



Committee on Sanitary and Phytosanitary Measures

SUMMARY OF THE MEETING OF 9-10 JULY 2014

NOTE BY THE SECRETARIAT¹

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¹ 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.

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1 ADOPTION OF THE AGENDA

1.1. The Committee on Sanitary and Phytosanitary Measures (the "Committee") held its sixtieth regular meeting on 9-10 July 2014. The proposed agenda for the meeting was adopted with amendments (WTO/AIR/4327).

2 ELECTION OF THE CHAIRPERSON

2.1. The Chairperson indicated that the Council for Trade in Goods had agreed to the election of Ms Lillian Bwalya of Zambia as the new chairperson of the SPS Committee for 2014/2015. The Committee endorsed the selection of Ms Bwalya by acclamation, and voiced its appreciation to Ms Albarece for her considerable efforts and accomplishments as chairperson during her tenure.

2.2. Ms Albarece expressed her gratitude to all Members for their cooperation and assistance during her time as chairperson of the SPS Committee. She also thanked the Secretariat for its assistance, and offered her support to the new Chairperson.

2.3. In assuming the role of chairperson, Ms Bwalya expressed her appreciation for the confidence shown by Members in giving her this responsibility, and her interest to continue to support the work of the Committee.

3 INFORMATION ON RELEVANT ACTIVITIES

3.1 Information from Members

3.1.1 Russian Federation - African swine fever spread in the Eurasian region

3.1. Russia provided information on its efforts to address the issue of the spread of African swine fever (ASF) in the Eurasian region. Since the introduction of ASF into Russia from Georgia, the virus had caused severe damage to its pig production and trade. More than half a million pigs had been destroyed under its disease eradication programme from 2008 to 2013. Russia indicated that Ukraine had only notified the OIE of two ASF outbreaks earlier this year, instead of the actual five cases. Several ASF outbreaks had also been reported in Poland and Latvia, some of which involved domestic pigs. Russia voiced its concern that these cases could signal a new stage of the disease. While the European Union had expressed concern in the March SPS Committee meeting about Russia's restrictions on EU exports of live pigs and pork, Russia questioned the effectiveness of the EU control methods and preventative actions in addressing the spread of the disease. Without the measures taken by Russia to control ASF, the disease would have been introduced much earlier into its borders. Russia stressed the need for a coordinated strategy to control the disease as it posed a threat to the Eurasian pig industry.

3.1.2 Russian Federation - Studies to determine MRLs of polychlorinated biphenyls (PCB) in certain types of food products

3.2. Russia informed Members of its preparations to conduct scientific research on polychlorinated biphenyls (PCB). PCBs are a group of chemical compounds classified as persistent organic pollutants, chronic exposure to which can have adverse effects on human health. Human exposure to PCBs usually occurs through the consumption of contaminated food products, particularly fish and animal products. Russia underscored the need for further research in this area, as maximum allowable levels, while recommended by the WHO, were officially determined and monitored by certain WTO Members only for dioxin-like biphenyls. General maximum allowable levels for simple biphenyls had not been defined. Russia invited other Members to participate in this research.

3.1.3 Australia - Name change to Department of Agriculture

3.3. Australia announced that its Department of Agriculture, Fisheries and Forestry (DAFF) had been renamed in September 2013, and was now known as the Department of Agriculture. Despite this name change, the functions and administrative nature of the department remained the same, and documents that referred to the department's previous name (DAFF) remained valid. The name change was being implemented gradually and as a result, references to DAFF would continue to be seen in some materials. All new or re-negotiated export documentation would be updated to

reflect the department's new name. Australia assured the Committee that it was working with its trading partners to implement this name change in a smooth manner without disrupting trade.

3.1.4 Japan - Update on the response to TEPCO'S Fukushima Daiichi nuclear power station accident and on restrictions on Japanese food regarding radioactive nuclides

3.4. Japan provided an update on the several steps it had taken to address the leakage of contaminated water within the facility of the Fukushima Daiichi nuclear power station. This information, along with IAEA's assessment on the steps taken by Japan, was available on the IAEA website. Japan drew the Committee's attention to the "Report on the Monitoring of Radionuclides in Fishery Products" which had been released by its Fisheries Agency on 31 May 2014. This report provided data which showed that, following the inspection of about 49,000 samples of more than 400 fish species for levels of radioactive materials, the level of radioactive cesium in fishery products had greatly decreased. Japan also thanked Singapore for easing its restrictions on Japanese foods in June 2014.

3.1.5 European Union - Recent publication of the amended EU Honey Directive

3.5. The European Union noted that the 2014/63/EU Directive published on 3 June 2014 amended the 2001/110/EC Directive relating to honey. The European Court of Justice (ECJ) had previously ruled in case C-442/09 that genetically modified (GM) pollen had to be considered an ingredient of honey and was subject to the requirements of EU legislation on genetically modified food as regards authorization and labelling. However, the new provisions in the 2014 Directive established that pollen is a natural constituent of honey and as a result, no list of ingredients had to be mentioned on the label of honey. If the honey contained GM pollen, it would be subject to the general requirements of the EU legislation on GM food and therefore would have to be authorized before such honey is placed on the market. The European Union highlighted that the 2014 Directive entered into force on 24 June 2014 and that EU member States would be bound by its provisions as of 24 June 2015.

3.6. Argentina thanked the European Union for amending the 2001/110/EC Directive on honey. With Directive 2014/63/EU, the European Union tried to rectify the uncertainty created by the ECJ ruling, dated 4 September 2011, and that caused EU importers to suspend their purchases of Argentine honey. Argentina would monitor the implementation of the new Directive. The European Union reaffirmed that the 2014 Directive would be a definitive solution to this problem, which had been raised as a specific trade concern (No. 327).

3.1.6 Canada - Update on a new Regulatory Framework for Federal Food Inspection

3.7. Canada reminded Members that it had provided information regarding its new regulatory framework for Federal Food Inspection at the March 2014 SPS Committee meeting. The new regulatory framework, to be implemented by the Canadian Food Inspection Agency (CFIA), would replace 13 separate federal food inspection regulations with one set of regulations. The WTO was notified of this change on 5 June 2014 (G/SPS/N/CAN/700/Rev.1). Canada urged Members to provide written comments on the notification by 29 August 2014 and further highlighted that consultations on the draft regulations were scheduled for fall 2014. The new regulations were anticipated to come into force in June 2015. Canada invited Members to participate in an information session which was being held on the margins of the Committee meeting.

3.1.7 European Union - Information on new instances of the introduction of African swine fever in the European Union

3.8. The European Union recalled that it had informed the Committee in March of the detection of African swine fever (ASF) in wild boar in Lithuania and Poland. Since then, five additional cases had been confirmed in wild boar in Poland within the established restricted area. ASF had also been detected in seven wild boars and in two backyard farms in Latvia, in an area already under restriction for Classical swine fever. These cases were considered to be new introductions of the disease as they occurred along the Polish border with Belarus and the Latvian border with Russia. The European Union had successfully eradicated ASF from its continental mainland since 1999 and had effectively contained ASF in Sardinia. However, the rapid spread from the Caucasus in 2007 to Russia, Ukraine and Belarus had brought it to the Eastern borders of the EU. Stringent measures

to prevent the spread of the disease had been taken by the affected member States, based on EU legislation and international standards. The European Union highlighted its transparent actions in providing constant updates on the epidemiological situation. The European Union acknowledged the importance of dealing with this transboundary disease in a coordinated manner. The European Union further urged that any temporary measure taken by Members should be in full compliance with the SPS Agreement and the relevant international standards, and called upon its trading partners, in particular Russia, to remove their trade restrictions without delay.

3.2 Information from the relevant SPS standard-setting bodies

3.2.1 CODEX

3.9. Codex provided information on its relevant activities since the last meeting of the SPS Committee (G/SPS/GEN/1340). The Codex Committee on Contaminants in Food had finalized work on: (i) maximum levels for lead in infant formula and formula for special medical purposes intended for infants and follow-up formula; (ii) maximum levels for inorganic arsenic in polished rice; and (iii) maximum levels for fumonisins in maize and maize products. In addition, the Committee had also finalized work on codes of practice for the prevention and reduction of mycotoxin contamination in sorghum and for the prevention and reduction of weed contamination with pyrrolizidine alkaloid in food and feed. The Committee continued its ongoing work on the revision of maximum levels of several contaminants and toxins in various commodities. New work would start in 2015 on the establishment of maximum levels for aflatoxins in ready-to-eat peanuts and maximum levels for cadmium in chocolate and cocoa-derived products, among others. The Committee on Pesticide Residues had finalized a number of new and revised maximum residue limits for pesticides and had revised the risk analysis principles for application by the Committee. The Committee on General Principles had also endorsed several items related to the work on veterinary drugs and also developed guidance to promote collaboration between Codex and OIE. In response to a request from Uruguay, the representative of Codex clarified that the information on the veterinary drugs referenced in the provisions on the Extrapolation of Maximum Residue Levels of Veterinary Drugs to Additional Species would be provided directly to Uruguay.

