



## REPORT (2021) ON THE ACTIVITIES OF THE COMMITTEE ON SANITARY AND PHYTOSANITARY MEASURES

1.1. The present report is being circulated by the Chairperson of the Committee on Sanitary and Phytosanitary Measures (SPS Committee) on his own responsibility. This report provides a summary of the activities of the SPS Committee during 2021.<sup>1</sup>

1.2. The SPS Committee held its regular meetings in 2021: on 25-26 March, and on 14-16 July. Due to COVID-19 sanitary conditions, the meetings were held either in hybrid format, i.e. in-person participation and via the virtual platform Interpretify, or virtually only, allowing for participation from Geneva-based and capital-based delegates.<sup>2</sup> At these meetings, held to date in 2021, the SPS Committee made use of the online tool [eAgenda](#), which allowed Members to submit agenda items, raise and support specific trade concerns (STCs), and upload statements on the platform. The next regular meeting of the SPS Committee is scheduled to be held on 3-5 November.

1.3. Mr Gregory MacDonald (Canada) had been elected in July 2020 as Chairperson for 2020-2021. Mr Juteau Déadjufo Toussé (Cameroon) was elected as the new Chairperson for 2021-2022.

1.4. In 2021, Members continued discussion on an SPS Declaration for the 12<sup>th</sup> WTO Ministerial Conference, initially submitted by Brazil, Canada and the United States, and now co-sponsored by 29 Members.<sup>3</sup> The Declaration refers to the evolving global agricultural landscape which has led to new opportunities and pressures for international trade in food, animals and plants. It proposes a work programme to address issues that are currently impacting agricultural trade, including population growth, climate change and technological innovation, the importance of sustainable agriculture, new pests and diseases, and continued application of SPS measures as disguised trade restrictions. While overall Members welcomed this SPS Declaration, providing comments and expressing willingness to engage in further discussions on the text, several Members expressed concerns with the Declaration in its present form, but remained open to discuss the context, language, content and appropriateness of the work programme. In particular, they called for more robust references in the Declaration to biodiversity and ecosystems, global transformation towards sustainable food systems and animal welfare, among others. They suggested that the SPS Committee and other committees investigate how the WTO could contribute to these policy objectives with a view to reporting to MC13.

1.5. The Working Group on Approval Procedures<sup>4</sup> pursued its work in 2021 and provided updates on its activities at the SPS Committee meetings. The co-stewards, Canada and Paraguay, submitted a proposed approach regarding a common understanding of approval procedures – for the purposes of the Working Group and to facilitate its work – that remains under discussion. The participants also submitted information on existing tools and best practices to enhance implementation of the obligations of the SPS Agreement as they relate to approval procedures. This collection, intended to

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<sup>1</sup> A revised version of this report will be prepared after the November 2021 SPS Committee meeting to reflect the additional discussions and activities that will take place.

<sup>2</sup> At the SPS Committee meeting of March 2021, the Chairperson and three staff members attended in-person, and delegates were invited to join the meeting virtually. The SPS Committee meetings of July and November 2021 were conducted in hybrid format with delegates joining the meeting in-person or virtually.

<sup>3</sup> [G/SPS/GEN/1758/Rev.7](#).

<sup>4</sup> [G/SPS/W/328/Rev.1](#). The Working Group on Approval Procedures was established in November 2020. Twenty-five Members are participating in the Working Group: Argentina, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, the European Union, Japan, Mexico, New Zealand, Norway, Paraguay, Peru, the Philippines, the Russian Federation, Singapore, South Africa, Switzerland, Chinese Taipei, Ukraine, the United Kingdom, the United States, and Uruguay. The OECD is also a participant.

facilitate the work of the Working Group, will continue to be discussed and updated as participants put forward additional resources and best practices. Moreover, participants had initial discussions regarding key challenges of approval procedures that affect international trade, namely: (1) timing and undue delays; (2) transparency; (3) communication or information exchange; (4) justification and discrimination of approval procedures; (5) harmonization with international standards; and (6) other challenges such as the COVID-19 pandemic.

1.6. The Secretariat presented a revised version of the Collection of Resources to Facilitate Implementation of National SPS Coordination Mechanisms<sup>5</sup>, resulting from a recommendation of the Fifth Review. This revised version of the document incorporates additional resources, such as the annotated agenda for SPS Committee meetings, as well as five new STDF resources. Members were invited to provide further comments and inputs.

