

**Committee on Sanitary and Phytosanitary Measures**

**REVIEW OF THE OPERATION AND IMPLEMENTATION  
OF THE SPS AGREEMENT**

**BACKGROUND DOCUMENT**

Note by the Secretariat<sup>1</sup>

Revision

**I. INTRODUCTION**

1. Article 12.7 of the Agreement on the Application of Sanitary and Phytosanitary Measures ("the Agreement") provides that "the Committee shall review the operation and implementation of this Agreement three years after the date of entry into force of the WTO Agreement, and thereafter as the need arises". A First Review of the Agreement was completed in March 1999.<sup>2</sup>

2. At the Fourth Session of the Ministerial Conference, Ministers instructed the Committee to review the operation and implementation of the Agreement at least once every four years. The Second Review of the Agreement was completed in July 2005.<sup>3</sup> At its October 2008 meeting, the Committee adopted a procedure and timetable to undertake the Third Review of the Agreement.<sup>4</sup> This revision of the background document includes written comments received from Members by 28 November 2008, in accordance with the agreed timetable. The revision also updates the background document with information through to the end of 2008.

3. In both the First and Second Reviews, the Committee discussions focused on implementation and operation issues related to:

- Consistency (Article 5.5);
- Equivalence (Article 4);
- Transparency (Article 7 and Annex B);
- Monitoring the use of international standards (Article 3.5 and 12.4);
- Technical assistance and training activities (Article 9);
- Special and differential treatment (Article 10);
- Regionalization (Article 6);

---

<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights or obligations under the WTO.

<sup>2</sup> G/SPS/12.

<sup>3</sup> G/SPS/36.

<sup>4</sup> G/SPS/W/228.

- Monitoring Implementation of the Agreement (Articles 12.1 and 12.2) – Specific trade concerns;
- Cooperation with Codex Alimentarius, World Organization for Animal Health (OIE), and the International Plant Protection Convention (IPPC) (Article 12.3); and
- Dispute settlement activities (Article 11).

4. Although the main focus and discussions were on the issues listed above, in the Second Review, the Committee also put for consideration some additional issues:

- Clarification of definitions of terms;
- Clarification of the relationship between certain Articles of the SPS Agreement;
- Undue delays;
- Good regulatory practice; and
- Control, Inspection and Approval Procedures (Article 8 and Annex C).

5. Appendix A of this document provides a summary of Committee activities since the Second Review in 2005. Appendix B provides information about SPS-related dispute settlement activities. Appendix C provides a list of documents submitted by Members since the Second Review of the Agreement relevant to the various issues raised in this Background Paper.

## **II. CONSISTENCY (ARTICLE 5.5)**

6. Efforts and deliberations by the Committee to develop guidelines for consistency began during the Committee's first meeting in March 1995 and progressed through informal and formal meetings. During these discussions, Members raised conceptual issues related to the links between appropriate level of protection, measures and risk assessment.

7. In the Second Review of the Agreement in 2005 ("the 2005 Review"), the Committee noted that it should undertake another review of the operation of the guidelines to further the practical implementation of Article 5.5 whenever Members identified the need, and in any case not later than December 2008. Members were encouraged to provide information regarding their experiences in the implementation of Article 5.5 and in the use of the guidelines (G/SPS/15).

8. To date no Member has suggested a need to modify these guidelines. Although there is no standing agenda item regarding Article 5.5, there is opportunity for Members to provide information regarding their experiences in this regard under the Agenda Item "Activities of Members". No Member has provided any such information since June 2005.

9. Some Members have suggested, however, that the Committee should solicit information from Members in order to determine the extent to which these guidelines, as well as others adopted by the Committee, are actually being implemented by Members.

## **III. EQUIVALENCE (ARTICLE 4)**

10. In the 2005 Review, the Committee encouraged Members to provide information regarding their experiences in the implementation of Article 4 and in the use of the guidance developed by the Committee (G/SPS/19/Rev.2). In particular, Members were encouraged to notify any agreements reached on the recognition of equivalence. Finally, the relevant international organizations were invited to keep the Committee informed of any work they undertook with regard to the recognition of equivalence.

11. Equivalence is a standing agenda item for regular meetings of the Committee. At each meeting, Members are invited to report on their experiences regarding equivalence, and the relevant international organizations are invited to provide information. The following Members provided information under this agenda item: Brazil and Chile (June 2005), Egypt (March 2006) and the United States (June 2007). On 9 August 2007, Panama submitted the first notification on a recognition of equivalence (G/SPS/N/EQV/PAN/1). A second notification of the recognition of equivalence of SPS measures was submitted to the Committee in 2008 by the Dominican Republic (G/SPS/N/EQV/DOM/1).

12. The Secretariat noted that Members' officials often made reference informally to various equivalence agreements with trading partners, but these had not been notified to the SPS Committee. Some Members agreed that equivalence agreements did exist, and that the guidance developed by the Committee was being used. They suggested that one reason Members did not notify these agreements was to avoid other exporters benefiting from the arrangements. Furthermore, in many cases the notion of equivalence was applied without any formal recognition of equivalence *per se*, or without calling the bilateral arrangements "equivalence". They agreed, however, that it would be useful for Members to provide information regarding their experiences in this area.

13. The international standard-setting organizations have developed guidance in this area, and the Codex, IPPC and/or OIE have provided information on equivalence issues at each meeting of the Committee since June 2005. The Codex Alimentarius Commission has adopted Principles for the development of equivalence agreements regarding food import and export inspection and certification systems, and Guidelines on the judgement of equivalence of such systems.<sup>5</sup> The OIE has developed guidelines for reaching a judgement of the equivalence of sanitary measures.<sup>6</sup> At the October 2008 meeting of the Committee, the OIE elaborated on a new approach whereby two ad hoc groups were analyzing various chapters in the terrestrial and aquatic animal health codes, and noted that it would keep the Committee informed of the work of those ad hoc groups. The IPPC adopted in 2005 a standard with guidelines for determination and recognition of equivalence of phytosanitary measures (ISPM 24). In addition, ISPM 1, which also includes principles on equivalence, was revised in 2006.<sup>7</sup>

#### **IV. TRANSPARENCY (ARTICLE 7 AND ANNEX B)**

14. In the 2005 Review, the Committee: (i) encouraged Members to ensure full implementation of the transparency provisions of the SPS Agreement; (ii) asked that developing country Members clearly identify specific problems faced in implementing the transparency provisions of the Agreement; and (iii) asked that assistance be provided to least-developed and developing country Members in order to enable them to fully implement the transparency provisions and to make use of the benefits associated with transparency. Recognizing that the recommended procedures established by the Committee (G/SPS/7/Rev.2), while not creating legal obligations, could facilitate Members' implementation of the provisions of the SPS Agreement, the Committee agreed to consider whether further recommendations could be beneficial.

15. The Secretariat organized a Workshop on Transparency in October 2007. This was the third SPS workshop on transparency organized by the WTO Secretariat, the first two having been held in 1999 and 2003. Various funding arrangements made it possible for a large number of developing country and LDC participants to attend. The objectives of the workshop were to enhance the implementation of transparency obligations and to identify best practices for drawing benefits from a transparent system.

---

<sup>5</sup> [http://www.Codexalimentarius.net/download/standards/10047/CXG\\_053e.pdf](http://www.Codexalimentarius.net/download/standards/10047/CXG_053e.pdf)

<sup>6</sup> [http://www.oie.int/eng/normes/en\\_mcode-2004.htm](http://www.oie.int/eng/normes/en_mcode-2004.htm)

<sup>7</sup> [https://www.ippc.int/servlet/BinaryDownloaderServlet/124047\\_2007\\_ISPMs\\_book\\_Engl.doc?filename=1187683730555\\_ISPMs\\_1to29\\_2007\\_En\\_with\\_convention.doc&refID=124047](https://www.ippc.int/servlet/BinaryDownloaderServlet/124047_2007_ISPMs_book_Engl.doc?filename=1187683730555_ISPMs_1to29_2007_En_with_convention.doc&refID=124047)

16. The main recommendations from the Workshop involved the following six issues: revision of the Recommended Transparency Procedures contained in G/SPS/7/Rev.2; training and dissemination on the SPS Information Management System (SPS IMS) as well as other sources of SPS-related information; regular updates on the level of implementation of transparency provisions; explanatory documents on timeframes related to transparency obligations and on benefits of the SPS Agreement; establishment of a mentoring mechanism between officials responsible for implementing the transparency provisions in different Members; and development of a practical procedural manual. Significant progress has been made with respect to all six recommendations.

17. On 30 May 2008, the Committee adopted revised recommended procedures for transparency (G/SPS/7/Rev.3). The new procedures, *inter alia*, clarify the definition of the comment period, encourage the notification of measures conforming to international standards, and provide links for access to full texts of regulations and their translations. The new transparency procedures, including the use of the new notification formats, took effect on 1 December 2008.

18. To facilitate Members' management of the large volume of SPS-related information, the Secretariat regularly produces summary documents containing relevant SPS-related information, including monthly summaries of notifications<sup>8</sup> received by the Secretariat and an annual listing of all SPS documents.<sup>9</sup> Links to these documents can be found on the SPS web page.

19. The Secretariat has also developed the new SPS Information Management System (SPS IMS), the public version of which was launched and presented on 15 October 2007 during the Transparency Workshop.<sup>10</sup> The system includes the most recent information on SPS notifications as well as Committee documents, specific trade concerns and Members' National Enquiry Points and Notifications Authorities. It facilitates the conduct of searches according to specific needs and interests (product codes, geographic groups, etc. and also the preparation of reports and summaries which can be shared with interested stakeholders. The website of the SPSIMS is constantly updated with the latest contact details on Members' Enquiry Points and National Notification Authorities.

20. The WTO Secretariat has provided demonstration sessions on the SPS IMS during the SPS Committee meetings and during its technical assistance programmes. It has also responded to ad hoc requests from Members and other interested parties for assistance.

21. With respect to the recommendation on regular updates on the level of implementation of transparency provisions, the Secretariat has begun to provide annual updates. In October 2007, the Secretariat circulated a first background note (G/SPS/GEN/804) providing an overview regarding the level of implementation of the transparency provisions of the SPS Agreement. An updated version of this note was circulated as G/SPS/GEN/804/Rev.1 in October 2008. The development of the SPS IMS facilitates the compilation and analysis of data related to the implementation of the transparency provisions. Furthermore, Members' implementation of the new recommendations on transparency should result in substantially enhanced information.

22. Managing information on transparency remains, however, challenging for many developing country Members who struggle with implementing basic obligations with respect to the transparency provisions of the SPS Agreement. Many developing country Members have flagged their need for assistance and support to resolve their individual transparency difficulties, for example with the process of sending notifications to the WTO. Other difficulties faced by developing country Members relate to the operation of their SPS National Notification Authority and their National Enquiry Point.

---

<sup>8</sup> For example, see documents G/SPS/GEN/820, 827, 840, 842, 850, 867, 869, 873, and 886 for 2008 notification summaries.

<sup>9</sup> G/SPS/GEN/897 for 2008.

<sup>10</sup> <http://spsims.wto.org/>

23. In October 2007, New Zealand proposed that these concerns be addressed through the establishment of an informal mentoring mechanism facilitated by the Secretariat. The proposal from New Zealand became one of the Committee's recommendations from the 2007 Workshop on Transparency. As a follow up, the Secretariat developed a procedure for a mentoring mechanism to assist officials responsible for transparency in developing country Members, and a number of Members have already been "matched" to provide and receive guidance when requested.<sup>11</sup>

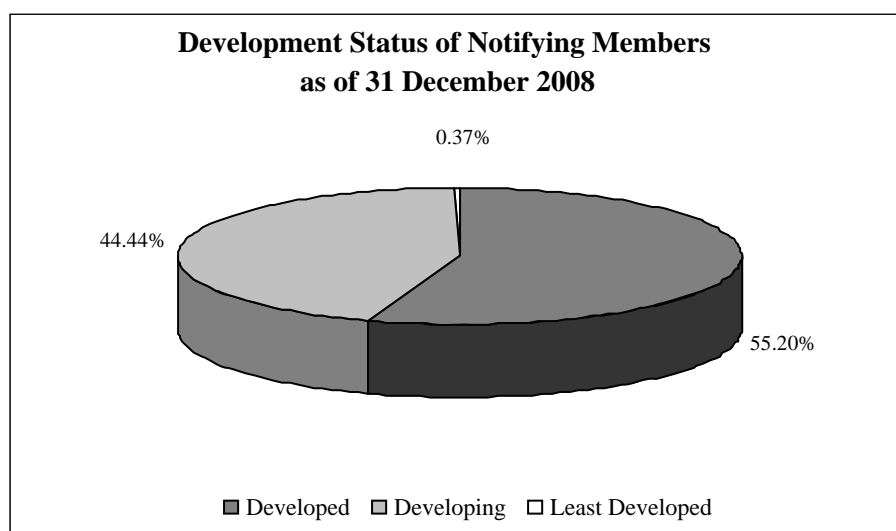
24. In addition, New Zealand worked with the Secretariat, along with contributions from Australia and a number of other Members, to develop a procedural manual for the operation of Enquiry Points and National Notification Authorities. This Transparency Manual reflects the new transparency procedures and will replace the 2002 handbook on "How to Apply the Transparency Provisions of the SPS Agreement".<sup>12</sup>

25. As of 31 December 2008, Members have submitted 6,648 regular notifications and 1,086 emergency notifications (plus related addenda and corrigenda). The Committee has also adopted a special format and recommended procedures for the notification of determination of the recognition of equivalence of sanitary or phytosanitary measures, now included in the new transparency procedures. Furthermore, the Secretariat has established a mechanism for Members to inform each other of the availability of translations of notified measures into one of the official languages of the WTO. These are submitted in the form of supplemental notifications. As of 31 December 2008, two equivalence and 12 supplemental notifications have been circulated.

