7 of the notification form) can be used to ensure efficient distribution of the summary sheets. Please see Appendix 5 for suggestions on how to create contact lists.

Objective of measure (box 7 in notification)	Notification to: Department or Ministry contact
Food safety	
Animal Health	
Plant protection	
Protect territory from other damage from pests	
Protect humans from animal/plant pests or disease	
Additional information on subject of measure (boxes 4, 5 or 6 in notification)	Notification to: Department or Ministry contact
Pesticides or animal remedies	
Biological compounds	

Once each batch of summary sheets has been circulated (such as faxed or posted) to stakeholders, it is useful to have a process that can both prove the summary was sent and any follow-up that might be needed. This can be achieved by having a "sign-off" sheet with the stakeholders' contact, date sent and signature to confirm action. E.g.:

Stakeholder	Date sent	Signature of CP
Department of Trade	12/03/07	
Department of Health	12/03/07	
Ministry of Agriculture - Exports	12/03/07	

Once all the information has been recorded then file the original.

APPENDIX 2

EMAIL BASED SYSTEM

1. PROCESSING NOTIFICATIONS MADE BY OTHER MEMBERS

1.1 Subscribe to WTO email list

If for one reason or another you prefer to receive notifications via email, instead of retrieving information from the SPS IMS, you can subscribe to the WTO mailing lists. All unrestricted documents related to the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) are available to be sent to CP via e-mail, usually twice a week, through two different mailing lists. To receive all unrestricted documents including notifications, subscribe to the SPS NOTIFS list. To receive all SPS documents excluding notifications, subscribe to the SPS DOCS list. You can subscribe to the mailing list by following the instructions below. The documents are sent only in the original language (English, French or Spanish).

a) How to subscribe

Send an e-mail message to listserv@list.unicc.org with the following in the body of the message (leave the subject line blank):

SUBSCRIBE SPS NOTIFS your full name OR SUBSCRIBE SPS DOCS your full name

Example: *SUBSCRIBE SPS DOCS john smith*

The e-mail address of the computer from which the request was sent will be automatically registered. You must subscribe from the computer address where you wish to receive the documents.

b) How to get off the list

To unsubscribe from the list, send an e-mail message to listserv@list.unicc.org with the following in the body of the message (leave the subject line blank):

UNSUBSCRIBE SPS NOTIFS your full name OR UNSUBSCRIBE SPS DOCS your full name

Example: *UNSUBSCRIBE SPS NOTIFS john smith*

The e-mail address of the computer from which the request was sent will be automatically removed from the list.

c) How to amend the address on the list

To amend your address on the list you will have to unsubscribe the previous address from the list and subscribe with the new address (as explained above).

If you have previously subscribed to the SPS e-mail list, you are automatically on the SPS NOTIFS list. If you want to change your subscription to no longer receive all SPS documents including notifications, you must unsubscribe to that list and make a new subscription to the SPS DOCS list.

1.2 Receipt

Once subscribed, the CP will receive notifications via email from the WTO Secretariat (Sender: Irma.Bracco@wto.org, Subject: [SPS:##] Unrestricted SPS documents) into their designated mailbox. The email will contain all new notifications that the WTO has received and processed over the last period. Open the email and save all documents to your previously established "SPS working file".

1.3 Recording and Filing

It is recommended that you use an Excel spreadsheet to develop a Summary Sheet template (see Appendices 1 and 3). Enter information from the notification that you have saved into your "SPS working file" into the standard template.

For foreign language notifications, open notification and cut & paste description into internet translation site e.g. <http://translate.google.com> or <http://babelfish.altavista.com/babelfish/tr>. If the notification is relevant to your country, record its details in the 'other languages' sheet of the template. The following is a list of the information to be recorded in the summary sheet for notifications and other SPS documents:

Notifications:

Member Name	Use the member's full country name, unless a standard abbreviation (e.g. USA) is used.
Document symbol	Number used by WTO (e.g. G/SPS/N/NZL 255)
Notification Type	E = emergency; R = routine as stated in the notification
Summary	Summary of content
May affect your country	Yes or No (If you are not sure put "yes" Does the measure relate to your country? – you can see in Box 4 what region the notification will effect.)
Issued (WTO)	Date printed at the top of notification.
Comments deadline	Final date for comments.
Date of distribution to country's key stakeholders	Date summary emailed

Other SPS Documents:

Document symbol	Number used by WTO (e.g. G/SPS/W or G/SPS/GEN etc.)
Author	Organization or member responsible for the submission – you will find that just under the title of the subject of the notification.
Summary of title and content	Summary of content.
Issued (WTO)	Date printed at the top of notification.
Date of distribution to country's key stakeholders	Date summary emailed

MEMBER NOTIFICATIONS (example)

	A	B	C	D	E	F	G	H	I
	Country Name	Document	Notif Type	Summary	May affect NZL	Issued (WTO)	Comments Deadline	Distrib (MAF)	
2	Albania	G/SPS/N/ALB/21	E	The Order of the Minister of Agriculture, Food and Consume	No	24-Sep-07	N/A	12-Oct-07	
3	Albania	G/SPS/N/ALB/22	R	This Order of the Minister of Agriculture, Food and Consume	No	24-Sep-07	N/A	12-Oct-07	
4	Albania	G/SPS/N/ALB/23	R	This Order of the Minister of Agriculture, Food and Consume	No	24-Sep-07	N/A	12-Oct-07	
5	Albania	G/SPS/N/ALB/25	E	This Order of the Minister of Agriculture, Food and Consume	No	24-Sep-07	N/A	12-Oct-07	
6	Albania	G/SPS/N/ALB/26	E	This Order of the Minister of Agriculture, Food and Consume	No	24-Sep-07	N/A	12-Oct-07	
7	Albania	G/SPS/N/ALB/27	R	This Order of the Minister of Agriculture, Food and Consume	No	24-Sep-07	N/A	12-Oct-07	
8	Albania	G/SPS/N/ALB/28	R	This Order of the Minister of Agriculture, Food and Consume	No	25-Sep-07	N/A	13-Oct-07	
9	Canada	G/SPS/N/CAN/299	R	Interim Marketing Authorization regarding the use of hydroch	Yes	25-Sep-07	29-Nov-07	12-Oct-07	
10	Canada	G/SPS/N/CAN/300	R	Interim Marketing Authorization regarding the use of potassu	Yes	26-Sep-07	29-Nov-07	12-Oct-07	
11	Canada	G/SPS/N/CAN/301	R	Interim Marketing Authorization regarding the use of sodium	Yes	27-Sep-07	29-Nov-07	12-Oct-07	
12	Switzerland	G/SPS/N/CHE/69	R	Adaptation of the Swiss legislation to the new EC hygiene pa	Yes	8-Oct-07	10-Dec-07	13-Oct-07	
13	Switzerland	G/SPS/N/CHE/70	R	Harmonization of the Swiss legislation with the corresponding	Yes	8-Oct-07	10-Dec-07	13-Oct-07	
14	Korea	G/SPS/N/KOR/260	R	The proposed Amendment of the Labelling Standards for Liv	Yes	25-Sep-07	23-Nov-07	13-Oct-07	
15	Korea	G/SPS/N/KOR/261	R	NVRQS' Rules on measures to be taken in case of rejection	Yes	8-Oct-07	8-Dec-07	13-Oct-07	
16	Korea	G/SPS/N/KOR/262	R	Proposed Amendment of the Standards and Specifications of	Yes	10-Oct-07	10-Dec-07	13-Oct-07	
17	USA	G/SPS/N/USA/1712	R	EPA is reopening the comment period for a notice of availabl	Yes	28-Oct-07	19-Nov-07	13-Oct-07	
18	USA	G/SPS/N/USA/1713	R	EPA has established registration review dockets for the pesti	Yes	28-Oct-07	19-Nov-07	13-Oct-07	
19									
20									
21									
22									
23									
24									
25									
26									
27									
28									
29									
30									
31									

Along the bottom, there are 4 sheets:

"New" is for new notifications, "Ongoing" is for Addendums, Corrections and Revisions, "Other Languages" is for those that are not in your working language but are relevant to your country and "Other SPS documents" is for WTO documents other than notifications.

Record the information in the appropriate sheet.

OTHER SPS DOCUMENTS (example)

Document	Author	Summary	Issued (WTO)	Date (NZ)	Country Code	Memo Type
G/SPS/GEN/27/Rev.17	Secretariat	Implementation of transparency obligations	9-Oct-07	12-Oct-07		
G/SPS/GEN/40/Rev.8	Secretariat	WTO and international standard setting bodies membership	9-Oct-07	12-Oct-07		
G/SPS/GEN/799	EEC	Certification regime applicable for imports into the European Communities	25-Sep-07	12-Oct-07		
G/SPS/GEN/801	QIE	Report on its Activities	9-Oct-07	12-Oct-07		
G/SPS/GEN/802	UK	Private voluntary standards within the WTO multilateral framework	9-Oct-07	12-Oct-07		
G/SPS/GEN/803	Secretariat	The EC Notification Authority and Enquiry Point for the SPS Agreement	10-Oct-07	12-Oct-07		
G/SPS/W/212	China	China's Proposal on the Amendment to "The Recommended Procedures"	25-Sep-07	12-Oct-07		
G/SPS/W/215	Secretariat	Compilation of proposals regarding the revision of the "Recommended Procedures"	8-Oct-07	12-Oct-07		
G/SPS/GEN/121/Add.3	Secretariat	Application for observer status in the SPS Committee was received on 6 May		5-Oct-07		

Once the information has been recorded, save the template to the appropriate year and rename the spreadsheet: The "WTO summary sheet DD/MM/YY" as below.

Name	Version	Modified
Master WTO Notification summary sheet 2007.xls	1.17,CURRENT_Draft	27/09/07 01:11
WTO summary sheet 06-08-07.xls	1.0,CURRENT_Draft	28/08/07 03:03
WTO Summary Sheet 10-09-07.xls	1.0,CURRENT_Draft	27/09/07 11:11
WTO summary sheet 13-06-07.xls	1.0,CURRENT_Draft	18/06/07 04:04
WTO summary sheet 13-07-07.xls	1.0,CURRENT_Draft	24/07/07 11:11
WTO summary sheet 15-05-07.xls	1.0,CURRENT_Draft	5/06/07 02:02
WTO summary sheet 16-04-07.xls	1.0,CURRENT_Draft	5/06/07 02:02
WTO summary sheet 18-06-07.xls	1.0,CURRENT_Draft	5/07/07 10:10
WTO summary sheet 2-4-07.xls	1.0,CURRENT_Draft	11/04/07 12:12
WTO summary sheet 25-06-07.xls	1.0,CURRENT_Draft	5/07/07 10:10
WTO summary sheet 25-07-07.xls	1.0,CURRENT_Draft	6/08/07 11:11
WTO summary sheet 26-04-07.xls	1.0,CURRENT_Draft	5/06/07 02:02
WTO summary sheet 28-02-07.xls	1.0,CURRENT_Draft	26/03/07 04:04
WTO summary sheet 28-06-07.xls	1.0,CURRENT_Draft	7/09/07 04:04
WTO Summary Sheet 29-1-07.xls	1.0,CURRENT_Draft	31/01/07 04:04

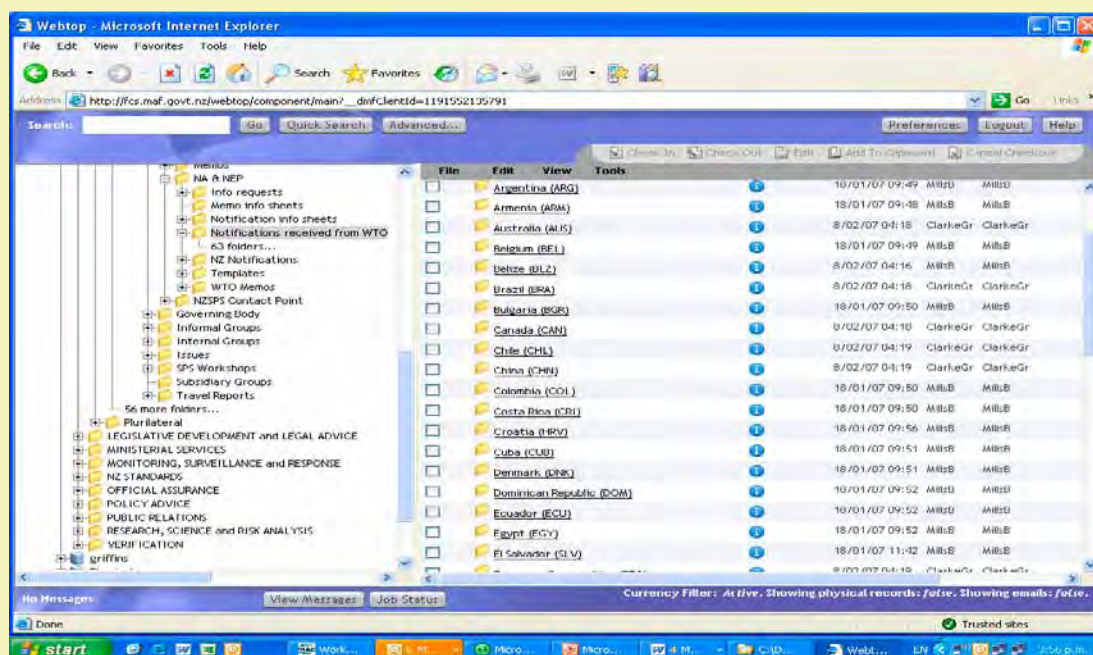
To have easily accessible information about all notifications received over the year, it can be useful to have a Master Summary Sheet. The Master template is in the same format as the Summary sheet referred to in the previous section. If you wish to develop a Master sheet then do that now. Open the Master template for Member notifications. The master sheet – can be filled in the appropriate year (as above). Copy the relevant sheet into the Master; e.g. new, ongoing and other languages then save. You don't need to add the foreign language notifications as you can wait to include them once the translations have been sent by the WTO.

