



28 March 2023

(23-2195)

Page: 1/1

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 27 March 2023, is the statement made by the United States of America at the 22-24 March 2023 WTO SPS Committee, and is being circulated at the request of the Delegation of the United States of America.

- 
1. The United States has repeatedly raised concerns with the Order requiring a "non-GM (genetically modified) origin and GM-free certificate" in the past seven SPS Committee meetings, most recently in November 2022, as documented in [G/SPS/GEN/2085](#).
  2. In floor statements during the previous SPS Committee meetings, India asserted that the certification requirement is an assurance from competent authorities that food crops exported to India are of non-GM origin and GM-free and cited several trade partners who are complying.
  3. The United States acknowledges India's right to regulate products for food safety so long as those regulations are based on scientific evidence and risk principles. However, India has still not provided the scientific justification for requiring a GM-free certificate for the twenty-four agricultural products covered by the Order.
  4. The United States also notes that compliance with the GM-free certificate requirement is not evidence that the measure is consistent with the WTO SPS Agreement.
  5. The United States once again requests that India immediately revoke this trade restrictive measure and engage in further dialogue to find alternatives that address India's legitimate SPS concerns and facilitate safe trade.
-