

WORLD TRADE ORGANIZATION

RESTRICTED

G/SPS/GEN/265

10 July 2001

(01-3426)

Committee on Sanitary and Phytosanitary Measures

Original: English

SPECIFIC TRADE CONCERNS

Submission by the United States regarding G/SPS/GEN/204/Rev.1

At the 8-9 November 2000 meeting of the SPS Committee, the Secretariat requested Members countries to provide the current status of trade concerns listed in G/SPS/GEN/204. The United States considers the information in this document to be important and useful regarding issues of interest to the United States as well as to the Committee in general.

The United States submits this additional information to update the current status of each trade concern following the Secretariat's G/SPS/GEN/204/Rev.1 numbering system. The United States looks forward to continuing discussions with other WTO Members regarding the outstanding issues included in this list.

I. FOOD SAFETY

6. Chile, Czech Republic, El Salvador, Honduras, Slovak Republic – Zero-tolerance for salmonella in imported poultry products

Current Status: The United States considers the trade concern about zero-tolerance for salmonella in imported poultry meat in the specified countries to remain outstanding. The United States and Chile are discussing this matter.

10. European Communities - Measures on food treated with ionizing radiation

Current Status: Two directives on food irradiation (1999/2/EC and 1999/3/EC) were adopted in February 1999 and became applicable on 20 September 2000. So far, only "dried aromatic herbs, spices and vegetable seasonings" have been included in the positive list. Directive 1999/2/EC required that the Commission draft a proposal by 31 December 2000. The Commission published a consultation paper, describing a possible strategy for expanding the positive list, on which interested parties could comment. After considering comments, the Commission would submit the proposal to the Council and the European Parliament.

On 12 January 2001, the United States sent comments on the consultation paper. The United States requested that the Commission consider including in its positive list all foods which received favorable opinions from the EU Scientific Committee for Food. The correspondence also requested provision of information concerning how exporting countries can apply to the European Union for approval to add new foods to the positive list.

12. European Communities - Measure on establishments operating in the animal feed sector

Current Status: In general, the United States does not require nor support registration of animal feed establishments and considers this trade concern unresolved.

17. Korea – Shelf-life requirements

Current Status: The United States considers this trade concern resolved.

21. Spain - Restriction on levels of copper and cadmium in imported squid

Current Status: The United States is not currently experiencing any problems in this area. We are continuing to monitor the situation.

22. Switzerland - Notifications regarding import requirements on meat and eggs

Current Status: The United States considers this issue unresolved. Subsequent to the concern cited in G/SPS/GEN/204, Switzerland notified under the Technical Barriers to Trade Agreement amended measures, on which the United States formally commented.

II. ANIMAL HEALTH AND ZOOSES

27. European Communities – Measures related to BSE

(b) Rules on "specified risk materials" in products of animal origin

Current Status: The European Communities has implemented its legislation on specified risk materials, which entered into force for products from third countries on 1 April 2001. The United States encourages the European Communities to ensure that its measures take account of the disease situation in exporting countries, such as the United States, where BSE does not occur.

28. France – Certification requirements for pet food

Current Status: Exports from the United States continue to be hampered by French certification requirements, which differ from those applied by other countries of the European Communities. The United States questions the scientific justification for excluding animal meat or bone meals from pet food produced in countries where BSE does not occur.

32. Poland - Notifications on veterinary measures and measures on animal products including gelatin

Current Status: The United States and Poland are still engaged in bilateral discussions related to certification requirements for US exports of bovine gelatin to Poland.

39. Turkey – Import ban on livestock

Current Status: Turkey assured the United States in September 1999 that the import ban was no longer in force. The United States considers this trade concern resolved.

46. European Communities - Ban on antibiotics in feed

Current Status: The European Union has not released the results of the re-examination and the United States consider this as unresolved.

51. Venezuela – Measures related to Avian Influenza

Current Status: The United States is pleased that Venezuela acted on 16 June 2000 to allow market access for United States processed poultry. Venezuelan authorities have not responded to requests from the United States to pursue this matter bilaterally. The United States believes that these measures are without scientific justification and we consider this trade concern unresolved.

III. PLANT HEALTH

56. Brazil – Restrictions on imported wheat

Current Status: Following extensive technical consultation with the United States, Brazil issued new import instructions in early 2001 that allow import of certain classes of US wheat. The United States considers this trade concern resolved.

57. Chile – Restrictions on imports of wheat and fruit

Current Status: Following bilateral discussions, Chile removed restrictions on US wheat in October 1997. Import access has also been granted for grapes, kiwis, avocados and lemons from California, apples and pears from Washington, and raspberries and shelled nuts from all US states. It is our understanding that Chile is preparing new rules to allow imports of other citrus fruits from California and Arizona, as well as conditions for apples and pears from Oregon. The United States will work closely with Chile on import conditions for other fruits of interest to the United States.

62. Honduras - Restrictions on imports of rough rice

Solution: Honduras lifted its restrictions in 1997. The United States considers this trade concern resolved.

65. Japan – Testing requirements for different varieties of apples, cherries and nectarines

Current Status: Dispute settlement (W/DS/76) - Despite extensive consultations with Japan, the United States is still awaiting implementation by Japan of the Panel decision, handed down in 1999.

66. Japan - Plant quarantine regulations

Current Status: The United States has continued to hold bilateral discussions with Japan on aspects of its quarantine regulations, including measures related to imports of apples. The United States believes that, based on the results of recently concluded research on fireblight conducted jointly with Japan, Japan now has the scientific justification to modify its existing requirements for imports of apples from the United States. The United States considers this trade concern unresolved.

67. Japan - Notification on amendment of the Japanese Plant Protection Law

Current Status: The United States continues to pursue this matter bilaterally with Japan.

69. Panama – Requirements for certification of consumer rice

Current Status: Panama removed its import restrictions on rice in late 1997. The United States considers this trade concern resolved.

71. Poland – Restrictions on wheat and oilseeds

Current Status: The United States continues to pursue this matter bilaterally with Poland.

IV. OTHER CONCERNS

79. Korea – Import clearance measures and practices

Current Status: Several bilateral consultations initiated under the dispute settlement framework resulted in a mutually satisfactory and positive outcome regarding the import clearance procedures in question. The United States considers this trade concern resolved.
