



## REPORT (2022) 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 2022.

1.2. The SPS Committee held its regular meetings (in hybrid mode) on 23-25 March, 22-24 June, and 9-11 November 2022. Members continued to use [eAgenda](#) to submit agenda items, raise and support specific trade concerns (STCs), and upload statements.

1.3. Mr Juteau Déadjufo Toussé (Cameroon) had been elected in July 2021 as Chairperson for 2021-2022. Mr Tang-Kai Wang (Chinese Taipei) was elected as the new Chairperson for 2022-2023.

1.4. In the first part of 2022, Members continued discussions on an SPS Declaration for the 12<sup>th</sup> WTO Ministerial Conference (MC12) on Responding to modern SPS challenges, initially submitted by Brazil, Canada, and the United States.<sup>1</sup> Members' efforts led to the successful adoption of the [MC12 SPS Declaration](#), instructing the SPS Committee to carry out a work programme to enhance the implementation of the SPS Agreement in an effort to better manage issues related to international trade in food, animals, and plants.<sup>2</sup>

1.5. Following adoption at MC12, the SPS Committee launched the work programme foreseen in the MC12 SPS Declaration.<sup>3</sup> Five thematic groups, led by (co)stewards, were set-up to suggest ideas or submit proposals for discussion in the SPS Committee, each focusing on one of the themes from the MC12 SPS Declaration, namely: (1) how to facilitate global food security and more sustainable food systems; (2) how to support basing SPS measures on scientific evidence and principles; (3) how to enhance the safe international trade in food, animals and plants and products thereof through the adaptation of SPS measures to regional conditions; (4) how to encourage cooperation with observer organizations that support the work of the SPS Committee and the international standard-setting bodies (ISSBs); and (5) how to increase participation of and support for the special needs of developing and least developed country Members in the development and application of SPS measures. On 4 October 2022, the SPS Committee held intersessional consultations to take stock of the initial work of these thematic groups, followed by discussions in the November 2022 SPS informal Committee meeting. Based on these discussions, a proposed process for the work programme was adopted.<sup>4</sup>

1.6. In addition to these thematic groups, the Working Group on Approval Procedures<sup>5</sup> continued its work and regularly updated the SPS Committee on its activities. Over the course of 2022, the Working Group on Approval Procedures updated a collection of existing tools and best practices to enhance implementation of the obligations of the SPS Agreement as they relate to approval procedures. The Working Group also concluded discussions on key challenges of approval procedures

<sup>1</sup> [G/SPS/GEN/1758/Rev.15](#).

<sup>2</sup> [WT/MIN\(22\)/27](#).

<sup>3</sup> A proposed process for discussion was circulated as document [G/SPS/W/330](#).

<sup>4</sup> [G/SPS/W/330/Rev.1](#). A [dedicated webpage](#) includes all the information related to the MC12 SPS Declaration work programme.

<sup>5</sup> [G/SPS/W/328/Rev.1](#) and [G/SPS/W/328/Rev.1/Add.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.

that affect international trade, as well as discussions on principles of approval procedures that facilitate international trade while meeting the importing Member's appropriate level of sanitary or phytosanitary protection. With this, the Working Group completed the main tasks that it had initially set for itself and moved to considering outcome documents to be submitted to the SPS Committee, including possible recommendations. The SPS Committee extended the Working Group until March 2023 to finalise these outcome documents.

1.7. Throughout the year, Members shared information on various SPS-related issues. Japan provided regular updates on the Fukushima Daiichi nuclear power station and Ukraine provided information on issues affecting its SPS infrastructure and impacting food security. In addition, the United States shared information on crop grouping expansion efforts and Chinese Taipei shared information on an Asia-Pacific Economic Cooperation (APEC) workshop on e-certificates. Certain Members also shared information on their pest or disease status. This information concerns the principle of regionalization and is compiled in the Annual Report on the Implementation of Article 6, which the SPS Committee considered at its July meeting.<sup>6</sup> Two items on equivalence were also reported, with the United States recognizing Poland's poultry laws, regulations, and inspection system as well as Lithuania's egg products inspection system as achieving an equivalent level of sanitary protection to its own.

