

**SECOND REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE
AGREEMENT ON THE APPLICATION OF SANITARY
AND PHYTOSANITARY MEASURES**

Harmonization, Relations with International Organizations (OIE, IPPC,
Codex Alimentarius), Monitoring of International Standards

Communication from Chile

The following communication, received on 13 June 2006, is being circulated at the request of the delegation of Chile.

1. The international standards adopted by the three sister organizations are important, as is the responsibility of the WTO's SPS Committee to monitor their application by Members. Moreover, neither the IPPC nor the OIE have a mechanism to monitor application of standards in their respective spheres of competence and the Codex is abolishing a follow-up procedure that in practice has not been used.
2. Since the creation of the WTO, the SPS Agreement's scientific reference organizations have adopted an increasingly large number of international standards. Countries have been given more assistance, both at meetings of the SPS Committee and of the three sister organizations, particularly developing countries. Participation in the regulatory process is growing and the successful adoption of a new international standard is the result of major efforts by parties.
3. The above shows the importance attached by countries to the adoption of international standards. Nevertheless, the degree to which these are used is not sufficiently clear, particularly in the case of import requirements.
4. Requirements in some countries are even stricter than those in the international standards, which is allowed by the SPS Agreement provided that there is scientific justification. The latter, however, is not always a matter of the appropriate level of protection in the country or distinct special circumstances but relates to general aspects. Why, instead of taking exceptional measures, do countries not try to change the existing standard in the competent organization?
5. The notification system in the WTO's SPS Agreement provides that measures which differ from international standards should be notified. In practice, however, when a notification indicates an exception, no explanation is given; or many measures are notified with an indication that they do not represent an exception.

6. The operation of the aforementioned notification system, although not perfect, has improved, mainly as regards its use by Members. It is proposed that countries notify all changes to their import requirements, whether or not they represent a departure from international standards, and use the relevant part of the notification form to provide more details when there is a departure or there is no international standard, but also to indicate which international standard is being adopted in cases where the measure notified does not differ from the international standard.

7. The Secretariat could review and transmit the information to the Codex, the IPPC and the OIE for revision and together they could coordinate efforts to ascertain the level of use and departures from international standards.
