WORLD TRADE ORGANIZATION

RESTRICTED

G/SPS/R/10
30 April 1998

(98-1750)

Committee on Sanitary and Phytosanitary Measures

SUMMARY OF THE MEETING HELD ON

12-13 MARCH 1998

Note by the Secretariat

1. The Committee on Sanitary and Phytosanitary Measures ("the Committee") held its tenth meeting on 12-13 March 1998, under the chairmanship of Mr. Alejandro Thiermann (United States). The agenda proposed in WTO/AIR/784 was adopted with amendments.

Observers

2. The Chairman noted that the Committee had not yet taken any decision on requests for observer status by the African, Caribbean and Pacific Group of States (ACP Group); European Free Trade Association (EFTA); Inter-American Institute for Agricultural Cooperation (IICA); International Consultative Group on Food Irradiation (ICGFI); Office international de la vigne et du vin (OIV); and the Organization for Economic Cooperation and Development (OECD). He noted that requests for observer status had recently been received from the European Plant Protection Organization (EPPO) and the International Meat Secretariat (a non-governmental organization), and previously from the International Seed Federation (FIS).

3. The Australian representative suggested that the Committee begin to consider how to respond to requests which had been made. He stressed that the proceedings of the SPS Committee should be transparent and should benefit from contributions which could be made by international organizations granted observer status.

4. The Secretariat indicated that it would prepare a paper on the existing WTO criteria regarding observership and the current situation in other bodies, in particular the General Council. The Committee decided to revert to this item at its next meeting on the basis of the Chairman's informal consultations to identify criteria that might help the Committee reach decisions on requests.

Implementation of the Agreement

Information from Members

5. The representative of the United States reported a number of steps that the United States had recently taken in accordance with its commitments under the SPS Agreement, in particular with respect to the principle of regionalization. He indicated that the USDA Animal and Plant Health Inspection Service (APHIS) had just adopted a rule which, subject to appropriate quarantine controls, would allow trade in papaya from specific producing regions in Costa Rica and Brazil. Last year the US authorities recognition of other disease-free regions had allowed for the importation of beef from Argentina and of pork products from Italy and from the Mexican state of Sonora. Following a series of constructive technical exchanges, Chile had recently recognized pest-free status of a number of key growing areas for apples in the United States and, as a result, exports of apples from these areas to Chile had begun. Chile and the United States were continuing discussions on the status of other regions in the United States.

COSAVE (Comité Regional de Sanidad Vegetal para el Cono Sur) had recently adjusted its policy with respect to wheat on the bases of science and risk assessment and consistent with the relevant provisions of the revised IPPC. COSAVE removed TCK (Tilletia Controversa) from the list of quarantine pests, and now identified it as a regulated non-quarantine pest. Korea had also decided to adopt a range of Codex MRLs. The representative of the United States noted that in all these cases Members' decisions were based on science and risk assessment, and ensured that trade could continue to develop in a manner consistent with the Member's health objectives.

6. The representative of the European Communities informed the Committee of EC actions concerning citrus canker. On 8 January 1998, the Commission Directive 98/2/EC amending Annex 4 to Council Directive 77/93 on protective measures against the introduction or spread of organisms harmful to plants or plant products within the European Communities had been adopted. In contrast to the original proposal, the revised text included the possibility for recognition of any system of certification considered as equivalent to the EC provisions on citrus canker, as provided for in Article 4 of the SPS Agreement. This result was the consequence of the constructive consultations between the European Communities and Argentina, Chile, Uruguay, Brazil and South Africa, that had been organized by the Chairman. The outcome upheld the principles of risk assessment and equivalence.

7. The representative of Argentina associated herself with the comments of the EC delegate, but noted that the negotiations were not yet finished. Discussions regarding an equivalent alternative were ongoing and she hoped that this would yield positive results for both parties despite the fact that some EC member States had taken decisions of a political nature prior to the technical discussions. She expected to be in a position to report on the final results of the consultations at the next Committee meeting. With reference to the earlier statement by the United States, she confirmed that COSAVE had listed TCK as a regulated non-quarantine pest as far as propagation materials were concerned and that the regional specialists had been asked to determine tolerances and establish what would have to be regulated exclusively in connection with propagation activities.

8. The representative of Chile indicated that although his country was not a major producer of citrus, it had shared the position of Argentina and Uruguay because they reflected the application of a principle of the SPS Agreement and because Chile had recognized disease-free areas in Argentina. However, it should be noted that Chile was a country free of citrus canker. He informed the Committee that, following scientific analysis of documentation provided by Chile, the Philippines had recently joined the number of countries which had recognized Chile as a country free of fruit fly. Japan and Korea were in the last phases of a similar recognition process which was expected to be concluded by the year end. He added that in the framework of the Economic Cooperation Agreement, Chile and Mexico had included a chapter on sanitary and phytosanitary measures for the application of many of the SPS Agreement provisions, providing bilateral implementation of concepts of harmonisation, equivalence and risk analysis in the areas of human, animal and plant health protection.

Specific trade concerns

Switzerland - BSE concerns

9. The representative of Switzerland noted that most of the BSE-related measures applied by certain Members against Swiss exports remained in place. Such measures deviated from OIE recommendations, but those Members had not carried out a risk assessment as required by the SPS Agreement. Such measures, including the prohibition of transit in some neighbouring countries, as well as the discriminatory manner in which some of the measures were applied, violated WTO rules. Nevertheless, some Members had eliminated their measures or had revised them in conformity with OIE recommendations. As a result, trade in Swiss genetic products for example, was again possible. Switzerland was also concerned with violations to WTO rules by some candidates for accession to the

WTO. Finally the representative of Switzerland expressed the hope that recent developments in the European Communities would gradually lead to a more predictable situation for all countries concerned with BSE and related restrictions on trade.