1.8. The SPS Committee considered a wide range of STCs. Members raised 26 new STCs in 2022, including in relation to: pesticide policies and import tolerances; disease status of a country or region as recognized by WOA (founded as OIE); heavy metal contaminants in processed food; quarantine pests; registration requirements, inspections, approval procedures, and health certificate requirements; and import bans or other restrictions on a variety of products (e.g. spices, collagen for human consumption, groundnut and sesame seeds, honey, ornamental plants, vitamin D3, and ostrich meat). In addition, many previously raised STCs continued to be discussed. Members intervened on issues such as: measures regarding pesticides (e.g. legislation on endocrine disruptors); maximum residue levels (MRLs) for contaminants in food products; legislation on veterinary medicinal products; emergency measures to prevent the risk of COVID-19 transmission via food products; information on GM (genetically modified) origin of certain agricultural imports; various approval procedures; restrictions on animal products, many due to animal diseases, as well as disease status of countries or areas as recognized by WOA; and phytosanitary restrictions. In 2022, the Secretariat contacted several Members to seek information regarding the status of STCs (resolved, partially resolved, or not resolved). About 57% of all STCs raised in the SPS Committee since 1995 can be considered as resolved or partially resolved.<sup>7</sup>

1.9. In relation to previously raised STCs, the SPS Committee was further informed of a request for the Good Offices of the Chairperson of the SPS Committee under Article 12.2 of the SPS Agreement and the *ad hoc* consultations procedure.<sup>8</sup> The request was eventually rejected because the relevant import requirements had been in the meantime published. This was the first request received under the *ad hoc* consultations procedure, adopted in 2014 to further encourage and facilitate the resolution of specific SPS issues among Members.

1.10. In addition, the SPS Committee considered the Annual Overview on Implementation of SPS Transparency Provisions and Specific Trade Concerns, issued before the March SPS Committee meeting<sup>9</sup>, as well as the Annual Report on the Use of the Procedure to Encourage and Facilitate the Resolution of Specific SPS Issues, issued before the November SPS Committee meeting.<sup>10</sup>

1.11. The SPS Committee maintained its close working relationship with Codex, the IPPC, and the WOA (founded as OIE) and received regular updates on their activities. Other observer organizations also provided information on their activities. In 2022, one new request for observer status was submitted by the International Olive Council (IOC).<sup>11</sup> However, the SPS Committee did not reach consensus on IOC's request.

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<sup>6</sup> [G/SPS/GEN/2021](#).

<sup>7</sup> [G/SPS/GEN/2062/Rev.1](#). The Secretariat had conducted a similar exercise in 2013, 2017, and 2020.

<sup>8</sup> [G/SPS/61](#).

<sup>9</sup> [G/SPS/GEN/804/Rev.14](#) and [G/SPS/GEN/204/Rev.22](#).

<sup>10</sup> [G/SPS/GEN/2057](#).

<sup>11</sup> [G/SPS/GEN/121/Add.20](#).

1.12. The SPS Committee also considered, at its June meeting, the Annual Report on the Procedure to Monitor the Process of International Harmonization.<sup>12</sup> Three new issues were raised under this procedure in 2022: (1) Brazil informed Members that, in 2021, it had published 300 norms that took into account international food safety guidance; (2) Canada provided an update on its response to highly pathogenic avian influenza (HPAI), highlighting the importance of WOAAH guidelines; and (3) Canada updated the Committee on its negligible risk status for bovine spongiform encephalopathy (BSE) as recognized by WOAAH. Members also continued to discuss two issues that had been raised in previous years related to Members' implementation of standards developed by WOAAH on African swine fever (ASF) and HPAI, and WOAAH provided an update on the work of its [Observatory](#). In addition, the Committee discussed New Zealand's submission on the Procedure to Monitor the Process of International Harmonization.<sup>13</sup> While Members and the ISSBs acknowledged the importance of the monitoring procedure, the topic was not seen as a priority. One suggestion was that it could be addressed as part of the work programme of the MC12 SPS Declaration or the Sixth Review of the Operation and Implementation of the SPS Agreement.

1.13. At each of its meetings, the SPS Committee was kept informed of the work of the Standards and Trade Development Facility (STDF).<sup>14</sup> In addition, the Secretariat kept the SPS Committee apprised of SPS-related technical assistance activities<sup>15</sup>, including two new courses launched in 2022: a [Transparency Champions Course](#) in English and a [Course on Essentials for SPS Committee Participation](#) in French.

