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Committee on Sanitary and Phytosanitary Measures

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ACTIONS REGARDING SPS-RELATED PRIVATE STANDARDS

COMMUNICATION FROM CHINA

The following statement made by China at the 26th June 2013 informal meeting of the SPS Committee on SPS-related private standards, is being circulated at the request of the Delegation of China.

1. Under Action 4 of the SPS Committee's Decision on "Actions regarding SPS-related Private Standards" (G/SPS/55), Members are encouraged to communicate with entities involved in SPS-related private standards in their territories to sensitize them to the issues raised in the SPS Committee and underline the importance of international standards established by the Codex, OIE and IPPC.

2. We understand that, as elaborated in paragraphs 11 and 12 of this Decision, the objective of such communications is, among others, to draw the attention of those entities involved in the development, application and certification of SPS-related private standards to the concerns raised in the SPS Committee, and to encourage harmonization, mutual recognition of standards by private standard holders, cost reduction in the areas of compliance and certification, and further transparency and consultation mechanisms.

3. To achieve the above-mentioned objectives, we consider it very useful and relevant for Members to make reference to the Code of Good Practice of the WTO TBT Agreement and the Decision of the WTO TBT Committee on the "Six Principles" for the preparation of international standards, in Members' communications with these non-governmental entities.

4. First, the Code of Good Practice (Annex 3 of the TBT Agreement) for the preparation, adoption and application of standards is open to acceptance by any standardizing body within the territory of a WTO Member, whether a governmental body or non-governmental body, or whether a governmental regional standardizing body or non-governmental regional standardizing body. This Code of Good Practice elaborates the important principles that should be followed by these governmental or non-governmental bodies, including transparency and stakeholder participation, non-discrimination, least-trade restrictiveness, use of international standards as benchmarks, avoidance of duplication or overlap with the work of other standardizing bodies in the national territory or with the work of relevant international or regional standardizing bodies, and performance-based standards instead of design-based standards. We believe that this Code of Good Practice is particularly useful to private standards developed at the national and regional levels.

5. With regard to the Decision of the TBT Committee on principles for the preparation of international standards, guides and recommendations, the so-called "Six Principles" Decision, we would like to recall that this decision was adopted by the TBT Committee in November 2000. This decision clearly stipulates that the principles of transparency, openness, impartiality and consensus, effectiveness and relevance, coherence, and development dimension should be observed, when international standards, guides and recommendations are elaborated. In relation to SPS-related private standards, we believe that this decision is particularly useful for those private standards which claim to be international standards or to have international influence.

6. We note that some Members have already taken concrete measures to communicate with the non-governmental entities in their territories which are involved in the development, application and certification of private standards, including the running of some pilot-projects on private schemes. We appreciate all these efforts, and we believe that these efforts will benefit the healthy development of private standards as well as trade. China would like to take this opportunity to encourage more Members to follow suit. We would be very happy to hear and learn from these Members' experiences at a future meeting of the SPS Committee.
