

Committee on Sanitary and Phytosanitary Measures

SUMMARY OF THE MEETING HELD ON 8-9 NOVEMBER 2000

Note by the Secretariat

I. ADOPTION OF THE AGENDA

1. The Committee on Sanitary and Phytosanitary Measures (the "Committee") held its nineteenth meeting on 21-22 June 2000. The meeting was chaired by Mr. S.I.M. Nayyar (Pakistan). The agenda proposed in WTO/AIR/1426 was adopted with amendments.

II. IMPLEMENTATION OF THE AGREEMENT

(a) Information from Members

(i) *Activities of Members*

European Communities – Classical swine fever situation in the UK (G/SPS/GEN/215)

2. The representative of the European Communities provided information regarding the situation in the United Kingdom following an outbreak of classical swine fever on 8 August 2000. The last case was confirmed on 4 October, and the situation was now fully under control. The relevant statistics are provided in document G/SPS/GEN/215.

European Communities – Legislation on irradiation of food products

3. The representative of the European Communities drew attention to EC Directives 99/2 and 99/3, notified in G/SPS/N/EEC/61, regarding food and food products treated with ionizing radiation. These Directives entered into force on 20 September 2000. By 20 March 2001, all irradiated food products sold on the EC market must comply with the provisions of these Directives. This meant, *inter alia*, that radiation plants in countries which planned to export food products to the European Communities had to apply for EC approval.

European Communities – Third country residue plans

4. The representative of the European Communities noted that EC legislation required that EC member States and third countries submit on an annual basis their plans for monitoring residues in animals and animal products of prohibited substances, veterinary medicines and contaminants, including pesticides and heavy metals. All relevant countries were advised of this requirement in March 2000, but 43 countries had not yet provided the necessary information. Imports of products from these countries would be suspended until they had met the requirements of the EC legislation. These countries had received information from the European Commission explaining the relevant procedures.

European Communities – Third Asia-Europe Meeting/Trade Facilitation Action Plan (ASEM-TFAP)

5. The representative of the European Communities reported that the third ASEM-TFAP workshop, held in The Hague on 11-14 September 2000, focussed on the use of risk analysis to underpin SPS measures. The meeting was attended by representatives of eight of the ten Asian partner countries, 10 European member States, the European Commission, Codex, OIE, IPPC and the WTO Secretariat. A special session was held with participation of the business community. A work plan for further Asian-European workshops on food safety and animal and plant health had been agreed.

European Communities – Technical regional seminar in Iran

6. The representative of the European Communities also reported that a technical seminar would be held in Iran, financed by the French trust fund for SPS activities. The seminar, tentatively scheduled for January 2001, would include 18 countries of the area. The seminar was being organized in close cooperation with the WTO Secretariat and would include presentations by the Codex, OIE and IPPC.

Chile – Activities since the last Committee meeting

7. The representative of Chile expressed appreciation that the European Communities had recently recognized Chile as free from classical swine fever. Chile anticipated that Mexico and the United States would soon approve imports of its pork products. Since the last meeting of the Committee, Chile had concluded cooperative agreements on sanitary and phytosanitary issues with Ecuador and Paraguay. Chile had participated in bilateral meetings with the United States on equivalence and GMOs; with Argentina on equivalence; with Australia, Canada and New Zealand on how best to implement the SPS Agreement; and with Peru on recognition of areas free of fruit fly. The representative of Chile reported that countries involved in the Free Trade Agreement of the Americas were considering whether to create a specific working group on SPS or whether to include SPS issues within their agriculture group. Before the March meeting of the SPS Committee, Chile expected to hold bilateral meetings on SPS issues with Cuba, Dominican Republic, Brazil and Argentina.

(b) Specific Trade Concerns

(i) *New issues*

New Zealand – Indonesia's restrictions on importation of fresh fruit (G/SPS/GEN/219)

8. The representative of New Zealand noted that Indonesia had imposed restrictions on fresh fruit from New Zealand since the discovery of two fruit flies in a residential area of New Zealand in May 1996. Although New Zealand operated an extensive trapping and surveillance program, no fruit flies were ever found outside a 200 meter zone around the initial incursion, and no fruit flies were trapped after three weeks. New Zealand's ongoing surveillance has not subsequently detected any other fruit flies. A number of WTO Members imposed restrictions on New Zealand fruit products following the initial incursion, but these restrictions were progressively lifted. However, Indonesia continues to impose a prohibition on imports of any fruit produced within a 15-km radius of the incursion and requires cold treatment of all fruit from other parts of New Zealand, despite numerous representations by the New Zealand government. The New Zealand situation and its concerns regarding Indonesia's measures are detailed in G/SPS/GEN/219.

9. The representative of New Zealand reported that at bilateral consultations held just prior to the SPS Committee meeting, Indonesia had undertaken to review the information which New Zealand

had already provided and to clarify whether it required any further information. On the basis of these consultations, New Zealand was confident of a prompt resolution to this problem, which they would duly report to the Committee.