26. Out of the 153 WTO Members, 100 (70 per cent) have to date submitted at least one notification to the WTO. Excluding EC member States, 44 developing countries of which 23 are Least Developed countries ("LDCs"), have not yet submitted any notification.

27. As can be seen in Figure 1, the share of notifications submitted by developed country Members reaches 55 per cent while the share of those submitted by developing country Members (excluding LDCs) is 44 per cent.<sup>13</sup> A very small share comes from LDCs. Still, there has been a steady increase in notifications from developing country Members over the years.

**Figure 1**



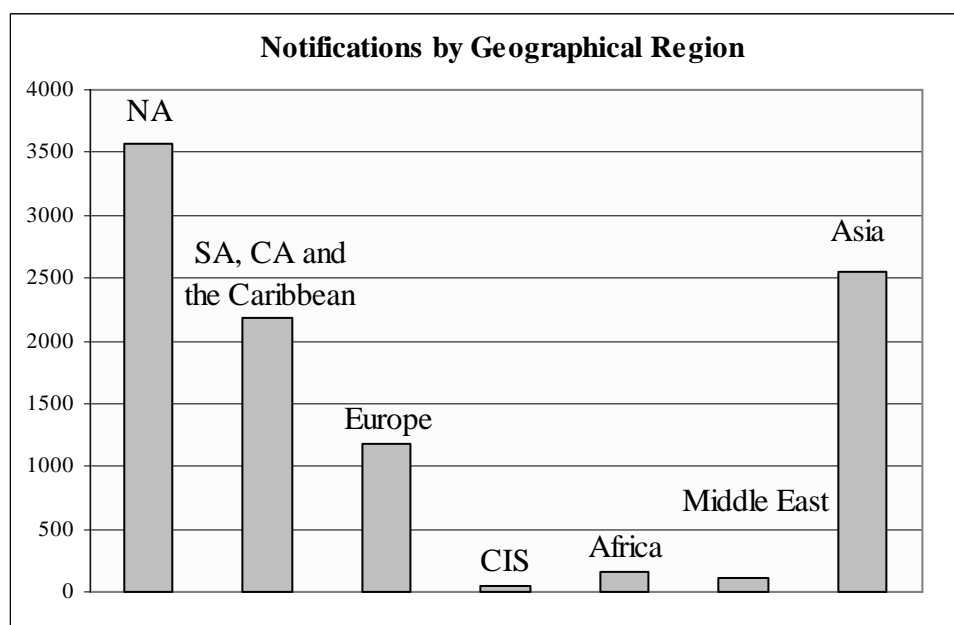
<sup>11</sup> G/SPS/W/217.

<sup>12</sup> The Manual will be made available to Members in early 2009.

<sup>13</sup> The categories of level of development rely on WTO working definitions as identified in the Integrated Database (IDB) for analytical purposes.

28. Looking at the geographic regions from which the notifications originate, Figure 2 shows that the majority of notifications come from North America, followed by Asia, and then South and Central America and the Caribbean.<sup>14</sup>

**Figure 2**



29. Under the SPS Agreement, Members are required to notify both an Enquiry Point to provide answers to all reasonable questions from interested Members and a National Notification Authority to implement the notification procedures detailed in the Agreement. Among the 153 WTO Members, 134 Members have, as of January 2009, designated a "Notification Authority". Those which have not yet done so include 12 LDCs and seven developing country Members. As of October 2008, of the 153 WTO Members, 143 have provided the WTO with the contact information of their Enquiry Point. Those which have not yet done so include nine LDCs and one developing country.<sup>15</sup>

30. The Secretariat regularly updates documents containing the contact information of National Enquiry Points and of National Notification Authorities. In addition, regularly updated lists are available from the SPS IMS and from the SPS gateway on the WTO web page.

31. In 2005, the Committee agreed to extend the Procedure to Enhance the Transparency of Special and Differential Treatment adopted in October 2004<sup>16</sup>, and Members were invited to share with the Committee their experiences under this procedure. See Section VII for more details.

## **V. MONITORING THE USE OF INTERNATIONAL STANDARDS (ARTICLES 3.5 AND 12.4)**

32. In the 2005 Review, the Committee noted that it should continue to monitor the use of international standards at each of its regular meetings.

<sup>14</sup> The geographical groupings used rely on WTO working definitions as identified in the Integrated Database (IDB) for analytical purposes. The same groupings are used in the WTO Annual Reports.

<sup>15</sup> The most recent Enquiry Point contact information is contained in [G/SPS/ENQ/24](#), and the most recent National Notification Authority contact information is contained in [G/SPS/NNA/14](#).

<sup>16</sup> G/SPS/33 and G/SPS/33/Add.1.

33. The monitoring of the use of international standards is a standing item on the agenda of regular Committee meetings, and in accordance with the agreed procedure (G/SPS/11/Rev.1), the Committee has produced annual reports relating to the process of monitoring international harmonization.<sup>17</sup>

34. In 2006, the Committee reviewed the operation of the provisional procedure based on a document prepared by the Secretariat (G/SPS/W/200). The Committee decided to extend the provisional procedure indefinitely. The Committee also decided that it will review the operation of the provisional procedure as an integral part of its periodic Review of the Operation and Implementation of the Agreement under Article 12.7, with a view to deciding whether to continue with the same procedure, amend it or develop another one. The Committee furthermore encouraged Members to make use of this procedure to address their concerns regarding specific international standards or the need for such standards. The decision of the Committee was subsequently circulated as G/SPS/40.

35. This Review thus provides the opportunity for the Committee to examine the monitoring procedure. In 2008, the Committee agreed to consider the monitoring procedure in light of the information gained from notifications under the new notification procedure and the implementation of the IPPC mechanism. Members were also encouraged to provide information on obstacles they encountered when exporting, not just on national measures applied to imports.

36. The standard-setting bodies have promptly addressed the concerns raised by Members through this procedure in their respective competent bodies and regularly reported on their actions to the SPS Committee. The procedure has not been used extensively by Members. To enhance the participation of developing country Members in standard-setting meetings and activities, training programmes and regional technical consultations on standards and their implementation, the Codex, IPPC and OIE have established trust funds. The OIE also continues to provide financial support for the participation of Chief Veterinary Officers of its member countries in OIE standard-setting activities.

37. Chile has noted that if Members follow the new Transparency Recommendations and notify also when they impose measures based on the international standards, this could provide useful data to more effectively monitor the use of international standards. The Committee may wish to revise the monitoring procedure in light of this development.

## **VI. TECHNICAL ASSISTANCE (ARTICLE 9)**

38. In the 2005 Review, the Committee encouraged Members requiring technical assistance to identify their specific needs in a clear and detailed manner to permit those needs to be effectively addressed. The Committee also encouraged Members providing technical assistance to keep it informed of specific programmes of assistance. Members were encouraged to report on the effectiveness of the technical assistance received, and, on the basis of that information, and information on the experiences of Members in the provision of technical assistance, the Committee would consider identifying best practices in the area of SPS-related technical assistance. The Committee invited Members to share information on their experiences regarding the use of the tools developed by the Secretariat to assist Members with the understanding and implementation of the SPS Agreement. Finally, the Committee requested the Secretariat to keep it informed of its relevant technical assistance activities and of the activities of the Standards and Trade Development Facility (STDF), and invited observer organizations to report on their capacity building activities relevant to the SPS Agreement.

---

<sup>17</sup> G/SPS/37, G/SPS/42 & Corr./1, G/SPS/45, G/SPS/49 for the period 2005-2008.

39. Technical assistance is a standing agenda item. At each regular meeting, Members and Observers are invited to identify any specific technical assistance needs which they may have, and/or to report on any SPS-related capacity building activities in which they are involved. The WTO Secretariat, as well as observer organizations, report on their assistance activities.

40. WTO's technical assistance activities in the SPS area contribute towards the strengthening of the capacities of developing country Members in meeting standards for market access of food and other agricultural commodities. The activities increase participants' awareness about rights and obligations under the SPS Agreement and its implications at the national level. In the organization of SPS technical assistance activities, the levels of familiarity with the Agreement and advancement in its implementation are taken into consideration to meet and respond to individual country/regional needs. The programmes of national/regional activities include presentations on the transparency obligations, dispute settlement, implementation problems, specific trade concerns and technical/scientific issues such as risk analysis and equivalence, as well as the work undertaken by the three standard-setting organizations referenced in the SPS Agreement (Codex, OIE and IPPC).

41. The Secretariat has developed a number of tools to assist Members with the understanding and implementation of the Agreement. In particular, a booklet discussing the text of the SPS Agreement was published under the WTO Agreements Series (Volume No. 4). The Secretariat has also issued a handbook on the application of the transparency provisions of the Agreement, which will soon be replaced by a Procedural Manual reflecting recent changes in the recommended procedures. A CD-ROM explaining and discussing in detail the provisions of the Agreement, and dealing in particular with implementation, transparency, special and differential treatment and dispute settlement issues, has been produced by the Secretariat. The CD-ROM includes text, video and audio material and is complemented by multiple-choice tests to enable users to monitor their individual progress. In order to meet Members requests for a more advanced training activity on the implementation of the SPS Agreement, a three-week Specialized Course on SPS has been developed. The Secretariat also offers a distance-learning course on the SPS Agreement.

42. In the context of the discussions on special and differential treatment and actions to address the underlying concerns of developing country Members, in October 2006 the Secretariat prepared a preliminary analysis of SPS-related technical assistance (G/SPS/GEN/726), with a view to addressing issues regarding the effectiveness of assistance provided. The Committee agreed to continue to consider the issue, and to explore the possibility of identifying best practices in the area of SPS-related technical assistance.

43. The Secretariat has compiled document G/SPS/GEN/521/Rev.3, which contains an updated overview of all SPS-related technical assistance activities provided by the WTO Secretariat from September 1994 through December 2007.

44. For the period 1994 to 2008, the WTO Secretariat has undertaken a total of 172 technical assistance activities on the SPS Agreement, including 65 regional (or sub-regional) and 72 national workshops. Table 1 provides information about the number of (sub)regional and national activities per year since the last review of the operation and implementation of the SPS Agreement in 2005. Table 2 shows the overall number of activities per region since 1994.