A	B	C	D	E	F	G	H	I	J	K	L	M	N
Country Name	Document	Hold Type	Summary	May affect N/A	Issued (W/O)	Comments Headline	Distib (MAY)						
1	Armenia	G/SPS/N/ARM/4	R	The law	yes	10-Jan-07	Not stated	23-Jan-07					
2	Armenia	G/SPS/N/ARM/5	R	This Order	yes	18-Jan-07	Not stated	23-Jan-07					
3	Armenia	G/SPS/N/ARM/6	R	This Law	yes	18-Jan-07	Not stated	23-Jan-07					
4	Australia	G/SPS/N/AUS/208	R	Biosecurity	yes	5-Jan-07	Not stated	23-Jan-07					
5	Belize	G/SPS/N/BLZ/1	R	Certificate	yes	11-Jan-07	Not stated	23-Jan-07					
6	Brazil	G/SPS/N/BRA/254	R	Draft Res	yes	8-Jan-07	7-Jan-07	23-Jan-07					
7	Brazil	G/SPS/N/BRA/255	R	This draft	yes	8-Jan-07	7-Jan-07	23-Jan-07					
8	Brazil	G/SPS/N/BRA/256	R	This draft	yes	8-Jan-07	7-Jan-07	23-Jan-07					
9	Brazil	G/SPS/N/BRA/257	R	This draft	yes	8-Jan-07	7-Jan-07	23-Jan-07					
10	Brazil	G/SPS/N/BRA/258	R	This draft	yes	8-Jan-07	7-Jan-07	23-Jan-07					
11	Brazil	G/SPS/N/BRA/261	R	The notice	yes	9-Jan-07	N/A	23-Jan-07					
12	Brazil	G/SPS/N/BRA/264	R	The notice	yes	9-Jan-07	N/A	23-Jan-07					
13	Brazil	G/SPS/N/BRA/265	R	The notice	yes	9-Jan-07	N/A	23-Jan-07					
14	Brazil	G/SPS/N/BRA/266	R	The notice	yes	17-Jan-07	N/A	23-Jan-07					
15	Brazil	G/SPS/N/BRA/267	R	This draft	yes	17-Jan-07	13-Jan-07	23-Jan-07					
16	Brazil	G/SPS/N/BRA/268	R	The notice	yes	17-Jan-07	22-Feb-07	23-Jan-07					
17	Canada	G/SPS/N/CAN/276	R	Currently,	yes	8-Jan-07	18-Feb-07	23-Jan-07					
18	Canada	G/SPS/N/CAN/277	R	Proposed	yes	8-Jan-07	1-Mar-07	23-Jan-07					
19	Canada	G/SPS/N/CAN/278	R	Interim M	yes	8-Jan-07	N/A	23-Jan-07					
20	Canada	G/SPS/N/CAN/279	R	Interim M	yes	11-Jan-07	N/A	23-Jan-07					
21	Canada	G/SPS/N/CAN/280	R	Interim M	yes	11-Jan-07	N/A	23-Jan-07					
22	EEC	G/SPS/N/EEC/300	R	These dra	yes	21-Jan-07	N/A	23-Jan-07					
23	EEC	G/SPS/N/EEC/301	R	This draft	yes	21-Jan-07	21-Mar-07	23-Jan-07					
24	EEC	G/SPS/N/EEC/302	R	These dra	yes	3-Jan-07	3-Mar-07	23-Jan-07					
25	India	G/SPS/N/IND/50	R	Import of	yes	11-Jan-07	Not stated	23-Jan-07					
26	India	G/SPS/N/IND/51	R	The Preve	yes	11-Jan-07	N/A	23-Jan-07					
27	Japan	G/SPS/N/JPN/175	R	This notice	yes	11-Jan-07	11-Mar-07	23-Jan-07					
28	Japan	G/SPS/N/JPN/176	R	Proposed	yes	16-Jan-07	16-Mar-07	23-Jan-07					

GENERAL 'OTHER SPS DOCUMENTS' MASTER (example)

	A	B	C	D	E	F	G	H	I	J
	Document	Author	Summary	Issued (WTO)	Dissem (MAF)					
1										
2	G/SPS/GEN/744	Taiwan	Taiwan would like to inform Members of a change in its 10 Jan-07	23-Jan-07						
3	G/SPS/GEN/746	Secretariat	Private standards and the SPS agreement	24-Jan	9-Feb					
4	G/SPS/GEN/747	Codex	Summary of Codex activities	2-Feb	28-Feb					
5	G/SPS/GEN/748	Secretariat	Update on operations of the Standards and Trade Deve	6-Feb	20-Feb					
6	G/SPS/GEN/750	Secretariat	The International Organization for Standardization (ISO)	16-Feb	28-Feb					
7	G/SPS/GEN/751	Secretariat	Analysis of replies to the questionnaire on the operation	21-Feb	28-Feb					
8	G/SPS/GEN/754	IPPC	IPPC work programme	21-Feb	28-Feb					
9	G/SPS/GEN/756	IPPC	IPPC TA programme	21-Feb	28-Feb					
10	G/SPS/GEN/757	IPPC	Summary of IPPC work from Oct 06 Feb 07-	22-Feb	20-Feb					
11	G/SPS/GEN/758	OIE	Report on OIE activities undertaken	22-Feb	28-Feb					
12	G/SPS/GEN/521/Rev.2	Secretariat	Summary of TA activities and training from 1994-2006	27-Feb-07	2-Apr-07					
13	G/SPS/GEN/763	OECD	Private voluntary standards and developing country sta	27-Feb-07	2-Apr-07					
14	G/SPS/GEN/764	Bahamas	REPORT BY THE COMMONWEALTH OF THE B	27-Feb-07	2-Apr-07					
15	G/SPS/GEN/765	Canada	TECHNICAL ASSISTANCE TO DEVELOPING CC	28-Feb-07	2-Apr-07					
16	G/SPS/GEN/766	Saint Vincent and Private Industry Standards		28-Feb-07	2-Apr-07					
17	G/SPS/GEN/767	OIE	Update on Equivalence - Article 4	1-Mar-07	2-Apr-07					
18	G/SPS/GEN/769	Thailand	Undue Delays in relation to Article 5 (Risk Assessment	13-Mar-07	2-Apr-07					
19	G/SPS/GEN/759/Rev.1	International trade	SPS-Related Technical Assistance undertaken/pla	30-Mar	16-Apr					
20	G/SPS/44	Chairman to the	Special and Differential Treatment	23-Apr	26-Apr					
21	G/SPS/GEN/771	Philippines	The status, management and control of Avian Influenza	11-Apr	26-Apr					
22	G/SPS/GEN/773	EEC	Call for comments on a Commission consultation on the	2-May	15-May					
23	G/SPS/GEN/774	Secretariat	Update on the operation of the standards and trade dev	8-May	15-May					
24	G/SPS/GEN/777	Codex	Codex report on its activities	1-Jun	7-Jun					
25	G/SPS/GEN/778	Canada	Transparency enhancement proposal	7-Jun	13-Jun					
26	G/SPS/GEN/779	IPPC	IPPC work programme	8-Jun	13-Jun					
27	JOB(07)89/Rev.1	UNCTAD/WTO	Informal information session on Private standards	15-Jun	19-Jun					
28	G/SPS/W/210	Secretariat	Proposed programme for Transparency workshop	14-Jun	19-Jun					
29	G/SPS/GEN/181/Add.6	USA	TA Activities	18-Jun-07	25-Jun-07		GEN		Amf	

Procedural Step-by-step Manual for SPS National Notification Authorities & SPS National Enquiry Points



NOTE: For all other processes use methods in main body of the procedural manual.

APPENDIX 3

WTO'S DOCUMENTS ONLINE BASED SYSTEM

1. PROCESSING NOTIFICATIONS MADE BY OTHER MEMBERS


1.1 Downloading notifications from the WTO website

In general, the SPS IMS is better suited to assist the CPs in tracking SPS notifications and other documents and preparing various types of reports according to specific criteria. Still, there are a number of instances where the CP may wish to consult the WTO's general search engine, the Documents Online. The Documents Online system is less suited for automatic generation of reports in Excel or Word. Nor does it allow detailed searches according to specific criteria such as the objective of a notified measure. However, it may be particularly useful for running free text searches on notifications dating back to 1995. WTO's Documents Online public version can be accessed through this address: <http://docsonline.wto.org>.

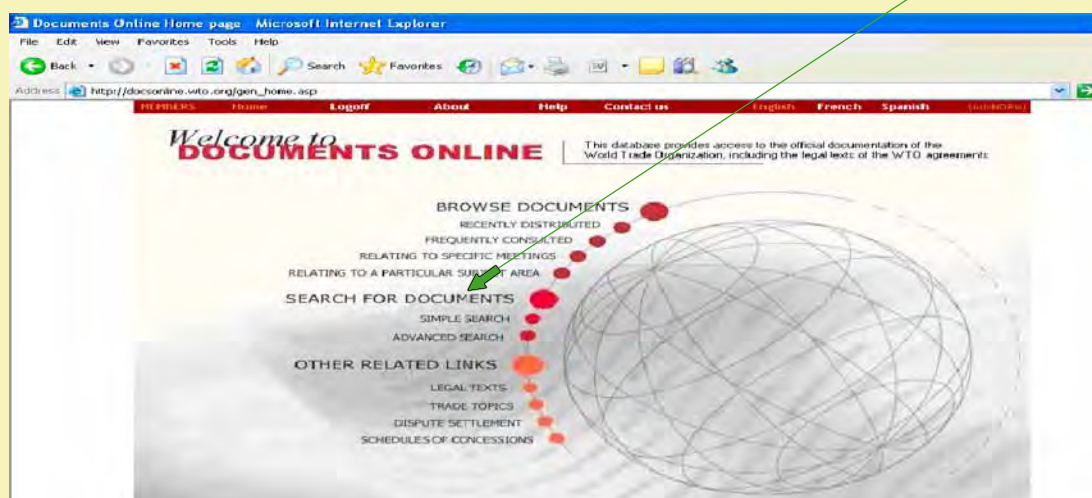
The WTO also has a Members website where you can access restricted documents that aren't found on the public version. However, this website requires a login username and password to access documents.

The login website is:

<http://docsonline.wto.org/members/FormsLogin.asp?/members/>



The password changes twice a year. The new passwords are given to each Member's WTO contact point, who should forward new password on to those requiring access. Once this page has loaded, under **Search for Documents** click on **SIMPLE SEARCH**



This is the main search page. From here you will find new notifications, look for notifications that are in your preferred language.

All notifications are identified by a number, beginning with *G/SPS/N* where the N denotes a notification. The full name will include the member and the number of notifications for that member, e.g. *G/SPS/N/CHL/34* for notification number 34 from Chile.

This number is termed a 'Document symbol' in this website, so when searching for a specific notification, you will need to enter its number in the document symbol box.

Other documents are stored differently. For example, general submissions other than notifications from Members, Observer or the Secretariat from the WTO are found under *G/SPS/GEN*.

1.2 Finding 'new' notifications

Before downloading, check the recorded downloads to identify when notifications were last downloaded and what their numbers were, this is so you don't download any that have already been done. Insert a date range. If the CP is being maintained daily, the date range will generally be about 4 days, ending with today's date.

Type *G/SPS/N* in the document symbol box.

Each document that is downloaded is recorded either on an excel spreadsheet or an exercise book can be used.

Click on **Search**.

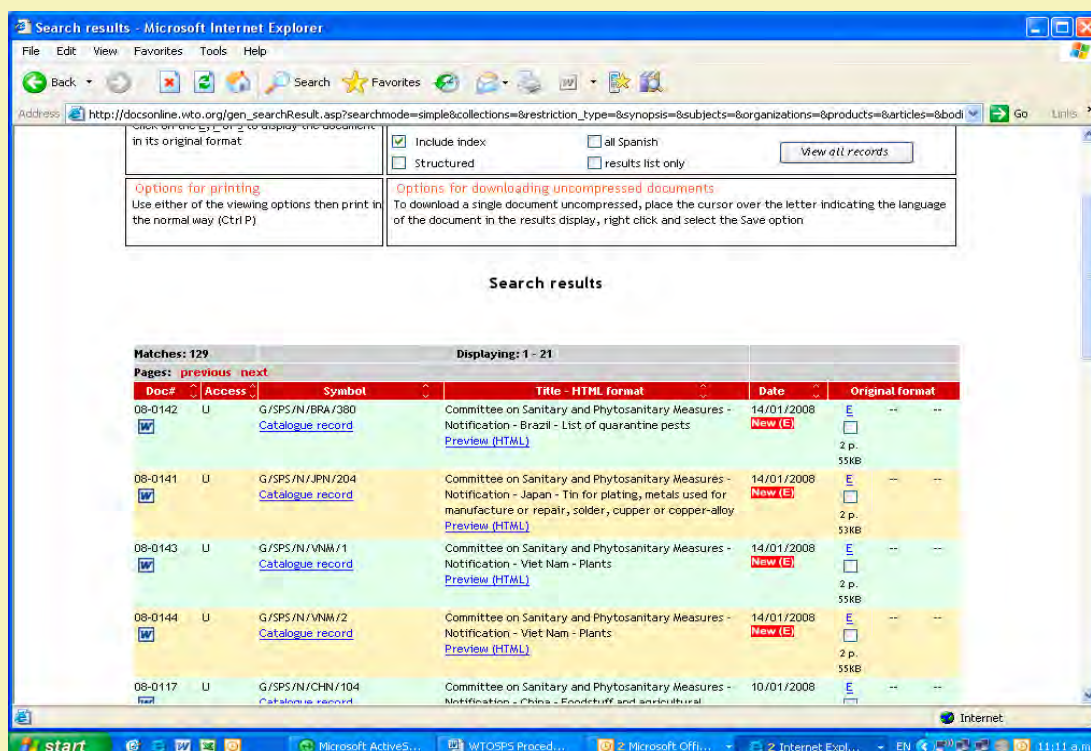
Handy hints

The date that a notification is 'produced' is generally earlier by a couple of days than when it is made available on the web. The search engine will find documents based on when it was produced. Combined with time differences world-wide, the dates need to be a range in order to collect all new notifications. Four days is usually enough.

