

WORLD TRADE
ORGANIZATION

RESTRICTED

G/SPS/W/85

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Committee on Sanitary and Phytosanitary Measures

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EC COMMENTS ON G/SPS/W/82: A PROCEDURE TO MONITOR
THE PROCESS OF INTERNATIONAL HARMONIZATION

The following comments were received from the European Commission on 10 October 1997.

Document G/SPS/W/82 was discussed at the meeting of the SPS Committee on 1-2 July 1997. While welcoming the progress made in the debate on this matter, the European Community signalled that a number of modifications were necessary to the paper, to enable it to respond properly to the provisions of Article 12, paragraph 4 of the SPS Agreement.

The European Community endorses the idea of implementing a monitoring procedure on a provisional basis. Further, there would be merit in a staged implementation to enable members to start to participate at an early stage in the process, and to enable any necessary modifications to be made to the system in the light of experience.

The European Community proposes the following modifications to document G/SPS/W/82:

Paragraph 1: Final sentence should be replaced by:

"In the light of Members' reasons for non-application, the SPS Committee might want to ~~make an appropriate recommendation to Members, or to~~ **invite** the relevant international standard-setting body ~~to consider reviewing and possibly revising~~ **to consider reviewing** the existing standard, guideline or recommendation."

Paragraph 6: Replace "[15]" with "30".

Paragraph 7: Second sentence should be replaced by:

"The Secretariat should circulate the submissions it has received to all Members, as much in advance of the Committee's meeting as possible, **and no later than 15 days before the meeting**, in order to provide all Members ~~which have an interest in the identified standards, guidelines or recommendations~~ with sufficient the opportunity to prepare ~~any responses~~ **comments they deem appropriate, in particular with respect to their** **on the** use or non-use of the standards and the reasons therefor."

Paragraph 8: Renumber as "**paragraph 9**", delete "or the Chairperson" in the first line, and in the third line replace "the standard" with "**any standard**".

Paragraph 9: Renumber as paragraph 8 and replace by:

"9. **In the light of the information provided by Members, and discussion in the Committee, a list of standards, guidelines or recommendations which have a major impact on international trade shall be established by the Committee. This list shall be reviewed at each meeting of the Committee. Members should provide information, for each of the standards, guidelines or recommendations identified, on any trade problems, and on their use or non-use of the standard, guidelines or recommendation and the reasons thereof. The Committee may invite the relevant international standard-setting body to consider reviewing the existing standard, guideline or recommendation.**"

Paragraph 10: Replace the first sentence by:

"The Secretariat should prepare an annual report to the Committee on **the list of standards, guidelines and recommendations established under paragraph 8**, the trade problems identified by Members and their comments regarding the use of the identified international standards, guidelines and recommendations, **and any conclusions drawn by the Committee.**"

Paragraph 12: Replace the second sentence by:

"In particular, the Committee may wish to consider **developing standard formats for the supply of information under paragraphs 6-8, and** using those standards which have been identified as having a major impact on international trade and are of widespread concern to Members (paragraph ~~10~~ **8** refers) as the basis for a pilot project to **obtain additional information as to ascertain** how Members are dealing with ~~measures pertaining to~~ the standards of concern.