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## REPORT (2013) ON THE ACTIVITIES OF THE COMMITTEE ON SANITARY AND PHYTOSANITARY MEASURES

### *Revision*

1. The present report is being circulated by the Chairperson of the Committee on Sanitary and Phytosanitary Measures on her own responsibility. This report provides a summary of the activities and decisions of the Committee during 2013.
2. The Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") held regular meetings on 21-22 March, 27-28 June, and 16-17 October 2013.<sup>1</sup> Ms Maria Araceli Albarece (Philippines) was re-elected as chairperson for 2013-14 by the Committee at its June 2013 meeting.
3. At each meeting, Members provided information regarding changes in their SPS policies and situations, including with respect to food safety emergencies and pest- or disease-outbreaks. The SPS Committee also considered a wide range of specific trade concerns. Twenty-two new specific trade concerns were raised during 2013 and many previously raised concerns were discussed again. The new issues raised included, *inter alia*, US proposed food safety audits and certifications; EU temperature treatment requirements on processed meat products; China's import conditions related to phthalates and to swallow's nests; France's ban on bisphenol A (BPA); India's import restrictions on pork, as well as on apples, pears and citrus; EU phytosanitary requirements on pine trees from Russia, orchid plantlets from Chinese Taipei, and citrus products from South Africa; BSE-related restrictions on Brazilian meat products; and import restrictions in response to the nuclear power plant accident in Japan. Forty-six trade concerns were reported to have been resolved or partially resolved during the course of the year.
4. The SPS Committee examined the operation of the transparency provisions of the SPS Agreement and the annual report regarding the implementation of these provisions (G/SPS/GEN/804/Rev.6). As of 15 September 2013, 108 Members had submitted SPS notifications, and a total of 700 notifications had been submitted since 1 January 2013. Approximately 50% of these notifications had been submitted on-line via the SPS Notification Submission System (NSS). With respect to specific notifications, Panama requested clarifications from Costa Rica regarding a notification of MRLs for medicines in live animals (G/SPS/N/CRI/136); the United States requested more time to comment on the EU notification regarding the prohibition of the use and sale of seeds treated with certain plant protection products (G/SPS/N/EU/39); and Japan questioned the rationale behind Turkey's notification of the prohibition of the use of certain additives in so-called traditional foods (G/SPS/N/TUR/31).
5. Members, Observer Organizations and the Secretariat provided information on their respective SPS-related technical assistance activities at each of the Committee's meetings, with specific information provided by the European Union and by Japan. The Committee took note of the various WTO SPS technical assistance activities planned for 2013, namely: the Advanced Course on the SPS Agreement and two Regional SPS Workshops for French-speaking Africa (in Gabon) and for Arab Countries (in the United Arab Emirates). A special workshop on SPS-related market access issues was held on 14 October 2013, with a particular focus on experiences of developing countries in addressing specific SPS-related market access issues. Over 700 applications were submitted to the Secretariat for the 2013 technical assistance activities. The Secretariat also

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<sup>1</sup> The summary reports of the March and June meetings are contained in G/SPS/R/70 and G/SPS/R/71, respectively, and the summary report of the October meeting will be circulated as G/SPS/R/72 shortly.

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reported on the large number of requests for national seminars that had been received from Members and indicated its intention to meet these training needs to the extent resources permitted.

6. The Secretariat informed the Committee of the work of the Standards and Trade Development Facility (STDF), highlighting STDF research in selected countries in Africa and Asia to review and analyse the implementation of SPS measures, procedures and processes in the context of trade facilitation, which could be relevant to the Ninth Ministerial Conference (G/SPS/GEN/1279). The STDF study on International Trade and Invasive Alien Species was completed, and contained recommendations to the SPS Committee and to Members. The STDF had held additional workshops on the application of the Multi-Criteria Decision Analysis (MCDA) tool to assist Members in prioritising among a range of SPS investment options to address specific problems related to agri-food exports and market access.

7. The issue of special and differential treatment is on the agenda of each SPS Committee meeting, and the Secretariat has kept the SPS Committee informed on the status of discussions in the Committee on Trade and Development Special Session with respect to Articles 10.2 and 10.3 of the SPS Agreement.

8. Many Members provided the Committee with information regarding their status with respect to specific plant pests and animal diseases. At its June meeting, the Committee adopted the annual report on the implementation of Article 6 of the SPS Agreement with respect to the adaptation of measures to regional conditions (G/SPS/GEN/1245).

9. The SPS Committee continued to address some issues arising from the periodic reviews of the operation and implementation of the SPS Agreement. An informal working group was established to advance work, through electronic and physical exchanges, on a procedure to facilitate the implementation of Article 12.2 of the SPS Agreement on ad hoc consultations or negotiations to resolve specific trade concerns. However, the Committee was unable to reach consensus on the proposed procedure at its October meeting.<sup>2</sup> The Secretariat reported on work undertaken by the Committee on Technical Barriers to Trade regarding good regulatory practices, an issue that had also been raised in the last review of the operation of the SPS Agreement (G/SPS/53). The Secretariat drew attention to the on-going discussions on trade facilitation and possible linkages with provisions of the SPS Agreement. The Committee adopted a procedure and time-frame for undertaking the Fourth Review of the Operation and Implementation of the Agreement (G/SPS/W/270), and some Members began identifying issues for consideration as part of this review.

10. The Committee continued its work on the development of a working definition of SPS-related private standards<sup>3</sup>, as well as discussing the implementation of the other actions agreed by the Committee (G/SPS/55). Work in other fora relating to private standards was also presented, in particular the creation of the UN Forum on Sustainability Standards (UNFSS) by the FAO, ITC, UNCTAD, UNEP and UNIDO. The UNFSS is intended to provide an unbiased and credible policy dialogue with analytical, empirical and capacity-building activities, based on demand by developing countries and involving all concerned non-governmental stakeholders.

11. The SPS Committee maintained its close working relationship with the Codex, IPPC, and the OIE (often referred to as the "Three Sister" organizations) and received regular updates on their activities. The Committee congratulated the Codex on its 50<sup>th</sup> anniversary. At its June meeting, the Committee adopted the 15<sup>th</sup> annual report on monitoring the use of international standards, and highlighted the importance of the standards based on scientific principles and evidence (G/SPS/60). Other observer organizations also provided information on their activities, including technical assistance activities.

12. At its March meeting, the Committee agreed to grant observer status, on an ad hoc, meeting-by-meeting basis, to the Intergovernmental Authority on Development (IGAD), in line with the Committee's previous decisions to grant observer status to other African regional economic organizations with SPS-related activities.

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<sup>2</sup> G/SPS/W/259/Rev.7.

<sup>3</sup> G/SPS/W/272.

13. The SPS Committee has tentatively agreed to hold regular meetings on 25-26 March, 9-10 July and 16-17 October 2014.

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