**Table 1: Number of SPS Technical Assistance Activities**

Year	Type of Activity			Total
	National Seminar	(Sub)Regional Workshop	Other	
2005	4	7	2	13
2006	9	3	3	15
2007	7	4	2	13
2008	12	2	3	17
<b>Total</b>	<b>32</b>	<b>16</b>	<b>10</b>	<b>58</b>

**Table 2: SPS Technical Assistance Activities per Region (1994-2008)**

Region	Type of activity			Total
	National Seminar	(Sub)Regional Workshop	Other	
Africa	20	21	7	48
Arab and Middle East Countries	12	6	2	20
Asia and the Pacific	16	11	14	41
Central and Eastern Europe and Central Asia	6	5	-	11
Europe	1	3	6	10
Latin America and the Caribbean	17	19	5	41
North America	-		1	1
<b>Total</b>	<b>72</b>	<b>65</b>	<b>35</b>	<b>172</b>

45. The STDF was established in September 2002 following the commitment made by the Heads of the WHO, the FAO, the WTO, the OIE and the World Bank at the Doha Ministerial Conference to explore new technical and financial mechanisms to promote the efficient use of resources in SPS-related activities. The STDF has two main aims:

to assist developing countries enhance their expertise and capacity to analyze and to implement international sanitary and phytosanitary (SPS) standards, improve their human, animal and plant health situation, and thus their ability to gain and maintain market access; and to act as a vehicle for coordination among technical assistance providers relating to the mobilization of funds, the exchange of experience and the dissemination of good practice in relation to the provision and receipt of SPS-related technical assistance. Secretariat documents give regular overviews and updates of STDF activities, including funding offered for projects and project preparation grants in developing countries.<sup>18</sup>

46. As part of its co-ordination function, the STDF has organised a number of events that provide information and assistance to all Members. Hence the STDF organized, jointly with the World Bank

<sup>18</sup> G/SPS/GEN/595, 648, 718, 748, 774, 847, 865 and 877.

and UNIDO, a session on laboratory projects in November 2007. In March 2008, the STDF held a Workshop on Capacity Evaluation Tools used in the SPS area.<sup>19</sup>

47. Likewise, the STDF organized an information session on private standards in June 2008. The information session focussed on developments in the area of private standards since the June 2007 information session, and drew conclusions with regard to SPS-related technical assistance.<sup>20</sup> Finally, the STDF organized a Special Workshop on Good Practice in SPS-related technical cooperation in October 2008, in collaboration with the OECD. More than 200 delegates participated in the workshop, some with assistance from the WTO Global Trust Fund or the STDF. The workshop presented the results of research on good practice in SPS-related projects identified by Members as having been successful, and considered how to apply the Paris Principles on Aid Effectiveness in this area.<sup>21</sup>

48. In the margins of the second meeting of the SPS Committee in 2009, the STDF will organize a workshop to consider cost-benefit analysis related to SPS technical assistance. Work undertaken by the OIE regarding costs of prevention versus eradication, as well as work by the World Bank and others looking at the economic costs and benefits of SPS technical assistance, will be presented.

49. Since the 2005 Review, the international standards setting bodies have consistently provided updates about their technical assistance activities. All three organizations have developed training programmes, including conferences, seminars and workshops, to enhance national capacities on WTO matters. The OIE reported in 2008 that the Performance, Vision and Strategy (PVS) tool related to animal health had been conducted in many countries to identify their needs and priorities, in order to solve existing problems. In addition, the OIE supported the participation of developing country Members in the elaboration of standards by ensuring that experts from every region participated in developing the draft text of a scientific standard. The Codex and the IPPC have trust funds which sponsor the participation of officials from developing country Members and economies in transition to participate in their meetings. The programme is aimed at enhancing those officials' level of participation in the elaboration of Codex standards. In addition to information from the OIE, IPPC and the Codex, other observers organizations, including FAO, the World Bank, OIRSA, IICA, UNIDO and UNCTAD, provide regular updates concerning their provision of technical assistance.

## **VII. SPECIAL AND DIFFERENTIAL TREATMENT (ARTICLE 10)**

50. In the 2005 Review, the Committee agreed to continue to consider specific, concrete actions to address the problems faced by least-developed and developing country Members in the implementation of the SPS Agreement and in making use of the benefits of the Agreement. Members were encouraged to provide information regarding the special and differential treatment or technical assistance they have provided in response to specific needs identified by Members in accordance with the procedure adopted by the Committee (G/SPS/33).

51. Special and differential treatment is a standing agenda item. In 2005, Members were invited to share with the Committee their experience under the new procedure to enhance the transparency of special and differential treatment adopted in October 2004.<sup>22</sup> With respect to the proposals referred to the SPS Committee by the General Council, the Committee adopted, in June 2005, a report to the General Council on these proposals.<sup>23</sup> The report expresses the Committee's commitment to continue to examine the proposals before it, and any revision of these proposals, with the aim of developing

---

<sup>19</sup> G/SPS/GEN/826.

<sup>20</sup> G/SPS/R/50.

<sup>21</sup> G/SPS/GEN/875.

<sup>22</sup> G/SPS/33.

<sup>23</sup> G/SPS/35.

specific recommendations for a decision. The report also identifies elements for discussion on further work to assist the Committee to address the concerns underlying the proposals as identified by Members, with a view to fulfilling the Doha Development Mandate. Discussion of these elements commenced at the Committee meeting of October 2005.

52. In March 2006, a Special Workshop was held to further identify ways to address the problems faced by developing country Members in implementing the SPS Agreement. Discussions at this Workshop focussed on the effectiveness of technical assistance and suggested the need for further work to improve the implementation of the transparency provisions (G/SPS/R/41). Both of these issues have been further addressed by the Committee as noted in Sections IV and VI, above. In 2007, Egypt proposed some amendments to the procedures for S&D transparency, some of which were adopted by the Committee as revisions to the general recommended procedures for transparency. Egypt's proposals are contained in JOB(07)/104 and the revised Transparency Recommendations are in G/SPS/7/Rev.3.

53. In February 2006, the Committee agreed to further extend the procedure for transparency of special and differential treatment or technical assistance provided in response to specific needs of developing country Members (G/SPS/33/Add.1), but to date there has been no indication that Members are using this procedure. In its 2008 meetings, the Committee has considered proposals for the revision of the procedure to enhance the transparency of special and differential treatment based on a document prepared by the Secretariat, and subsequently circulated as G/SPS/W/224/Rev.1. This proposal was revised in January 2009 to incorporate further comments and suggestions made by Members at the informal meeting on Special and Differential Treatment in October 2008, and thereafter.<sup>24</sup> The revision also includes a proposal for a format for counter notifications, as requested by Members. However, to date, the Committee has not reached a decision in this regard and, in the meantime, G/SPS/33 remains valid.

54. During 2006, the Committee also continued its examination of the implementation of the SPS Agreement and the concerns of developing country Members. The proposals referred to the SPS Committee by the General Council were on the agenda of each meeting of the Committee. Although there were substantive discussions of some revisions informally suggested by the African Group at the February, March and October meetings, the Committee was not able to reach a decision on any of the specific proposals as presented.<sup>25</sup>

55. However, with a view to fulfilling the Doha Development Mandate, several Members suggested approaches to advance the work of the Committee to address the proposals as identified by Members including seeking clarification of the concerns underlying the proposals. In June 2006, the United States introduced a paper containing a compilation of ideas related to technical assistance and special and differential treatment<sup>26</sup>, taking into account information provided by developing country Members at the Workshop on the Implementation of the Agreement, held in March 2006.<sup>27</sup>

56. At an informal meeting on Special and Differential Treatment held in February and March 2007, the Committee discussed the five proposals on special and differential treatment referred to it in August 2004. In particular: (i) the G/SPS/33 procedure and its extension until 2008; (ii) the G/SPS/35 report; (iii) the Committee's discussion of the Africa Group's revisions to its proposal on Article 9.2; (iv) the adoption by the General Council of the proposal from a number of small and vulnerable economies; and (v) Members' submissions on technical assistance and the paper from the

---

<sup>24</sup> G/SPS/W/224/Rev.2.

<sup>25</sup> G/SPS/41.

<sup>26</sup> G/SPS/W/198.

<sup>27</sup> G/SPS/R/41.

United States on Special and Differential Treatment (G/SPS/W/198). A revised proposal regarding Article 10.1 was presented to the Committee in June 2007 and discussed at its October meeting.<sup>28</sup>

57. The Decision on Implementation taken at the Doha Ministerial Conference in 2001 included *inter alia* a clarification on Article 10.2.<sup>29</sup> It specifies that where the appropriate level of protection allows scope for the phased introduction of SPS measures, the "longer time-frame for compliance" referred to in Article 10.2 shall normally mean at least 6 months. Where the phased introduction of a new measure is not possible, but a Member identifies specific problems, the Member applying the new measure shall enter into consultations, upon request, to try to find a mutually satisfactory solution. The Decision also indicates that in the context of paragraph 2 of Annex B of the SPS Agreement, a period of 6 months shall normally be provided between the publication of a measure and its entry into force.

58. The Committee on Trade and Development Special Session (CTD-SS) has before it two proposals under consideration which are related to the SPS Agreement: one proposal relating to Article 10.2 tabled by India and another proposal relating to Article 10.3 tabled by the African Group and a group of developing country Members. The specific proposals and the last language considered under each article in February 2008 has been circulated to all participants. With respect to Article 10.2, the proponents were of the view that the current interpretation of the phrase "longer time-frame for compliance" found in paragraph 3.1 of the Doha Decision on Implementation-Related Issues and Concerns was not sufficient for operationalizing this Article. With respect to Article 10.3 relating to the granting of time-limited exceptions by the SPS Committee from obligations under the Agreement, the proponents claim that their focus is on ensuring predictability of the process to request such an exception, while other Members are concerned that the proposal would prejudice the outcome of such requests and amount to automatic granting of waivers. The objective of the CTD SS is to come up with specific recommendations on all outstanding proposals. Some Members have recommended that all the SPS-related proposals be discussed in the SPS Committee.

## VIII. REGIONALIZATION (ARTICLE 6)

59. In the 2005 Review, the Committee decided to develop a proposal for a decision on the effective application of Article 6, taking as the point of departure the various proposals submitted by Members and discussions in the Committee. Members were encouraged to provide information on their experiences in the implementation of Article 6, and observer organizations were invited to keep the Committee informed of their activities relevant to the recognition of pest- or disease-free areas or areas of low pest or disease prevalence ("regionalization").

60. Regionalization is a standing agenda item. At each regular meeting of the Committee, Members are invited to provide information regarding their experience with the recognition of pest- or disease-free areas and areas of low pest or disease prevalence. Observer organizations regularly provide information to the Committee regarding relevant advances in their work on this issue.

61. In 2008, the Committee adopted guidelines on the implementation of Article 6 of the SPS Agreement, to facilitate the recognition of pest- and disease-free areas or areas of low pest or disease prevalence (G/SPS/48). The guidelines identify the type of information normally needed for the recognition of regionalization, as well as typical administrative steps in the recognition process. The Committee agreed to monitor the implementation of Article 6, on the basis of information provided by Members.

---

<sup>28</sup> JOB(07)/99

<sup>29</sup> WT/MIN(01)/17, paragraph 3.1.

62. Both the IPPC and the OIE have provided guidance for countries seeking to establish, or to be recognized for, pest- or disease-free status. The IPPC currently has two relevant standards, one (ISPM 4) on requirements for the establishment of pest-free areas and another (ISPM 10) for the establishment of pest-free places of production and production sites. In addition IPPC has a number of supporting standards including guidelines for surveillance and a standard under development on low pest prevalence. In March 2007, the IPPC adopted the International Standard for Phytosanitary Measures (ISPM) 29: "Recognition of Pest-Free Areas and Areas of Low Pest Prevalence".

63. The OIE Terrestrial Animal Health Code describes the requirements for obtaining disease-free status including requirements for surveillance and monitoring based on the concept of geographic zones. At its 76<sup>th</sup> General Session in May 2008, the OIE adopted a number of resolutions related to recognition of disease-free areas. These are contained in the annexes to document G/SPS/GEN/853. The International Committee has approved a list of countries or zones that had applied for official OIE recognition of their sanitary status concerning four diseases: BSE, FMD, contagious bovine pleuropneumonia (CBPP), and rinderpest. In addition, new resolutions on procedures for the official recognition and maintenance of country/zone status were also adopted.

## **IX. IMPLEMENTATION OF THE AGREEMENT – SPECIFIC TRADE CONCERNS**

64. In the 2005 Review, the Committee encouraged Members to make use of the opportunity to identify specific trade problems and to seek to find mutually satisfactory resolutions of those problems. Members were encouraged to inform the Committee of all specific trade concerns resolved, and the Secretariat was requested to continue to provide regularly updated information on the specific trade concerns considered by the Committee.

