

WORLD TRADE ORGANIZATION

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Committee on Sanitary and Phytosanitary Measures

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TRANSPARENCY

Joint communication of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia and the European Communities

In order to comply with the SPS Agreement Transparency and Notification provisions, as set out in Article 7 and Annex B, and in accordance with the recommendations of the Committee on Sanitary and Phytosanitary Measures (SPS Committee) as included in documents G/SPS/12 and G/SPS/7, G/SPS/7/Rev.1, G/SPS/7/Rev.2 and G/SPS/7/Rev.2/Add.1, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia and the European Communities would like to inform the SPS Committee of the following:

- (i) One of the main principles in the framework of accession negotiations is that the new member States of the European Union (EU) adopt the EU *Acquis*, i.e. the detailed laws and rules adopted on the basis of the EU's founding treaties. This principle has become effective for Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia with the Treaty of Accession and the Act of Accession attached to it which has been signed in Athens on 16 April 2003. The foreseen date of accession for these ten new member States is 1 May 2004.
- (ii) As a consequence new EC member States have to fully comply with SPS legislation already enforced within the European Communities.
- (iii) For the sake of transparency it has been considered useful to use a specific model of notification to be used in the period preceding the date of accession. For this it should be considered that the relevant US *Acquis* has been previously notified, as from when the obligation to notify applies i.e. in 1995, and open to comments, which have been taken into account in the final version of the SPS measures. In this respect, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia and the European Communities share a common understanding supporting the view that the ongoing modification of their national SPS regulations as a consequence of the adoption of the EU *Acquis* will be notified for information [i.e. comment period as foreseen in box 11 of the notification format, with not be applicable.] Therefore the objective of notification, as stipulated under point 7 in the notification form, is the harmonization of legislation in connection with the accession to the European Union.
- (iv) Once the new member States have joined the European Union, and as specified in G/SPS/W/14, these transitional notifications will be overruled. The EC National Notification Authority (NNA) and Enquiry Point (EP) will further act as the single EEC NNA and EP while the new member States' NNA and EP will become "contact points".