



18 July 2023

(23-4851)

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 14 July 2023, is the statement made by the United States of America at the 12-14 July 2023 WTO SPS Committee, and is being circulated at the request of the Delegation of the United States of America.

-
1. This marks the eighth SPS Committee meeting of the United States raising its concerns on India's Order requiring a "non-GM (genetically modified) origin and GM-free certificate" for 24 commodities imported for human consumption.
 2. 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 shared the requested scientific justification for requiring a GM-free certificate for the 24 products covered by the Order.
 3. In previous floor statements, India asserted that the certification requirement is an assurance from competent authorities that food crops exported to India for human consumption are of non-GM origin and GM-free and cited several trade partners who are complying.
 4. The United States has noted that compliance with the GM-free certificate requirement is not evidence that the measure is consistent with the WTO SPS Agreement.
 5. After numerous requests, India still has not provided a science- and risk-based justification for these requirements. India appears to be ignoring a decades-long track record of publicly available risk assessments conducted by competent authorities demonstrating that approved foods and feeds derived from modern biotechnology are safe for consumption.
 6. We also note that India recently approved domestically produced GM mustard for commercial use and that India's farmers routinely cultivate GM cotton.
 7. The United States continues to request India immediately revoke this trade restrictive measure. The United States remains available to engage in further dialogue to identify safe trade facilitative alternatives that address India's legitimate SPS concerns.
-