10. The representative of Indonesia indicated that he had taken note of New Zealand's concerns. In communications to New Zealand, his government had clarified that they needed further documentation supporting New Zealand's claim of freedom from Mediterranean fruit fly. However, Indonesia had no intention of maintaining measures which were not justifiable under the SPS Agreement and remained open to further consultations in order to achieve an acceptable conclusion.

Thailand – Australia's import restrictions on durian (G/SPS/GEN/217 and G/SPS/GEN/218)

11. The representative of Thailand reported that since 1991 his country had sought access to the Australian market for durian. However, due to Australia's constant requests for additional data, Australia's risk assessment was delayed and the draft import risk analysis notified only in February 1999. In August 2000, Australia informed Thailand that durian fruit imports would be permitted only under unduly restrictive conditions, including the requirement that 450 fruit must be cut open and inspected for each shipment of under 1,000 fruit, the normal size of a consignment. This 60% sampling requirement appeared to be excessively trade restrictive and contrary to the SPS Agreement. Furthermore, the seasonal limitation on shipments, as well as the requirement that fruit come only from the eastern region of Thailand, did not appear to be justified. Thailand's concerns were detailed in G/SPS/GEN/217.

12. The representatives of India, the Philippines and the European Communities indicated that they were interested in this issue and in further information regarding Australia's SPS measures.

13. The representative of Australia noted that when Thailand initially requested access for durian, it identified only three anthropod pests and 12 diseases of durian. There followed a number of requests for further information from Australia, and responses from Thailand. In August 1997, Thailand identified a list of 49 anthropod pests and 16 diseases of durian, and Australia commenced an import risk analysis. The representative of Australia stressed that the numerous bilateral contacts on this matter had resulted in an expansion of the scientific information available. He noted that it was difficult for any country, and particularly for developing countries, to have a clear awareness of the existence and prevalence of all relevant pests and diseases, although this information was critical for the undertaking of a risk analysis. This suggested that the SPS Committee and the relevant international organizations should address the need for better identification of the true pest and disease status of countries which wish to export their products.

14. With regard to the conditions established for import of fresh durian fruit from Thailand, the representative of Australia noted that these had been discussed with the Thai government while still at a draft stage. He explained the justification for Australia's requirements on cutting of fruit, seasonal shipments, and restricting imports to durian from the eastern region of Thailand. The delegate acknowledged that the conditions were very strict, but justified based on the pest and disease situation of Thailand. Nonetheless, these conditions would be reviewed after one year of trade. The detailed response by Australia is contained in document G/SPS/GEN/218.

European Communities – Panama's restrictions on milk powder imports (G/SPS/GEN/220)

15. The representative of the European Communities indicated that Denmark had exported infant milk powder formula since 1994 to Panama and to other countries without any sanitary problem. As far as the European Communities were aware, the relevant regulations in Panama had not changed. However, since April 2000 the Panamanian authorities had delayed issuing the necessary import permits and certificates for the import of milk powder for human consumption, resulting in a de facto

ban on these products. No explanation had been provided in response to EC requests, and no notification submitted to the WTO. The representative of the European Communities requested a response by Panama to the questions contained in G/SPS/GEN/220.

16. The representative of Panama agreed to submit the questions to his capital, and indicated the willingness of Panama to consult with the European Communities on this matter.

Issues raised by Indonesia

17. The Chairman recalled that Indonesia had withdrawn its request to bring three issues to the attention of the Committee under this agenda item, following bilateral consultations with these countries just prior to the meeting of the SPS Committee. These consultations had been with regard to Japan's import prohibition on sugarcane top and corncob, French import restrictions on aquatic ornamental plants, and Singapore's import restrictions on ornamental plants. The representative of Indonesia had reported that the consultations with Singapore had resulted in a resolution to this latter problem. The Chairman noted that the expected resolution of these issues, following bilateral consultations, was an indication that the SPS Agreement and the Committee were functioning effectively.

(ii) *Issues previously raised*

Canada – Indian restrictions on bovine semen

18. The representative of Canada observed that this was the third meeting of the Committee at which this issue had been raised. The restrictions imposed by India were purportedly due to concerns regarding BSE, however Canada was BSE-free and prohibited the feeding of any ruminant material to ruminants. Furthermore, the OIE and other veterinary bodies agreed that BSE was not transmitted by semen. In September 2000, the Indian government authorities indicated that they intended to continue this unjustified prohibition, despite the lack of any risk assessment for their measure. The representative of the European Communities indicated that they shared most of Canada's concerns regarding India's measures on bovine semen, and requested to be informed of Canada's proposal to India and India's reaction.

