

Committee on Sanitary and Phytosanitary Measures

**SUMMARY OF THE MEETING OF 24 OCTOBER 2005,
RESUMED ON 1-2 FEBRUARY 2006**

Note by the Secretariat²

Corrigendum

The following corrections are made to the summary report of the 34th regular meeting of the Committee on Sanitary and Phytosanitary Measures held 24 October 2005 and 1-2 February 2006.

The text of paragraph 18 should read as follows:

18. The representative of the OIE expressed support for Canada's efforts. Taking into account the important increase in the level of knowledge about BSE, the OIE had refined the chapter on BSE to a more simple and scientific approach which had been adopted by OIE member countries in May 2005. The OIE strongly encouraged Members to use these standards.

The text of paragraph 47 should read as follows:

47. The European Communities was currently free from AI and had rapidly taken effective safeguard measures to protect and maintain this status. A fourth WTO Member had banned imports of the same poultry products from the entire world. According to OIE rules and the provisions of the SPS Agreement, bans on bird products should only apply to regions affected by HPAI. The European Communities urged these four Members to bring their legislation into compliance with international rules and Article 2.2 of the SPS Agreement and lift the ban.

The following new paragraphs should be inserted immediately following paragraph 60:

Japan's positive list system

60bis The representative of China recalled her country's concerns about Japan's final draft of its positive list system for agriculture chemical residues in food. Japan notified its final draft in June 2005, and although China appreciated that Japan had accepted some of China's comments, many concerns remained unaddressed. China requested that Japan provide at least 18 months for developing country Members to adjust their applications of the agricultural chemicals, conduct training activities and provide guidance to farmers, and undertake the necessary laboratory

¹ In English only.

² 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.

preparations. Although Japan had published drafts of its positive list system three times over the past three years, the number of MRLs and products covered varied each time. The third draft had identified 10,000 items more than the first two drafts, and over 50,000 MRL items were listed in total. This compared with existing MRLs on only 2,470 items. Furthermore, certain pesticides remained in the soil for some time after their use, and technically a 2-year adaptation period was necessary. In addition, Japan had published only part of the testing methods to be used, and many were illustrated only by flow charts that rendered their application difficult. China suggested that Japan should notify all of the relevant testing methods and provide Members an opportunity to comment. Where Japan did not have appropriate testing methods, it should not restrict imports nor should it require trading partners to test and certify MRLs. China was concerned that the planned implementation of this measure could adversely affect its annual \$7 billion of food exports to Japan.

60ter The representative of Japan noted that his country had notified and modified the implementation of this system three times since 2003, and sought comments from trading partners. The final version identifying the provisional MRLs was published on 29 November 2005, and Japan had provided six months before entry into force on 29 May 2006. Japan considered that this was sufficient time to allow the smooth implementation of the measure, taking into account the numerous previous consultations with trading partners. Japan had developed analytical methods for 529 substances and published these. It would continue to develop analytical methods for additional substances and would make these public when finalized. Japan was prepared to provide China with technical advice on analytical methods if so requested.

The text of paragraph 84 should read as follows:

84. The representative of the OIE observed that OIE standards were developed by experts and agreed and adopted by the International Committee of all OIE member countries. The OIE was not mandated to police the implementation of these standards, but strongly encouraged member countries to base their national measures on them. Any member country believing that a standard was inadequate had the opportunity to request the OIE to review the standard. Members were free to use the standards in the way they believed suitable for their situation as long as they could justify any departure from the standard.

The text of paragraph 141 should read as follows:

141. The representative of the OIE stated that OIE was keen to advance the development of standards for regionalization. The OIE mandate was to develop and publish international standards but not to police the implementation of standards. The OIE Terrestrial Animal Health Code and Aquatic Animal Health Code chapters on zoning and compartmentalization were adopted international standards on regionalization that should form part of the basis for discussions. To date, no comments on the existing international standards had been received by the OIE. These standards were modified as a result of the discussions in the SPS Committee during 2005, and they contained guidance to Member countries on how to establish a region or zone or compartment, and how to pursue agreement on distinct disease status with trading partners. Progress on the standards could only occur through contributions from Members. By March, both the Terrestrial Code Commission and the Aquatic Code Commission would have held meetings at which comments from Member countries on those standards would be addressed. The OIE General Session in May provided another occasion to discuss those standards.

The text of paragraph 142 should read as follows:

142. The representative of the OIE noted that document G/SPS/GEN/625 described OIE's activities in zoning and compartmentalization. OIE considered these concepts as synonymous with regionalization because they all involved separation of subpopulations of animals based on a distinct

health status. Subpopulation could be separated by natural or artificial barriers or, in the case of compartments, by management. OIE currently gave official recognition for four diseases. The General Session in May would discuss future OIE activities in this regard and with regard to the evaluation of veterinary services. OIE had been asked to identify the options for progressing on regionalization and the implications including resource and legal implications. The IPPC list in Annex 1 of G/SPS/GEN/626 laid out many of the issues. OIE was developing further concepts of compartmentalization that could be a valuable tool for developing countries to improve their disease status.

The text of paragraph 168 should read as follows:

168. The European Communities emphasized that the level of interest generated by this workshop illustrated the need for more such workshops providing opportunities for experts from various countries to meet and exchange views, and invited the IPPC to organize further activities of this kind. The representative of Canada expressed hope that this workshop would better enable developing countries to conduct pest risk assessment and manage risks more effectively. Canada also hoped that similar workshops would be held in a variety of locations in the future and would further benefit from STDF funding. The representative of Trinidad and Tobago mentioned that his region had benefited from three workshops organized by the IPPC last year, one on development of standards, one on the difficulties to implement standards and an information exchange on the use of the IPPC portal. The representative of Chinese Taipei expressed disappointment that Chinese Taipei had been denied the opportunity to participate in the workshop, however he commended Canada for having provided a briefing to officials from Chinese Taipei following the event.
