

# WORLD TRADE ORGANIZATION

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**Working Party on the Accession of the  
Former Yugoslav Republic of Macedonia**

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## ACCESSION OF THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

### Implementation of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS)

The Government of the Former Yugoslav Republic of Macedonia has submitted the following information on the implementation of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS), with the request that it be circulated to members of the Working Party.

SPS measures regarding the human life and health are under the responsibility of the Ministry of Health. SPS measures regarding the animal and plant life or health are under the responsibility of the Ministry of Agriculture.

Macedonian Compliance	Requirements under the WTO
1. The new legislation related to the human life or health and the life or health of animals or plants, as well as the legislation on safety of food from animal or plant origin shall be developed and applied in accordance with the provisions of the SPS Agreement. The list of the current legislation that is in process of reconciliation with the WTO requirements is annexed to this document.	Generally agreed principle in the WTO accession negotiations.
2. The Ministry of Agriculture, Forestry and Water Economy provides information on products of plant origin, plant and veterinary protection.  The Ministry of Health provides information related to Article 7 and Annex B.3 of the SPS Agreement.	Article 7 and Annex B.3
Commitment: The Republic of Macedonia shall establish an efficient and operational enquiry point responsible for providing answers to interested members, by the time of its accession to the WTO.	

Macedonian Compliance	Requirements under the WTO
<p>3. Transparency: Notification and access to the documentation.</p> <p>The Ministry of Agriculture, Forestry and Water Economy, through the Veterinary Office and the Office for Plant Protection is the authorized body for veterinary and sanitary regulations regarding the animals, products, raw materials and waste of animal origin and phytosanitary regulations. The Ministry shall provide answers on obligations prescribed by appropriate provisions of the SPS Agreement. The Ministry of Health is in charge of the sanitary legislation on food and answers on the obligations prescribed by the provisions of the SPS Agreement. The Government of the Republic of Macedonia, shall at the moment of the accession to the WTO, determine which body shall have a function determined by Annex B. 10 of the SPS Agreement, through which the requested information shall be submitted to the WTO and its members, i.e. which will perform the notification procedures according to the provisions of the SPS Agreement.</p>	<p>Article 7 and Annex B, Also G/SPS/7</p> <p>Annex B.5(b) and Annex B.10</p> <p>Annex B.5(a)</p> <p>Annex B.5(c)</p> <p>Annex B.5(d)</p>
<p>Commitment: The Republic of Macedonia shall have the national legislation on the safety in conformity with the SPS Agreement. In addition, the publishing and notification procedures shall be carried out in full conformity with the provisions of Annex 5(a) and (b) of the SPS Agreement and the obligations provided in Annex B(c) and (d) of the SPS Agreement shall be fully satisfied.</p>	
<p>4. The Republic of Macedonia shall ensure that any sanitary and phytosanitary measure, as well as a measure for food safety is applied only to the extent necessary for protection of human, animal or plant life or health, based on scientific principles.</p>	<p>Article 2.2</p>
<p>5. The Republic of Macedonia shall ensure that any sanitary and phytosanitary measure is applied only to the extent necessary for protection of human, animal or plant life or health, based on scientific principles.</p>	<p>Articles 2.2, 3.3 and 5.2</p>

