

**IMPLEMENTATION OF THE PROVISIONS OF ARTICLE 6 OF THE AGREEMENT
ON SANITARY AND PHYTOSANITARY MEASURES**

Submission by Grenada

The following communication, received on 17 May 2006, is being circulated at the request of the Delegation of Grenada.

I. INTRODUCTION

1. Grenada would like to thank the Chairman of the Committee on Sanitary and Phytosanitary Measures (SPS Committee) for his willingness to continue deliberations on Article 6. The deliberations in our opinion are crucial to clearly define and reach consensus on the technical/scientific and administrative procedures to be followed and the prerequisite criteria that must be satisfied in order to recognize pest-free areas and areas of low pest prevalence. As a result of the absence of such clearly defined procedures, exporting country Members experience undue delays for pest- or disease-free recognition and effectively are unable to gain access to markets.

2. We share the view that the provisions of Article 6 of the SPS Agreement which have been prominent on the agenda of the SPS Committee since the 26th Session (April 2003) and recognized to be of high priority, are fundamental to the SPS Agreement since they do not only encourage exporting Members to improve their SPS status but also have the potential to increase market access opportunities for agri-food products.

3. We are aware that in the recognition of regionalization, the onus lies on the exporting Member to convincingly demonstrate to the importing Member both a system for establishing freedom from a pest of quarantine significance and a system to maintain that freedom. The latter must include a strategy to eradicate outbreaks within the area for which freedom was previously recognized.

4. We are also aware that the success and speed with which recognition of regionalization is achieved is a function of the complexity of the procedure established between exporting and importing Members, the technical and scientific requirements to be fulfilled, the timelines (or lack thereof) for completion of the technical and administrative procedures and the collaboration and trust between exporting and importing Members.

5. Grenada recognizes the contribution and expertise of the International Plant Protection Convention (IPPC) in developing guidelines, operating procedures and standards that address (ISPM 4, 10, 14 and 22) and support (ISPM 6, 8, 9, 14 and 17) the identification, recognition and maintenance of pest-free areas and areas of low pest prevalence in the area of plant health.

6. Although not a Member of the World Organization for Animal Health (OIE), Grenada endorses their work in establishing procedures and guidelines for the recognition of regionalization for four diseases and for recent work on zoning and compartmentalization.

7. There is also reason to commend the on-going work of the SPS Committee in mapping the administrative procedures for the recognition of regionalization. It must be borne in mind, however, that an exporting Member could begin the process of recognition from a standpoint of the non-existence of the pest or disease within the country or territory. In this regard, therefore, it is recommended that Section IV, paragraph 26 of G/SPS/GEN/640 be reworded as follows:

The administrative process for achieving bilateral recognition is typically preceded by a country eradicating the disease or pest in question (or by providing scientific evidence of its non existence) and obtaining a particular sanitary or phytosanitary status within all or part of its territory.

II. GRENADA'S EXPERIENCE WITH REGIONALIZATION

8. Grenada first put the concept of regionalization to work in 1985 (the same year the NPPO was commissioned) through a joint initiative with the United States Department of Agriculture (USDA) to determine the status of fruit flies of quarantine significance in the Tri Island State. After eighteen (18) months of surveillance, Grenada was officially recognized as Fruit Fly Free in 1987; a status it maintained for fifteen (15) years. Consequently, between 1987 and 2003, the United States became Grenada's leading importer of fresh exotic fruits, netting on average US\$ 1.5Million annually. This contribution was significant to the livelihood of rural farm families in a country with undulating topography and a comparative advantage in tropical fruit production.

9. In 1997, Grenada attempted to extend the range of its non traditional crop exports to the United States by embarking on a project entitled Survey of the Annonas. The objective was to determine the status of all species of the Sour sop Wasp *Bephratelloides spp* and the Sour sop Moth (borer) *Cerconata anonella*. The procedure and protocols were agreed on by both Grenada and the USDA. By 1999, Grenada requested revision of the target quantities for fruit rearing and seed cutting because trees were sampled twice without the target pests being intercepted. Although the survey was completed within two (2) years, it took four (4) additional years for the administrative procedures to be completed. By then (2004) Grenada was struck by a devastating hurricane (Ivan) which destroyed over eighty percent of the tree crops on the island and resulted in negligible quantities available for export.

III. SUMMARY AND RECOMMENDATIONS / SUGGESTIONS

10. Grenada from its own experience and the experience of other Members is aware that the process of identification, recognition and maintenance of pest or disease freedom is a task that could involve several years of work and significant investment. It could also result in huge risks and uncertainties over market access, because of a lack of guarantee of recognition from the importing Member upon completion of the work.

11. In light of the above, Grenada wishes to propose the following:

- (a) That importing Members recognize pest- or disease-free areas and areas of low pest or disease prevalence in accordance with the provisions of Article 6 of the SPS Agreement and be open, sensitive and transparent in their dealings with exporting countries seeking such recognition.

- (b) That the SPS Committee urge all Members to accept and implement the standards, guidelines and procedures developed by the International Plant Protection Convention (IPPC) and the World Organization for Animal Health (OIE) for the establishment and recognition of pest- or disease-free areas.
 - (c) That in order to guide the process and increase the predictability of outcome and rate of international and/or bilateral recognition of pest- or disease-free areas, Members encourage bilateral dialogue and agree if necessary, at an early stage in the negotiating process, to involve a "third party" preferably from the relevant International Standard Setting Body (ISSB).
 - (d) That Members expedite the administrative procedures for recognition of pest or disease freedom where (in addition to the reasons outlined in Section 41 of G/SPS/GEN/640), an exporting Member has objectively demonstrated the absence of a quarantine pest which was never recorded as present.
 - (e) That the SPS Committee, in its capacity as administrator of the Agreement, continue to collaborate with the International Standard Setting Bodies with the objective of encouraging the development of administrative procedures to complement the technical procedures developed by the ISSBs.
 - (f) That where the exporting and importing Members decide to use a different procedure from that established by the relevant ISSB for the recognition of pest or disease freedom, the new procedure be mutually agreed on and timeframes established for each of the following aspects:
 - (i) Expression of intent by the exporting Member;
 - (ii) Establishment of technical/scientific prerequisites;
 - (iii) Exchange of scientific/technical information;
 - (iv) Technical inspection visit by experts (from the ISSB or importing Member or both);
 - (v) Report on findings and submission of recommendations; and
 - (vi) Implementation of administrative procedures to facilitate recognition.
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