WORLD TRADE ORGANIZATION

G/SPS/GEN/1710

28 June 2019

(19-4368) Page: 1/10

Committee on Sanitary and Phytosanitary Measures

ANNUAL REPORT ON THE PROCEDURE TO MONITOR THE PROCESS OF INTERNATIONAL HARMONIZATION

NOTE BY THE SECRETARIAT[1]

1 INTRODUCTION

1.1. At its meeting of 15-16 October 1997, the SPS Committee adopted a provisional procedure to monitor the process of international harmonization and the use of international standards, guidelines or recommendations, as provided for in Articles 3.5 and 12.4 of the SPS Agreement. The Committee extended the provisional monitoring procedure in 1999, 2001, and 2003, and revised the procedure in October 2004.[2] In 2006, the Committee agreed to extend the provisional procedure indefinitely, and to review its operation as an integral part of the periodic review of the operation and implementation of the Agreement under Article 12.7.[3] The procedure was reviewed as part of the Third Review of the Agreement[4], and again in the context of the Fourth Review.[5]

1.2. The Committee has previously considered twenty annual reports on the monitoring procedure.[6] These reports summarize several standards-related issues that the Committee has considered and the responses received from the relevant standard-setting organizations.

2 NEW ISSUES

2.1. Since the 2018 Annual Report, three new issues have been raised under this procedure: (i) ASF restrictions not consistent with the OIE international standard; (ii) non-science factors in Codex standards; and (iii) use of the Codex definitions for milk and milk products.

2.1 ASF restrictions not consistent with the OIE international standard

2.2. At the July 2018 Committee meeting, the European Union noted inconsistencies in the application of the OIE standard in relation to African swine fever (ASF) and reminded Members that it had previously raised this issue under the agenda item on specific trade concerns, which still had not been addressed by its trading partners. The European Union drew Members' attention to the revisions of the OIE Terrestrial Animal Health Code, which had been adopted at the General Assembly in May 2018, and in particular Chapter 15, which contained ASF guidelines and clear criteria for the designation of disease-free zones, among other guidance. The European Union emphasized that ASF could be effectively managed and safe trade guaranteed. The European Union also remained concerned that the importance of international standard-setting bodies in global trade would be undermined if countries ignored these recommendations, without provision of a scientific justification.

2.3. The European Union further emphasized its transparent approach to disease control and regionalization measures, which had also been acknowledged by the OIE in the 2018 World

[1] This document has been prepared under the Secretariat's own responsibility and is without prejudice to the position of Members or to their rights and obligations under the WTO.
[2] G/SPS/14, G/SPS/17, G/SPS/25 and G/SPS/11/Rev.1.
[3] G/SPS/40.
[4] G/SPS/53.
[5] The draft report of the Fourth Review is contained in document G/SPS/W/280/Rev.2.
[6] These were circulated as G/SPS/13, G/SPS/16, G/SPS/18, G/SPS/21, G/SPS/28, G/SPS/31, G/SPS/37, G/SPS/42, G/SPS/45, G/SPS/49, G/SPS/51, G/SPS/54, G/SPS/56, G/SPS/59, G/SPS/60, G/SPS/GEN/1332, G/SPS/GEN/1411, G/SPS/GEN/1490, G/SPS/GEN/1550 and G/SPS/GEN/1617.

Assembly. The OIE had also recognized the contribution of the EU Standing Group of Experts on ASF to improving regional dialogue, and had encouraged its members to replicate this model in other regions, and for other diseases. The European Union further expressed regret that its trading partners were putting in place unnecessary and unjustified trade restrictions, such as country-wide bans and excessive heat treatment requirements. The European Union noted that its member States fully complied with international standards and urged other Members to evaluate import requests accordingly, and in line with the SPS Agreement. Finally, the European Union reiterated its willingness to cooperate with other Members.

