

Committee on Sanitary and Phytosanitary Measures

**RECOMMENDED PROCEDURES FOR IMPLEMENTING THE TRANSPARENCY
OBLIGATIONS OF THE SPS AGREEMENT (ARTICLE 7)**

Note by the Secretariat¹

Revision

On 3 April 2008, the Committee adopted, on an ad referendum basis, the attached revised recommended transparency procedures, subject to no objections being raised by 30 May 2008.²

Should an objection be raised by 15 May 2008 to the *Guidelines to Further the Practical Implementation of Article 6 of the Agreement on the Application of Sanitary and Phytosanitary Measures* (G/SPS/W/218), adopted on an ad referendum basis by the Committee on 2 April 2008, the following text will be included in the revised recommended transparency procedures immediately after paragraph 47, and subsequent text would be appropriately re-numbered.

**"I. NOTIFICATION OF RECOGNITION OF PEST- OR DISEASE-FREE
STATUS OR OF LOW PEST OR DISEASE PREVALENCE**

47. Members are encouraged to inform the Committee when:
- (a) a request for recognition of pest- or disease-free areas or areas of low pest or disease prevalence is made; and/or,
 - (b) a determination on whether to recognize a pest- or disease-free area or areas of low pest or disease prevalence is made."

Any Member raising an objection is invited to submit its objection in writing to the WTO Secretariat (gretchen.stanton@wto.org) no later than 30 May 2008, and at the same time to provide an alternative proposal that would address their concern so that the Committee can finalize its decision at its meeting in June 2008.

¹ This document has been prepared under the Secretariat's own responsibility and is without prejudice to the position of Members or to their rights and obligations under the WTO.

² These recommended procedures will be subsequently issued as G/SPS/7/Rev.3.

**RECOMMENDED PROCEDURES FOR IMPLEMENTING
THE TRANSPARENCY OBLIGATIONS OF
THE SPS AGREEMENT (ARTICLE 7)**

Revision

1. Transparency in the context of the World Trade Organization (WTO) is used to signify one of the fundamental principles of its agreements: the aim is to achieve a greater degree of clarity, predictability and information about trade policies, rules and regulations of Members. In implementing this concept Members use notifications. Under the SPS Agreement, notifications are used to inform other Members about new or changed regulations that may significantly affect their trading partners.³ Transparency under the SPS Agreement also includes answering reasonable questions, and publishing regulations.

2. These procedures have been developed to assist Members fulfil their transparency obligations under Article 7 and Annex B of the SPS Agreement regarding the notification of SPS regulations, answering information requests under the National Enquiry Point system and publishing regulations.

3. These guidelines do not add to nor detract from the existing rights and obligations of Members under the SPS Agreement nor any other WTO Agreement. These guidelines do not provide any legal interpretation or modification to the SPS Agreement itself.

IDENTIFICATION OF THE NATIONAL NOTIFICATION AUTHORITY AND OF THE NATIONAL ENQUIRY POINT

4. In accordance with paragraph 10 of Annex B of the SPS Agreement, Members are obliged to designate "a single central government authority" as responsible for the implementation at the national level of the provisions concerning notification procedures. Paragraph 3 of Annex B of the SPS Agreement indicates that each Member "shall ensure that one National Enquiry Point exists" which is responsible for the provision of answers to all reasonable questions as well as the provision of relevant documents.⁴

5. When a Member's National Notification Authority or National Enquiry Point has been designated, or changed, the WTO Secretariat should be informed. The Secretariat regularly circulates a list of all Members' National Notification Authorities and National Enquiry Points, and this information is also available through the WTO's SPS web page (www.wto.org) and through the SPS Information Management System (<http://spsims.wto.org>). The National Enquiry Points are listed in the G/SPS/ENQ/ document series of the WTO, and the notification authorities are listed in the G/SPS/NNA/ series. It is useful to provide the following contact information so that they can be included in the lists:

- Contact name
- Name of institution
- Postal address / physical address
- Phone

³ The SPS Agreement uses the terms 'measures' and 'regulations' somewhat interchangeably when referring to any sanitary or phytosanitary measure such as laws, decrees, or ordinances applied to protect human, animal or plant life or health as defined under paragraph 1 of Annex A to the SPS Agreement.

⁴ In practice, a number of Members have decided to designate the same entity as the Enquiry Point and the National Notification Authority while others have found it more functional to establish more than one Enquiry Point to cover the areas of food safety, animal and plant health.

- Fax
- E-mail
- Website address

RECOMMENDED NOTIFICATION PROCEDURES

6. Members should follow these procedures when notifying regulations as required in paragraphs 5 or 6 of Annex B of the SPS Agreement. The form for routine notifications (see Annex A-1 of these procedures) should be used for notifications in accordance with paragraph 5 of Annex B of the SPS Agreement, whereas the form for emergency notifications (see Annex B-1 of these procedures) should be used for notifications as provided for in paragraph 6 of Annex B of the SPS Agreement.

A. APPLICATION OF ANNEX B, PARAGRAPH 5 (PREAMBULAR PART) OF THE SPS AGREEMENT

7. In accordance with Article 7 and paragraph 5 of Annex B of the SPS Agreement, Members are required to notify all regulations the content of which is "not substantially the same as the content of an international standard, guideline or recommendation", if such regulations are expected to have a significant effect on trade of other Members.

8. Members are encouraged to notify all regulations that are based on, conform to, or are substantially the same as an international standard, guideline or recommendation, if they are expected to have a significant effect on trade of other Members.⁵

9. For the purposes of Annex B, paragraphs 5 and 6 of the SPS Agreement, the concept of "significant effect on trade of other Members" may refer to the effect on trade:

- of one sanitary or phytosanitary regulation only or of various sanitary or phytosanitary regulations in combination;
- in a specific product, group of products or products in general; and
- between two or more Members.

