

# WORLD TRADE ORGANIZATION

RESTRICTED

**G/SPS/W/99**  
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**Committee on Sanitary and Phytosanitary Measures**

Original: English

## **PROCEDURE TO MONITOR THE PROCESS OF INTERNATIONAL HARMONIZATION**

### Submission by Thailand

In accordance with paragraph 6 of the provisional procedure to monitor the use of international standards (G/SPS/11), Thailand proposes that the Committee consider the attached issue.

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PROCEDURE TO MONITOR THE PROCESS  
OF INTERNATIONAL HARMONIZATION

Submission by Thailand

<b>Commodities affected:</b>	Cooked chicken meat
<b>Disease/problem/issue:</b>	The requirement of measure to control Infectious Bursal Disease Virus (IBDV) in cooked chicken meat.
<b>Is international trade significantly affected because of this issue?</b>	Yes. International trade in cooked chicken meat is significantly affected. Other types of poultry meat and its products would also be affected by this measure.
<b>Does there currently exist an international standard for this disease/problem/issue with these commodities?</b>	At present, there is an international standard on this disease but it deals only with specific animal health issues. This disease is not a zoonosis, therefore it will not cause any harm to human health or life.
<b>If so:</b>	The only existing international standard for this disease is "The OIE International Animal Health Code Mammals, Birds and Bees (1997)".
<b>Briefly describe the existing standard:</b>	The OIE Code has been set out as a guideline for international trade of animals and animal products among its member countries. The Code has set IBDV in the List B diseases (Part 3, Section 3.6, Chapter 3.6.1). Its guidelines and recommendations are related to the importation of live birds, day-old chicks and hatching eggs only. Recommendations on trade of poultry meat and poultry meat products are not included in the Code.
<b>Is the international standard inappropriate?</b>	N.A.

**Description of how trade is affected by this issue and how the issue can be resolved through new or existing international standards:****How trade is affected?**

According to the requirement to control IBDV, the cooked chicken meat is to be treated at 74° C for 165 minutes or 80° C for 125 minutes. These high temperatures together with requirements on long periods of cooking time are very extreme and would certainly result in an unacceptable texture and appearance of the product to consumers. In addition, the production cost of the product would also increase if the country of origin is in the position to meet these requirements. This measure not only leads to the creation of barriers to international trade on poultry meat but also goes beyond the necessity to protect animal life or health. According to the International Animal Health Code of the International Office of Epizootics (OIE), IBDV is a disease classified in List B. This is the list of diseases which does not pose a potential treat of serious contamination and rapid spread of animal disease nor a major cause of impediments to international trade compared to those contained in List A.

The SPS Agreement requires that the WTO Members work with relevant international organizations and their subsidiary bodies to promote harmonization (SPS Agreement, Article 3.4). The SPS Agreement specifically lists such organizations as Codex, OIE and IPPC. These organizations address issues concerning food safety, animal health and plant health, respectively. The OIE is well recognized by the WTO/SPS Agreement as the only relevant international body for the establishment of international health standards of animals and animal products. It has broad guidelines for risk analysis which recognize that the importation of these commodities may involve a degree of risk to the importing countries. OIE stated in the Code that import risk analysis is preferable to a zero risk approach because it provides a more objective decision and enables the Veterinary Administration to discuss any difference in conclusion which may arise concerning potential risks. However, the requirement to control IBDV by posing more stringent time and temperature parameters is a *zero risk approach*, rather than an appropriate level of protection, as it means no virus detected in the cooked chicken meat.

**How the issue can be resolved?**

1. The importing country which sets such a requirement should conduct a complete risk analysis as recommended in the OIE Code, i.e. evaluation of veterinary services of the exporting countries should be included.
2. The auspices of the OIE:
  - 2.1 to consider developing a draft international standard on poultry meat in regard to IBDV or
  - 2.2 to invoke its in-house procedure for settlement of disputes, as provided for in Article 1.4.1.8 of the Code.