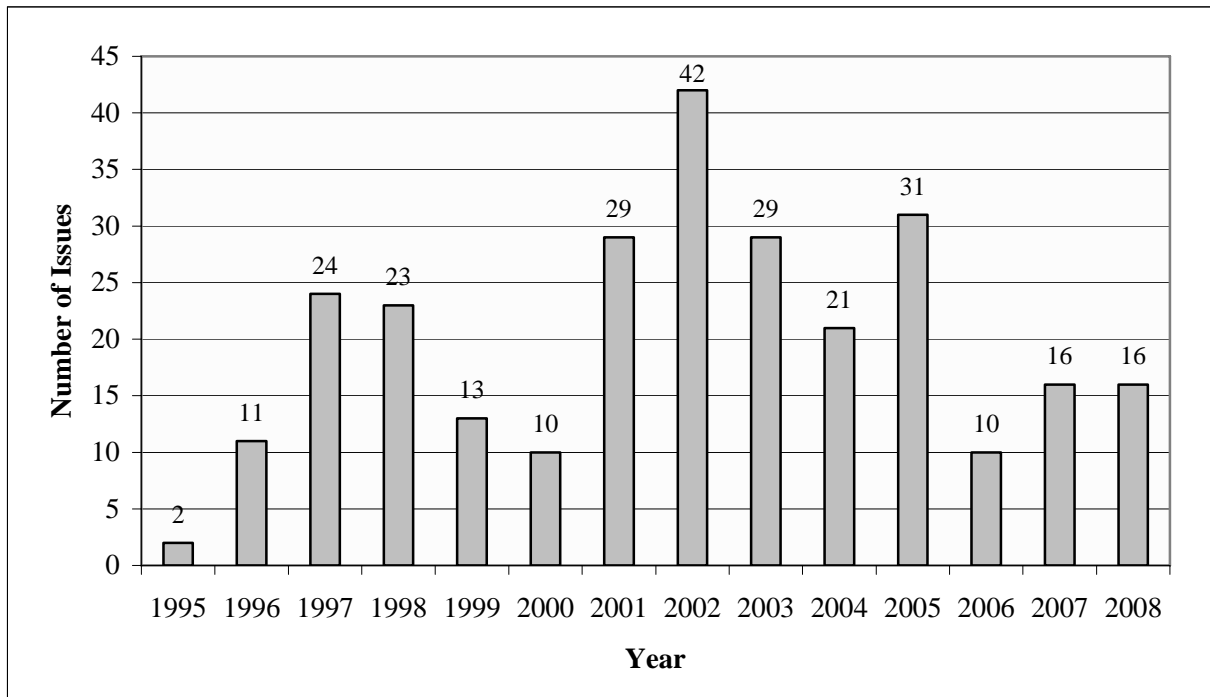
65. Part of each Committee meeting is devoted to the consideration of specific trade concerns raised by Members. At the March 2000 meeting of the SPS Committee, the Secretariat was requested to prepare a paper summarizing the specific trade concerns that had been brought to the Committee's attention since 1995 and to update this document annually to include new information provided by Members.<sup>30</sup> The excerpts below are from the ninth revision of GEN/204 to be issued in February 2009, and include all issues which have been raised at SPS Committee meetings to the end of 2008.

66. Altogether, 277 specific trade concerns were raised between 1995 and the end of 2008. Figure 1 shows the number of new concerns raised each year; 16 new concerns were raised in 2008. Figure 2a categorizes the trade concerns raised over the fourteen years into food safety, animal or plant health issues. It is important to keep in mind, however, that some issues may relate to more than one of these categories. Concerns relating to zoonoses, for example, may concern measures taken with both animal health and food safety objectives. For the purposes of these graphs, a single objective has been designated as the principle concern, however all relevant keywords have been assigned for purposes of electronic searches of the data on specific trade concerns. Overall, 28 per cent of trade concerns relate to food safety concerns, 27 per cent relate to plant health, and 4 per cent concern other issues such as certification requirements or translation. Forty-one per cent of concerns raised relate to animal health and zoonoses. The animal health and zoonoses category is further divided into foot-and-mouth disease (FMD), transmissible spongiform encephalopathy (TSEs), Avian Influenza (AI) and other animal health concerns (OAH). Figure 2b shows that TSEs account for 35 per cent of animal health concerns, while issues related to foot-and-mouth disease account for 23 per cent. The remaining 42 per cent relate to other animal health concerns and avian influenza.

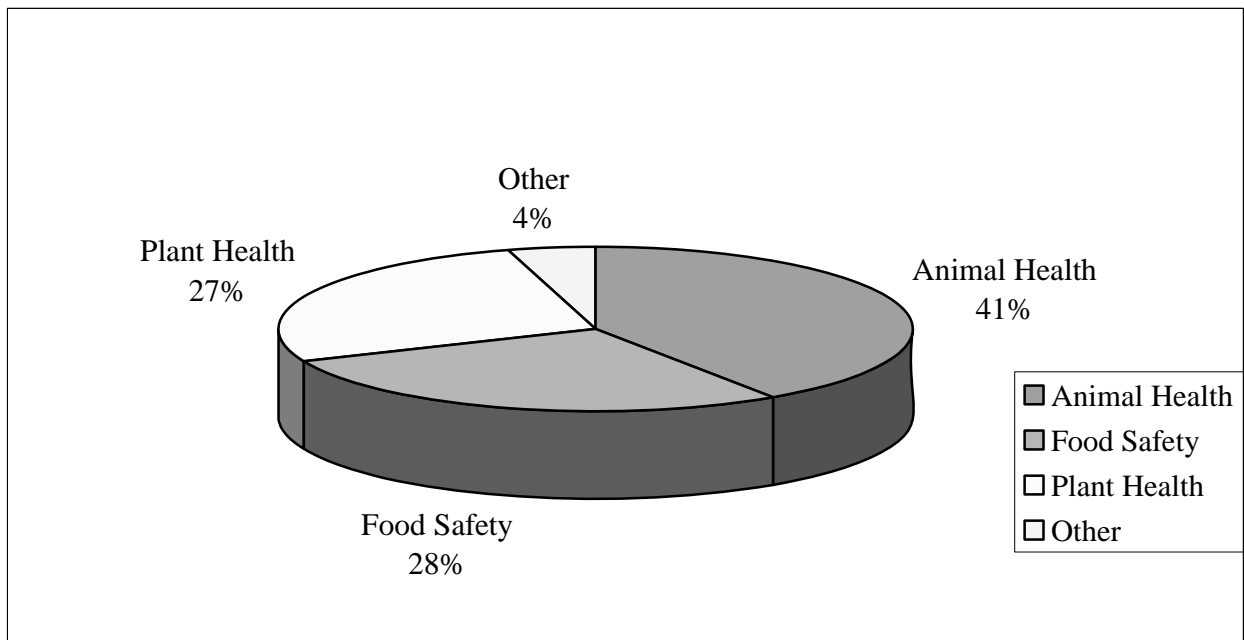
---

<sup>30</sup> G/SPS/GEN/204 and Revisions 1 through 9.

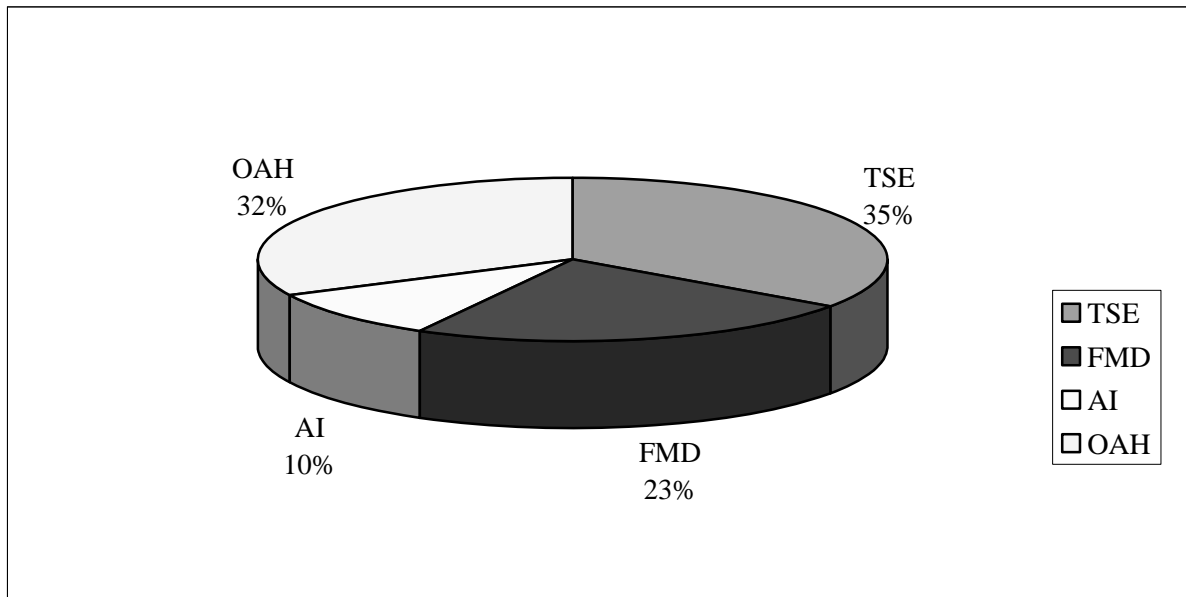
**FIGURE 1 – NUMBER OF NEW ISSUES RAISED**



**FIGURE 2A – TRADE CONCERNS BY SUBJECT**

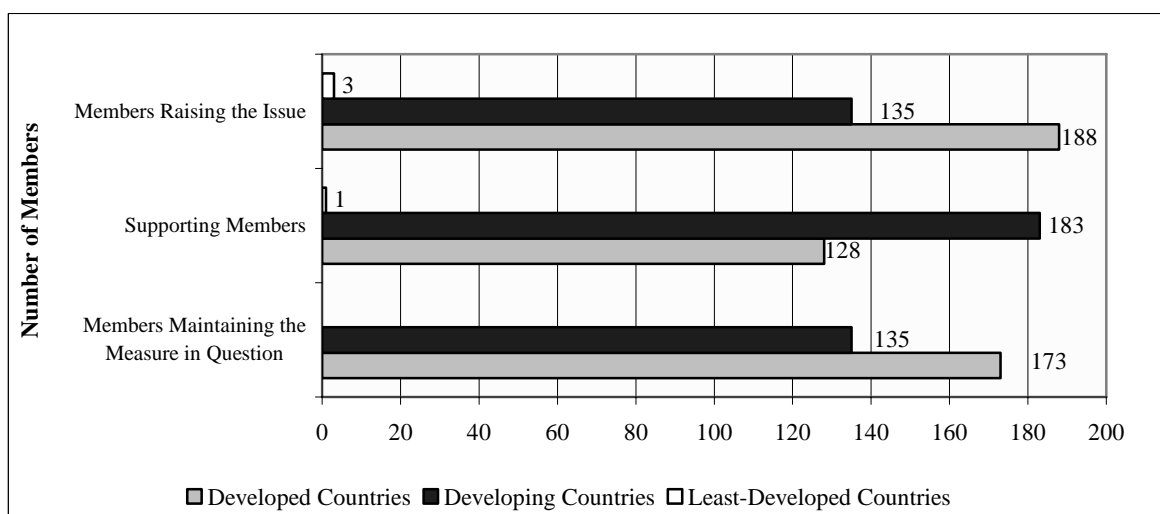


**FIGURE 2B – TRADE CONCERNS RELATED TO ANIMAL HEALTH & ZOOSES**



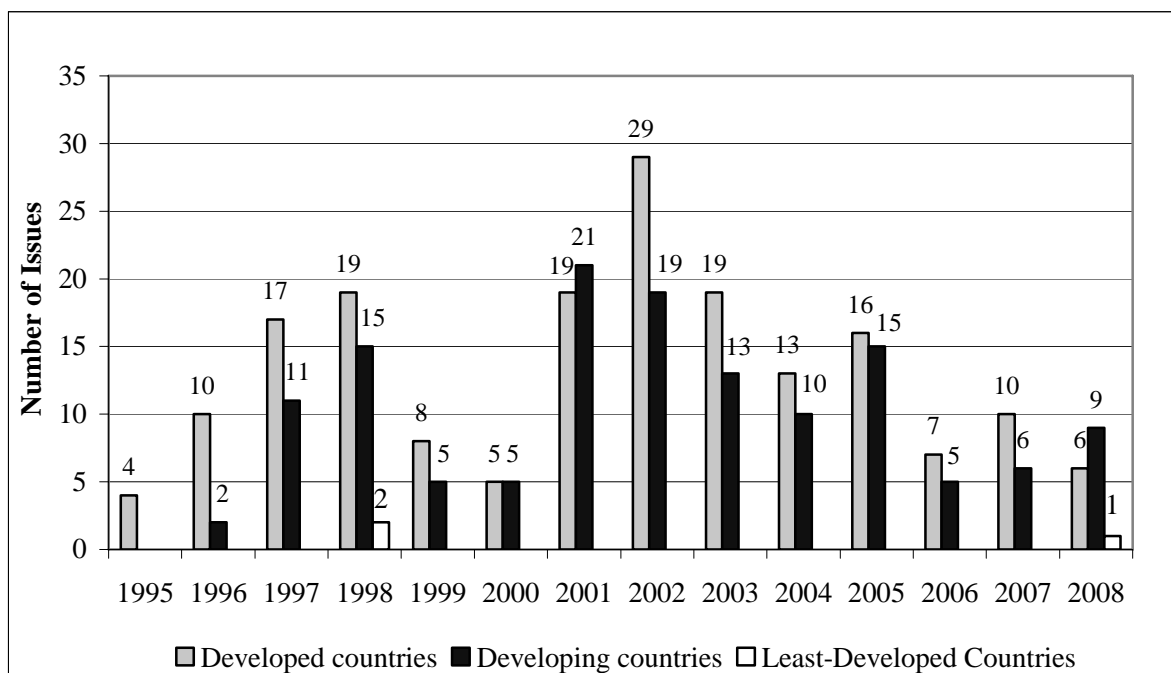
67. Developing country Members are participating actively under this agenda item in the SPS Committee meetings. Figure 3a indicates that over the fourteen years, developing country Members have raised 135 trade concerns (on many occasions more than one Member has raised, supported or maintained an issue) compared to 188 raised by developed country Members and three raised by least-developed country Members.<sup>31</sup> A developing country Member has supported another Member raising an issue in 183 cases, compared to 128 for developed country Members and one for least-developed country Members. In 173 cases, the measure at issue was maintained by a developed country Member, and in 135 cases it was maintained by a developing country Member. No trade concerns regarding measures maintained by least-developed country Members have been raised. Figure 3b shows the number of new issues raised each year by each category of Member.