Notifications submitted to the WTO may take up to one week before being assigned a number and released.

The number of notifications that are released each day can vary from none to more than 20. This means that the workload will vary day to day. An average day might be 4 new notifications.

A list of all SPS Notifications for the period searched will appear on the next screen.



Examine the list and identify the last downloaded notification according to the records notes.

List the new G/SPS/N document numbers in the records. List those that do not have your preferred language version separately under a 'pending' list at the records. The notifications can be in French, Spanish or English, or more than one of these.

Select all notifications in your preferred language by selecting the appropriate tick box.

Handy hints

The system can only download files from the same page, so if there are new notifications that span more than one page, you will have to download the notifications per page or change the view at the bottom of the page to view more than the standard 20. Options include view 60 or 100.

At the top of the page, select **Download**. This will commence a program that downloads all the selected notifications to a file location.

Click **OK** when queried about zipping a file.

Select **Run** and **Run** again

Select **Continue**

Use the browser to select the folder where you wish for the files to be downloaded. This should be the 'SPS working' folder. Click **OK**. You will be told that the download has been successful.

At this point you can Log off the WTO website (see button at top) or stay connected to search for outstanding notifications that are 'pending' from earlier days or general notifications.

1.3 Finding pending notifications

On the main search page, enter the full document symbol/document number or simply search at the Member level, e.g. if you want to find the English version of the 5th notification from Bulgaria, enter *G/SPS/N/BUL/5* or *G/SPS/N/BUL*.

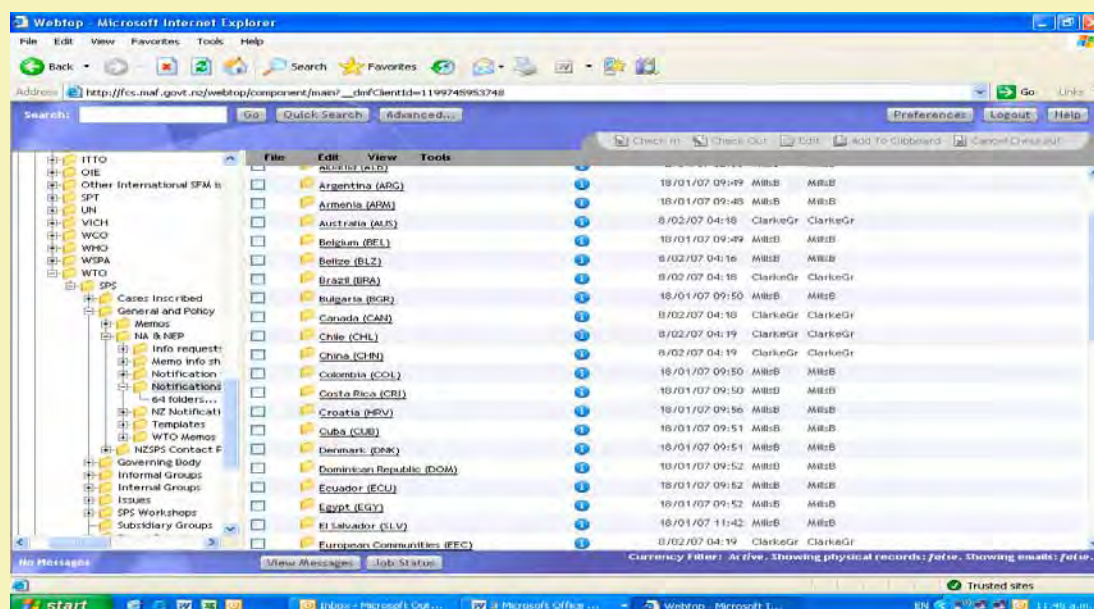
Choose a date range based on when it was recorded and when it was likely released.

The notification will appear on the list found. Check whether there is a version in your preferred language.

1.4 Finding Other WTO documents

On the main search page, enter *G/SPS/GEN* and a relevant date range based on when Other WTO documents were last downloaded.

Once an SPS document has been found, download it and read it. Consult with your colleagues or supervisor to clarify who in both the International Division and Department-wide need to be made aware of the document. File appropriately.



NOTE: For all other processes use methods in main body of the procedural manual.

APPENDIX 4

Stakeholder request form:

Department	
Contact Person	

Document Number	
Comment deadline	
Date Summary received	
Date request made of other member NNA	
Date request fulfilled	

APPENDIX 5

Adding people to the contact lists

- ▶ Stakeholders writing to the Contact Point requesting to be added to the Notifications list first require a responding email asking them to choose which lists they would like to be on. Move the request email to the Administration folder. Email a response based on the signature template for new stakeholders, and move this sent email to the Administration folder as well.
- ▶ Once the stakeholder has selected which lists they wish to be on by responding email, right click on their name in the "From" section of the email. Select "Add to Outlook Contacts". This will bring up a contact details sheet. Using the stakeholder's details, fill in the boxes with details of the stakeholder's position and contact details. Press 'Save and Close'.
- ▶ Press the "Contacts" tab on the left hand side of Outlook. In the "My Contacts" box at the top left hand side, select "Contacts". The person's card will have been saved automatically to your personal contacts list. Move it to the SPS Contacts list. The card will then be moved to 'Category: none'. Find the person's card in the list.
- ▶ Right click on the symbol for the person's card, and select "Categories". If there are unrelated or no categories, see below, and return to this point.
- ▶ Select the categories the stakeholder wishes to join and close. The stakeholder's card will then be moved out of 'Category: none', to the selected categories.

Templates for Typical Letters/Faxes/Emails

SPS National Notification Authority

For a Member submitting a notification

- ▶ Letter/fax – submission of SPS notification to WTO Central Registry of Notifications
- ▶ Letter/fax – acknowledging receipt of documents sent by another WTO Member

For a Member following up a notification

- ▶ Letter/fax – sending documents requested by another WTO Member
- ▶ Letter/fax – requesting document notified by another WTO Member

SPS National Enquiry Point

For a Member making an NEP request

- ▶ Letter/fax – making an NEP information request

For a Member following up on NEP request

- ▶ Letter/fax – acknowledging receipt of an NEP information request
- ▶ Letter/fax – providing information requested from an NEP information request

TEMPLATE: Letter/fax – submission of SPS notification to WTO Central Registry of Notifications

[Logo or header, etc]

[Insert your agency name]

[Address]

[Telephone number]

[Fax number]

[Email address]

To: Central Registry of Notifications
World Trade Organization

Fax: (+41 22) 739 5197

Date: [Insert date]

From: [Insert name]
[Insert title, agency name]

Subject: **[Insert notification reference number]**
FILE REFERENCE: [Insert your reference number]

Number of pages (including this cover sheet) [number of pages]

[ROUTINE/EMERGENCY] SPS NOTIFICATION FROM [WTO MEMBER]

Please find enclosed [a routine/an emergency] SPS notification from [insert WTO member name].

Thank you for your assistance.

Yours sincerely,

[Insert name]
[Insert title, agency name]
[WTO Member] SPS National Notification Authority

TEMPLATE: Letter/fax – acknowledging receipt of documents sent by another WTO Member

[Logo or header, etc]

[Insert your agency name]

[Address]

[Telephone number]

[Fax number]

[Email address]

To: [Insert agency name]

Fax: [Insert fax number]

Date: [Insert date]

From: [Insert name]
[Insert title, agency name]

Subject: **[Insert notification reference number]**
FILE REFERENCE: [Insert your reference number]

Number of pages (including this cover sheet)

ACKNOWLEDGEMENT OF DOCUMENT RECEIPT – [INSERT NOTIFICATION NUMBER]

Thank you for providing the documents related to SPS notification(s) [Insert notification number] that we requested.

We appreciate your time and help.

Yours sincerely,

[Insert name]
[Insert title, agency name]
[WTO Member] SPS National Notification Authority

TEMPLATE: Letter/fax – making an NEP information request

[Logo or header, etc]

[Insert your agency name]

[Address]

[Telephone number]

[Fax number]

[Email address]

To: [Insert agency name]

Fax: [Insert fax number]

Date: [Insert date]

From: [Insert name]
[Insert title, agency name]

Subject: **SPS NATIONAL ENQUIRY POINT REQUEST – [REQUEST TITLE]**
FILE REFERENCE: [Insert your reference number]

Number of pages (including this cover sheet)

Dear [insert name]

Could you please obtain from the relevant government authority information on [insert NEP request details].

Could you please send this information, preferably by [mail/email/fax] if possible. Your assistance is greatly appreciated.

Yours sincerely,

[Insert name]
[Insert title, agency name]
[WTO Member] SPS National Enquiry Point

TEMPLATE: Letter/fax – acknowledging receipt of an NEP information request

[Logo or header, etc]

[Insert your agency name]

[Address]

[Telephone number]

[Fax number]

[Email address]

To: [Insert agency name]

Fax: [Insert fax number]

Date: [Insert date]

From: [Insert name]
[Insert title, agency name]

Subject: **SPS NATIONAL ENQUIRY POINT REQUEST – [REQUEST TITLE]**
FILE REFERENCE: [Insert your reference number]

Number of pages (including this cover sheet)

Dear [insert name]

Thank you for your [letter/fax/email] of [date] requesting the information on [insert details of SPS NEP request].

We have passed your request to [insert name of government authority], which is the relevant government authority for such matters. We will supply the requested information to you once we have received a reply from them.

Yours sincerely,

[Insert name]
[Insert title, agency name]
[WTO Member] SPS National Enquiry Point

TEMPLATE: Letter/fax – providing information requested from an NEP information request

[Logo or header, etc]

[Insert your agency name]

[Address]

[Telephone number]

[Fax number]

[Email address]

To: [Insert agency name]

Fax: [Insert fax number]

Date: [Insert date]

From: [Insert name]
[Insert title, agency name]

Subject: **SPS NATIONAL ENQUIRY POINT REQUEST – [REQUEST TITLE]**
FILE REFERENCE: [Insert your reference number]

Number of pages (including this cover sheet)

Dear [insert name]

Thank you for your [letter/fax/email] of [date] requesting the information on [insert details of SPS NEP request].

Please find enclosed the relevant information that you requested:

[Insert document title here or nature of information]

We trust this information will be of use to you. Do not hesitate to contact us if you require any further assistance.

Yours sincerely,

[Insert name]
[Insert title, agency name]
[WTO Member] SPS National Enquiry Point

SPS Notification Authority

Choosing a Notification Authority

New Zealand has only one level of central government so there was no question about choosing a central agency when selecting an SPS notification authority. The first question was what sort of agency the authority should be. For New Zealand it was logical to have Notification Authority in the agency where the majority of SPS measures were drawn up. The Ministry of Agriculture and Fisheries (MAF), which is now the Ministry of Agriculture and Forestry, Biosecurity New Zealand (MAFBNZ) was chosen because it generates almost all phytosanitary and sanitary measures.

Staff

When NZ initially established the New Zealand SPS notification authority, MAFBNZ did not appoint additional staff to operate it; the duties were assigned initially to an incumbent staff member, who liaised at a senior level with other standard-setting agencies. The personal assistant of the senior manager carried out the administrative functions of the authority. Later three new staff members were appointed to work in the area of SPS policy, to ensure that New Zealand's SPS measures and those of other WTO members affecting our exports were consistent with SPS obligations. One of the new staff members took over the full management of the notification authority.

To ensure that we have a whole of government approach to NZ SPS issues a SPS Coordination Committee was formed. This group is made up of members from all areas of MAF and our Trade Ministry (MFAT). This group discusses issues and establishes NZ's perspective on issues etc raised in the SPS Committee. The SPS Coordination Committee sits under the umbrella of a senior management group called the SPS Forum. If the various parties within the SPS Coordination Committee are unable to come to an agreed position over a specific issue, then SPS Forum is asked to make a decision on the issue. This structure ensures all facets of the organisation have input into important SPS issues and that senior management are kept fully abreast of issues and are able to make informed decisions.

From New Zealand's experience, it is estimated that the total time taken to operate the routine functions of the notification authority and enquiry point amounts to about 10 per cent of one staff members' time, or around half a day per week. That encompasses the time taken to download notifications from the world wide web or process the copies sent by e-mail from the WTO Secretariat, copy and distribute them to key stakeholders and partners, as well as making follow-up enquiries to obtain documents notified by other WTO members. Additional time is taken in developing policies and procedures, and liaising with other agencies. This task is currently undertaken by Sally Jennings, International Group, Policy & Risk Directorate, Biosecurity New Zealand, Ministry of Agriculture & Forestry.