2.4. At the November 2018 Committee meeting, the European Union highlighted again an inconsistency in the application of the OIE international standard for African swine fever (ASF). The OIE Code contained clear ASF guidelines for the designation of containment and disease-free zones, and for identification, treatment and certification of tradable products. The European Union was gravely concerned when other Members ignored the Code's recommendations without sound scientific justification and timely decision making. The European Union further explained that ASF remained a very serious disease. However, experiences in the European Union showed that it could be efficiently managed to make sure that trade taking place in accordance with international standards did not cause any outbreaks.

2.5. The European Union further highlighted its transparent approach to disease control and regionalization measures, and remained open to provide all the necessary evidence demonstrating the efficiency of its policies to guarantee safe trade. Furthermore, this high level of transparency had also been acknowledged by the OIE. However, the European Union regretted to see that its trading partners were putting in place and maintaining unnecessary and unjustified trade restrictions. The European Union noted that its member States fully complied with international standards and urged other Members to evaluate import requests accordingly, and in line with the SPS Agreement. The European Union further explained that country-wide bans and excessive heat treatment requirements for each product were scientifically unjustified and should not be put in place. Finally, the European Union reiterated its willingness to cooperate with other WTO Members.

2.6. At the March 2019 Committee meeting, the European Union reiterated its concerns about inconsistencies in the application of the OIE international standard for African swine fever (ASF). The OIE Terrestrial Code contained clear ASF guidelines for surveillance, designation of containment zones, and for identification, treatment and certification of tradable products. The European Union was concerned that some Members ignored the OIE Terrestrial Code's recommendations, which had been adopted within the OIE with the support of those same Members. The European Union explained that ASF remained a very serious disease, but that experiences in the European Union showed that it could be efficiently managed to make sure that trade in accordance with international standards did not cause any outbreaks. The European Union highlighted its policies and tools to maintain trade safe, as well as its transparent approach to disease control. The European Union requested WTO Members to evaluate EU member States' import requests in line with the SPS Agreement and international standards. The European Union stressed that country-wide bans were scientifically unjustified.

2.2 Non-science factors in Codex standards

2.7. At the November 2018 Committee meeting, the United States drew Members' attention to document G/SPS/GEN/1656, stating that at the July 2018 SPS Committee meeting, the Codex secretariat had reported on the decision of the chairperson of the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF) not to move the MRL for the veterinary drug Zilpaterol to Step 5, despite consensus on the science and the safety of this veterinary drug. The United Stated explained that the CCRVDF chairperson cited a lack of consensus on moving the MRL due to factors outside the mandate of Codex. The United States noted the Codex representative had indicated that the real concern among some Codex members was related to the status of Codex standards under the SPS Agreement. Furthermore, the United States noted that the Codex secretariat had reported that the Legal Offices of WHO and FAO, the chairperson and vice chairpersons of Codex, and the Codex secretariat were preparing a report on issues related to the periodic blocking of Codex standards to be discussed at next year's Codex Executive Committee (CCEXEC) and next year's Codex Alimentarius Commission meeting.

2.8. Regarding the planned report to CCEXEC, the United States emphasised its support for the unique dual mandate of Codex to protect the health of consumers and ensure fair practices in the

food trade. The United States added that the procedural and scientific foundation of Codex helped to ensure that the international standards developed in Codex were science-based, globally relevant, fit for purpose and reflected current best practices around the world. However, the United States stressed that the credibility and reliability of Codex was based on operating within its mandate, and taking decisions on the basis of considerations within its mandate. Clearly, opining on the WTO covered agreements, including on the implications of Codex MRLs or other food safety standards, guidelines, or recommendations under those agreements, would be outside the mandate of Codex.