**FIGURE 3A – PARTICIPATION BY WTO MEMBERS (1995-2008)**



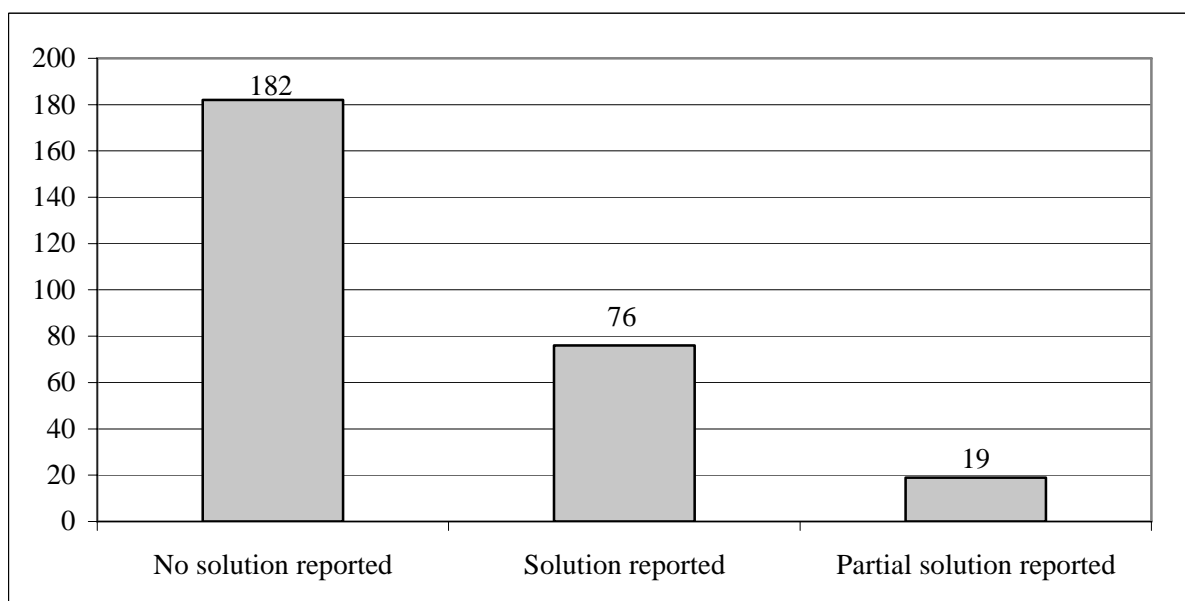
<sup>31</sup> The European Communities was counted as one Member. Similarly, when one Member spoke on behalf of ASEAN, it was counted as one Member only.

**FIGURE 3B – NUMBER OF NEW ISSUES RAISED BY MEMBERS**



68. Figure 4 indicates that 76 trade concerns have been reported resolved out of the 277 trade concerns raised over the fourteen years. Two issues were reported resolved in 2008. Nineteen trade concerns have been reported partially solved. In these instances, trade may have been allowed for selected products or by some of the importing Members maintaining the measure in question. No solutions have been reported for the remaining 182 trade concerns. It is also likely that other concerns have been resolved without the Committee being made aware of these developments.

**FIGURE 4 – SOLVED TRADE CONCERNS**





## X. PRIVATE VOLUNTARY STANDARDS

69. Since the 2005 Review of the SPS Agreement, there has been wide discussion in the Committee on the issue of private voluntary standards ("private standards"). The discussions considered the impact of commercial and private standards on market access; the effect of private standards on development and whether it is appropriate for the Committee to have a discussion on related legal aspects, as some Members do not consider this to be within the mandate of the Committee. There has been no formal determination within the WTO on whether private standards fall under the jurisdiction of the SPS Agreement.

70. The issue of private standards was first raised at the June 2005 meeting of the Committee.<sup>32</sup> At that meeting, Saint Vincent and the Grenadines raised a concern regarding the operation of a EurepGAP scheme in relation to trade in bananas with supermarkets in the United Kingdom. The requirement was with respect to the use of certain pesticides. Other Members also expressed concerns with the effects of private standards on their trade. An information session was subsequently organized in the margins of the October 2006 meeting with representatives of EurepGAP and UNCTAD.<sup>33</sup> The Committee also decided to include the issue of private and commercial standards as part of the agenda of its February 2007 meeting. A background note by the Secretariat described the different types of private standards, as well as summarized the types of concerns that had been identified by Members.<sup>34</sup>

71. In 2008, the Committee continued to discuss the effects of commercial and private SPS – related standards on trade, and the appropriate role of the SPS Committee. At its June meeting, an informal information session was held with representatives of entities involved in the development and certification of private standards, as well as with organizations who have undertaken related studies. Members were invited to propose possible actions by the SPS Committee in response to a series of questions.

72. In October 2008, the Committee agreed to the actions proposed in document G/SPS/W/230, with the following changes: (1) to request that the Secretariat prepare a format for the information solicited for purposes of undertaking a comparative study; (2) that there will be no limitation on the number of products a Member may identify as affected by private standards; and (3) that although Members should make every effort to provide as complete information as possible with regard to each product identified, a lack of complete information should not necessarily prevent consideration of the product within the comparative study. As a follow up, in December 2008, the Secretariat circulated a questionnaire on SPS-related private standards (G/SPSW/232). Members were invited to send their responses to the questionnaire by 16 February 2009.

73. Members agreed to continue to work within a small group on an informal and flexible basis, with a commitment to keep the Committee as a whole fully and continuously informed. A list of documents and other information on private standards, including all the documents on private standards circulated in the SPS Committee, and a list of research and researchers on private standards, have been made available by the Secretariat.<sup>35</sup>

---

<sup>32</sup> G/SPS/R/37/Rev.1, paras.16-20.

<sup>33</sup> G/SPS/R/43, paras. 40-42.

<sup>34</sup> G/SPS/GEN/746.

<sup>35</sup> G/SPS/GEN/865 and G/SPS/GEN/891.

## **XI. IMPLEMENTATION OF THE AGREEMENT – USE OF AD HOC CONSULTATIONS**

74. In the 2005 Review, Members were encouraged to make use of the possibility for ad hoc consultations, including through the Good Offices of the Chairperson of the SPS Committee, to facilitate the resolution of specific trade concerns.

75. Article 12.2 states that the Committee "shall encourage and facilitate ad hoc consultations or negotiations among Members on specific sanitary or phytosanitary issues". To date, this has been done through: (1) Members raising specific trade concerns at regular meetings of the SPS Committee; (2) discussions by the Committee of specific issues such as implementation of ISPM 15; private/commercial standards; and (3) provision in the Committee's Working Procedures for the use of the Good Offices of the Chairperson.

76. Document G/SPS/GEN/781 gives a broad overview of different ways in which the SPS Committee has facilitated ad hoc consultations among Members. Most commonly, Members have raised specific trade concerns at meetings of the Committee, and sought bilateral resolutions. During the Second Review, there had been proposals to improve and increase the use of the mechanism, such as providing more time for this purpose at Committee meetings, establishing specific procedures, disseminating information about the resolution of concerns raised in the past and facilitating participation of developing and least developed country Members. Rules and procedures for using the "Good Offices" of the Chair had also been proposed. This confidential procedure had been used on three occasions. In addition, according to Article 5.8, Members could request an explanation of the reasons for a measure which did not conform to an international standard or for which an international standard does not exist. This provision has been invoked by several Members over the years, and some had suggested developing a procedure for its use, however no specific procedure has been proposed.

77. The United States and Argentina each submitted proposals on guidelines for the use of the Chairperson's Good Offices. They offered to submit a joint proposal for consideration at the meeting of the Committee in February 2009.

## **XII. COOPERATION WITH THE CODEX, OIE AND IPPC**

78. In the 2005 Review, the Committee noted that the relationship between the Committee and the Codex, OIE and IPPC should be clarified with a view to facilitating the implementation of the SPS Agreement while avoiding duplication of activities. The Committee also invited Members to provide information regarding their experiences in that regard and to submit specific suggestions for consideration by the Committee.

79. The Committee is required to monitor the process of international harmonization and coordinate efforts with these bodies (Article 3.5), and to develop a procedure to monitor the use of international standards, guidelines and recommendations (Article 12.4). The Committee adopted a provisional monitoring procedure in July 1997, which has been subsequently extended and revised (G/SPS/11/Rev.1) (see Section V above). In addition, on the basis of an initiative from a Member, the Committee may, through appropriate channels, invite the relevant international organizations to examine specific matters with respect to a particular standard, guideline or recommendation (Article 12.6). In practice, this has been done through a letter from the Chairperson of the SPS Committee drawing the attention of the Codex, OIE and IPPC to relevant issues that have been identified in the annual report on the monitoring of the use of international standards.

80. Representatives from each of these organizations attend the SPS Committee meetings and representatives from the WTO Secretariat attend the meetings of these international organizations as

observers. Cooperation between the SPS Committee and the international standard-setting organizations is enhanced by coordinating meeting schedules to facilitate Member participation in regularly scheduled meetings. Several of the activities of the international standard-setting bodies have been discussed in previous Sections of this Background Document. The STDF provides an additional forum for coordination among its partner organizations, including the WTO, IPPC, OIE and Codex.

81. In the context of the recommendation arising from 2005 Review, New Zealand tabled a proposal to clarify the relationship between the SPS Committee and the Codex, IPPC and OIE, including a number of questions to be put to the Three Sisters.<sup>36</sup> Japan proposed, in light of the various cross-sectoral issues under consideration such as regionalization or private standards, that the Committee organize a workshop on the standard-setting procedures of the Codex, OIE and IPPC.<sup>37</sup> A special Workshop has been scheduled for October 2009 to examine the work of the Three Sisters and how to enhance the relationship between them and the SPS Committee. A draft programme for the workshop will be issued shortly by the Secretariat, as requested, for consideration by Members at the February meeting of the Committee.

### **XIII. DISPUTE SETTLEMENT**

82. Article 11 of the SPS Agreement indicates that the Dispute Settlement Understanding will apply to SPS disputes and provides for the consultation of experts when a dispute involves scientific or technical issues. As of December 2008, over 388 disputes had formally been raised under the WTO's dispute settlement system. Of these, 35 alleged violation of the SPS Agreement, although in seven cases this was not the main focus of the dispute. Ten panels have been established to examine eleven complaints: one panel to examine the United States' and Canada's complaints regarding the EC ban on meat treated with growth-promoting hormones; two panels to examine complaints by Canada and the United States against Australia's restrictions on imports of fresh, chilled or frozen salmon; one at the request of the United States to examine Japan's requirement that each variety of certain fruits be tested with regard to the efficacy of fumigation treatment; one regarding Japan's restrictions on apples due to fire blight requested by the United States; one panel to examine the Philippines complaints against Australia's quarantine procedures; one panel to examine complaints by the European Communities against Australia's quarantine procedures; one panel to examine complaints by the United States, Canada and Argentina concerning EC measures affecting the approval and marketing of biotech products; one panel regarding the complaint of the European Communities against the United States and Canada on their continued suspension of obligations relating to the EC-Hormones dispute; and one panel to examine New Zealand's complaint against Australia's restrictions on apples. These cases are further detailed in Appendix B.

---

<sup>36</sup> G/SPS/W/206.

<sup>37</sup> G/SPS/W/226.