We suggest that staff handling SPS notifications should have a number of skills to ensure that the WTO member gains maximum benefits from the transparency system operated under the SPS Agreement. Staff should be:

- ▶ *organised and thorough* – it is important that the person is methodical and well-organised; capable of doing good administrative work;
- ▶ *have an understanding of the SPS Agreement* – it is also important that they are exposed to the policy side of SPS issues and understand the SPS Agreement, so they know the environment they are working in; and
- ▶ *have an eye for detail* – they also have to be alert for detail; making links between notifications, remembering things, and picking up on fine detail.

Operating the notification authority

Administrative role: A large part of the job of running the notification authority is just handling paper; being a good administrator. The authority receives a draft SPS notification from another department or group within its own department, checks it for style and content against the notification requirements, and then forwards it to the WTO in Geneva. If another WTO member asks for the regulation notified, the notification authority then either sends it or asks the responsible department to do this and then checks to see this is done.

Basic office facilities: WTO members do not need to build a new office or create a separate agency or group to run a notification authority; an existing agency or group can be used. The authority only really needs basic office facilities such as a photocopier, a filing cabinet, a telephone, and hopefully a fax. However, it is highly desirable for the agency to have computer access, internet and email facilities as this ensures fast and effective communication.

Documented procedures: To have a successful notification authority it is important for it to be properly organised. In case of staff changes and to ensure consistency between staff there should be standard operating procedures written down (The WTO Procedural Step-by-step Manual would be very useful here). It is very important to be methodical and have a consistent routine.

Access to technical expertise: Staff will be dealing with issues that they have little or no knowledge of. However, while they might not know anything about food safety (for example), they will need to make decisions about who a notification should be sent to, or whether a particular draft notification is technically sound. They do not need to know the answer, but must know who does.

Relationship with other agencies: A significant part of the work of a notification authority involves coordination with other agencies. It is important that the authority has someone who can see that all of the administrative functions that must be done by different agencies in fact get done. The notification authority will be dealing with officials that the authority's staff has no line control over. It is important for staff involved to be good at managing and building relationships with officials from other agencies.

Links with SPS policy knowledge: There is an important benefit in having links between the notification authority and people working on SPS policy. Knowing what is going in this committee helps the authority develop and maintain a useful oversight function over notifications. Scrutinising SPS notifications will help WTO Members provide input to SPS policy formation, whether it is the revision of the notification procedures, or the trade issues that get brought before the SPS Committee. New Zealand has found from operating a notification authority for nearly thirteen years that having the authority operated by the people involved in implementing and applying SPS policy is helpful.

Making notifications

Other agencies must generate: Under the New Zealand system the notification authority generally does not decide which SPS measures are notified, or write the actual notifications. The notification authority is responsible for developing procedures for other agencies and ensuring that notifications are drafted, but that does not mean that the authority has to draft the notifications itself. In fact, because the officials operating the New Zealand SPS notification authority are not the technical experts on food safety, animal health, and so on, but rather are policy people, they can not write the notifications. Their role is to scrutinise the draft notification, and to go back to check if there is doubt or add more information as required. So how do they make sure the notification work is done?

- i. *Awareness of importance:* The notification authority staff needs to talk to standard writers as well as managers. It is important to get management within all agencies developing SPS measures to show commitment to meeting SPS notification obligations.
- ii. *Interagency agreement on policy:* This agreement should be supported by, and summarised in, a formal written policy statement on SPS notifications that is agreed to by all agencies. New Zealand's policy statement

on SPS transparency (abridged in Annex 1) in fact just summarises, in plain English, the key relevant provisions of the SPS Agreement and the recommended notification procedures of the SPS Committee.

- iii. *Training for standard writers:* Simply having a number of policies and procedures documented is not enough, as they might just sit on the shelf and gather dust. As well as raising awareness and having an agreement on policy, the notification authority has to do more. It needs to train the people who actually develop SPS measures (or standards), and provide guidance for standard-writers on how to write an SPS notification. Standard-writers need to know what has to be notified under the SPS Agreement (what an “SPS measure” is), when to notify, and how to draft a notification. Information on this can be found in the WTO Procedural Step-by-step Manual, this can be adapted by Members’ NNAs to use as a training manual.

Receiving notifications

The other principal function of the notification authority relates to handling notifications made by other WTO members.

- i. *Process frequently:* Do not let them build up. One purpose of obtaining notifications is so that WTO Members know what changes are being made, so a country’s trade is not impeded. However, notifications are also a form of consultation. WTO Members are being given the chance to comment on proposed regulations, and have the chance to influence which measures actually come into force. Officials operating a notification authority are not doing their country much good if they find out about other Members’ SPS measures months after they come into force. Therefore, it is important to process the incoming notifications regularly: New Zealand has processes once per week.
- ii. *Distribution:* Part of the job of the notification authority is to distribute summaries of, or the actual notifications, to the most appropriate place e.g., where it will be of most benefit. This can include people exporting certain commodities or officials developing import regulations for those products. When setting up your agency, investigate who are the appropriate people to inform. Developing a summary sheet is one of the best and easiest ways to get the right information to all relevant people. This way the notification authority doesn’t have to decide what goes to whom, e.g., Is this a food safety notification or an animal notification? Just one spreadsheet goes to all people who have the responsibility of following-up any notifications.
- iii. *Are they going to the right people?:* The notifications need to go to the people who are actually doing the work and not to their bosses who might leave notifications in the in-tray or inbox.
- iv. *Procedures:* A notification authority must have good documented procedures for making follow-up enquiries. If someone asks for the document notified it is the job of the notification authority to ask for it from the other Member’s notification authority, and ask again if the document is not supplied. After two non-responses New Zealand asks its embassy or high commission to help make enquiries.

Comments – not part of the job of the notification authority

Under the New Zealand system the notification authority does not handle sending comments to other countries on their notifications. This is to reduce double handling, and make the process more efficient. Making comments is the responsibility of the government agency with the relevant technical expertise and legislative responsibilities. If they do not get an answer they can come to the notification authority for help, and with the help of the Ministry of Foreign Affairs and Trade the authority would make enquiries with the other WTO Member about why they had not responded.

It is important to train staff to include the SPS contact point in any correspondence relating to notification e.g., comments, etc. Communication is the most important aspect of the notification authority for the whole process to work properly.

SPS Enquiry Point

Choosing the enquiry point

For New Zealand, selecting the organisation to operate the SPS enquiry point was easy. There were three main factors:

- ▶ Agricultural exports are very important to New Zealand, so the enquiry point should also be where the majority of market access work is done (trying to negotiate less restrictive import conditions in other countries). So for this reason it made sense to have the enquiry point in the Ministry of Agriculture and Forestry (MAF).
- ▶ The second reason for MAF being the enquiry point is the same as one of the reasons outlined for choosing the notification authority: MAF is where the majority of SPS measures are developed. So it is easy if enquiring countries are talking directly to the source of most of the SPS measures.
- ▶ It is easy to have the notification authority and enquiry point in the same organisation, operated by the same person. In fact, though they are separate entities they share many synergies and in NZ's case they are really one and the same.

Operating the enquiry point

Annex B of the SPS Agreement differentiates between the NNA and the NEP. It indicates that the NEP has some different functions from those of the NNA. This difference does not matter much to New Zealand, as the same officials operate both functions. However, it might be important to other WTO Members where this is not the case. Under the SPS Agreement, the enquiry point does not send out a WTO Member's notified documents that other countries might ask to see and make comments on. That is the job of the notification authority. The enquiry point is responsible for answering "all reasonable questions", and for providing documents relevant to those questions, about a whole range of SPS related issues. Such questions could include:

- ▶ *Broad queries:* "Send us all your country's phytosanitary regulations" (This was the first question made to New Zealand's enquiry point, but we asked the enquirer to be more specific).
- ▶ *Specific queries:* "What are your country's regulations for the import of water buffalo?"
- ▶ *Bilateral enquiries:* "What bilateral agreement on SPS issues does your country have with country X, and what is its text?"

The New Zealand SPS enquiry point has received very few enquiries over the last thirteen years. The main reason for this is that the relevant SPS agencies in New Zealand have good relations with their technical counterparts overseas, and continue to receive enquiries directly. New Zealand policy is that responsible agencies should answer such questions themselves; there seems to be no sense in insisting that enquiries are redirected through the enquiry point.

Annex 1 of Appendix 7

Meeting the Transparency Obligations of the WTO to Agreement on the Application of Sanitary and Phytosanitary Measures

1. INTRODUCTION

One of the principal features of the World Trade Organization SPS Agreement (the Agreement on the application of Sanitary and Phytosanitary measures) is a set of rules relating to transparency in the formulation and existence of sanitary and phytosanitary (SPS) measures.

The rules cover three areas: notification of SPS measures, answering specific enquiries and publication of regulations.

New Zealand is committed to meeting its transparency obligations under the SPS Agreement. This policy statement sets out the principles and practices necessary to ensure all agencies involved in formulating or implementing New Zealand's SPS measures meet these obligations.

2. BACKGROUND TO SPS NOTIFICATIONS

The SPS Agreement requires WTO Members to notify other Members of proposed national sanitary and phytosanitary regulations. The World Trade Organization (WTO) Secretariat of the Committee on SPS measures is responsible for receiving and distributing notifications on behalf of Members.

Any WTO Member proposing to introduce SPS measures is, except in emergencies, required to:

- ▶ allow reasonable time for other WTO Members to make comments in writing on the proposed measure;
- ▶ discuss these comments upon request;
- ▶ take the comments and the results of the discussions into account;
- ▶ explain to the submitting Member how it plans to take their comments into account;
- ▶ where appropriate, provide additional relevant information on the proposed SPS regulations concerned;
- ▶ provide the submitting Member with a copy of the corresponding SPS regulations as adopted, or information that no corresponding SPS regulations will be adopted for the time being.

3. CRITERIA FOR NOTIFICATIONS

New Zealand's proposed sanitary and phytosanitary regulations will be notified whenever:

- ▶ either an international standard, guideline or recommendation does not exist, or;
- ▶ the content of a proposed SPS regulation is not substantially the same as the content of an international standard, guideline or recommendation, and, in both cases, if;
- ▶ the regulation may have a significant effect on trade of other WTO Members.

3.1 SPS regulations

SPS regulations are "sanitary and phytosanitary measures such as laws, decrees or ordinances that are applicable generally" (SPS Agreement Annex B, footnote 5). Sanitary or phytosanitary measures "include all relevant laws, decrees, regulations, requirements and procedures including, inter alia, end product criteria; processes and production methods; testing, inspection, certification and approval procedures; quarantine treatments including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and packaging and labelling requirements directly related to food safety" (Annex A, paragraph 1).

New Zealand's SPS measures are any measure applied:

- ▶ to protect animal or plant life or health within New Zealand from risks arising from the entry, establishment or spread of pests, diseases, disease-carrying organisms or disease-causing organisms;
- ▶ to protect human or animal life or health within New Zealand from risks arising from additives, contaminants, toxins or disease-causing organisms in foods, beverages or feedstuffs;
- ▶ to protect human life or health within New Zealand from risks arising from diseases carried by animals, plants or products thereof, or from the entry, establishment or spread of pests; or
- ▶ to prevent or limit other damage within New Zealand from the entry, establishment or spread of pests (Annex A, paragraph1).

New Zealand's SPS regulations therefore include, but are not limited to, SPS measures adopted under the Biosecurity Act 1993, the Food Act 1981 and the Hazardous Substances and New Organisms Act 1996.

3.2 International standards, guidelines or recommendations

These are:

For food safety:

- ▶ the standards, guidelines and recommendations established by the Codex Alimentarius Commission relating to food additives, veterinary drug and pesticide residues, contaminants, methods of analysis and sampling, and codes and guidelines of hygienic practice;

For animal health and zoonoses:

- ▶ the standards, guidelines and recommendations developed under the auspices of the International Office of Epizootics;

For plant health:

- ▶ the international standards, guidelines and recommendations developed under the auspices of the Secretariat of the International Plant Protection Convention in co-operation with regional organizations operating within the framework of the International Plant Protection Convention.

No other standard-setting bodies have yet been recognised by the SPS Committee for matters not covered by the above organisations, although this possibility is allowed for under the agreement.

This criterion for notification is whether the content, not the intent, of a proposed SPS regulation is substantially the same as the content of an international standard, guideline or recommendation. Even if the health objective of, or level of protection achieved by, the measure is the same as that delivered by the standard, if the measures required are not substantially the same as those in the international standard the measure meets this criterion for notification.

3.3 Significant effect on trade

When assessing whether the SPS regulation may have a 'significant' effect on trade, agencies should take into account, using relevant information which is available, such elements as:

- ▶ the value or other importance of imports in respect of the importing and/or exporting Members concerned, whether from other Members individually or collectively;
- ▶ the potential development of such imports, and;
- ▶ difficulties for producers in other Members to comply with the proposed SPS regulations.

The concept of a significant effect on trade of other members should include both import-enhancing and import-reducing effects on the trade of other members, as long as such effects are significant.

The concept of 'significant effect on the trade of other members' may refer to the effect on trade:

- ▶ of one sanitary or phytosanitary regulation only or of various sanitary or phytosanitary regulations in combination;
- ▶ in a specific product, group of products or products in general, and;
- ▶ between two or more members.

Agencies developing SPS measures for New Zealand should interpret the phrase "may have a significant effect on the trade of other Members" widely, and notify SPS measures if in doubt on this criterion.

4. ROUTINE NOTIFICATIONS

Draft regulations will be notified at an early stage when amendments can still be introduced and comments taken into account. New Zealand agencies should meet or exceed the recommended minimum consultation period of 60 days.

