

**Committee on Sanitary and Phytosanitary Measures**

**WORKSHOP ON TRANSPARENCY  
15 AND 16 OCTOBER 2012**

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

A. SUMMARY

1. The Secretariat of the World Trade Organization organized a workshop on the transparency provisions of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) in Geneva, Switzerland, on 15-16 October 2012. The programme for the workshop is contained in G/SPS/GEN/11156/Rev.1. The workshop was a highly interactive "hands-on" training event focussing in particular on the use of the SPS Information Management System (SPS IMS) and on the system for the on-line submission of SPS notifications (SPS NSS). Representatives of the Codex Alimentarius Commission (Codex), the World Organization for Animal Health (OIE) and the International Plant Protection Convention (IPPC), commonly known as "the Three Sisters" also provided information on their online tools. The workshop also benefitted from presentations by government officials from Morocco and Costa Rica on their national experience with regards to the submission of SPS notifications through the SPS NSS.

2. The presentations from this workshop are available from the "Members' transparency toolkit" section under the SPS Gateway ([http://www.wto.org/english/tratop\\_e/sps\\_e/wkshop\\_oct12\\_e/wkshop\\_oct12\\_e.htm](http://www.wto.org/english/tratop_e/sps_e/wkshop_oct12_e/wkshop_oct12_e.htm)).

B. SESSION I: INTRODUCTION

3. The Secretariat provided an overview of the transparency provisions of the SPS Agreement, with emphasis on the various obligations contained therein. The main provisions on transparency are in Article 7 and Annex B of the SPS Agreement, while the Committee's Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement are in document G/SPS/7/Rev.3.

4. The Secretariat underlined that the transparency provisions brought clarity and predictability to the trading system, which represented an important tool for Members to promote and maintain market access. The Secretariat presented the SPS Information Management System (SPS IMS)<sup>2</sup> as a useful tool in helping enquiry points and notification authorities, as well as other interested stakeholders, to keep abreast of new or modified SPS measures that could significantly affect the exports of a given country.

5. The SPS IMS is publicly available in English, French and Spanish, facilitates searching and reporting on SPS notifications, other SPS documents, and specific trade concerns according to a wide

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

range of criteria. It also includes the most up-to-date information available to the Secretariat on Enquiry Points and Notification Authorities.

C. SESSION II: PRACTICAL SESSION ON THE USE OF THE SPS IMS

6. Working groups were organized in English, French and Spanish during which participants were able to use the SPS IMS system. In these groups, participants were able to familiarize themselves with the different functions of the system by conducting searches of:

- (a) SPS notifications. Participants learned how to look for a specific notification; how to find notifications made by a specific country; how to find notifications covering a specific product; how to find notifications relating to a specific issue (e.g., avian influenza); and how to customize a search.
- (b) SPS documents. Participants learned how to find documents produced by the WTO Secretariat; how to find documents submitted by Members and Observer Organizations; and how to find documents concerning a specific issue (e.g., private standards).
- (c) Specific trade concerns (STC). Participants learned how to access information related to a STC; how to identify STCs raised in relation to specific Members or products.
- (d) Information on Enquiry Points and Notification Authorities. Participants learned how to create contact lists of Enquiry Points and Notification A with the use of the predefined reports function; and how to find contact details of Enquiry Points and Notification Authorities (e.g., address and phone number).

D. SESSION III: CODEX, OIE AND IPPC ONLINE TOOLS

**OIE**

7. The representative of the OIE, Dr. Derek Belton, provided information on four main subjects: (i) Aquatic and Terrestrial Animal Health Codes; (ii) Aquatic and Terrestrial Animal Health Manuals; (iii) disease notification; and (iv) the World Animal Health Information Database (WAHID).

8. The Aquatic and Terrestrial Animal Health Codes, provide standards that detail health measures to be used by the competent authorities of importing and exporting countries to avoid the transfer of pathogenic agents for aquatic and terrestrial animals or humans, while avoiding unjustified trade barriers. Dr. Belton noted that in the standard-setting procedure, the initiation of new work or modification of a new standard could come from delegates, commissions or other entities. At least two opportunities are provided for members' comments. Both Codes have general provisions including disease diagnoses, surveillance and notifications, risk analysis, quality of veterinary services, general recommendations, trade measures, import/export procedures and veterinary certification. Additionally, the Codes contain disease-specific chapters, for 73 diseases in the case of the Terrestrial Animal Health Code and 26 diseases in the case of the Aquatic Animal Health Code.

