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**Committee on Sanitary and Phytosanitary Measures**

**QUESTIONNAIRE ON TRANSPARENCY  
UNDER THE SPS AGREEMENT**

1.1. In the context of the Fourth Review of the Operation and Implementation of the SPS Agreement, Chile, the European Union, Morocco and Norway submitted a joint proposal for actions related to the implementation of the transparency provisions of the SPS Agreement (G/SPS/W/278 [<http://goo.gl/SHRGis>]). The joint proposal highlights specific modifications to the Recommended Transparency Procedures (G/SPS/7/Rev.3 [<http://goo.gl/1qfO1o>]) aiming primarily at improving the quality and completeness of SPS notifications. Several Members expressed their concerns about changing the notification formats and the Recommended Transparency Procedures without first undertaking a diagnosis of Members' needs and difficulties.

1.2. Consequently, at its meeting in October 2014, the SPS Committee agreed that the Secretariat develop a questionnaire on transparency. Such questionnaire could also help identify problems encountered by Members that could be addressed within an on-going project aiming at improving and modernizing the SPS IMS and NSS applications. Members were invited to suggest questions for inclusion in the questionnaire, and the Secretariat took these suggestions into account in preparing the present questionnaire.

1.3. **Members are invited to fill in the questionnaire online** [<http://goo.gl/BWrcCe>]. Completing this survey will take approximately 10-15 minutes. Should any respondent have difficulty accessing the questionnaire via Wufoo, they should contact the Secretariat ([spscommittee@wto.org](mailto:spscommittee@wto.org)). The deadline for completing the questionnaire is **20 February 2015**.

## QUESTIONNAIRE

### 1 CONTACT DETAILS

#### 1.1. Who is filling in this questionnaire?

- SPS National Notification Authority (NNA)
- SPS National Enquiry Point (NEP)
- Other

#### Your contact details:

Name:
Function/Title:
Agency/Ministry:
Country:
E-mail:

#### 1.2. Please check that the contact information of your SPS National Notification Authority (NNA) and your SPS National Enquiry Point (NEP) available in the SPS IMS (<http://spsims.wto.org/>) is correct. Please provide any corrections if needed:

<u>NNA</u>	<u>NEP</u>
Name/Office:	Name/Office:
Address:	Address:
E-mail:	E-mail:
Phone:	Phone:
Fax:	Fax:
Website:	Website:

### 2 FILLING-IN AND SUBMITTING NOTIFICATIONS

#### 2.1. What are the main difficulties you encounter when filling in a notification? [Check all that apply]

- Choosing the appropriate type of notification (regular, emergency, addendum, revision, corrigendum)
- Identifying relevant International Standards
- Identifying whether the notified SPS regulation conforms to an International Standard

- Identifying whether the notified SPS regulation is trade facilitating
- Identifying relevant HS codes
- Other: .....

**2.2. Do you notify online through the SPS Notification Submission System (SPS NSS)?**

- Yes
- No

**2.3. If not, why?** [Check all that apply]

- We were not aware of this possibility
- We do not have a reliable internet connection
- Our internal regulatory procedures do not allow us to notify online
- Other: .....

**2.4. What are your specific suggestions with regard to modernizing/improving the SPS Notification Submission System (SPS NSS)?**

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**SUPPORT TOOLS**

**2.5. What are the support tools you use to fill in a notification?** [Check all that apply]

- None
- Procedural Step-by-step Manual for SPS NNA & NEP (Procedural Manual [[http://www.wto.org/english/res\\_e/booksp\\_e/sps\\_procedure\\_manual\\_e.pdf](http://www.wto.org/english/res_e/booksp_e/sps_procedure_manual_e.pdf)])
- Recommended procedures for implementing the transparency obligations of the SPS Agreement ("Recommended Transparency Procedures", G/SPS/7/Rev.3 [<http://goo.gl/1qfO1o>])
- I do not fill in notifications
- Other: .....

