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**Working Party on the
Accession of Albania**

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ACCESSION OF ALBANIA

Memorandum on Compliance with the Agreement on Sanitary and Phytosanitary Measures

Revision

The Ministry of Economic Co-operation and Trade of the Republic of Albania has submitted the following revision to the Memorandum on Compliance with the Agreement on Sanitary and Phytosanitary Measures (SPS), with the request that it be circulated to members of the Working Party.

Memorandum on Compliance with the Agreement on Sanitary and Phytosanitary Measures (SPS)

Albanian Compliance	Requirements under the WTO
<p>1. Standstill: the introduction of new standards, animal health regulations and food safety regulations shall conform to SPS Agreement principles. The current regulations include:</p> <p>"The Law on State Sanitary Inspectorate", Number 7643, dated 2.12.1992</p>	<p>1. Generally agreed principle in WTO accession negotiations.</p>
<p>2. Article I, Section 1 and 6, of the Law on State Sanitary Inspectorate states that the Ministry of Health serves as the information point for the WHO and related international organizations. The Directory of Veterinary Service and Plant Protection in the Ministry of Agriculture and Food serves as the information point for questions related to animal and plant inspection, control, etc.</p> <p>By Order of the Prime Minister, Number 36, dated 06.05.1999, (Paragraph 7) it is officially established that Albania will have one inquiry point for information on standards and technical regulations to be in compliance with SPS and TBT.</p> <p>Directorate for Standardization</p>	<p>2. Article 7 and Annex B.3</p>

Albanian Compliance	Requirements under the WTO
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<p>Commitment: The Directorate of Standardization, with its authority and responsibility to operate a single unit inquiry point, commits Albania to having a fully operational single unit inquiry point at the time of accession.</p>	
<p>3. Transparency: notification and access to documentation:</p> <p>(A) The Directorate of Standards is the authority responsible for making notifications to the WTO and ensuring transparency obligations are met on an ongoing basis, Order of the Prime Minister, Number 36, dated 06.05.1999, (as provided in Paragraph 7);</p> <p>(B) there is nothing in the law at this time requiring publication of proposed measures at an early stage for comment;</p> <p>(C) there are no provisions in law or administrative procedure at this time requiring that copies of proposed measure be provided to WTO Members; and</p> <p>(D) at this time there is no requirement in law or administrative procedure that specifies a reasonable period of time for comment from Members and the public, and establishment of a process to take comments into account without discrimination.</p>	<p>3. Articles 7 and Annex B, Also G/SPS/7</p> <p>(A) Annex B.5.(b) and Annex B.10</p> <p>(B) Annex B.5(a)</p> <p>1(C) Annex B.5(c)</p> <p>(D) Annex B.5(d)</p>
<p>Commitment: For points 3. (B), (C), and (D) Albania is committed to draft or amend legislation to be in conformity with SPS at the time of accession.</p>	
<p>4. The Law on State Sanitary Inspectorate (Article I, Sections 5-8, and Article II) defines measures that apply only to protect human, animal an/or plant health. All inspectors (chemical and physical laboratories, toxicological, bacteriological) operate according to this law and inspections are based on scientific criteria.</p>	<p>4. Article 2.2</p>
<p>5. The Law on State Sanitary Inspectorate (Article I, Sections 5-8, and Article II) defines measures that apply only to protect human, animal an/or plant health. All inspectors (chemical and physical laboratories, toxicological, bacteriological) operate according to this law and inspections are based on scientific criteria.</p>	<p>5. Articles 2.2, 3.3 and 5.2</p>
<p>6. The Law on State Sanitary Inspectorate (Articles I-III) provides for harmonization, i.e., will follow international standards, guidelines, and recommendations in establishing</p>	<p>6. Articles 3.1, 3.3 and 3.4</p>

Albanian Compliance	Requirements under the WTO
SPS measures.	
7. The State Sanitary Inspectorate (Articles I-II) provide for equivalence, i.e., recognizes different measures that achieve the same level of protection.	7. Article 4
8. The Law on State Sanitary Inspectorate (Articles I-III) provides for risk assessment by developing scientific evidence and conducting risk assessments to ensure that measures are based on science and applied only to the extent necessary to protect human, animal, plant health.	8. Article 5.1, 5.2 and 5.3
9. The Law on State Sanitary Inspectorate (Article I) and the provides for consideration of regional conditions, i.e., measures that take into account the regional characteristics both of the areas from which products originate and the areas for which they are destined.	9. Article 6 and Annexes A.6 and A.7
10. The Law on State Sanitary Inspectorate (Articles I-II) provides for non-discrimination, i.e., measures do not arbitrarily or unjustifiably discriminate between different members or between domestic and foreign suppliers. Sub-legal acts define how samples are taken, and the procedures of an examination and its duration. The practices are transparent for all subjects that are under control.	10. Article 2.3, and Annex C.1(a) and (d)
11. The Law on State Sanitary Inspectorate provides for the control, inspection and approval procedures, e.g., to ensure that procedures, including systems for approval of the use of additives or for establishing tolerances for contaminants in foods, beverages or feedstuffs comply with the Agreement.	11. Article 8 and Annex C
