



Committee on Sanitary and Phytosanitary Measures

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

FIFTEENTH ANNUAL REPORT

Adopted by the Committee on 28 June 2013

1 INTRODUCTION

1.1. 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. The Committee extended the provisional monitoring procedure in 1999, 2001, and 2003, and revised the procedure in October 2004.¹ In 2006, the Committee agreed to extend the provisional procedure indefinitely, and to review its operation as an integral part of the periodic review of the operation and implementation of the Agreement under Article 12.7.² This procedure was reviewed as part of the Third Review of the Agreement³, and will be reviewed again in 2014 in the context of the Fourth Review.

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

2 PROPOSED REVISION TO THE MONITORING PROCEDURE (G/SPS/W/268)

2.1. In July 2012, Argentina submitted a proposal to revise the monitoring procedure (G/SPS/W/268). The proposed modifications were further discussed at the October 2012 meeting of the SPS Committee. Argentina indicated that the aim of the proposal was to ensure that the reports adopted by the Committee on the monitoring of the use of international standards better reflected the actual importance of the international standards. The proposed modifications to the procedure in G/SPS/11/Rev.1 would enable the Secretariat to include in the annual report, unless the submitting Member requested otherwise, the issues that had been raised under the agenda item on "Specific Trade Concerns" when these related to non-use of international standards or the absence of existing standards.

2.2. In support of Argentina's proposal, Chile noted that at the Transparency workshop held in October 2012, the Secretariat had demonstrated that it was possible while notifying a measure using the online notification system, to indicate any deviation from the existing international standards. Chile observed that more than 57% of notifications did not indicate any international standards, even in cases where the standards existed. The notification system could be further developed to make it another tool for monitoring harmonization.

¹ G/SPS/14, G/SPS/17, G/SPS/25 and G/SPS/11/Rev.1.

² G/SPS/40.

³ G/SPS/53.

⁴ These were circulated as G/SPS/13, G/SPS/16, G/SPS/18, G/SPS/21, G/SPS/28, G/SPS/31, G/SPS/37, G/SPS/42, G/SPS/45, G/SPS/49, G/SPS/51, G/SPS/54, G/SPS/56 and G/SPS/59.

2.3. While Canada agreed that the procedure to monitor international harmonization could be improved, it was a Member's right to identify problems related to deviation from international standards and to raise them either as Specific Trade Concerns or under the agenda item "Monitoring the use of International Standards".

2.4. The Chairperson noted the lack of consensus on the proposal by Argentina and suggested that this be discussed again at the next Committee meeting. Bilateral discussions among Members on the subject matter were encouraged.

3 NEW ISSUES

3.1. At the October 2012 meeting, the United States encouraged all Members to promote the use of international standards in their national SPS programmes and to actively participate in the on-going work of the three standard-setting bodies recognised under the SPS Agreement. The work in progress included the OIE's General session in May 2012 where 29 standards were adopted by the Terrestrial Animal Health Code Commission; and the Codex Commission's adoption of a large number of standards, including maximum residue limits for the veterinary drug ractopamine. International standards were critical for ensuring safe food for consumers and facilitating trade.

3.2. Brazil, Canada, Chile and Paraguay also stressed the importance of international standards. The international standard-setting bodies needed to be inclusive to achieve harmonization. By participating in the work of the ISSBs and ascribing to these international standards, Members would contribute to minimizing diverging requirements. Benin, Burkina Faso and Morocco recognized the importance of the standard-setting bodies and noted the problems faced by developing countries in conducting risk assessments in the absence of standards. An appeal was made to speed up the process of standard setting, especially where there is a need for specialist / technical knowledge, and to support developing countries in producing local exposure data for conducting risk assessments. Burkina Faso urged the renewal and increase of the Codex Trust Fund in order to support developing countries in the adoption of international standards.

3.3. At the March 2013 meeting, Brazil took the opportunity to draw the Committee's attention to the 50th anniversary of the Codex Alimentarius Commission. Brazil highlighted that the organization had always remained fully committed to protecting the health of consumers and that it had been crucial in the establishment of science-based standards, guidelines and recommendations for food safety.

3.4. At the June 2013 meeting, Brazil tabled a paper noting the 50th anniversary of the Codex Alimentarius Commission, the importance of Codex standards and the need to ensure that these remain based on scientific evidence (G/SPS/GEN/1253). Many Members stressed the importance of Codex and other international standards, particularly for developing countries. Several Members highlighted the importance of the Codex Trust Fund in promoting the participation of developing countries in the body's work. Chile and Argentina reiterated their call that the SPS Committee's monitoring procedure adequately reflect how Codex and other standards are used by Members.

3.5. The observer from the Lebanese Republic noted the lack of a standard on maximum residue levels of antibiotics and pesticides in honey, and encouraged Codex to develop such a standard.

4 PREVIOUS ISSUES

4.1. Since the adoption of the Fourteenth Annual Report, there has been no discussion of issues previously raised under this procedure.

5 RESPONSES RECEIVED FROM THE RELEVANT STANDARD-SETTING ORGANIZATIONS

5.1. At the October 2012, March and June 2013 meetings of the Committee, the IPPC reported on its Implementation Review and Support System (IRSS) (latest update in document G/SPS/GEN/1259). The IRSS programme was developed as a proactive means to identify the extent of implementation of the IPPC and its International Standards for Phytosanitary Measures (ISPMs), to diagnose challenges to implementation, and to offer support to strengthen future implementation. The IPPC reported in June 2013 that 73 contracting parties had replied to a survey sent on the implementation of the IPPC and ISPMs, and that a draft report would be made

available at a later stage. Funding for the first three-year cycle of the IRSS had been made possible by the financial support of the European Union and the first two years of the cycle had concluded in March 2013. The IPPC was preparing a concept note outlining the future direction and focus of IRSS work during the next cycle, and hoped to provide further information on this to the October 2013 SPS Committee meeting.

5.2. At the October 2012 meeting, Codex indicated that it did not have a specific system of monitoring like the IPPC, but regularly gathered information on how Codex standards were being used, the needs of member countries and/or why standards were not being used in certain regions. Codex used a regular questionnaire for this monitoring process. The Codex Trust Fund initially had the objective of ensuring effective participation and addressing the issue of generation of data to ensure risk assessments were based on data gathered throughout the world. The Trust Fund was financing pilot projects relating to food hygiene and food safety as part of the capacity building on the regional and sometimes national level.