19. The representative of India stated that his authorities considered resolution of this issue to be important, and detailed bilateral consultations were ongoing. The Indian Animal Husbandry Commission had met on 11 September 2000 and had noted the findings of the EC Scientific Steering Committee (SSC) that in the absence of infectivity studies of semen, embryos, foetal tissues, milk and colostrums in bovines and caprines, and in the absence of all the necessary experimental and epidemiological data, precise estimates of the risks could not be made. The SSC had recommended further research regarding testing of infectivity of these products. The SSC was also of the view that field data on the occurrence of BSE in countries where it could occur as a result of semen and embryos was not available and therefore could not be appraised.

20. The representative of India further reported that his country's expert committee was aware that under the present OIE standards even BSE-infected countries could export semen. India had sought detailed technical information from the OIE regarding the basis and criteria applied for determining that BSE was not transmitted by semen, as well as information on the criteria for determining if a country or zone was free from BSE. However, to date no reply had been received from the OIE. Finally, the representative of India observed that because of the reverence of cattle in his country, the introduction of BSE had to be avoided at all costs as it would not be possible to slaughter infected animals.

21. The representative of the European Communities observed that India was referring to a scientific opinion which had been published in 1998. Subsequently, there had been a number of meetings of various OIE committees and of the OIE Code Commission which had confirmed the current OIE recommendations.

22. The representative of the OIE indicated that the issue of bovine semen had been examined on various occasions at the OIE, and the results of these examinations had been provided to India and any other country seeking such information. However, the OIE was prepared to again send India all of the relevant information desired.

Thailand – Mexico's prohibition of Thai milled rice (G/SPS/GEN/216)

23. The representative of Thailand stressed that this issue had been raised repeatedly since October 1997. Thailand had made every effort to find resolution to this problem, and though at times it seemed as though a solution was close, the issue was still unresolved. At the last meeting, Mexico had indicated that the Mexican phytosanitary committee would meet in July and August 2000 to consider comments made to the proposal to eliminate the import prohibition on rice from Thailand. However, Thailand had not been informed of the status of the matter, and in particular the expected date of amendment of the relevant Mexican standard. The details of the Thai statement are contained in document G/SPS/GEN/216.

24. The representative of Mexico replied that he had no further information at this time.

25. The representative of the European Communities suggested that it would be useful to devise a way for the Committee to study those cases which were raised repeatedly without resolution. The Chairman indicated that, if both parties agreed, he was always prepared to offer his good offices to Members to assist in the resolution of specific trade concerns.

European Communities – Argentine restrictions on imports of bovine semen

26. The representative of the European Communities stated that Argentina was applying import restrictions on bovine semen that went well beyond international recommendations and were not justified. The OIE Animal Health Code clearly indicated that no BSE-related restrictions were necessary for bovine semen. The European Communities would continue to pursue this issue bilaterally, and was hopeful of a resolution.

27. The representative of Switzerland indicated that they were very interested in any issues related to bovine semen and BSE, since Swiss exports faced similar unjustified obstacles to trade by several Members.

28. The representative of Argentina replied that his country had notified, in advance, their regulation in document G/SPS/N/ARG/47, which was subsequently revised following comments by the European Communities and others (G/SPS/N/ARG/Rev.1). This regulation established criteria not only in relation to BSE concerns but also to two other diseases. Argentina had resolved the problems identified bilaterally by many EC member States, in particular Germany and France. Furthermore, an Argentine veterinary mission would be visiting various EC member States early in December and was prepared to also address this issue at that time.

Summary of Specific Trade Concerns (G/SPS/GEN/204)

29. The Chairman observed that the specific issues that had been raised were of interest to many Members, not just the one which had brought the matter to the attention of the Committee. The Committee had repeatedly encouraged Members to provide follow-up information regarding

previously raised issues, reporting on their resolution or any continuing problems. As requested by the Committee, the Secretariat had prepared a summary of specific trade concerns brought to the attention of the Committee (G/SPS/GEN/204).

30. The Secretariat noted that the document included all specific trade issues raised in the Committee since March 1995, whether under the agenda item on specific trade concerns, with respect to specific notifications, or as "Other Business". The information in the document was summarized from meeting reports, and included resolutions which had been reported to the Committee. The document categorized issues according to whether they involved food safety, animal health or plant protection, with issues relevant to both food safety and animal health included in the section on food safety. A separate section included issues related to BSE. Issues were indexed according to the Member maintaining the measure.

31. The Chairman noted that many of the 75 or so specific issues which were catalogued in the document had found resolution, but the Committee had not been informed. Normally the document would reflect only information provided in the context of Committee meetings, but Members were invited on this occasion to provide any corrections and further information in writing to the Secretariat regarding resolution of the issues identified in document G/SPS/GEN/204 by 16 February 2001. The Secretariat would revise the document to more accurately reflect the current situation regarding these various trade concerns, and then regularly issue an up-dated version.

