

**Committee on Sanitary and Phytosanitary Measures**

**PROCEDURE TO MONITOR THE PROCESS  
OF INTERNATIONAL HARMONIZATION**

Draft Seventh Annual Report<sup>1</sup>

A. INTRODUCTION

1. At its meeting of 15-16 October 1997, the SPS Committee adopted a provisional procedure to monitor the process of international harmonization and the use of international standards, guidelines or recommendations, as provided for in Articles 3.5 and 12.4 of the SPS Agreement.<sup>2</sup> The Committee decided to extend the provisional monitoring procedure for a further two-year period in July 1999, and again in July 2001.<sup>3</sup> On 25 June 2003, the Committee agreed to further extend the provisional procedure for 36 months, and to review its operation in July 2006 to determine at that time whether to continue with the provisional procedure, amend it, or develop another one.<sup>4</sup>

2. The Committee has previously adopted six annual reports on the monitoring procedure.<sup>5</sup> These reports summarized several standards-related issues that the Committee had considered and the responses received from the relevant standard-setting organizations.

B. REVISION OF THE PROCEDURE TO MONITOR THE PROCESS OF INTERNATIONAL HARMONIZATION

3. At its meeting of 27-28 October 2004, the Committee adopted modifications to the provisional procedure to monitor the use of international standards.<sup>6</sup> The deadline for identifying issues as established in the agreed procedures was reduced from 30 days to ten days.

C. NEW ISSUES

4. Since the adoption of the Sixth Annual Report three new issues have been raised under this procedure. One issue is with regard to regionalization and two issues concern the implementation of the International Standard for Phytosanitary Measures (ISPM) number 15 on wood packaging.

**Pest and Disease-free Areas (Article 6)**

5. At the meeting of the Committee on 27-28 October 2004, New Zealand proposed that the Committee consider the issue of regionalization under the procedure for monitoring international harmonization.<sup>7</sup> Using this procedure could facilitate progress in discussions on regionalization by

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<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights or obligations under the WTO.

<sup>2</sup> G/SPS/11.

<sup>3</sup> G/SPS/14 and G/SPS/17.

<sup>4</sup> G/SPS/25.

<sup>5</sup> These were circulated as G/SPS/13, G/SPS/16, G/SPS/18, G/SPS/21, G/SPS/28 and G/SPS/31.

<sup>6</sup> G/SPS/11/Rev.1.

<sup>7</sup> G/SPS/R/35 and G/SPS/W/151.

seeking the best available scientific and technical advice and thereby avoid unnecessary duplication of work. In accordance with Article 12.6 of the SPS Agreement, New Zealand requested that the Committee invite the secretariats of the OIE and the IPPC to examine the specific matters raised with respect to the relevant international standards, guidelines or recommendations.

### **Implementation of ISPM 15 on Wood Packaging**

6. At the meetings of the Committee on 27-28 October 2004 and 9-10 March 2005, China raised a number of concerns regarding the implementation of ISPM 15 on wood packaging.<sup>8</sup> In particular, China highlighted the problems concerning the effectiveness of ISPM 15 in controlling the pine wood nematode. A study conducted by a Sino-Korean research group concluded that the nematode could not be effectively eradicated by methyl bromide fumigation. This study was presented to the Interim Commission on Phytosanitary Measures (ICPM) in April 2003 and in November 2004 for the ICPM's consideration for amendment of the methyl bromide fumigation index.

7. At the meeting of the Committee on 9-10 March 2005, Mauritius raised concerns over the problems that small developing countries faced with the implementation of ISPM 15, particularly the heat treatment requirements for wood packing material for export.<sup>9</sup> Mauritius had already initiated a program to develop the capacity for heat treatment of exports of wood packaging materials, but required more time for the full implementation of ISPM 15. In this regard, Mauritius was seeking a 4-year moratorium on the implementation of ISPM 15 from the IPPC and from those Members who had adopted the standard. Mauritius requested Members to give positive consideration to the use of phosphine fumigation treatment as an equivalent treatment during the interim period. The European Communities' efforts to take into consideration developing countries' concerns as reflected in G/SPS/N/EEC/221/Add.3 was welcomed and other Members were urged to show similar consideration.

#### **D. RESPONSES RECEIVED FROM THE RELEVANT STANDARD-SETTING ORGANIZATIONS**

##### **Pest and Disease-free Areas (Article 6) – Response from the OIE**

8. At the meeting of the Committee on 9-10 March 2005, the OIE informed the Committee of the OIE's proposed revised chapter on zoning and compartmentalization which addressed many of the concerns of the SPS Committee.<sup>10</sup> The revised chapter was proposed for adoption at the 73<sup>rd</sup> General Session of the OIE in May 2005. The OIE stated that it was open to further addressing the Committee's concerns at the General Session. The OIE was also working to harmonize its approach on regionalization with that of IPPC, and this issue would be discussed at its next General Session.

##### **Pest and Disease-free Areas (Article 6) – Response from the IPPC**

9. At the meetings of the Committee on 27-28 October 2004 and 9-10 March 2005, the IPPC informed the Committee that the ICPM had taken steps in considering the issue of regionalization.<sup>11</sup> The issue was to be included on the agenda of the next ICPM meeting to be held on 4-11 April 2005. The issue of administrative timeframes and recognition of pest-free areas had not yet been considered by the ICPM but if the Commission agreed, an open-ended working group would be established to consider this matter. The OIE and WTO secretariats were invited to attend the 7<sup>th</sup> Session of the ICPM meeting which would decide further actions and the follow-up work programme.

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<sup>8</sup> G/SPS/GEN/551.

<sup>9</sup> G/SPS/GEN/547.

<sup>10</sup> G/SPS/R/36 and G/SPS/GEN/552.

<sup>11</sup> G/SPS/R/36 and G/SPS/GEN/529.

**Implementation of ISPM 15 on Wood Packaging – Response from the IPPC**

10. The IPPC also informed the Committee at the meeting on 9-10 March 2005, that a technical panel would meet that week to consider the data submitted by China with respect to ISPM 15. In addition, the IPPC had co-sponsored a workshop on the practical application of ISPM 15 in Vancouver, Canada, on 28 February to 4 March 2005.

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