3.2.2 IPPC

3.10. The IPPC reported on its recent activities, including the adoption of several international standards on phytosanitary measures (G/SPS/GEN/1344). The IPPC noted the transparent nature of its standard-setting process, indicating that most information was available on the international phytosanitary portal (IPP), including relevant non-IPPC resource materials. The IPPC drew the Committee's attention to national reporting obligations under the IPPC, previously referred to as information exchange, and emphasized that many of the reporting obligations under the IPPC did not overlap with SPS obligations. The IPPC highlighted its important focus on assisting its member countries in implementing the standards, both at the national and regional level, and informed the Committee of ongoing meetings under the IPPC dispute settlement process. Efforts towards using an integrated approach for the ePhyto system were ongoing. The 10th anniversary of the CPM would be celebrated in 2015. The IPPC thanked the STDF for its contribution towards resource mobilization.

3.2.3 OIE

3.11. The OIE highlighted the adoption of 28 new or revised chapters in the Terrestrial Animal Health Code and 14 new or revised chapters in the Aquatic Animal Health Code (G/SPS/GEN/1343). OIE's current membership stood at 180, with the recent addition of Liberia and South Sudan at the 82nd General Session in May 2014. The World Assembly had also examined the worldwide animal health situation with specific focus placed on the latest sanitary episodes of importance, such as porcine epidemic diarrhea (PED) and African swine fever (ASF). In the context of the rinderpest post-eradication phase, 164 member countries had fulfilled their commitment to report to the OIE on stocks of rinderpest virus and vaccine held in institutes in their countries.

4 SPECIFIC TRADE CONCERNS (G/SPS/GEN/204/REV.14)

4.1 New issues

4.1.1 India's import requirements for blueberries and avocados - Concerns of Chile

4.1. Chile expressed its concerns regarding India's import requirements for blueberries and avocados from Chile, which began in 2010. Although India had notified its measures to the WTO in 2012, these technical requirements were unjustified because they did not take into account Chile's fruit fly-free status, which had been previously recognized by India in 2005. In particular, India's request for the use of methyl bromide fumigation on avocados and blueberries would affect the quality of the final product. Chile requested that India take into consideration the relevant provisions of the SPS Agreement in finding a solution to this concern.

4.2. India responded that, having received Chile's request in 2010, it had conducted pest risk analyses and had subsequently notified its regulations to the WTO in 2012. Comments received from Chile on its notifications had been acknowledged, which were mainly related to several pests in avocados and blueberries. India's import requirements, including fumigation by methyl bromide, could be relaxed if Chile provided the necessary documentation and proof regarding its pest-free area status from *spodoptera eridania* and *s. frugiperda* in the area of production of blueberries intended for export to India. For avocados, India requested Chile to submit the necessary technical information on the non-host status of avocado for the pests under discussion, their distribution within Chile and the location of avocado production areas.

4.1.2 Russian restrictions on imports of certain types of plant products - Concerns of the European Union

4.3. The European Union expressed its concern regarding Russia's restrictions on EU exports of potatoes and certain other plant products. Since 1 July 2013, a ban had been imposed on the exports of several plant products on the basis of a limited number of interceptions of harmful organisms. In 2014, after having conducted inspections in several EU member States, Russia had allowed the import of seed potatoes and some other plants from some member States. The European Union considered this a positive step, but voiced concern on the need for clarity in the import requirements for these commodities and consistency in their application to all EU exporters. A complete ban, however, was still in place on imports of EU ware potatoes. The European Union considered the ban to be of a discriminatory nature as similar measures were not imposed on ware potato imports from other trading partners, many of which did not have the same high phytosanitary status as the European Union and hence presented higher phytosanitary risks. The European Union urged Russia to clarify the manner in which phytosanitary import requirements were defined and enforced for similar products of different origins. The European Union further indicated its willingness to engage in technical discussions on any guarantees deemed necessary to resume its exports.

4.4. Russia clarified that its restrictions did not apply to potted plants grown in greenhouses or to pre-base planting materials. Quarantined organisms in plant products imported from EU member States had been detected on a regular basis, originating mostly from Italy, Netherlands, Poland and Spain. Following several efforts to assist the European Union in eliminating the identified non-compliances, Russia had introduced temporary restrictions on the imports of seed and ware potatoes and planting materials on 1 July 2013, which were subsequently notified to the WTO. Russia was concerned about the level of coordination between the European Union and national organizations responsible for plant protection and the manner in which inspections were undertaken, which were not in accordance with ISPMs. The existing situation, including the lack of EU compliance with Russia's phytosanitary standards, did not permit the lifting of the temporary measures. Russia acknowledged the complexity of the current situation, and voiced its willingness to consult with the European Union and work within the framework of the pre-shipment inspection scheme, used in previous years, in order to address and solve the current problem in an expeditious manner.

4.1.3 US high cost of certification for mango exports - Concerns of India

4.5. India raised its concerns on the high cost of certification for mango exports to the United States. Since April 2007, India had been granted access to export mangoes to the United States on the basis that its mangoes would first be irradiated, under the supervision of US inspectors, to mitigate the risk of fruit flies and stone weevil. India noted the high cost of certification that it had to bear, which involved funding the travel and accommodation of US inspectors at the irradiation facility and other US officials involved in the process at various other locations. These costs reflected 12% of the FOB costs per metric ton of mangoes exported to the United States. India requested that the United States recognize India's conformity assessment procedures, as was done for organic certification, or find other means to reduce the costs and enable Indian mangoes to remain competitive in the US market. Failure to find a solution could result in loss of India's market share.

4.6. The United States noted that India had been the first country to ship irradiated commodities to the United States and that the value of these exports had steadily grown, reaching US\$1.6 million dollars in 2013. Several efforts had been undertaken to reduce the costs of the pre-clearance programme, such as collaboration on budget and financial issues. The United States had also amended its regulations to facilitate the importation of Indian mangoes by allowing irradiation upon arrival in the United States. The United States requested India to submit a formal request for amendment of the US operational work plan.

4.1.4 EU ban on mangoes and certain vegetables from India - Concerns of India

4.7. India noted that, as of 1 May 2014, the European Union had banned the import of mangoes and four other vegetables from India, on the grounds of the increasing number of interceptions of harmful pests and organisms in the consignments exported to the European Union. India had held discussions with the European Union to share information on the various control measures which it had taken to address this issue. The EU ban had been imposed prior to the consideration of the outcome of several alternative methods for treating mangoes, such as hot water treatments or irradiation. As a result, the entire mango crop destined for the EU market could not be exported. An EU technical team would visit India in September 2014 to inspect the various facilities and India welcomed an early solution to this concern.

4.8. The European Union explained that its measures had been introduced on 24 April 2014, due to the growing number of interceptions at the EU border of consignments of plants and plant products with harmful organisms. Several meetings had been held with India to discuss problems related to its insufficient phytosanitary export checks and inadequate certification systems. In 2010 and 2013, the EU Food and Veterinary Office undertook two missions to India, which revealed significant shortcomings in the certification system of plants exported to the European Union. To date, there had been no improvement in this situation, and the number of consignments of plant products with harmful organisms intercepted at the EU border continued to grow. On this basis, the European Union had temporarily prohibited the import of five commodities until the end of 2015 to allow India to take corrective measures and upgrade its certification system. This temporary ban would be reviewed in light of: (i) the outcome of future audits, the first one planned for September 2014; (ii) the receipt of sufficient guarantees from the Indian authorities; and (iii) the decrease in the number of interceptions on plants and plant products for which imports from India are not prohibited. The European Union hoped that India would take the necessary measures to allow resumption of export of all plants and plant products to the European Union.

4.1.5 US non-acceptance of OIE categorization for BSE - Concerns of India

4.9. India raised its concern regarding the US request for India's OIE dossier, which it had previously submitted to the OIE in order to gain recognition of its status as a negligible risk country for BSE. India noted that the United States had chosen to disregard the OIE's designation, which was contrary to accepted international practice among Members, and had instead requested India to share its OIE dossier in order to enable the United States to conduct their own assessment of India's status. Given the significant trade interest, India had requested the OIE to share its dossier with the United States, but further requested that the United States recognize its official OIE status.