United States - Measures with respect to BSE-related concerns

10. The representative of the European Communities informed the Committee that the European Communities was pursuing this issue bilaterally with the United States and had made a written submission to the United States authorities (G/SPS/GEN/66), within the time frame provided by the US notification. He summarized G/SPS/GEN/66 and rejected US claims of "inadequate" surveillance within the European Communities. He noted that surveillance existed in all EC member States, albeit in an non-harmonized manner. This situation would change as from 1 May 1998 because the EC Standing Veterinary Committee had recently adopted a Commission proposal which introduced a harmonized surveillance system targeting "potential candidates" for BSE in a systematic manner and requiring a minimum number of animals to be tested, a system similar to the one existing in the United States. The European Communities believed that the US measures were neither in conformity with provisions of the SPS Agreement nor with the OIE guidelines and recommendations. In his view, the suspension of import certificates from the European Communities in regard to BSE went far beyond what could be justified according to the scientific discussions in the European Communities and in the OIE, both under the present OIE International Animal Health Code ("the Code") and the Code under development. Specified risk material was removed not only in the United Kingdom but also in all EC member States where native cases had occurred, i.e. Ireland, France, Portugal, Belgium and the Netherlands. He noted that the United States had also ruled out the de-boning provision for exports from the European Communities to the United States, which was in place only for the United Kingdom. The EC representative observed that the risk factors suggested by the United States in relation to live animals, feed bans, surveillance and rendering systems, were also present in the United States and, at least potentially, in all countries. Therefore the US measure, singling out and targeting Europe, was discriminatory. He emphasized that the safety of meat in Europe was as good as anywhere and it was unacceptable for the European Communities to have EC meat characterised as being dangerous. If a bilateral solution based on scientific evidence were not found, the European Communities would have to reserve its rights to pursue the matter in a different manner.

11. The representative of Argentina noted that the BSE issue had implications for human and animal health as well as for market perceptions, thus requiring decisions to be based on an extremely rational basis. It was also necessary to deal with consumer's perception that BSE-related risks were higher than what they really were. On 12 January 1998, Argentina submitted a declaration to the OIE identifying itself as a country free of BSE and TSE (a document available from Argentina's enquiry point). He noted that the EC representative had made no reference to two cases of BSE which had recently occurred in France (Haute-Savoie). He stressed the BSE issue was an European problem with potential important consequences for the rest of the world, which required a joint effort of political and scientific authorities to come forward with a proposal based on available knowledge to avoid unnecessary trade disruption.

12. The representative of the United States said that the US interim measure had been published in the Federal Register for public comment and had been notified to the WTO on 18 December 1997 (G/SPS/N/USA/106). The United States was in the process of reviewing the numerous comments and information it had received from many WTO Members and other governments, as well as from domestic groups. The United States had adopted this provisional measure on 12 December 1997. The measure was intended to safeguard animal and consumer health from the risk of BSE, and halted the importation of live ruminants and most ruminant products from the European Communities and the rest of Europe due to recent additional reported cases of BSE in countries previously considered to be free of this disease. This measure extended the scope of the feed ban that was already in place in the United States. Recent detections of BSE suggested that there was still an unclear picture of the distribution of BSE in the

European Continent, especially considering the lack of published documentation on the amount of surveillance throughout Europe. There were a number of European countries which appeared to have high risk factors for BSE, including the importation of contaminated feed and live cattle from known BSE countries, but which appeared to have little surveillance in place. In addition, the recent measures taken in the United Kingdom as a result of infectivity detected in additional tissues, most significantly dorsal root ganglion, bone marrow, raised new concerns regarding the extent of the infectivity in tissues. The combination of these recent developments led the United States to impose the interim measure to protect public and animal health until assurances could be provided by the countries in question. Information submitted by various sources, including the EC Commission, some EC member States and other European countries was being evaluated in order to assess their BSE surveillance and reporting systems and to determine the specific risk level presented by each country. Trade would resume when those countries had systems that met US criteria, The United States intended to base its evaluation of the surveillance, information and preventive measures provided by the countries affected on the OIE standards. As of 11 March 1998, 18 European countries, including several EC member States, had made an official request for evaluation of their BSE risk status. The USDA was currently evaluating these requests and the data in order to regionalize Europe in terms of BSE. He emphasized that the OIE recognized that an adequate surveillance system was essential when making determinations on the risk status of the country. The US action in this case was based on the concern that countries in Europe had not demonstrated that adequate levels of surveillance were in place. The United States was committed to evaluating the data submitted by the various governments which demonstrated that their level of BSE surveillance was in accordance with the OIE standards and would take what measures were necessary based on science, risk assessment and available evidence, to protect human and animal health from the disease. However, at this point, US scientists disagreed with the EC delegate's view of the comparability of the risk factors in Europe with those in the United States and other parts of the world.

EC rules on "specified risk materials" (SRM) in products of animal origin

13. The representative of the United States recalled the concerns that his and other delegations had expressed in the previous meeting of the Committee with regard to the public health and trade implications of the EC proposed ban on "specified risk materials" (G/SPS/R/9/Rev.1). The United States had since then continued to follow this issue closely and welcomed the EC decision to provide additional time to review all the scientific evidence and other important implications of the proposed measure. The United States was hopeful that the new approach recently proposed by the EC Commission would address the concerns that many Members had raised with respect to this measure. The fundamental view of the United States was that, consistent with Article 6 of the SPS Agreement, the SRM ban should recognize the BSE-free status of the United States and other regions. Products from those regions should not be subject to the ban. There had been no cases of BSE in the United States. Moreover, the United States maintained a rigorous surveillance system and other appropriate measures which surpassed the OIE requirements for establishing BSE-free status.

14. The representative of Canada indicated that his delegation was also encouraged by the delay in the implementation of the SRM ban and supported the US view that the proposed ban appeared to be moving in the right direction. He also welcomed the EC recognition of differences in the disease status of countries and was encouraged that the EC evaluations were to be based on OIE standards. Canada still had a concern with regard to the EC proposed evaluation process. It was Canada's understanding that the procedure would require a country to answer about 38 questions and that there was a provision in the procedure that when countries were not able to provide an answer because of unavailable scientific information, the EC Scientific Steering Committee would interpret the missing data as a worst case scenario, meaning that assumptions would be used to replace data that was not available. This would have severe implications, and Canada expected that the European Communities would review this provision.

15. The representative of Australia drew the attention of the Committee to document G/SPS/GEN/45, which contained Australia's comments with regard to the EC SRM ban, and reiterated that his country trusted that the European Communities would appropriately modify the application of this legislation so as not to disrupt trade through placing requirements for the exclusion of SRMs upon countries such as Australia which met agreed international criteria for BSE freedom.