5. EMERGENCY NOTIFICATIONS

In accordance with paragraph 6 of Annex B, New Zealand may omit such of the steps required by the normal notification procedure as it finds necessary when "urgent health protection problems arise or threaten to arise", provided that New Zealand:

- ▶ immediately notifies other Members (through the WTO: SPS Secretariat) of the particular regulation and the products covered, with a brief indication of the objective and the rationale of the regulation, including the nature of the urgent problem(s);
- ▶ provides, upon request, copies of the regulation to other Members;
- ▶ allows other Members to make comments in writing, discusses these comments upon request, and takes the comments and the results of the discussions in account (Annex B, paragraph 6).

New Zealand agencies should make emergency notifications only in cases where full consultation is not possible, and the criteria of Annex B, paragraph 6 are fulfilled.

6. RESPONDING TO SUBMISSIONS

It is the responsibility of any agency or group receiving submissions on notified documents to:

- ▶ acknowledge receipt of submissions;
- ▶ discuss submissions if requested to;
- ▶ explain to all submitters how their comments are (or are not) being taken into account in the final SPS measure;
- ▶ provide extra information on the measure if requested;
- ▶ and, in all cases, send to all submitters a copy of the final SPS measure when it is adopted, or (if applicable) advice that no measure is being adopted for the time being. (Providing the world wide web reference of the final standard would be an acceptable alternative for most countries.)

7. SPS NATIONAL ENQUIRY POINT

The New Zealand SPS National Enquiry Point will provide answers to all reasonable questions from interested WTO Members as well as provide relevant documents regarding:

- ▶ any sanitary or phytosanitary regulations adopted or proposed within New Zealand;
- ▶ any control and inspection procedures, production and quarantine treatment, pesticide tolerance and food additive approval procedures, which are operated within New Zealand;
- ▶ risk assessment procedures, factors taken into consideration, as well as the determination of the appropriate level of sanitary and phytosanitary protection;
- ▶ the membership and participation of New Zealand, or of relevant bodies within its territory, in international and regional SPS organisations and systems, as well as in bilateral and multilateral agreements and arrangements within the scope of the SPS Agreement, and the texts of such agreements and arrangements.

Other New Zealand agencies should cooperate in this task as required.

8. PUBLICATION OF REGULATIONS

Agencies responsible for New Zealand's SPS measures should ensure that all SPS regulations (as outlined in section 4) which have been adopted are published promptly and in such a way as to enable interested WTO Members to become acquainted with them.

Except in emergencies, as defined in section 5, such agencies should allow a reasonable time between the publication of an SPS regulation and its coming into force.

9. PROCEDURES

MAF Biosecurity New Zealand is responsible for implementing, on a national level, the provisions of Annex B of the SPS Agreement relating to both the SPS Notification Authority and SPS National Enquiry Point. The contact details for the New Zealand SPS Notification Authority and SPS National Enquiry are:

MAF Biosecurity New Zealand
P O Box 2526
Wellington

Phone (+64)4 8940431
Fax (+64)4 8940733
E.mail sps@maf.govt.nz

MAF Biosecurity New Zealand implements the obligations of the SPS Agreement relating to the Notification Authority and National Enquiry Point according to the MAF Biosecurity New Zealand Procedure for transparency of sanitary and phytosanitary regulations. Each agency developing New Zealand's SPS measures should, where appropriate, establish documented procedures to ensure this policy is fulfilled.

APPENDIX 8

Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement (Article 7)

Committee on Sanitary and Phytosanitary Measures

RECOMMENDED PROCEDURES FOR IMPLEMENTING THE TRANSPARENCY OBLIGATIONS OF THE SPS AGREEMENT (ARTICLE 7)

AS OF 1 DECEMBER 2008

Revision1

1. The term transparency in the context of the World Trade Organization (WTO) is used to signify one of the fundamental principles of its agreements: the aim is to achieve a greater degree of clarity, predictability and information about trade policies, rules and regulations of Members. In implementing this concept Members use notifications. Under the SPS Agreement, notifications are used to inform other Members about new or changed regulations that may significantly affect their trading partners.² Transparency under the SPS Agreement also includes answering reasonable questions, and publishing regulations.
2. These procedures have been developed to assist Members fulfil their transparency obligations under Article 7 and Annex B of the SPS Agreement regarding the notification of SPS regulations, answering information requests under the National Enquiry Point system and publishing regulations.
3. These guidelines do not add to nor detract from the existing rights and obligations of Members under the SPS Agreement nor any other WTO Agreement. These guidelines do not provide any legal interpretation or modification to the SPS Agreement itself.

IDENTIFICATION OF THE NATIONAL NOTIFICATION AUTHORITY AND OF THE NATIONAL ENQUIRY POINT

1 At its meeting of 2-3 April 2008, the SPS Committee adopted the revised Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement (Article 7) on an ad referendum basis. Members who objected to the adoption of the guidelines were asked to make this known by 30 May 2008. No objections were raised by that date. In light of the required modifications to the SPS Information Management System (SPS IMS), which the Secretariat uses to generate and report on SPS notifications, these procedures, including the revised notification formats, will take effect as of **1 December 2008**.

2 The SPS Agreement uses the terms 'measures' and 'regulations' somewhat interchangeably when referring to any sanitary or phytosanitary measure such as laws, decrees, or ordinances applied to protect human, animal or plant life or health as defined under paragraph 1 of Annex A to the SPS Agreement.

4. In accordance with paragraph 10 of Annex B of the SPS Agreement, Members are obliged to designate "a single central government authority" as responsible for the implementation at the national level of the provisions concerning notification procedures. Paragraph 3 of Annex B of the SPS Agreement indicates that each Member "shall ensure that one enquiry point exists" which is responsible for the provision of answers to all reasonable questions as well as the provision of relevant documents.³

5. When a Member's National Notification Authority or National Enquiry Point has been designated, or changed, the WTO Secretariat should be informed. The Secretariat regularly circulates a list of all Members' National Notification Authorities and National Enquiry Points, and this information is also available through the WTO's SPS web page (www.wto.org) and through the SPS Information Management System (<http://spsims.wto.org>). The National Enquiry Points are listed in the G/SPS/ENQ/ document series of the WTO, and the notification authorities are listed in the G/SPS/NNA/ series. It is useful to provide the following contact information so that they can be included in the lists:

- Contact name
- Name of institution
- Postal address / physical address
- Phone
- Fax
- E-mail
- Website address

RECOMMENDED NOTIFICATION PROCEDURES

6. Members should follow these procedures when notifying regulations as required in paragraphs 5 or 6 of Annex B of the SPS Agreement. The form for routine notifications (see Annex A-1 of these procedures) should be used for notifications in accordance with paragraph 5 of Annex B of the SPS Agreement, whereas the form for emergency notifications (see Annex B-1 of these procedures) should be used for notifications as provided for in paragraph 6 of Annex B of the SPS Agreement.

A APPLICATION OF ANNEX B, PARAGRAPH 5 (PREAMBLE PART) OF THE SPS AGREEMENT

³ In practice, a number of Members have decided to designate the same entity as the Enquiry Point and the National Notification Authority while others have found it more functional to establish more than one Enquiry Point to cover the areas of food safety, animal and plant health.

7. In accordance with Article 7 and paragraph 5 of Annex B of the SPS Agreement, Members are required to notify all regulations the content of which is "not substantially the same as the content of an international standard, guideline or recommendation", if such regulations are expected to have a significant effect on trade of other Members.

8. Members are encouraged to notify all regulations that are based on, conform to, or are substantially the same as an international standard, guideline or recommendation, if they are expected to have a significant effect on trade of other Members.⁴

9. For the purposes of Annex B, paragraphs 5 and 6 of the SPS Agreement, the concept of "significant effect on trade of other Members" may refer to the effect on trade:

- of one sanitary or phytosanitary regulation only or of various sanitary or phytosanitary regulations in combination;
- in a specific product, group of products or products in general; and
- between two or more Members.

10. To assess whether the sanitary or phytosanitary regulation may have a significant effect on trade, the Member concerned should consider relevant available information such as: the value or other importance of imports to the importing and/or exporting Members concerned, whether from other Members individually or collectively; the potential development of such imports; and difficulties for producers in other Members, particularly in developing country Members, to comply with the proposed sanitary or phytosanitary regulations. The concept of a significant effect on trade of other Members should include both import-enhancing and import-reducing effects on the trade of other Members, as long as such effects are significant.

B TIMING OF NOTIFICATIONS

11. Paragraph 5(a) of Annex B of the SPS Agreement obliges Members to publish a notice at an early stage in such a manner as to enable interested Members to become acquainted with a proposal to introduce a particular regulation. This is useful so that other Members are better able to assess and if necessary, comment on the proposed measures. Members may wish to provide information to the SPS Committee regarding expected modifications to their national regulatory systems.

12. Paragraph 5(b) of Annex B of the SPS Agreement obliges Members to submit a notification at an early stage when amendments can still be introduced and comments taken into account. This should be done when a draft of the complete text of a regulation is available.

13. Paragraph 5(d) of Annex B of the SPS Agreement obliges Members to allow a reasonable period of time for submission, discussion and consideration of comments. Members should normally allow a period of at least sixty calendar days for comments, except for proposed measures which facilitate trade⁵ and those which are substantially the same as

⁴ The Secretariat should provide an annual report on the level of implementation of the transparency provisions of the SPS Agreement and of the recommended transparency procedures contained in this document, including, *inter alia*, an overview of those notifications which relate to the adoption of international standards, guidelines and recommendations by Members.

⁵ Trade facilitating measures could include, *inter alia*, the raising of the level of maximum residue limits of certain pesticides in certain products, the lifting of a ban on imports, or the simplification or elimination of certain certification/approval procedures.

an international standard, guideline, or recommendation. Where domestic regulatory mechanisms allow, the 60-day comment period should normally begin with the circulation of the notification by the WTO Secretariat. Any Member which is able to provide a time-limit beyond sixty days is encouraged to do so.

14. A notification should be made well before the entry into force of the relevant measure, except when urgent problems of health protection arise or threaten to arise for the Member concerned. In accordance with paragraph 6(a) of Annex B of the SPS Agreement, any regulation brought into force in urgent circumstances is required to be notified immediately and a rationale for the urgent action provided.

15. The late notification of a measure already in force does not in and of itself constitute sufficient reason for the use of the emergency format. When urgent problems of health protection are not involved, late notifications should be made using the regular format and consideration should still be given to all comments received, in accordance with paragraph 5(d) of Annex B of the SPS Agreement.

C REQUESTING DOCUMENTS RELATED TO A NOTIFICATION

16. Members requesting documents related to a notification should provide all the information necessary to identify the documents and in particular the WTO SPS notification number to which the requests refer.

17. When requesting an electronic transmission of documents from another Member, Members should indicate which electronic formats they are able to receive, including compatible versions.

D PROVIDING DOCUMENTS RELATED TO A NOTIFICATION

Address of body supplying the documents

18. Members should indicate under point 13 of the WTO notification format the full address of the body responsible for supplying the relevant documents if that body is not the National Notification Authority or the National Enquiry Point. Where the relevant documents are also available from a website, the website address or a specific hyperlink to these documents should be provided.

Responding to requests

19. Members are obliged to provide upon request to other Members copies of the proposed regulation in accordance with paragraph 5(c) of Annex B of the SPS Agreement. Documents requested should normally be provided within five working days. If this is not possible, the request for documentation or information should be acknowledged within that period and an estimate given of the time required to provide the requested documentation. With a view to facilitating the timely provision of comments on notifications, Members are strongly encouraged to comply with the five-day deadline.

20. Documents supplied in response to a request should be identified with the WTO SPS notification number to which the request refers.

21. Members should use fax and E-mail facilities to the extent possible in responding to requests for documentation or information. Members are encouraged to publish their sanitary or phytosanitary measures on the Internet, to facilitate the supply of documents, and to provide the address of relevant websites.

22. Members may also submit an electronic version of the text of the notified draft regulation together with the notification format. These texts are stored on a WTO server and are accessible through a hyperlink in the notification format.⁶ Information about the provision, storage, and language of attachments to SPS notifications is contained in Annex C of these procedures.

Acknowledging receipt of documents

23. The Member requesting documents relating to a notification should acknowledge receipt of the documents provided.

Translation of documents

24. When a translation of a relevant document exists or is planned, this fact should be indicated on the WTO notification form next to the title of the document. If only a translated summary exists, the fact that such a summary is available should be similarly indicated.

25. If a translation of a document or summary exists in the language of the requesting Member, or, as the case may be, in the WTO working language used by the requesting Member, it should be automatically sent with the original of the document requested.

26. Where documents are not available in a WTO working language, developed country Members shall, upon request, supply a translation of the document, or in case of voluminous documents, a translation of a summary of the document, in a WTO working language in accordance with paragraph 8 of Annex B of the SPS Agreement.

27. When a Member seeks a copy of a document relating to a notification which does not exist in that Member's WTO working language, the notifying Member should advise the requesting Member of other Members that have requested, as of that date, a copy of the document. The Member seeking a copy of a document relating to a notification may contact other Members in order to determine whether the latter are prepared to share any translation that they have or will be making.

28. Any Member possessing an unofficial translation of a document relating to a notification should inform the notifying Member of the existence of the unofficial translation and should submit to the Secretariat a supplement to the original notification submitted by a Member. The supplement should indicate the address for requesting a copy or the website address where the unofficial translation can be found. The format of the supplement can be found in Annex D of these procedures. Neither the Secretariat nor the Member providing the unofficial translation can be held responsible for the accuracy or quality of these translations.⁷

E HANDLING OF COMMENTS ON NOTIFICATIONS

⁶ See G/SPS/GEN/818.

⁷ See G/SPS/GEN/487 for further information on this mechanism.

29. Each Member should notify the WTO Secretariat of the authority or agency (e.g. its National Notification Authority) which it has designated to be in charge of handling comments received, and of any change and/or modification of such authority or agency.

