



18 November 2020

(20-8282)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**PROPOSED NEW EU RULES ON COMPOSITE PRODUCTS –  
NEW SPECIFIC TRADE CONCERN**

SUBMISSION BY THE UNITED STATES OF AMERICA

The following document, received on 13 November 2020, is being circulated at the request of the Delegation of the United States of America.

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1.1. The United States thanks Australia for raising this concern. The United States wishes to express our concern that the proposed model certificates notified under [G/SPS/N/EU/401](#), [G/SPS/N/EU/402](#), and [G/SPS/N/EU/403](#) are overly burdensome and will negatively affect supply chains and market access at a time when the world faces many challenges.

1.2. On its face, the European Union's measure purports to differentiate products by different levels of risk, however, a broad spectrum of products remains subject to onerous certification and verification requirements. For example, shelf stable composite products containing meat products must be accompanied by the certificate regardless of the amount of the meat content, or whether that ingredient is highly refined. Further, even for composite products that may use the highly refined product certificate, it is unclear as to whether a single product that contains multiple highly-refined ingredients may certify all highly-refined ingredients on the same official certificate, or whether a separate certificate must be used for each highly-refined ingredient.

1.3. The implementation timeline for the proposed extensive changes to EU certificate requirements do not allow for enough time for exporters, including US exporters, to verify the new requirements and transition to these new certificates. The United States requests that the European Union allow a minimum 9-month transition period after the final regulation is issued, during which time the European Union should continue to accept current certificates.

1.4. With regard to composite products, the United States encourages the European Union to provide a list of composite products that will be exempt from requiring a certificate with a minimum two-month open comment period.

1.5. Finally, certain proposed requirements are overly prescriptive, may not be achievable, and may not recognize that other countries may have controls in place that achieve the same level of protection. The United States urges the European Union to consider a robust risk management system for certification and verification.

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