16. The representative of Brazil noted that Brazilian exports of edible gelatine had been affected by the French decision to impose a specific requirement on all gelatine imports. Brazilian exports to that country had consequently decreased significantly. There was no scientific basis for applying such a decision to countries free of BSE, as was the case of Brazil. The French measure lacked scientific evidence, did not take into account the different status of different regions, and was not in line with Articles 2.2 and 5.6 of the SPS Agreement. It should also be carefully designed on the basis of sound science to effectively address its main concern, public health, and avoid unnecessary disruptions in the supply of safe products. She stressed that BSE had never been registered in the Brazilian territory. The Brazilian Ministry of Agriculture and Food Supply had approved a regulation, which followed the criteria established in Chapter 3.2.13.2 of the OIE Code, recognizing not only that Brazil was free of BSE, but also established specific rules of surveillance and procedures for notification of any suspicious cases of BSE and scrapie (G/SPS/GEN/67). Moreover, caprine and ovine populations were very limited in the Brazilian territory. The Ministry had also prohibited, by means of internal regulation, the feeding of bovine populations with protein of ruminants, with the exception of milk. The same rule applied to imported feedstuffs from ruminant. The Brazilian Animal Health Department conducted continuous surveillance of rabies and other nervous-system diseases of the whole national territory and to date no cases had been diagnosed. Brazil had not imported bovine, caprine and wild animals from BSE-infected countries since 1990. In the case of sheep, the prohibition was effective since 1995. Regarding market access problems faced by Brazilian producers of gelatine, she noted that the raw material employed in the preparation of gelatine had been classified by the OIE as having low risk of transmission of BSE, even in regions where the disease had been notified. The Brazilian product was submitted to temperatures that reached 140°C at different stages of its preparation as required by France. The Brazilian representative stressed that she expected that this information would expedite the removal of unnecessary barriers applied to Brazilian gelatine. She indicated that the EC questionnaire requesting information regarding the rules and composition of animal feeding in Brazil would soon be officially provided to the European authorities.

17. The representative of Argentina supported the comments by Canada, Australia and Brazil.

18. The representative of the European Communities indicated that as a consequence of internal discussions and representations made by third countries, the Commission had decided and the Standing Veterinary Committee had approved postponing the application of the SRM decision to enter into force on 1 April 1998. The scientific discussions continued in the European Communities and new scientific evidence had been received from the United Kingdom BSE Advisory Committee with regard to dorsal root ganglia, bone marrow, etc. The outcome of that evaluation had resulted in the EC proposal which was being discussed in the European Communities. The proposal suggested that, instead of having measures in place by 1 April 1998, a further period of transition was necessary and the new requirements would apply as from 1 July 1998. An enlarged list of specified risk materials, including dorsal root ganglia, bone marrow and other intestines, would be included in the provisions. However, if an EC member State or a third country submitted an application for a derogation, this derogation would be rapidly evaluated by the Commission, so that the application of such measures would not enter into force until 1 January 1999. A precondition for the derogation would be the absence of BSE, no native cases of BSE, and the procedure would be within the Scientific Steering Committee and the Scientific Veterinary Committee. A number of submissions had already been received and the Commission expected to receive further submissions in the near future. If there were native cases, like in Switzerland, such countries must apply from 1 July 1998 the short list SRM removal as reflected in the OIE Code. The geographical risk factors would thus be taken into account: there would be different provisions in place

or no provisions in place depending on the submission and evaluation by the EC scientists. Ireland and Switzerland were also working on post-mortem methodologies to detect BSE, which might one day become useful tools. However, the Standing Veterinary Committee had not approved the EC proposal by the required qualified majority. The decision was now dependent on the Council of Ministers. The EC representative stressed that, unlike the United States, the European Communities had focused on the parts of the bovine body which had been scientifically identified as containing, or potentially containing the agent, but had never targeted meat as such. In response to the Brazilian statement, he indicated that the provisions in place by France mirrored those for the United Kingdom. Harmonized rules were being discussed in the European Communities, but BSE as such and the question of additional guarantees with regard to Brazil or other countries should be addressed within the framework of the requests for derogations from the expected SRM decision. In response to a question raised by Brazil, he added that if the production was based on skulls, where brain material could be connected, or the vertebral column, where spinal cord could be connected, the issue would be problematic. However, if Brazil could certify that, as claimed, all its production of gelatine was based on hides from animals fit for human consumption, the difficulties faced by Brazil should be easily solved. Repeating that the European Communities had no harmonized system in place, he noted that the French measures should be considered in that light and suggested that the Brazilian delegate should pursue the issue bilaterally with the representative of France.

19. The representative of Uruguay informed the Committee that Uruguay had been alerted to the fact that the Ministry of Public Health of Italy was restricting or including bovine lungs, or products derived from bovine lungs to be used in the production of pharmaceutical products, in the SRM category. Uruguay was unaware of any EC Commission decision on this issue and noted that this restriction distorted an important Uruguayan trade flow to the European Communities.

Slovak Republic - Ban on imports of apples, pears and quinces (G/SPS/N/SVK/8 and Rev.1)

20. The representative of Hungary expressed his authorities' concern with regard to this measure notified by the Slovak Republic. He indicated that changes introduced since 15 February 1998 had addressed some of the Hungarian concerns. However, although the importation of apples, pears and quinces from protected zones and from places of production under the control and inspection of phytosanitary authorities of the relevant country were now allowed, the modified measure imposed extremely burdensome certification and notification requirements. In its application, the measure appeared to go much beyond the extent that was necessary to protect plant health, was neither based on scientific principles nor maintained with sufficient scientific evidence, and appeared to constitute a disguised restriction on international trade, in breach of the obligations of Articles 2.2 and 2.3 of the SPS Agreement. After explaining the scientific arguments, the representative of Hungary urged the Slovak Republic to withdraw the measure at issue, or bring it into full compliance with the SPS Agreement. Hungary reserved its rights under the WTO in this regard.

21. The representative of the Slovak Republic noted that the notified SPS measure had been intended solely for the protection of the Slovak Republic against introduction of blight (Erwinia amylovora). His country's territory was free of this quarantine plant disease and it was in the Slovak interest to avoid the occurrence of such a dangerous pest. Following complaints of some Members on the extent of the proof required, the Slovak authorities had modified decree effective from 15 February 1998. The amended text extended the possibilities of imports of apples, pears and quinces, not only from protected zones, but also from production sites where fire blight did not occur within a 5 km range. It was the view of the Slovak authorities that the measures were in compliance with the SPS Agreement as defined in Articles 3.3, 5.7 and Annex A, paragraph 5, but the Slovak Republic remained open to discuss bilaterally with those Members which had concerns with the measure.

