

**EXPERIENCE IN THE APPLICATION OF THE
PRINCIPLE OF REGIONALIZATION**

Communication from Chile

The following communication, received on 5 December 2005, is being circulated at the request of the delegation of Chile.

I. INTRODUCTION

1. As confirmed by the relevant international scientific organizations – in the case of plant health, the International Plant Protection Convention (IPPC) and in the case of animal health, the World Organization for Animal Health (OIE) – Chile is a country free of the principal pests and diseases that limit agricultural and forestry exports.
2. Thanks to the surveillance systems introduced, Chile has been able to detect the entry of pests and diseases, and to control and subsequently eradicate them at an early stage.
3. Chile participates actively in the relevant international scientific organizations and in the WTO SPS Committee.
4. As Chile is both an exporter and importer of agricultural products, this paper will examine a number of experiences with the respect to sanitary and phytosanitary recognition obtained and granted from the point of view of both the importing country and the exporting country.

II. DECLARATION OF PEST- AND DISEASE-FREE ZONES AND RECOGNITION OF THEIR STATUS

5. Chile currently enjoys a privileged sanitary and phytosanitary status that has enabled it to enter demanding markets. This status was achieved through medium- and long-term prevention, control and the eradication programmes involving heavy investments, both public and private. Chile's experience in obtaining recognition of sanitary or phytosanitary status has thus far been fairly variable, with procedures differing according to the requirements of the country from which recognition was requested. Similarly, the time required to obtain recognition has varied owing to the absence of any clear and transparent guidelines for the administrative process involved.
6. We shall now turn to different pests and diseases in respect of which Chile has requested recognition: fruit fly, classical swine fever, avian influenza and foot and mouth disease.

III. FRUIT FLY

7. The only species of fruit fly to have existed in continental Chile is *Ceratitis capitata*, which was completely eradicated in 1995 following an eradication project that lasted more than 15 years. Existing international parameters were met, and the IPPC was duly notified. A statement was also submitted to the WTO SPS Committee meeting of March 1996, under the agenda item "Implementation of the Agreement", and circulated as document G/SPS/W/52.

8. Chile then began to request bilateral recognition from the various countries concerned, and encountered a great variety of acceptance criteria and procedures as well as substantial differences in the time taken to respond to the requests and to grant recognition of sanitary and phytosanitary status, which ranged from months to several years.

9. During the period of more than 10 years since the status of country free of fruit fly was achieved, there have been a number of cases in which the pest has entered from abroad, but each time it has been detected, controlled and eradicated, and the free status has been recovered in accordance with international standards. In each of these cases, the IPPC was immediately notified and the trading partners directly informed. In many cases, the recognition process had to be started over again.

IV. CLASSICAL SWINE FEVER

10. In 1998, Chile achieved the status of country free from classical swine fever following an 18-year programme involving joint efforts on the part of the public and private sectors. This status was achieved following the guidelines established by the OIE, which was officially notified. A statement was also made before the SPS Committee at its meeting of June 1998 under the agenda item "Implementation of the Agreement", and circulated as document G/SPS/GEN/81.

11. Chile then began to submit requests for recognition of the status achieved, and once again encountered a great variety of procedures as well as delays in the recognition process which ranged from a few months, in some cases, to several years in others. These differences were due to complex domestic administrative procedures, or indeed in some cases, to a lack of procedures or to demands that went beyond the international OIE regulations. For example, where the OIE stipulates that without vaccination, at least 6 months must elapse since the most recent outbreak, there are countries that require 12 months to have elapsed.

V. AVIAN INFLUENZA

12. In 2002, strains of the avian influenza virus were detected in a commercial flock in Chile for the first time. The emergency response plan of the official veterinary service for OIE List A diseases was activated. The affected birds and the birds that were in contact with them were slaughtered, and quarantine and biosecurity measures were adopted, applying the principle of regionalization. The problem was finally eradicated in a record time of 7 months.

13. The OIE was kept informed throughout, as were Chile's trading partners, and Chile unilaterally suspended its exports of poultry products, which were only resumed when it received a clean bill of health. It requested the visit of a group of experts appointed by the OIE, which toured the country and approved the strategy applied.

14. As regards recognition, once the problem had been eradicated and the OIE parameters met, a statement was made before the SPS Committee at its meeting of March 2003 and circulated as document G/SPS/GEN/383, and bilateral requests for recognition were submitted to the countries

concerned. The result was the same as that described above for the other cases, with certain countries responding within months and others taking several years.

VI. RECOGNITION BY CHILE OF PEST- AND DISEASE-FREE ZONES

15. Since Chile, as stated in the introduction, is a country free from the principal export-limiting pests and diseases, it invests heavily in defence, surveillance and diagnostic mechanisms in order to prevent problems from occurring or to detect them early on. While it may be true that the country's adequate level of protection is high, it is in keeping with the scientific objectives of the trade measures designed to provide guarantees on the part of the exporting countries. Thus, in order to safeguard its assets without disrupting trade, Chile has been persistent in applying the procedures for recognition of sanitary status requested by countries, basing its decisions on the relevant international regulations. Listed below are but a few examples of the many instances of recognition of sanitary status.

16. The state of Sonora, in Mexico, was recognized as free of classical swine fever in 2000.

17. The state of Yucatán, in Mexico, was recognized as free of classical swine fever in 2002.

18. The Island of Tierra del Fuego, in Argentina, was recognized as free from foot and mouth disease in 2002.

19. The rest of the territory of Argentina was recognized as free from foot and mouth disease with vaccination in 2005.

20. The states of Santa Catarina and Rio Grande do Sul in Brazil were recognized as free from classical swine fever in 2002.

VII. CONCLUSIONS

21. Though only a few examples have been provided, if we examine the issues raised as trade concerns within the general context of the Committee, we are led to the conclusion that in the area of plant and animal health, most of the trouble relates to the process of sanitary and phytosanitary recognition, which suggests that there are problems in applying the principle of regionalization.

22. We therefore think that the Committee, in its capacity as administrator of the Agreement, should consider developing procedures or mechanisms to help improve implementation of Article 6, particularly when it comes to recognition of sanitary and phytosanitary status.