2.9. The United States was of the view that neither Codex nor the other drafting entities had the authority or the expertise to carry out a legal analysis of WTO implications. The Codex Alimentarius Commission must be grounded in the Codex *Procedural Manual*, not driven by WTO implications. The United States indicated that it would welcome a discussion in Codex about how to prevent WTO implications from influencing Codex decisions, but also highlighted that the appropriate forum for any exploration of the WTO implications of Codex decisions, including their implications under the WTO SPS Agreement, was the WTO. Regarding the intrusion of WTO considerations in the Codex MRL establishment process, the United States stated that scientific support was crucial in the context of Codex decision-making on MRLs. In this regard, the United States recalled the key principles of Article 2.2 and Article 5.1 of the SPS Agreement. The United States also pointed out that harmonization based on international standards, guidelines, and recommendations would be a significant tool for achieving these objectives, particularly for Members that lacked resources to perform their own risk assessments.

2.10. The United States further stated that Codex establishment of MRLs on the basis of considerations outside its mandate was contrary with assumptions underpinning the SPS Agreement and potentially undermined the value of those MRLs. The United States was particularly concerned about Codex allowing WTO implications of MRLs to drive its decision-making about whether, or at what levels, to set MRLs. The United States affirmed that the reliability of Codex decisions was grounded on criteria outlined in the Codex Procedural Manual, and could not be driven by countries seeking to influence WTO outcomes to favour their country or region. The United States explained that Members would lose confidence in Codex standards if they had the perception that those standards were designed to achieve particular WTO outcomes, instead of being promulgated without regard to WTO implications. Loss of confidence in Codex would be damaging to countries at various development levels that may lack resources to set up and maintain complex food safety risk assessment programmes. In conclusion, the United States encouraged WTO Members to clarify, in the context of Codex discussions and meetings, that Codex should not be opining on WTO legal matters, and should remain laser-focused on establishing food safety standards, guidelines, and recommendations based on considerations within Codex's mandate.

2.11. The Russian Federation emphasised the importance of the scientific basis of Codex. Codex standards were recognized by the WTO and had two primary aims, namely to protect consumers' health and to ensure fair practices in food trade. From the very beginning, Codex had developed food standards based on sound scientific principles and on data in relation to food safety and scientific risk assessment. The Russian Federation recalled that Codex standards covered a wide range of food issues, including pesticides, veterinary drug residues in food, environmental contaminants and pathogenic organisms in food, food additives, nutrition and standards for composition and identity for major food commodities. In relation to food safety, the protection of consumers implied a careful review of all scientific data. Although all food standards must be science-based, the Russian Federation pointed out that other legitimate factors were relevant for the protection of consumers and fair practices in food trade. However, the use of these different components should be clearly documented, including the rationale for integrating them in each case.

2.12. Argentina shared the concern raised by the United States and stressed that the scientific basis of the preliminary draft had been recognised by most members of the CCRVDF. However, it was not approved due to factors outside the mandate of the CCRVDF and the general principles of Codex. Argentina explained that the standard should be based on scientific principles and emphasised that the decision taken by the CCRVDF potentially affected the Codex system, and was against the basic principles contained in the Codex Procedural Manual. Argentina further indicated that Codex had established solid guidelines for the development of SPS measures based on scientific principles, and had adopted decisions to ensure that factors outside scientific principles were considered without any risk. Finally, Argentina emphasised the importance of Codex and the General Principles of Codex.

2.13. Chile, Costa Rica, Guatemala, Honduras and Paraguay shared the concern raised by the United States, emphasising the independent nature of Codex. Costa Rica recalled that Codex not only provided a scientific basis for SPS measures but represented one of the pillars of the multilateral trading system. Costa Rica emphasised its willingness to continue to work with Codex to ensure the scientific principles underlying SPS measures. Guatemala expressed its concern regarding the issue of Zilpaterol and underlined the scientific basis of Codex. Guatemala emphasised the importance of the harmonization of SPS measures to Codex standards in the SPS, as well TBT Committees. Furthermore, the interpretation of WTO rules was a prerogative of WTO Members.

2.14. ECOWAS recalled that international standards were based on science, and scientific advice bodies had been established within Codex, for example the Joint FAO/WHO Expert Committee on Food Additives (JECFA). JECFA had conducted risk assessments on this compound and provided information on its safety during the last CCRVDF meeting. ECOWAS noted that the credibility of scientific advice bodies had been questioned in this case, underlining that the objective of these bodies was to provide scientific evidence and to facilitate the work of Codex and other standard setting bodies in developing international standards.