Slovak Republic - Phytoquarantine measure for the import of ware potatoes (G/SPS/N/SVK/9)

22. The representative of the European Communities expressed his authorities concerns with regard to this measure. He noted that the introduction of the measure had been without any preliminary notification, and its subsequent notification as an emergency measure did not appear to be justified. He stressed that the level of protection set by the Slovak Republic could be fulfilled by less trade restrictive measures. The EC representative summarized the arguments set out in document G/SPS/GEN/65 and concluded that the Slovak Republic requirements appeared to be in breach of the provisions of the SPS Agreement, in particular Articles 2 and 4, and likely the provisions of other WTO Agreements. The representatives of Hungary, Argentina and Chile associated themselves with the concerns expressed by the EC representative.

23. The representative of the Slovak Republic responded that his authorities were aware that the problem was due more to the rules governing the registration procedures of the plant protection products, rather than the phytosanitary requirements per se. The Slovak authorities were in the final stage of preparation of a decree aimed at the removal of the current strict registration requirements. Approval of the decree, which also addressed the question of establishing a maximum residue level, was expected shortly.

Transparency provisions

Consideration of specific notifications received

European Communities - Maximum levels for certain contaminants (Aflatoxins) in foodstuffs (G/SPS/GEN/51 and Add.1)

24. Documents with regard to the EC Commission proposal to set new Maximum levels for Aflatoxins in Foodstuffs were submitted by: Argentina (G/SPS/GEN/52); Australia (G/SPS/GEN/61); Brazil (G/SPS/GEN/58); The Gambia (G/SPS/GEN/50); India (G/SPS/GEN/54); Indonesia (G/SPS/GEN/63); Malaysia (G/SPS/GEN/56); Philippines (G/SPS/GEN/62); Senegal (G/SPS/GEN/55) and Thailand (G/SPS/GEN/57). The representatives of these countries summarized their respective documents. Their statements were supported by the representatives of Brazil, Canada, Colombia, South Africa, Turkey, the United States and Uruguay.

25. These Members noted that it was unlikely that the EC proposed maximum levels for aflatoxins would result in a significant reduction in health risk to EC consumers. Yet, the proposed measure potentially imposed severe restrictions on trade. It was also noted that the EC proposal to set much more stringent levels than the standards currently followed internationally did not seem to be based on a proper risk assessment taking into account available scientific evidence. With regard to the proposed sampling procedure, it was stressed that the procedure was unduly costly, burdensome and unjust, and would render the measure even more trade restrictive.

26. Several Members noted that although an international standard on the acceptable level of aflatoxin in food products did not yet exist, previous work undertaken by the Joint (FAO/WHO) Expert Committee on Food Additives (JECFA) in June 1997 supported the view that the EC proposed measure would not significantly reduce health risks to consumers. Moreover, the Codex Committee on Food Additives and Contaminants (CCFAC) was considering the matter at the moment in a meeting in The Hague. It was generally felt that the timing of the EC's proposed regulation, coming just before the Codex Committee meeting, was inappropriate and that the European Commission should wait for the Codex to set the requisite international standards. These Members, most of which indicated that they had already conveyed their concerns to the EC enquiry point, urged the European Communities to review the proposed measure.

27. The representative of Codex noted that for more than 10 years the Joint FAO/WHO Expert Committee on Food Additives (JEFCA), the Committee on Food Additives and Contaminants (CCFAC) and the Codex Alimentarius Commission had given consideration to the scientific data and the establishment of limits for aflatoxins as contaminants in foods. This had included evaluations of toxicity and carcinogenicity as well as the establishment of sampling plans in order to provide international guidance on tolerable levels of aflatoxins in foods. The aim was to establish a tolerance level as low as possible to protect human health while maintaining an adequate food supply. At its 29th Session, held in March 1997, CCFAC had not reached consensus on the draft Codex guideline levels and sampling plans for total aflatoxins in peanuts and had maintained guidelines at Step 7, pending evaluation by JECFA. At its subsequent 49th Session, JECFA had given a full and complete risk assessment for aflatoxins. The Codex MRL of 15 parts per billion total aflatoxin in peanuts for further processing was under consideration by the 30th Session of CCFAC, in the Hague. The Codex representative informed the Committee that according to reports of delegates attending the CCFAC meeting, there was general consensus on the guideline levels proposed by Codex. However, the guidelines had been square bracketed, pending further review of the JECFA risk assessment material by the European Communities.

28. The representative of the European Communities argued that there was no consensus in the CCFAC meeting going on in The Hague. He noted that although there were a large number of countries which favoured the Codex norm, the European Communities did not agree and consequently there could not be a consensus. He noted that the discussion on aflatoxins reflected in general the SPS Agreement provisions. It was about level of protection, scientific evidence, risk assessment and the role of international standards. He recalled that the Appellate Body Report on EC - Measures Concerning Meat and Meat Products ("EC - Hormones") provided some guidance on these key issues. It had confirmed that the burden of proof was not on the Member taking the measure, but on the Member challenging the measure. It had confirmed that there was a justification for governments to be prudent and take a precautionary approach, especially in situations where the scientific evidence was incomplete. It had confirmed that a Codex norm did not restrain the rights of Members under the SPS Agreement. He stressed that the question at issue was not about a measure, but about the appropriate level of protection, which was defined by a MRL, and noted that the EC Scientific Committee for Food had looked at the issue of aflatoxins in 1994 and had concluded that they were genotoxic carcinogens. For this type of carcinogen it was generally felt that there was no threshold dose below which no tumour formation would occur. Only a zero level of exposure would result in no risk. It had agreed with the evaluations of the International Agency for Research on Cancer (IARC) which in 1993 had concluded that even very low levels of exposure of aflatoxins contributed to the risk of liver cancer. In September 1997, the EC Scientific Committee for Food, although recognizing the significant work of JECFA, had also noted several limitations and assumptions inherent in the approach and had concluded that it was premature to draw definitive conclusions on this issue. The representative of the European Communities noted that the EC action was not preventing trade, and only reflected the need to take preventive actions in regard to Good Agriculture Practice in order to avoid contamination through improved training, good storage conditions, improved sorting procedures, etc. aimed at reducing the level of aflatoxins in the basic product.

