

TURKEY'S LIVESTOCK IMPORT BAN

Submission by the United States

1. The United States notes with concern that the Government of Turkey recently extended, for the eighth time, its import ban on cattle and meat products. When Turkey introduced the ban in August 1996, the Government of Turkey characterized it as a temporary measure. Turkey has failed to notify the import ban to the WTO.
2. The ostensible justification for the ban is to prevent the spread of foot-and-mouth disease (FMD) which is endemic in Turkey. However, the Government of Turkey neither published a regulation officially enacting the ban nor provided evidence that it has conducted a risk assessment, despite repeated requests by the United States that Turkey explain the scientific basis for the import ban. The United States is concerned that the Government of Turkey is using the import ban to provide commercial protection for Turkish cattle producers in violation of its obligations under the WTO SPS Agreement.
3. The United States raised this issue at the June 1998 meeting of the SPS Committee. However, at that time, the Turkish representative was unable to address the US concerns. Accordingly, the United States again requests explanation and elaboration of the following aspects of the ban:
 - (a) Turkey has neither notified its import ban to the WTO, nor has it officially published a regulation or rule enacting this measure. Pursuant to the notification and transparency requirements of Annex B of the SPS Agreement, the United States requests that Turkey provide clarification of the purpose, scope, and legal basis of its measure. Moreover, in accordance with Articles 2 and 5 of the SPS Agreement, the United States requests that Turkey provide the scientific justification for its measure, including the risk assessment used to justify the ban.
 - (b) The Turkish import ban applies to cattle and meat from all countries, including countries which are free of FMD. The United States has been free of FMD for nearly seventy years, and is so recognized by the Office International des Epizooties. The United States requests that Turkey explain its failure to adapt its measure to the sanitary characteristics of the country or region from which the cattle or meat originate as required by Article 6 of the SPS Agreement.
 - (c) Turkey neither controls internal animal movements within its borders (except into Thrace), nor does it ensure that all susceptible animals are vaccinated against the disease. Therefore, under Article 2 of the SPS Agreement, the United States regards the ban on the importation of cattle and meat products as discriminatory and requests that Turkey explain why its internal measures are significantly less restrictive than its import requirements.

4. The United States urges the Government of Turkey to immediately lift its ban on the import of cattle and meat products, or to adapt it to ensure that it meets the requirements of the SPS Agreement, including that it be based on a scientific risk assessment, and that it recognize the sanitary characteristics of exporting Members.