10. To assess whether the sanitary or phytosanitary regulation may have a significant effect on trade, the Member concerned should consider relevant available information such as: the value or other importance of imports to the importing and/or exporting Members concerned, whether from other Members individually or collectively; the potential development of such imports; and difficulties for producers in other Members, particularly in developing country Members, to comply with the proposed sanitary or phytosanitary regulations. The concept of a significant effect on trade of other Members should include both import-enhancing and import-reducing effects on the trade of other Members, as long as such effects are significant.

B. TIMING OF NOTIFICATIONS

11. Paragraph 5(a) of Annex B of the SPS Agreement obliges Members to publish a notice at an early stage in such a manner as to enable interested Members to become acquainted with a proposal to introduce a particular regulation. This is useful so that other Members are better able to assess and if

⁵ The Secretariat should provide an annual report on the level of implementation of the transparency provisions of the SPS Agreement and of the recommended transparency procedures contained in this document, including, *inter alia*, an overview of those notifications which relate to the adoption of international standards, guidelines and recommendations by Members.

necessary, comment on the proposed measures. Members may wish to provide information to the SPS Committee regarding expected modifications to their national regulatory systems.

12. Paragraph 5(b) of Annex B of the SPS Agreement obliges Members to submit a notification at an early stage when amendments can still be introduced and comments taken into account. This should be done when a draft of the complete text of a regulation is available.

13. Paragraph 5(d) of Annex B of the SPS Agreement obliges Members to allow a reasonable period of time for submission, discussion and consideration of comments. Members should normally allow a period of at least sixty calendar days for comments, except for proposed measures which facilitate trade⁶ and those which are substantially the same as an international standard, guideline, or recommendation. Where domestic regulatory mechanisms allow, the 60-day comment period should normally begin with the circulation of the notification by the WTO Secretariat. Any Member which is able to provide a time-limit beyond sixty days is encouraged to do so.

14. A notification should be made well before the entry into force of the relevant measure, except when urgent problems of health protection arise or threaten to arise for the Member concerned. In accordance with paragraph 6(a) of Annex B of the SPS Agreement, any regulation brought into force in urgent circumstances is required to be notified immediately and a rationale for the urgent action provided.

15. The late notification of a measure already in force does not in and of itself constitute sufficient reason for the use of the emergency format. When urgent problems of health protection are not involved, late notifications should be made using the regular format and consideration should still be given to all comments received, in accordance with paragraph 5(d) of Annex B of the SPS Agreement.

C. REQUESTING DOCUMENTS RELATED TO A NOTIFICATION

16. Members requesting documents related to a notification should provide all the information necessary to identify the documents and in particular the WTO SPS notification number to which the requests refer.

17. When requesting an electronic transmission of documents from another Member, Members should indicate which electronic formats they are able to receive, including compatible versions.

D. PROVIDING DOCUMENTS RELATED TO A NOTIFICATION

Address of body supplying the documents

18. Members should indicate under point 13 of the WTO notification format the full address of the body responsible for supplying the relevant documents if that body is not the National Notification Authority or the National Enquiry Point. Where the relevant documents are also available from a website, the website address or a specific hyperlink to these documents should be provided.

Responding to requests

19. Members are obliged to provide upon request to other Members copies of the proposed regulation in accordance with paragraph 5(c) of Annex B of the SPS Agreement. Documents

⁶ Trade facilitating measures could include, *inter alia*, the raising of the level of maximum residue limits of certain pesticides in certain products, the lifting of a ban on imports, or the simplification or elimination of certain certification/approval procedures.

requested should normally be provided within five working days. If this is not possible, the request for documentation or information should be acknowledged within that period and an estimate given of the time required to provide the requested documentation. With a view to facilitating the timely provision of comments on notifications, Members are strongly encouraged to comply with the five-day deadline.

20. Documents supplied in response to a request should be identified with the WTO SPS notification number to which the request refers.

21. Members should use fax and E-mail facilities to the extent possible in responding to requests for documentation or information. Members are encouraged to publish their sanitary or phytosanitary measures on the Internet, to facilitate the supply of documents, and to provide the address of relevant websites.

22. Members may also submit an electronic version of the text of the notified draft regulation together with the notification format. These texts are stored on a WTO server and are accessible through a hyperlink in the notification format.⁷ Information about the provision, storage, and language of attachments to SPS notifications is contained in Annex C of these procedures.

Acknowledging receipt of documents

23. The Member requesting documents relating to a notification should acknowledge receipt of the documents provided.

Translation of documents

24. When a translation of a relevant document exists or is planned, this fact should be indicated on the WTO notification form next to the title of the document. If only a translated summary exists, the fact that such a summary is available should be similarly indicated.

25. If a translation of a document or summary exists in the language of the requesting Member, or, as the case may be, in the WTO working language used by the requesting Member, it should be automatically sent with the original of the document requested.

26. Where documents are not available in a WTO working language, developed country Members shall, upon request, supply a translation of the document, or in case of voluminous documents, a translation of a summary of the document, in a WTO working language in accordance with paragraph 8 of Annex B of the SPS Agreement.

27. When a Member seeks a copy of a document relating to a notification which does not exist in that Member's WTO working language, the notifying Member should advise the requesting Member of other Members that have requested, as of that date, a copy of the document. The Member seeking a copy of a document relating to a notification may contact other Members in order to determine whether the latter are prepared to share any translation that they have or will be making.

28. Any Member possessing an unofficial translation of a document relating to a notification should inform the notifying Member of the existence of the unofficial translation and should submit to the Secretariat a supplement to the original notification submitted by a Member. The supplement should indicate the address for requesting a copy or the website address where the unofficial translation can be found. The format of the supplement can be found in Annex D of these procedures. Neither the

⁷ See G/SPS/GEN/818.

Secretariat nor the Member providing the unofficial translation can be held responsible for the accuracy or quality of these translations.⁸

E. HANDLING OF COMMENTS ON NOTIFICATIONS

29. Each Member should notify the WTO Secretariat of the authority or agency (e.g. its National Notification Authority) which it has designated to be in charge of handling comments received, and of any change and/or modification of such authority or agency.

