



8 November 2022

(22-8367)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**REQUEST FROM BRAZIL FOR AD HOC CONSULTATIONS
OR NEGOTIATIONS UNDER ARTICLE 12.2 OF THE SPS AGREEMENT
AND THE AD HOC CONSULTATIONS PROCEDURE ([G/SPS/61](#))**

COMMUNICATION FROM BRAZIL

The following communication, received on 6 October 2022, is being circulated at the request of the Delegation of [Brazil](#).¹

1. The Permanent Mission of Brazil to the WTO and other Economic Organizations in Geneva presents its compliments to the Permanent Mission of Mexico to the WTO and has the honor to refer to Article 12.2 of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), which states that "the Committee shall encourage and facilitate ad hoc consultations or negotiation among Members on specific sanitary or phytosanitary issues".
2. In view of this procedure, and taking into account a longstanding negotiation to export Brazilian swine meat to Mexico, Brazil suggests to engage in negotiations with a view to reaching a mutual agreement under Article 12.2 of the SPS Agreement.
3. The measure at issue is the non-recognition of the Brazilian status before the World Organization for Animal Health (OIE) and the virtual prohibition of importation of swine meat from Brazil, as previously discussed in the context of the SPS Committee under Specific Trade Concerns (STCs) ID 263, 271 and 489. Brazil specifies that the measure is related to Articles 2.2, 2.3, 3, 5, 6 and 8 of the SPS Agreement, as well as its Annex C. The applicable international guideline is OIE's Terrestrial Code (Chapter 8.8).
4. Brazil would like to propose that the Chairperson of the SPS Committee, Mr Tang-Kai Wang, be designated as the facilitator for our bilateral dialogue, as foreseen by Decision 61 ([G/SPS/61](#) – "2.3 Consultation Procedure") of the SPS Committee.
5. The Permanent Mission of Brazil avails itself of this opportunity to renew to the Permanent Mission of Mexico to the WTO the assurances of its highest consideration.

¹ Mexico's response to Brazil's request for ad hoc consultations or negotiations under Article 12.2 of the SPS Agreement and the ad hoc consultations procedure ([G/SPS/61](#)) was circulated as document G/SPS/GEN/2079.