

Committee on Sanitary and Phytosanitary Measures

**RECOMMENDED PROCEDURES FOR IMPLEMENTING
THE TRANSPARENCY OBLIGATIONS OF
THE SPS AGREEMENT (ARTICLE 7)**

Revision

1. Transparency in the context of the World Trade Organization (WTO) is used to signify one of the fundamental principles of its agreements: the aim is to achieve a greater degree of clarity, predictability and information about trade policies, rules and regulations of Members. In implementing this concept Members use notifications. Under the SPS Agreement, notifications are used to inform other Members about new or changed regulations that may significantly affect their trading partners¹. Transparency under the SPS Agreement also includes answering reasonable questions, and publishing regulations.

2. These procedures have been developed to assist Members fulfil their transparency obligations under Article 7 and Annex B of the SPS Agreement regarding the notification of SPS regulations, answering information requests under the national enquiry point system and publishing regulations.

3. When a Member's national notification authority or national enquiry point has been established, or changed, the WTO Secretariat should be informed. The Secretariat regularly circulates a list of all Members' notification authorities and enquiry points. These lists are updated three or four times a year. The national enquiry points are listed in the G/SPS/ENQ/ document series of the WTO, and the notification authorities are listed in the G/SPS/NNA/ series. To be included in these lists, it is useful to provide the following information:

- Contact name
- Name of institution
- Postal address / physical address
- Phone
- Fax
- E-mail
- Website address

4. Members should also refer to the guidelines on transparency contained in the handbook *How to apply the transparency provisions of the SPS Agreement* (November 2000), when notifying regulations and operating national enquiry points in accordance with Article 7 and Annex B of the SPS Agreement.

¹ The SPS Agreement uses the terms 'measures' and 'regulations' somewhat interchangeably when referring to any sanitary or phytosanitary measure such as laws, decrees, or ordinances applied to protect human, animal or plant life or health as defined under paragraph 1 of Annex A to the SPS Agreement.

RECOMMENDED NOTIFICATION PROCEDURES

5. Members should follow these procedures when notifying regulations as required in paragraphs 5 or 6 of Annex B. The form for routine notifications (Section H below) should be used for notifications in accordance with paragraph 5 of Annex B, whereas the form for emergency notifications (Section I below) should be used for notifications as provided for in paragraph 6 of Annex B.

A. APPLICATION OF ANNEX B, PARAGRAPH 5 (PREAMBULAR PART) OF THE SPS AGREEMENT

6. For the purposes of Annex B, paragraphs 5 and 6 in the SPS Agreement, the concept of "significant effect on trade of other Members" may refer to the effect on trade:

- of one sanitary or phytosanitary regulation only or of various sanitary or phytosanitary regulations in combination;
- in a specific product, group of products or products in general; and
- between two or more Members.

7. When assessing whether the sanitary or phytosanitary regulation may have a significant effect on trade, the Member concerned should take into consideration, using relevant information which is available, such elements as the value or other importance of imports in respect of the importing and/or exporting Members concerned, whether from other Members individually or collectively, the potential development of such imports, and difficulties for producers in other Members, particularly in developing country Members, to comply with the proposed sanitary or phytosanitary regulations. The concept of a significant effect on trade of other Members should include both import-enhancing and import-reducing effects on the trade of other Members, as long as such effects are significant.

B. TIMING OF NOTIFICATIONS

8. When implementing the provisions of paragraph 5 of Annex B, a notification should be made when a draft with the complete text of a proposed regulation is available and when amendments can still be introduced and comments taken into account. Members shall normally allow a period of at least sixty days for comments.

9. A notification shall be made well before the entry into force of the relevant measure, except when urgent problems of health protection arise or threaten to arise for the Member concerned. Any regulation brought into force in urgent circumstances must be notified immediately and a rationale for the urgent action provided.

10. The late notification of a measure already in force does not in and of itself constitute sufficient reason for the use of the emergency format. When urgent problems of health protection are not involved, late notifications should be made using the regular format and consideration should still be given to all comments received.

