

**RESTRICTIONS ON THE EXPORTATION OF
FRESH BOVINE MEAT TO MEXICO**

Statement by Argentina at the meeting of 7-8 July 1999

I. BACKGROUND

1. On several occasions, Argentina's Government has requested Mexico to review its national legislation in order to allow the entrance of fresh bovine meat. Regardless of the ongoing flow of information related to Argentina's sanitary status to export the mentioned product, the Mexican authorities have so far denied access to their national market, without specifying sanitary requirements nor visiting our country to verify our current sanitary status, stating that meat must come from countries that have not practiced vaccination for the last 12 months. At this time, our country complies with sanitary conditions that allow the exportation of bovine meat to countries free of Foot-and-Mouth Disease (FMD) without vaccination.

2. For decades, Argentina has been interested in accessing the Mexican market. Thus, in 1991, the Interinstitutional Animal Health Agreement between Mexico's Ministry of Agriculture and Argentina's Secretariat of Agriculture, Livestock, Fisheries and Food was subscribed. Said agreement establishes the legal framework for cooperation mechanisms in this matter.

3. On 30 April 1999, Argentina formally notified the OIE of the cessation of vaccination against FMD throughout the country. On 20 May 1999, the Argentine representative officially presented this notification before the 67th OIE General Session, and set forth the report on "Operational Systems of Strategic Implementation", stating the sanitary actions to reduce the risk of re-entrance of the virus into the country. A copy of the document was handed to the Mexican representative. On 29 January 1999, the declaration of Argentina describing the accomplishments of the eradication of FMD and announcing the cessation of vaccination was published as document G/SPS/GEN/109 in the WTO.

4. Argentina has reached the status of free of FMD with vaccination, has registered no cases since April 1994, and has ceased vaccination against said disease on 30 April 1999. Argentine fresh bovine meat has access to more than 70 international markets, including countries with high sanitary requirements such as the United States, Canada, Chile, etc. which are free of FMD without vaccination.

II. SPECIFIC QUESTIONS

5. In accordance with paragraph 8 of Article 5 of the Agreement on the Application of Sanitary and Phytosanitary Measures (the "SPS Agreement"), Argentina wishes to inform the Committee and ask Mexico the following questions:

- (a) What is the Mexican legislation establishing the specific requirements for the importation of fresh bovine meat from Argentina?

- (b) Could Mexico state the scientific grounds for banning the importation of fresh bovine meat from our country?
- (c) It appears that Mexico has decided not to base its import requirements on OIE recommendations. Could Mexico indicate the scientific grounds upon which this apparent ban is based?
- (d) Could Mexico set forth a list of the countries that export bovine meat to the country, the sanitary conditions under which they take place and why said conditions do not apply to Argentina?
- (e) Could Mexico set forth complete information regarding risk analysis carried out according to Article 5, and state the grounds for the measures taken in accordance with the risk analysis?

III. CONCLUSIONS

6. In accordance with the above-mentioned observations, Argentina understands that regulations for the importation of animals, products and sub-products of animal origin that ban the entrance of meat from Argentina, result in a discriminatory attitude and are inconsistent with the SPS Agreement.

7. Argentina has made considerable efforts and large investments on an FMD eradication programme that aims to give meat-importing countries maximum reasonable guarantees regarding commercial risks associated with this disease.

8. At this moment, Argentina's sanitary condition exceeds the guarantees established in Article 2.1.1.2 of the International Zoosanitary Code, due to scientific probability estimations of the presence of carrier animals, as well as the current epidemiological and prevention surveillance strategies of the country.

9. The prohibition to import boneless fresh and matured bovine meat from countries free of FMD with vaccination is not in accordance with Articles 2.2, 2.3, 4.2, 5, 7 and 12.4 of the SPS Agreement. Argentina informs the Committee of the request made to Mexico to obtain this information, according to the provisions stated in paragraph 8 of Article 5 of the SPS Agreement.
