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Committee on Sanitary and Phytosanitary Measures

Original: Spanish

**APPLICATION AND AMENDMENT OF EUROPEAN UNION REGULATION NO. 258/97
CONCERNING NOVEL FOODS**

COMMUNICATION FROM PERU

The following communication, dated 10 October 2013, is being circulated at the request of the delegation of Peru.

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1. Peru once again wishes to raise before the Committee on Sanitary and Phytosanitary Measures its trade concern regarding Regulation No. 258/97 of the European Parliament and of the Council concerning novel foods, the application of which continues to restrict access to the European market for traditional products derived from biodiversity that were not marketed in Europe before 15 May 1997 (products which this Regulation refers to as "novel foods").
 2. Since 2006, Peru has submitted a number of communications to this Committee expressing its concern regarding the application of Regulation No. 258/97. (The communications submitted by Peru over the past years include: G/SPS/GEN/1087, G/SPS/GEN/1117, G/SPS/GEN/1137, and G/SPS/GEN/1194.) In these communications, Peru spoke of the possible impact of the application of the Regulation on the export potential for products such as yacón syrup (*Smallanthus sonchifolius*), camu camu (*Myrciaria dubia*), sacha inchi (*Plukenetia volubilis*), and algarrobo (*Prosopis pallida*).
 3. At the meeting of October 2012, the delegation of the European Union stated that it was considering the possibility of amending Regulation No. 258/97 in order to take account of the developing country concerns expressed in this Committee.
 4. Peru considers that the amendment of Regulation No. 258/97 should ensure the exclusion from its application of traditional products deriving from biodiversity that have proven safe for consumption in the country of origin or in other countries outside the European Union, the aim being to facilitate the exportation of these products from the developing countries and to avoid any detrimental impact on small or medium family enterprises engaged in the production and exportation of traditional products derived from biodiversity.
 5. For the above reasons, Peru is asking the European Union for information on the status of the possible amendment to Regulation No. 258/97, an amendment which in our view would represent an important step forward in providing real access to the European market for traditional products from the developing countries derived from biodiversity.
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