29. With regard to the sampling methods, the EC representative recalled that the distribution of aflatoxins in contaminated kernels appeared to be rather small in terms of the percentage of a consignment or a lot. Therefore, it was not possible to obtain the necessary assurances by one simple sample. That was why the sample plan considered three different cases and had to be undertaken in such a manner that it minimized consumer risk. This did not make trade impossible nor cause enormous costs for operators. Such tests and methods were already operated by some EC member States and were not impracticable. He stressed that the European Communities wanted to continue its consultations with its trading partners as demonstrated by the extension of the time limit for comments. The comments received would be evaluated and the relevant EC experts would discuss the issue on 30 March 1998. It

was expected that the evaluation would be concluded by May 1998 and the proposal formalized in June, entering into effect relatively shortly afterwards.

30. The representative of the United States agreed that Members could make decisions independently and had important rights under the SPS Agreement, but at the same time it was also important to recall that Members had agreed to be part of a rule-based system. The US concerns, as well as those of other Members, were based on scientific evidence. To argue that the application of restrictive measures, regardless of whether they were necessary, did not prevent trade from occurring might be true. However, that was not the aim of the SPS Agreement. The aim of the SPS Agreement was to avoid having to comply with measures which were unnecessary.

31. The representative of Argentina quoted several paragraphs of the Appellate Body Report on EC - Hormones which, in his view, suggested that the EC representative's understanding of the report was not correct. Noting that the Appellate Body report applied only to the case at issue and was not a general ruling, he insisted that neither the Appellate Body nor Panels were legislative bodies. They created interpretations that could be arguable and must be accepted for the case at stake, but not for every case. The rule was the SPS Agreement. In the case of aflatoxins, the discussion was about a measure which reflected the level of protection and not, as it was wrongly submitted by the European Communities, about the level of protection itself. Because the issue was a measure, the European Communities had the obligation to apply all the relevant provisions of the Agreement, in particular Article 3 and Article 5, paragraphs 1 to 3. The representatives of Uruguay and Chile supported the statements of the United States and Argentina.

South Africa - Prohibition on bone-in beef imports from member States of the European Communities (G/SPS/N/ZAF/2)

32. The representative of the European Communities noted that the South African ban applied to all EC member States. He considered it unjustified in light of the measures that the European Communities had taken at its level and at national member State levels in those cases where native BSE cases had occurred, for the reasons already described (paragraph 18). He added that the South African requirements were not in accordance with the OIE standards.

33. The representative of South Africa stressed that the European Communities were a major supplier of meat to South Africa. South Africa had no interest in having EC meat considered as being dangerous by consumers. However, his authorities had a legitimate interest in maintaining the BSE-free status of South Africa. The aim of the proposed measure was to protect human and animal health. It was expected that the European Communities would provide their written comments to South Africa, so that her authorities could duly take them into account.

Argentina - Temporary prohibition of fresh pork and pork products (G/SPS/N/ARG/9)

34. The representative of the European Communities observed that the Argentine measure applied to the entire European Communities. He indicated that the European Communities had taken measures to regionalize the three EC member States which had restrictions in this regard, in particular some parts of Germany, the South of Netherlands and parts of Spain. However, in all of these regions the situation was under control. In Belgium and Italy, with the exception of Sardinia, there had not been recent outbreaks. By introducing a restriction applying across the board to all these countries, Argentina had not abided by Article 6 of the SPS Agreement - Adaptation to Regional Conditions, Including Pest- or Disease-Free Areas and Areas of Low Pest or Disease Prevalence - nor the OIE guidelines. The representative of the European Communities urged Argentina to withdraw its measure.

35. The representative of Argentina said that his authorities firmly believed in the principle of regionalization stated in Article 6 of the SPS Agreement. However, Argentina had found that there was

no basis of compliance within the European Communities. Argentina had requested information from a number of EC member States, but only four countries had responded. Noting that Classic Swine Fever was a highly infective OIE List A disease, which had not occurred in Argentina since 1985, he quoted, as an example, information regarding outbreaks of the disease in Spain. The Argentina Advisory Committee on Quarantine issues was assessing information received from Italy and was waiting for more information so as to adjust its measure as appropriate.

Any other matters related to the operation of transparency provisions

36. The United States welcomed the EC paper on this issue (G/SPS/GEN/64) and encouraged Members which had not yet identified their Enquiry Points to do so as soon as possible. He stressed the importance of the notification procedures of the Agreement as a means to avoid trade problems through bilateral or multilateral consultations, and raised some US concerns in this respect. The United States were particularly concerned with the length of the comment period, considered too often to be too short, and the difficulty in obtaining relevant documents in a timely manner. The United States would pursue this issue as part of the review of the Agreement. He recalled the US proposal for the organization of regional workshops on the transparency provisions. The US representative indicated that in February 1998, the staff of notification authorities from 18 western hemisphere countries had met in Washington, D.C., for a workshop on this issue. Consultations were ongoing with the Secretariat and Malaysia, as well as well as other countries, about the possibility of organizing a workshop in the South East Asian region.

37. The representative of Chile supported the US statement and added that Members often notified measures indicating that there were no international standards related to the measure at issue. However, when more detailed information was provided upon request, it often happened that there were international standards for at least part of the notified measures. Members should address this issue more carefully when notifying a measure.

38. The representative of the European Communities summarized the EC proposal contained in G/SPS/GEN/64. He stressed that the EC suggestions did not require the review of the SPS Agreement, but simply a revision of the recommended notification procedures (G/SPS/7). In response to a question raised by the representative of Switzerland, he confirmed that the European Communities were considering the practice of EC member States notification of national measures, but clarified that discussions were still ongoing. In any case, this practice would only relate to safeguard measures of an urgent nature and all other EC member States measures would go through an EC procedure and would only be notified subsequent to having been found in conformity with EC law.

39. The representative of Japan expressed his sympathy for the proposals contained in the EC document, but raised concerns with the introduction of unnecessary burdens to countries whose mother tongue was not one of the WTO working languages, a burden which would exceed the SPS requirements. However, Japan had no problem in submitting summaries of its proposed measures on a case-by-case basis upon request.

Monitoring of the Use of International Standards

40. The representative of the United States introduced document G/SPS/W/87 and Corr.1. In the US view the purpose of this procedure was to build on the relationship between the work of the Committee and the work of the International standard-setting organizations. The United States considered the provisional procedure as a way to identify key areas where a lack of use or the lack of an international standard, guideline or recommendation had or could have a major impact on trade. The related International Organization should be informed on that basis. This procedure was entirely different from the agenda item dealing with implementation issues relating to specific countries' measures and should serve to identify areas of concern, and hopefully of common concern. He invited Members to comment

on the issues raised by the US document and on the format used for the communication of information. Although it was observed that the procedure with regard to the monitoring exercise might still need further thought, Switzerland, New Zealand, Chile, Canada, Philippines and the European Communities supported in principle the approach and format presented by the United States.