2.15. The European Union noted that it was open to discussions in the SPS Committee about the WTO implications of Codex standards, guidelines and recommendations. The European Union recalled the lessons learned during the thematic session held on 30 October 2018, and stressed that there was no hierarchical order among the SPS Committee, Codex, OIE or IPPC. The European Union added that, while the SPS Committee could invite Codex or other international standard-setting bodies to discuss topics of interest to the SPS Committee, in its view, the SPS Committee should not attempt to influence procedures or decision-making processes within Codex. The European Union noted that Members should raise their concerns in the competent fora.

2.16. Codex informed Members that the relevant document would be considered by CCEXEC. Codex also indicated that the composition of the commission responsible for preparing the document would follow instructions provided by the Codex Alimentarius Commission. Finally, Codex invited WTO Members to further considerations when the document would be distributed by the Codex Alimentarius Commission.

2.3 Use of the Codex definitions for milk and milk products

2.17. At the November 2018 Committee meeting, India drew the Committee's attention on the inconsistency in the application of the Codex standard relating to the definition of milk in some Members' regulations. India quoted the definition of milk developed by Codex and stressed that although the definition specified that milk could be obtained from any milking animals, some Members applied their own definition of milk and milk products which referred mainly to milk obtained from cows. India further explained the importance of taking into account that milk could be obtained not only from cows but also from other milking animals such as buffalos, goats, camels, etc. India also highlighted that there was no scientific justification for adopting such a restrictive definition, and that this misleading definition of milk and milk products had created unnecessary barriers to trade. Finally, India invited Members to consider Articles 2.2 and 3.1 of the SPS Agreement and urged them to adapt their regulations for milk and milk products to the definition provided by Codex.

2.18. Japan noted that the issue raised by India was not related to food safety, pointing out that it should be covered by the TBT Committee. Japan requested more clarifications from India in this regard.

3 PREVIOUS ISSUES

3.1. Since the 2018 Annual Report, there was further discussion on four issues previously raised under this procedure regarding: (i) HPAI restrictions not consistent with the OIE international standard; (ii) BSE restrictions not consistent with the OIE international standard; (iii) ISPM 38 on international movement of seeds; and (iv) use of the Codex international standard on glyphosate.

3.1 HPAI restrictions not consistent with the OIE international standard

3.2. At the July 2018 Committee meeting, the European Union reiterated its concerns regarding inconsistencies in the use of OIE standards on regionalization in relation to HPAI outbreaks. The European Union highlighted its strict and transparent system of control, and acknowledged that many Members recognized EU regionalization measures for HPAI. The European Union further explained that it applied the same policies and guarantees to its intra-European Union trade, as to its exports to non-European Union countries. In addition, regular audit reports were published on the European Commission website, which ensured that trading partners could be fully aware of the animal health situation in all EU member States.

3.3. The European Union expressed regret that some Members applied country-wide bans whenever there was an outbreak, noting that this type of measure was not science-based and that there was no justification to maintain such bans after EU member States had regained freedom from the disease, according to OIE standards. The European Union acknowledged OIE's ongoing work in distinguishing between HPAI and low pathogenic avian influenza (LPAI), which avoided unjustified barriers to trade due to LPAI outbreaks. The European Union regretted that its comprehensive surveillance programmes and transparent approach resulted in trading partners imposing unjustified restrictions. The European Union reiterated its call for Members to respect their regionalization obligations and to lift all existing unjustified bans and restrictions, as well as to refrain from imposing trade restrictions in cases where HPAI was detected in wild birds, and low pathogenic avian influenza in poultry. The European Union reiterated its willingness to continue discussions on regionalization, to ensure the implementation of OIE standards.