32. A number of delegations welcomed the document and indicated that it provided a very useful reference of the issues that had been brought to the Committee's attention. The document reflected the way in which this agenda item was being progressively used in order to resolve specific trade concerns. Several Members clarified that some of the issues identified in the document had indeed been resolved, including the issue raised by Switzerland regarding Australian and New Zealand restrictions on raw milk cheeses (G/SPS/GEN/204, item 2, paragraphs 4-6) and Uruguay's concerns with restrictions maintained on bovine meat by Israel (item 30, paragraph 86) and by El Salvador (item 43, paragraph 105).

(c) Consideration of specific notifications received

G/SPS/N/EEC/93 – Wood packing material

33. The representative of Canada drew the Committee's attention to the European Communities' proposed measures on solid wood packaging material, notified as G/SPS/N/EEC/93. Canada recognized that this type of material was widely considered to be at risk of containing plant pests. However, packaging material was used for a very large volume of products moving in international trade; the proposed EC measure would cover 69% of Canada's exports to the European Communities. Furthermore, as had previously been stressed by the European Communities itself, work was underway in the context of the International Plant Protection Convention (IPPC) on developing a comprehensive standard for all countries and all pests, to be completed by July 2002. The representative of Canada concurred with the views previously expressed by the European Communities that it would be best for all countries to focus their efforts on developing an international standard and refrain from taking unilateral actions in this regard.

34. The representatives of the United States, Korea, Japan and Chile indicated that they shared many of the concerns raised by Canada regarding the potential negative effects of the proposed EC measure on very large volumes of trade, and the need to address this through the development of an international standard. In particular, the United States considered that it would be impossible to implement the certification and marking requirements within the time-period set out in the EC notification. The representative of Korea stressed the need for the European Communities to implement the least trade restrictive measure which would be effective, and in this respect to take into

consideration the historic experience of trade without pest introduction, the processing of the packing materials, and the actual pest risks involved.

35. The representative of the European Communities replied that pine wood nematode had been detected in packing materials in 1998 and 1999, despite the existing EC requirements on wood packing materials. The EC Regulatory Committee for Plant Health was examining the comments which had been submitted on the EC notification. The European Communities was actively contributing to the IPPC efforts to develop an international standard, however this did not replace the need for an emergency measure to protect EC forests. It was now obvious that the EC measure would not be finalized and implemented on the 1 January 2000 date as initially proposed, and that bilateral and multilateral consultations would continue.

(d) Any other matters related to the operation of transparency provisions

36. The Chairman indicated that notifications received since the last meeting of the Committee were summarized, on a monthly basis, in G/SPS/GEN/191, G/SPS/GEN/200, G/SPS/GEN/201, G/SPS/GEN/205 and G/SPS/GEN/207. The most recent list of Enquiry Points had been circulated as G/SPS/ENQ/11, and the latest list of National Notification Authorities had been circulated under a new document series with the symbol G/SPS/NNA/1. The list of Members which had identified both a National Notification Authority and an Enquiry Point was in G/SPS/GEN/27/Rev.7. Additional responses to the questionnaire on SPS-related websites were found in G/SPS/GEN/144/Rev.1/Add.2

37. The Secretariat reported that there were now direct links from the WTO SPS home page to the various SPS-related websites identified by Members. Members were requested to inform the Secretariat of any changes in these websites, so that accurate links could be maintained. The Secretariat also indicated that a summary report of the risk analysis workshop held in June 2000 had been circulated as G/SPS/GEN/209. This report included summaries of all the presentations made at the workshop; the PowerPoint presentations themselves could be downloaded from the SPS home page. Furthermore, a list of participants to the workshop, including their addresses, phone numbers and e-mail addresses, had been circulated (G/SPS/INF/13).

38. A list of all documents issued since January 1995 as G/SPS/ documents was now also available from the SPS home page. This document list identified all SPS-related documents, but did not provide direct access to these. Only unrestricted documents would continue to be publicly available through the WTO documents on-line facility. The document list could facilitate finding documents according to country names or subjects, and catalogued the considerable amount of work that had been done by the SPS Committee.

39. The representative of India suggested that there was a need for the compilation of a database of all countries' sanitary and phytosanitary legislation and import requirements. Each country would be responsible for providing information on its own legislation and import requirements on an agreed uniform, simplified format. The representative noted that such information was often available at the national or regional level, but had not been compiled at the international level. India had raised the need for such a database in meetings of the Codex Committee on Import and Export Certification and Inspection Systems (CCFICs), as well as at the Codex Alimentarius Commission session. The representative of India indicated that his country would submit a written proposal to the next regular meeting of the SPS Committee.

