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Committee on Sanitary and Phytosanitary Measures

Original: English

**INDIA'S REQUIREMENT FOR CERTIFICATE FOR NON-GM ORIGIN
AND GM-FREE STATUS – [SPECIFIC TRADE CONCERN 501](#)**

SUBMISSION BY THE UNITED STATES OF AMERICA

The following submission, received on 11 November 2022, is the statement made by the United States of America at the 9-11 November 2022 WTO SPS Committee, and is being circulated at the request of the Delegation of the United States of America.

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1. The United States has repeatedly raised its concerns regarding the Order in the past six SPS Committee meetings, most recently in June of this year, as documented in [G/SPS/GEN/2045](#).
 2. The United States notes that India still refuses to furnish an explanation of the scientific basis and risk assessment which justifies this non-GM certificate requirement on a consignment basis for the 24 crops listed in the Order.
 3. India has stated that the requirement to regulate the import of "GM" food is not new, as outlined in the Environmental Protection Act (1986), and that the requirement has not caused trade disruptions.
 4. The United States must stress that the requirement of a non-GM certificate on a consignment basis was first ordered in 2020, and since its entry into force the Order has caused trade disruptions for US exports, most notably apples and rice.
 5. The United States asserts that instances of compliance by other countries, and India's own issuance of similar certificates, do not constitute sufficient justification for this Order, and furthermore the Order must be notified to the SPS Committee.
 6. The United States once again reiterates its desire to engage in technical cooperation with FSSAI and urges India to immediately withdraw this measure.
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