

WORLD TRADE ORGANIZATION

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Committee on Sanitary and Phytosanitary Measures

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DIOXIN CONTAMINATION OF CERTAIN ANIMAL PRODUCTS INTENDED FOR HUMAN OR ANIMAL CONSUMPTION

Supplementary Information from the European Communities

Addendum

1. Since the incident in January 1999, in which some Belgian animal feed became contaminated with dioxin, the Commission has introduced a series of measures to protect public and animal health within the European Communities and in third countries. At first, until the extent of the contamination was established, the measures were wide ranging, affecting most products derived from land animals and poultry.
2. Third countries have been informed of the implications of the Decisions through information notes G/SPS/GEN/123 and Add. 1 and 2 issued through the WTO Secretariat, through the information meetings held by the European Commission in Brussels to which all third country missions in Brussels were invited, and through information notes to all third country missions in Brussels.
3. The results of the scientific investigation conducted by the Belgian authorities permitted the Commission, acting on the advice of the Standing Veterinary Committee, to lift the restrictions on dairy products in July and on cattle and cattle products in September 1999, as investigations showed no evidence that these sectors were affected by the contamination incident. Consequently there are no restrictions in these sectors.
4. Since then, attention has focussed on the poultry and pig sectors, for which there was some evidence that contamination had occurred. Tests are being carried out on the basis of the established maximum tolerance levels laid down in Annex A of the Decision for the seven PCB-congeners, which are considered to be reliable indicators for the possible presence of dioxin in this particular case of contamination. The levels are based on the findings of a Commission working group and the recommendations of the Scientific Committee for Food.
5. Following the results of extensive monitoring and additional safeguard measures introduced by the Belgian authorities, the Commission on 4 December 1999 adopted Decision 1999/788/EC, lifting the restrictions on live pigs and poultry and hatching eggs, and on products derived from pigs and poultry slaughtered after 20 September 1999 or from eggs laid after that date.
6. In January 2000, the Belgian authorities informed the Commission that the analytical programme launched to test and accredit all poultry holdings in Belgium had been completed, and that all Belgian poultry holdings are now certified by the Belgian authorities as not contaminated by dioxins or PCBs. In addition, eggs laid before 20 September 1999 and all the products derived therefrom have been identified and have been subjected to appropriate investigation, including analysis. This investigation has been carried out since July 1999 without disclosing any contaminated products. Furthermore, the results of Belgian surveillance programmes in the feed sector have not

shown positive results linked to dioxin contamination in feed ingredients and compound feedingstuffs produced after 2 April 1999.

7. The identification and investigation of all the stock of pigmeat, poultry meat, and products derived from animals slaughtered before 20 September 1999 has not yet been completed.

8. In the light of this information, the Standing Veterinary Committee, on 9 February 2000, voted in favour of a Commission Decision, amending Decision 1999/788/EC, which was adopted on 22 February as Commission Decision 2000/150/EC (Official Journal L 50 of 23 February 2000). This Decision lifts the restrictions on eggs and derived products, and on rendered fats, processed animal proteins, compound feedingstuffs and pre-mixtures. These products may now circulate freely in the European Communities, and be exported to third countries without a requirement that they have been tested for dioxin or PCBs.

9. The standard health certificates laid down in Decision 1999/788/EC have been modified to take account of the new situation. However, certificates made in accordance with previous Decisions and issued before the entry into force of the new Decision remain valid.

10. In summary, all animals, products of animal origin including eggs and egg products, feedingstuffs and feed raw material from all EC member States may be traded in the European Communities without restriction, whatever the date of production, except for pigs and poultry and their meat and meat products from Belgium unless accompanied by a certificate that they:

- have been tested for the presence of dioxin or PCBs with negative results, or
- are derived from animals reared in Belgium before 15 January 1999 or slaughtered after 20 September 1999.

These conditions do not apply to products containing less than 2 per cent animal fat from Belgium, which may, in any case, be traded without restrictions.

11. Copies of Commission Decisions 2000/250/EC and 1999/788/EC (available in all EC languages) can be obtained from the EC SPS Enquiry Point, or on the EUR-Lex site (<http://europa.eu.int/eur-lex>).

12. The European Commission will remain in touch with Belgian authorities and adjust the measures to take account of any new information.

13. As regards trade with third countries, the general situation reflects the development of the dioxin crisis with import barriers being lowered gradually as scientific data have unveiled the extent of the contamination and the measures introduced by the Belgian authorities have made their impact.

14. However, some trade difficulties with third countries including Members of the WTO prevail. A number of WTO Members have notified import restrictions related to the dioxin contamination that go beyond the measures applied by the European Communities. Other Members have applied such restrictions without notifying them to the WTO. Exporters from EC member States have drawn the attention of the European Commission to the fact that some of these WTO Members continue to apply these restrictions in spite of the information provided by the European Commission multilaterally and bilaterally as the investigation into the extent of the contamination proceeded.

15. Following is a list of notifications to which the European Communities has sent written comments to seek clarification in accordance with Article 5.8 of the SPS Agreement.

Notification	Date of Issue	Measure	Date EC Comments
G/SPS/N/COL/28 EM Colombia	20 October 1999	Suspension of imports from Belgium, France, Germany and the Netherlands of pigs, poultry and derived products, which represent a risk of dioxin contamination.	31 January 2000
G/SPS/N/HUN/6 EM Hungary	8 July 1999	Ban on food products of animal origin and animal feed from France, Germany and the Netherlands.	31 January 2000
G/SPS/N/MYS/6 and Add.1 EM Malaysia	10 and 29 June 1999	Ban on meat products, dairy products, eggs and egg products from the European Communities.	31 January 2000
G/SPS/N/PRY/1 EM Paraguay	19 August 1999	Import restrictions on animals and animal products from Belgium, France and the Netherlands.	31 January 2000
G/SPS/N/SGP/6 and 7 EM Singapore	8 June 1999	Ban on meat and egg products from Belgium. Demand for certification of meat and egg products from the European Communities.	31 January 2000
G/SPS/N/URY/3 and Rev.1 EM Uruguay	17 June and 14 July 1999	Ban on products of animal origin and feed from Belgium. Suspension of imports of products of animal origin and feed from the European Communities.	31 January 2000

16. From the beginning and throughout the dioxin crisis precaution and transparency have been the leading principles in the action taken by the European Communities. The European Communities immediately put in place strict safeguard measures to protect public health within the European Communities and in third countries when the dioxin contamination was reported in May last year. The measures have been gradually relaxed only after intensive scientific investigation, including an extensive programme for testing and certification in the various sectors, applying the strict levels set by the European Communities for dioxin- and PCB-tolerance.

17. Detailed information has been provided to all WTO Members and other third countries whenever the safeguard measures have been changed. This information has covered both the nature and the scientific and analytical rationale behind the decision to change the measures.

18. The European Communities is concerned that a considerable number of third countries including many WTO Members continue to apply safeguard measures related to the contamination that are considerably more restrictive than those governing trade within the European Communities. In the light of the available information, the European Communities considers these restrictions unjustified and would welcome information on the scientific or analytical rational behind their continued application.

19. The European Communities calls upon Members to adjust their measures to the latest Commission Decision, and reserves its right to any necessary action as regards unjustified trade barriers.