40. Responding to the proposal of India, the representative of Japan noted that there were many sources of information on SPS measures, including enquiry points and trade missions. Japan could not accept a requirement for Members to translate documentation on every SPS measure into the three WTO working languages. The representative of the Codex reported that, at the July 1999 session of the Codex Alimentarius Commission, India had proposed establishing a database on importing

country legislation. However, the FAO Legal Counsel had ruled that the proposed activity was not within the mandate of the Codex (ALINORM 99/37, paragraph 201).

41. The representative of New Zealand noted that the accuracy and usefulness of notifications under the SPS Agreement had continued to improve – as had their numbers. However, several problems continued: (i) the description of content was sometimes inadequate (Box 5); (ii) the description of the deviation from international standards was not adequately explained (Box 7); (iii) the comment period was often shorter than that recommended in the Committee's notification procedures (Box 11); and (iv) measures continued to be notified under the TBT Agreement instead of the SPS Agreement. New Zealand appreciated the Secretariat's initiatives in the area of transparency, in particular: (i) the Special Meeting on Transparency (9 November 1999, G/SPS/R/16 refers) and the publication of the SPS Transparency Handbook (available from the Information & Media Relations Division); (ii) the e-mail distribution of SPS documents; (iii) the monthly summary of notifications; (iv) the list of SPS documents; and (iv) the electronic links to Members' SPS-related web-pages, including notification authorities and national enquiry points. The latter could probably help in addressing the issue raised by India. He encouraged Members to improve the timeliness, accuracy and appropriateness of notifications made under the SPS Agreement.

III. THE SPS AGREEMENT AND DEVELOPING COUNTRIES

(a) Special and differential treatment

42. The Chairman recalled that in March 2000, the Committee had agreed to focus its discussion of issues of concern to developing countries by identifying specific issues for consideration at each meeting of the Committee. The first issue identified was the implementation of the provisions for special and differential treatment. This issue had been discussed at the last Committee meeting, based on a background paper by the Secretariat (G/SPS/W/105). Although he had invited Members to make submissions on the subject of special and differential treatment, no such papers had been received by the Secretariat. The Chairman encouraged Members to submit specific papers on national experiences in order to facilitate the discussion by the Committee on the subject of special and differential treatment.

43. The representative of India noted that the issue of special and differential treatment was an integral part of the WTO. India and other Members had made various proposals on the issue during the course of both formal and informal SPS Committee meetings. India wished to particularly emphasise the issue of participation by developing countries in the standard-setting process. The SPS Agreement encouraged Members to base their SPS measures on international standards, guidelines and recommendations. However, participation by developing countries in international standardisation activities was limited and ineffective. As a result, standards were often adopted without taking into account the problems and constraints faced by developing countries. In India's view, the international standard-setting organisations had to ensure the presence of countries at different levels of development, and from all geographical regions, throughout all phases of standard-setting. In this connection, India suggested that any international standard which would form the basis for an SPS measure only be adopted by consensus. Moreover, in the formulation of such "mandatory" standards, an agreed minimum number of countries from different regions had to have participated in the technical work throughout the process relating to its adoption. Furthermore, he suggested that the Director-General of the WTO should discuss this issue with the different standard-setting organisations.

44. The Chairman pointed out that the matter of increased participation by developing countries in the standard-setting process was under consideration by the General Council in its Special Sessions. At the meeting of the General Council on 18 October, the Chairman of the General Council had

requested that the Director-General consult with the international standard-setting organisations regarding participation of developing countries (WT/GC/M/59 and WT/GC/42).

45. The representative of Australia, indicating that he was the Chairman of the Codex Committee on Food Inspection and Certification Systems (CCFICS), observed that developing countries made very important contributions to the work of the Codex. He mentioned, in particular, the contributions by Mexico, ASEAN and Latin American countries, as well as by India, to the CCFICS.

46. The representative of the Codex also emphasised that developing countries made a major contribution to the work of the Codex. Codex had regional coordinating committees which allowed for discussion of matters that were of particular interest at the regional level. Although Codex itself could not provide financial support because of its rules of procedure, FAO and WHO generally organized workshops on matters related to food safety or food control prior to the regional meetings and supported the costs of attendance for participants in the workshop. This allowed developing country officials to also participate in the Codex Committee meeting. Furthermore, developing countries were preparing more documents for discussion; and some proposals for standards originated from the regional co-ordinating committees. In other areas, developing countries were also active. In the context of the labelling of foods derived from biotechnology, India had recently hosted a working group. The representative of Codex offered to document the participation of developing countries, by region, at Codex meetings in the last biennium.

(b) Equivalence

47. The Chairman recalled that the second issue identified for discussion under this agenda item was equivalence (Article 4). This had been a topic of discussion in the Special Session of the General Council on implementation. The General Council had requested the SPS Committee "...to examine the concerns of developing countries regarding the equivalence of SPS measures and to come up with concrete options as to how to deal with them ...". The Committee had considered this matter at an informal meeting on 7 November 2000. The Chairman's report to the General Council on the informal consultations is contained in G/L/423.

