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Committee on Sanitary and Phytosanitary Measures

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**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 3 November 2023, 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 Nigeria Trade Office to the WTO and has the honour 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 meat, pork, poultry, milk and dairy products, genetic material and live cattle to Nigeria, Brazil suggests to engage in negotiations with a view to reaching a mutual agreement under Article 12.2 of the SPS Agreement.

3. The trade concern regards Nigeria's lack of response to Brazil's proposals of sanitary certifications for the above-mentioned products and the lack of information regarding some sanitary requirements, as previously discussed in the context of the SPS Committee under Specific Trade Concern (STC) ID 523. 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 Annexes B and C.

4. Brazil would like to propose that the Chairperson of the SPS Committee, Mr Tayutic Mena Retana, be designated as the facilitator for our bilateral dialogue, as foreseen by Decision 61 ([G/SPS/61](#)) of the SPS Committee.

5. The Permanent Mission of Brazil avails itself of this opportunity to renew to the Permanent Mission of Nigeria Trade Office to the WTO the assurances of its highest consideration.

¹ In the absence of a response from Nigeria within 30 days of receiving the request, 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](#)) is being circulated in accordance with paragraphs 2.2 and 2.5 of that procedure.