30. Members submitting comments on a notified draft regulation should provide them without unnecessary delay to the authority designated to handle the comments, or to the National Notification Authority if no other designation is made.

31. A Member receiving comments through the designated body should, without further request:

- (i) acknowledge the receipt of such comments;
- (ii) explain within a reasonable period of time, and at the earliest possible date before the adoption of the measure, to any Member from which it has received comments, how it will take these comments into account and, where appropriate, provide additional relevant information on the proposed sanitary or phytosanitary regulations concerned;
- (iii) provide to any Member from which it has received comments, a copy of the corresponding sanitary or phytosanitary regulations as adopted or information that no corresponding sanitary or phytosanitary regulations will be adopted for the time being.

32. A Member receiving comments through the designated body may consider making available to other Members, where possible, non-confidential comments and questions it has received and answers it has provided, or summaries thereof, preferably via electronic means.

33. Members should grant requests for extension of the comment period wherever practicable, in particular with regard to notifications relating to products of particular interest to developing country Members, where there have been delays in receiving and translating the relevant documents or where there is a need for further clarification of the measure notified. A 30-day extension should normally be provided and notified to the WTO (see section below on Addenda).

34. Members are also encouraged to use the "Procedure to Enhance Transparency of Special and Differential Treatment in Favour of Developing Countries" (G/SPS/33).

F. ADDENDA, REVISIONS AND CORRIGENDA

35. In addition to their original notifications, Members can also provide supplementary information in three different forms:

- An addendum is used to provide additional information or changes to an original notification. A Member may wish to indicate on the addendum if the final regulation has been substantially modified from the notified proposal.
- A corrigendum is used to correct an error in an original notification such as an incorrect address detail.
- A revision is used to replace an existing notification.

⁸ See G/SPS/GEN/487 for further information on this mechanism.

Any addendum or corrigendum should be read in conjunction with the original notification.

Addenda

36. Members should notify changes in the status of a notified SPS regulation. The issuance of an addendum allows Members to track the status of an SPS regulation via its unique notification number. Addenda to SPS notifications should be made in a number of circumstances, such as:

- (a) if the comment period has been extended;
- (b) when a proposed regulation is either adopted, published or comes into force, if the relevant dates have not been provided in the original notification or have been changed. Members are strongly encouraged to follow this recommendation and inform other Members in a timely manner. A Member may wish to indicate on the addendum if the final regulation has been substantially modified from the notified proposal;
- (c) if the content of a previously notified draft regulation is partially changed, or if the scope of application of the existing notification is modified, either in terms of Members affected or products covered. Such an addendum should provide for a new 60-day comment period unless the notified change is of a trade-facilitating nature or is negligible. Where domestic regulatory mechanisms allow, the 60-day comment period should normally begin with the circulation of the notification by the WTO Secretariat;
- (d) if a proposed regulation is withdrawn;
- (e) in the case of an emergency notification, an addendum should also be submitted if the period of application of the existing notification is extended.

37. An addendum should:

- briefly recap what was notified, when and what it was about - this is a practical requirement, and reduces the need for Members to have to go back to the original notification to check what it was about;
- specify what change has been made and why - briefly state why the information, dates, etc. have been changed; and
- restate the comments deadline, even if it has not been changed - as a reminder to Members that if they wish to comment it must be done by this date.

38. A form for making an addendum is available in Annex A-2 of these procedures for routine notifications and in Annex B-2 for notifications of emergency measures.

Revisions

39. Revisions **replace** an existing notification. Revisions should be submitted, for example, if a notified draft regulation was substantially redrafted or if a notification contained a large number of errors. A Member should provide a further period for comments on the revised notification, normally 60 calendar days, unless the notified change is of a trade-facilitating nature or would have a negligible effect on trade. Where domestic regulatory mechanisms allow, the 60-day comment period should normally begin with the circulation of the revised notification by the WTO Secretariat.

40. A form for making a revision is available in Annex A-3 of these procedures for routine notifications and Annex B-3 for notifications of emergency measures.

Corrigenda

41. Members should inform the Secretariat of any error(s) contained in their original notification. The Secretariat will issue a corrigendum accordingly.

42. A form for making a corrigendum is available in Annex A-4 of these procedures for routine notifications and Annex B-4 for notifications of emergency measures.

G. REGULATIONS THAT CONTAIN BOTH SPS AND TBT MEASURES

43. When a regulation contains both SPS and TBT measures, it should be notified according to both the SPS and TBT Agreements, preferably with an indication of which parts of the regulation fall under the SPS Agreement (e.g., a food safety measure) and which parts fall under the TBT Agreement (e.g., quality or compositional requirements).

H. NOTIFICATION OF DETERMINATION OF THE RECOGNITION OF EQUIVALENCE OF SANITARY OR PHYTOSANITARY MEASURES⁹

44. In accordance with the Decision on Equivalence (G/SPS/19/Rev.2), a Member which has made a determination recognizing the equivalence of sanitary or phytosanitary measures of another Member or Members shall notify other Members through the Secretariat of the measure(s) recognized to be equivalent and of the products affected by this recognition.

45. For the purposes of this notification, equivalence is defined to be the state wherein sanitary or phytosanitary measures applied in an exporting Member, though different from the measures applied in an importing Member, achieve, as demonstrated by the exporting Member and recognized by the importing Member, the importing Member's appropriate level of sanitary or phytosanitary protection. A determination of the recognition of equivalence may be with respect to a specific measure or measures related to a certain product or categories of products, or on a systems-wide basis.

46. Notification should also be made of significant variations to existing equivalence arrangements, including their suspension or rescission.

47. See Annex E of these procedures for further information on the format for the Notification of Determination of the Recognition of Equivalence of Sanitary or Phytosanitary Measures.

