

# WORLD TRADE ORGANIZATION

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**Working Party on the  
Accession of Tonga**

Original: English

## ACCESSION OF TONGA

### Implementation of the Transparency Provisions of the Agreement on the Application of Sanitary and Phytosanitary Measures

The following submission, dated 19 July 2005, is being circulated at the request of the Government of the Kingdom of Tonga

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This note provides information on the way that Tonga will implement the transparency provisions of the SPS Agreement, which relate to: notifications to inform other Members about new or changed regulations that affect their trading partners; answering reasonable questions; and publishing relevant regulations.

Under the SPS Agreement, countries are required to designate a Notification Authority and an Enquiry Point. In order to minimize the impact on financial and physical resources and to build up trade policy expertise in this area in a dedicated unit, Tonga has decided that the same body will operate both its Notification Authority and its Enquiry Point.

Name of institution: National SPS Notification Authority and Enquiry Point:

Address: P.O. Box 14, Nuku'alofa, Kingdom of Tonga  
Phone: +(676) 23038 / 23402  
Fax: +(676) 23093 / 24271 / 24922  
Email: hfaanunu@maf.gov.to, maf-qqmd@kalianet.to

As stated on previous occasions, the Notification Authority and Enquiry Point is already operational. The Director, Ministry of Agriculture and Food is the officer responsible. It is staffed by one official and five working committee members. The five committee members are technical advisors and administrative supporting staff from the relevant MAF divisions: Quarantine & Quality Management Division; Food Division; Livestock Division; Research and Extension Division; and Corporate Services Division (Policy).

The Notification Authority is responsible for: ensuring proposed regulations are published early in order to allow for comments; notifying other countries through the Secretariat of SPS regulations using the appropriate notification forms for routine and emergency notifications; providing copies of proposed regulations on request; and ensuring that comments are handled correctly.

The responsibilities of the SPS enquiry point are: answering all reasonable questions from interested Members and providing relevant documents regarding any sanitary or phytosanitary regulations adopted or proposed within Tonga; any control and inspection procedures, production and quarantine treatment, pesticide tolerance and food additive approval procedures, which are operated within the country; risk assessment procedures, factors taken into consideration, as well as the determination of the appropriate level of sanitary or phytosanitary protection; the membership and participation of Tonga, or of relevant bodies within its territory, in international and regional sanitary and phytosanitary organizations and systems; the membership and participation of Tonga in bilateral and multilateral agreements and arrangements within the scope of the SPS Agreement; and the texts of any such agreements and arrangements.

The resources at the disposal of the Notification Authority / Enquiry Point are adequate for these purposes: it uses existing office infrastructure and services and has word-processing capability (typewriter or computer), a photocopier, and access to postal facilities, telephones, fax, electronic mail and internet.

When applying the transparency provisions of the SPS Agreement, the staff of the Notification Authority / Enquiry Point will be guided by the WTO Secretariat Handbook: how to apply the transparency provisions of the SPS Agreement of September 2002.

Prior to Tonga's accession to the WTO, responsible government officials will receive additional training to ensure that, as from the date of accession, they are fully conversant with the requirements of the SPS Agreement, including: the definition of SPS measures and the distinction between SPS measures and TBT measures, the procedures for prior notification to the WTO Central Registry of

Notifications of new sanitary and phytosanitary regulations or modifications to existing regulations, the steps to be taken when other countries make comments on a notified SPS measure.

All notifications will be made in English. Tonga will only charge the same cost for the documents as it would for its own nationals plus the cost of delivering the documents.

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