Consistency

41. Further informal consultations on the development of guidelines to further the practical implementation of Article 5.5 had been held subsequent to the Committee meeting of October 1997. The Chairman noted that, despite the slow pace of progress in this area, there was a renewed attempt by Members to make some advances in the development of practical guidelines. There had been a number of suggestions for progress by dealing with small components of this issue, rather than addressing Article 5.5 as a whole. A number of Members had volunteered to submit informal papers by mid-May and more active informal discussions should take place prior to the next meeting of the Committee.

42. The representative of Australia encouraged those Members who had to date been less involved in the informal consultation process to actively participate and help expand understanding of the issue. Larger participation would also ensure that all relevant points of view could be factored into the process under way. The representative of the United States supported the Australian statement.

Technical assistance and cooperation

43. The Chairman recalled that the inclusion of this item on the agenda was to permit Members to more specifically identify technical assistance and cooperation needs and, on the other hand, identify possible sources of assistance. The Secretariat informed the Committee of technical assistance activities since the last Committee meeting, including a seminar organized by the Republic of Korea for developing countries (12 November 1997); a national seminar in Nigeria (19-20 November 1997); a national seminar in Venezuela (11 December 1997) and participation in a OIE Seminar on Safeguarding Animal Health in Trade in the Caribbean (Trinidad and Tobago, 9-11 December 1997). The attention of Members was drawn to the Secretariat's Manual on Technical Cooperation and Training (WT/COMTD/14). With regard to requests for technical assistance, Members were informed that as an alternative to the procedures laid down in the document, requests for assistance in the SPS area could be directly submitted to the Committee or the Secretariat staff responsible for the SPS Agreement.

44. The representative from Codex reported that since the last meeting of the SPS Committee, Codex had held an expert consultations jointly with the International Atomic Energy Agency on Analytical Methods for Food Control, in December 1997. In addition, the series of consultations on risk analysis had been concluded with the Joint FAO/WHO Expert Consultation on Risk Communication in January 1998. FAO continued to receive a very large number of requests from Member countries for technical assistance related to the implementation of the SPS and TBT Agreements. A booklet on FAO Technical Assistance on the Uruguay Round Agreements, with a section specifically dealing with the SPS and TBT Agreements, was made available to Members in the room.

45. The representative of the WHO indicated that the WHO had recently published "Guidelines for Predicting Dietary Intake of Pesticide Residues" in collaboration with the Codex Committee on Pesticide Residues (WHO/FSF/FOS/97.7). He indicated that, with the support of the government of the Netherlands, free copies were being made available to all developing countries. Copies in English, French and Spanish were otherwise available from WHO/DSA. WHO had also prepared a brochure (WHO/FSF/FOS/97.9) describing the purpose and scope of the GEM/Food program, which included a range of activities from development of methodologies for exposure assessment to chemicals to technical cooperation with countries to strengthen their food contamination, monitoring and assessment programmes. A revised issue of the WHO booklet "Food Safety and Globalization of Trade in Food", (WHO/FSF/FOS/97.8/Rev.1), providing policy guidance to the health sector in the light of the SPS

Agreement, was made available. The Eastern and Mediterranean Regional Office of the WHO was organizing a Regional Conference on Emerging Foodborne Pathogens in Abu Dhabi, from 20 to 22 October 1998, sponsored by the International Life Science Institute, with the participation of the FAO. Finally, the WHO, jointly with the FAO, would hold a consultation on the role of government agencies in assessing HACCP in Geneva from 1 to 5 June 1998.

46. The representative of the International Trade Centre (ITC) informed the Committee that the ITC was launching a project of assistance to Arab enterprises in the fields of quality and information- related aspects of the TBT and SPS Agreements. This project had been requested by Arab countries and was sponsored by the UN regional office for Arab countries, executed by the UN Office for Project Services and implemented by the ITC. The main objectives were to create awareness mainly among the business communities on the applications of the TBT and SPS Agreements and to establish and improve national capabilities with regard to the effective operation of Enquiry Points or Information Services. The project was organized in cooperation with the WTO, ISO, Codex, OIE and the IPPC. ITC was also participating in the WTO/UNCTAD/ITC Technical Assistance Programme for Selected Least-Developed and Other African Countries.

47. The representative of the OIE indicated that the WTO and SPS Agreements had been presented at the OIE Seminar on Safeguarding Animal Health in Trade in the Caribbean. The seminar, financed by France and the WTO Netherlands Fund, had also introduced the different aspects of risk evaluation regarding animal health, including epidemiological surveillance, and identified methods of zoosanitary evaluation, as well the evaluation of veterinary services and laboratories. Participants had agreed on a certain number of recommendations relevant for the implementation of the SPS Agreement. Another seminar, to be held in March 1998 in Colombia, was being organized under the auspices of the FAO with the participation of an OIE Collaboration Centre on epidemiological surveillance and risk evaluation.

48. The representative of the IPPC reported on a seminar sponsored by the OIRSA in Manágua, Nicaragua, at the end of February 1998 which had addressed the work of the Codex, IPPC and OIE in relation to the SPS Agreement. The seminar, which had been attended by 170 government officials and private sector representatives of the Central American countries, had been an unquestionable success.

49. The representative of the European Communities informed the Committee that the European Communities was providing to the Secretariat a list of experts from several EC member States on risk analysis and SPS-related subjects, including public health, animal health, zoonoses, plant protection, toxicology, pharmacology, etc., which could be of assistance and interest to developing countries and the seminars organized by the Secretariat. This list was subsequently distributed as G/SPS/GEN/69 and Add.1.

Matters of interest arising from the work of observer organizations

Clarification of references to Codex texts

50. The Chairman recalled that in September 1997, Codex had requested the Committee to provide clarification of references to Codex texts in the context of the SPS Agreement (G/SPS/W84). In particular, Codex was seeking clarification regarding how the Committee would differentiate between standards, guidelines or recommendations, and with regard to the status which might be given to Codex regional standards and related texts. Following informal consultations, the Chairman had prepared a draft response to the Codex request (G/SPS/W/86). Pursuant to further consultations earlier in the week, a new version had been prepared and was submitted for discussion (G/SPS/W/86/Rev.1). Canada, the United States, New Zealand, Australia, Chile, Mexico and Uruguay took the floor to support the new text. The Committee adopted the revised version of the response.