4.10. The United States reiterated its commitment to aligning its import regulations governing BSE with OIE guidelines and further highlighted that in 2013, USDA APHIS had published a final rule in the Federal Register that ensured that US BSE import regulations were aligned with international animal health standards that support safe trade in bovines and bovine products. In that rule, it had been noted that the review of information for India was ongoing. If the findings supported concurrence with OIE's designation, a notice would be published in the Federal Register. However, the United States indicated that it had been unable to complete its review due to the lack of access to India's OIE dossier, in spite of repeated requests since 2010. Although India had authorized the OIE to share a copy of the dossier in May 2014, this information had still not been received. The United States reiterated its request for India to provide the necessary information to facilitate the evaluation and indicated its willingness to continue working with India on the issue.

4.1.6 Australia's non-acceptance of OIE categorization for BSE - Concerns of India

4.11. India noted that this concern was similar to the one it had raised with the United States. Under Australia's new requirements, countries had to obtain clearance on their BSE categorization to be able to export beef products to Australia. India noted that Australia had also chosen to implement its own categorization process and voiced its concern with the potential multiplicity of systems, as well as the risk posed if national categorization processes ran counter to OIE's categorization. India requested that Australia accept its categorization as designated by the OIE, in order to resolve this issue.

4.12. Australia noted that this concern was being raised for the first time in the Committee and that bilateral discussions had been held on the margins of the meeting to identify India's concerns. Australia reserved its right to conduct its own assessment on the status of India or any other Member, in relation to diseases of biosecurity concern, including BSE, in accordance with its current policies and appropriate level of protection.

4.1.7 Brazil's regulation on international certificates for fish and fishery products (G/SPS/N/BRA/901) - Concerns of China

4.13. China raised its concerns regarding Brazil's regulation on international certificates for fish and fishery products. Brazil's regulation standardized international certificates for fish and fishery products exported to Brazil and required all countries, except Argentina, Canada, Chile and Uruguay, to provide certificates for these food products. The entry into force of the regulation had been notified on 1 January 2014, however, the new version of the certificate was only circulated by Brazil on 21 January 2014. On receipt of the sample certificate, China had requested Brazil to grant a transitional period for the replacement of the certificate with the additional suggestion that the old certificate remain valid before both parties confirmed the new certificate. The request for a transitional period refused was refused, but Brazil had agreed that detained goods would be cleared if the old certificate were replaced. In April 2014, China issued a new certificate for the goods at the Brazilian ports, however, 170 batches of goods bearing the new certificate were retained at the port. China urged Brazil to grant a transitional period for the replacement of its old certificate and to promptly allow the clearance of the batch of detained goods.

4.14. Brazil indicated that it would not be able to provide a detailed response as they had been informed of this trade concern at a short notice. Additional information had been requested from China to assist Brazil in identifying the problem. However, based on initial information received from its authorities, and subject to further verification, the list of 170 detained goods was outdated. Brazil indicated its commitment to resolve the issue and requested China to provide the relevant details, including the number of detained goods and the reasons identified for the detention of the goods.

4.1.8 EU withdrawal of equivalence for processed organic products - Concerns of India

4.15. India indicated its concerns with the EU withdrawal of equivalence for processed organic products, which it had previously recognized since 2006. The equivalence agreement with the European Union provided that processed and unprocessed organic food products from India could be exported to the European Union pursuant to certification from the bodies accredited under India's National Programme for Organic Products (NPOP). In order to expand its exports, in September 2012 India had published guidelines that would permit certain imported ingredients

such as herbs, flavours, additives and colours to be blended with Indian organic value-added products. These guidelines, which provided that the percentage of imported ingredients would be within the range of 5%, were shared with the European Union who made no comment. However, EU Regulation No. 125/2013 with effect from 1 April 2013 removed processed organic products from the equivalence agreement, on the grounds that the agreement required that all of the ingredients must be grown in India. India clarified that no processed organic products containing imported ingredients were exported to the European Union. India requested that the equivalence recognition be restored as it had withdrawn the 2012 guidelines.

4.16. The European Union responded that India's concern was not an issue under the scope of the SPS Agreement. This position had previously been communicated to India during bilateral meetings held in April 2014 and on the margins of the current meeting of the SPS Committee. The European Union reiterated its commitment towards engaging with India at a technical level on this issue, within the appropriate framework.

4.17. India explained that the criteria for designating a product as organic were far more stringent than the requirements for non-organic products and as such, notification of these requirements would fall within the scope of the SPS Agreement. India requested clarification from the Secretariat in this regard, including a list of notifications regarding requirements for organic products. India also queried whether the international standard-setting bodies had undertaken any work in this regard.

4.18. The Secretariat noted that most notifications regarding organic products had been submitted under the TBT Agreement, as could be seen from the SPS and TBT Information Management Systems (IMS). There was no WTO legal interpretation addressing organic products. The Codex had undertaken work regarding, in particular, the labelling of organic food products, but as confirmed by the representatives, neither the IPPC nor the OIE had any activities in that regard. The information provided by the Secretariat was subsequently issued in G/SPS/GEN/1354.

4.2 Issues previously raised

4.2.1 Indonesia's Jakarta port closure - Concerns of Chile (No. 330)

4.19. Chile expressed its concern at the lack of access for its fruit exports through the Jakarta port, due to Resolutions No. 42 and No. 43 which had been issued by Indonesia's Ministry of Agriculture, effective June 2012. Chile had provided Indonesia with all the necessary documentation establishing its fruit fly-free status, and had requested that this be formally recognized. To date, Chile had not been recognized as free of fruit flies by Indonesia, although other countries had been granted that status. The Indonesian authorities had not yet carried out a technical visit to Chilean sites, despite the invitation. Chile noted that Indonesia's measure was not in keeping with the objective of the SPS Agreement and further urged Indonesia to find a solution to its concern as soon as possible.

4.20. Korea reiterated Chile's concern, indicating that it had experienced difficulties in exporting its fresh agricultural produce to Indonesia since the port closure. Several bilateral discussions had been held and the requested information provided to the Indonesian government, including the results of a fruit flies survey. Korea urged Indonesia to resolve this issue as soon as possible. Japan further supported this concern and requested Indonesia to find a solution to this issue.

4.21. Indonesia recalled the closure of Jakarta port had been undertaken to protect consumers from the threat of new pests and diseases identified in fresh produce imported through the port. Indonesia was free from Medfly and precautionary actions were being taken in particular on products from countries which had Medfly. The Indonesian Quarantine Agency (IQA) had information that Medfly had been found in the Valparaiso region in Chile, in a grape plantation area in 2013. Owing to the Medfly's ability to fly long distances, IQA was concerned that products from Chile could adversely affect various fruit and vegetable plantations in Indonesia. Given its limited capacity to control the potential spread of Medfly, Indonesia could only approve products from countries with Medfly-free status or subject to treatments in compliance with the IPPC guidance.

4.22. Chile stressed that as of 2013, IPPC provided for the retention of the recognition of a country's pest-free status when an outbreak was quickly detected and controlled. Chile again

invited Indonesia's technical experts to visit Chile to verify the swift management and eradication of these outbreaks. Furthermore, Chile had not received any warning prior to restrictions being imposed on its fruit exports. Chile reiterated its commitment to bilateral efforts to resolve this trade concern.

4.2.2 EU temperature treatment requirements for imports of processed meat products – Concerns of Russia (No. 351)

4.23. Russia recalled that it had previously raised concerns in the June 2013 SPS Committee meeting about the EU requirement that bovine and porcine meat products be heat-treated to 80 degrees Celsius. In 2010, the competent Russian authority initiated the authorization process for exports of raw meat preparation derived from cattle, pigs and poultry produced in the Kaliningrad region into the European Union. Russia requested modified conditions of heat treatment for these products. As a result of joint long-term work undertaken by the Russian authorities and DG SANCO, EU Regulation No. 1162/2012 had been issued, which regulates the procedure for the export of animal products from the Kaliningrad region into the European Union. However, Russia noted that this regulation had since created many difficulties for its ready-to-eat meat product exports from the rest of Russia, and had resulted in Russia's exclusion from the list of third countries authorized to export these products into the European Union. To date, Russia had been unable to obtain a satisfactory science-based explanation for the EU's decision to maintain the 80 degree heat treatment regime for pork. Russia requested a speedy resolution to this issue.