C. REQUESTING DOCUMENTS RELATED TO A NOTIFICATION

11. Members requesting documents related to a notification should provide all the elements permitting the identification of the documents, and in particular the WTO SPS notification number to which the requests refer.

12. When requesting an electronic transmission of documents from another Member, Members should indicate which electronic formats they are able to receive, including compatible versions.

D. PROVIDING DOCUMENTS RELATED TO A NOTIFICATION

Address of body supplying the documents

13. Members should indicate under point 12 of the WTO notification format the full address of the body responsible for supplying the relevant documents if that body is not the notification authority or the enquiry point.

Responding to requests

14. Documents requested should normally be provided within five working days. If this is not possible, the request for documentation or information should be acknowledged within that period and an estimate given of the time required to provide the requested documentation.

15. Documents supplied in response to a request should be identified with the WTO SPS notification number to which the request refers.

16. Members should use fax and e-mail facilities to the extent possible in responding to requests for documentation or information. Members are encouraged to publish their sanitary or phytosanitary measures on the world wide web, to facilitate the supply of documents.

Acknowledging receipt of documents

17. The Member requesting documents relating to a notification should acknowledge receipt of the documents provided.

Translation of documents

18. When a translation of a relevant document exists or is planned, this fact should be indicated on the WTO notification form next to the title of the document. If only a translated summary exists, the fact that such a summary is available should be similarly indicated.

19. If a translation of a document or summary exists in the language of the requesting Member, or, as the case may be, in the WTO working language used by the requesting Member, it should be automatically sent with the original of the document requested.

20. Where documents are not available in a WTO working language, developed country Members shall, upon request, supply a translation of the document, or in case of voluminous documents, a translation of a summary of the documents, in a WTO working language.

21. When a Member seeks a copy of a document relating to a notification which does not exist in that Member's WTO working language, the notifying Member should advise the requesting Member of other Members that have requested, as of that date, a copy of the document. The Member seeking a copy of a document relating to a notification may contact other Members in order to determine whether the latter are prepared to share any translation that they have or will be making.

22. Any Member possessing an unofficial translation of a document relating to a notification should inform the notifying Member of the existence of the unofficial translation and is encouraged to make it available to other interested Members, through electronic facilities where appropriate. In doing so, the Member should clearly indicate the unofficial and non-committal nature of the translation.

E. HANDLING OF COMMENTS ON NOTIFICATIONS

23. Each Member should notify the WTO Secretariat of the authority or agency (e.g. its notification authority) which it has designated to be in charge of handling comments received, and of any change and/or modification of such authority or agency.

24. Members submitting comments on a notified draft regulation should provide them without unnecessary delay to the authority designated to handle the comments, or to the national notification authority if no other designation is made.

25. A Member receiving comments through the designated body should, without further request:

- (i) acknowledge the receipt of such comments;
- (ii) explain within a reasonable period of time, and at the earliest possible date before the adoption of the measure, to any Member from which it has received comments, how it will take these comments into account and, where appropriate, provide additional relevant information on the proposed sanitary or phytosanitary regulations concerned;
- (iii) provide to any Member from which it has received comments, a copy of the corresponding sanitary or phytosanitary regulations as adopted or information that no corresponding sanitary or phytosanitary regulations will be adopted for the time being;
- (iv) where possible make available to other Members comments and questions it has received and answers it has provided, preferably through electronic facilities.

26. Members should grant requests for extension of the comment period wherever practicable, in particular with regard to notifications relating to products of particular interest to developing country Members, where there have been delays in receiving and translating the relevant documents or where there is a need for further clarification of the measure notified. A 30-day extension should normally be provided.

F. ADDENDA, CORRIGENDA AND REVISIONS

27. Members, in addition to their original notifications, can also provide supplementary information in three different forms.

