



28 February 2017

(17-1185)

Page: 1/1

**Committee on Sanitary and Phytosanitary Measures**

Original: English

**THE REPORT OF THE FOURTH REVIEW:  
OPTIONS FOR DISCUSSION**

COMMUNICATION FROM THE UNITED STATES OF AMERICA

The following communication, received on 25 February 2017, is being circulated at the request of the Delegation of the United States of America.

---

1. The United States appreciates the efforts of the Committee on Sanitary and Phytosanitary Measures (SPS) on its Fourth Review of the Operation and Implementation of the SPS Agreement. Despite the considerable time, effort, and good will by many Members to conclude the Committee's Report on the Fourth Review (G/SPS/W/280/Rev.2), consensus in the Committee has been elusive. In particular, Members have been unable to reconcile divergent views on proposals for recommendations for Section 14, "SPS-Related Private Standards". At the Committee meeting in October 2016, several Members observed that the discussions had been deadlocked for some time and welcomed new ideas and approaches. To facilitate discussion in the Committee, we offer the following options for Members' consideration:

**Option 1**

*The Status Quo:* Members do nothing and the Committee remains deadlocked.

**Option 2**

*Rewrite Section 14:* Members task the Secretariat to rewrite Section 14 of the Report as a concise description of the existing divergent views and the depth of engagement on all sides to resolve the issue. This option could include setting a deadline for completion of the work and for adoption of the Report.

**Option 3**

*Skip the Report of the Fourth, Go Right to the Fifth Review:* The Committee would skip the adoption of the Report of the Fourth Review altogether and start afresh with the Fifth Review, but on the basis of a somewhat revamped process aimed at facilitating the conduct and completion of the review in an efficient and effective manner. For example, at the start of the Fifth Review, Members could consider focusing on a limited number of topics on which consensus is likely to be within reach and agree on a timetable for topic selection, submission of papers, discussions, and report adoption. In this scenario, the report of the Fifth Review would be based on the Committee's discussion of Members' written submissions and Member-driven thematic discussions. Recommendations would be based on consensus achieved on Member proposals.

These options are not mutually exclusive or exhaustive. The Committee could adopt a combination of them. For example, the Committee could decide to rewrite Section 14 and adopt the Report of the Fourth Review, then discuss procedural improvements at the start of the Fifth Review. We also welcome ideas and options from other Members. We value the work of the Committee in supporting Members' efforts to strengthen implementation of the SPS Agreement. We look forward to other Members' views.

---