

HEALTH STATUS, TRANSPARENCY AND TRADE REACTIONS

Statement Delivered by Chile at the Meeting Held on
28 and 29 October 2009

The following communication, received on 28 October 2009, is being circulated at the request of the delegation of Chile.

1. In August 2009, pandemic human influenza was detected on two turkey breeding farms owned by the same company in the municipalities of Quilpué and Nogales.

2. The outbreak corresponded to the pandemic influenza A (H1N1) virus and was duly reported to the OIE on 21 August. The presence of the virus was subsequently confirmed by the national reference laboratory of the Chilean Public Health Institute and by the OIE international reference laboratory for avian influenza in Ames, Iowa (United States).

3. It should be noted that the outbreak in question is not a disease notifiable to the OIE. Chile reported the outbreak, but was under no obligation to do so. This proved to be of much interest to the scientific community, which, together with Chile's trading partners, praised the country's transparency - a principle Chile considers invaluable.

4. The outbreak affected only two turkey breeding farms, both owned by the same company. It should be noted that the non-breeder turkeys farmed by the company, including those for commercial fattening, were free of the disease.

5. The detected virus was a human virus that had been transmitted to the turkeys. In these circumstances, it is safe to say that the likelihood of viral dissemination is negligible and that there are no risks involved in trading fresh poultry meat and poultry by-products, partly for the following reasons:

- The virus was only detected in breeder birds;
- there was no evidence of virus circulation in fattening birds;
- there was no scientific evidence of viral transmission through meat; and
- only clinically healthy and serologically negative birds have been sent for slaughter.

6. All available background details were provided with a view to establishing the significance of the event in question. No known health risks are involved in the marketing of poultry and

poultry products from healthy birds; such birds are subject to a monitoring and inspection system, including relevant control, containment and surveillance measures.

7. In short, Chilean exports of poultry and poultry products do not pose any form of risk. Were this not the case, Chile's relevant health authority, the Agricultural and Livestock Service (SAG), would be the first to stop any exports which were suspected of constituting a risk to public or animal health or which might compromise the trust of Chile's export markets.

8. Unfortunately, a number of countries have erroneously introduced trade-restricting measures when there are no scientific grounds to do so, on the basis of partial information and without any further investigation into the matter. One of these countries went so far as to notify measures based on the presence of avian influenza, despite the fact that Chile is free of this disease, a status recognized and approved unanimously by the 172 members of the OIE.

9. The measures notified to the WTO could have harmed Chile's image in third countries. The preventive measures adopted by two other countries, without notifying the WTO, caused temporary injury by disrupting trade.

10. WTO Members are therefore urged to study the background details before issuing or applying measures in situations such as the one described. Certain measures can, if taken hurriedly and without any scientific basis, result in significant trade losses. The adoption of measures not based on scientific evidence also implies disregard for the serious work carried out by scientific reference organizations in the light of the SPS Agreement.

11. Amongst other SPS Agreement Articles, we call upon the Members to comply with Article 2.3, which states that "sanitary and phytosanitary measures shall not be applied in a manner which would constitute a disguised restriction on international trade", and Article 2.2, under which "Members shall ensure that any sanitary or phytosanitary measure [...] is based on scientific principles and is not maintained without sufficient scientific evidence".