- An addendum is used to provide additional information or changes to an original notification. A Member may wish to indicate on the addendum if the final regulation has been substantially modified from the notified proposal.
- A corrigendum is used to correct an error in an original notification such as an incorrect address detail.
- A revision is used to replace an existing notification.

Any addendum or corrigendum should be read in conjunction with the original notification.

Addenda

28. Members should notify changes in the status of a notified SPS regulation. The issuance of an addendum allows Members to track the status of an SPS regulation via its unique notification number. Addenda to SPS notifications should be made in a number of circumstances, such as:

- (a) when a proposed regulation is either adopted or comes into force. A Member may wish to indicate on the addendum if the final regulation has been substantially modified from the notified proposal.
- (b) if a proposed regulation is withdrawn;
- (c) if a regulation is revoked;
- (d) if the comment period has been extended;
- (e) if the period of application of the existing notification is extended;
- (f) if the scope of application of the existing notification is reduced, either in terms of Members affected or products covered. Such a change may warrant the extension of the comment period.

29. An addendum should:

- briefly recap what was notified, when and what it was about - this is a practical requirement, and reduces the need for Members to have to go back to the original notification to check what it was about;
- specify what change has been made and why - briefly state why the information, dates, etc have been changed; and
- restate the comments deadline, even if it has not been changed - as a reminder to Members that if they wish to comment it must be done by this date.

30. A form for making an addendum is available in section H for routine notifications and section I for notifications of emergency measures.

Corrigenda

31. Members should inform the Secretariat of any error(s) contained in their original notification. The Secretariat will issue a corrigendum accordingly.

32. A form for making a corrigendum is available in section H for routine notifications and section I for notifications of emergency measures.

Revisions

33. Revisions replace an existing notification. Revisions should be submitted, for example, when the scope of application of a notified regulation is extended, either in terms of Members affected or products covered, or if a notification contained a large number of errors which necessitated issuing a revision. A Member should provide a further period for comments on the revised notification, normally 60 days.

34. A form for making a revision is available in section H for routine notifications and section I for notifications of emergency measures.

G. REGULATIONS THAT CONTAIN BOTH SPS AND TBT MEASURES

35. When a regulation contains both SPS and TBT measures, it should be notified according to both the SPS and TBT Agreements, preferably with an indication of which parts of the regulation fall under SPS Agreement (e.g. a food safety measure) and which parts fall under the TBT Agreement (e.g., quality or compositional requirements).

H. COMPLETION OF FORMATS - ROUTINE NOTIFICATIONS (ANNEX B, PARAGRAPH 5)

36. Information contained in the notifications should be as complete as possible and no section should be left blank. Where necessary, "not known" or "not stated" should be indicated.

Item	Description
1. Member notifying	Government, including the competent authorities of the European Communities, which is making the notification.
2. Agency responsible	Body elaborating a proposal for or promulgating a sanitary or phytosanitary regulation.
3. Products covered	Tariff item number(s) (normally HS, chapter or heading and number) as contained in national schedules deposited with the WTO. ICS numbers should be provided in addition, where applicable. A clear description is important for an understanding of the notification by delegations and translators. Abbreviations should be avoided.
4. Regions or countries likely to be affected	The geographical regions or countries likely to be affected by the notified regulation should be identified to the extent relevant or practicable.
5. Title, language and number of pages of the notified document	<p>Title of the proposed or adopted (in the case of late submissions) sanitary or phytosanitary regulation. Number of pages in the notified document. Languages in which the notified document is available.</p> <p>If a translation exists of the whole document, or a translated summary of the document exists, indicate this here.</p>
6. Description of content	<p>A summary of the proposed or adopted (in the case of late submissions) sanitary or phytosanitary regulation clearly indicating its content and health protection objective. The summary should be as complete and accurate as possible to allow the full understanding of the proposed regulation. To the extent possible, likely effects on trade should be described. Abbreviations should be avoided. Where practicable it should also include an outline of the specific sanitary measures the regulation will apply.</p> <p>When a regulation contains both SPS and TBT measures, it should be notified according to both the SPS and TBT Agreements, preferably with an indication of which parts of the regulation fall under the SPS Agreement and which parts fall under the TBT Agreement.</p>
7. Objective and rationale	State whether objective is: protection of human health from food-borne risks; or protection of human health from plant- or animal-carried diseases; or protection of animal health from pests or diseases; or protection of animal health from contaminated feed; or protection of plant health from pests or diseases; or prevention of other damage from entry, establishment or spread of pests.