4.24. The European Union indicated that it was willing to amend Commission Decision 2007/777/EC in order to re-establish the right of the whole country of Russia to export pig- and ruminant-origin meat products to the European Union. This position had already been communicated to Russia via bilateral channels. The European Union underlined that establishments approved to export the identified products were situated exclusively in the Kaliningrad region. Before approving establishments in the rest of Russia, an audit from the EU Food and Veterinary Office would be required to verify a satisfactory animal and public health situation, which was standard procedure. The European Union was willing to consider the most adequate and effective import requirements according to the sanitary situation of the exporting party. The European Union would also review its requirements on processed pig products if and when the relevant OIE standards were modified or new scientific studies demonstrated that less stringent treatments could provide sufficient safety with regard to African swine fever. In the case of ruminant-origin meat products, Russia did not apply the policy of regionalization in accordance with international standards nor did it have a favourable FMD status officially recognized by the OIE. For this reason, the European Union would not be in a position to relax its import requirements regarding ruminant-origin meat products. The European Union remained committed to continuing discussions on this issue and urged Russia to apply the principle of regionalization for major animal diseases within its territory. In response, Russia noted that regionalization was not relevant for FMD in the case for prepared meat products.

4.2.3 Turkey's requirements for importation of sheep meat – Concerns of Australia (No. 340)

4.25. Australia reiterated its concerns over Turkey's requirements for the import of sheep meat, which it had raised at each Committee meeting since October 2012. Turkey had indicated at previous meetings that it was in the process of aligning its food safety legislation with that of the European Union. However, Australia currently exported sheep meat to the European Union. In February 2012, Australia had provided Turkey with a draft bilingual sheep meat certificate based on EU requirements but Turkey had not acknowledged receipt of the draft certificate nor provided advice on its acceptability. Turkey's lack of response was not consistent with its obligations under the SPS Agreement.

4.26. Turkey indicated that following the adoption of its Law on Veterinary Services, Plant Health, Food and Feed, it had prepared model health certificates for beef, bovine meat, livestock and fishery products to align with EU standards. Development of a uniform model certificate for other products of animal origin, including sheep- and goat-meat, was underway. Efforts to determine the health requirements for the appropriate level of protection for the import of sheep- and goat-meat were also in process. Turkey was committed to resolving this trade concern and highlighted that

the first Turkey-Australia Agricultural Steering Committee meeting would be held in October 2014, and field visits would be made to Australian abattoirs and meat processing facilities.

4.2.4 India's import conditions for pork and pork products – Concerns of the European Union (No. 358)

4.27. The European Union recalled its concerns on India's import requirements for pork and pork products and noted that it had for many years been requesting India to bring such measures in line with international standards. Specifically, the European Union requested India: (a) to require that the exporting country certify freedom only from diseases for which there were OIE standards and not from other diseases; (b) to require cooking of pig meat and to recognize the curing processes in accordance with the relevant Codex standards; (c) to apply the same conditions to non-heat treated processed pig meat, whether imported or produced in India; and (d) to provide a sound scientific justification to diverge from international standards.

4.28. India noted that the sanitary requirements were being revised and that the Secretariat and Members would be informed in due time.

4.2.5 Korea's strengthened import restrictions on food and feeds with regard to radionuclides – Concerns of Japan (No. 359)

4.29. Japan reiterated its concerns regarding Korea's food, fisheries and livestock products import restrictions. These bans and additional testing requirements for radionuclides were non-transparent, not based on science, discriminatory and more trade-restrictive than necessary. Japan had held numerous bilateral meetings and provided detailed information to Korea, and had offered additional meetings between experts, but Korea had not agreed to participate. In March 2014, according to Articles 4 and 5.8 of the SPS Agreement, Japan had requested Korea: (1) to provide an explanation of the objectives and reasons for Korea's SPS measures; (2) to identify the risks that its measures intend to address; (3) to indicate the level of protection that its measures intend to achieve; and (4) to provide a copy of any risk assessments undertaken. In June 2014, Japan had reiterated its written request. Furthermore, Korea's measures had not been published and the Korean enquiry point had not responded to requests for additional information. If Korea continued ignoring Japan's requests, Japan would have no choice but to resort to other actions under the WTO.

4.30. Korea explained that its measures were in accordance with Article 5.7 of the SPS Agreement, to protect human health and food safety from radioactive contamination. Korea was in the process of reviewing information provided by Japan in January 2014. In parallel, Korea had held several expert meetings with Japan, and was willing to hold technical experts meetings and conduct on-site visits after reviewing the information, if necessary.

4.2.6 China's import restrictions in response to the nuclear power plant accident – Concerns of Japan (No. 354)

4.31. Japan reiterated its concern over import restrictions by China on Japanese food exports, following TEPCO's nuclear power station incident. China maintained a ban on products from ten prefectures in Japan and requested the submission of an official pre-test certificate for fruits, vegetables, tea, milk, medicinal plants and their products from other prefectures. These measures were more trade restrictive than necessary, not based on the relevant Codex standards and applied in a manner that constituted a disguised restriction on international trade. Japan requested that China promptly accepted the proposed pre-test certificate and lift the import ban on the ten prefectures.

4.32. China explained that since the nuclear leak incident, serious contamination threats existed to Japan's agriculture and maritime products. Several adjustments had been made to inspection and quarantine measures since then. China had received Japan's request to lift the import restrictions and was in the process of reviewing technical data and conducting research and risk analyses. The current measures would be reviewed accordingly.

4.2.7 General import restrictions due to BSE - Concerns of the European Union (No. 193)

4.33. Once again the European Union highlighted the importance of this concern as it related to one of the basic requirements under the SPS Agreement: that SPS measures adopted by Members be based on the relevant international standards. Unjustifiable trade restrictions relating to BSE were still in place in a number of Members, although OIE standards for safe trade had existed for more than ten years.

4.34. The European Union welcomed the recent opening of China allowing imports of live cattle from one EU member State as well as the announcement to lift the ban for meat from cattle under 12 months of age from another member State, but only after going through a lengthy approval procedure. Therefore, the European Union requested China to rapidly finalize all outstanding EU applications, some of them pending since 2005 and to increase transparency on the procedures required to lift the ban and on the risk analysis justifying it.

4.35. The European Union welcomed the recent entry into force of the US BSE rule, but urged the United States to complete without further delay the evaluation procedures that would allow actual trade to take place.

4.36. The European Union noted that Australia's alignment of its BSE import conditions with OIE standards was not yet satisfactory and requested Australia to quickly finalize its processes for effective market access.

4.37. China explained that as a country with a negligible BSE risk status, as recognized by the OIE in 2014, it took a cautious attitude on BSE measures. China had organized BSE risk assessment expert panels and provided questionnaires to applicant countries. For BSE-free countries such as Hungary and Latvia, beef access procedures had been initiated, while for BSE risk countries like France, Ireland and the Netherlands, technical exchanges and consultations were still ongoing. The responses to the questionnaires would be reviewed and measures revised accordingly.

4.2.8 Application and modification of the EU Regulation on Novel Foods - Concerns of Peru (No. 238)

4.38. Peru reiterated its concern over the proposed amendment of Regulation No. 258/97 (documents G/SPS/N/EU/64, G/SPS/N/EU/64/Add.1 and G/SPS/N/EU/64/Add.2) and referred to its comments on how to facilitate access to the EU market for biodiversity products from developing countries (G/SPS/GEN/1329). Peru highlighted its concerns on the proposed definitions of: (1) "novel food", and requested the risk assessment on which European Union established 15 May 1997 as the reference date; (2) "traditional food from third country", because the majority of potentially exportable traditional foods derived from primary production; and (3) "history of safe food use in a third country", as it considered the time-period of 25 years for demonstrating safe use too long and proposed a period of five years without any indication of risk to human health instead. Peru requested that the European Union revise the definitions to establish criteria that would allow traditional biodiversity products from developing countries real and timely access to the EU market.

4.39. Colombia, Costa Rica and Ecuador expressed their support for Peru's concerns.

4.40. The European Union recalled that in December 2013 it notified the proposal for a new regulation on novel foods, and an exceptionally long comment period (150 days in total) had been given to facilitate interested Members to dialogue with the European Union. The deadline to submit comments had been extended to 20 May 2014, and comments had been received from Canada, China, Costa Rica, Ecuador, Peru and the United States. EU experts were examining the comments and written replies would be provided soon. The European Union explained that the reference date of 15 May 1997 was already applied by the existing Regulation No. 258/97/EC, and as the new proposal did not change the scope of the EU legislation, this date remained unchanged. A guidance document had been elaborated to explain how to establish the use of a food to "a significant degree". On the definition of "traditional food from third country", this only referred to primary production. Sacha inchi oil could be placed on the EU market, whereas camu camu or rumberry were only known in the European Union to be used in food supplements. The 25 years history of

safe use reflected experience gained by one generation of population consuming the food in question, and no toxicological data were required, only compositional data. The new proposals aimed to streamline the pre-market authorization procedure, in particular by faster and more proportionate safety assessments for traditional foods from third countries with a history of safe use. Detailed guidance on all information to be presented as part of the application would be provided. Recommendation 97/618/EC would be replaced by a new scientific guidance elaborated by EFSA by 31 October 2015, and would be subject to public consultation.