**APPENDIX A**

**Summary of major SPS Committee activities, 2005-2008**

<b>Subject</b>	<b>Year</b>	<b>Type of Activity</b>	<b>Related Documents</b>
<b>Consistency</b>			
<b>Equivalence</b>			
<b>Transparency</b>	2006	Questionnaire on the Operation of SPS Enquiry Points and National Notification Authorities - Revision	G/SPS/W/103/Rev.2
	2007	Compilation of Proposals regarding the Revision of the "Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement" (Art. 7)	G/SPS/W/215, Rev.1 & Rev.2
	2007	Analysis of Replies to the Questionnaire on the Operation of the Enquiry Points and National Notification Authorities	G/SPS/GEN/751
	2007	Overview regardint the Level of the Implementation of the transparency provisions of the SPS Agreement	G/SPS/GEN/804
	2008	Proposal for a "Mentoring" System of Assistance relating to the Transparency Provisions of the SPS Agreement	G/SPS/W/217
	2008	Recommended Notification Procedures	G/SPS/7/Rev.3
	2008	Workshop on Transparency - October 2007	G/SPS/R/47
	2008	Overview regarding the Level of the Implementation of the Transparency Provisions of the SPS Agreement	G/SPS/GEN/804/Rev.1
<b>Monitoring International Standards</b>	2005	Procedure to Monitor the Process of International Harmonization – Seventh Annual Report	G/SPS/37
	2006	Review of the Provisional Procedure to Monitor the Process of International Harmonization	G/SPS/W/200
	2006	Decision to Modify and Extend the Provisional Procedure to Monitor the Process of International Harmonization	G/SPS/40

Subject	Year	Type of Activity	Related Documents
	2006	Procedure to Monitor the Process of International Harmonization – Eighth Annual Report	G/SPS/42 & Corr.1
	2007	Procedure to Monitor the Process of International Harmonization – 9 <sup>th</sup> Annual Report	G/SPS/45
	2008	Procedure to Monitor the Process of International Harmonization – Tenth annual report	G/SPS/49
<b>Technical Assistance</b>	2005	Update on the Operation of the Standards and Trade Development Facility (STDF)	G/SPS/GEN/595
	2005	Review of Standards related Issues identified in the Integrated Framework Diagnostic Trade Integration Studies	G/SPS/GEN/545
	2006	Update on the Operation of the STDF	G/SPS/GEN/718
	2006	Overview of SPS-related Technical Assistance reported to the WTO/OECD Trade Capacity Building Database	G/SPS/GEN/726
	2006	Workshop on the Implementation of the SPS Agreement -March 2006	G/SPS/R/41
	2006	SPS Technical Assistance and Training Activities	G/SPS/GEN/521/Rev.1
	2007	<i>Idem</i>	G/SPS/GEN/521/Rev.2
	2007	SPS Technical Assistance Activities in 2007	G/SPS/GEN/797
	2007	Update on the Operation of the STDF	G/SPS/GEN/774
	2007	Background Document from the STDF for the Global Review of Aid for Trade	G/SPS/GEN/812
	2008	SPS Technical Assistance and Training Activities	G/SPS/GEN/521/Rev.3
	2008	Workshop on SPS-related Capacity Evaluation Tools	G/SPS/R/48
	2008	Mobilizing Aid for Trade for SPS-related Technical Cooperation – Conclusions from Pilot Activities of the STDF	G/SPS/GEN/864
2008	Report on Workshop on Good Practice in SPS-related Technical Assistance	G/SPS/R/52	

Subject	Year	Type of Activity	Related Documents
<b>Special and Differential Treatment</b>	2005	Report on Proposals for Special and Differential Treatment	G/SPS/35
	2005	Proposals and Progress on Special and Differential Treatment	G/SPS/GEN/543
	2006	Decision to Extend the Procedures to Enhance Transparency of S&D in Favour of Developing Country Members	G/SPS/W/184
	2005	Special and Differential Treatment – Report by the Chairman to the General Council	G/SPS/39
	2006	<i>Idem</i>	G/SPS/41
	2007	<i>Idem</i>	G/SPS/44
	2007	<i>Idem</i>	G/SPS/46
	2008	Proposed Revision of the Procedure to Enhance Transparency of S&D in Favour of Developing Country Members (G/SPS/33)	G/SPS/W/224
	2008	<i>Idem</i> - Revision	G/SPS/W/224/Rev.1
<b>Regionalization</b>	2006	Compendium of Documents regarding Article 6	G/SPS/GEN/636 & Corr.1 and Rev.1 and Rev.1/Corr.1
	2006	Issues in the Application of Article 6 of the SPS Agreement – Background Document	G/SPS/GEN/640 & Rev.1
	2006	Summary of the Special Meeting on Article 6	G/SPS/R/38 & Corr.1
	2008	Guidelines to Further the Practical Implementation of Article 6 of the SPS Agreement	G/SPS/48
<b>Implementation of the Agreement-Specific Trade Concerns</b>	2005	Specific Trade Concerns	G/SPS/GEN/204/Rev.5 and Addenda
	2006	<i>Idem</i>	G/SPS/GEN/204/Rev.6 and Addenda
	2007	<i>Idem</i>	G/SPS/GEN/204/Rev.7 and Addenda
	2007	Ad hoc Consultations and Resolution of Trade Concerns	G/SPS/GEN/781
	2008	Specific Trade Concerns	G/SPS/GEN/204/Rev.8 and Addenda

Subject	Year	Type of Activity	Related Documents
<b>Other</b>	2005	Review of the Operation and Implementation of the SPS Agreement	G/SPS/36
	2006	SPS Agreement – Designation of a Regional Body – Communication from Antigua, Barbuda, Barbados, Cuba, Dominica, Fiji, Grenada, Jamaica, Mauritius, Papua New Guinea, Solomon Islands, St. Kitts and Nevis, St. Vincent and the Grenadines - Revision	WT/COMTD/SE/W/16/Rev.1 and Rev.2
	2006	Committee on Trade and Development in dedicated Session – Report to the General Council on Measures to Assist Small Economies in Meeting their Obligations under the Agreements on SPS Measures, TBT and TRIPS	WT/COMTD/SE/5
	2007	Private Standards and the SPS Agreement	G/SPS/GEN/746
	2007	Joint UNCTAD/WTO Informal Information Session on Private Standards	Job(07)/89/Rev.1
	2007	Relationship with Codex, IPPC and OIE	G/SPS/GEN/775
	2008	Private Standards – Identifying Practical Actions for the SPS Committee – Summary of Responses	G/SPS/W/230
	2008	Report of the STDF Information Session on Private Standards	G/SPS/R/50
	2008	Proposed Procedure for Third Review	G/SPS/W/228
	2008	Report to the Council for Trade in Goods on China's Transitional Review	G/SPS/50
	2008	Questionnaire on SPS-related Private Standards	G/SPS/W/232
	2008	Research and Researchers on Private Standards	G/SPS/GEN/891

## APPENDIX B

### WTO Disputes Invoking the SPS Agreement

Since 1 January 1995, violations of the SPS Agreement have been alleged in the following invocations of the formal dispute settlement provisions of the WTO. Those which have been referred to a panel are highlighted.

	DS Number	Parties and nature of complaint	Panel Report / Appellate Body Report circulation	Comments
1	WT/DS3	US complaint against Korea's inspection procedures for fresh fruits		Mutually satisfactory solution notified in July 2001 (G/SPS/GEN/265)
2	WT/DS41	US complaint against Korea's inspection procedures for fresh fruits		Mutually satisfactory solution notified in July 2001 (G/SPS/GEN/265)
3	WT/DS5	US complaint against Korea's shelf-life requirements for frozen processed meats and other products		Mutually agreed solution notified in July 1995.
4	WT/DS18	Canada's complaint against Australia's import restrictions on fresh, chilled or frozen salmon <b>Australia - Salmon</b>	WT/DS18/R (1998) WT/DS18/AB/R (1998) WT/DS18/RW (2000)	Mutually agreed solution notified in May 2000.
5	WT/DS21	US complaint against Australia's import restrictions on fresh, chilled or frozen salmon <b>Australia - Salmonids</b>		Mutually agreed settlement notified in November 2000.
6	WT/DS20	Canada's complaint against Korea's restrictions on treatment methods for bottled water		Mutually agreed solution notified in April 1996.
7	WT/DS26	US complaint against EC's prohibition of meat from animals treated with growth-promoting hormones <b>EC – Hormones (US)</b>	WT/DS26/R/USA (1997) WT/DS26/AB/R (1998) WT/DS26/ARB (1999)	Suspension of concessions authorized on 26 July 1999.
8	WT/DS48	Canada's complaint against EC's prohibition of meat from animals treated with growth-promoting hormones <b>EC – Hormones (Canada)</b>	WT/DS48/R/CAN (1997) WT/DS48/AB/R (1998) WT/DS48/ARB (1999)	Same panel handled both complaints. See above.
9	WT/DS76	US complaint against Japan's "varietal testing" requirement for fresh fruits <b>Japan – Agricultural Products II</b>	WT/DS76/R (1998) WT/DS76/AB/R (1999)	Mutually agreed solution notified in September 2001.
10	WT/DS96	EC complaint against India's quantitative restrictions on agricultural and other products		Mutually agreed solution notified in April 1998.
11	WT/DS100	EC complaint against US restrictions on poultry imports		Consultations requested on 18 August 1997; pending.



	<b>DS Number</b>	<b>Parties and nature of complaint</b>	<b>Panel Report / Appellate Body Report circulation</b>	<b>Comments</b>
12	WT/DS133	Swiss complaint against Slovakia's BSE-related restrictions on cattle and meat		Consultations requested on 11 May 1998; pending.
13	WT/DS134	India's complaint against EC restrictions on rice imports		Consultations requested on 25 May 1998; pending.
14	WT/DS135	Canada's complaint against EC (French) measures affecting asbestos <b>EC - Asbestos</b>	WT/DS/135/R (2000) WT/DS/135/AB/R (2001)	SPS Agreement not invoked in the reports.
15	WT/DS137	Canada's complaint against EC restrictions due to pine wood nematodes		Consultations requested on 17 June 1998; pending.
16	WT/DS144	Canada's complaint against US state restrictions on movement of Canadian trucks carrying live animals and grains		Consultations requested on 25 September 1998; pending.
17	WT/DS203	US complaint against Mexico on measures affecting trade in live swine		Consultations requested on 10 July 2000; pending.
18	WT/DS205	Thai complaint against Egypt's GMO-related prohibition on imports of canned tuna with soybean oil		Consultations requested on 22 September 2000; pending.
19	WT/DS237	Ecuador's complaint against Turkey's import requirements for fresh fruit, especially bananas Turkey – Fresh Fruit Import Procedures		Mutually agreed solution notified in November 2002.
20	WT/DS245	US complaint against Japan's restrictions on apples due to fire blight <b>Japan - Apples</b>	WT/DS245/R (2003) WT/DS245/AB/R (2003) WT/DS245/RW (2005)	Mutually agreed solution notified on 2 September 2005
21	WT/DS256	Hungarian complaint against Turkey's restrictions on imports of pet food (BSE)		Consultations requested on 3 May 2002; pending.
22	WT/DS270	Philippine complaint against Australia's restrictions on fresh fruits and vegetables, including bananas <b>Australia - Fresh Fruit and Vegetables</b>		Panel established August 2003
23	WT/DS271	Philippine complaint against Australia's restrictions on pineapple		Consultations requested on 18 October 2002; pending.
24	WT/DS279	EC complaint against India's Export and Import Policy		Consultations requested on 23 December 2002; pending.
25	WT/DS284	Nicaragua complaint against Mexico's phytosanitary restrictions on black beans		Mutually agreed solution notified in March 2004.
26	WT/DS287	EC complaint against Australian quarantine regime <b>Australia – Quarantine Regime</b>		Panel established November 2003. Mutually agreed solution notified in March 2007

	<b>DS Number</b>	<b>Parties and nature of complaint</b>	<b>Panel Report / Appellate Body Report circulation</b>	<b>Comments</b>
27	WT/DS291	US complaint against EC on GMO approvals <b>EC – Approval and Marketing of Biotech Products</b>	WT/DS291/R (2006)	Panel report adopted on 21 November 2006. Arbitration requested on the level of suspension of concessions (Art. 22.6) on 7 February 2008; suspended on 15 February 2008
28	WT/DS292	Canadian complaint against EC on GMO approvals <b>EC – Approval and Marketing of Biotech Products</b>	WT/DS292/R (2006)	Panel report adopted on 21 November 2006
29	WT/DS293	Argentina complaint against EC on GMO approvals <b>EC – Approval and Marketing of Biotech Products</b>	WT/DS293/R (2006)	Panel report adopted on 21 November 2006
30	WT/DS297	Hungary's complaint against Croatia's restrictions on live animals and meat products (TSEs).		Consultations requested on 9 July 2003; pending.
31	WT/DS320	EC complaint against the US on its Continued Suspension of Obligations in the EC-Hormones Dispute* <b>US – Continued Suspension of Obligations in the EC – Hormones Dispute</b>	WT/DS320/R WT/DS320/AB/R	Panel report circulated on 31 March 2008. Panel report appealed on 29 May 2008. Appellate Body report issued on 16 October 2008.
32	WT/DS321	EC complaint against Canada on its Continued Suspension of Obligations in the EC-Hormones Dispute* <b>Canada– Continued Suspension of Obligations in the EC – Hormones Dispute</b>	WT/DS321/R WT/DS321/AB/R	Panel report circulated on 31 March 2008. Panel report appealed on 29 May 2008. Appellate Body report issued on 16 October 2008.
33	WT/DS367	<b>New Zealand complaint against Australia's restrictions on apples</b>		Panel established on 21 January 2008
34	WT/DS384/1	Canada complaint against the US and certain country of origin labelling requirements <b>United States – Certain Country of Origin Labelling (COOL) Requirements</b>		Request for consultations by Canada on 4 December 2008
35	WT/DS386/1	Mexico complaint against the US and certain country of origin labelling requirements <b>United States – Certain Country of Origin Labelling (COOL) Requirements</b>		Request for consultations by Mexico on 22 December 2008

