

**ISRAEL'S IMPORT RESTRICTIONS OF LIVE CATTLE AND
PRODUCTS OF BOVINE ORIGIN (G/SPS/N/ISR/2)**

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

I. INTRODUCTION

1. On 19 August 1998, Israel notified a measure concerning the import of live bovine animals, beef and other products of animal origin. This apparently applies to imports from WTO Members, however little can be gathered from the text which is extremely concise.

2. Israel provides for the categorization of countries as regards BSE on the basis of a number of parameters, such as surveillance, import restriction and record of BSE cases, which are not further clarified. Though the text does not provide for sufficient information and it list a series of compulsory requirements which do not appear to be justified, the European Communities assumes that the purpose of the measure is the protection of public and animal health from BSEs.

II. SPECIFIC QUESTIONS

3. The Code Commission of the Office international des épizooties (OIE) proposes that the assessment of the risk to human and animal health in countries, or region within countries, be based on a combination of the spread of BSE and the application of measures to control the risk. The measure foresees five different categories, listed from A through F, where the risk and the incidence of BSE are considered separately and form the basis for the categorization. Israel apparently does not follow the OIE Code recommendations concerning BSE, that provides in Chapter 3.2.13.1 for the categorization of countries on the basis of specific parameters. The European Communities questions the basis for the categorization scheme, which apparently fails to comply with both Articles 2.2 and 3.1 of the SPS Agreement. Therefore, the European Communities would like to have additional information both on the background of Israel's measure and more specifically on the risk assessment.

4. In accordance with Article 5.8 of the SPS Agreement, the European Communities requests an explanation of the reasons for the notified legislation. In particular, it would be grateful for a response to the following questions:

- (a) Has Israel established clear guidelines for the assessors in order to carry out a risk assessment? If so, could Israel clearly indicate what are these guidelines?
- (b) The measure does not specify which are the criteria that would allow for the categorization of countries on the basis of their BSE status. Could Israel clearly specify which are the elements to be considered in order to carry out a risk assessment? What information are exporting countries requested to provide?

- (c) Which countries have already been evaluated against these criteria? Has any country already been classified? If so, is the risk assessment that led to the final conclusion available?
- (d) The measure indicates that countries "acknowledged as free" of BSE are not subject to any restriction in terms of export. One of the key elements considered is the "intensive long-term surveillance" and the "strict import restriction". Could Israel specify what is meant by intensive surveillance? What is the time period for which this has to be applied? What is meant by strict import restriction? Should the provisions of the OIE Code apply or would Israel consider as "sufficiently strict" only measures equivalent to the ones applied by its authorities?
- (e) A ban on the import and use of mammalian meat and bone meal (MBM) in all animal feed must be in place in countries exporting to Israel. Could Israel clarify what is the scientific justification behind a ban on import and use in all animal feed of mammalian MBM?
- (f) In order to be classified in Category B or C a country should have in place a "satisfactory" surveillance. What does satisfactory surveillance stand for?
- (g) Countries with a high incidence of BSE, classified in Category F, are not allowed to export either live animals, beef or offal. Does Israel allow for the export of hides, skins, and products for which the OIE does not pose any restriction notwithstanding the BSE status of the exporting country?
- (h) Could Israel explain which are the considerations that resulted in a definition of the specific age limit for cattle both for fattening and for slaughter? Should this limit apply in the exporting country?

The European Communities looks forward to developing discussion with Israel and it would very much appreciate if Israel could respond to the above questions in writing.
