

ISSUES IN THE APPLICATION OF ARTICLE 6 OF THE SPS AGREEMENT

Communication from Australia

Addendum

The following communication, dated 1 August 2006, is being circulated at the request of the Delegation of Australia.

-
1. Australia supports the provisions of Article 6 of the SPS Agreement. Obtaining recognition for regionalization can be a time-consuming and difficult process and the diversity of views presented to the 36th SPS Committee on this topic highlights a range of valid and complex concerns. However some of the proposed solutions have the potential to impact significantly on existing national processes and require further consideration.
 2. Australia supports the ongoing work of the OIE and IPPC to provide technical guidance on regionalization and believes the SPS Committee should encourage the standard-setting bodies to further refine this guidance to provide practical solutions to shared concerns. Australia notes that the draft IPPC standard mentioned in G/SPS/GEN/640 on 'Recognition of Pest Free Areas and Areas of Low Pest Prevalence' has been circulated for comment by Members. Australia encourages SPS Members to contribute to the standard-setting process by submitting their comments on this draft standard via their IPPC contact points to ensure that their concerns are addressed. The draft standard will be reviewed in light of comments from Members and may be put to the Commission on Phytosanitary Measures in late March 2007 for adoption.
 3. At the Commission on Phytosanitary Measures (CPM) meeting in March 2006, terms of reference for the Working Group on Feasibility of International Recognition of Pest Free Areas were adopted. An update from the IPPC Secretariat on CPM considerations should be included in the review of G/SPS/GEN/640. In light of these activities, Australia queries what residual gap on regionalization there is that the SPS Committee is seeking to address.
 4. Australia also believes that bilateral negotiations are the appropriate means of determining Members' capacity to expedite and facilitate transparent and predictable processes for assessing pest or area freedom on a case-by-case basis.
 5. Given the range of views and options presented to the SPS Committee, Australia cautions against seeking conclusion to this matter before there has been due consideration of the issues and any implications of further definition of processes.
-