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Committee on Sanitary and Phytosanitary Measures

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## SPS-RELATED PRIVATE STANDARDS

### COMMUNICATION FROM BELIZE

The following communication, received on 11 April 2014, is being circulated at the request of the Delegation of Belize.

1. Belize would like to inform the Committee that the competent authority for agricultural health and food safety in Belize, the Belize Agricultural Health Authority, held meetings with a major papaya and major citrus exporter whose products are being affected by private standards.
2. The meeting with the papaya exporter was held on 6 February 2014, and on 20 March 2014 a session was held with a representative of the citrus exporter. During the course of the meetings, it became very clear that those exporters knew that the standards applied to their products were beyond the official standards and those of the international standard setting bodies recognized by the SPS Agreement. Importantly, they cited specific requirements which were not guarding against any actual risk of transmission of pests or diseases but which could best be described as measures to prevent "theoretical risk of transmission". To quote one company: "the prescribed requirement did not even take into account the basic principle of common sense". The other company is currently waiting for a response from a potential buyer on a particular requirement which the Belizean company has justified as being unnecessary, as they are of the view that the requirements are not supported by a valid risk assessment. This is their first attempt at challenging the validity of a requirement, and it is uncertain as to what the outcome will be.
3. While a few companies are trying to take on the role of governments in ensuring that the measures applied to them are not more trade restrictive than necessary, others have simply ceased to exist because they do not have the volumes of trade to engage more than one buyer nor the technical expertise in dealing with these complicated schemes. This year Belize lost another exporting company due to the high costs associated with certification by buyers. High certification costs to obtain and maintain market access is continuously expressed as a major concern. The audits are conducted annually and by each buyer irrespective if all are from the same country.
4. Papaya exporters have identified a new concern: the sanitary security of consignments after the product arrives in the importing country. These exporters wanted to receive assurance from the buyer that equally stringent procedures would be applied in the handling, transportation and storage of the product, to ensure that the sanitary security of the consignment was not jeopardized as a result of negligence on the part of the buyer. Unfortunately, they are yet to see if those procedures exist and the auditor could not give the exporter any assurance that they would not be found liable if something arose as a result of negligence on the part of the buyer.
5. It is our view that the SPS Committee needs to advance work on this important agenda item, as developing countries are affected on a daily basis by the requirements imposed by these non-governmental entities. The sanitary and phytosanitary requirements for trade, we believe, should be applied in compliance with the provisions of the SPS Agreement.