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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 20 November 2023, is the statement made by the United States of America at the 15-17 November 2023 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 raised concerns with the Order requiring a "non-GM (genetically modified) origin and GM-free certificate" in the past nine SPS Committee meetings, most recently in July of 2023.
  2. In floor statements during the November 2022 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 the willingness of certain trading partners to provide GM-free certificates is not evidence that the measure is based on science or risk.
  5. The United States once again requests that India immediately revoke this trade restrictive measure and engage in further dialogue to identify a legitimate SPS concern and, if necessary, find alternatives that facilitate trade in safe food and feed.
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