**COMMENT PERIODS**

**2.6. According to paragraph 5(d) of Annex B of the SPS Agreement, Members are to allow a *reasonable period of time* for submission, discussion and consideration of comments on a notified regulation. The Recommended Notification Procedures (G/SPS/7/Rev.3 [<http://goo.gl/1qfO1o>]) further define the *reasonable period of time* as "**at least 60 calendar days**". When you are not able to provide a 60-day comment period, this is mostly because:** [Check all that apply]

- Administrative delays in processing and submitting notifications reduce the time available for comments
- Our national regulatory procedures foresee a different time-frame for the comment period

- Other: .....
- .....
- .....

**2.7. The Committee recommends that a notifying Member should grant requests for extension of a comment period via an addendum to the original notification. When you grant such an extension of the comment period, is this granted to all Members?**

- Yes, to all Members
- Only to developing country Members
- Only to those specifically requesting the extension
- Other: .....
- .....

### 3 QUALITY OF NOTIFICATIONS

**3.1. Are you, in general, satisfied with the quality and completeness of information provided by Members in their SPS notifications?**

- Very satisfied
- Rather satisfied
- Neither satisfied, nor dissatisfied
- Rather dissatisfied
- Not satisfied at all

**3.2. What problems do you encounter, if any?** [Check all that apply]

- The relevant international standard is not identified
- An irrelevant international standard is identified
- No link to the text of the notified measure is provided
- Regulations that negatively affect trade are categorised as trade facilitating and no comment period is provided
- The text in the "title of the notified document" and the "description of content" boxes of the notification is the same
- Other: .....
- .....

### TIMING OF NOTIFICATIONS

**3.3. In light of the recommendation in the Recommended Transparency Procedures (G/SPS/7/Rev.3 [<http://goo.gl/1qfO1o>]) to provide 60 days for comments on a notified regulation, are you in general satisfied with the comment period granted by other Members for REGULAR notifications?**

- Very satisfied
- Rather satisfied
- Neither satisfied, nor dissatisfied
- Rather dissatisfied
- Not satisfied at all

**3.4. Annex B of the SPS Agreement requires immediate notification of emergency regulations. Are you, in general, satisfied with the timeliness of EMERGENCY notifications?**

- Very satisfied
- Rather satisfied
- Neither satisfied, nor dissatisfied
- Rather dissatisfied
- Not satisfied at all

**KEYWORDS**

**3.5. The WTO Secretariat assigns keywords to notifications. These keywords can be used to conduct searches in the SPS IMS. Are you satisfied with the list of keywords? [Check all that apply]**

- Yes
- Some keywords are missing
- Some keywords are unclear/confusing
- Some keywords are obsolete
- We didn't know about the keywords
- Other: .....
- .....

**4 RECEIVING NOTIFICATIONS AND FOLLOW-UP**

**4.1. How do you receive/search for other Members' WTO SPS notifications? [Check all that apply]**

- We receive them through the Secretariat's mailing list
- We regularly search the **SPS IMS** for new notifications
- We search the **SPS IMS** when needed
- We regularly search the WTO **Documents Online** application for new notifications
- We search the WTO **Documents Online** application when needed
- We search the I-TIP portal
- We do not receive/search for notifications
- Other: .....
- .....

**4.2. Do you identify relevant SPS notifications and bring them to the attention of interested national stakeholders?**

- Yes, systematically
- Yes, sometimes
- Rarely
- Never

**If yes, how do you bring SPS notifications to the attention of the interested stakeholders?** [Check all that apply]

- Through emails
- Through an alert mechanism
- Through a newsletter
- Through a website
- We circulate summary tables that we create through the SPS IMS
- Other: .....

**4.3. What are the most important difficulties you are encountering in the identification of relevant notifications and in their distribution to relevant stakeholders?** [Check all that apply]

- Difficulties in identifying which notifications are of interest to us
- Difficulties in dealing with the large volume of notifications received/published
- Difficulties in identifying the potentially interested stakeholders
- We receive no reactions from the stakeholders to whom we send relevant notifications
- Other: .....