4.3 Information on resolution of issues in G/SPS/GEN/204/REV.14

4.41. No Member provided any information under this agenda item.

5 OPERATION OF TRANSPARENCY PROVISIONS

5.1. The Secretariat recalled that it no longer produced paper copies of the contact lists of National Notification Authorities and National Enquiry Points, but the lists were constantly updated and available through the SPS Information Management System (IMS) (<http://spsims.wto.org>). Members could also generate a monthly summary list of notifications through the SPS IMS. The Secretariat noted that it had not prepared an annual list of all documents circulated by Members, Secretariat and Observers, as this information was readily available using the SPS IMS.

5.2. Interested delegates can subscribe to any one of three e-mail lists to receive SPS-related information and documentation from the Secretariat. One publicly available list receives all unrestricted SPS documents, whereas a second list receives all unrestricted documents other than notifications. The third list was for SPS delegates only, for the transmission of restricted documents, communications from the Chair, faxes, room documents and other non-public documentation. Documents were provided through the various e-mail lists in the original language in which they were submitted by Members, and translations of these documents were accessible through the SPS IMS or WTO's Docs-on-line. Members interested in receiving documentation via e-mail from the Secretariat should ensure the addresses they provided remained correct.

5.1 Russian Federation – Information regarding amendments to epidemiological and hygienic requirements for products subject to sanitary epidemiological supervision (Notification G/SPS/N/RUS/50)

5.3. The Russian Federation reported that following the harmonization provisions of the SPS Agreement, it was working on bringing national measures applied within the Customs Union into conformity with relevant international standards, guidelines and recommendations. Accordingly, the Secretariat had been notified of the starting date for public discussion on the draft decision on amendments to common sanitary and epidemiological and hygienic requirements for products subject to sanitary and epidemiological supervision (control), proposed by the Board of Eurasian Economic Commission (G/SPS/N/RUS/50). The notification contained proposed amendments on: (1) maximum residue levels of phosphoric acid and food phosphates in meat products (including sausages), except raw and minced meat to be harmonized with Codex standards; and (2) the requirement to add a list of active substances in pesticides used in environmental objects, food raw materials and food products. The comments and suggestions received were being reviewed and Members would be informed of subsequent harmonization work with international standards, guidelines and recommendations.

5.2 EU revised proposal for categorization of compounds as endocrine disruptors – Concerns of the United States

5.4. The United States reiterated its concerns on ongoing work related to the EU regulation of endocrine disruptors. On 18 June 2014, the European Commission had made public its roadmap on defining criteria for identifying endocrine disruptors in the context of the implementation of the plant protection product and biocidal products regulations. The United States requested the European Union to provide an update on its endocrine disruptors assessment programme, particularly the timing for public consultations, how Members' comments would be taken into consideration and when the regulation would be notified.

5.5. Mexico shared US concerns and requested further clarifications on this issue, which could have serious implications on agricultural trade.

5.6. The European Union indicated that a comprehensive impact assessment would be carried out to define scientific criteria for the determination of endocrine disrupting properties and their implementation into existing sectoral EU legislation. A roadmap had been published in June 2014 outlining the impact assessment structure and various policy options to be assessed. A public consultation of at least three months would be launched in the course of 2014, enabling all stakeholders and trading partners to provide their input. The work on endocrine disruptors followed a standard procedure in the EU legislative process. If a proposal on the criteria were made, the European Union would notify it to the SPS and TBT Committees to allow Members' comments to be duly taken into account.

6 IMPLEMENTATION OF SPECIAL AND DIFFERENTIAL TREATMENT

6.1. No Member provided any information under this agenda item.

7 EQUIVALENCE - ARTICLE 4

7.1 Information from Members on their experiences

7.1. No Member provided any information under this agenda item.

7.2 Information from relevant observer organizations

7.2. No Observer provided any information under this agenda item.

8 PEST- AND DISEASE-FREE AREAS - ARTICLE 6

8.1. The Secretariat noted that several Members had submitted documents providing information on the pest and disease status in their territories. These documents had been circulated and Members could access them online. The Secretariat reminded Members to ensure that this information was also reported to the IPPC or the OIE directly, as appropriate, since the provision of such information to the WTO did not fulfil Members' obligations to the IPPC and the OIE.

8.1 Information from Members on their pest or disease status

8.1.1 South Africa – Freedom from peste des petits ruminants (PPR)

8.2. South Africa reported that during its 82nd General Session, the OIE had recognized South Africa as free from PPR together with 47 other countries. South Africa explained that PPR was an economically devastating viral disease affecting small ruminants and its eradication had been earmarked by the FAO and the OIE.

8.1.2 South Africa – Freedom from porcine epidemic diarrhoea (PED)

8.3. South Africa reported on the necessity to implement import measures to protect its territory against the introduction of porcine epidemic diarrhoea (PED), after several countries had reported outbreaks of PED to the OIE. South Africa was free from PED. During 2013, South Africa had conducted surveillance on a number of porcine diseases, including PED, and the outcome proved the absence of these diseases in the domestic swine population. Additional scientific information on the management of the disease would be incorporated in the import requirements as soon as it became available.

8.1.3 Argentina – Expansion of OIE-recognized FMD-free zones without vaccination

8.4. Argentina reported that during the 82nd General Session of the OIE in May 2014, the Assembly had recognized a new FMD-free zone without vaccination in Argentina, Patagonia Norte A. This zone added to the four FMD-free zones previously recognized by the OIE. This new zone does not imply any modification to the FMD-free zone without vaccination called Patagonia,

as it is not a part of it, but rather is a contiguous zone to Patagonia. Argentina would soon provide detailed information on all FMD-free areas.

8.1.4 Argentina – Freedom from PPR and contagious bovine pleuropneumonia (CBPP)

8.5. Argentina also reported that it had been recognized free from PPR and contagious bovine pleuropneumonia (CBPP) by Resolutions No. 17 and 20 at the 82nd OIE General Session. See also G/SPS/GEN/1347.

8.1.5 Korea – Animal disease status

8.6. Korea provided an update on its OIE status for four animal diseases. In May 2014, the OIE had recognized Korea as: (a) an FMD-free country with vaccination as a result from the measures taken to control the disease since the FMD outbreak in 2011; (b) PPR- and African horse sickness (AHS)-free country through its effort to remain free from the diseases over the past 25 years; and (c) a country having a negligible BSE risk as a result of effective preventive measures.

8.7. The OIE recalled that the full list of disease free country status was available in Annex 1 of the OIE report (G/SPS/GEN/1343).

8.2 Information from Members on their experiences in recognition of pest- or disease-free areas

8.8. No Member provided any information under this agenda item.

8.3 Information from relevant Observer Organizations

8.9. The IPPC stressed the importance of WTO Members adhering to their reporting obligations under the IPPC and the OIE, and indicated that a list of actions would be soon presented to IPPC members to improve the situation. As an example, the IPPC suggested the inclusion of an automatic message to recall Members of their reporting obligations to the IPPC or OIE when notifying to the WTO.

8.10. SADC reported on a number of activities carried out in the last year aimed at improving the capacity of member states in implementing the SPS Annex to the SADC Protocol on Trade, including SPS awareness creation, training of regulatory agencies, SPS technical committee meetings, and SADC SPS Coordination Committee meetings facilitated by the STDF. Additionally, SADC indicated that a Regional Training Workshop on SPS measures for regulatory authorities responsible for food safety, plant and animal health had been held in Pretoria, in November 2013, and that SADC had coordinated a regional workshop on the development of a strategy for the management of a quarantine pest of banana. Furthermore, SADC reported on its progress towards revising the SPS Annex to the SADC Protocol in order to facilitate effective implementation of the SPS Agreement, based on the results of a STDF study conducted in 2010. More detailed information can be found in G/SPS/GEN/1346.

8.4 Annual Report in accordance with G/SPS/48

8.11. The Secretariat recalled that the adopted guidelines to further the practical implementation of Article 6 of the SPS Agreement required the Secretariat to prepare an annual report. The Secretariat introduced the report covering the period from June 2013 until 31 March 2014, based on information provided by Members through notifications and from information presented during the Committee meetings (G/SPS/GEN/1333).

9 TECHNICAL ASSISTANCE AND COOPERATION

9.1 Information from the Secretariat

9.1.1 WTO SPS activities

9.1. The Secretariat recalled that documents G/SPS/GEN/997/Rev.4 and G/SPS/GEN/997/Rev.4/Add.1 provided an overview of the planned technical assistance and

training activities for 2014. Since the last Committee meeting, technical assistance on the SPS Agreement had been provided through four national activities held in Comoros, Jordan, Seychelles and Tunisia. More general training on the SPS Agreement had been provided through: (a) an Advanced Trade Policy Course (in Spanish), held in Geneva; (b) the Introductory Course for LDCs in Geneva; (c) a Regional Trade Policy Course for French-speaking Africa, held in Tunisia; (d) a Regional Trade Policy Course for English-speaking Africa, held in Botswana; and (e) a Regional Trade Policy Course for the Caribbean, held in Barbados.

