

Committee on Sanitary and Phytosanitary Measures

**PROCEDURE TO MONITOR THE PROCESS
OF INTERNATIONAL HARMONIZATION**

Seventh Annual Report
Adopted by the Committee on 30 June 2005

A. INTRODUCTION

1. At its meeting of 15-16 October 1997, the SPS Committee adopted a provisional procedure to monitor the process of international harmonization and the use of international standards, guidelines or recommendations, as provided for in Articles 3.5 and 12.4 of the SPS Agreement.¹ The Committee decided to extend the provisional monitoring procedure for a further two-year period in July 1999, and again in July 2001.² On 25 June 2003, the Committee agreed to further extend the provisional procedure for 36 months, and to review its operation in July 2006 to determine at that time whether to continue with the provisional procedure, amend it, or develop another one.³

2. The Committee has previously adopted six annual reports on the monitoring procedure.⁴ These reports summarized several standards-related issues that the Committee had considered and the responses received from the relevant standard-setting organizations.

B. REVISION OF THE PROCEDURE TO MONITOR THE PROCESS OF INTERNATIONAL HARMONIZATION

3. At its meeting of 27-28 October 2004, the Committee adopted modifications to the provisional procedure to monitor the use of international standards.⁵ The deadline for identifying issues as established in the agreed procedures was reduced from 30 days to ten days.

C. NEW ISSUES

4. Since the adoption of the Sixth Annual Report, two new issues have been raised under this procedure. One issue is with regard to regionalization and the other concerns the implementation of the International Standard for Phytosanitary Measures (ISPM) number 15 on wood packaging material.

Pest and Disease-free Areas (Article 6)

5. At the meeting of the Committee on 27-28 October 2004, New Zealand proposed that the Committee consider the issue of regionalization under the procedure for monitoring international

¹ G/SPS/11.

² G/SPS/14 and G/SPS/17.

³ G/SPS/25.

⁴ These were circulated as G/SPS/13, G/SPS/16, G/SPS/18, G/SPS/21, G/SPS/28 and G/SPS/31.

⁵ G/SPS/11/Rev.1.

harmonization.⁶ Using this procedure could facilitate progress in discussions on regionalization by seeking the best available scientific and technical advice and thereby avoid unnecessary duplication of work. In accordance with Article 12.6 of the SPS Agreement, New Zealand requested that the Committee invite the secretariats of the OIE and the IPPC to examine the specific matters raised with respect to the relevant international standards, guidelines or recommendations.

6. Discussions on regionalization also occurred at the meetings of the Committee in October 2004, March and June 2005 under the agenda item on regionalization. These discussions are summarized in the relevant reports of the meetings.⁷

Implementation of ISPM 15 on Wood Packaging Material

7. At the meetings of the Committee on 27-28 October 2004 and 9-10 March 2005, China raised a number of concerns regarding the implementation of ISPM 15 on wood packaging material.⁸ In particular, China highlighted the problems concerning the effectiveness of ISPM 15 in controlling the pine wood nematode. A study conducted by a Sino-Korean research group concluded that the nematode could not be effectively eradicated by methyl bromide fumigation. This study was presented to the Interim Commission on Phytosanitary Measures (ICPM) in April 2003 and to the ICPM Standards Committee in November 2004 for the ICPM's consideration for amendment of the methyl bromide fumigation index.

8. At the meeting of the Committee on 9-10 March 2005, Mauritius raised concerns over the problems that small developing countries faced with the implementation of ISPM 15, particularly the heat treatment requirements for wood packaging material for export.⁹ Mauritius had already initiated a program to develop the capacity for heat treatment of exports of wood packaging materials, but required more time for the full implementation of ISPM 15. In this regard, Mauritius was seeking a 4-year moratorium on the implementation of ISPM 15 from the IPPC and from those Members who had adopted the standard. Mauritius requested Members to give positive consideration to the use of phosphine fumigation treatment as an equivalent treatment during the interim period. The European Communities' efforts to take into consideration developing countries' concerns as reflected in G/SPS/N/EEC/221/Add.3 were welcomed and other Members were urged to show similar consideration.

9. At the meeting of the Committee on 29-30 June 2005, the United States raised concerns regarding the additional requirement by some Members of the debarking of wood packaging material that was compliant with ISPM 15. The United States recalled that according to Article VII.2.(a) of the new revised text of the IPPC a technical justification was required to justify this additional risk management measure. In this context, the United States requested the European Communities to suspend the implementation of the debarking requirement in EC Directive 2004/102 until the EC's technical justification documents had been reviewed. It was noted that the IPPC was currently developing a standard on debarking.

10. Discussions on ISPM 15 also occurred at the meeting of the Committee in October 2004, March and June 2005 under the agenda items of information from Members and specific trade concerns. These discussions are summarized in the relevant reports of the meetings.⁷

⁶ G/SPS/R/35 and G/SPS/W/151.

⁷ G/SPS/R/35 and Corr. 2, G/SPS/R/36/Rev.1 (in English) and G/SPS/R/36 (in French and Spanish) and G/SPS/R/37.

⁸ G/SPS/GEN/551.

⁹ G/SPS/GEN/547.

D. RESPONSES RECEIVED FROM THE RELEVANT STANDARD-SETTING ORGANIZATIONS

Pest and Disease-free Areas (Article 6) – Response from the OIE

11. At the meeting of the Committee on June 29-30 2005, the OIE informed the Committee that the revised chapter of the Terrestrial Animal Health Code on zoning and compartmentalization had been adopted at the meeting of the General Session of the OIE in May 2005 and circulated to the SPS Committee.¹⁰ The revised chapter recommended a procedure which emphasized the role of the veterinary services in establishing zones or compartments and in negotiating market access with trading partners. Further revisions were expected to be undertaken in 2006 or 2007 based on the feedback on a technical paper on compartmentalization that was currently being circulated for comments. The OIE informed the Committee that work was also being undertaken to harmonize its approach on regionalization with that of the IPPC.

Pest and Disease-free Areas (Article 6) – Response from the IPPC

12. At the meeting of the Committee on 29-30 June 2005, the IPPC informed the Committee that an open-ended working group had been established to discuss the issue of regionalization at the meeting of the ICPM on 4-11 April 2005. The IPPC noted that standards on establishing pest-free areas and areas of low pest prevalence already existed, but that there were no standards for the recognition of pest-free areas. The ICPM had therefore decided to urgently develop a concept standard on "Guidelines for the recognition of the establishment of pest free areas and areas of low pest prevalence", that would provide general guidance on the recognition process but would not provide timelines. The specifications of this concept standard were developed by the Standards Committee at its meeting in April 2005. The IPPC also informed the Committee that the ICPM had recommended undertaking a feasibility study on the international recognition of pest-free areas, which would take into account legal, technical and economic factors and assess the sustainability of such a system.

Implementation of ISPM 15 on Wood Packaging – Response from the IPPC

13. The IPPC informed the Committee, at the meeting on 9-10 March 2005, that a technical panel would meet that week to consider the data submitted by China with respect to ISPM 15. In addition, the IPPC had co-sponsored a workshop on the practical application of ISPM 15 in Vancouver, Canada, from 28 February to 4 March 2005.

14. At the meeting of the Committee on 29-30 June, the IPPC informed the Committee that a standard on the guidelines for debarked and bark-free wood was currently under development.

¹⁰ G/SPS/GEN/574.