I. COMPLETED NOTIFICATIONS

48. Notifications should be sent, preferably by E-mail, but if not by fax or air mail, from the National Notification Authority to the central registry of notifications (CRN) at the WTO. The address is:

Central Registry of Notifications
World Trade Organization
Rue de Lausanne 154
1211 Geneva 21
Switzerland
Fax: (+41 22) 739 5638

E-mail: crn@wto.org

⁹ At its meeting of 25-26 June 2002, the Committee adopted a format and recommended procedures for the notification of determination of the recognition of equivalence of sanitary or phytosanitary measures which can be found in G/SPS/7/Rev.2/Add.1. This document has been incorporated into this Revision.

49. Electronic copies of all notification formats can be downloaded from the WTO website at: http://www.wto.org/english/tratop_e/sps_e/sps_e.htm

50. Members may submit electronic copies, in PDF format, of proposed regulations along with the corresponding notifications to the WTO Secretariat. These texts will be accessible, in the format and language provided, through a hyperlink in the notification format (see paragraph 22).

51. In addition, Members are encouraged to provide a website address or a specific hyperlink, if available, for the relevant documents in the appropriate section of the notification format.

GUIDELINES FOR NATIONAL ENQUIRY POINTS

52. The National Enquiry Point system established in paragraph 3 of Annex B of the SPS Agreement is an effective avenue for obtaining information regarding SPS systems and measures from other Members.

53. The National Enquiry Point handles on a routine basis:

- document and information requests;
- general enquiries; and
- delivery and charging of documents.

54. National Enquiry Points should also provide, upon request, information on participation in any bilateral or multilateral equivalence agreements and arrangements in accordance with paragraph 3(d) of Annex B of the SPS Agreement.

55. While the mode of delivery is at the discretion of the Member concerned, it is recommended that delivery of documents should be by the fastest means possible. In the first instance, if the Member has such facilities, the documents should be made accessible through a website or sent by E-mail or by fax. Alternatively, a Member can send the documents by post or via a requesting Member's diplomatic mission in their territory.

56. A Member may only charge the same cost for the documents as it would for its own nationals plus the cost of delivering the documents in accordance with paragraph 4 of Annex B of the SPS Agreement.

57. Members should also refer to the guidelines on transparency contained in the handbook *How to apply the transparency provisions of the SPS Agreement* (November 2000), when notifying regulations and operating National Enquiry Points in accordance with Article 7 and Annex B of the SPS Agreement.¹⁰

PUBLICATION OF REGULATIONS

58. The publication of regulations is a fundamental component of transparency under the SPS Agreement. This is a general obligation on Members, and does not relate specifically to the work of either the National Notification Authority or National Enquiry Point.

¹⁰ A practical procedural manual on the operation of National Enquiry Points and Notification Authorities is under preparation. Once it is finalized, the manual will be posted on the WTO website for access by all interested parties.

59. In accordance with paragraphs 1 and 2 of Annex B of the SPS Agreement, Members are obliged to:

- (a) ensure that all SPS regulations which have been adopted are published promptly in such a manner as to enable interested Members to become acquainted with them. Regulations to be published include laws, decrees or ordinances which are applicable generally;
- (b) except in urgent circumstances, allow a reasonable interval between the publication of a sanitary or phytosanitary regulation and its entry into force in order to allow time for producers in exporting Members and particularly in developing country Members, to adapt their products and methods of production to the requirements of the importing Member.

60. As agreed in the Doha Decision on Implementation-Related Issues and Concerns (WT/MIN(01)/17, para. 3.2):

Subject to the conditions specified in paragraph 2 of Annex B to the Agreement on the Application of Sanitary and Phytosanitary Measures, the phrase "reasonable interval" shall be understood to mean normally a period of not less than 6 months. It is understood that timeframes for specific measures have to be considered in the context of the particular circumstances of the measure and actions necessary to implement it. The entry into force of measures which contribute to the liberalization of trade should not be unnecessarily delayed.

61. The reasonable interval specified above between the publication and entry into force of new regulations should be provided, including when these are based on, conform to, or are substantially the same as an international standard, guideline, or recommendation.

62. Members are encouraged to publish SPS regulations on the Internet where possible. Publication on the Internet has a number of advantages and benefits to Members over more traditional methods. It:

- (a) allows for greater transparency;
- (b) makes it easier for Members to obtain documents; and
- (c) reduces the amount of work involved in processing and fulfilling document requests.

ACCESS TO INTERNATIONAL ELECTRONIC RESOURCES RELATED TO SPS NOTIFICATIONS AND OTHER SPS INFORMATION

63. There are a number of international resources on the Internet which could facilitate Members' access to SPS-related information. These include the WTO Secretariat's Documents Online Facility and SPS Information Management System (SPS IMS) (<http://spsims.wto.org>) as well as the FAO's International Portal on Food Safety, Animal and Plant Health (<http://www.ipfsaph.org>).

64. Members are encouraged to provide the WTO Secretariat up-to-date information regarding SPS-related websites within their territory for inclusion on the WTO's SPS web page. Official national SPS-related documentation and information can also be provided to the FAO's International Portal on Food Safety, Animal and Plant Health for publication.

ANNEX A-1: ROUTINE NOTIFICATIONS

COMPLETION OF FORMATS - ROUTINE NOTIFICATIONS (ANNEX B, PARAGRAPH 5 OF THE SPS AGREEMENT)

Information contained in the notifications should be as complete as possible and no section should be left blank. Where necessary, "not known" or "not stated" should be indicated.