Item	Description
8. Existence of international standard, guideline or recommendation	If a relevant international standard, guideline or recommendation exists, put a cross in the box provided for the appropriate standard-setting organisation and give the appropriate reference of the existing standard, guideline or recommendation and briefly describe how the proposed regulation deviates from the international standard, guideline or recommendation. If no international standards, guideline or recommendation exists, put a cross in the box 'none'.
9. Relevant documents and language(s) in which these are available	Documents referenced here are different from those listed in box 5. Documents which should be referenced include: (a) Publication where notice of the proposed regulation appears, including date and reference numbers; (b) Proposal and basic document to which proposal refers (with specific reference number or other identification), and the language(s) in which the notified documents and any summary of these are available; (c) Publication in which proposal will appear when adopted. If it is necessary to charge for documents supplied, the amount of the charge should be indicated.
10. Proposed date of adoption	The date when the sanitary or phytosanitary regulation is expected to be adopted.
11. Proposed date of entry into force	The date from which the requirements in the regulation are proposed or decided to enter into force. Where appropriate, Members should accord longer time-frames for compliance on products of interest to developing country Members.
12. Final date for comments and agency or authority handling comments	The date by which Members may submit comments in accordance with Annex B, Paragraph 5(b) of the SPS Agreement. A specific date should be indicated. A Member shall normally allow a period of at least sixty days for comment. Any Member which is able to provide a time limit beyond sixty days is encouraged to do so. The agency or authority which has been designated to handle the comments should be indicated. If this is the national notification authority or the national enquiry point, put a cross in the box provided. If another agency or authority has been designated, provide its name, address, fax and (if available) E-mail address. For proposed measures which facilitate trade, Members may reduce or eliminate the period for receiving comments.
13. Texts available from	If available from the national notification authority or the enquiry point, put a cross in the respective box. If available from another body, give its address, fax number and (if available) E-mail address. Such indications do not in any way discharge the relevant enquiry point of its responsibilities under the provisions of Annex B, Paragraphs 3 and 4 of the SPS Agreement. World wide web address of document notified, if available.

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

1.	Member to Agreement notifying: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable:
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests
8.	International standard, guideline or recommendation: <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> Office International des Epizooties, <input type="checkbox"/> International Plant Protection Convention, <input type="checkbox"/> None If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:
9.	Relevant documents and language(s) in which these are available:
10.	Proposed date of adoption:
11.	Proposed date of entry into force:
12.	Final date for comments: Agency or authority designated to handle comments: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:
13.	Texts available from: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:

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date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Revision

1.	Member to Agreement notifying: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable:
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests
8.	International standard, guideline or recommendation: <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> Office International des Epizooties, <input type="checkbox"/> International Plant Protection Convention, <input type="checkbox"/> None If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:
9.	Relevant documents and language(s) in which these are available:
10.	Proposed date of adoption:
11.	Proposed date of entry into force:
12.	Final date for comments: Agency or authority designated to handle comments: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:
13.	Texts available from: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/#/Add.#
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Addendum

The following communication, dated # Month Year has been received from [Member].

Title outlining what the SPS measure or product is

[Text]

[Where the notified document can be obtained from – include contact name, agency, full address, telephone, facsimile, and email as appropriate].

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/#/Corr.#
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Corrigendum

The following communication, dated # Month Year has been received from [Member].