3.4. The Russian Federation echoed the European Union's call for Members to observe the OIE standard on HPAI. The Russian Federation underscored its transparent approach in reporting its epizootic situation to WAHIS, and indicated that it provided its trading partners with information to support its regionalization requests that far exceeded the requirements of the Terrestrial Code guidelines. The Russian Federation further noted that its regionalization measures for diseases such as HPAI, were in some respects more stringent than those provided for under the Terrestrial Code. Nevertheless, some Members continued to apply country-wide bans which lacked scientific justification. The Russian Federation urged members to lift unjustified bans on poultry products and to respect the regionalization principles provided for in the Terrestrial Code and the SPS Agreement.

3.5. Ukraine shared the concerns raised, noting that despite having been recognized as free of HPAI by the OIE, certain Members had maintained their import restrictions on poultry products. Detailed information on the measures taken and its surveillance strategy had been transmitted to all its trading partners. Ukraine called on Members to respect OIE standards and the regionalization principle, and to lift restrictions from the whole territory of Ukraine.

3.6. The United States also shared the concerns raised by the European Union, and reminded Members that the OIE guidelines for HPAI had contributed greatly to facilitating safe trade in live poultry and poultry products. The United States indicated that it was free of HPAI, according to OIE guidelines, and further encouraged trading partners to remove any HPAI-related restrictions on imports of live poultry and poultry products from the United States.

3.7. At the November 2018 Committee meeting, the European Union reiterated its concerns regarding inconsistencies in the use of OIE standards on regionalization in relation to HPAI outbreaks. The European Union expressed regret that some Members applied country-wide bans whenever there was an outbreak, noting that this type of measure was not scientifically justified and that according to OIE standards there was no justification for maintaining such bans after EU member States had regained freedom from the disease. Moreover, the European Union regretted that its comprehensive surveillance programmes and transparent approach resulted in trading partners imposing unjustified restrictions. The European Union highlighted its strict and transparent system of control and acknowledged that many Members recognized EU regionalization measures for HPAI. The European Union also acknowledged OIE's ongoing work in distinguishing between HPAI and low pathogenic avian influenza (LPAI), to avoid unjustified barriers to trade due to LPAI outbreaks. The European Union applied the same policies and guarantees to its intra-EU trade as to its exports to third countries. In addition, regular audit reports were published on the European Commission website, which ensured that trading partners could be fully aware of the animal health situation in all EU member States. The European Union reiterated its call for Members to respect their regionalization obligations and to lift all existing unjustified bans and restrictions, as well as to refrain

from imposing trade restrictions in cases where HPAI was detected in wild birds, and LPAI in poultry. The European Union looked forward to continuing discussion on the implementation of regionalization.

3.8. At the March 2019 Committee meeting, the European Union again reiterated its concerns regarding inconsistencies in the use of OIE standards on regionalization in relation to HPAI outbreaks. The European Union regretted that some Members applied country-wide bans whenever there was an HPAI outbreak, without a scientific basis, contrary to OIE standards. The European Union acknowledged that many WTO Members recognized the EU regionalization measures and trusted its effective and transparent system, while other Members did not comply with international standards and obligations under Article 6 and Annex C of the SPS Agreement. The European Union reiterated its call for Members to respect their regionalization obligations and to lift all existing unjustified bans, as well as to refrain from imposing trade restrictions in cases of HPAI detected in wild birds and of low pathogenic avian influenza (LPAI).

3.9. The United States emphasised the contribution of OIE guidelines on HPAI to facilitating safe trade in live poultry and poultry products, and added that the OIE provided Members with incentives to implement an effective stamping out policy and to conduct robust surveillance to provide clear evidence and guarantees of eradication of HPAI. The United States expressed concern that restrictions on poultry meat or products subjected to treatment mitigating the HPAI virus appeared to lack scientific justification. The United States, based on Articles 2 and 3 of the SPS Agreement, urged Members to lift HPAI-related restrictions on US poultry exports immediately, given the US HPAI-free status since August 2017 as per OIE guidelines.