30. Members submitting comments on a notified draft regulation should provide them without unnecessary delay to the authority designated to handle the comments, or to the National Notification Authority if no other designation is made.

31. A Member receiving comments through the designated body should, without further request:

- acknowledge the receipt of such comments;
- explain within a reasonable period of time, and at the earliest possible date before the adoption of the measure, to any Member from which it has received comments, how it will take these comments into account and, where appropriate, provide additional relevant information on the proposed sanitary or phytosanitary regulations concerned;
- provide to any Member from which it has received comments, a copy of the corresponding sanitary or phytosanitary regulations as adopted or information that no corresponding sanitary or phytosanitary regulations will be adopted for the time being.

32. A Member receiving comments through the designated body may consider making available to other Members, where possible, non-confidential comments and questions it has received and answers it has provided, or summaries thereof, preferably via electronic means.

33. Members should grant requests for extension of the comment period wherever practicable, in particular with regard to notifications relating to products of particular interest to developing country Members, where there have been delays in receiving and translating the relevant documents or where there is a need for further clarification of the measure notified. A 30-day extension should normally be provided and notified to the WTO (see section below on Addenda).

34. Members are also encouraged to use the "Procedure to Enhance Transparency of Special and Differential Treatment in Favour of Developing Countries" (G/SPS/33).

F ADDENDA, REVISIONS AND CORRIGENDA

35. In addition to their original notifications, Members can also provide supplementary information in three different forms:

- An addendum is used to provide additional information or changes to an original notification. A Member may wish to indicate on the addendum if the final regulation has been substantially modified from the notified proposal.
- A corrigendum is used to correct an error in an original notification such as an incorrect address detail.
- A revision is used to replace an existing notification.

Any addendum or corrigendum should be read in conjunction with the original notification.

Addenda

36. Members should notify changes in the status of a notified SPS regulation. The issuance of an addendum allows Members to track the status of an SPS regulation via its unique notification number. Addenda to SPS notifications should be made in a number of circumstances, such as:

- (a) if the comment period has been extended;
- (b) when a proposed regulation is either adopted, published or comes into force, if the relevant dates have not been provided in the original notification or have been changed. Members are strongly encouraged to follow this recommendation and inform other Members in a timely manner. A Member may wish to indicate on the addendum if the final regulation has been substantially modified from the notified proposal;
- (c) if the content of a previously notified draft regulation is partially changed, or if the scope of application of the existing notification is modified, either in terms of Members affected or products covered. Such an addendum should provide for a new 60-day comment period unless the notified change is of a trade-facilitating nature or is negligible. Where domestic regulatory mechanisms allow, the 60-day comment period should normally begin with the circulation of the notification by the WTO Secretariat;
- (d) if a proposed regulation is withdrawn;
- (e) in the case of an emergency notification, an addendum should also be submitted if the period of application of the existing notification is extended.

37. An addendum should:

- briefly recap what was notified, when and what it was about - this is a practical requirement, and reduces the need for Members to have to go back to the original notification to check what it was about;
- specify what change has been made and why - briefly state why the information, dates, etc. have been changed; and
- restate the comments deadline, even if it has not been changed - as a reminder to Members that if they wish to comment it must be done by this date.

38. A form for making an addendum is available in Annex A-2 of these procedures for routine notifications and in Annex B-2 for notifications of emergency measures.

Revisions

39. Revisions replace an existing notification. Revisions should be submitted, for example, if a notified draft regulation was substantially redrafted or if a notification contained a large number of errors. A Member should provide a further period for comments on the revised notification, normally 60 calendar days, unless the notified change is of a trade-facilitating nature or would have a negligible effect on trade. Where domestic regulatory

mechanisms allow, the 60-day comment period should normally begin with the circulation of the revised notification by the WTO Secretariat.

40. A form for making a revision is available in Annex A-3 of these procedures for routine notifications and Annex B-3 for notifications of emergency measures.

Corrigenda

41. Members should inform the Secretariat of any error(s) contained in their original notification. The Secretariat will issue a corrigendum accordingly.

42. A form for making a corrigendum is available in Annex A-4 of these procedures for routine notifications and Annex B-4 for notifications of emergency measures.

G REGULATIONS THAT CONTAIN BOTH SPS AND TBT MEASURES

43. When a regulation contains both SPS and TBT measures, it should be notified according to both the SPS and TBT Agreements, preferably with an indication of which parts of the regulation fall under the SPS Agreement (e.g. a food safety measure) and which parts fall under the TBT Agreement (e.g. quality or compositional requirements).

H NOTIFICATION OF DETERMINATION OF THE RECOGNITION OF EQUIVALENCE OF SANITARY OR PHYTOSANITARY MEASURES

44. In accordance with the Decision on Equivalence (G/SPS/19/Rev.2), a Member which has made a determination recognizing the equivalence of sanitary or phytosanitary measures of another Member or Members shall notify other Members through the Secretariat of the measure(s) recognized to be equivalent and of the products affected by this recognition.

45. For the purposes of this notification, equivalence is defined to be the state wherein sanitary or phytosanitary measures applied in an exporting Member, though different from the measures applied in an importing Member, achieve, as demonstrated by the exporting Member and recognized by the importing Member, the importing Member's appropriate level of sanitary or phytosanitary protection. A determination of the recognition of equivalence may be with respect to a specific measure or measures related to a certain product or categories of products, or on a systems-wide basis.

46. Notification should also be made of significant variations to existing equivalence arrangements, including their suspension or rescission.

47. See Annex E of these procedures for further information on the format for the Notification of Determination of the Recognition of Equivalence of Sanitary or Phytosanitary Measures.

I COMPLETED NOTIFICATIONS

48. Notifications should be sent, preferably by E-mail, but if not by fax or air mail, from the National Notification Authority to the central registry of notifications (CRN) at the WTO. The address is:

Central Registry of Notifications

E-mail: crn@wto.org

World Trade Organization
Rue de Lausanne 154
1211 Geneva 21
Switzerland
Fax: (+41 22) 739 5638

49. Electronic copies of all notification formats can be downloaded from the WTO website at: http://www.wto.org/english/tratop_e/sps_e/sps_e.htm

50. Members may submit electronic copies, in PDF format, of proposed regulations along with the corresponding notifications to the WTO Secretariat. These texts will be accessible, in the format and language provided, through a hyperlink in the notification format (see paragraph 22).

51. In addition, Members are encouraged to provide a website address or a specific hyperlink, if available, for the relevant documents in the appropriate section of the notification format.

J GUIDELINES FOR NATIONAL ENQUIRY POINTS

52. The National Enquiry Point system established in paragraph 3 of Annex B of the SPS Agreement is an effective avenue for obtaining information regarding SPS systems and measures from other Members.

53. The National Enquiry Point handles on a routine basis:

- document and information requests;
- general enquiries; and
- delivery and charging of documents.

54. National Enquiry Points should also provide, upon request, information on participation in any bilateral or multilateral equivalence agreements and arrangements in accordance with paragraph 3(d) of Annex B of the SPS Agreement.

55. While the mode of delivery is at the discretion of the Member concerned, it is recommended that delivery of documents should be by the fastest means possible. In the first instance, if the Member has such facilities, the documents should be made accessible through a website or sent by E-mail or by fax. Alternatively, a Member can send the documents by post or via a requesting Member's diplomatic mission in their territory.

56. A Member may only charge the same cost for the documents as it would for its own nationals plus the cost of delivering the documents in accordance with paragraph 4 of Annex B of the SPS Agreement.

57. Members should also refer to the guidelines on transparency contained in the handbook *How to apply the transparency provisions of the SPS Agreement* (November 2000),

when notifying regulations and operating National Enquiry Points in accordance with Article 7 and Annex B of the SPS Agreement.⁸

K PUBLICATION OF REGULATIONS

58. The publication of regulations is a fundamental component of transparency under the SPS Agreement. This is a general obligation on Members, and does not relate specifically to the work of either the National Notification Authority or National Enquiry Point.

59. In accordance with paragraphs 1 and 2 of Annex B of the SPS Agreement, Members are obliged to:

- (a) ensure that all SPS regulations which have been adopted are published promptly in such a manner as to enable interested Members to become acquainted with them. Regulations to be published include laws, decrees or ordinances which are applicable generally;
- (b) except in urgent circumstances, allow a reasonable interval between the publication of a sanitary or phytosanitary regulation and its entry into force in order to allow time for producers in exporting Members and particularly in developing country Members, to adapt their products and methods of production to the requirements of the importing Member.

60. As agreed in the Doha Decision on Implementation-Related Issues and Concerns (WT/MIN(01)/17, para. 3.2):

Subject to the conditions specified in paragraph 2 of Annex B to the Agreement on the Application of Sanitary and Phytosanitary Measures, the phrase "reasonable interval" shall be understood to mean normally a period of not less than 6 months. It is understood that timeframes for specific measures have to be considered in the context of the particular circumstances of the measure and actions necessary to implement it. The entry into force of measures which contribute to the liberalization of trade should not be unnecessarily delayed.

61. The reasonable interval specified above between the publication and entry into force of new regulations should be provided, including when these are based on, conform to, or are substantially the same as an international standard, guideline, or recommendation.

62. Members are encouraged to publish SPS regulations on the Internet where possible. Publication on the Internet has a number of advantages and benefits to Members over more traditional methods. It:

- allows for greater transparency;
- makes it easier for Members to obtain documents; and

⁸ A practical procedural manual on the operation of National Enquiry Points and Notification Authorities is under preparation. Once it is finalized, the manual will be posted on the WTO website for access by all interested parties.

- reduces the amount of work involved in processing and fulfilling document requests.

ACCESS TO INTERNATIONAL ELECTRONIC RESOURCES RELATED TO SPS NOTIFICATIONS AND OTHER SPS INFORMATION

63. There are a number of international resources on the Internet which could facilitate Members' access to SPS-related information. These include the WTO Secretariat's Documents Online Facility and SPS Information Management System (SPS IMS) (<http://spsims.wto.org>) as well as the FAO's International Portal on Food Safety, Animal and Plant Health (<http://www.ipfsaph.org>).

64. Members are encouraged to provide the WTO Secretariat up-to-date information regarding SPS-related websites within their territory for inclusion on the WTO's SPS web page. Official national SPS-related documentation and information can also be provided to the FAO's International Portal on Food Safety, Animal and Plant Health for publication.

ANNEX A-1: ROUTINE NOTIFICATIONS

COMPLETION OF FORMATS - ROUTINE NOTIFICATIONS (ANNEX B, PARAGRAPH 5 OF THE SPS AGREEMENT)

Information contained in the notifications should be as complete as possible and no section should be left blank. Where necessary, "not known" or "not stated" should be indicated.

Item	Description
1. Member notifying	Government, including the competent authorities of the European Communities, which is making the notification.
2. Agency responsible	Body elaborating a proposal for or promulgating a sanitary or phytosanitary regulation.
3. Products covered	Tariff item number(s) (normally HS, chapter or heading and number) as contained in national schedules deposited with the WTO. ICS numbers should be provided in addition, where applicable. A clear description is important for an understanding of the notification by delegations and translators. Abbreviations should be avoided.
4. Regions or countries likely to be affected	The geographical regions or countries likely to be affected by the notified regulation should be identified to the extent relevant or practicable. Members are encouraged to be as specific as possible in identifying regions or countries likely to be affected.
5. Title, language and number of pages of the notified document	<p>Title of the proposed or adopted (in the case of late submissions) sanitary or phytosanitary regulation. Number of pages in the notified document. Languages in which the notified document is available.</p> <p>If a translation of the whole document or its summary exists, indicate this here.</p> <p>If a Member submits the text of the draft regulation or a summary or translation thereof in PDF format along with the notification, the WTO Secretariat will facilitate access to this text through a hyperlink in the notification format.</p>
6. Description of content	<p>A summary of the proposed or adopted (in the case of late submissions) sanitary or phytosanitary regulation clearly indicating its content and health protection objective. The summary should be as complete and accurate as possible to allow the full understanding of the proposed regulation. To the extent possible, likely effects on trade should be described. Abbreviations should be avoided. Where practicable it should also include an outline of the specific sanitary measures the regulation will apply. The summary should enable trading partners to determine whether the notified measure is likely to have an impact on products they wish to export to the notifying Member.</p> <p>When a regulation contains both SPS and TBT measures, it should be notified according to both the SPS and TBT</p>

Item	Description
	Agreements, preferably with an indication of which parts of the regulation fall under the SPS Agreement and which parts fall under the TBT Agreement.
7. Objective and rationale	State whether objective is: protection of human health from food-borne risks; or protection of human health from plant- or animal-carried diseases; or protection of animal health from pests or diseases; or protection of animal health from contaminated feed; or protection of plant health from pests or diseases; or prevention of other damage from entry, establishment or spread of pests.
8. Existence of international standard, guideline or recommendation	<p>If a relevant international standard, guideline or recommendation exists, put a cross in the box provided for the appropriate standard-setting organization and give the appropriate reference of the existing standard, guideline or recommendation, e.g. Codex standard number, ISPM number, OIE Code chapter. Indicate whether the proposed regulation conforms to the relevant international standard and if not, describe, whenever possible, how and why the proposed regulation deviates from the international standard, guideline or recommendation.</p> <p>If no international standard, guideline or recommendation exists, put a cross in the box "none".</p>
9. Other relevant documents and language(s) in which these are available	<p>Documents referenced here are different from those listed in box 5. Documents which should be referenced include:</p> <p>(a) Publication where notice of the proposed regulation appears, including date and reference numbers;</p> <p>(b) Proposal and basic document to which proposal refers (with specific reference number or other identification), and the language(s) in which the notified documents and any summary of these are available;</p> <p>(c) Publication in which proposal will appear when adopted.</p> <p>If it is necessary to charge for documents supplied, the amount of the charge should be indicated.</p> <p>Provide the website address and hyperlink for these documents where available.</p> <p>If a Member submits texts of referenced documents in PDF format along with the notification to the WTO Secretariat, hyperlinks to these texts will be made available under this item.</p>
10. Proposed date of adoption and of publication	The date when the sanitary or phytosanitary regulation is expected to be adopted. Also provide where possible the proposed date of publication of the final measure if this differs from the date of adoption.

