

SITUATION REGARDING BSE

Communication by Chile
SPS Committee Meeting of 1-2 February 2006

The following communication, received on 1 February 2006, is being circulated at the request of the delegation of Chile.

1. No cases of the disease have ever been recorded in Chile, either in the native animal population or in imported animals. Chile is internationally recognized for its privileged phytosanitary and zoosanitary status and for taking active, firm and resolute steps to ensure the highest level of plant and animal health for both its domestic market and its exports.
2. In 2005, the European Food Safety Authority (EFSA) carried out an assessment of the situation in Chile in order to establish the country's Geographical BSE Risk (GBR). As a result, Chile was classified as GBR level III. Chile immediately expressed its disagreement with this classification.
3. The reasons for Chile's disagreement stem from an in-depth analysis of the EFSA's assessment. Chile found the assessment to contain substantive errors, such as the assessment period considered, and errors of form, such as those found in the data used.
4. Subsequently, as requested, Chile submitted numerous documents to both the EFSA and the European Commission, in which it defended its position. No replies or comments have been received from either of these bodies.
5. Chile has also, on more than one occasion, invoked the provisions of the Agreement on Sanitary and Phytosanitary Measures between the two parties (Article 6 of Annex IV of the EU-Chile Association Agreement) and will continue to do so. There has been no response from the European Union.
6. This new GBR classification may not only damage Chile's global image by casting doubts upon the way in which the situation has been handled by the competent health authorities, but it may also directly affect an entire industrial sector.
7. Chile meanwhile submitted its background information to the World Organisation for Animal Health (OIE), the global authority on animal health, for an assessment of the country's BSE situation. The OIE BSE Ad hoc Group, which carried out the assessment, concluded that Chile was a country provisionally free from BSE.

8. Therefore, given that the OIE BSE Ad hoc Group has concluded that Chile is a country provisionally free from BSE - a situation which, as outlined above, differs from the finding made by the EFSA, we urge Members to recognize Chile's BSE status as recommended by the OIE BSE Ad hoc Group, thus ensuring consistency with Articles 6, 2.2 and 2.3 of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures.