Item	Description
1. Member notifying	Government, including the competent authorities of the European Communities, which is making the notification.
2. Agency responsible	Body elaborating a proposal for or promulgating a sanitary or phytosanitary regulation.
3. Products covered	Tariff item number(s) (normally HS, chapter or heading and number) as contained in national schedules deposited with the WTO. ICS numbers should be provided in addition, where applicable. A clear description is important for an understanding of the notification by delegations and translators. Abbreviations should be avoided.
4. Regions or countries likely to be affected	The geographical regions or countries likely to be affected by the notified regulation should be identified to the extent relevant or practicable. Members are encouraged to be as specific as possible in identifying regions or countries likely to be affected.
5. Title, language and number of pages of the notified document	<p>Title of the proposed or adopted (in the case of late submissions) sanitary or phytosanitary regulation. Number of pages in the notified document. Languages in which the notified document is available.</p> <p>If a translation of the whole document or its summary exists, indicate this here.</p> <p>If a Member submits the text of the draft regulation or a summary or translation thereof in PDF format along with the notification, the WTO Secretariat will facilitate access to this text through a hyperlink in the notification format.</p>
6. Description of content	<p>A summary of the proposed or adopted (in the case of late submissions) sanitary or phytosanitary regulation clearly indicating its content and health protection objective. The summary should be as complete and accurate as possible to allow the full understanding of the proposed regulation. To the extent possible, likely effects on trade should be described. Abbreviations should be avoided. Where practicable it should also include an outline of the specific sanitary measures the regulation will apply. The summary should enable trading partners to determine whether the notified measure is likely to have an impact on products they wish to export to the notifying Member.</p> <p>When a regulation contains both SPS and TBT measures, it should be notified according to both the SPS and TBT Agreements,</p>

Item	Description
	preferably with an indication of which parts of the regulation fall under the SPS Agreement and which parts fall under the TBT Agreement.
7. Objective and rationale	State whether objective is: protection of human health from food-borne risks; or protection of human health from plant- or animal-carried diseases; or protection of animal health from pests or diseases; or protection of animal health from contaminated feed; or protection of plant health from pests or diseases; or prevention of other damage from entry, establishment or spread of pests.
8. Existence of international standard, guideline or recommendation	<p>If a relevant international standard, guideline or recommendation exists, put a cross in the box provided for the appropriate standard-setting organization and give the appropriate reference of the existing standard, guideline or recommendation, e.g., Codex standard number, ISPM number, OIE Code chapter. Indicate whether the proposed regulation conforms to the relevant international standard and if not, describe, whenever possible, how and why the proposed regulation deviates from the international standard, guideline or recommendation.</p> <p>If no international standard, guideline or recommendation exists, put a cross in the box "none".</p>
9. Other relevant documents and language(s) in which these are available	<p>Documents referenced here are different from those listed in box 5. Documents which should be referenced include:</p> <p>(a) Publication where notice of the proposed regulation appears, including date and reference numbers;</p> <p>(b) Proposal and basic document to which proposal refers (with specific reference number or other identification), and the language(s) in which the notified documents and any summary of these are available;</p> <p>(c) Publication in which proposal will appear when adopted.</p> <p>If it is necessary to charge for documents supplied, the amount of the charge should be indicated.</p> <p>Provide the website address and hyperlink for these documents where available.</p> <p>If a Member submits texts of referenced documents in PDF format along with the notification to the WTO Secretariat, hyperlinks to these texts will be made available under this item.</p>
10. Proposed date of adoption and of publication	The date when the sanitary or phytosanitary regulation is expected to be adopted. Also provide where possible the proposed date of publication of the final measure if this differs from the date of adoption.

Item	Description
11. Proposed date of entry into force	<p>The date from which the requirements in the regulation are proposed or decided to enter into force shall normally be at least six months following the above date of adoption and/or publication.</p> <p>Where appropriate, Members should accord longer time-frames for compliance on products of interest to developing country Members. This shall normally be a period of not less than six months.¹¹</p> <p>Put a cross in the box if the proposed measure contributes to the liberalization of trade. In this case, the implementation of the measure should not be unnecessarily delayed and no comment period need be provided.</p>
12. Final date for comments and agency or authority handling comments	<p>The date by which Members may submit comments in accordance with Annex B, Paragraph 5(b) of the SPS Agreement. A Member should normally allow a period of at least sixty calendar days for comments. Check the box if this is 60 calendar days following the date of circulation of the notification as a WTO document, the Secretariat will indicate the corresponding date. If not, a specific date should be indicated. Any Member which is able to provide a time limit beyond 60 days is encouraged to do so.</p> <p>The agency or authority which has been designated to handle the comments should be indicated. If this is the National Notification Authority or the National Enquiry Point, put a cross in the box provided. If another agency or authority has been designated, provide its name, address, fax and (if available) E-mail address.</p> <p>For proposed measures which facilitate trade or those which are substantially the same as an international standard, guideline or recommendation, Members may reduce or eliminate the period for receiving comments.</p>
13. Texts available from	<p>If available from the National Notification Authority or the National Enquiry Point, put a cross in the respective box. If available from another body, give its address, fax number and (if available) E-mail address. Such indications do not in any way discharge the relevant National Enquiry Point of its responsibilities under the provisions of Annex B, Paragraphs 3 and 4 of the SPS Agreement.</p> <p>Provide the website address and specific hyperlink of the document notified, if available.</p> <p>If a Member submits the text of the draft regulation in PDF format along with the notification, a hyperlink to this text will be made available under this item.</p>

¹¹ Doha Decision on Implementation-Related Issues and Concerns (WT/MIN/(01)/17, para.3.1).

