

**VENEZUELA'S SANITARY IMPORT PERMITS**

Communication from the United States

The United States has reason to believe that Venezuela is requiring importers of grapes, pears, apples, cotton, pork, poultry, and beef to provide "sanitary import permits" in order to import these products into Venezuela, and that the measures requiring such permits are constraining US exports of these products. Further, these measures do not appear to be based on scientific evidence or an assessment of risks to human, animal or plant life or health, nor do they appear to be based on any relevant international standards, guidelines or recommendations.

We have been unable to find any evidence that Venezuela has notified these measures to the WTO Committee on Sanitary and Phytosanitary Measures pursuant to Annex B of the *Agreement on the Application of Sanitary and Phytosanitary Measures* ("SPS Agreement"). The United States requests that Venezuela confirm that this is the case, or, if it is not, to provide the document numbers of these notifications.

Accordingly, pursuant to Article 5.8 of the SPS Agreement, the United States requests that Venezuela provide "an explanation of the reasons for" its measures with respect to *each* of the following agricultural products: grapes, pears, apples, cotton, pork, poultry, and beef. As part of this request, the United States asks that Venezuela:

1. Clarify any recent human, animal or plant life or health problems related to the aforementioned products that have led it to establish a requirement that importers provide a sanitary import permit for each of the products, or that have led to the delay in issuance or denial of such sanitary import permits. In particular, the United States requests that Venezuela provide copies of any risk assessments prepared in accordance with Article 5.1 of the SPS Agreement, as well as any scientific studies or other scientific evidence, on which its measures are based.
2. Identify, for each of the products listed in this letter, the relevant international standard, guideline or recommendation upon which Venezuela's measures are based. If Venezuela's measures are instead intended to result in a higher level of protection than that achieved by measures based on the relevant international standards, guidelines, or recommendations, Venezuela is requested to identify its appropriate level of protection; provide the scientific justification for why measures based on the relevant international standards, guidelines, or recommendations would not achieve that level of protection; and provide any scientific studies or reports upon which Venezuela has relied in drawing this conclusion.
3. Provide, for each product, a copy of the laws and regulations that apply to Venezuela's administration of its sanitary import permit regime.

The United States requests that Venezuela provide its written response to this Article 5.8 request on or before 10 June 2003.

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