

# WORLD TRADE ORGANIZATION

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**Working Party on the  
Accession of Albania**

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## ACCESSION OF ALBANIA

### Memorandum on Compliance with the Agreement on Sanitary and Phytosanitary Measures

#### Revision

The Ministry of Economic Co-operation and Trade of the Republic of Albania has submitted the following revision to the Memorandum on Compliance with the Agreement on Sanitary and Phytosanitary Measures (SPS), with the request that it be circulated to members of the Working Party.

Albanian Compliance	Requirements under the WTO
1. Standstill: the introduction of new standards, animal health regulations and food safety regulations shall conform to SPS Agreement principles. The current regulations include:	1. Generally agreed principal in WTO accession negotiations.
"Law on State Sanitary Inspectorate", Number 7643, dated 2.12.1992; "The Law on Food"; Number 7941, dated 31.05.1995; "Law on Seeds and Saplings", Number 7659, dated 12.01.1993; "Law on Albanian Veterinary Services", Number 7674, dated 23.02.1993; Decision of the Council of Ministers, "On Pesticides", Number 584, dated 06.12.1993; Decision of the Council of Ministers, "On Approving the Regulation for the Production, Reproduction, Treatment, Assessment, Trade, Control of Seeds and Saplings and for Protection and Treatment of Genetic Material of Plants", Number 552, dated 14.11.1994; "Law on Plant Protection Services", Number 7662, dated 19.01.1993	
2. Article I, Section 1 and 6, of the Law on State Sanitary Inspectorate states that the Ministry of Health serves as the information point for the WHO and related international organizations. The Directory of Veterinary Service and Plant Protection in the Ministry of Agriculture and Food serves as the information point for questions related to animal and plant inspection, control, etc.	2. Article 7 and Annex B.3

Albanian Compliance	Requirements under the WTO
By Order of the Prime Minister, Number 36, dated 06.05.1999, (Paragraph 7) it is officially established that Albania will have one inquiry point for information on standards and technical regulations to be in compliance with SPS and TBT.	
Directorate for Standardization Rr. "Mine Peza", Nr. 143/3 Tirana, ALBANIA + 355-42-47176 telephone + 355-42-26255 fax dsc@icc.al.eu.org e-mail	
Commitment: The Directorate of Standardization, with its authority and responsibility to operate a single unit inquiry point, commits Albania to having a fully operational single unit inquiry point at the time of accession.	
<p>3. Transparency: notification and access to documentation:</p> <p>(a) The Directorate of Standards is the authority responsible for making notifications to the WTO and ensuring transparency obligations are met on an ongoing basis, Order of the Prime Minister, Number 36, dated 06.05.1999, (as provided in Paragraph 7);</p> <p>(b) an Order of the Prime Minister, to be approved by the September, will require publication of proposed measures at an early stage for comment;</p> <p>(c) an Order of the Prime Minister, to be approved by the September, will require that copies of proposed measure be provided to WTO Members; and</p> <p>(d) an Order of the Prime Minister, to be approved by the September, will specify a reasonable period of time for comment from Members and the public, and establishment of a process to take comments into account without discrimination.</p>	<p>3. Articles 7 and Annex B, Also G/SPS/7</p> <p>(a) Annex B.5.(b) and Annex B.10</p> <p>(b) Annex B.5(a)</p> <p>(c) Annex B.5(c)</p> <p>(d) Annex B.5(d)</p>
Commitment: For points in number 3. (b), (c), and (d) Albania is committed to draft or amend legislation to be in conformity with SPS at the time of accession. There will be a Order of the Prime Minister that will require by law that drafts be provided prior to publication for comments at an early stage and notification of new measures for all existing laws related to SPS (i.e., those listed in 3. (a) and any other that may have relevance to SPS). The Decision will also be valid for future laws affecting SPS.	
4. The Law on State Sanitary Inspectorate (Article I, Sections 5-8, and Article II) defines measures that apply only to protect human, animal an/or plant health. All inspectors (chemical and physical laboratories, toxicological, bacteriological) operate according to this law and inspections are based on scientific criteria.	4. Article 2.2

Albanian Compliance	Requirements under the WTO
5. The Law on State Sanitary Inspectorate (Article I, Sections 5-8, and Article II) defines measures that apply only to protect human, animal an/or plant health. All inspectors (chemical and physical laboratories, toxicological, bacteriological) operate according to this law and inspections are based on scientific criteria.	5. Articles 2.2, 3.3 and 5.2
6. The Law on State Sanitary Inspectorate (Articles I-III) provides for harmonization, i.e., will follow international standards, guidelines, and recommendations in establishing SPS measures.	6. Articles 3.1, 3.3 and 3.4
7. The State Sanitary Inspectorate (Articles I-II) provide for equivalence, i.e., recognizes different measures that achieve the same level of protection.	7. Article 4
8. The Law on State Sanitary Inspectorate (Articles I-III) provides for risk assessment by developing scientific evidence and conducting risk assessments to ensure that measures are based on science and applied only to the extent necessary to protect human, animal, plant health.	8. Article 5.1, 5.2 and 5.3
9. The Law on State Sanitary Inspectorate (Article I) and the provides for consideration of regional conditions, i.e., measures that take into account the regional characteristics both of the areas from which products originate and the areas for which they are destined.	9. Article 6 and Annexes A.6 and A.7
10. The Law on State Sanitary Inspectorate (Articles I-II) provides for non-discrimination, i.e., measures do not arbitrarily or unjustifiably discriminate between different members or between domestic and foreign suppliers. Sub-legal acts define how samples are taken, and the procedures of an examination and its duration. The practices are transparent for all subjects that are under control.	10. Article 2.3, and Annex C.1(a) and (d)
11. The Law on State Sanitary Inspectorate provides for the control, inspection and approval procedures, e.g., to ensure that procedures, including systems for approval of the use of additives or for establishing tolerances for contaminants in foods, beverages or feedstuffs comply with the Agreement.	11. Article 8 and Annex C