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

1.	Notifying Member: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable: [specific regions or countries] or [] all trading partners
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: [] food safety [] animal health [] plant protection [] protect humans from animal/plant pest or disease [] protect territory from other damage from pests
8.	Is there a relevant international standard? If so, identify the standard: [] Codex Alimentarius Commission [(e.g., title or serial number of Codex standard or related text)] [] World Organization for Animal Health (OIE) [(e.g., Terrestrial or Aquatic Animal Health Code chapter number)] [] International Plant Protection Convention [(e.g., ISPM N°)] [] None Does this proposed regulation conform to the relevant international standard? [] Yes [] No If no, describe, whenever possible, how and why it deviates from the international standard:
9.	Other relevant documents and language(s) in which these are available:
10.	Proposed date of adoption and of publication (dd/mm/yy):

<p>11. Proposed date of entry into force (dd/mm/yy): <input type="checkbox"/> Six months from date of publication ([DATE]) or [DATE: dd/mm/yy] <input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input type="checkbox"/> Sixty days from the date of circulation of the notification ([DATE]) or [DATE: dd/mm/yy] Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point, or address, fax number and E-mail address (if available) of other body:</p>
<p>13. Texts available from: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point, or address, fax number and E-mail address (if available) of other body:</p>

ANNEX A-2: ROUTINE NOTIFICATIONS - ADDENDA

**WORLD TRADE
ORGANIZATION**

G/SPS/N/COUNTRY#/Add.#
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Addendum

The following communication, received on # Month Year, is being circulated at the request of the Delegation of [Member].

Title outlining what the SPS measure or product is

[Text]

This addendum concerns a:

- Modification of final date for comments
- Notification of adoption, publication, or entry into force of regulation
- Modification of content and/or scope of previously notified draft regulation
- Withdrawal of proposed regulation
- Change in proposed date of adoption, publication, or date of entry into force
- Other [provide brief description]

Comment period: [If the addendum extends the scope of the previously notified measure in terms of products and/or potentially affected Members, a new deadline for receipt of comments should be provided, normally of at least 60 calendar days. Under other circumstances, such as extension of originally announced final date for comments, the comment period provided in the Addendum may vary.]

- Sixty days from the date of circulation of the addendum to the notification ([DATE])
or [DATE: dd/mm/yy]

Agency or authority designated to handle comments: National Notification Authority, National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

Text available from: National Notification Authority, National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX A-3: ROUTINE NOTIFICATIONS - REVISIONS

**WORLD TRADE
ORGANIZATION**

G/SPS/N/COUNTRY/##/Rev.#
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Revision

1.	Notifying Member: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable: [specific regions or countries] or [] all trading partners
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: [] food safety [] animal health [] plant protection [] protect humans from animal/plant pest or disease [] protect territory from other damage from pests
8.	Is there a relevant international standard? If so, identify the standard: [] Codex Alimentarius Commission [e.g. title or serial number of Codex standard or related text] [] World Organization for Animal Health (OIE) [e.g., Terrestrial or Aquatic Animal Health Code chapter number] [] International Plant Protection Convention [e.g., ISPM N°] [] None Does this proposed regulation conform to the relevant international standard? [] Yes [] No If no, describe, whenever possible, how and why it deviates from the international standard:
9.	Other relevant documents and language(s) in which these are available:
10.	Proposed date of adoption and of publication (dd/mm/yy):

<p>11. Proposed date of entry into force (dd/mm/yy): <input type="checkbox"/> Six months from date of publication ([DATE]) or [DATE: dd/mm/yy] <input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input type="checkbox"/> Sixty days from the date of circulation of the notification ([DATE]) or [DATE: dd/mm/yy] Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point, or address, fax number and E-mail address (if available) of other body:</p>
<p>13. Texts available from: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point, or address, fax number and E-mail address (if available) of other body:</p>

ANNEX A-4: ROUTINE NOTIFICATIONS - CORRIGENDA

**WORLD TRADE
ORGANIZATION**

G/SPS/N/COUNTRY/#/Corr.#
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION

Corrigendum

The following communication, received on # Month Year, is being circulated at the request of the Delegation of [Member].

Title outlining what the SPS measure or product is

[Text]

Text available from: [] National Notification Authority, [] National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX B-1: EMERGENCY NOTIFICATIONS

COMPLETION OF FORMATS - EMERGENCY NOTIFICATIONS (ANNEX B, PARAGRAPH 6 OF THE SPS AGREEMENT)

Information contained in the notification form should be as complete as possible and no section should be left blank. Where necessary, "not known" or "not stated" should be indicated.

Item	Description
1. Member notifying	Government, including the competent authorities of the European Communities, which is making the notification.
2. Agency responsible	Body elaborating a proposal for or promulgating a sanitary or phytosanitary regulation.
3. Products covered	Tariff item number(s) (normally HS, chapter or heading and number) as contained in national schedules deposited with the WTO. ICS numbers should be provided in addition, where applicable. A clear description is important for an understanding of the notification by delegations and translators. Abbreviations should be avoided.
4. Regions or countries likely to be affected	The geographical regions or countries likely to be affected by the notified regulation should be identified to the extent relevant or practicable. Members are encouraged to be as specific as possible in identifying regions or countries likely to be affected.
5. Title, language and number of pages of the notified document	<p>Title of the proposed or adopted (in the case of late submissions) sanitary or phytosanitary regulation. Number of pages in the notified document. Languages in which the notified document is available.</p> <p>If a translation of the whole document or its summary exists, indicate this here.</p> <p>If a Member submits the text of the draft regulation or a summary or translation thereof in PDF format along with the notification, the WTO Secretariat will facilitate access to this text through a hyperlink in the notification format.</p>
6. Description of content	<p>A summary of the proposed or adopted sanitary or phytosanitary regulation clearly indicating its content and health protection objective. The summary should be as complete and accurate as possible to allow the full understanding of the proposed regulation. To the extent possible, likely effects on trade should be described. Abbreviations should be avoided. Where practicable it should also include an outline of the specific sanitary measures the regulation will apply. The summary should enable trading partners to determine whether the notified measure is likely to have an impact on products they wish to export to the notifying Member.</p> <p>When a regulation contains both SPS and TBT measures, it</p>

