

**REPORT (2009) ON THE ACTIVITIES OF THE COMMITTEE ON
SANITARY AND PHYTOSANITARY MEASURES**

Revision

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 1 October 2009.
2. The Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") has held three regular meetings in 2009: 25-26 February, 23-24 June, and 28-29 October.¹ At the June meeting, Ms Miriam Chaves of Argentina was appointed Chairperson for the 2009-2010 period.
3. The Committee has been undertaking the Third Review of the Operation and Implementation of the SPS Agreement at its informal and regular meetings during 2009. In accordance with the procedures for the Third Review (G/SPS/W/228), and on the basis of information provided by Members, the Committee considered a draft report for adoption at its meeting in October (G/SPS/W/237/Rev.1). The report was not adopted, however, and will be further revised for adoption at the meeting in March 2010. In addition, as agreed by the Committee in its Second Review (G/SPS/36), the Committee has been considering proposals to facilitate the use of ad hoc consultations and negotiations to resolve trade problems. At its meeting in October, the Committee considered a proposal based on a previous joint proposal from Argentina and the United States (G/SPS/W/243), but further revisions were proposed.
4. Also as agreed in the Second Review, the Committee addressed the issue of the relationship between the SPS Committee and the Codex, OIE and IPPC at a workshop held on 26 October 2009. The standard-setting procedures of each organization were reviewed, with a focus on how to enhance the participation of developing countries. Areas for future collaboration between the four bodies were identified, and the need for more effective coordination of positions at the national level was stressed.
5. In accordance with the transparency provisions of the SPS Agreement, 812 notifications (including addenda, corrigenda, revisions, supplements and agreements on equivalence) were submitted in the period 1 January to 31 October 2009, bringing the total number of SPS notifications submitted since the entry into force of the Agreement to 10,667 by November 2009.
6. 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). The STDF held a workshop on the use of economic analysis in SPS-decision making on 30 October 2009. Various examples of the use of different kinds of economic analysis were presented. A number of speakers and participants noted how the ability to calculate potential benefits could make it easier to secure the necessary resources to improve SPS capacities.

¹ The report of the February meeting is contained in G/SPS/R/54, that of the June meeting in G/SPS/R/55, and that of the October meeting will be circulated shortly in G/SPS/R/56.

7. The issue of special and differential treatment was considered at each meeting of the Committee. The Committee adopted, on an ad referendum basis, a revision of the procedure to enhance the transparency of special and differential treatment.²

8. The SPS Committee considered a wide range of specific trade concerns, including some related to individual notifications. The issues discussed included, *inter alia*, trade measures imposed in response to the Influenza A/H1N1 virus, restrictions relating to avian influenza and bovine spongiform encephalopathy (BSE); concerns with maximum levels of pesticide residues in various products; the EC regulation of novel foods; and restrictions related to plant health protection. To date during 2009, 12 new specific trade concerns were raised, 18 previously raised concerns were again discussed, and three were reported to have been resolved.

9. The Committee also continued to discuss the effects of commercial and private SPS standards on trade, and the appropriate role of the SPS Committee. Members provided examples of specific products whose access into certain markets was affected by private standards. These examples were summarized in a report that was considered by the Committee at its June meeting (G/SPS/GEN/932). As agreed by the Committee, the Secretariat also prepared a report describing possible actions, identified by Members, that could be taken by the Committee and/or Members to address concerns regarding the effects of private SPS standards (G/SPS/W/247). At the October 2009 meeting, the Committee decided to further consider the second report, in light of comments from Members and work undertaken by the OIE.

10. The Eleventh Annual Report on the Procedure to Monitor the Process of International Harmonization was adopted by the Committee following its June meeting.³ A number of Members raised concerns regarding the potential effects on trade of a draft North American Plant Protection Organization standard on Asian Gypsy moth. Also discussed was the requirement of the Asia Pacific Plant Protection Commission (APPPC) regarding hevea plants and South American leaf blight.

11. The Committee conducted the transitional review under Paragraph 18 of the Protocol of Accession of the People's Republic of China at its October 2009 meeting. The report of this review is contained in G/SPS/52.

12. The Committee agreed to invite those organizations which had been granted observer status on an ad hoc, meeting-by-meeting basis to participate in each of its meetings during 2009. The Committee was unable to reach any decision with regard to pending requests for observer status from the Office International de la Vigne et du Vin (OIV), from the Asian and Pacific Coconut Community (APCC), from the Convention on Biodiversity (CBD), and from the Gulf Cooperation Council Standardisation Organization (GSO). A new request for observer status, from the Economic Community for West African States (ECOWAS), was examined at the October meeting. The Committee agreed to consider all pending requests at its next meeting.

13. The SPS Committee maintained its close working relationship with the IPPC, the OIE and Codex and received regular updates on their activities. Other observer organizations also provided information on their activities, including technical assistance activities.

14. The Committee agreed to the following tentative calendar for its regular meetings in 2010: 17-18 March, 30 June - 1 July and 20-21 October.

² The procedure is contained in G/SPS/33, and the provisionally adopted revision in G/SPS/W/224/Rev.6.

³ G/SPS/51.