\* Neither of these two requests for consultations claim violation of the SPS Agreement, however, one of the issues of concern regards the EC implementation of the rulings in WT/DS26 and WT/DS48 above, hence it is probable that the implementation of the SPS Agreement will be relevant to these disputes

**APPENDIX C**

**List of SPS Committee documents submitted by Members 2005-2008**

**A. Information on Member's experiences related to Equivalence (Article 4)**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2005	Brazil	Technical Committee on the health and hygiene of fishery products of Argentina, Brazil, Chile and Uruguay – Equivalence of inspection systems	G/SPS/GEN/586
2007	Panama	Determination of the recognition of equivalence	G/SPS/N/EQV/PAN/1
2008	Dominican Republic	Determination of the recognition of equivalence	G/SPS/N/EQV/DOM/1

**B. Comments/proposals regarding Transparency (Article 7 and Annex B)**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2005	Kazakhstan	Transparency	G/SPS/GEN/544
2006	Australia	Second Review of the SPS Agreement – Review of the implementation of transparency provisions	G/SPS/W/197
	Bulgaria	Transparency	G/SPS/GEN/737
	European Communities	Transparency	G/SPS/GEN/737
	Romania	Transparency	G/SPS/GEN/737
	United States	Second Review of the SPS Agreement – Review of the implementation of transparency provisions	G/SPS/W/197
	New Zealand	<i>Idem</i>	
2007	China	Proposal on the amendment of "the recommended procedures for implementing the transparency obligations of the SPS Agreement (Article 7)"	G/SPS/W/212
	European Communities	The EC NNA/EP for the SPS Agreement: experience acquired in the operational procedures and recent experience – Reflection note	G/SPS/GEN/803

Year	Member	Title/Subject	Symbol
2008	Argentina	Proposals regarding the revision of recommended procedures regarding transparency	G/SPS/W/220
	Chile	Chile's position on the implementation of the principle of transparency in 2008	G/SPS/W/221

**C. Comments/proposals regarding monitoring the use of international standards (Article 3.5 and 12.4)**

Year	Member	Title/Subject	Symbol
2005	Brazil	Brazilian approval of the new revised text of the IPPC 1997	G/SPS/GEN/600
	China	Monitoring the use of international standards: ISPM 15	G/SPS/GEN/551
	Ecuador	Establishment of the National Codex Alimentarius Committee	G/SPS/GEN/591
	European Communities	Implementation of ISPM 15 from 1 March 2005: new requirements for the import of wood packaging material and dunnage for a better protection against the introduction of pests or diseases in the European Union	G/SPS/GEN/556
	Kingdom of Bahrain	Adoption of international Codex standards	G/SPS/GEN/537
	Mauritius	Implementation of international standards	G/SPS/GEN/547
2006	Argentina	ISPM 15	G/SPS/GEN/653
	Brazil	Brazilian approval of the new revised text of the IPPC 1997	G/SPS/GEN/696
	Japan	Implementation of ISPM No. 15 as of April 2007	G/SPS/GEN/739
	New Zealand	Relationship between the SPS Committee and the standard-setting bodies	G/SPS/W/206
	Sri Lanka	Procedure to monitor the process of international harmonization	G/SPS/W/187
2008	Japan	Relationship between the SPS Committee and Codex, OIE and IPPC	G/SPS/W/226

**D.1 Information regarding Member's provision of technical assistance and training activities (Article 9)**

Year	Member	Title/Subject	Symbol
2005	New Zealand	Technical assistance provided to developing country Members by New Zealand since 1 January 1995 – Revision	G/SPS/GEN/352/Rev.1

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
	United States	Technical assistance to developing country Members provided by the United States – Addendum/Revision	G/SPS/GEN/181/Add.5 and Rev.1
2006	Australia	Technical assistance to developing country Members	G/SPS/GEN/717
2006	Canada	Technical assistance to developing country Members	G/SPS/GEN/728
	European Communities	Technical assistance in the SPS field provided by the EC	G/SPS/GEN/669
2007	Australia	Technical assistance to developing country Members	G/SPS/GEN/717/Add.1
	Canada	Technical assistance to developing country Members	G/SPS/GEN/765
	European Communities	EC Technical assistance in the SPS Sector	G/SPS/GEN/839
	New Zealand	Technical assistance for operating the SPS Notification Authority and SPS Enquiry Point	G/SPS/W/214
	Norway	SPS technical assistance	G/SPS/GEN/879
	United States	Technical assistance to developing country Members provided by the United States	G/SPS/GEN/181/Add.6
2008	United States	Technical assistance to developing country Members provided by the United States	G/SPS/GEN/181/Add.7

**D.2 Information regarding Member's technical assistance and training needs (Article 9)**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2005	Peru	Technical assistance within the framework of the WTO Agreement on the Application of SPS Measures	G/SPS/GEN/579
2006	Central African Republic	Technical assistance	G/SPS/GEN/644
	Tanzania	Technical assistance related to fisheries sector - Experience from the United Republic of Tanzania	G/SPS/GEN/687
2007	Costa Rica	Technical assistance – Responses to the questionnaire	G/SPS/GEN/295/Add.29/Rev.1
	Guatemala	Technical assistance – Responses to the questionnaire	G/SPS/GEN/295/Add.22/Rev.1
	Rwanda	Technical assistance – Responses to the questionnaire	G/SPS/GEN/295/Add.37
2008	Belize	Technical Assistance	G/SPS/GEN/885

**E. Comments/proposals regarding special and differential treatment (Article 10)**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2006	United States	Special and differential treatment	G/SPS/W/198
2007	Egypt	Statement to the informal meeting	JOB(07)/25
	Egypt	Proposed revision of G/SPS/33	JOB(07)/104
	Egypt	Suggested language by Egypt for Article 10.1 of the SPS Agreement	JOB(07)/99

**F.1 Comments/proposals regarding Regionalization (Article 6)**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2005	Argentina	Article 6 of the Agreement on the Application of SPS Measures	G/SPS/GEN/606
	Australia	Monitoring of international harmonization: regionalization	G/SPS/W/172
	Brazil	Improving the application of Article 6 of the SPS Agreement	G/SPS/W/177
	Brazil	Recognition of the state of Acre and the municipalities of Boca Do Acre and Guajará in the state of Amazonas, Northern region of Brazil, as Foot-and-Mouth Disease – Free zones where vaccinations is practiced	G/SPS/GEN/601
	Canada	Implementation of Article 6 of the SPS Agreement	G/SPS/GEN/613
	Chile	Proposal by Chile to further the discussion concerning the implementation of Article 6 on regionalization	G/SPS/W/171
	Colombia	Procedures for recognition of pest- or disease- free areas or areas of low pest or disease prevalence under Article 6 of the SPS Agreement	G/SPS/GEN/611
	European Communities	Clarification of Article 6 of the SPS Agreement	G/SPS/GEN/588
	Japan	Implementation of Article 6 (Regionalization) of the Agreement on the Application of SPS Measures	G/SPS/GEN/605
	Peru	Regionalization	G/SPS/GEN/607

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2006	Argentina	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/189
	Brazil	Implementation of Art. 6 of the SPS Agreement	G/SPS/W/185
	Brazil	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/189
	Colombia	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/189
2006	Ecuador	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/189
	Ecuador	Regionalization	G/SPS/GEN/623
	Egypt	Article 6 – Procedures for recognition of pest- or disease-free areas or areas of low pest or disease prevalence	G/SPS/W/193
	Egypt	Implementation of Art. 6 – Experience in establishing and Maintaining "Pest-Free Areas"	G/SPS/GEN/630
	European Communities	Application of Art. 6 of the SPS Agreement	G/SPS/GEN/632
	European Communities	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/190
	Grenada	Article 6 of the SPS Agreement	G/SPS/W/194
	Japan	Issues in the application of Art. 6 of the SPS Agreement	G/SPS/W/192
	Korea	Article 6 of the SPS Agreement	G/SPS/W/195
	Mexico	Regionalization	G/SPS/GEN/622
	New Zealand	Comments on G/SPS/GEN/640/Rev.1 – Article 6	G/SPS/GEN/725
	New Zealand	Procedures for recognition of pest- or disease-free area or areas of low pest prevalence under Art. 6 – Comparison of standards developed by the ISSBs	G/SPS/GEN/698 and Rev.1
	Paraguay	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/189
	Chinese Taipei	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/205
	United States	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/199
	United States	Additional comments on Art. 6 of the SPS Agreement – Adaptation to regional conditions	G/SPS/GEN/631
	Uruguay	Comments on G/SPS/GEN/640 – Article 6	G/SPS/W/189
2008	Chile	Chile's position on regionalization guidelines for 2008	G/SPS/W/222
	New Zealand	Guidelines to further the practical implementation of Art. 6 of the SPS Agreement	G/SPS/W/218

**F.2 Information regarding Member's experience related to Regionalization (Article 6)**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2005	Brazil	Pest free area of Minas Gerais state – <i>Micosphaerella fijiensis</i>	G/SPS/GEN/561
	Brazil	Pest free area of Ceará state – <i>Anastrepha grandis</i>	G/SPS/GEN/562
	Brazil	Foot and mouth disease free zone – Brazilian experience on regionalization	G/SPS/GEN/584
	Brazil	Newcastle disease – Brazilian experience in certifying disease free flocks	G/SPS/GEN/608
	Brazil	Classical swine fever – Brazilian experience in regionalization	G/SPS/GEN/609
	Canada	Update on developments in Canada regarding Bovine Spongiform Encephalopathy (BSE)	G/SPS/GEN/585
	Chile	Notification of recognition of pest- and disease-free zones - Regionalization	G/SPS/W/181
	Colombia	Avian influenza	G/SPS/GEN/602
	Nicaragua	Status of the national classical swine fever eradication programme in Nicaragua	G/SPS/GEN/575
	Nicaragua	Nicaragua initiates brucellosis – and tuberculosis - free certification for farms	G/SPS/GEN/576
	Peru	Current FMD Status	G/SPS/GEN/558
2006	Argentina	Grains, fruits etc. – FMD	G/SPS/GEN/654
	Australia	Exercise Eleusis – Avian influenza simulation	G/SPS/GEN/619
	Australia	Issues in the application of Art. 6 of the SPS Agreement	G/SPS/W/191
	Australia	Issues in the application of Art. 6 of the SPS Agreement - Addendum	G/SPS/W/191 and Add.1
	Brazil	Pest free area of Minas Ceará state – <i>Micosphaerella fijiensis</i>	G/SPS/GEN/562/Add.1
	Brazil	Area of Rio Grande do Norte State free of <i>Anastrepha grandis</i>	G/SPS/GEN/642
	Brazil	Pest-free area of Bahia state – <i>Mycosphaerella fijiensis</i>	G/SPS/GEN/697
	Canada	Update on developments regarding BSE	G/SPS/GEN/635
Chile	Situation regarding BSE	G/SPS/GEN/633	
Chile	Experience in the application of the principle of regionalization	G/SPS/GEN/610	