48. The representative of India stated that not much progress had been made in respect of equivalence, whether through bilateral or multilateral agreements,. India was of the opinion that developing countries had to be provided with an opportunity to participate in the existing bilateral and multilateral agreements between developed countries. As a first step in this direction, India suggested that Members should be obliged to notify to the SPS Committee any bilateral agreements on equivalence of SPS measures. This would enable the developing countries who were in a position to comply with those standards to become a party to the existing agreement or to enter into similar bilateral agreements.

49. The representative of the United States referred to the US paper which had been discussed at the Committee's informal meeting (G/SPS/GEN/212). This paper was based on US experience with equivalence. He clarified that in considering trade benefits and the administrative requirements that the United States had encountered in negotiating equivalence agreements, its was the US perception that the benefits as well as the administrative burden were shared by both partners.

IV. TECHNICAL ASSISTANCE AND COOPERATION

(a) Jordan's request for technical assistance

50. The representative of Jordan summarised his country's two requests for technical assistance contained in G/SPS/GEN/199 and /208. He noted that Jordan had held meetings with representatives of Australia, Canada, the European Communities, Japan, Norway, and the United States in this

respect. Jordan would provide a more detailed request in line with suggestions from these countries, and looked forwards to receiving a positive response.

51. The Chairman expressed his appreciation for what was, in his view, an exemplary request for technical assistance by Jordan. Jordan's focussed approach would help the Secretariat, Members and the international standard-setting organisations consider the request and target their assistance. He encouraged other Members to be equally specific and focussed in their requests for technical assistance.

(b) Technical Assistance Typology

52. The Secretariat introduced a background note on Technical Assistance Typology which it had been requested to prepare at the June 2000 meeting of the SPS Committee (G/SPS/GEN/206). The objective of the document was to help Members identify the types of technical assistance actions which were most appropriate for them. The paper classified technical assistance into four broad categories: information, training, and "soft" and "hard" infrastructure development.

53. The Secretariat noted that it had a significant role to play with respect to information-related technical assistance. Assistance had to be tailored to the level of understanding of the SPS Agreement in the target audience, whether this was technical or more policy-oriented. The Secretariat noted that there were instances where there was a reasonable understanding of the SPS Agreement at the technical level but these officials encountered difficulties due to a lack of understanding and support at the policy level. A good understanding of the SPS Agreement and the functioning of the WTO by the private sector and the media were also important for its smooth implementation. The specific trade concerns discussed in the SPS Committee were a good tool to illustrate in a more practical manner the issues involved in the implementation of the Agreement (G/SPS/GEN/204). The Secretariat's paper differentiated between soft infrastructure (training) and hard infrastructure (i.e. laboratories, equipment) development. The paper also included some alternative approaches to technical assistance such as those drawn from the two documents submitted by IICA (G/SPS/GEN/213 and 214), which focussed on three broad parameters: (i) the regulatory framework - the need to modernize laws, decrees, regulations, etc., taking into account international standards, guidelines and recommendations; (ii) the institutional framework – the need to strengthen developing countries' participation in the international standard-setting bodies and to encourage their technical independence and financial sustainability; and (iii) the technical framework – the need for risk assessment techniques; quarantine procedures; emergency systems, etc.. Some of the typical areas of competence of the standard-setting bodies were listed in an Annex to the document (classified under food safety, animal health and plant health).

54. The representative of the European Communities stressed the particular importance of capacity building in developing countries to adopt and apply standards. The representative of Chile, likewise, stressed the importance of correctly diagnosing technical assistance needs and solving internal problems before seeking external technical assistance to facilitate the implementation of the Agreement. The representative of Mexico noted the important role of technical assistance in disseminating information on the Agreement. He also agreed that implementation of the SPS Agreement depended on adequate availability of "hard" infrastructure, which was relevant, for instance, in the establishment of disease-free zones (G/SPS/GEN/213, paras. 13-14 refer).

55. Expressing appreciation for the Secretariat's paper, the representative of Canada noted that technical assistance which was needed to ensure that all parties could benefit from any accord reached, whether it was the Biosafety Protocol or a specific Codex text. The typology paper was timely in that the World Bank had introduced its programme to provide considerable funds for technical assistance in the SPS and TBT areas at the last meeting of the Committee. The representative of Canada suggested that the Committee, at its next meeting, should have an exchange

of views on possible recommendations to the World Bank. The typology paper could form the basis of such a discussion in that it addressed the relative effectiveness and priorities of the different types of assistance. In Canada's view there was a need to focus in workshops on the area of "soft" infrastructure. It was essential to have institutional co-operation between regulatory agencies, and for regulators in developing countries to observe first-hand the day-to-day work in developed countries and vice-versa. Canada urged the World Bank, in planning and implementing its programme, to make use of the expertise of bodies like the FAO and the WHO, and their regional centres.