Item	Description
	should be notified according to both the SPS and TBT Agreements, preferably with an indication of which parts of the regulation fall under the SPS Agreement and which parts fall under the TBT Agreement.
7. Objective and rationale	State whether objective is: protection of human health from food-borne risks; or protection of human health from plant- or animal-carried diseases; or protection of animal health from pests or diseases; or protection of animal health from contaminated feed; or protection of plant health from pests or diseases; or prevention of other damage from entry, establishment or spread of pests.
8. Nature of urgent problem(s) and reason for urgent action	Indication of the underlying reasons for resorting to emergency action, e.g., incursion of pests associated with imports, outbreak of a disease in supplying areas, etc.
9. Existence of international standard, guideline or recommendation	<p>If a relevant international standard, guideline or recommendation exists, put a cross in the box provided for the appropriate standard-setting organization and give the appropriate reference of the existing standard, guideline or recommendation, e.g., Codex standard number, ISPM number, OIE Code chapter. Indicate whether the proposed regulation conforms to the relevant international standard and if not, describe, whenever possible, how and why the proposed regulation deviates from the international standard, guideline or recommendation.</p> <p>If no international standard, guideline or recommendation exists, put a cross in the box "none".</p>
10. Other relevant documents and language(s) in which these are available	<p>Documents referenced here are different from those listed in box 5. Documents which should be referenced include:</p> <p>(a) Measure(s) taken and basic regulation which was modified (with specific reference number or other identification), and the language(s) in which the notified documents and any summary of these are available;</p> <p>(b) Publication in which regulation will appear.</p> <p>If it is necessary to charge for documents supplied, the amount of the charge should be indicated.</p> <p>Provide the website address and hyperlink for these documents where available.</p> <p>If a Member submits texts of referenced documents in PDF format along with the notification to the WTO Secretariat, hyperlinks to these texts will be made available under this item.</p>

Item	Description
11. Date of entry into force and period of application	<p>The date from which the requirements entered into force, and, if applicable, the period of time during which they will apply. (For example: immediate entry into force [date], duration of two months.)</p> <p>Put a cross in the box if the proposed measure contributes to the liberalization of trade.</p>
12. Agency or authority handling comments	<p>The agency or authority which has been designated to handle the comments should be indicated. If this is the National Notification Authority or the National Enquiry Point, put a cross in the box provided. If another agency or authority has been designated, provide its name, address, fax and (if available) E-mail address.</p>
13. Texts available from	<p>If available from the National Notification Authority or National Enquiry Point, put a cross in the respective box. If available from another body, give its address, fax number and (if available) E-mail address. Such indications do not in any way discharge the relevant National Enquiry Point of its responsibilities under the provisions of Annex B, Paragraphs 3 and 4 of the SPS Agreement.</p> <p>Provide the website address and specific hyperlink of the document notified, if available.</p> <p>If a Member submits the text of the draft regulation in PDF format along with the notification, a hyperlink to this text will be made available under this item.</p>

WORLD TRADE ORGANIZATION

G/SPS/N/COUNTRY/
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

1.	Notifying Member: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable: : [specific regions or countries] or [] all trading partners
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: [] food safety [] animal health [] plant protection [] protect humans from animal/plant pest or disease [] protect territory from other damage from pests
8.	Nature of the urgent problem(s) and reason for urgent action:
9.	Is there a relevant international standard? If so, identify the standard: [] Codex Alimentarius Commission [e.g., title or serial number of Codex standard or related text] [] World Organization for Animal Health (OIE) [e.g., Terrestrial or Aquatic Animal Health Code chapter number] [] International Plant Protection Convention [e.g., ISPM N°] [] None Does this proposed regulation conform to the relevant international standard? [] Yes [] No If no, describe, whenever possible, how and why it deviates from the international standard:
10.	Other relevant documents and language(s) in which these are available:
11.	Date of entry into force (dd/mm/yy)/period of application (as applicable): [] Trade facilitating measure

12. Agency or authority designated to handle comments: [] National Notification Authority, [] National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

13. Texts available from: [] National Notification Authority, [] National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX B-2: EMERGENCY NOTIFICATIONS - ADDENDA

**WORLD TRADE
ORGANIZATION**

G/SPS/N/COUNTRY#/Add.#

date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Addendum

The following communication, received on # Month Year, is being circulated at the request of the Delegation of [Member].

Title outlining what the SPS measure or product is

[Text]

This addendum concerns a:

- Modification of final date for comments
- Modification of content and/or scope of previously notified draft regulation
- Withdrawal of proposed regulation
- Change in period of application of measure
- Other [provide brief description]

Agency or authority designated to handle comments: National Notification Authority, National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

Text available from: National Notification Authority, National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX B-3: EMERGENCY NOTIFICATIONS – REVISIONS

**WORLD TRADE
ORGANIZATION**

G/SPS/N/COUNTRY/#/Rev.#
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Revision

1.	Notifying Member: If applicable, name of local government involved:
2.	Agency responsible:
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):
4.	Regions or countries likely to be affected, to the extent relevant or practicable: : [specific regions or countries] or [] all trading partners
5.	Title, language and number of pages of the notified document:
6.	Description of content:
7.	Objective and rationale: [] food safety [] animal health [] plant protection [] protect humans from animal/plant pest or disease [] protect territory from other damage from pests
8.	Nature of the urgent problem(s) and reason for urgent action:
9.	Is there a relevant international standard? If so, identify the standard: [] Codex Alimentarius Commission [(e.g. title of serial number of Codex standard or related text)] [] World Organization for Animal Health (OIE) [(e.g., Terrestrial or Aquatic Animal Health Code chapter number)] [] International Plant Protection Convention [(e.g., ISPM number)] [] None Does this proposed regulation conform to the relevant international standard? [] Yes [] No If no, describe, whenever possible how and why it deviates from the international standard:

10. Other relevant documents and language(s) in which these are available:
11. Date of entry into force (dd/mm/yy)/period of application (as applicable): <input type="checkbox"/> Trade facilitating measure
12. Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point, or address, fax number and E-mail address (if available) of other body:
13. Texts available from: <input type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX B-4: EMERGENCY NOTIFICATIONS – CORRIGENDA

**WORLD TRADE
ORGANIZATION**

G/SPS/N/COUNTRY/#/Corr.#
date of distribution

(##-####)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF EMERGENCY MEASURES

Corrigendum

The following communication, received on # Month Year, is being circulated at the request of the Delegation of [Member].

