



COUNCIL FOR TRADE IN GOODS

**EUROPEAN UNION – IMPLEMENTATION OF NON-TARIFF BARRIERS ON
AGRICULTURAL PRODUCTS¹**

Communication from Peru

The following communication, dated 25 April 2022, is being circulated at the request of the delegation of Peru.

1. Peru wishes to support this trade concern regarding the implementation of non-tariff barriers by the EU, which in practice are unjustified barriers restricting trade in agricultural products.
2. As has been mentioned on a number of occasions in the SPS Committee, the hazard-based approach used by the EU for assessing any maximum limit for pesticide residues results in such limits being more restrictive than necessary and at the same time does not take into account the provisions of the SPS Agreement, which establishes the need for measures to be based on a risk analysis.
3. This situation would be even more concerning, given the EU's moves to take into consideration environmental aspects as a factor for future pesticide risk assessments, despite the fact that there is no technical basis for such policy.
4. We note that non-tariff barriers do not only refer to maximum residue limits for pesticides, since the EU is also establishing maximum levels for contaminants that deviate from those established under the Codex Alimentarius and are substantially lower, as in the case of cocoa derivatives. Regarding other foods, Peru has also approached the EU bilaterally to request information on the process for the adoption of new maximum levels for contaminants and for it to provide adequate time frames for their implementation, given that mitigation measures vary and are effective after a subsequent extended period of implementation.
5. Peru requests the EU to take into consideration the concerns raised in this Council and the SPS Committee, to ensure that its policies are aligned with the provisions of the SPS Agreement and avoid any further unnecessary disruptions to trade.

¹ This statement was made by the delegation of Peru under agenda item 6 during the meeting of the Council for Trade in Goods that took place on 21-22 April 2022.