56. The representative of Bolivia noted that technical assistance could only be efficient if institutions were strengthened. The document presented by IICA showed that the main weakness in Latin America was institutional in nature (G/SPS/GEN/213, para. 15, refers), therefore, this had to be the focus of technical assistance. The representative of Chile reiterated the need to address the institutional framework and recalled that the Secretariat document on typology had emphasised the importance of technical assistance needs also at the policy level. These two factors combined posed a considerable challenge in the area of technical assistance. Key to addressing the issue was the involvement of the private sector and financial assistance. The representative of Venezuela noted converging understanding regarding the need to focus on the institutional aspects of technical assistance, in particular in respect of financial and technical sustainability, and supported the suggestion that this be discussed at a future meeting of the Committee.

57. The representative of Malaysia emphasised the importance of "hard" infra-structure development. She stressed the importance of the discussion of technical assistance in the SPS Committee, and the need for co-ordinated technical assistance between the various agencies, primarily the IPPC, Codex and OIE. Technical assistance activities had to be based on the needs and priorities of Members. Malaysia welcomed the paper by the World Bank (G/SPS/GEN/195) on the provision of financing for infra-structure development.

58. The Committee agreed to continue its discussion of the typology of technical assistance at its next meeting.

(c) Technical assistance activities by the Secretariat

59. The Secretariat described its technical assistance activities since the March meeting of the SPS Committee, which included participation in:

- the ASEM-TFAP meeting in the Hague;
- an EU conference in Turkey for the food industry;
- a regional seminar in Uruguay;
- a national seminar in Panama;
- WTO Trade Policy courses;
- the Geneva week briefing for delegates from Members with no permanent representation in Geneva;
- video conferences in Central America and Eastern Europe; and
- the preparation of a CD Rom on the SPS Agreement.

Future plans for technical assistance included missions to Lebanon, Namibia, Iran, Cameroon, China and Mauritius.

(d) Technical assistance by observer organisations

60. The representative of IICA introduced two documents on the practical application of technical assistance in different countries so as to enable those offering technical assistance to better understand

and orient the programmes to evolving needs, and, conversely, to enable those on the receiving end to put together a more comprehensive and balanced request. In the preparation of the documents, the starting point had been the required infrastructure in order to comply with and benefit from the SPS Agreement. Document G/SPS/GEN/214 set forward an approach whereby infrastructure was characterised as a function of three frameworks: (i) laws and regulations; (ii) technology (risk analysis, surveillance, diagnostic capability); and (iii) institutional (for example communications, trace-back, financial sustainability, etc.). In the Americas, IICA had seen most advances in situations where both the public and private sector had a well-articulated approach. Document G/SPS/GEN/213 described the experience in the application of the approach set out in G/SPS/GEN/214 to 33 countries in the Americas, including some Caribbean countries. This approach enabled IICA to explain the variations that were identified. There was a group of seven countries (reference countries) with conditions that were favourable to comply and benefit from the SPS Agreement. The other 26 countries faced more difficulties. An examination of the different frameworks (regulatory, institutional and technological) showed that the weak link was the institutional framework. Sometimes there had been substantial investment in the technological framework or in the regulatory framework which had not been complemented by investments in the institutional framework. Applying this analytical approach in the Americas had been practical and not overly expensive; it provided a degree of orientation and prioritisation.

61. The representative of the WHO noted that the technical assistance of the WHO was mainly focussed on "soft" infra-structure development. WHO's primary function in respect of food safety was to provide scientific input on human health issues for Codex standards. The WHO had held an international seminar on risk analysis in September in Buenos Aires where 15 countries participated. A five-day workshop on food safety in the western Pacific region would be held in Manila 13-17 November 2000. The objective was to review the food safety situation in the region as well as to draft a framework of comprehensive national plans of action on food safety. The WHO and FAO would also hold a one-day workshop on risk assessment focussed on exposure assessment in the end of November 2000 in Kampala, Uganda. This workshop would be held in conjunction with the Codex Regional Co-ordinating Committee for Africa, and the WHO and FAO would provide financial assistance for some participants. The representative of the WHO noted that there had been more requests from countries in respect of technical assistance on microbiological risk assessment. This was a relatively new field in the area of food safety compared to chemical risk assessment for food additives or pesticide residues. The WHO and the FAO had initiated work in this area and it was the subject of on-going discussions in the Codex Committee on Food Hygiene. The WHO and the FAO were planning to strengthen their programme on technical assistance in microbiological risk assessment.

62. The representative of the IPPC reported on a workshop on risk analysis held in Brazil, with support from the United States. The workshop included university personnel who, particularly in the case of Brazil, were cooperating with the national plant protection organization in the completion of risk analyses. A second workshop on inspection methodology was held in Argentina with support from the European Communities. The IPPC Secretariat would also be participating in a USDA-sponsored workshop in Russia on risk analysis, and a World Bank workshop on the SPS Agreement to be held in Namibia. Under the FAO Umbrella Programme, workshops had been completed in Jamaica and Oman, and upcoming workshops were organized for Cameroon, Zambia, Ethiopia, Nepal and the Philippines.

