WORLD TRADE ORGANIZATION

G/SPS/GEN/1979

11 November 2021

(21-8554)

Page: 1/2

Committee on Sanitary and Phytosanitary Measures

Original: English

THE EUROPEAN UNION'S VETERINARY LEGISLATION THAT WOULD RESTRICT THE USE OF ANTIMICROBIALS BY PRODUCERS IN THIRD COUNTRIES – SPECIFIC TRADE CONCERN 446

SUBMISSION BY THE UNITED STATES OF AMERICA

The following submission, received on 8 November 2021, is the statement made by the United States of America at the 3-5 November 2021 WTO SPS Committee, and is being circulated at the request of the Delegation of the United States of America.

---

1. The United States would like to once again call attention to previous statements made at the SPS Committee, most recently during our July 2021 meetings and documented in the summary reports that lay out our concerns regarding the implementation of Article 118 of EU Regulation 2019/6.

2. First, we would like to acknowledge the outcome of the 15 September 2021 session of the European Parliament, which allowed for the science-based criteria to move forward and be used to determine the EU list of antimicrobials reserved for human use. This is a positive step, particularly given recent opposition to the criteria.

3. As the European Union starts to apply its criteria to develop its list of antimicrobials reserved for human use, we would like to request that the European Union provide details on how the list will be maintained to ensure a fair, transparent, and science-based risk assessment. Regardless of when the measures are implemented, we would like to reiterate our concerns that, as currently envisioned, the legislation may unjustifiably limit access to the medicines needed to address common livestock diseases associated with modern husbandry, particularly in developing countries where alternative treatments are not available.

4. Animal species, pathogens causing diseases, health management practices, antimicrobial access, availability of alternative treatments, and antimicrobial susceptibility profiles vary by country and regions within particular countries.

5. The restricted use of antimicrobial drugs without scientific justification may result in unintended negative animal health consequences through disease spread and damage the livelihoods of livestock producers in the European Union and beyond, ultimately affecting countries' abilities to achieve goals related to food security and sustainable development.

6. We understand that the EU legislation includes restrictions around specific uses of antimicrobial drugs that are not medically important for humans. These provisions may divert countries' resources away from more meaningful interventions around antimicrobial resistance, or AMR, with direct human health impacts. Therefore, we again ask the European Union to provide scientific justification for the restrictions on the use of antimicrobial drugs for growth promotion that are not medically important for humans.

7. Finally, as we have noted in our previous interventions, we reiterate the importance of appropriate transition periods for justified SPS measures, which should be based on the lifespan of livestock under production and should also consider the shelf and storage life of products already in the supply chain.

8. Moving forward, we urge the European Union review and revise its proposed timeline for implementation of these measures in order to avoid trade disruptions, to base its regulations on science and risk, and to consider the impact of its SPS measures on global animal health, food security, and agriculture sustainability. The United States also requests that the European Union both recognize and respect the level of protection provided by national regulatory systems and afford national competent authorities the flexibility they need to implement their own effective SPS systems.