**4.4. Do you use the SPS Information Management System (SPS IMS) to search for other SPS documents, specific trade concerns, or addresses of NNAs and NEPs?**

- Yes, often
- Sometimes
- Never

**Comment:** .....

**4.5. What are your specific suggestions with regard to modernizing/improving the SPS Information management System (SPS IMS)?**

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**5 REGULATORY DIALOGUE**

**5.1. Are you, in general, satisfied with the availability of information from your trading partners with regard to their SPS regulations currently in force?**

- Very satisfied
- Rather satisfied
- Neither satisfied, nor dissatisfied
- Rather dissatisfied
- Not satisfied at all

**5.2. Is there, in your country, a dedicated website where all SPS regulations currently in force are available to the public?**

- Yes
- No

**If yes, please provide the link to this website**

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**If not, would it be possible to make them available on such a website?** [Check all that apply]

- Yes
- It would be difficult to set up and maintain a website
- It would be difficult to find all the relevant texts
- Other: .....

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**TRANSLATIONS**

**5.3. In case your government's official language is not one of the WTO's working languages (English, French and Spanish), is the NEP/NNA able to provide translations of the documents or, in case of voluminous documents, of summaries of the documents, in one of these languages?**

- Yes, the Enquiry Point
- Yes, the Notification Authority
- Sometimes
- No

**If not, why?** .....

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**5.4. How do you usually obtain translations of other Members' notified SPS regulations?** [Check all that apply]

- Officially, from the notifying Member
- Informally, from other Members
- Through "Google translator" or another internet service
- We rarely/never obtain translations
- Other: .....

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**5.5. Do you usually encounter difficulties in obtaining translations of other Members' notified SPS regulations?**

- Yes
- No
- Sometimes

**COMMENTS ON NOTIFIED REGULATIONS**

**5.6. How satisfied are you with the handling of your comments on other Members' notified regulations?**

- Very satisfied
- Rather satisfied
- Neither satisfied, nor dissatisfied
- Rather dissatisfied
- Not satisfied at all
- We rarely/never comment on other Members' notified regulations

**5.7. What problems do you encounter, if any? [Check all that apply]**

- None
- Comment periods are not extended even if requested
- No reply/acknowledgment is provided to my comments
- My comments are not taken into account
- No justification is provided on why my comments were not taken into account
- No explanation is provided on how my comments were taken into account
- Other: .....
- .....

**6 RECOMMENDED PROCEDURES FOR IMPLEMENTING THE TRANSPARENCY OBLIGATIONS OF THE SPS AGREEMENT (G/SPS/7/Rev.3)**

**6.1. Do you find the Recommended Transparency Procedures (G/SPS/7/Rev.3 [<http://goo.gl/1qfO1o>]) useful?**

- Very useful
- Sometimes/a little bit useful
- Not useful at all
- I am not familiar with the Recommended Transparency Procedures

**Comment:** .....

**6.2. Which parts of the Recommended Transparency Procedures (G/SPS/7/Rev.3) do you find the most useful?**

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**And which parts are the least useful?**

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**6.3. When notifying "trade facilitating" measures, no comment period has to be provided. Do you believe that more guidance is needed in G/SPS/7/Rev.3 to further define the term "trade facilitating"?**

- Yes
- No

**6.4. Are there any other sections of G/SPS/7/Rev.3 that should be clarified/revised?**

- Yes
- No

**If yes, please specify:**

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**7 TECHNICAL ASSISTANCE**

**7.1. Would you be willing to provide technical assistance to Enquiry Points and/or to National Notification Authorities? [Check all that apply]**

- Yes, to least-developed countries
- Yes, to developing countries
- No

**If yes, in what form?**

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**7.2. Do your NEP and/or NNA need technical assistance?**

- Yes
- No

**If yes, please describe briefly the type of technical assistance you would need:**

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**7.3. Have you requested technical assistance for your NEP and/or NNA? Have you received technical assistance?**

- Requested and received
- Requested, but not received
- Received, but not requested
- Neither received nor requested

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**If you have received technical assistance for your NEP and/or NNA, was it useful?  
And why?**

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**Other comments:**

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**8 FINAL COMMENTS**

**8.1. Do you have any other comments/suggestions with respect to transparency in the context of the SPS Agreement?**

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