Title outlining what the SPS measure or product is

[Text]

Text available from: [] National Notification Authority, [] National Enquiry Point, or address, fax number and E-mail address (if available) of other body:

ANNEX C: FACILITY TO ACCESS FULL TEXTS OF NOTIFIED REGULATIONS

Attachments submitted together with WTO SPS Notifications

Guidelines

1. General

- (a) An "attachment" is a draft regulatory text or a translation or a summary thereof referred to in a WTO SPS notification.
- (b) An attachment will not be considered as a WTO document.
- (c) The Secretariat cannot be held responsible for the content of attachments.

2. Provision of attachments to the WTO

- (a) Attachments should be provided electronically to the Central Registry of Notifications (crn@wto.org), in conjunction with the corresponding WTO SPS notification.
- (b) Attachments will not be scanned by the WTO Secretariat if submitted in hard copy.
- (c) Attachments should be provided in PDF format only. Notifications should continue to be submitted in Word.
- (d) Individual attachments should not exceed 4MB in size; multiple attachments may be provided.

3. Storage of attachments

- (a) Attachments will be stored on a WTO central server.
- (b) Attachments stored on the WTO central server will be viewable online by clicking on the hyperlink in the notification form.
- (c) Attachments can also be downloaded directly by the user.
- (d) Attachments will not be circulated in hard copy form.

4. Language of attachments

- (a) Attachments may be provided in their original language.
- (b) If available, Members may also provide translations.
- (c) Attachments will not be translated by the Secretariat.

ANNEX D: AVAILABILITY OF UNOFFICIAL TRANSLATIONS

WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

G/SPS/N/COUNTRY##/Suppl.#
12 March 2004
(04-0000)

Committee on Sanitary and Phytosanitary Measures

AVAILABILITY OF TRANSLATIONS

Supplement

The Secretariat has been informed that an unofficial translation into [language] [one of the WTO working languages] of the document referenced in this notification is available for consultation at:

<http://www.>

Comité des mesures sanitaires et phytosanitaires

TRADUCTIONS DISPONIBLES

Supplément

Le Secrétariat a été informé qu'une traduction non officielle en [langue] [l'une des langues de travail de l'OMC] du document auquel renvoie la présente notification pouvait être consultée à l'adresse suivante:

<http://www.>

Comité de Medidas Sanitarias y Fitosanitarias

ACCESO A TRADUCCIONES

Suplemento

Se ha comunicado a la Secretaría que en la dirección:

<http://www.>

se puede consultar una traducción no oficial al [idioma] [uno de los idiomas de trabajo de la OMC] del documento a que se hace referencia en la presente notificación.

ANNEX E: NOTIFICATION OF RECOGNITION OF EQUIVALENCE

RECOMMENDED PROCEDURES FOR THE COMPLETION OF THE NOTIFICATION FORMAT

In accordance with the Decision on Equivalence (G/SPS/19), a Member which has made a determination recognizing the equivalence of sanitary or phytosanitary measures of another Member or Members shall notify other Members through the Secretariat of the measure(s) recognized to be equivalent and of the products affected by this recognition.

For the purposes of this notification, equivalence is defined to be the state wherein sanitary or phytosanitary measures applied in an exporting Member, though different from the measures applied in an importing Member, achieve, as demonstrated by the exporting Member and recognized by the importing Member, the importing Member's appropriate level of sanitary or phytosanitary protection. A determination of the recognition of equivalence may be with respect to a specific measure or measures related to a certain product or categories of products, or on a systems-wide basis.

Notification should also be made of significant variations to existing equivalence arrangements, including their suspension or rescission.

Item	Description
1. Member notifying	Government, including the competent authorities of the European Communities, which is making the notification.
2. Title of the text stating determination of the recognition of equivalence	Title of any formal or informal agreement, Memorandum of Understanding or other document establishing the determination of recognition of equivalence.
3. Parties involved	Name of the exporting Member or Members whose measure has been determined to be equivalent.
4. Date of entry into force of the determination of the recognition of equivalence and any associated procedures or regulations	Date from which procedures, regulations or other measures based on the determination of recognition of equivalence took effect.
5. Products covered (HS or CCCN where applicable, otherwise national tariff heading)	Tariff item number(s) (normally HS, chapter or heading and number) as contained in national schedules deposited with the WTO of the product(s) which are imported on the basis of the determination of the recognition of equivalence.
6. Brief description of the measure(s) recognized to be equivalent	Clearly indicate the nature of the recognition of equivalence, including which measure(s) of the exporting Member have been determined to be equivalent and which elements of the importing Member's usual requirements are met by these equivalent measures.
7. Further information available from:	The agency or authority from which an interested Member may request further information regarding the specific determination of equivalence being notified. If this is the National Enquiry Point, check the box provided. If available from another body, give its address, fax number and (if available) E-mail address. Provide the website address of the document, if available.

WORLD TRADE ORGANIZATION

G/SPS/EQV/N/#
Date of circulation

(00-0000)

Committee on Sanitary and Phytosanitary Measures

Original:

NOTIFICATION OF DETERMINATION OF THE RECOGNITION OF EQUIVALENCE OF SANITARY OR PHYTOSANITARY MEASURES

The following notification of determination of the recognition of equivalence has been received.

1. Member notifying:
2. Title of the text stating the determination of the recognition of equivalence:
3. Parties involved:
4. Date of entry into force of the determination of the recognition of equivalence and any associated procedures or regulations (dd/mm/yy):
5. Products covered (HS or CCCN where applicable, otherwise national tariff heading):
6. Description of measures recognized to be equivalent:
7. Further information available from: <input type="checkbox"/> National Enquiry Point <input type="checkbox"/> Other (specify)