1.7. Throughout the year, Members provided the SPS Committee with information regarding their status with respect to specific plant pests and animal diseases. This information that concerns the principle of regionalization is compiled in the Annual Report on the Implementation of Article 6, which the SPS Committee considered at its July meeting.<sup>6</sup> At each meeting, Members also provided information regarding changes in their SPS policies and situations.

1.8. The Committee also discussed SPS issues pertaining to the COVID-19 pandemic. The WTO Secretariat reported that there had been 109 SPS notifications and other communications related to COVID-19 submitted by Members to date, and referred to its revised note entitled "[Standards, regulations and COVID-19 — what actions taken by WTO members?](#)". Members and Observers also provided updates on COVID-19 and SPS issues in their respective areas. It was noted that there had been a positive uptake on the use of ePhyto and temporary acceptance of electronic copies. Concerns were expressed with regard to testing, inspection and other requirements for the importation of food products. Reference was also made to assessments of WHO, FAO and other bodies which did not find evidence that food could be a source of COVID-19.

1.9. The SPS Committee considered a wide range of STCs. Members raised 20 new STCs at the March and July SPS Committee meetings in 2021. These included, among others: regulation on plastic materials coming into contact with food; pesticide policies and maximum residue levels (MRLs); and import restrictions on meat, dairy and poultry products. Many previously raised STCs continued to be discussed during 2021. Members intervened on issues such as measures regarding pesticides (including legislation on endocrine disruptors); restrictions on animal products, many due to animal diseases including avian influenza and African swine fever (ASF) (several different STCs); phytosanitary restrictions on fresh fruits; and restrictions on bovine meat products and fish products.

1.10. The Secretariat also issued, prior to the SPS Committee's November meeting, the Annual Report on the Use of the Procedure to Encourage and Facilitate the Resolution of Specific SPS Issues (to date, never used).<sup>7</sup>

1.11. The SPS Committee maintained its close working relationship with Codex, the IPPC, and the OIE (often referred to as the "Three Sister" organizations) and received regular updates on their activities. Other observer organizations also provided information on their activities. There were no new requests for observer status in the SPS Committee in 2021.

1.12. The SPS Committee also considered in its July 2021 meeting, the Annual Report on the Procedure to Monitor the Process of International Harmonization.<sup>8</sup> To date, no new issues have been raised under this procedure in 2021. Members continued to discuss two issues that had been raised in previous years related to Members' implementation of OIE standards on ASF and on highly pathogenic avian influenza (HPAI).

1.13. The SPS Committee considered the Annual Overview on Transparency<sup>9</sup> and the Annual Report on Specific Trade Concerns<sup>10</sup>, issued together for the first time at the March 2021 SPS Committee

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<sup>5</sup> [G/SPS/GEN/1850/Rev.1](#).

<sup>6</sup> [G/SPS/GEN/1908](#).

<sup>7</sup> [G/SPS/GEN/1954](#).

<sup>8</sup> [G/SPS/GEN/1909](#).

<sup>9</sup> [G/SPS/GEN/804/Rev.13](#) and [G/SPS/GEN/804/Rev.13/Corr.1](#).

<sup>10</sup> [G/SPS/GEN/204/Rev.21](#) and [G/SPS/GEN/204/Rev.21/Corr.1](#).

meeting. Both reports covered the same reporting period, which facilitated analysis and comparisons.

1.14. The SPS Committee continued to organize dedicated activities to exchange experiences and hear from experts. A virtual [Thematic Session on African Swine Fever](#) (ASF) was held on the margins of the March 2021 SPS Committee meeting, based on a proposal submitted by the European Union.<sup>11</sup> The event was comprised of four main sessions: (i) the main principles of the SPS Agreement relevant to the topic and the work of the SPS Committee; (ii) an overview of the international standards relevant to the disease and the epidemiological situation worldwide; (iii) national experiences; and (iv) international and regional initiatives in the context of ASF.<sup>12</sup> The thematic session provided information and helped to raise awareness on the disease. The role of regionalization, adapting to regional conditions, regional cooperation, and global research partnerships to ensure safe trade and prevent the spread of ASF were also highlighted.