Year	Member	Title/Subject	Symbol
2006	Colombia	Experiences in regionalization: FMD	G/SPS/GEN/612
	Colombia	Avian influenza H9N2	G/SPS/GEN/621
	Egypt	Experience in establishing and maintaining "Pest-Free Areas"	G/SPS/GEN/630
	Mexico	Regionalization - Information for the recognition of fruit fly-free areas	G/SPS/GEN/440/Rev.1
	Nigeria	Current SPS measures regarding the avian influenza situation	G/SPS/GEN/637
	Peru	Recognition of Southern Peru as a foot-and-mouth disease-free zone where vaccination is not practised	G/SPS/GEN/578
	Turkey	Avian Influenza	G/SPS/GEN/620 and Rev. 1
2007	Brazil	Pest free area of Cear� state – <i>Anastrepha grandis</i>	G/SPS/GEN/562/Add.2
	Panama	Pest-free area of classical swine fever	G/SPS/GEN/783
	Panama	Certification and/or declaration of an area free of Mediterranean fruit fly in the Azuero peninsula	G/SPS/GEN/752
	Philippines	Avian Influenza and FMD status as of 1 March 2007	G/SPS/GEN/771
2008	Argentina	Foot and mouth disease situation	G/SPS/GEN/868
	Belize	Classical swine fever and FMD-free status	G/SPS/GEN/861
	Canada	Update on an outbreak of highly pathogenic avian influenza (H7N3) in the province of Saskatchewan	G/SPS/GEN/866
	Chile	Recognition of pest- and disease-free areas	G/SPS/GEN/862
	Haiti	Sanitary information – BSE	G/SPS/GEN/846
	Mexico	Report on the classification of Mexico by the OIE regarding BSE	G/SPS/GEN/858
	Peru	Areas found to be free of <i>Stenomacra catenifer</i> (Lepidoptera-oecophoridae) on the basis of survey work on this pest conducted in Peruvian coastal areas where avocado ( <i>Persea Americana</i> ) is produced	G/SPS/GEN/815
	Switzerland	BSE	G/SPS/GEN/844

**G. Comments/proposals regarding Monitoring Implementation of the Agreement (Articles 12.1 and 12.2)—Specific trade concerns**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2005	Costa Rica	Panama – Imports of products of animal origin	G/SPS/GEN/582
	Sri Lanka	Trade difficulties encountered in the export of Sri Lankan cinnamon to the European Communities	G/SPS/GEN/597
	Uruguay	Undue delays	G/SPS/W/169
2006	Argentina	Review of concerns raised by Members pending their resolution	G/SPS/GEN/693
	Colombia	Proposal for preventing undue delays in the entry of animals, plants and their products	G/SPS/W/201
	Colombia	EC Regulation 258/97 on Novel Foods	G/SPS/GEN/735
	Ecuador	EC Regulation 258/97 on Novel Foods	G/SPS/GEN/714
	European Communities	Questions and answers on the EC control measures for avian influenza	G/SPS/GEN/641
	European Communities	Reply of the EC to the communication from Peru concerning Regulation 258/97 on Novel Foods	G/SPS/GEN/699
	Peru	Regulation 258/97 Of The European Parliament And Of The Council Concerning Novel Foods	G/SPS/GEN/681
	Peru	EC Regulation 258/97 on Novel Foods	G/SPS/GEN/713
	Peru	EC Regulation 258/97 on Novel Foods	G/SPS/GEN/733
	Uganda	Fish exports from Lake Victoria	G/SPS/GEN/685
2007	New Zealand	Australia – Measures affecting the importation of apples from New Zealand – Request for consultations	G/SPS/GEN/796
	Thailand	Undue delays in relation to Article 5 (risk assessment) and interim measures	G/SPS/GEN/769
2008	Argentina	Good offices of the Chairperson	G/SPS/W/219
	Peru	EC Regulation 258/97 on Novel Foods	G/SPS/GEN/884
	United States	Article 12.2 – Consultations	G/SPS/W/227

**H. Review of the Agreement**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2005	Costa Rica	Second review of the operation and implementation of the SPS Agreement – Prioritization of issues for the future work programmes of the SPS Committee.	G/SPS/W/180
2005	New Zealand	Second review of the operation and implementation of the SPS Agreement – Work programme	G/SPS/W/179
2006	Brazil	Second Review of the SPS Agreement – Prioritization of issues for the future work programme of the SPS Committee	G/SPS/W/182
	Canada	Second Review of the SPS Agreement – Clarification of the terms "measures" and "regulations" as contained in the SPS Agreement	G/SPS/W/186
	Chile	Second Review of the SPS Agreement – Undue delays	G/SPS/W/202
	Chile	Second Review of the SPS Agreement – Harmonization, relationship with int. organizations and int. standards	G/SPS/W/203
	Chile	Second review of the SPS – Proposed differences or clarifications procedure	G/SPS/W/204
	Colombia	Second Review of the SPS Agreement – Priority topics to be taken into account in the future work of the Committee	G/SPS/W/188
	Costa Rica	Second Review of the SPS Agreement – Discussion proposal for the more effective implementation of the <i>ad hoc</i> consultations mechanism within the framework of Art. 12.2	G/SPS/W/183
	New Zealand	Second Review of the SPS Agreement – Review of the implementation of transparency provisions	G/SPS/W/197
2007	Canada	Second review of the SPS Agreement – Transparency enhancement proposal	G/SPS/GEN/778

**I. China Transitional Review**

<b>Year</b>	<b>Member</b>	<b>Title/Subject</b>	<b>Symbol</b>
2005	European Communities	Transitional Review Mechanism under paragraph 18 of the Protocol of Accession of the People's Republic of China – Comments for China	G/SPS/W/178
	United States	Transitional Review Mechanism pursuant to paragraph 18 of the Protocol of Accession of the People's Republic of China – Questions from the United States	G/SPS/GEN/594
2006	European Communities	Transitional Review Mechanism pursuant to paragraph 18 of the Protocol of Accession of the People's Republic of China – Questions from the European Communities	G/SPS/W/208
	United States	Transitional Review Mechanism pursuant to paragraph 18 of the Protocol of Accession of the People's Republic of China – Questions from the United States	G/SPS/W/207
2007	European Communities	Transitional Review Mechanism pursuant to paragraph 18 of the Protocol of Accession of the People's Republic of China – Questions from the European Communities	G/SPS/W/216
	United States	Transitional Review Mechanism pursuant to paragraph 18 of the Protocol of Accession of the People's Republic of China – Questions from the United States	G/SPS/W/213
2008	European Communities	Transitional Review Mechanism pursuant to paragraph 18 of the Protocol of Accession of the People's Republic of China – Questions from the European Communities	G/SPS/W/231
	United States	Transitional Review Mechanism pursuant to paragraph 18 of the Protocol of Accession of the People's Republic of China – Questions from the United States	G/SPS/W/229

**J. Private Standards**

Year	Member	Title/Subject	Symbol
2007	Ecuador	Private and commercial standards	G/SPS/GEN/792
	St. Vincent and the Grenadines	Private industry standards	G/SPS/GEN/766
	United Kingdom	Private voluntary standards within the WTO multilateral framework	G/SPS/GEN/802
2008	Uruguay	Terms of reference for the working group on private standards	G/SPS/W/225
	Uruguay	Private standards	G/SPS/GEN/843

**K. Implementation of the SPS Agreement**

Year	Member	Title/Subject	Symbol
2006	Bangladesh	Implementation of the SPS Agreement – Information for the workshop on 31 March 2006	G/SPS/GEN/676
	Benin	<i>Idem</i>	G/SPS/GEN/670
	Burkina Faso	<i>Idem</i>	G/SPS/GEN/662
	Burundi	<i>Idem</i>	G/SPS/GEN/674
	Cameroon	<i>Idem</i>	G/SPS/GEN/671
	Congo	<i>Idem</i>	G/SPS/GEN/659
	Costa Rica	<i>Idem</i>	G/SPS/GEN/679
	Chad	<i>Idem</i>	G/SPS/GEN/667
	Colombia	<i>Idem</i>	G/SPS/GEN/652
	The Gambia	<i>Idem</i>	G/SPS/GEN/664
	Guatemala	<i>Idem</i>	G/SPS/GEN/682
	Haiti	<i>Idem</i>	G/SPS/GEN/677
	Honduras	<i>Idem</i>	G/SPS/GEN/683
	Jamaica	<i>Idem</i>	G/SPS/GEN/645
	Kenya	<i>Idem</i>	G/SPS/GEN/660
	Madagascar	<i>Idem</i>	G/SPS/GEN/672
	Mauritania	<i>Idem</i>	G/SPS/GEN/684
	Mauritius	<i>Idem</i>	G/SPS/GEN/657
	Cuba	<i>Idem</i>	G/SPS/GEN/655
	Mongolia	<i>Idem</i>	G/SPS/GEN/675
	Nepal	<i>Idem</i>	G/SPS/GEN/656
	Niger	<i>Idem</i>	G/SPS/GEN/678
	Dominican Republic	<i>Idem</i>	G/SPS/GEN/691
	Egypt	<i>Idem</i>	G/SPS/GEN/647
	Egypt	<i>Idem</i>	G/SPS/GEN/649
	Egypt	<i>Idem</i>	G/SPS/GEN/651
	Nigeria	<i>Idem</i>	G/SPS/GEN/686
	Pakistan	<i>Idem</i>	G/SPS/GEN/661
Pakistan	<i>Idem</i>	G/SPS/GEN/692	
South Africa	<i>Idem</i>	G/SPS/GEN/690	
Togo	<i>Idem</i>	G/SPS/GEN/665	

Year	Member	Title/Subject	Symbol
2006	Trinidad and Tobago	<i>Idem</i>	G/SPS/GEN/680
	Peru	<i>Idem</i>	G/SPS/GEN/668
	Uganda	<i>Idem</i>	G/SPS/GEN/673
	Zimbabwe	<i>Idem</i>	G/SPS/GEN/663

**L. Other**

Year	Member	Title/Subject	Symbol
2005	Costa Rica	Phytosanitary certificate	G/SPS/GEN/604
	Cuba	Measures implemented in the field of veterinary medicine	G/SPS/GEN/538
	Dominican Republic	Current domestic measures to facilitate the implementation of the WTO Agreement on the Application of SPS Measures	G/SPS/GEN/587
	European Communities	Traceability of food, feed, food-producing animals, and any other substance intended to be, or expected to be, incorporated into a food or feed imported into the Community for placing on the market	G/SPS/GEN/539
	European Communities	Questions and answers on the procedure to obtain import tolerances and the inclusion of active substances for plant protection uses in the European Communities list	G/SPS/GEN/557
2006	Colombia	Centre for Phytosanitary Excellence – CEF – A Colombian cooperation initiative pursuant to Art. 5 of the SPS Agreement	G/SPS/GEN/702
	Colombia	Risk analysis	G/SPS/GEN/734
	Colombia	Strengthening of Colombia's system of sanitary and phytosanitary measures	G/SPS/GEN/736
	Cuba	Measures implemented in the field of veterinary medicine	G/SPS/GEN/615
	European Communities	Public consultation on the impact assessment of Regulation 258/97 on novel foods and food ingredients	G/SPS/GEN/700
	European Communities	Call for early comments on a Commission report on animal by-products not intended for human consumption	G/SPS/GEN/719
	European Communities	Adaptation of the common veterinary entry document to the trade control and export system (TRACES)	G/SPS/GEN/742
2006	Paraguay	Ban on the registration and importation of high-risk insecticides	G/SPS/GEN/688
	Paraguay	Health status report	G/SPS/GEN/689
	Paraguay	Phytosanitary status report	G/SPS/GEN/711
	Paraguay	Health status report	G/SPS/GEN/712

Year	Member	Title/Subject	Symbol
2007	Argentina	MRLs for pesticides – Impact on exports from developing country Members	G/SPS/W/211 & Corr.1 (in English only)
	Bolivia	Slaughter of imported breeding cattle	G/SPS/GEN/768
	Costa Rica	Clean stock program for <i>Dracaena spp.</i> intended for export to the US market	G/SPS/GEN/784
	European Communities	Call for comments on a Commission consultation on the review of Reg. (EC) 1774/2002 laying down health rules concerning animal by-products not intended for human consumption	G/SPS/GEN/773
	European Communities	Certification regime applicable for imports into the EC of bovine animals and of certain products of animal origin with regard to provisions related to certain transmissible spongiform encephalopathies	G/SPS/GEN/799
	Chinese Taipei	Veterinary and phytosanitary certificates	G/SPS/GEN/744 & Corr.1
2008	Chile	Bilateral agreements	G/SPS/GEN/863
	Ecuador	MRL for pineapple	G/SPS/GEN/841/R ev.1
	European Communities	Rules related to the export of meat-and-bone meal to third countries in order to ensure the prevention and control of certain transmissible spongiform encephalopathies (TSES)	G/SPS/GEN/889
	Paraguay	Information from Members	G/SPS/GEN/876
	Paraguay	Communication to the SPS Committee	G/SPS/GEN/852
	Singapore	Optical watermark on export certificates	G/SPS/GEN/859
	Venezuela	Comprehensive agricultural health system	G/SPS/GEN/854
	Zambia	Information on various SPS matters	G/SPS/GEN/836