

**RESTRICTIONS ON EXPORT OF POTATOES TO SLOVAK REPUBLIC**

Statement by Poland at the meeting  
of 10-11 March 1999

1. On 31 March 1998, the Slovak Republic notified a measure introduced on 20 March, concerning imports of ware potatoes (G/SPS/N/SVK/10). The Slovak authorities introduced a new requirement for potatoes relating to bacterial diseases, namely bacterial ring rot (*Clavibacter michiganensis* subsp. *sepedonicus*) and potato brown rot (*Ralstonia solanacearum*). The introduction of the measure without previous notification does not conform to Article 7 of the SPS Agreement and did not give Poland any possibility to make comments on the new regulation and to prepare its phytosanitary service, producers and exporters to meet the new phytosanitary rules for exports.
2. In November 1998, despite documents completed according to the Slovak Republic's regulation, the Polish phytosanitary service was informed of the ware potatoes import prohibition. The reason for this ban was lack of information about those places in Poland where bacterial ring rot occurs. It is worth noting that according to the document notified by the Slovak Republic, there is no obligation to provide such information. Maps and lists of places where the harmful organism occurs were sent to the Slovak phytosanitary service in January 1999. At the same time, a delegation of Slovak experts was invited to Poland in order to examine a system of testing and certification of potatoes. Additionally, meetings were organized in Bratislava and Geneva between Polish and Slovak representatives.
3. Based on the bilateral meetings and positive opinion of the specialists visiting our country, the import ban was withdrawn on 1 March 1999, but on the same day Polish exporters were faced with a new obstacle to trade. The new requirement was introduced by the Slovak Republic without prior notification. It concerns testing of all potatoes for consumption for Potato spindle tuber viroid (PSTV). In its application, that measure appears to go far beyond the extent necessary to protect plant health and is not based on scientific evidence. Moreover, there is no substantial reason to introduce this kind of regulation in the case of ware potatoes, because according to the Slovak Republic's requirements, they have to be treated to suppress faculty of germination. Tubers prepared in this way are not able to germinate and are not harmful to any crop plants because it is not possible to use them both for planting and propagation.
4. The above-mentioned practices have to be considered by Poland as non-justified phytosanitary barriers to trade. Poland wants to express its deep concern with the Slovak Republic's procedure of implementing prohibitions and limitations on the import of ware potatoes originating from Poland without providing the appropriate period of time necessary for Poland to submit comments. Poland wishes to point out the inadmissibility of this kind of practice, which causes Polish producers and exporters to sustain considerable economic losses.

5. The system of phytosanitary supervision, testing and certification which is obligatory in Poland guarantees proper health conditions of produced and exported plants and plant products, as was confirmed by the Slovak specialists visiting Polish plant protection inspection. It may be well to add that commodities of plant origin exported from Poland are accompanied by phytosanitary certificates, which contain all requested guarantees. We would like to point out that no Polish consignment of ware potatoes exported to the Slovak Republic provided the reason for the concerns of the Slovak phytosanitary service.

6. We would like to encourage the Slovak authorities to withdraw the newly implemented measure as it is not based on scientific principles, and to restore the traditionally good relations between our countries.

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