

**REPORT (2012) ON THE ACTIVITIES OF THE COMMITTEE ON  
SANITARY AND PHYTOSANITARY MEASURES**

1. The present report is being circulated by the Chairperson of the Committee on Sanitary and Phytosanitary Measures on her own responsibility. This report provides a summary of the activities and decisions of the Committee during 2012.
2. The Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") held three regular meetings in 2012: 27-28 March, 10-11 July, and 18-19 October. At the meeting in March, Ms Miriam Chaves (Argentina) was elected as the interim chairperson to replace Mr Deny Kurnia, who had returned to Indonesia at the end of 2011. Ms Maria Araceli Albarece (Philippines) was elected as chairperson for 2012-13 by the Committee at its July meeting.
3. At each meeting, Members provided information regarding changes in their SPS policies and situations, including with respect to food safety emergencies or pest- or disease-outbreaks. The SPS Committee also considered a wide range of specific trade concerns. Sixteen new specific trade concerns were raised during 2012; many previously raised concerns were discussed again. The new issues raised included, *inter alia*, Indonesia's closure of certain ports of entry; China's testing measures for food additives; US measures on fresh lemon imports; modifications of the EU testing procedures for pesticide residues; Japan's rejection of shrimp consignments due to certain residues; and Russia's import ban on live animals. One of the sixteen new STCs was reported resolved in October 2012; this related to Chinese Taipei's maximum residue levels (MRLs) for ochratoxin A in roasted and powdered coffee. In July, Costa Rica's trade concern relating the US prohibition of ornamental plants larger than 18 inches was reported to have been resolved.
4. With regard to the relevant international standards and the international standards-setting bodies (ISSBs), the Committee considered two submissions from Members. Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, New Zealand, Paraguay, Peru, Philippines and the United States, enunciated the need to strengthen confidence in the Codex, IPPC and OIE, and to use their standards, guidelines and recommendations as a basis for Members' measures.<sup>1</sup> The second submission, from Chile and the United States<sup>2</sup>, encouraged Members to consult with the ISSBs for assistance in the application of international standards, guidelines, and recommendations in cases of discrepancies; refer to guidelines by the ISSBs in developing their own risk analysis processes for their SPS measures; and encourage the ISSBs to add advice and counsel when specific trade concerns arise regarding Codex, IPPC or OIE standards, guidelines or recommendations.
5. At each of the Committee's meetings, Members, Observer Organizations and the Secretariat provided information on their respective SPS-related technical assistance activities, and the Secretariat kept the Committee informed of the work of the Standards and Trade Development Facility (STDF). Pakistan used this opportunity to identify a need for technical assistance/co-operation for stem rust disease, a potential threat for wheat growing countries.

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<sup>1</sup> G/SPS/GEN/1143/Rev.2.

<sup>2</sup> G/SPS/W267.

6. At each of the Committee's meetings, the SPS Committee examined the operation of the transparency provisions of the SPS Agreement, noting that an increasing number of Members are submitting SPS notifications, and the number of notifications is trending upwards. A growing number of Members are also making use of the new SPS Notification Submission System (NSS) to submit SPS notifications on-line, since it became operational at the beginning of 2012.

7. The Secretariat organized a workshop on the transparency provisions of the SPS Agreement on 15-16 October 2012. The WTO Global Trust Fund financed the participation of 52 officials from developing and least-developed country Members and Observers with direct responsibility as SPS national notification authorities and enquiry points. The workshop provided interactive, "hands-on" training on the use of the SPS Information Management System (SPS-IMS) and on the NSS. Representatives from the Codex, IPPC and OIE also provided information on their online information tools.

8. The issue of special and differential treatment is on the agenda of each SPS Committee meeting. At the October meeting, the Secretariat provided an update on the status of discussions in the Committee on Trade and Development Special Session with respect to Articles 10.2 and 10.3 of the SPS Agreement.

9. The SPS Committee continued to address some issues arising from the periodic reviews of the operation and implementation of the SPS Agreement. An informal working group was established to advance work, through electronic and physical exchanges, on guidelines to facilitate the implementation of Article 12.2 of the SPS Agreement on "ad hoc consultations and negotiations" to resolve specific trade concerns.<sup>3</sup> The Committee also considered a proposed revision to the procedure to monitor the use of international standards<sup>4</sup>; further encouragement of joint work by the WTO, Codex, IPPC and OIE on cross-cutting issues; and recommendations to improve SPS coordination at the national and regional levels. The Committee continued to discuss the effects of SPS-related private standards on trade, on the basis of the actions agreed by the Committee (G/SPS/55). Discussions focussed in particular on the development of a working definition of SPS-related private standards.<sup>5</sup>

10. The SPS Committee maintained its close working relationship with the Codex, IPPC, and the OIE (often referred to as the "Three Sisters" organizations) and received regular updates on their activities. Other observer organizations also provided information on their activities, including technical assistance activities.

11. In light of the growing number of requests for observer status, the Committee decided to reflect on its criteria and the current procedure for granting observer status. Meanwhile in the July meeting the Committee agreed to grant observer status, on an ad hoc, meeting-by-meeting basis, to the African Union (AU), the Common Market for Eastern and Southern African States (COMESA), the Economic Community of Central African States (ECCAS/CEEAC), and the Gulf Cooperation Council Standardization Organization (GSO). The Committee agreed to invite the organizations with ad hoc observer status to participate in all of the SPS Committee meetings in 2013.

12. The SPS Committee has tentatively agreed to hold regular meetings on 21-22 March, 27-28 June and 9-10 October 2013.

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<sup>3</sup> G/SPS/W/259/Rev.4.

<sup>4</sup> G/SPS/W/268.

<sup>5</sup> G/SPS/W/265/Rev.2.