Revision of the International Plant Protection Convention (IPPC)

51. The representative of the IPPC reported on the adoption of the new revised text of the IPPC by the FAO Conference at its 29th Session in November 1998. The text (G/SPS/GEN/51, Annex 1) was currently being officially transmitted to governments by the Director-General of the FAO for acceptance or adherence. He encouraged WTO Members' representatives to work with their colleagues in the capitals to bring the new revised text into force as soon as possible, so that the role of the IPPC envisioned in the SPS Agreement could be fully realized. He stressed that many WTO Members were not signatories to the IPPC. The IPPC representative detailed some of the interim measures decided by the FAO Conference, specifically the identification of contact points, the voluntary use of revised phytosanitary certificates and the formation of the Commission on Phytosanitary Measures. The first meeting of the Interim Commission would be organized by the FAO in Rome on 3 to 6 November 1998.

52. The representative of Uruguay welcomed the new IPPC text. He noted that the introduction of the notion of non-quarantine regulated pest was a major feature and some regional organizations, including COSAVE, had begun to use this concept. He stressed the necessity for priority to be given to the establishment of standards and guidelines for the application of concepts which could potentially become new trade barriers. The representatives of Australia, Chile, the European Communities, the United States and New Zealand also welcomed the new IPPC text.

53. In response to a question by the representative of Chile, the IPPC representative indicated that the definition of pest-free area was not included in the new Convention because this concept was not seen as critical to clarification of the text. On the contrary, the concept of area of low prevalence was an important concept and included in the definitions because of the clarification related to regulated non-quarantine pests.

54. The Committee took note of the comments of the IPPC representative and various Members and urged Members to ratify the text as quickly as possible. The Committee also urged those Members which had not yet become signatories to the IPPC to consider their adherence given the importance of the IPPC for the implementation of the SPS Agreement.

WHO - Trade restrictions in response to cholera

55. The representative of WHO briefly described WHO's recommendations with respect to trade with cholera-infected countries (G/SPS/GEN/53).

56. The representative of the European Communities informed the Committee that, in light of the outbreak of cholera in four African countries, the European Communities had taken safeguard measures relating to imports of fruit, vegetables and, in particular fish products, but a distinction was made between frozen and fresh products. On the latter, there was a ban because it was impossible to undertake a microbiological examination within the period of freshness of the product. On frozen products there was not a ban, but only intensified checks with entry subject to the result of the microbiological examination. As it had done in the past with certain South American countries, the European Communities would consult with the African countries at issue to find arrangements by which these countries could put in force proper hygiene requirements. However, the inspection procedures of these African countries had shown deficiencies in this respect. Once proper safeguards and modifications were put in place, the European Communities would accept them as alternative to the import ban on the fresh product and intensified checks on the frozen products. EC member States were trying to develop a common joint policy regarding cholera on the basis of risk assessment and risk analysis, which would serve as guidance for the future.

57. The WHO representative noted that cholera was not only a problem of four countries in Africa; every year, at least 50 countries around the world were affected by regular outbreaks of cholera. Such outbreaks had begun in 1971 and there was now considerable experience with regard to the potential risk of the spread of cholera through imports of food from countries affected by this disease. That explained the WHO's Director-General note stressing the almost non-existent risk to countries importing food from cholera-affected countries. The WHO did not consider the import ban, especially for fish products which were not consumed in a raw form in Europe, as a necessary measure.

WHO - The Revision of the International Health Regulations (IHR) (G/SPS/GEN/59)

58. The representative of the WHO introduced document G/SPS/GEN/59. She noted that the new IHR provided good grounds for cooperation between WHO and WTO. Both organizations recognized the imperative need to limit inappropriate trade sanctions. The WHO was particularly concerned by the impact outbreaks of diseases could have on many developing countries, where the economic consequences could be disastrous. In order to respond to those situations, WHO was first of all a source of authoritative information about the assessment of risks regarding public health aspects of outbreaks of human diseases. It issued statements based on international expert consensus opinion on appropriate and inappropriate measures to be taken to control a particular disease outbreak. WHO would seek to settle disputes between member states through a process of negotiation. As a last resort there was a mechanism for convening an arbitration committee which could rule on the case in question. In the last 40 years, there had been only one arbitration committee convened, as usually the matters were settled by discussion, advise and consultation between the member states concerned. WHO was essentially concerned with the public health issues that affected trade, but did not seek to replace or usurp the WTO dispute settlement mechanism. Indeed, WHO was not in a position to settle trade disputes and the revised IHR specifically referenced the SPS Agreement and recognized its authority. At the same time, WHO considered that the mechanisms available through the revised IHR could facilitate some of the work of the WTO. Specifically, WHO statements on appropriate and inappropriate control measures in response to disease outbreaks, as well as rulings from the WHO arbitration committees, could be made available to the WTO for use in its trade dispute deliberations. If WHO were recognized by the WTO as the reference authority on health aspects, at least some of the WTO trade disputes could perhaps be avoided. WHO could provide useful public health and technical information that might assist the WTO in some of its dispute resolution procedures. WHO was the only UN agency with a mandate to arbitrate on international public health issues and, since its creation 50 years ago, the principal role of the WHO had been to set international standards on health related matters.

59. The representative of the European Communities expressed his surprise with regard to the existence of a dispute settlement mechanism in the WHO and questioned its significance for the SPS Agreement and the WTO dispute settlement mechanism. He wondered whether it could be seen as a competing dispute settlement process or a "first court" with the WTO mechanism acting as a "court of appeal". If it were seen as a parallel procedure, this would create confusion and inconveniences. Although he stressed that paragraph 4 of G/SPS/GEN/59 contained what appeared to be a clear statement, he sought clarification on the WHO intentions in this regard.[1]

[1] Para. 4 of G/SPS/GEN/59 reads as follows: "The revised draft of the International Health Regulations specifically references the SPS Agreement in draft Article 48, (January 1998), which states: "The provisions of these Regulations do not prejudice the rights and obligations of the parties bound by the World Trade Organization Agreement on Sanitary and Phytosanitary Measures which came into force on 1 January 1995 or any subsequent amendment to that Agreement". The SPS Agreement, however, does not reference the International Health Regulations, nor does it recognize the capacity of the World Health Organization to provide dispute resolution for public health matters between member states of the WHO (draft IHR Article 56). The recognition of this capacity as a reference in the SPS Agreement would provide a natural and useful linkage between these documents and provide a credible and consistent focus for health risk assessment for Member State disputes."