9. The Aquatic and Terrestrial Animal Health Manuals provide standards for laboratory diagnostic tests and the control of biological products for veterinary use, to facilitate harmonisation of methods for diagnosis, surveillance and control of the most important animal diseases.

10. Since the creation of the OIE, its members have unconditional duties to disclose all relevant information about animal diseases; such obligations are stated in Article 1.1.2 of the Terrestrial and Aquatic Codes. The objective of the notifications is to give members an opportunity to put in place

protective measures to halt the spread of disease across boundaries. Members have the obligation to immediately notify diseases, infections or unusual epidemiological events, with weekly reports as a follow up to the initial notification, until the issuance of a final report if the outbreak has ended or the situation has become endemic. Additionally, the OIE has in place an on-going monitoring system of six-monthly and annual reports where the OIE requests information from Members, such as confirmation of the absence or presence of OIE-listed diseases (qualitative and quantitative information).

11. The World Animal Health Information Database (WAHID) can be accessed through the OIE website. Members can obtain information by country or group of countries, by disease and by control measures. Similarly, members can access notifications from OIE members, six-monthly reports and annual reports. There was a large amount of information available on WAHID, however this information should be validated with the relevant veterinary authority. Basing import health measures on the standards in the OIE Codes and Manuals, and other OIE guidance documents, provides the most reliable basis for safe international trade in animals and their products.

### **Codex**

12. The representative of Codex, Dr. Selma Doyran, stated that the Codex standard-setting procedures are very transparent. All Codex committees and task forces are open to all members and observers, and there is a possibility to comment at various stages of the standard-setting procedure. Access to the standards and related texts are available to the public at the Codex website (<http://www.codexalimentarius.org>). Codex had no notification procedure regarding the use of its standards. In the past there had been such a procedure but it was discontinued as it was not being applied by members. Codex is focusing on promoting the use of the standards through capacity building activities, and by assisting countries to use the existing standards when they update their national regulation, and to use them at the national level to improve food safety. Codex regularly carries out surveys on the use of Codex standards which are considered in the regional FAO/WHO coordinating committees.

13. There are several types of documents available on the Codex website, including adopted standards, codes of practices, guidelines, and working documents including those used in the standard-setting procedure and on which Members should comment. Codex electronically distributes these types of documents through their list of Codex contact points and observer organizations. Dr. Doyran highlighted the importance of the Codex contact points in screening these working documents and doing the appropriate follow-up to represent their national interest in the process of creating a given standard.

14. Finally, Dr. Doyran presented the Codex website, where Members can access publications (e.g., standards, guidelines and related texts), the schedule of meetings and events, links to relevant websites (e.g., JECFA, JEMRA and Codex Trust Fund), the list of committees, the procedural manual, members, Codex contact points, the strategic plan and sites of regional committees.

### **IPPC**

15. The representative of IPPC, Dr. Yukio Yokoi, presented transparency within the context of the IPPC, including the information exchange and the communication of relevant information. In this regard, Dr. Yokoi introduced the various electronic resources for plant health that are available to Members. IPPC members are required to provide information on official contact points, structure of the National Plant Protection Organization, points of entry, list of regulated pests, emergency actions and official information on their pests and phytosanitary measures. IPPC members have the option to also report information on non-compliance, organizational arrangements and pest status. The IPPC

secretariat is in charge of providing official documents (e.g. International Standards on Phytosanitary Measures -ISPMs), maintaining the IPPC website (<http://www.ippc.int>) and playing a facilitation role.

16. The Online Comment System (OCS) was introduced in 2011 as a tool to allow members to comment along the standard-setting procedure, allowing for an easier communication flow among the entities involved in the standard-setting procedure at the national level, as well as between members and the IPPC secretariat. The OCS brought a number of benefits to the standard-setting procedure, such as confidentiality, safe submission of comments, accelerating and simplifying the process of submission, facilitating the sharing of comments, significantly reducing human error and allowing for the creation of statistics. The system has been regarded as highly successful by the IPPC membership, and it is currently in the process of being adapted to the specific needs of the Codex Alimentarius. Training on the OCS has been part of the various regional workshops on draft ISPMs organized by the IPPC.