Title outlining what the SPS measure or product is

[Text]

[Where the notified document can be obtained from – include contact name, agency, full address, telephone, facsimile, and email as appropriate].

I. COMPLETION OF FORMATS - EMERGENCY NOTIFICATIONS (ANNEX B, PARAGRAPH 6)

37. Information contained in the notification form should be as complete as possible and no section should be left blank. Where necessary, "not known" or "not stated" should be indicated.

Item	Description
1. Member notifying	Government, including the competent authorities of the European Communities, which is making the notification.
2. Agency responsible	Body elaborating a proposal for or promulgating a sanitary or phytosanitary regulation.
3. Products covered	Tariff item number(s) (normally HS, chapter or heading and number) as contained in national schedules deposited with the WTO. ICS numbers should be provided in addition, where applicable. A clear description is important for an understanding of the notification by delegations and translators. Abbreviations should be avoided.
4. Regions or countries likely to be affected	The geographical regions or countries likely to be affected by the notified regulation should be identified to the extent relevant or practicable.
5. Title, language and number of pages of the notified document	<p>Title of the proposed or adopted sanitary or phytosanitary regulation. Number of pages in the notified document. Languages in which the notified document is available.</p> <p>If a translation exists of the whole document, or a translated summary of the document exists, indicate this here.</p>
6. Description of content	<p>A summary of the proposed or adopted sanitary or phytosanitary regulation clearly indicating its content and health protection objective. The summary should be as complete and accurate as possible to allow the full understanding of the proposed regulation. To the extent possible, likely effects on trade should be described. Abbreviations should be avoided. Where practicable it should also include an outline of the specific sanitary measures the regulation will apply.</p> <p>When a regulation contains both SPS or TBT measures, it should be notified according to both the SPS and TBT Agreements, preferably with an indication of which parts of the regulation fall under the SPS Agreement and which parts fall under the TBT Agreement.</p>

Item	Description
7. Objective and rationale	State whether objective is: protection of human health from food-borne risks; or protection of human health from plant- or animal-carried diseases; or protection of animal health from pests or diseases; or protection of animal health from contaminated feed; or protection of plant health from pests or diseases; or prevention of other damage from entry, establishment or spread of pests.
8. Nature of urgent problem(s) and reason for urgent action	Indication of the underlying reasons for resorting to emergency action.
9. Existence of international standard, guideline or recommendation	If a relevant international standard, guideline or recommendation exists, put a cross in the box provided for the appropriate standard-setting organisation and give the appropriate reference of the existing standard, guideline or recommendation and briefly describe how the proposed regulation deviates from the international standard, guideline or recommendation. If no international standards, guideline or recommendation exists, put a cross in the box 'none'.
10. Relevant documents and language(s) in which these are available	Documents referenced here are different to those listed in box 5. Documents which should be referenced include: (a) Measure(s) taken and basic regulation which was modified (with specific reference number or other identification), and the language(s) in which the notified documents and any summary of these are available; (b) Publication in which regulation will appear; If it is necessary to charge for documents supplied, the amount of the charge should be indicated.
11. Date of entry into force and period of application	The date from which the requirements entered into force, and, if applicable, the period of time during which they will apply. (For example: immediate entry into force [date], duration of two months.)
12. Agency or authority handling comments	The agency or authority which has been designated to handle the comments should be indicated. If this is the national notification authority or the national enquiry point, put a cross in the box provided. If another agency or authority has been designated, provide its name, address, fax and (if available) E-mail address.
13. Texts available from	If available from the national notification authority or enquiry point, put a cross in the respective box. If available from another body, give its address, fax number and (if available) E-mail address. Such indications do not in any way discharge the relevant enquiry point of its responsibilities under the provisions of Annex B, Paragraphs 3 and 4 of the SPS Agreement. World wide web address of document notified, if available.

