

AUSTRALIA'S IMPORT RESTRICTIONS ON TROPICAL FRESH FRUITS

Statement by the Philippines at the Meeting of 21-22 June 2000

1. ASEAN would like to bring before this Committee its concerns with regard to major difficulties it encounters in access to the Australian market for tropical fresh fruits in view of stringent phytosanitary measures applied by Australia, which we believe are inconsistent with their obligations under the WTO Agreements. Major ASEAN exports including mango, banana, pineapple, durian, pomelo and carambola, which are widely accepted by other importing countries regardless of their geographical characteristics (i.e., islands or mainlands), continue to face restrictions in the Australian market. Thus, although ASEAN believes there is substantial potential for trade in agriculture with Australia, this is not realized due to stringent phytosanitary restrictions.
2. For example, in the case of certain tropical fresh fruits where no international standards, guidelines or recommendations exist, Australian authorities refuse to recognize phytosanitary protocols which, following rigorous scientific tests, have been considered adequate by other countries.
3. For several fresh tropical fruits, such as pineapple, banana and pomelo, Australia's stringent SPS measures are applied without benefit of any risk assessment exercise. While in some cases, such as that of mango and durian, Australia has agreed to undertake import risk assessments, considerable delays in the conduct of risk assessment are being encountered due to Australia's constant requests for additional and new data, which, moreover, are costly to the ASEAN exporters and governments.
4. ASEAN believes that considering the existence of adequate alternative phytosanitary measures, and also taking into account technical and economic feasibility, the standards imposed by Australia with respect to fresh tropical fruits appears to be more trade restrictive than is necessary. It may be recalled that the purpose of the establishment of multilateral rules and disciplines as embodied in the Agreement on the Application of Sanitary and Phytosanitary is to guide the development, adoption and enforcement of SPS measures in order to minimize their negative effects on trade.
5. Furthermore, with respect to our particular concern on tropical products, it may also be recalled that the preamble of the Agreement on Agriculture provides that "... developed country Members would take fully into account the particular needs and conditions of developing country Members by providing for a greater improvement of opportunities and terms of access of agricultural products of particular interest to these Members, including the fullest liberalization of trade in tropical agricultural products ..."
6. In order to address these concerns, ASEAN would like to request Australia to consider importing tropical products that are free from pests and disease, and not require that they must be from a pest- or disease-free area. This principle is internationally accepted.

7. Following the above, ASEAN would like to urge Australia, through this Committee, to bring its SPS measures on tropical fresh fruits in line with the principles and provisions of the SPS and other relevant WTO Agreements.