Macedonian Compliance	Requirements under the WTO
<p>6. The national legislation of the Republic of Macedonia in the subject area shall be completely harmonized with international standards, guidelines and recommendations. The Ministry of Agriculture, Forestry and Water Economy shall actively participate in the work of Codex Alimentarius, OIE, and IPPC – (as soon as the Republic of Macedonia becomes a member of the IPPC).</p> <p>Regarding the exceptions of this rule, the provisions of Article 3.3 of the SPS Agreement shall be applied appropriately. The Ministry of Health of the Republic of Macedonia shall actively participate in the work of relevant international organizations and bodies, especially in the Committee of the Codex Alimentarius limited to its financial resources.</p>	<p>Articles 3.1, 3.3 and 3.4</p>
<p>7. In the amendments to the national legislation the principle of the equivalence under Article 4 of the SPS Agreement shall be accepted.</p>	<p>Article 4</p>
<p>8. The Republic of Macedonia shall follow the international requirements.</p>	<p>Article 5.1, 5.2 and 5.3</p>
<p>9. The Republic of Macedonia shall ensure that its sanitary or phytosanitary measures are adapted to the sanitary and phytosanitary characteristics of the area from which the product originated and to which the product is destined.</p>	<p>Article 6 and Annexes A.6 and A.7</p>
<p>10. The Republic of Macedonia shall ensure that the sanitary and phytosanitary measures do not arbitrarily or unjustifiably discriminate members where identical or similar conditions exist, including between their own territory and that of other members. The Republic of Macedonia will also ensure that all the measures regarding control, inspection and approval procedures will be carried in compliance with Article 8 and Annex C of the SPS Agreement.</p>	<p>Article 2.3, and Annex C.1 (a) and (d)</p>
<p>11. When performing control, inspection and approval procedures, the provisions of Annex C shall be observed in order to secure that its procedures are not inconsistent with the provisions of the SPS Agreement.</p>	<p>Article 8 and Annex C</p>

## ANNEX

### List of Regulations Pertaining to Health Safety of Food under the Competence of the Ministry of Health

1. Law on Health Safety of Foodstuffs and General Use Articles (Official Gazette of SFRY No. 53/91 and Official Gazette of RM No. 15/95).
    - 1.1. Regulation on Conditions for Health Safety of the General Use Articles that May Be Released for Trade (Official Gazette of SFRY No. 26/83, 56/86).
    - 1.2. Regulation on the Sanitary Safety of Drinking Water (Official Gazette of SFRY No. 33/87).
    - 1.3. Regulation on the Sampling Methods and the Methods for Laboratory Analysis of Drinking Water (Official Gazette of SFRY No. 33/87).
    - 1.4. Regulation on the Conditions Regarding the Microbiological Safety of Foodstuffs Released for Trade (Official Gazette of SFRY No. 45/83).
    - 1.5. Regulation on the Conditions Regarding the Health Safety of Diet Products That May Be Released for Trade (Official Gazette of SFRY No. 4/85).
    - 1.6. Regulation on the Quantity of Pesticides and Other Poisonous Substances, Hormones, Antibiotics and Micotoxins that May be Present in the Foodstuffs (Official Gazette of SFRY No. 59/83, 79/87).
    - 1.7. Instruction on the Sampling Methods for Conducting Analyses and Super-analyses of Foodstuffs and General Use Articles (Official Gazette of SFRY No. 60/78).
    - 1.8. Decision on Determining Health and Other Organizations that Meet the Requirements for Conducting Super-analyses of Foodstuffs and General Use Articles (Official Gazette of SFRY No. 39/93).
    - 1.9. Regulation on the Methods for Determining pH Value and Quantity of Toxic Metals and Non-metals in the Products for Personal Hygiene, Care and Beauty of Face and Body, and on Determining the Microbiological Safety Thereof (Official Gazette of SFRY No. 46/83).
  2. Law on Health Control of Foodstuffs and General Use Articles (Official Gazette of SFRY No. 29/73, 37/86 and Official Gazette of RM No. 15/95).
    - 2.1. Regulation on the General Minimum Technical Requirements Regarding the Facilities, Machines and Equipment for Production, Storage, Keeping and Trade of Goods and Services (Official Gazette of SRM No. 17/79).
    - 2.2. Regulation on the Conditions and the Manner for Examining Products and General Use Articles in the Course of Their Production and the Manner of Keeping Records for the Conducted Examinations (Official Gazette of SRM No. 20/76).
    - 2.3. Regulation on Courses, the Way in Which They Shall Be Delivered and the Manner in Which the Acquired Knowledge Shall Be Checked (Official Gazette of SRM No. 20/76).
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