

ROQUEFORT CHEESE EXPORTS TO AUSTRALIA

Statement by the European Communities
at the meeting of 11-12 November 1998

1. Until 1994, French cheeses made out of raw milk, and in particular Roquefort, could be marketed in Australia on the condition that from their arrival on the Australian territory, they had been stored during a 120-day period before being released for consumption. Since 1994, the Australian authorities have been requiring that imported cheeses be manufactured exclusively from pasteurised milk.
2. In July 1997, the French authorities requested easing of this measure, considering that respect of good hygienic practices provided guarantees equivalent to those sought by means of the implementation of the measure. The Australian and New Zealand Food Authority (ANZFA) later asked for precise details of the manufacturing processes used in order to carry out a risk assessment.
3. A first series of questions was therefore addressed to the Federation of Roquefort Producers on 30 October 1997, which answered through the French Embassy on 12 December 1997. On 16 June 1998, a new series of questions was addressed to the same Federation. Questions covered new micro-organisms of which there had been no mention in the first request. The answer, supported by scientific studies undertaken by the Institute Pasteur of Lille, was then sent to the ANZFA on 10 August 1998. Lastly, on 7 September 1998, the ANZFA asked for new information and requested a translation of the studies of the Pasteur Institute.
4. The French authorities question whether the Australian measures are in conformity with the SPS Agreement. In particular France wishes to address to the Australian authorities the following questions:
 - (a) Does the Australian legislation lay down microbiological standards for cheeses, and if so, what are these standards?
 - (b) What is the basic legislation providing for the import ban of Roquefort? Was this legislation and any later modifications notified to the WTO?
 - (c) Does an international standard exist on which the Australian measures would be based? If so, could Australia indicate which? If not, what is the scientific justification for the measures?
 - (d) Is the interruption of the trade flow in place since 1994 justified by the results of a risk assessment, as foreseen by Article 5.1 of the SPS Agreement? If so, is this assessment available?

- (e) Is the measure applied without discrimination to all products marketed in Australia or only to imported products?
 - (f) Is the procedure for requests for exemption from the prohibition rule clearly defined?
 - (g) Have the official authorities issued guidelines for the assessors to carry out risk assessment? In practice, which micro-organisms must be considered and how are parameters such as pH, aW, salt content, period of ageing and temperature of storage, among others, taken into account in this assessment?
 - (h) Which dairy products prepared from raw milk have already obtained an exemption from the prohibition rule? Were these exemptions notified to the SPS Secretariat? Are the risk assessments which led to these exemptions available?
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