



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

WORKSHOP ON DECISION MAKING AND COMMUNICATION DURING THE RISK ANALYSIS PROCESS

Submission by the United States of America

The following communication, received on 17 December 2013, is being circulated at the request of the Delegation of the United States of America.

1 INTRODUCTION

1.1. The United States respectfully submits a proposal for consideration by the Committee for a second workshop on decision making and communication during the risk analysis process under the Fourth Review of the Agreement.

1.2. In 2000, the Committee held a workshop to explore the relationship between risk assessments, the disciplines of the SPS Agreement, the work of the relevant standard-setting organizations and actual risk assessment policies of WTO Members. Details of this workshop can be found in G/SPS/GEN/209.

1.3. Since 2000, a significant amount of work has been done in this important area by the international standard-setting bodies and individual Members. We believe that all Members would benefit from a second workshop which would build upon the previous risk assessment workshop with a specific focus on the roles and responsibilities of the risk managers and the risk communicators in the risk analysis process. The Committee would invite Members and the international standard-setting bodies to share new developments, guidance, and best practices with risk management and risk communication. For example, each of the Three Sisters has developed extensive work in the area of risk analysis since 2000.

1.1 Codex

1.4. Codex has issued or updated various guidelines since 2000 relating to risk assessment, including *Working Principles for Risk Analysis for Food Safety for Application by Governments* (CAC/GL 62-2007), and *Guidelines for Risk Analysis of Foodborne Antimicrobial Resistance* (CAC/GL 77-2011).

1.5. In addition, the Codex Strategic Plan for 2008-2013 included several items on risk analysis (review the consistency of risk analysis principles elaborated by the relevant Codex Committees, review risk analysis principles developed by relevant Codex Committees).

1.6. Codex has held numerous workshops at the international, regional, and national level. Two examples include an FAO/WHO Regional Workshop on Codex Alimentarius entitled *Harmonization, Equivalence and Risk Analysis in the Elaboration and Use of Codex Standards*, held in Tunisia in 2010, and a workshop entitled *Codex Alimentarius: Risk Analysis and Risk Assessment Procedures*, held in India in 2006.

1.2 IPPC

1.7. The IPPC has promulgated three standards relative to risk analysis since 2000:

- ISPM 2 (2007): Framework for pest risk analysis;
- ISPM 11 (2004): Pest risk analysis for quarantine pests including analysis of environmental risks and living modified organisms;
- ISPM 21 (2004): Pest risk analysis for regulated non-quarantine pests.

1.8. These new standards by the IPPC have served as the basis for international and regional workshops on pest risk analysis. One example is the European and Mediterranean Plant Protection Organization (EPPO), which has organized several workshops specifically devoted to pest risk analysis (including in Hungary in 2004 and Tunisia in 2010).

1.9. In addition, the IPPC has developed a pest risk analysis training course to help countries understand and implement these standards as well as increase countries' capacity to conduct pest risk analyses.

1.3 OIE

1.10. The OIE's Terrestrial Animal Health Code and Aquatic Animal Health Code each contain a Chapter (2.1) on import risk analysis. This chapter outlines four components of a risk analysis (hazard identification, risk assessment, risk management, and risk communication) and also provide principles on risk assessment, risk management, and risk communication.

1.11. The OIE has set up a network of collaborating centers that include Epidemiology and Risk Assessment of Aquatic Animal Diseases (Oslo, Norway), and has participated in a number of conferences or seminars on risk assessment, including a conference in Lisbon, Portugal in April 2013 for OIE National focal points on risk assessment as a decision making tool in aquaculture.

2 PROPOSAL

2.1. In light of the great strides that have been achieved in this important area since 2000 by the ISSBs and individual Members, the United States would like to propose the following draft agenda for a possible workshop under the Fourth Review for the Committee's consideration.

DRAFT PROGRAM

PROGRAM FOR A WORKSHOP ON DECISION MAKING AND COMMUNICATION DURING THE RISK ANALYSIS PROCESS – PHASE II

Objectives:

- 1) Reaffirm Members' obligation to base SPS measures on risk assessments consistent with Article 5.
- 2) Reinforce the linkage between risk assessment outcomes and risk management decisions.
- 3) Update the Committee on the work that has been done by international organizations on risk analysis.

Session 1: What is new in the area of Risk Assessment?

The SPS Committee conducted an information session in 2000 on risk assessment. However, a great deal of work has been done by the ISSBs and Members since the first session. The 2014 workshop would begin with a quick review of the previous session and a quick summary of important work conducted since 2000.

http://www.wto.org/english/tratop_e/sps_e/risk00_e/risk00_e.htm

Speaker: Invite participant from previous workshop to discuss the outcomes from the 2000 workshop and invite them to identify areas that merit further exploration 14 years later in the area of risk analysis.

Session 2: The SPS Agreement and Risk Assessment

Part 1: Conceptual approach—What the SPS Agreement Says

Ask the Secretariat to provide an overview of Members' obligations as they relate to risk assessment under Article 5.

Part 2: Practical approach—Lessons Learned from Dispute Settlement

A speaker will summarize outcomes of dispute settlement cases as they relate to risk assessment. Particular focus will be on what issues related to risk assessment have been raised in WTO dispute settlement cases and how they were resolved.

Session 3: Defining Risk Assessment in the Current Age

Part 1: Define risk analysis by today's standards using scientific experts on livestock, plant, and agriculture commodities using specific examples from the industry.

Part 2: Discuss risk management by using industry examples such as implementation of HACCP in three industries, dairy, juice and seafood.

Part 3: Round table Q & A with these experts from this session to answer questions specific to risk analysis and management.

Session 4: International Standards and Guidelines for Performing Risk Analysis

Part 1: Codex

Part 2: IPPC

Part 3: OIE

In this session, representatives from each of the three international standard-setting bodies will discuss guidelines of the ISSBs and efforts to ensure these guidelines are understood and followed by Members. This session will be followed by a Q&A.

Session 5: Members Discuss Their Risk Management Experiences

Part 1: Developing country

Part 2: Developed country

Speakers in this session will explain their experience with making risk management decisions in the SPS realm and how those decisions are related to risk assessments they have carried out. At least one developed and one developing Member will speak. This session will be followed by a question and answer period.

Session 6: Experience of International and Regional Organizations

Part 1: FAO

Speaker from FAO will discuss outcomes related to risk assessment and risk management of various workshops organized by FAO at the international and regional levels since 2000 on implementation of the SPS Agreement.

Part 2: IICA

Speaker from IICA will discuss regional initiatives related to risk assessment, risk management and risk communication.

Session 7: Leveraging Resources: Novel Ways to Perform Risk Assessments

This session will explore new ways that Members can meet their WTO obligation to perform risk assessments and base their measures on science. Topics could include Members sharing experiences with having risk assessments drafted by parties other than the importing country (e.g., the exporting country or a third party) and sharing data with other Members who have received similar market access requests.

Session 8: Emerging Areas and Key Challenges of Risk Analysis

Part 1: Qualitative vs Quantitative - When is a quantitative approach warranted?

Part 2: How to deal with uncertainty and how much data is needed?

Session 9: Outcomes and Next Steps

A speaker will summarize the outcomes of each session and Members will discuss what, if any, follow up steps are warranted, including possible organization of a separate event or workshop focusing on risk communication.