3.2 BSE restrictions not consistent with the OIE international standard

3.10. At the July 2018 Committee meeting, the United States reiterated its commitment to aligning its import regulations governing BSE with OIE guidelines. In this regard, the USDA's Animal and Plant Health Inspection Service (APHIS) had published a Notice in the Federal Register on 24 April 2018 that advised the public of the preliminary concurrence with the OIE BSE risk designations for four regions, and solicited public comment by 25 June 2018. The four regions designated by the OIE as negligible risk for BSE included Croatia, Poland, Northern Ireland and Scotland. The United States indicated that its action had demonstrated that it had put in place a process to align its regulations with the OIE international standard for BSE. The United States noted that it was also recognized as negligible risk for BSE by the OIE, yet still faced some restrictions on certain meat exports. The United States urged Members to remove any remaining BSE-related import prohibitions on US bovines and bovine products. The United States also reminded Members that certain products such as protein-free tallow and blood products were deemed safe by the OIE regardless of a country's BSE risk status and thus should not be subject to BSE-related import restrictions.

3.11. At the March 2019 Committee meeting, the United States indicated that measures restricting ruminant meat and meat products from BSE-free countries were inconsistent with OIE guidelines. The OIE chapter on BSE provided for age- and product scope-related restrictions limited to specified risk materials, not on meat and meat products. Competent authorities were responsible for conducting the appropriate risk communication. The United States urged Members to base regulatory actions relative to BSE on sound scientific risk-based principles, balancing public health and Members' WTO obligations.

3.3 ISPM 38 on international movement of seeds

3.12. At the July 2018 Committee meeting, the United States thanked Indonesia and Nigeria for drawing Members' attention to ISPM 38 on the international movement of seeds in the March 2018 SPS Committee meeting. ISPM 38, which had been adopted by the IPPC in April 2017, provided guidance to assist national plant protection organizations (NPPOs) in identifying, assessing and managing pest risks associated with the international movement of seeds (as a commodity class). In addition, the standard provided guidance on other topics such as procedures to establish phytosanitary import requirements to facilitate the international movement of seeds; and a list of acceptable phytosanitary treatments that included crop treatment, seed treatment, systems approach and prohibition. The United States highlighted the importance of systems approaches, as they provided the opportunity to implement risk reduction measures along the entire seed supply chain. The United States echoed Indonesia's and Nigeria's view that ISPM 38 was particularly timely

given the rapid growth of the international seed trade and its increasing complexity. The United States also informed Members that a hemispheric workshop was being planned for early 2019, through the North American Plant Protection Organization (NAPPO), along with the United States, Canada and Mexico to focus on the effective implementation of ISPM 38. The United States encouraged Members to fully implement ISPM 38 to ensure a harmonized approach for managing phytosanitary risks and to facilitate the safe international movement of seeds in commerce. In addition, the United States invited Members and the IPPC to provide any reports or updates on the implementation of this standard.

3.13. Australia echoed the importance of ISPM 38 in helping Members undertake risk analysis and to apply justified measures, only to the extent necessary to achieve their ALOP. Australia indicated that it had reviewed the risks posed by a number of vegetable seeds, with a particular focus on seed-transmitted disease risks, the results of which had been published on its website. Australia stated that regulators needed to clearly define import requirements and ensure that they were technically justified, as an international clean seed trading system managing both seed quality and health would significantly facilitate the safe trade in clean seeds. Australia encouraged countries and seed companies to progress that concept as a platform for harmonization of measures and facilitating safe trade in seeds, in recognition of ISPM 38 guidelines.

3.14. Canada reminded Members that seeds could act as a pathway for the introduction of plant pests into countries, and outlined the important guidance provided by ISPM 38 in helping NPPOs to identify, assess and manage pest risks for the international movement of seeds. Canada highlighted its active role in the development of ISPM 38, and noted its involvement in the organization of the NAPPO workshop. This workshop was targeted at regulatory agencies in NAPPO countries, other regional plant protection organizations from the Americas, as well as the seed industry and technical experts, in order to ensure the proper implementation of the standard at the national and regional level.

