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Committee on Sanitary and Phytosanitary Measures

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KOREAN SHELF-LIFE DETERMINATION FOR UHT MILK

Request by Australia under Article 5.8
and Response by Korea

The Permanent Mission of Australia has requested that the following letters be circulated for the information of the Committee.

PERMANENT MISSION OF AUSTRALIA

2 July 1997

Dear Mr. Kim,

Further to our advice in the SPS Committee on 1 July, Australia is formally requesting an explanation of the reasons why the Republic of Korea has not accepted Manufacturer Determined Shelf-Life (MDSL) for UHT milk.

While there are no international standards, guidelines or recommendations on Manufacturer Determined Shelf-Life (MDSL), MDSL is widely accepted for a range of processed foodstuffs on the basis of factors which have been studied and scientifically tested over a period of more than two decades. In particular, it is accepted by the authorities of most importing countries that shelf-life of UHT milk can be 6-12 months. Korea already accepts MDSL for a range of products, but does not accept MDSL for UHT milk.

In accordance with paragraph 8 of Article 5 of the Agreement on the Application of Sanitary and Phytosanitary Measures, the Government of Australia requests an explanation by the Government of Korea of the reasons for its non-acceptance of Manufacturer Determined Shelf-Life (MDSL) for UHT milk.

A copy of this request has been provided to the WTO Secretariat.

Yours sincerely,

Hamish McCormick
Counsellor

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PERMANENT MISSION OF THE REPUBLIC OF KOREA

8 October 1997

Dear Mr. Mc.Cormick,

In response to your letter dated 2 July 1997, I have the pleasure of replying to your inquiry concerning UHT milk.

As you are aware, the Korean Government introduced a "Manufacturer-Determined Shelf-Life System (MDSL)" in October 1995, while setting a time frame for its implementation. As the Australian Government has already been informed, UHT milk will be subject to the MDSL by the end of 1998.

I would further like to notify you that even during the transitional period running up to the full implementation of the MDSL, producers or distributors of a certain product, which is still subject to the "Mandatory Shelf-Life Requirement System", may seek the extension of the existing shelf-life by providing the required data to the concerned authorities.

With respect to the above-mentioned transitional measure, I was informed by my government that the data submitted by Australia, however, did not meet the requirements for extending the shelf-life of UHT milk. Upon receipt of the supplementary data from Australia, the concerned authorities will make a thorough review for the extension of its shelf-life.

Yours sincerely,

KIM, Jung-Ho
Counsellor