9.2. Upcoming Geneva-based SPS training activities by the WTO Secretariat included: the Advanced SPS Course, which would be held in Spanish, on 6-24 October 2014; and the Workshop on Risk Analysis, on 13-14 October 2014. Regional activities were scheduled in Vienna, Austria, for Central and Eastern Europe, Central Asia and the Caucasus (8-11 September 2014); in Apia, Samoa, for the Pacific Region (10-13 November 2014); and in Montevideo, Uruguay, for Latin America (17-20 November 2014).

9.3. Over 700 applications had been received to date for the planned technical assistance activities for 2014, however, the application period for the two Regional Workshops for the Pacific and for Latin America were still open. About 600 applications had been received for the Workshop on Risk Analysis only.

9.4. National seminars were scheduled to be held in: Tanzania (22-24 July); Saudi Arabia (22-24 September); Saint Vincent and the Grenadines (8-10 September); Sri Lanka (15-19 September); El Salvador (23-25 September); and Ecuador (24-26 September). Other national seminars were planned for Angola, Azerbaijan, Belarus, Egypt, The Gambia, Honduras and Sudan.

9.5. The Secretariat highlighted the Follow-up Session to the 2013 Advanced SPS Course, which was held on 2-11 July and was attended by 21 participants from LDCs and developing countries who had participated in the Advanced SPS Course in 2013.

9.6. The Secretariat recalled that the E-Learning course on the SPS Agreement was available year-round in the three WTO official languages. Further information on SPS-related technical assistance could be obtained on the WTO website (under trade-related technical assistance), or by contacting the Secretariat for additional clarification and assistance.

9.1.2 STDF

9.7. The STDF Secretariat reported on the most recent activities of the STDF (G/SPS/GEN/1337), and highlighted that the STDF 2013 Annual Report was available on the STDF website. In March 2014, the STDF Working Group had discussed the recommendations of the recent mid-term review of the STDF, and agreed on an Action Plan to implement its recommendations. Efforts were underway to implement the first recommendation, which called for a review of the STDF's Medium-term Strategy and strengthening of its results based management framework.

9.8. Following the March STDF thematic session, the STDF had continued its work on the implementation of SPS measures to facilitate safe trade. It encompassed regional research in selected countries in Africa and Asia focusing on how SPS measures were implemented for selected product groups based on the relevant provisions of the SPS Agreement (notably Article 8 and Annex C). The purpose was to identify transaction costs that could be reduced or avoided, without compromising health protection. The STDF indicated that the findings of the regional research would be considered at the STDF Working Group in October 2014.

9.9. The STDF reported that collaboration with the Enhanced Integrated Framework had been initiated to analyze the coverage of SPS issues within Diagnostic Trade Integration Studies (DTIS), to identify good practice to enhance the coverage of SPS issues in future DTIS, and their implementation.

9.10. A total of 63 project preparation grants and 68 projects had been approved and funded by the STDF since its inception. The STDF noted that the next deadline to receive applications was 18 July 2014, and that new applications would be considered at the October Working Group meeting.

9.11. Detailed information on STDF activities and how to apply for funding was available in G/SPS/GEN/1337 and from the STDF website (<http://www.standardsfacility.org>). The STDF noted that the new STDF website would be soon available and would provide a more user-friendly and interactive interface for Members and other interested users.

9.2 Information from Members

9.2.1 Technical assistance to developing countries provided by Japan (G/SPS/GEN/1160/Add.2)

9.12. Japan provided an update on SPS-related technical assistance it had delivered between 1 April 2013 and 31 March 2014 (G/SPS/GEN/1160/Add.2). Since 2009, 48 programmes on technical assistance had been provided, targeting more than 30 countries and amounting to a total of 3.4 billion Japanese yen. The overseas aid programme was managed by the Japan International Co-operation Agency (JICA).

9.2.2 Technical assistance to developing countries provided by Australia

9.13. Australia reported on its SPS-related technical assistance aimed at helping developing country Members adjust to, and comply with, SPS measures in their export markets. It also assisted developing country Members improve their capacity to develop and implement their own SPS measures based on science. Between July 2011 and June 2013, technical assistance activities funded by Australia amounted to over Aus\$55 million, benefitting 51 developing countries (G/SPS/GEN/717/Add.4).

9.2.3 Technical assistance provided to developing countries by Canada in 2013

9.14. Canada provided information on its technical assistance to developing countries in calendar year 2013 (G/SPS/GEN/1342 and G/SPS/GEN/1342/Corr.1). Canada delivered or initiated a total of 17 SPS-related technical assistance projects targeting various geographic regions, amounting to approximately Can\$7.74 million. Of note, a third contribution of Can\$1 million of a multi-year, multi-million dollar contribution was made by Canada to the STDF.

9.3 Information from observers

9.15. The IPPC reported on its technical resources and other information for technical assistance contained in G/SPS/GEN/1345. The IPPC suggested that developing countries may need to review capacity building and technical assistance in the context of the new Trade Facilitation Agreement (TFA) and consider future implications.

9.16. India noted that the SPS Committee was not the forum to discuss the TFA. The Secretariat noted that the TFA had very explicit provisions regarding the SPS and TBT Agreements and confirmed that the appropriate forum to discuss the TFA was the TFA Committee.

9.17. The OIE referred to its activities reported in G/SPS/GEN/1343. Nine new Reference Laboratories and six new Collaborating Centers had been accredited in 2014, bringing the number of official centers of scientific excellence within the OIE worldwide network to 296, in 44 countries over the five regions. Two more of the laboratories trained under the twinning programmes, set up since 2006, were approved as new OIE Reference Centers in May 2014. 20 twinning projects among Veterinary Education Establishments and Veterinary Statutory Bodies were underway or planned to start soon. A summary of progress on the PVS Pathway evaluations was available in the report.

9.18. IICA reported on its programme to promote participation of the Americas in Codex and noted that it had concluded its support for three Codex Committees. Three national workshops were held in El Salvador, Honduras and Paraguay to promote understanding of the importance of Codex among policy makers. IICA's revised Performance, Vision and Strategy tool for NPPOs was now available. IICA held two workshops under a capacity-building project to train agricultural producers on SPS requirements, in particular to comply with the SPS measures in the Canadian market. IICA also reported progress on the execution of STDF 436 to strengthen regional capacity

to meet export requirements based on international standards. More details are available in G/SPS/GEN/1339.

9.19. The African Union (AU) reported on its SPS-related activities detailed in G/SPS/GEN/1341. A Joint Conference of Ministers of Agriculture, in Ethiopia, had the objective of reviewing progress on investment efforts impacting, in particular, on access to markets, noting the role SPS plays on market access. While tariff barriers and quantitative restrictions had been eliminated in most RECs, non-tariff barriers still persisted and seriously hampered inter and intra-regional trade of fish and fisheries products. The meeting proposed to enhance the coordination mechanism to promote African common positions on agriculture-related international trade negotiations and partnership agreements. The African Agribusiness Forum in June 2014, in Equatorial Guinea, discussed the opportunities and challenges of the African Agribusiness sector, noting the need for compliance to global SPS measures and international standards. A document on the use of irradiation as a phytosanitary treatment using the case of South Africa and in line with ISPM 18 was under preparation for publication.

9.20. SADC reported it was receiving support from FAO for the regional management of fruit flies. Technical cooperation programmes had been launched in Botswana, Namibia, Zambia and Zimbabwe, but the regional technical cooperation programme had not been launched yet.

9.21. The Chair noted that ISO's report had been circulated in G/SPS/GEN/1338.

10 REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE SPS AGREEMENT

10.1 Issues arising from the Second Review

10.1.1 Adoption of procedure relating to implementation of Article 12.2 (G/SPS/W/259/Rev.7)

10.1. The former Chairperson reported on the informal meeting on ad hoc consultations held on 8 July 2014. In this meeting, she had first recalled that at the last Committee meeting in March, she had again proposed that the Committee adopt the procedure contained in document G/SPS/W/259/Rev.7. At that time, India had not been able to support the consensus and had sought clarification on several specific issues relating to the proposed procedure. India had been invited to submit its specific queries in writing so that they could be circulated to all Members. This was done in RD/SPS/4, dated 6 May 2014.