60. The representative of Argentina supported the EC statement. He requested clarification on the meaning of "WHO statements based on international expert consensus opinion"; how the dispute settlement mechanism worked and to what extent its conclusions were binding; what the word "arbitration" meant in relation to health matters; and, finally, what was meant by paragraph 4 of G/SPS/GEN/59.

61. The representative of Australia wondered whether there was an overlap between the SPS measures as defined in Annex A of the SPS Agreement and some of those exemplified in paragraph 9 of G/SPS/GEN/59. He questioned whether the intention of the IHR was to deal with the same issues, or complementary issues. He noted that zoonoses were diseases of significance to human health and to animal health and asked if the IHR had been aligned with the role of the OIE. He also requested clarification with regard to the nature of the obligations which would be applied to members of the WHO in relation to items mentioned in paragraph 9 of G/SPS/GEN/59, as well as the specification of the measures referred therein which should be taken, taking into account the definition of international standards, guidelines and recommendations in Annex A.3(d) of the SPS Agreement. The representatives of the United States, Mexico and Chile supported the statements of the European Communities, Argentina and Australia.

62. The Chairman proposed to schedule informal discussions with representatives of the WHO prior to the next Committee meeting in June 1998 and requested Members to provide to the Secretariat, by the end of March 1998, written questions to be submitted to WHO. The Secretariat would subsequently compile the questions raised at the meeting and the additional questions received from Members and submit them to the WHO in order to prepare the informal discussions. The OIE observer's request to be invited to participate in the discussions with WHO was accepted.

Review of the SPS Agreement

63. The Chairman reported on the informal consultations and indicated that issues related to the implementation of the transparency provisions of the Agreement had been considered, including the notification process and the operation of enquiry points. Two key topics were identified for the informal discussions of the June meeting: continuation of the discussions of the transparency provisions, including notifications, and technical assistance and differential treatment. Informal papers on these subjects should be submitted by 25 May 1998.

64. The representative of Malaysia, speaking on behalf of developing countries, requested the assistance of the Secretariat in the preparation of papers regarding technical assistance and special and differential treatment. The representative of Switzerland noted that since the entry into force of the SPS Agreement, a number of developments had taken place both outside the WTO, namely in Codex, OIE and IPPC, and inside WTO, in the SPS Committee and in the dispute settlement mechanism. All such developments should be taken into account in the review process and Switzerland might make a proposal for the consolidated list in this respect.

Report to the 1998 Ministerial Conference

65. The Chairman informed the Committee that for the Ministerial Conference, the Chairperson of the Council for Trade in Goods was to provide a brief oral report to the General Council on work done since December 1997 by the CTG and its subsidiary bodies. The Chairman of the SPS Committee had been invited to prepare a brief account of work accomplished since December 1997, which would essentially be a factual account of the current meeting of the Committee to complement the 1997 report of the Committee (G/L/197).

Election of the Chairperson for 1998/99

66. The Chairman was nominated for re-election for 1998/99 by the Council for Trade in Goods, and re-elected by the Committee.

Other business

Thailand - Korean restrictions on imports of poultry

67. The representative of Thailand indicated that his authorities had provided to Korea written detailed information with regard to Korean restrictions on imports of poultry (G/SPS/R/9/Rev.1) on 1 October 1997. Thailand sought clarification on whether the Korean measure was based on international standards and, if not, if it was based on a risk assessment and scientifically justified, particularly in light of information made available to Korea by the WHO working group on food-borne listeriosis. This information clearly indicated that listeriosis was non-existent or had only a very low incidence in Asia. Thailand had not yet received a response and, in the meantime, Korea had banned another consignment of Thai frozen chicken. During bilateral consultations held prior to the Committee meeting, Korea had indicated that it would reply in due course, and the Thai representative requested a response as soon as possible.

68. The representative of Korea indicated that the Korean measure was not an import ban, but only a rejection. Nonetheless, he would convey the concerns to his authorities who would respond to Thailand directly.

Thailand - Mexico's restrictions on rice

69. The representative of Thailand indicated that Mexico had prohibited imports of rice from Thailand since 1993 (G/SPS/R/9/Rev.1). Thailand had provided information in writing to the Mexican authorities on 22 October 1997 in this respect, stressing that the measure imposed by Mexico was inconsistent with Articles 2.2 and 2.3 of the SPS Agreement and Articles I and III of GATT 1994. To date Thailand had not received an oral or written reply from Mexico and, during bilateral consultations held prior to the Committee meeting, the delegation of Mexico had indicated that it would follow up on the matter. Thailand requested Mexico to reply as soon as possible.

70. The representative of Mexico said that his authorities were examining the matter seriously. He did not share the view that Mexico was not complying with its obligations under the SPS Agreement, but he would convey the concerns to his authorities.

Date and agenda of the next meeting

71. The next meeting of the Committee is scheduled for 10-11 June 1998. The following items will be included on the agenda:

1. Adoption of the agenda

2. Implementation of the Agreement

   (a) Information from Members
   (b) Specific trade concerns
   (c) Consideration of specific notifications received
   (d) Any other matters related to the operation of transparency provisions

3. Monitoring of the use of international standards

4. Consistency - report by the Chairman on consultations

5. Review of the SPS Agreement - report by the Chairman on consultations

6. Technical assistance and cooperation

7. Matters of interest arising from the work of observer organizations

8 Requests for observer status

9. Other business

10. Date and agenda of next meeting

72. Members who wish to raise any specific concerns or examine specific notifications for the June 1998 meeting were reminded to inform other Members involved and the Secretariat not later than 5 p.m. on 28 May 1998. The Chairman also reminded delegates that informal papers on consistency (Agenda Item 4), including papers on practical definitions of the terms discussed and practical examples related to the key terms of the obligations, should be submitted to the Secretariat by 1 May 1998. Moreover, comments, suggestions and new papers on monitoring of the use of international standards (Agenda Item 3) should be submitted by 10 May 1998. Finally, the informal papers on the review of the Agreement with regard to transparency, including notification procedures and differential treatment and technical assistance, or the identification of other areas to be considered for the review (Agenda Item 5), should be submitted by 25 May 1998. The Committee took note of these dates.

_____