1.14. The SPS Committee continued to organize dedicated activities to exchange experiences and hear from experts at the margins of its meetings. In March 2022, a [Thematic Session on Trade facilitative approaches to pesticide MRLs, including substances not approved for use in an import market](#)<sup>16</sup> was held, based on a proposal by Australia, Colombia, Paraguay, and the United States.<sup>17</sup> The thematic session built on [APEC work](#) and allowed Members and industry representatives to share their experiences on topics such as harmonization with Codex MRLs, import tolerances, MRL enforcement measures, and economic losses due to rejected consignments on account of MRL-related measures. At a subsequent SPS Committee meeting, Members discussed a follow-up proposal submitted by Australia, Canada, Colombia, Paraguay, and the United States (now also co-sponsored by Japan and Uruguay) with concrete actions for the SPS Committee to continue to explore the issue of pesticide MRLs.<sup>18</sup> In the discussions, Members acknowledged the limited capacity of the SPS Committee to undertake another dedicated working group at this stage, in particular in light of the ongoing Working Group on Approval Procedures and the work programme to implement the MC12 SPS Declaration. The co-sponsors announced that they would consult with interested Members on possible mechanisms to carry-out the work and subsequently suggested that this initiative be put on hold until the end of 2023.

1.15. In June 2022, Members participated in a [Thematic Session on the Use of Remote \(Virtual\) Audit and Verification in Regulatory Frameworks](#)<sup>19</sup>, based on a proposal by Australia.<sup>20</sup> The thematic session provided an opportunity to share experiences on the use of remote assessment methods, discuss how such approaches may assist Members with their obligations under Annex C of the SPS Agreement, and take a closer look at the relevance and scope for future use as well as ongoing initiatives, such as Codex guidance being developed. Members also participated in a [Workshop on Transparency](#) to provide training on the new [ePing SPS&TBT Platform](#)<sup>21</sup>, which integrated the SPS and technical barriers to trade (TBT) transparency tools and the ePing alert system.<sup>22</sup>

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<sup>12</sup> [G/SPS/GEN/2022](#).

<sup>13</sup> [G/SPS/GEN/1998](#).

<sup>14</sup> [G/SPS/GEN/1994](#), [G/SPS/GEN/2031](#), and [G/SPS/GEN/2065](#).

<sup>15</sup> [G/SPS/GEN/521/Rev.17](#) and [G/SPS/GEN/997/Rev.12](#).

<sup>16</sup> The final programme of the thematic session is contained in document [G/SPS/GEN/1989/Rev.1](#) and the report of the thematic session in Annex B of document [G/SPS/R/105](#).

<sup>17</sup> [G/SPS/GEN/1947](#).

<sup>18</sup> [G/SPS/GEN/2034/Rev.3](#).

<sup>19</sup> The final programme for the thematic session is contained in document [G/SPS/GEN/2016/Rev.1](#) and the report of the thematic session in Annex B of [G/SPS/R/107](#).

<sup>20</sup> [G/SPS/GEN/1949/Rev.1](#).

<sup>21</sup> This new platform went live with a pilot version on 28 March 2022 and was officially launched on 13 July 2022.

<sup>22</sup> The final programme and report are contained in [G/SPS/GEN/2015/Rev.1](#) and [G/SPS/R/106](#), respectively.

The workshop was complemented by a "notifications clinic" targeted at SPS notification authorities and enquiry points.

1.16. Finally, a [Thematic Session on International Standards and Best Practices in Pest Risk Identification, Assessment, and Management](#)<sup>23</sup> was held in November 2022, based on proposals by the European Union.<sup>24</sup> The thematic session provided an opportunity for Members to increase their awareness about relevant IPPC standards and exchange on best practices as well as challenges associated with issues such as identification of pests of phytosanitary concern, performance of pest risk analyses, risk mitigation measures, phytosanitary certification and/or import conditions, and IPPC standards on risk management.

1.17. In addition to these activities, several side events were organized at the margin of the SPS Committee meetings. These included: an [STDF event](#), in partnership with Canada and France, on strengthening SPS capacity in French-speaking African countries; a Secretariat-led event to provide an overview of the new [ePing SPS&TBT Platform](#); an [event](#) organized by Uganda and the United States on Responding to Fall Armyworm Integrated Pest Management and Policy Approaches, which included an update on the current status of fall armyworm, particularly in East Africa, and an overview of ongoing policy approaches; and an event organized by the WBG International Finance Corporation (IFC) to present the [IFC Scan Guide](#) and [IFC Food Safety Handbook](#).

1.18. The SPS Committee tentatively agreed to hold regular meetings on 22-24 March, 28-30 June, and 15-17 November 2023.<sup>25</sup>

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<sup>23</sup> The final programme is contained in document [G/SPS/GEN/2069/Rev.1](#).

<sup>24</sup> [G/SPS/GEN/1951 and revisions](#).

<sup>25</sup> [G/SPS/GEN/2036](#).