

**Committee on Sanitary and Phytosanitary Measures**

**PROPOSED FORMAT FOR THE NOTIFICATION OF  
AGREEMENTS OF EQUIVALENCE**

Note by the Secretariat

1. In its Decision on Equivalence (G/SPS/19, paragraph 11), the Committee agreed that it would revise its recommended notification procedures to provide for the notification of the conclusion of agreements between Members which recognize the equivalence of sanitary and phytosanitary measures. The attached proposed format for the notification of agreements of equivalence is based on the format used for the notification of agreements on issues related to technical regulations, standards or conformity assessment procedures under Article 10.7 of the Agreement on Technical Barriers to Trade.

2. Article 4 of the Agreement states that "Members shall accept the sanitary or phytosanitary measures of other Members as equivalent, even if these measures differ from their own or from those used by other Members trading in the same product, if the exporting Member objectively demonstrates to the importing Member that its measures achieve the importing Member's appropriate level of sanitary or phytosanitary protection.". Paragraph 2 of Article 4 further provides that "Members shall, upon request, enter into consultations with the aim of achieving bilateral and multilateral agreements on recognition of the equivalence of specified sanitary or phytosanitary measures.".

3. There is no indication in the text of the Agreement on the Application of Sanitary or Phytosanitary Measures (SPS Agreement) itself as to the form that such agreements on the recognition of equivalence should take. In its Decision on Equivalence (paragraph 1), the Committee observed that:

"Equivalence can be accepted for a specific measure or measures related to a certain product or categories of products, or on a systems-wide basis. Members shall, when so requested, seek to accept the equivalence of a measure related to a certain product or category of products. ... Members may further, where necessary and appropriate, seek more comprehensive and broad-ranging agreements on equivalence. The acceptance of the equivalence of a measure related to a single product may not require the development of a systems-wide equivalence agreement.".

4. With the objective of increased transparency, it is suggested that Members should notify as an equivalence agreement any formal agreement between the competent authorities which has the effect of accepting for purposes of import access the sanitary or phytosanitary measures as applied by the exporting Member to any particular product, category of product or on a systems-wide basis. This could, for example, include a protocol of acceptance of a specific treatment technique for a plant product or category of plant products, or of established slaughterhouse procedures for particular meat products.

**NOTIFICATION OF AGREEMENT RECOGNIZING THE EQUIVALENCE  
OF SANITARY OR PHYTOSANITARY MEASURES**

In accordance with the Decision on Equivalence (G/SPS/19), a Member which has agreed to recognize the equivalence of sanitary or phytosanitary measures of another Member or Members shall notify other Members through the Secretariat of the products to be covered by the agreement and include a brief description of the agreement. The following notification of an equivalence agreement has been received.

<b>1. Member notifying:</b>
<b>2. Title of the bilateral or plurilateral Agreement:</b>
<b>3. Parties to the Agreement:</b>
<b>4. Date of entry into force of the Agreement:</b>
<b>5. Products covered (HS or CCCN where applicable, otherwise national tariff heading):</b>
<b>6. Brief description of the Agreement, including description of measures recognized as equivalent:</b>
<b>7. Further information available from:</b>

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