10.2. At the March meeting, the Committee had also agreed that the stewards and co-stewards of the electronic working group (eWG) that had earlier worked on this subject would review the queries submitted by India, and provide the requested clarifications. These clarifications had been circulated as RD/SPS/5, dated 13 June 2014.

10.3. At the informal meeting on 8 July 2014, the former Chairperson had invited India to comment on the responses provided by the stewards and co-stewards in RD/SPS/5. India had provided a summary of the seven clarifications that it had requested and the responses received from the stewards. India had indicated that some of these concerns had not been entirely resolved, and had proposed some changes to paragraphs 1.3, 2.1 and 2.14 of the procedure contained in document G/SPS/W/259/Rev.7.

10.4. Firstly, in paragraphs 1.3 and 2.1, India had suggested to remove the reference to "related technical issues", and to add a reference to the definition of an SPS measure in Annex A(1) of the SPS Agreement to the end of paragraph 1.3.

10.5. Secondly, India had suggested changes to paragraph 2.14, to add the option that the consulting Members could prepare their own report, to ensure that the consulting Members' comments would be reflected in the Facilitator's report, and to add a reference to "any other WTO body" at the end of that paragraph.

10.6. No substantive objections had been raised by Members on the proposed amendments. Some Members had indicated that they would need time to check with their respective capitals on the proposed amendments.

10.7. In closing the discussion on this point, the former Chairperson had proposed to table the procedure in G/SPS/W/259/Rev.7, with the changes proposed by India, for ad referendum adoption at the formal Committee meeting.

10.8. In commenting on the oral report, the Chairperson noted that although Members did not have any substantial objections, some delegates had indicated that they were not prepared to agree to a formal adoption of the procedure at this meeting. Under the circumstances, the Chairperson proposed that the Committee adopt the procedure contained in document G/SPS/W/259/Rev. 7, with the changes suggested by India, on an ad referendum basis, subject to Members referring back to capital on the matter before 5 September 2014. If no objections were received by **5 September 2014**, the procedure would be considered adopted.

10.9. The Committee adopted the Recommended Procedure to Encourage and Facilitate the Resolution of Specific Sanitary or Phytosanitary Issues among Members in Accordance with Article 12.2, with the changes suggested by India, on an ad referendum basis. The final decision was subsequently circulated as G/SPS/61.

10.2 Fourth Review

10.10. The outgoing Chairperson reported on the informal meeting on issues arising from the Fourth Review of the Operation and Implementation of the SPS Agreement that had been held on 8 July. Two main topics had been discussed: (i) specific proposals submitted by Members; and (ii) the draft report.

10.11. Regarding specific proposals for consideration, Canada had presented its joint proposal with Kenya on a catalogue of instruments available to WTO Members to manage SPS issues (G/SPS/W/279), which built on Canada's earlier proposal (G/SPS/W/271). Canada had noted that the document took into consideration the various elements available to Members in the SPS realm, including the SPS Agreement, the SPS Committee, other WTO agreements/committees, and the international standards setting bodies. To the extent possible, tools were listed in the order they appear in the SPS Agreement, to avoid giving any specific "weight" or order to the activities.

10.12. Several Members had highlighted the usefulness of such a compendium of instruments available to address SPS-related trade issues. There had been some preliminary suggestions to the document, and others had been encouraged to submit them in writing.

10.13. On transparency, the European Union had introduced the new joint proposal submitted with Chile, Morocco and Norway (G/SPS/W/278), which built on the two former proposals regarding transparency (G/SPS/W/274 and G/SPS/W/277). The European Union had stressed that the rationale for the proposal was to improve the quality and completeness of notifications. The Committee had considered section-by-section the specific suggestions for improving the recommended transparency procedures (G/SPS/7/Rev.3), as well as recommendations for the Secretariat to consider when revising the online SPS IMS and NSS tools, as some of the proposed changes would require more automated systems. Norway had further stressed the issue of timeliness of regular and emergency notifications, and Chile had highlighted the issue of compliance with international standards and the need to define criteria for trade facilitating measures.

10.14. The Secretariat had noted that it faced the challenge of ensuring that notifications were as clear and complete as possible, yet circulated with a minimal delay. It had therefore welcomed proposals to improve the quality and completeness of notifications as well as specific guidelines for the Secretariat as of how to address the issues presented in the proposal. The Secretariat had encouraged Members to use the online SPS NSS, which facilitated the notification process, and had drawn attention to recent improvements in the WTO Documents Online application.

10.15. Argentina had suggested that the needs of and difficulties encountered by Members could be identified through questionnaires or workshops, to provide useful input before changing the current notification procedures.

10.16. In concluding, the European Union had noted that transparency could only be improved collectively, and that Members with more resources should pay attention to the needs of those

lacking resources, share best practices and ideas. The European Union had proposed that this review exercise be finalized at the transparency workshop to be held in October 2015. Several Members had welcomed the proposal and expressed their willingness to submit more detailed comments in writing.

10.17. The Committee had next discussed the revised draft programme for the October 2014 workshop on risk analysis (G/SPS/GEN/1336). This built on the US proposal (G/SPS/W/275), and reflected South Africa's proposal related to the implementation of Article 5.4 of the SPS Agreement as well as other comments received from Members. The Secretariat had invited Members to submit any further comments on the programme and to help identify appropriate speakers by 25 July 2014. The Secretariat had noted that in addition to government officials, participation was open to non-governmental entities provided their number remained limited. Over 500 applications for WTO funding had been received by the deadline, although funding was available for only 50 participants. Governments had been encouraged to provide funding for their delegates, where possible. In selecting participants for WTO funding, priority would be given to LDC government officials and those holding responsibilities in the risk analysis area. Colombia had suggested that the Secretariat explore the possibility of broadcasting the event through videoconference.

10.18. Following the timetable adopted by the Committee, the Secretariat had circulated the first draft review report on 19 June 2014 (G/SPS/W/280). This draft built on the updated background document (G/SPS/GEN/1312) and reflected the specific proposals submitted by Members.

10.19. The Secretariat had highlighted the main changes in the draft report, and noted that a corrigendum had been circulated to correct the chart numbers in several paragraphs. Possible recommendations for consideration by the Committee had been included in italics at the end of each section. Members had been invited to comment on the draft report and particularly on the recommendations by 31 July 2014. According to the agreed timetable, the draft report would be considered for adoption at the October meeting.

10.20. In concluding, the former Chairperson had recalled the next steps: (i) comments and suggestions by Members on the catalogue of instruments were to be submitted by 5 September 2014, and Canada and Kenya had been invited to provide a revision of the document by 26 September 2014; (ii) comments and suggestions by Members on the modifications to the transparency procedures were to be submitted by 26 September 2014; (iii) and comments and suggestions by Members on the programme for the workshop on risk analysis as well as identification of possible speakers were to be submitted by 25 July 2014.

10.21. In addition, according to the agreed review process, Members had been invited to provide any further comments or suggestions on the draft report by 31 July 2014. A revised draft report would be circulated by 18 September 2014, with the objective of its adoption at the October meeting.

11 MONITORING OF THE USE OF INTERNATIONAL STANDARDS

11.1 New Issues

11.1. No Member raised any new issues under this agenda item.

11.2 Issues previously raised

11.2. The IPPC thanked the European Commission for supporting the Implementation Review and Supporting System (IRSS). The IRSS had been widely recognized as a very helpful tool to promote and facilitate the IPPC monitoring system. The IPPC explained that during the second stage the European Commission had reduced its funding to incentivize other countries' support, and encouraged Members to contribute to the IRSS.

11.3 Annual Report in accordance with G/SPS/11/Rev.1

11.3. The Secretariat introduced the annual report (G/SPS/GEN/1332). This was a concise document, since no new issues had been raised under this agenda item in the past year. The report focused on the regular information reported by the IPPC, under previously raised issues, on

the Implementation Review and Support System (IRSS) activities that were of relevance to the implementation of the ISPMs. The report also highlighted Argentina's and Chile's reiterated suggestions for the revision of the monitoring procedure (G/SPS/W/268 of July 2012) and Argentina's proposal to include it in the catalogue of tools proposed by Canada.

11.4. Chile reaffirmed the need to revise the monitoring procedure under Article 12.4 to address the problems of developing countries that find it difficult to attend the three sisters' meetings and are therefore lack information on the extent to which international standards are being applied.

12 CONCERNS WITH PRIVATE AND COMMERCIAL STANDARDS

12.1. The outgoing Chairperson reported on the informal meeting on SPS-related private standards held on Tuesday, 8 July 2014. At the informal meeting, she had recalled that the Committee had agreed to develop a working definition of SPS-related private standards in order to set the framework within which it would discuss the issue. Agreed Action 1 (G/SPS/55) did not propose a legal definition, but merely sought a framework to limit the scope of issues considered by the Committee.