17. Regarding the various electronic resources available, the Implementation Review and Support System (IRSS) provided information on activities (e.g., surveys and studies), and provided a helpdesk service where members could pose questions and answers regarding any phytosanitary issue. The IPPC media kit provided members with relevant information on IPPC (e.g., IPPC strategic framework, adopted standards list and an overview on the IPPC).

18. Dr. Yokoi noted the challenges faced by the IPPC, highlighting that the volume of trade was increasing and getting more complex and that it implied the need for new standards and their appropriate implementation. Transparency was also an issue for the IPPC, as there were various IPPC members that did not yet comply with their transparency obligations.

#### E. SESSION IV: THE INTEGRATED TRADE INTELLIGENCE PORTAL

19. The WTO Secretariat presented the Integrated Trade Intelligence Portal (I-TIP), a comprehensive, analytical and easy to use online tool open to the public to facilitate access to information on the trade policy measures of WTO Members. I-TIP provides a data warehouse application that presents a unified point of access to all trade policy relevant information sources on goods in the WTO. It enables easy electronic cross-referential extraction and analysis of non-tariff measures (NTMs). It is initially based on existing public NTM information available in the WTO (i.e., mainly notifications complemented by information on Specific Trade Concerns), currently covering more than 25,000 trade policy measures. The system was designed to be open for the inclusion of other sources of NTM information, for example, information derived from Trade Policy Monitoring, Trade Policy Reviews and Accessions.

20. The application offers users three ways of accessing the NTM information: (i) graphs to obtain summary information by Member (or group of Members); (ii) tables showing scope of product coverage by HS sections/chapters; and (iii) detailed lists of measures based on user-defined flexible selections that can be exported into Excel for further processing.

#### F. SESSION V: OVERVIEW OF THE SPS NSS

21. The second day of the workshop focused on one of the obligations contained in the transparency provisions: the obligation to notify SPS measures, whether new or modified. The Secretariat provided a summary of the overview regarding the level of implementation of the transparency provisions of the SPS Agreement (G/SPS/GEN/804/Rev.5).

22. As of September 2012, 144 of the 157 WTO Members had informed the Secretariat of their designated SPS National Notification Authority (NNA) and 151 Members of their SPS National Enquiry Point (NEP).

23. Regarding notifications, there had been a general upward trend in SPS notifications over the years, with the total number of notifications reaching a peak of 1,436 in 2010. However, for the last two years the number of notifications had decreased. From 2010 to 2011, there was a decrease of 3% whereas the decrease for 2012 was of 13.8%. The number of notifications submitted by developing country Members had also presented a general upward trend over the years, with a similar reduction in numbers for the last two years. Since 2008, notifications from developing country Members accounted for more than 50% of the total number of SPS notifications submitted.

24. Looking at the geographic regions from which the notifications originated, the Secretariat noted that the majority of notifications came from the North America region, followed by Asia, and then South and Central America and the Caribbean.

25. The most frequently stated objective of the notifications varied between regular and emergency notifications. For regular notifications, the most frequently cited objective was food safety, while for emergency notifications it was animal health.

26. Only 43% (1,850 notifications) of the regular notifications identified an international standard as being relevant to the measure being notified, where 911 notifications referred to Codex, 417 notifications referred to the OIE and 522 notifications referred to the IPPC. Regarding emergency notifications, a much larger percentage identified an international standard, 443 notifications (87%), where 331 notifications referred to the OIE, 70 notifications referred to the IPPC and 42 notifications referred to Codex.

27. The Secretariat presented the online SPS Notification Submission System ([https://nss.wto.org/Index\\_en.htm](https://nss.wto.org/Index_en.htm)). The system was launched in June 2011 with two main objectives: (i) to streamline and facilitate the process of sending and processing notifications; and (ii) to help ensure that the information provided in the notifications is as complete as possible.

