

IMPORTATION OF WHEAT FOR CONSUMPTION
FROM THE UNITED STATES OF AMERICA

Statement by Chile at the Meeting of 15-16 October 1997

1. As a result of the official announcement on 13 May 1996 by the Department of Agriculture of the United States of America (USDA) that the *Tilletia indica* fungus, which causes Karnal Bunt in wheat, had been discovered in some southern US states, the Agriculture and Livestock Service (SAG) temporarily suspended imports of wheat into Chile from the United States until there were sufficient scientific and technical bases on which to establish phytosanitary regulations that would minimize the risk of introducing the fungus into Chile. That decision was taken because in Chile the fungus is classified as a quarantine pest, affecting as it does a crop as fundamental as wheat.
2. Based on the information supplied by the United States during bilateral technical meetings between representatives of the USDA Office in Chile and the SAG Department of Agricultural Protection, in addition to an evaluation at the point of origin in northern states such as Oregon and Montana with a view to facilitating risk management by SAG, on 14 June 1996 SAG proposed to USDA measures that should be taken for wheat imports to be authorized. It was requested that phytosanitary certification be issued under USDA responsibility together with an additional declaration, based on a laboratory analysis, that the consignment was free of *Tilletia indica*, so that, in principle, imports of wheat for consumption grown in the United States could be authorized. This rule was not accepted by USDA because it could not certify the precise state of origin, but could only provide an additional declaration on the phytosanitary certificate to the effect that the wheat came from areas where Karnal Bunt had not been known to occur.
3. Consequently, SAG could not change its technical decision on imports until some headway has been made in nationwide surveillance and it became possible to delimit pest-free areas in the United States.
4. On 30 January 1997, the USDA Office in Chile presented a progress report on surveys carried out in 1996 for the fungus in wheat-growing areas. On the basis of that information, technical meetings were held between both parties to study the epidemiological situation of the pathogen in wheat-growing areas and to examine quarantine regulations designed to minimize the risk.
5. As a result, SAG drew up a set of regulations which together made it possible to manage the risk attached to wheat for consumption originating in the United States. In essence, they provided as follows: consignments should come from states which had been surveyed and found to be free of *Tilletia indica*, and must have been shipped from ports in the north-eastern United States. This latter requirement made it possible to determine clearly the origin of the wheat, as those were the ports mainly used to ship produce from northern states, where the pathogen had not been detected. It also precluded the risk of contamination in grain elevators by grain collected from states with regulated areas.

6. At a meeting in Santiago between USDA authorities from Washington and SAG in June 1997, the US delegation asked whether it could include states with regulated areas among the areas of origin of wheat for export to Chile, subject to technical verification by a SAG mission of the measures being taken under the national Karnal Bunt programme.

As a result of the meeting, the USDA office in Santiago reported that thanks to the progress made under the national Karnal Bunt programme, it was in a position to include on the Phytosanitary Certificate covering export consignments an additional declaration that they came from an area that had been surveyed and found to be free of Karnal Bunt.

7. The SAG technical mission, carried out from 25 to 29 August that same year, made it possible to verify on the spot the system of internal quarantine put in place by USDA/APHIS in the states of Arizona and Texas as regulated areas, and in eastern Kansas, which is considered pest-free but is being monitored nonetheless.

On that occasion, special emphasis was placed on evaluating the following aspects:

- Quarantine regulations in zones where the fungus has been found and in surrounding areas;
- sampling system, laboratory implementation and analytical techniques for the diagnosis of *Tilletia indica*;
- general system of surveillance in wheat-growing areas; and
- system of phytosanitary inspection and certification of export consignments conducted at the point of origin.

This verification mission led to the following conclusions:

- All rules in USDA regulations on internal Karnal Bunt quarantine were being implemented;
- as a result of the action taken under the Karnal Bunt programme, it could be confirmed that export consignments were coming from areas that had been surveyed and found to be free of the fungus.

8. In the light of the steps taken by the United States and the demonstration of its current phytosanitary situation, Chile believes that it is possible to establish an appropriate level of protection against the risk of introducing the pathogen into the country through imports of wheat for consumption, within the framework of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures. To this end, SAG has decided to authorize imports of wheat for consumption from the United States, accompanied by a phytosanitary certificate with an official declaration by USDA that the consignments come from an area that has been surveyed and found to be free of *Tilletia indica*.

SAG reserves the right to inspect shipments upon arrival in the country in order to verify their phytosanitary condition before authorizing their entry.

The foregoing provisions were communicated by SAG of Chile to APHIS in the United States at a recent bilateral technical meeting held in October in Washington.

9. It may therefore be concluded that Chile has acted in conformity with the WTO Agreement on the Application of Sanitary and Phytosanitary Measures, and has lived up to its commitment to establish phytosanitary measures on a scientifically justified basis.

10. At the meeting held in March this year, the United States raised the trade problem before the Committee on Sanitary and Phytosanitary Measures. Chile then submitted in writing the rationale behind its regulations based on the situation prevailing at the time, adding that if the scientific evidence produced by phytosanitary monitoring in the United States showed that there was no problem, a trade solution could be arrived at by means of bilateral meetings between the technical services of both countries. This is what has occurred, and it can be demonstrated to the Committee that progress has been made in the application of the Agreement.