

**IMPLEMENTATION OF THE SPS AGREEMENT**

Information for the Workshop on 31 March 2006

Communication from Nigeria

The following communication, received on 31 March 2006, is being circulated at the request of the Delegation of Nigeria.

**INTRODUCTION**

1. Nigeria currently exports agricultural products with a total annual value of between US\$400-600 million to the ECOWAS, the European Union, the United States, India and Japan. The main products exported are: cocoa, gum Arabic, sesame seed and shrimps. Other export products include: cashew, ginger, vegetable oils and mangoes.

**PARTICIPATION IN MEETINGS OF THE SPS COMMITTEE**

2. The representatives of Nigeria participate in meetings of the SPS Committee on a fairly regular basis. The participation is usually undertaken by relevant government Ministries and agencies responsible for the implementation of the SPS Agreement. These institutions or bodies include the representatives of the Federal Ministry of Commerce from the capital and/or Geneva based trade representatives, Federal Ministries of Agriculture and Rural Development, Health, and Environment. Others include representatives of the Standards Organisation of Nigeria (SON) and the National Agency for Food and Drug Administration and Control (NAFDAC).

3. Regarding meetings of the SPS Committee, we receive information relating to notices of meetings, reports of informal and formal meetings of the SPS Committee, activities of international standards bodies such as Codex, IPPC and OIE. We also receive information on the activities of UN bodies that deal with SPS measures such as the FAO, WHO and other donor agencies like the European Communities, DFID and USAID. Information on the activities of the above-mentioned organizations is usually received in hard copies which are forwarded from the SPS secretariat. Occasionally, we also receive information on SPS meetings from the WTO website.

**NATIONAL SPS COMMITTEE**

4. Nigeria is yet to have a SPS National Committee. However, following a study conducted by the Commonwealth Secretariat on Nigeria's food safety and quality control review, which organized a workshop in Abuja in September 2005, it was recommended that a National Food Safety Management

Committee (NFSMC) be set up. Membership should be drawn from SON, NAFDAC, the Nigerian Export Promotion Council (NEPC) and the Federal Produce Inspection Service (FPIS). Others involved are: the Federal Ministry of Commerce, which is expected to also serve as the Secretariat; the Federal Ministries of Agriculture, Foreign Affairs and the Nigerian Customs Service, as well as a representative of export associations.

5. Nigerian exporters normally find out about their trading partners' new SPS requirements through the following SPS regulatory agencies: SON, which is involved mainly in the setting up of all analytical standards for Nigerian exporters to ensure conformity with international standards; NAFDAC, which is mandated to regulate and control the manufacture, export, import, distribution, advertisement, sale and use of foods and chemicals/drugs; FPIS, which has remit to assess products or commodities for export on the bases of quality, weight, fumigation and packaging (QWFP); and NPQS, which is mandated to carry out phytosanitary inspections, treatments and certification of plants and plant products (inclusive of foodstuffs, fruits and vegetables). NPQS's activities conform to the requirements of IPPC.

6. The mechanisms which can be created to ensure that stakeholders are informed in a timely manner include encouraging them to belong to relevant trade associations of producers and growers as well as the umbrella body of the Association of Nigerian Exporters (ANE). By so doing, members will become conversant with each other and be ready to share vital SPS information. As trade bodies, their views in responding to SPS notifications would be respected.

7. The various trade associations should have national spread such that the local chapters are able to cater for all relevant stakeholders. They should hold regular meetings to review, from time to time, SPS requirements.

8. Information about SPS requirements can be transmitted to groups outside of capital by way of workshops, seminars and regular meetings of various trade associations. The agencies responsible for SPS implementation can also embark on sensitization and mobilization activities through their state or local offices.

## **NATIONAL PLANNING ON SPS AGREEMENT**

9. The External Trade Department of the Federal Ministry of Commerce initiated the establishment of the National Focal Point (NFP) on the implementation of Nigeria's rights and obligation under the WTO. The NFP is the Sub-Committee on Agriculture which is mandated to recommend to the main Committee the implementation strategy of the SPS Agreement. To guarantee effective participation of all relevant stakeholders, the methodology used in developing this planning was due to the encouragement of the public and private sector partnerships.

## **TECHNICAL ASSISTANCE NEEDS**

10. Nigeria identifies its technical assistance needs through the demand-driven and supply-driven approaches based on its experience at any given time. For instance, upon the outbreak of avian influenza in some states of Nigeria in February 2006, Nigeria submitted a notification to the WTO on the situation and solicited technical assistance from donor agencies which responded promptly. These agencies include the FAO, WHO, the European Union, DFID and USAID.

11. Nigeria's experience in both the request and supply of SPS-related technical assistance has been rewarding and challenging. The international donors donated some quantities of personal protective equipment and about 10,000 doses of the drug Tamiflu in case of possible occurrence of human infection of AI. It is challenging to note that Nigeria still requires some form of assistance in

equipping its five veterinary teaching hospitals, training of veterinary personnel and providing adequate compensation to farmers whose birds have been culled.

12. The supply and demand of technical assistance can be most effectively matched if a priority list of areas of needs is drawn up and both parties partake in the implementation process. If duplication of donor efforts is to be avoided, request and grant for such assistance should be circulated amongst donor agencies. The SPS Committee may also have to monitor requests and grants in this regard to avoid duplication.

## **CONCLUSION**

13. In conclusion, Nigeria is yet to benefit from the implementation of the SPS Agreement in terms of its fair share of market access for its agricultural products to developed countries. While Nigeria reiterates its efforts to uphold Good Manufacturing Practice and Good Hygienic Practice, it calls on developed country trading partners to assist in the establishment of Hazard Analysis Critical Control Point (HACCP) systems and the National Enquiry Point.

---