28. The system is intended to be used by the SPS National Notification Authority (NNA) or the relevant entity in charge of submitting SPS notifications to the WTO. Each Member receives two different user names and passwords; a submitting user name and a secondary user name. While both user names are able to fill out notifications, only the submitting user name - which ends in the number 01- is able to officially submit the notification to the Central Registry of Notifications (CRN). In contrast, the secondary user name (ending in 02) is able to fill out all of the required information up until the very last step, but not submit.

29. The SPS NSS provides guidance to users as they went through the various steps of filling out a notification, which in turn reduces errors while also decreasing the processing time for the Secretariat to distribute notifications to Members.

30. Ecuador and Chile commented on the usefulness of the SPS NSS, and reminded Members of the importance to provide as much information as possible in the notifications.

31. The Secretariat responded to some participants' concerns regarding the possible changes in their current procedure for notifications, stating that the use of the SPS NSS would not require any structural changes, but rather would facilitate communication at the national level and between the Members and the Secretariat.

#### G. SESSION VI: PRACTICAL SESSION ON HOW TO PREPARE NOTIFICATIONS (SPS NSS)

32. As with the SPS IMS system, participants had the opportunity to use the SPS NSS system in working groups organized in English, French and Spanish. Participants used the SPS NSS test site to produce a fictional regular notification on the basis of information given to them.

#### H. SESSION VII: SHARING OF NATIONAL EXPERIENCES IN THE USE OF WTO ONLINE TOOLS

33. Mr Hamid Lachhab, Director of the Regulatory and Standardization Division, presented Morocco's experience with the use of the SPS NSS. Mr Lachhab observed that before submitting SPS notifications through the SPS NSS, it could take up to two to three months for a notification to be circulated to the WTO Members. Mr Lachhab highlighted that the SPS NSS allowed for more precise and complete notifications and that it significantly reduced the processing time of the notifications. To be able to use the system, it was only necessary to have a computer, access to internet, and an authorized person responsible for submitting notifications. Among the advantages of using the system, Mr Lachhab highlighted the faster processing of notifications, that Members were informed without delay, the automatic filing and the economisation of paper. Mr Lachhab also identified a number of practical difficulties experienced, such as the liaison and coordination between the two users (01 and 02), and problems in attaching the regulation subject of notification.

34. Ms Virginia Salazar Losilla, officer in charge of SPS notifications of Costa Rica, presented Costa Rica's experience with the use of the SPS NSS. Ms Salazar stated that Costa Rica's notifications had been increasing along the years, and that the SPS NSS had represented a number of advantages in processing the SPS notifications. Ms Salazar stated that the SPS NSS was a useful and easy-to-use tool and that it facilitated the selection of the Harmonized System code and the International Classification for Standards (ICS) code. Ms Salazar encouraged participants to use the SPS NSS and stressed that training at various levels was one of the reasons why the implementation of the SPS NSS system was a success.

35. Colombia and Yemen noted that they had also found the system simple and straightforward, and Honduras indicated its intention to begin to use both the SPS IMS and SPS NSS.

#### I. SESSION VIII: IDENTIFICATION OF FOLLOW-UP ACTIONS

36. During the practical sessions and the sharing of experiences, Members identified several difficulties and possibilities for improvement of both the SPS IMS and the SPS NSS.

37. Regarding the SPS IMS, some participants suggested a number of technical changes and indicated that the menu of the system needed to be simplified so as to facilitate information searches.

38. Regarding the SPS NSS, there were a number of technical and substantial aspects identified by participants. Among the technical aspects were: (i) problems with the language settings; (ii) the need to have automatic saving after a tab has been completed; (iii) impossibility of moving freely from tab to tab; and (iv) the possibility of introducing a function whereby each time a notification was submitted to the CRN, a copy would automatically be sent to the missions and other stakeholders. Members were invited to send any additional suggestions for the improvement of the system to the [spscommittee@wto.org](mailto:spscommittee@wto.org).

39. Among the more substantial issues, Members discussed possible coordination issues between the two categories of the SPS NSS system users (01 and 02). The Secretariat noted that these different authorization levels were envisioned to make it possible for non-NNA users (e.g. regulatory or technical agencies) to fill out all of the required information and then for the NNA or mission to the WTO to review and officially submit the notification to the CRN (with the submitting user name).

40. Participants also highlighted the need to provide LDCs with training in the use of the system so as to ensure that the information reached all the relevant entities involved in the preparation of SPS notifications.

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