Item	Description
11. Proposed date of entry into force	<p>The date from which the requirements in the regulation are proposed or decided to enter into force shall normally be at least six months following the above date of adoption and/or publication.</p> <p>Where appropriate, Members should accord longer time-frames for compliance on products of interest to developing country Members. This shall normally be a period of not less than six months.⁹</p> <p>Put a cross in the box if the proposed measure contributes to the liberalization of trade. In this case, the implementation of the measure should not be unnecessarily delayed and no comment period need be provided.</p>
12. Final date for comments and agency or authority handling comments	<p>The date by which Members may submit comments in accordance with Annex B, Paragraph 5(b) of the SPS Agreement. A Member should normally allow a period of at least sixty calendar days for comments. Check the box if this is 60 calendar days following the date of circulation of the notification as a WTO document, the Secretariat will indicate the corresponding date. If not, a specific date should be indicated. Any Member which is able to provide a time limit beyond 60 days is encouraged to do so.</p> <p>The agency or authority which has been designated to handle the comments should be indicated. If this is the National Notification Authority or the National Enquiry Point, put a cross in the box provided. If another agency or authority has been designated, provide its name, address, fax and (if available) E-mail address.</p> <p>For proposed measures which facilitate trade or those which are substantially the same as an international standard, guideline or recommendation, Members may reduce or eliminate the period for receiving comments.</p>
13. Texts available from	<p>If available from the National Notification Authority or the National Enquiry Point, put a cross in the respective box. If available from another body, give its address, fax number and (if available) E-mail address. Such indications do not in any way discharge the relevant National Enquiry Point of its responsibilities under the provisions of Annex B, Paragraphs 3 and 4 of the SPS Agreement.</p> <p>Provide the website address and specific hyperlink of the document notified, if available.</p> <p>If a Member submits the text of the draft regulation in PDF format along with the notification, a hyperlink to this text will be made available under this item.</p>

⁹ Doha Decision on Implementation-Related Issues and Concerns (WT/MIN/(01)/17, para.3.1).

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

1.	Notifying Member: _____ If applicable, name of local government involved:		
2.	Agency responsible:		
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):		
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:		
5.	Title of the notified document:	Language:	Number of pages:
6.	Description of content:		
7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.		
8.	Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (<i>e.g. title or serial number of Codex standard or related text</i>) <input type="checkbox"/> World Organization for Animal Health (OIE) (<i>e.g. Terrestrial or Aquatic Animal Health Code, chapter number</i>) <input type="checkbox"/> International Plant Protection Convention (<i>e.g. ISPM number</i>) <input type="checkbox"/> None Does this proposed regulation conform to the relevant international standard? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, describe, whenever possible, how and why it deviates from the international standard:		
9.	Other relevant documents and language(s) in which these are available:		

10.	Proposed date of adoption (dd/mm/yy): Proposed date of publication (dd/mm/yy):
11.	Proposed date of entry into force: [] Six months from date of publication, and/or (dd/mm/yy): [] Trade facilitating measure
12.	Final date for comments: [] Sixty days from the date of circulation of the notification and/or (dd/mm/yy): Agency or authority designated to handle comments: [] National Notification Authority, [] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:
13.	Texts available from: [] National Notification Authority, [] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/#/Add
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date of distribution
(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Addendum

The following communication, received on # Month Year, is being circulated at the request of the Delegation of [Member].

Title outlining what the SPS measure or product is

[Text]

This addendum concerns a:

- ☐ Modification of final date for comments
- ☐ Notification of adoption, publication, or entry into force of regulation
- ☐ Modification of content and/or scope of previously notified draft regulation
- ☐ Withdrawal of proposed regulation
- ☐ Change in proposed date of adoption, publication, or date of entry into force
- ☐ Other [provide brief description]

Comment period: *[If the addendum extends the scope of the previously notified measure in terms of products and/or potentially affected Members, a new deadline for receipt of comments should be provided, normally of at least 60 calendar days. Under other circumstances, such as extension of originally announced final date for comments, the comment period provided in the Addendum may vary.]*

- ☐ Sixty days from the date of circulation of the addendum to the notification ([DATE])
or [DATE: dd/mm/yy]

Agency or authority designated to handle comments: ☐ National Notification Authority, ☐ National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

Text available from: ☐ National Notification Authority, ☐ National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX A-3: ROUTINE NOTIFICATIONS - REVISIONS

WORLD TRADE

ORGANIZATION

G/SPS/N/COUNTRY/##/Rev.

#

date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Revision

1.	Notifying Member: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable: [specific regions or countries] or [] all trading partners
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: [] food safety [] animal health [] plant protection [] protect humans from animal/plant pest or disease [] protect territory from other damage from pests
8.	Is there a relevant international standard? If so, identify the standard: [] Codex Alimentarius Commission [(e.g. title or serial number of Codex standard or related text)] [] World Organization for Animal Health (OIE) [(e.g., Terrestrial or Aquatic Animal Health Code, chapter number)] [] International Plant Protection Convention [(e.g., ISPM N°)] [] None Does this proposed regulation conform to the relevant international standard? [] Yes [] No If no, describe, whenever possible, how and why it deviates from the international standard:
9.	Other relevant documents and language(s) in which these are available:

10.	Proposed date of adoption (dd/mm/yy): Proposed date of publication (dd/mm/yy):
11.	Proposed date of entry into force (dd/mm/yy): <input type="checkbox"/> Six months from date of publication and/or [DATE: dd/mm/yy] <input type="checkbox"/> Trade facilitating measure
12.	Final date for comments: <input type="checkbox"/> Sixty days from the date of circulation of the notification ([DATE]) or [DATE: dd/mm/yy] Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point, or address, fax number and E-mail address (if available) of other body:
13.	Texts available from: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX A-4: ROUTINE NOTIFICATIONS - CORRIGENDA

**WORLD TRADE
ORGANIZATION**

**G/SPS/N/COUNTRY/#/Cor
r.#**
date of distribution
(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Corrigendum

The following communication, received on # Month Year, is being circulated at the request of the Delegation of [Member].

Title outlining what the SPS measure or product is

[Text]

Text available from: [] National Notification Authority, [] National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX B-1: EMERGENCY NOTIFICATIONS

COMPLETION OF FORMATS - EMERGENCY NOTIFICATIONS (ANNEX B, PARAGRAPH 6 OF THE SPS AGREEMENT)

Information contained in the notification form should be as complete as possible and no section should be left blank. Where necessary, "not known" or "not stated" should be indicated.

Item	Description
1. Member notifying	Government, including the competent authorities of the European Communities, which is making the notification.
2. Agency responsible	Body elaborating a proposal for or promulgating a sanitary or phytosanitary regulation.
3. Products covered	Tariff item number(s) (normally HS, chapter or heading and number) as contained in national schedules deposited with the WTO. ICS numbers should be provided in addition, where applicable. A clear description is important for an understanding of the notification by delegations and translators. Abbreviations should be avoided.
4. Regions or countries likely to be affected	The geographical regions or countries likely to be affected by the notified regulation should be identified to the extent relevant or practicable. Members are encouraged to be as specific as possible in identifying regions or countries likely to be affected.
5. Title, language and number of pages of the notified document	<p>Title of the proposed or adopted (in the case of late submissions) sanitary or phytosanitary regulation. Number of pages in the notified document. Languages in which the notified document is available.</p> <p>If a translation of the whole document or its summary exists, indicate this here.</p> <p>If a Member submits the text of the draft regulation or a summary or translation thereof in PDF format along with the notification, the WTO Secretariat will facilitate access to this text through a hyperlink in the notification format.</p>
6. Description of content	A summary of the proposed or adopted sanitary or phytosanitary regulation clearly indicating its content and health protection objective. The summary should be as complete and accurate as possible to allow the full understanding of the proposed regulation. To the extent possible, likely effects on trade should be described. Abbreviations should be avoided. Where practicable it should also include an outline of the specific sanitary measures the regulation will apply. The summary should enable trading partners to determine whether the notified measure is likely to have an impact on products they wish to

Item	Description
	<p>export to the notifying Member.</p> <p>When a regulation contains both SPS and TBT measures, it should be notified according to both the SPS and TBT Agreements, preferably with an indication of which parts of the regulation fall under the SPS Agreement and which parts fall under the TBT Agreement.</p>
7. Objective and rationale	<p>State whether objective is: protection of human health from food-borne risks; or protection of human health from plant- or animal-carried diseases; or protection of animal health from pests or diseases; or protection of animal health from contaminated feed; or protection of plant health from pests or diseases; or prevention of other damage from entry, establishment or spread of pests.</p>
8. Nature of urgent problem(s) and reason for urgent action	<p>Indication of the underlying reasons for resorting to emergency action, e.g., incursion of pests associated with imports, outbreak of a disease in supplying areas, etc.</p>
9. Existence of international standard, guideline or recommendation	<p>If a relevant international standard, guideline or recommendation exists, put a cross in the box provided for the appropriate standard-setting organization and give the appropriate reference of the existing standard, guideline or recommendation, e.g., Codex standard number, ISPM number, OIE Code chapter. Indicate whether the proposed regulation conforms to the relevant international standard and if not, describe, whenever possible, how and why the proposed regulation deviates from the international standard, guideline or recommendation.</p> <p>If no international standard, guideline or recommendation exists, put a cross in the box "none".</p>
10. Other relevant documents and language(s) in which these are available	<p>Documents referenced here are different from those listed in box 5. Documents which should be referenced include:</p> <p>(a) Measure(s) taken and basic regulation which was modified (with specific reference number or other identification), and the language(s) in which the notified documents and any summary of these are available;</p> <p>(b) Publication in which regulation will appear.</p> <p>If it is necessary to charge for documents supplied, the amount of the charge should be indicated.</p> <p>Provide the website address and hyperlink for these documents where available.</p> <p>If a Member submits texts of referenced documents in PDF format along with the notification to the WTO Secretariat, hyperlinks to these texts will be made available under this item.</p>

Item	Description
11. Date of entry into force and period of application	<p>The date from which the requirements entered into force, and, if applicable, the period of time during which they will apply. (For example: immediate entry into force [date], duration of two months.)</p> <p>Put a cross in the box if the proposed measure contributes to the liberalization of trade.</p>
12. Agency or authority handling comments	<p>The agency or authority which has been designated to handle the comments should be indicated. If this is the National Notification Authority or the National Enquiry Point, put a cross in the box provided. If another agency or authority has been designated, provide its name, address, fax and (if available) E-mail address.</p>
13. Texts available from	<p>If available from the National Notification Authority or National Enquiry Point, put a cross in the respective box. If available from another body, give its address, fax number and (if available) E-mail address. Such indications do not in any way discharge the relevant National Enquiry Point of its responsibilities under the provisions of Annex B, Paragraphs 3 and 4 of the SPS Agreement.</p> <p>Provide the website address and specific hyperlink of the document notified, if available.</p> <p>If a Member submits the text of the draft regulation in PDF format along with the notification, a hyperlink to this text will be made available under this item.</p>

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

1.	Notifying Member: _____ If applicable, name of local government involved:		
2.	Agency responsible:		
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):		
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:		
5.	Title of the notified document:	Language:	Number of pages:
6.	Description of content:		
7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.		
8.	Nature of the urgent problem(s) and reason for urgent action:		
9.	Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (<i>e.g. title or serial number of Codex standard or related text</i>) <input type="checkbox"/> World Organization for Animal Health (OIE) (<i>e.g. Terrestrial or Aquatic Animal Health Code, chapter number</i>) <input type="checkbox"/> International Plant Protection Convention (<i>e.g. ISPM number</i>) <input type="checkbox"/> None Does this proposed regulation conform to the relevant international standard? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, describe, whenever possible, how and why it deviates from the international standard:		
10.	Other relevant documents and language(s) in which these are available:		

11.	Date of entry into force (<i>dd/mm/yy</i>)/period of application (as applicable): <input type="checkbox"/> Trade facilitating measure
12.	Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:
13.	Texts available from: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

WORLD TRADE

ORGANIZATION

G/SPS/N/COUNTRY/#/Add

.#

date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Addendum

The following communication, received on # Month Year, is being circulated at the request of the Delegation of [Member].

Title outlining what the SPS measure or product is

This addendum concerns a:

- ☐ Modification of final date for comments
- ☐ Modification of content and/or scope of previously notified draft regulation
- ☐ Withdrawal of proposed regulation
- ☐ Change in period of application of measure
- ☐ Other:

Agency or authority designated to handle comments: ☐ National Notification Authority, ☐ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

Text available from: ☐ National Notification Authority, ☐ National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/#!/Rev.

date of distribution
(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Revision

1.	Notifying Member: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable: : [specific regions or countries] or [] all trading partners
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: [] food safety [] animal health [] plant protection [] protect humans from animal/plant pest or disease [] protect territory from other damage from pests
8.	Nature of the urgent problem(s) and reason for urgent action:
9.	Is there a relevant international standard? If so, identify the standard: [] Codex Alimentarius Commission [(e.g. title of serial number of Codex standard or related text)] [] World Organization for Animal Health (OIE) [(e.g., Terrestrial or Aquatic Animal Health Code, chapter number)] [] International Plant Protection Convention [(e.g., ISPM number)] [] None Does this proposed regulation conform to the relevant international standard? [] Yes [] No If no, describe, whenever possible how and why it deviates from the international standard:
10.	Other relevant documents and language(s) in which these are available:

11.	Date of entry into force (dd/mm/yy)/period of application (as applicable): [] Trade facilitating measure
12.	Agency or authority designated to handle comments: [] National Notification Authority, [] National Enquiry Point, or address, fax number and E-mail address (if available) of other body:
13.	Texts available from: [] National Notification Authority, [] National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

**WORLD TRADE
ORGANIZATION**

G/SPS/N/COUNTRY/#!/Cor
r.#
date of distribution
(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Corrigendum

The following communication, received on # Month Year, is being circulated at the request of the Delegation of [Member].