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Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

1.	Member to Agreement notifying: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable:
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests
8.	Nature of the urgent problem(s) and reason for urgent action:
9.	International standard, guideline or recommendation: <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> Office International des Epizooties, <input type="checkbox"/> International Plant Protection Convention, <input type="checkbox"/> None If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:
10.	Relevant documents and language(s) in which these are available:
11.	Date of entry into force/period of application (as applicable):
12.	Agency or authority designated to handle comments: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:
13.	Texts available from: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:

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Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Revision

1.	Member to Agreement notifying: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable:
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests
8.	Nature of the urgent problem(s) and reason for urgent action:
9.	International standard, guideline or recommendation: <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> Office International des Epizooties, <input type="checkbox"/> International Plant Protection Convention, <input type="checkbox"/> None If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:
10.	Relevant documents and language(s) in which these are available:
11.	Date of entry into force/period of application (as applicable):
12.	Agency or authority designated to handle comments: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:
13.	Texts available from: <input type="checkbox"/> National notification authority, <input type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body:

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(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Addendum

The following communication, dated # Month Year has been received from [Member].

Title outlining what the SPS measure or product is

[Text]

[Where the notified document can be obtained from – include contact name, agency, full address, telephone, facsimile, and email as appropriate].

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(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Corrigendum

The following communication, dated # Month Year has been received from [Member].

Title outlining what the SPS measure or product is

[Text]

[Where the notified document can be obtained from – include contact name, agency, full address, telephone, facsimile, and email as appropriate].

J. NOTIFICATION OF EQUIVALENCE AGREEMENTS

38. The WTO Secretariat has proposed a format for the notification of equivalence agreements and this has been distributed to Members in G/SPS/W/114.

K. COMPLETED NOTIFICATIONS

39. Notifications should be sent by fax, e-mail or air mail from the national notification authority to the central registry of notifications (CRN) at the WTO. The address is:

Central Registry of Notifications
World Trade Organization
Rue de Lausanne 154
1211 Geneva 21
Switzerland
Fax: (+41 22) 739 5638
e-mail: crn@wto.org

Members are not required to send the legal texts of the proposed regulation that is being notified.

GUIDELINES FOR NATIONAL ENQUIRY POINT REQUESTS

40. The national enquiry point system established under the SPS Agreement is an effective avenue for obtaining information regarding SPS systems and measures from other Members.

41. The national enquiry point handles on a routine basis:

- document and information requests;
- general enquiries; and
- delivery and charging of documents.

42. National Enquiry Points should also provide, upon request, information on participation in any bilateral or multilateral equivalence agreements and arrangements.

L. DELIVERY AND CHARGING

43. While the mode of delivery is at the discretion of the Member concerned, it is recommended that delivery of documents should be by the fastest means possible. In the first instance, if the Member has such facilities, the documents should be sent by e-mail, or by fax. Alternatively, a Member can send the documents by post or via a requesting Member's diplomatic mission in their territory.

44. A Member may only charge the same cost for the documents as it would for its own nationals plus the cost of delivering the documents.

PUBLICATION OF REGULATIONS

45. The publication of regulations is a fundamental component of transparency under the SPS Agreement. This is a general obligation on Members, and does not relate specifically to the work of either the national notification authority or national enquiry point.

46. Members are obliged to:

- (a) ensure that all SPS regulations which have been adopted are published promptly in such a manner as to enable interested countries to become acquainted with them. Regulations to be published include laws, decrees or ordinances which are applicable generally.
- (b) except in urgent circumstances, allow a reasonable interval between the publication of a sanitary or phytosanitary regulation and its entry into force in order to allow time for producers in exporting Members and particularly in developing country Members, to adapt their products and methods of production to the requirements of the importing country.

M. INTERNET

47. Members are encouraged to publish SPS regulations on the Internet where possible. Publication on the internet has a number of advantages and benefits to Members over more traditional methods. It:

- (a) allows for greater transparency;
 - (b) makes it easier for Members to obtain documents; and
 - (c) reduces the amount of work involved in processing and fulfilling document requests.
-