

**Committee on Sanitary and Phytosanitary Measures**

**PROPOSED REVISIONS TO ACTION SIX OF THE REPORT OF THE AD HOC  
WORKING GROUP ON SPS-RELATED PRIVATE STANDARDS (G/SPS/W/256)**

1. The ad hoc working group on SPS-related private standards completed its work on identifying "Possible Actions for the SPS Committee Regarding SPS-Related Private Standards", and presented its report to the SPS Committee in March 2011. The report of the working group is contained in document G/SPS/W/256.

2. At the March 2011 meeting, the Committee adopted actions 1 to 5 (G/SPS/55) and decided to revert to action six following the submission of proposed revisions by 29 April 2011.

3. Members have proposed the following changes to Action 6 (as presented in G/SPS/W/256):

**Action 6: Members are encouraged to exchange, outside the formal and informal sessions of the SPS Committee, relevant information regarding SPS-related private standards to enhance understanding and awareness on how these compare or relate to international standards and governmental regulations, without prejudice to the different views of Members regarding the scope of the SPS Agreement.**

24. Members have raised a number of concerns regarding SPS-related private standards, including:

- the lack of a scientific basis for requirements;
- deviations from international standards or from official governmental requirements (for example, for maximum residue limits);
- the multiplicity of standards and the lack of harmonization among them;
- the costs of compliance and certification, especially with a multitude of standards;
- the lack of transparency, consultation and appeal mechanisms;
- the prescriptive, rather than outcome-based, operational procedures required by private standards, which disregards the concept of equivalence; and
- the disproportionate effect on small- and medium-sized producers and exporters in developing countries.

25. A number of positive aspects have also been mentioned, including:

- the facilitation of compliance with national and international standards, where private schemes take as a basis these standards and provide comprehensive guidance on achieving them;
- the promotion of best practices and productivity;
- improved brand reputation and facilitation of access to markets and credits; and

- the ability to address emerging risks in a rapid manner, fill gaps, and pave the way for eventual adoption of international standards.

26. With a view to enhancing understanding and awareness on international, governmental, and private SPS-related standards without creating an excessive burden, Members and observers are encouraged to exchange relevant information on this topic, ~~including on the margins of the SPS Committee~~. Such exchanges could involve written or oral communications on any relevant conferences or studies on SPS-related private standards or on concrete experiences of exporters in meeting these.<sup>1</sup>

~~27. In addition, the Secretariat may be requested to organize ad hoc information events<sup>2</sup> with relevant stakeholders, including international organizations; entities developing, adopting and certifying private standards<sup>3</sup>; as well as producers and/or exporters who need to meet these standards. Such events could provide an opportunity for interested Members to highlight the concerns mentioned in paragraph 24 and follow the latest developments in an evolving field. To facilitate the participation of a larger number of delegations, such information events could be held back to back with SPS Committee meetings. It should be underlined, however, that neither Members nor the WTO Secretariat would endorse or support any particular entity participating in such events.~~

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<sup>1</sup> Examples include the circulation of a communication by Switzerland entitled "Voluntary Standards" (G/SPS/GEN/967) and of an information note from the Global Food Safety Initiative (GFSI) through the Secretariat (G/SPS/GEN/1004).

~~<sup>2</sup> Earlier information sessions include the STDF Information Session on Private Standards ([http://www.wto.org/english/tratop\\_e/sps\\_e/private\\_standards\\_june08\\_e/private\\_standards\\_june08\\_e.htm](http://www.wto.org/english/tratop_e/sps_e/private_standards_june08_e/private_standards_june08_e.htm)) and the Joint UNCTAD/WTO Informal Information Session on Private Standards ([http://www.wto.org/english/tratop\\_e/sps\\_e/private\\_standards\\_june07\\_e/private\\_standards\\_june07\\_e.htm](http://www.wto.org/english/tratop_e/sps_e/private_standards_june07_e/private_standards_june07_e.htm)).~~

~~<sup>3</sup> Potential invitees could include representatives of the ISO, Global Food Safety Initiative (GFSI), GlobalGAP, Chile GAP, New Zealand GAP, Thailand GAP, and SSAFE.~~