3.15. The IPPC informed the Committee that it was working closely with the International Seed Federation to implement the new standard. An IPPC regional workshop was also being organized in 2018 on how to implement the standards, among other topics.

3.4 Use of the Codex international standard on glyphosate

3.16. At the November 2018 Committee meeting, the United States drew Members' attention to actions taken or under consideration to restrict the use to glyphosate that appeared to lack scientific justification. The United States pointed out that scientific and regulatory resources worldwide had re-evaluated and reconfirmed the safety of this crop protection tool, making it one of the most rigorously studied and evaluated. Furthermore, the United States recalled that in May 2016 the Joint FAO/WHO Meeting on Pesticides Residues (JMPR) had held a special session to re-evaluate glyphosate, at the recommendation of the WHO's Core Assessment Group on Pesticides Residues, due to concerns resulting from the 2015 International Agency for Research on Cancer (IARC) hazard report and availability of new toxicology and epidemiology studies.

3.17. After evaluating all previously reviewed data and new studies on genotoxicity, carcinogenicity, reproductive and developmental toxicity, and epidemiological studies on cancer outcomes, JMPR had concluded that neither short term nor long term dietary exposure to glyphosate presented a risk to consumers or a public health concern, and had reaffirmed the safety of all existing Codex MRLs for glyphosate. In addition, the United States highlighted that in December 2018 the US Environmental Protection Agency anticipated publishing the proposed interim registration review decision for glyphosate, reporting that glyphosate was one of the most widely used agricultural pesticides in the United States. The United States also noted that EPA's human health risk assessment concluded that glyphosate was not likely to be carcinogenic to humans and found no risks to human health when glyphosate products were used according to the label. Given the efforts and findings of Codex and competent authorities of several Members, including the US EPA, the United States reiterated that actions to restrict the use of glyphosate without a sound scientific basis appeared to unnecessarily restrict international agricultural trade, with no discernible benefits to public health. Finally, the United States urged Members to base their regulatory actions for glyphosate on sound scientific risk-based principles.

3.18. Brazil and Paraguay shared the concern raised by the United States and encouraged WTO Members to take into account the Codex standards on glyphosate.

3.19. Canada recognised the importance of Members basing their SPS measures on international standards, guidelines and recommendations. Concerning plant protection products, in particular glyphosate, the Codex Committee on Pesticides Residues (CCPR) and JMPR continued to provide useful guidance in this area. JMPR had re-evaluated glyphosate and found that glyphosate was unlikely to be genotoxic and unlikely to pose a carcinogenic risk to humans from exposure through the diet. Canada noted that similar reviews had been undertaken by Members, including Canada, which supported the continued registration and safe use of products containing glyphosate. Canada underscored the importance of timely, scientific, risk-based decision making with respect to plant protection products including glyphosate. Canada also encouraged Members to continue to base their regulations on scientific evidence and to take into account the advice of the international standard-setting bodies, in particular Codex.

3.20. Argentina reiterated the importance of respecting the basic principles of the SPS Agreement, which encouraged basing SPS measures on Codex international standards.

3.21. Costa Rica recalled the rigorous assessment conducted by Codex to establish pesticide MRLs and encouraged Members to adapt their measures for glyphosate on Codex recommendations.

3.22. Australia expressed its concern about the trade impact of Members applying glyphosate-related restrictions based on non-science based assessments. Any regulation of this chemical should be based on WTO compliant risk assessments based on all available scientific evidence, and conducted in a transparent manner. Australia recalled that glyphosate was one of the most common crop protection chemicals and had been subjected to new re-evaluation by a number of countries' chemical regulators to determine the safety of the chemical. Australia highlighted that the Australian Pesticides and Veterinary Medicines Authority (APVMA) had established that products containing glyphosate could be safely used according to label directions.

4 RESPONSES RECEIVED FROM THE RELEVANT STANDARD-SETTING ORGANIZATIONS

4.1. There have been no further responses received from the relevant standard-setting organizations since the last annual report.