Title outlining what the SPS measure or product is

[Text]

Text available from: [] National Notification Authority, [] National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX C: FACILITY TO ACCESS FULL TEXTS OF NOTIFIED REGULATIONS

Attachments submitted together with WTO SPS Notifications

Guidelines

General

An "attachment" is a draft regulatory text or a translation or a summary thereof referred to in a WTO SPS notification.

An attachment will not be considered as a WTO document.

The Secretariat cannot be held responsible for the content of attachments.

Provision of attachments to the WTO

Attachments should be provided electronically to the Central Registry of Notifications (crn@wto.org), in conjunction with the corresponding WTO SPS notification.

Attachments will not be scanned by the WTO Secretariat if submitted in hard copy.

Attachments should be provided in PDF format only. Notifications should continue to be submitted in Word.

Individual attachments should not exceed 4MB in size; multiple attachments may be provided.

Storage of attachments

Attachments will be stored on a WTO central server.

Attachments stored on the WTO central server will be viewable online by clicking on the hyperlink in the notification form.

Attachments can also be downloaded directly by the user.

Attachments will not be circulated in hard copy form.

Language of attachments

Attachments may be provided in their original language.

If available, Members may also provide translations.

Attachments will not be translated by the Secretariat.

ANNEX D: AVAILABILITY OF UNOFFICIAL TRANSLATIONS

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

G/SPS/N/COUNTRY/##/Suppl.#
12 March 2004
(04-0000)

Committee on Sanitary and Phytosanitary Measures

AVAILABILITY OF TRANSLATIONS

Supplement

The Secretariat has been informed that an unofficial translation into [one of the WTO working languages or another language] of the document referenced in this notification is available for consultation at:

<http://www.>

Comité des mesures sanitaires et phytosanitaires

TRADUCTIONS DISPONIBLES

Supplément

Le Secrétariat a été informé qu'une traduction non officielle en [l'une des langues de travail de l'OMC ou une autre langue] du document auquel renvoie la présente notification pouvait être consultée à l'adresse suivante:

<http://www.>

Comité de Medidas Sanitarias y Fitosanitarias

ACCESO A TRADUCCIONES

Suplemento

Se ha comunicado a la Secretaría que en la dirección:

<http://www.>

se puede consultar una traducción no oficial al [uno de los idiomas de trabajo de la OMC u otro idioma] del documento a que se hace referencia en la presente notificación.

ANNEX E: NOTIFICATION OF RECOGNITION OF EQUIVALENCE

RECOMMENDED PROCEDURES FOR THE COMPLETION OF THE NOTIFICATION FORMAT

In accordance with the Decision on Equivalence (G/SPS/19), a Member which has made a determination recognizing the equivalence of sanitary or phytosanitary measures of another Member or Members shall notify other Members through the Secretariat of the measure(s) recognized to be equivalent and of the products affected by this recognition.

For the purposes of this notification, equivalence is defined to be the state wherein sanitary or phytosanitary measures applied in an exporting Member, though different from the measures applied in an importing Member, achieve, as demonstrated by the exporting Member and recognized by the importing Member, the importing Member's appropriate level of sanitary or phytosanitary protection. A determination of the recognition of equivalence may be with respect to a specific measure or measures related to a certain product or categories of products, or on a systems-wide basis.

Notification should also be made of significant variations to existing equivalence arrangements, including their suspension or rescission.

Item	Description
1. Member notifying	Government, including the competent authorities of the European Communities, which is making the notification.
2. Title of the text stating determination of the recognition of equivalence	Title of any formal or informal agreement, Memorandum of Understanding or other document establishing the determination of recognition of equivalence.
3. Parties involved	Name of the exporting Member or Members whose measure has been determined to be equivalent.
4. Date of entry into force of the determination of the recognition of equivalence and any associated procedures or regulations	Date from which procedures, regulations or other measures based on the determination of recognition of equivalence took effect.
5. Products covered (HS or CCCN where applicable, otherwise national tariff heading)	Tariff item number(s) (normally HS, chapter or heading and number) as contained in national schedules deposited with the WTO of the product(s) which are imported on the basis of the determination of the recognition of equivalence.
6. Brief description of the measure(s) recognized to be equivalent	Clearly indicate the nature of the recognition of equivalence, including which measure(s) of the exporting Member have been determined to be equivalent and which elements of the importing Member's usual requirements are met by these equivalent measures.
7. Further information available from:	The agency or authority from which an interested Member may request further information regarding the specific determination of equivalence being notified. If this is the National Enquiry Point, check the box provided. If available from another body, give its address, fax number and (if available) E-mail address. Provide the website address of the document, if available.

WORLD TRADE ORGANIZATION

G/SPS/N/EQV/#
Date of circulation

(00-0000)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF DETERMINATION OF THE RECOGNITION OF EQUIVALENCE OF SANITARY OR PHYTOSANITARY MEASURES

The following notification of determination of the recognition of equivalence has been received.

1.	Member notifying:
2.	Title of the text stating the determination of the recognition of equivalence:
3.	Parties involved:
4.	Date of entry into force of the determination of the recognition of equivalence and any associated procedures or regulations (dd/mm/yy):
5.	Products covered (HS or CCCN where applicable, otherwise national tariff heading):
6.	Description of measures recognized to be equivalent:
7.	Further information available from: <input type="checkbox"/> National Enquiry Point <input type="checkbox"/> Other (specify)

APPENDIX 9

Procedure to Enhance Transparency of Special and Differential Treatment in Favour of Developing Country Members

Committee on Sanitary and Phytosanitary Measures

PROCEDURE TO ENHANCE TRANSPARENCY OF SPECIAL AND DIFFERENTIAL TREATMENT IN FAVOUR OF DEVELOPING COUNTRY MEMBERS

Decision by the Committee¹

Revision

The Committee on Sanitary and Phytosanitary Measures ("the Committee"),

Recalling that paragraph 1 of Article 10 of the Agreement on the Application of Sanitary and Phytosanitary Measures ("the Agreement") states that in the preparation and application of sanitary or phytosanitary measures, Members shall take account of the special needs of developing country Members, and in particular of the least-developed country Members;

Seeking to develop effective, concrete and operational means to facilitate the implementation of this provision;

Recognizing the difficulties that Members, and in particular developing country and least-developed country Members, may face in adapting their products and methods of production to new or changed requirements of importing Members;

Recognizing also the need to make transparency procedures more effective and operational for developing country Members, and in particular least-developed country Members;²

Noting that the provision of technical assistance, as referred to in Article 9 of the Agreement, may assist Members adapt their products and methods of production to new or changed requirements;

Recalling that paragraph 2 of Article 9 of the Agreement indicates that where substantial investments are required in order for an exporting developing country Member to fulfil the sanitary or phytosanitary requirements of an importing Member, the latter shall consider providing such technical assistance as will permit the developing country Member to maintain and expand its market access opportunities for the product involved;

¹ At its meeting of 28-29 October 2009, the Committee adopted this revision on an ad referendum basis. Members who objected to the adoption of the revision were asked to make this known by 16 December 2009. No objections were raised by that date.

² Developing country Members may request assistance to ensure the effective functioning of a National Notification Authority and Enquiry Point, including the capacity to effectively receive and review the notifications of other Members, in order to identify and react to those which may have a potential significant effect on their international trade. The "mentoring" procedure for assisting Members in the implementation of the transparency provisions of the SPS Agreement may also be useful in this regard (see G/SPS/W/217).

Recalling that the Committee's regular agenda items on the "Implementation of Special and Differential Treatment" and on the "Operation of Transparency Provisions" provide opportunities, on an on-going basis, for raising concerns or assessing progress with respect to the implementation of the procedure to enhance transparency of special and differential treatment in favour of developing country Members;

Encourages Members to make full use of this procedure and thereby to also contribute to enhanced transparency with respect to special and differential treatment and/or technical assistance being offered or provided upon request; and

Decides that the following procedure should be used to enhance transparency of special and differential treatment in favour of developing country Members:

1. This procedure to enhance transparency of special and differential treatment in favour of developing country Members should normally be used during the comment period following the circulation of an SPS notification in accordance with the relevant provisions and procedures contained in the Agreement or subsequently adopted by Members, except as provided in Step 5 below.³

Steps for proposed measures

2. If an exporting developing country Member identifies significant difficulties with a proposed measure that has been notified, that Member may, in the comments it submits in writing to the notifying Member, request an opportunity to discuss the issue of concern with the notifying Member. The exporting developing country Member should identify to the notifying Member the specific problems that the proposed measure may create for its exports, or the specific reasons why it is unable to comply with the notified measure by the implementation date.

3. In response to such a request, where the appropriate level of sanitary and phytosanitary protection allows scope for the phased introduction of the new measure, a longer time-frame for compliance should be accorded to developing country Members, which shall be understood to mean normally a period of not less than six months.⁴

4. Where the appropriate level of sanitary and phytosanitary protection does not allow scope for the phased introduction of a new measure, the Member notifying the measure shall, upon such request, enter into consultations with the exporting Member with a view to finding a mutually satisfactory solution to the problem while continuing to achieve the importing Member's appropriate level of protection.⁵ Such consultations shall preferably take place prior to the entry into force of the new measure. A possible resolution of the concern identified could include one of the following, or a combination thereof: (1) a change in the proposed measure; (2) the provision of technical assistance to the exporting developing country Member; or (3) the provision of special and differential treatment.

³ In particular, Article 7 and Annex B of the Agreement, and the Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement (Article 7) contained in G/SPS/7/Rev.3. In addition, the Procedural Step-by-Step Manual for SPS National Notification Authorities and SPS National Enquiry Points can assist Members in meeting the obligations and following the recommended procedures (available electronically at: http://www.wto.org/english/res_e/booksp_e/sp_s_procedure_manual_e.pdf). These texts also provide information regarding the availability of SPS notifications, including through the SPS Information Management System (<http://spsimms.wto.org>).

⁴ Ibid.

⁵ WT/MIN(01)/17, paragraph 3.1. This step may also be used where the phased introduction of a measure will not resolve the specific problems identified by the exporting developing country Member.

Steps following entry into force of a new measure

5. If, following the adoption or entry into force of a new or modified measure (including an emergency measure), an exporting developing country Member identifies significant difficulties which its exports face in complying with the measure, it may request an opportunity to discuss its difficulties with the importing Member to attempt to resolve the issue of concern, especially where no time, or an insufficient period of time, had been provided for the submission of comments prior to the implementation of the measure. The importing Member shall, upon such request from an exporting developing country Member, enter into consultations with the exporting Member to discuss possible means to address the identified problem while continuing to achieve the importing Member's appropriate level of protection. A possible resolution of the concern identified could include one of the following, or a combination thereof: (1) a change in the measure; (2) the provision of technical assistance to the exporting developing country Member; or (3) the provision of special and differential treatment.

Transparency

6. When an importing Member decides on whether and how special and differential treatment may be provided in response to a specific request, that Member should inform the SPS Committee. This may be done in writing and/or under the agenda item on Special and Differential Treatment at any meeting of the SPS Committee. Information provided in writing should be submitted to the WTO Secretariat as an Addendum to the original notification concerning the measure. The Addendum shall indicate: (1) the name(s) of Member(s) that requested special and differential treatment; (2) if special and differential treatment was provided, the form of such treatment; and (3) if not provided, the Addendum shall indicate why special and differential treatment was not provided and whether technical assistance or any other solution was found to address the identified concern. A format for the Addendum is contained in the Annex.

Administration

7. The Committee shall review the implementation of this procedure, in light of the experiences of Members and relevant Addenda, as an integral part of its periodic Review of the Operation and Implementation of the Agreement under Article 12.7. The next such Review is to be completed in 2013, and every four years subsequently.

8. The Committee may decide to modify, suspend or terminate this procedure at any time, in light of the experiences of Members in its implementation.

9. This procedure is without prejudice to the rights and obligations of Members under Article 10.1 of the SPS Agreement. The Committee recognizes that this procedure does not fully resolve the issue of special and differential treatment, but that it is one step in addressing the problem of implementation of the special and differential treatment provisions of the Agreement. The Committee agrees to consider other proposals and possible actions.

ANNEX

**WORLD TRADE
ORGANIZATION**

G/SPS/N/COUNTRY/##/Add.#
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Addendum

The following communication, received on DD/MM/YY, is being circulated at the request of the Delegation of [Member].

Title outlining the SPS measure at issue

[Text describing any modification to the notified measure.]

Special and Differential Treatment

- (1) Name(s) of Member(s) that requested special and differential treatment
- (2) Special and differential treatment provided ☐ Yes ☐ No
Describe how such treatment was provided, including what form it took.
- (3) If special and differential treatment was not provided, indicate why it was not provided and whether technical assistance or any other solution was found to address the identified concern.

Text available from: ☐ National Notification Authority, ☐ National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