1.15. A two-day [Workshop on Risk Assessment, Risk Management, and Risk Communication](#) was held on 12 and 13 July 2021<sup>13</sup>, on the margins of the July 2021 SPS Committee meeting, based on a proposal submitted by Canada in the context of the Fifth Review.<sup>14</sup> The workshop was held via Zoom and had close to 1,300 registered participants. There were speakers from the public sector (from Africa, the Americas, Asia, Europe, and Oceania), private sector, academia, international standard-setting bodies (ISSBs), and other international organizations. The workshop highlighted the importance of a functional separation between risk assessment, based on science, and risk management decisions taken by regulators to mitigate the risks. Risk communication throughout this process was also underscored as essential to ensure clear, efficient, and effective information flow among stakeholders, which include government agencies, private sector, and consumer groups. The importance of stakeholder engagement, forming trust, working transparently, and developing confidence in regulatory decisions were at the heart of many of the interventions.

1.16. At the informal meetings of March and July 2021, Members discussed and provided comments on proposals by New Zealand<sup>15</sup> outlining specific initiatives to improve the monitoring process of international harmonization, including: (i) organizing a thematic session on international harmonization; (ii) reviewing the format and content of the notification template; (iii) Members' voluntary statements to the Committee on the use of ISSB standards; and (iv) statements from ISSBs on their initiatives related to monitoring the use of standards and related texts. Members indicated their willingness to continue discussions on the topic. The three ISSBs highlighted the timely and complementary nature of the proposal to work being undertaken in their respective bodies. Members decided to hold the [Thematic Session on the Procedure to Monitor the Process of International Harmonization](#) during the week of the November 2021 SPS Committee meeting<sup>16</sup> with a view to exchange views and review progress on international harmonization.

1.17. At each of its meetings, the SPS Committee was also kept informed of the work of the Standards and Trade Development Facility (STDF) by the STDF Secretariat<sup>17</sup>, and of SPS-related technical assistance activities, including the new [SPS In-depth Virtual Course](#) which was held from 20 September to 8 October 2021.

1.18. Several virtual events were organized at the margin of the SPS Committee meetings in 2021. This included an information session on the beta version of the WTO [Trade Concerns Database](#); a side event entitled "Promoting safe trade during the International Year of Plant Health" organized by the IPPC; a session entitled "Digital opportunities for sanitary and phytosanitary (SPS) systems and the trade facilitation effects of SPS electronic certification" organized by the OECD; an STDF Webinar, as part of WTO's Aid-for-Trade COVID-19 Stocktaking Event, entitled "[Investing in safe trade systems to protect health and market access](#)"; a side event organized by the United States to present a new, online SPS training resource<sup>18</sup>; and an STDF and World Bank Webinar titled "[Systems approaches in food safety and plant health](#)". An upcoming STDF side event

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<sup>11</sup> [G/SPS/W/322](#).

<sup>12</sup> [G/SPS/GEN/1874/Rev.2](#).

<sup>13</sup> [G/SPS/GEN/1911/Rev.2](#).

<sup>14</sup> [G/SPS/GEN/1769](#) and [G/SPS/GEN/1769/Rev.1](#).

<sup>15</sup> [G/SPS/GEN/1851](#), [G/SPS/GEN/1877](#), and [G/SPS/GEN/1915](#).

<sup>16</sup> [G/SPS/GEN/1950/Rev.1](#).

<sup>17</sup> [G/SPS/GEN/1881](#) and [G/SPS/GEN/1925](#).

<sup>18</sup> [G/SPS/GEN/1914](#).

to launch a [new guide on good regulatory practices to improve SPS measures](#) is scheduled to be held on the margin of the November SPS Committee meeting.

1.19. The SPS Committee tentatively agreed to hold regular meetings on 23-25 March, 22-24 June, and 9-11 November 2022.<sup>19</sup> In 2022, the SPS Committee may hold Thematic Sessions on Trade Facilitative Approaches to Pesticide MRLs<sup>20</sup>; the Use of Remote (Virtual) Audit and Verification in Regulatory Frameworks<sup>21</sup>; and International Standards and Best Practices in Pest Risk Identification, Assessment and Management.<sup>22</sup>

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<sup>19</sup> [G/SPS/GEN/1910](#).

<sup>20</sup> [G/SPS/GEN/1947](#).

<sup>21</sup> [G/SPS/GEN/1949/Rev.1](#).

<sup>22</sup> [G/SPS/GEN/1951/Rev.1](#).