12.2. The outgoing Chairperson had also reminded the Committee that, as stated in paragraph 4 of G/SPS/55, endorsement of the adopted actions was without prejudice to the views of Members regarding the scope of the SPS Agreement.

12.3. The outgoing Chairperson had recalled that as no consensus had emerged in March on the working definition tabled by the co-stewards of the private standards e-WG, the Committee had requested the Secretariat to research existing definitions of private standards from other international organizations, as suggested by Canada. The objective had been to consider whether it would be useful to add SPS elements to an existing definition of private standards. The outgoing Chairperson had also recalled that the Committee had agreed to decide whether to continue discussions in the Committee as a whole or in the e-WG.

12.4. The Secretariat had introduced its note on "Existing definitions of private standards in other organizations" contained in document G/SPS/GEN/1334. Argentina had drawn attention to additional definitions from the OIE and Codex. Canada had referred to a draft OECD definition of private standards from a forthcoming report on synergies between private standards and public regulations, contained in the OECD document TAD/TC/CA/WP/(2013)(3). China had noted that most of these definitions were not officially adopted by the organizations concerned, but were rather of individual authors.

12.5. Several Members had welcomed the Secretariat note as well as the three additional definitions reported by Argentina and Canada, and had noted the need to pursue discussions in the e-WG. China and New Zealand, as co-stewards of the e-WG, had agreed with this approach. China and various other Members had noted that none of the definitions of private standards referred to were helpful in defining SPS-related private standards and proposed that the working definition tabled by the e-WG co-stewards (document G/SPS/W/276) be the basis of any further discussion of a definition.

12.6. In concluding the discussions under this agenda item, the outgoing Chairperson had proposed a way forward: first, the Secretariat would revise document G/SPS/GEN/1334 to include the three additional definitions mentioned; second, Members should submit by 5 September 2014 to the co-stewards of the e-WG, through the Secretariat, any comments they may have on the draft co-stewards definition and regarding elements of other existing definitions that could be incorporated into the co-stewards definition; and third, the e-WG should circulate its report on a compromise working definition of an SPS-related private standard to the Committee no later than the end of September, for consideration at the October 2014 meeting.

12.7. Regarding the implementation of Actions 2 and 5, Argentina had referred to earlier interventions and had enquired whether the Secretariat had alerted Codex, IPPC and OIE to document G/SPS/GEN/932/Rev.1 and the private schemes identified therein. Argentina had wished to encourage the three sisters to liaise with those private schemes and promote the use of international standards.

12.8. The Secretariat had noted that Argentina's interventions had been reflected in the relevant Chair summaries, which in turn had been reflected in the Secretariat's regular reports on relevant Committee activities, including the consideration of private standards, to the CPM, the OIE World Assembly of Delegates and the Codex Alimentarius Commission.

12.9. Regarding Actions 6 to 12, Argentina had proposed that the e-WG on private standards explore ways to move forward on those outstanding actions. However, Australia and the United States had asked that the e-WG not be overtasked and focus on coming up with a working definition of SPS-related private standards.

12.10. In commenting on the outgoing Chairperson's report, New Zealand looked forward to receiving any comments on the working definition of private standards and thanked the Secretariat for compiling the various definitions of private standards, including the additional ones reported by Argentina and Canada.

12.11. China reaffirmed its willingness to continue working with New Zealand and the e-WG and urged all Members to be flexible, cooperative and constructive in future work.

12.12. Norway asked for clarification as to why the proposal to work on actions 6 to 12 had been brought up in the Committee again as in Norway's understanding no agreement had been reached to continue working on actions 6 to 12.

12.13. The Secretariat noted that in April 2011 the Committee had adopted five of the six actions that had been put forward by the working group for endorsement (G/SPS/55). With regard to the other actions (6 to 12) however, there had never been any formal agreement on whether to continue to work on them or not.

13 OBSERVERS

13.1 Information from observer organizations

13.1. The International Organization for Standardization (ISO) submitted a written report on its activities under G/SPS/GEN/1338. ISO highlighted that it was developing a new strategic plan for 2016-2020 and invited Members to provide inputs. ISO also flagged a forthcoming document on ISO support to public policies and technical regulations. This document contained information on ISO adherence to the WTO-TBT principles for the development of international standards and on the complementary role that ISO plays in relation to the international standards set by the three sister organizations.

13.2. The Chairperson thanked all the organizations that had provided useful information to the Committee under this and other agenda items and encouraged them to submit their reports in writing in advance of the October meeting to permit delegates to carefully read them before the meeting.

13.2 Requests for observer status

13.2.1 New Requests

13.3. There were no new requests received by the Secretariat.

13.2.2 Outstanding Requests

13.4. Brazil highlighted the importance of granting the observer status based on criteria such as the thematic relevance of the organizations' work to the SPS Committee.

13.5. The Secretariat confirmed that one of the criteria agreed upon by the Committee for accepting observer organizations was indeed the relevance of their work to the SPS Committee. The Secretariat also reminded the Committee that for each request for observer status, documents with information regarding the organizations' field of work, interests and thematic relevance had been circulated.

13.6. The Chairperson noted that there was still no consensus on the outstanding requests for observer status from the CBD, CABI International, CITES, OIV, APCC, and ICCO.

13.7. The Chairperson informed the observer organizations that their contributions to the work of the SPS Committee and their assistance to Members were highly appreciated and the Committee looked forward to their continued participation in all unrestricted meetings during 2014. The Chairperson once again encouraged the observers to provide written reports on their relevant activities in advance of the October meeting.

14 OTHER BUSINESS

14.1. No Member provided information under this agenda item.

15 DATE AND AGENDA FOR NEXT MEETINGS

15.1. The proposed dates for the 2015 meetings of the Committee are: 24-26 March, 14-16 July, and 13-15 October (G/SPS/GEN/1348). The dates proposed for the March and July meetings are back-to-back with tentative meetings of the Commission on Phytosanitary Measures and the Codex Alimentarius Commission, respectively, in order to facilitate delegates' travel.

15.2. The next meeting of the Committee was tentatively scheduled for 16 and 17 October. The Secretariat reminded the Committee that informal meetings would be held on 15 October, while the workshop on risk analysis would take place on 13 and 14 October.

15.3. The Committee agreed to the following tentative agenda for its October 2014 meeting:

1. Adoption of the agenda
2. Information on relevant activities
 - a. Information from Members
 - b. Information from the relevant SPS standard-setting bodies
3. Specific trade concerns
 - a. New issues
 - b. Issues previously raised
 - [c. Consideration of specific notifications received]
 - d. Information on resolution of issues in G/SPS/GEN/204/Rev.14
4. Operation of transparency provisions
5. Implementation of special and differential treatment
6. Equivalence – Article 4
 - a. Information from Members on their experiences
 - b. Information from relevant Observer organizations
7. Pest- and Disease-free areas – Article 6
 - a. Information from Members on their pest or disease status
 - b. Information from Members on their experiences in recognition of pest- or disease-free areas
 - c. Information from relevant observer organizations
8. Technical assistance and cooperation
 - a. Information from the Secretariat
 - i. WTO SPS activities
 - ii. Report on Workshop on Risk Analysis

- iii. STDF
 - b. Information from Members
 - c. Information from Observers
 9. Review of the Operation and Implementation of the SPS Agreement
 - a. Fourth review
 - i. Report of the informal meeting
 - ii. Adoption of Report of Fourth Review
 10. Monitoring of the use of international standards
 - a. New issues
 - b. Issues previously raised
 11. Concerns with private and commercial standards
 - a. Report on informal meeting
 12. Observers
 - a. Information from Observer organizations
 - b. Request for observer status
 - i. New requests
 - ii. Outstanding requests
 13. Chairperson's Annual Report to CTG
 14. Other business
 15. Date and agenda of next meeting
- 15.4. Members were asked to take note of the following deadlines:
- For comments on the programme for the workshop on risk analysis (G/SPS/GEN/1336) and to propose potential speakers for specific sessions: **25 July 2014**;
 - For written comments on the draft report on the Fourth Review (G/SPS/W/280): **31 July 2014**;
 - For comments on the Catalogue of Tools (G/SPS/W/279) and on proposed revision of Transparency Procedures (G/SPS/W/278): **5 September 2014**;
 - For objections to the adoption on an ad referendum basis of the procedure relating to implementation of Article 12.2 (G/SPS/W/259/Rev.7): **5 September 2014**;
 - For identifying issues for consideration under the monitoring procedure, and for requesting that items be put on the agenda: **3 October 2014**;
 - For the distribution of the Airgram and for circulation of documents for the October meeting: **6 October 2014**.
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