

**PROPOSALS REGARDING THE REVISION OF RECOMMENDED
PROCEDURES REGARDING TRANSPARENCY**

Communication from Argentina

The following communication, received on 14 March 2008, is being distributed at the request of the delegation of Argentina.

1. Argentina thanks the Secretariat for preparing document G/SPS/W/215/Rev.1, Compilation of Proposals Regarding the Revision of the "Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement (Article 7)", on the understanding that it closely reflects the views exchanged at the meeting in October 2007. We therefore consider that this document should serve as a basis for future work in the Committee aimed at improving the current procedures.

2. Accordingly, Argentina would like to put forward the following views and/or suggestions regarding document G/SPS/W/215/Rev.1:

- Paragraph 7: We wish to highlight the importance of this new clause, the purpose of which is to promote monitoring of the use of international standards. While being mindful not to upset the delicate balance of rights and obligations contained in the SPS Agreement, we suggest that the Secretariat draw up an annual report compiling all the notifications received, in which Members communicate the adoption of measures that are based on, conform to, or are substantially the same as an international standard, guideline or recommendation. We believe that such a report will be most useful for analysing developments in the international regulatory harmonization process.
- Paragraphs 12 – 34(c) – 37: Although Argentina concurs with the idea of not applying the 60-day period in the case of notifications which facilitate trade, we believe that application of this provision might give rise to misunderstandings if it is not made clear what is meant by a "trade-facilitating" measure. We therefore suggest specifying the scope of this type of measure.
- Paragraph 13: Along the lines of previous paragraphs, we suggest that the subject of paragraph 6(a) of Annex B be clarified.
- Paragraph 14: We suggest adding the following phrase to the end of the paragraph: "*in accordance with paragraph 6(c) of Annex B*".

- Paragraph 30(iii): We suggest deleting this subparagraph. On the one hand, we believe that this type of information should be made available to the Committee as a whole and not only to the Member that commented. This would, moreover, already be provided for in paragraph 34(b).
- Paragraph 34(b): We suggest that addenda announcing the adoption, publication or entry into force of a sanitary or phytosanitary measure be notified even where the dates of adoption, publication or entry into force were duly indicated in the original notification. This is most useful information for agro-exporting countries, above all in cases where considerable time has elapsed since the original notification was made.

It is also our view that when a Member has made "substantial" modifications to the notified proposal, a revision of the proposed text should be submitted as mentioned in paragraph 37. Otherwise, Members will be deprived of the opportunity to make comments on a text which is "substantially" different from the original notification. We therefore suggest that the following sentence be deleted: *"A Member may wish to indicate on the addendum if the final regulation has been substantially modified from the notified proposal"*.

- Paragraph 34(c): We suggest adding that in such cases, the notifying Member will give details about the changes made and the reasons behind them.
- Paragraph 39: We suggest assessing the pertinence of allowing a period for comments, in the event of corrections being made to the original notification.