63. The representative of the IPPC also reported on the second meeting of the Interim Commission on Phytosanitary Measures (ICPM) regarding technical assistance. The Committee was reminded that the ICPM did not at this point have funding mechanisms for technical assistance but was focussing on the development of appropriate diagnostic tools to help countries evaluate existing phytosanitary systems and formulate national strategies for capacity building. Phytosanitary Capacity Evaluation (PCE) was based on a questionnaire developed over the past two years from a pilot project

initiated by New Zealand. The application of this tool had recently been expanded to numerous countries, most notably in the Andean region of South America. Increasing analysis and consultation associated with the implementation and improvement of the PCE had indicated that, in many instances, governments' needed not only technical assistance but also the institutional capacity to benefit from technical assistance. This required financial sustainability, appropriate legislation and regulatory structures, continuity of policy, etc. This experience had highlighted the need to modify the PCE to help countries also identify institutional constraints.

64. The representative of the Codex noted that the Codex Secretariat had participated in the workshop on risk analysis organised by the WHO and the Pan-American Health Organisation in Buenos Aires. She noted the continued need for training in the field of risk assessment and exposure assessment. Referring to her previous statement on the involvement of developing countries, she emphasized the importance of the regional coordination committees whose work helped FAO and WHO identify the needs of countries in different regions of the world. She informed the Committee about the forthcoming regional co-ordinating committees for Africa (November 2000), the Near East (January 2001) and Latin America and the Caribbean (February 2001). The Codex representative also reported that the fisheries department of FAO had a very comprehensive programme of technical assistance, especially on the application of HACCP systems. There was a major regional project for Africa which would initiate in December 2000 the upgrading of quality and safety of fishery products. There would also be a specific project in Morocco on the development of the sea-food industry, focussing especially on the HACCP component; a similar project had been initiated in Laos. The Codex offered to submit a paper identifying all the technical assistance programmes currently scheduled.

65. The representative of OIRSA reported that OIRSA was developing a masters programme on SPS measures in collaboration with a post-graduate school in Mexico which had now completed modules on regional standards, epidemiology and risk analysis. A workshop had been held in Nicaragua on the procedures for inspection, control and certification in the trade of animal products, in relation to compliance with Annex C of the SPS Agreement. Another workshop had been held on the safety of modern biotechnology and on the Cartagena Biosafety Protocol, with participants from the OIRSA region as well as from North and South America.

66. The representative of the OIE announced that on 17 October 2000, the regional representation of the OIE for Africa had been formally opened in Bamako, Mali. This complemented the regional representations that already existed in four other regions (the Americas, Asia and the Pacific, Eastern Europe, and the Middle East). The work programme established for the co-ordinator of the Africa regional representation was primarily directed at the amelioration of epidemiological surveillance networks for animal diseases in the different sub-regions of Africa. This programme would be carried out with the collaboration of the Pan-African Programme for the Control of Epizootics (PACE). He also reported on the increased co-operation in Asia between the FAO, the Network of Aquaculture Centres in Asia-Pacific and the OIE to ensure the health security of international trade in aquatic animal products. This co-operation had taken the form of better assistance given to Asian countries in respect of the collection and dissemination of information related to the health status of aquatic animals in these countries.

67. The Chairman invited all Members and observer organizations to submit in writing their schedule of planned technical assistance programmes, as this was very helpful to the SPS Committee.

V. MONITORING THE USE OF INTERNATIONAL STANDARDS

(a) New issues

68. Members were invited to submit, at least 30 days in advance of each regular meeting, examples of what they considered to be problems with significant trade impact which they believed were related to the use or non-use of relevant international standards, guidelines or recommendations. The Chairman observed that since the adoption of the first annual report on monitoring in July 1999, no Member had submitted new examples for consideration by the Committee. He stressed that by not identifying new concerns, Members were missing an opportunity to inform the standard-setting bodies of their needs.

(b) Draft second annual report

69. The Chairman recalled that at its last meeting, the Committee had discussed a draft of the second annual report. The Committee had requested the Secretariat to revise this draft to include further information provided by the relevant standard-setting bodies, and then to circulate the report for approval on an ad referendum basis. This had been done by the Secretariat and the report had been circulated as G/SPS/16.

70. The representative of the Codex provided further information on two items. There had been no progress on the issue of tetra-cycline residues in pork and pork products at the last session of the Committee on Residues of Veterinary Drugs, and it would be discussed again at the next session in October 2001. Similarly, the use of benzoic acid as a preservative was still under discussion and would be examined again by the Committee on Food Additives and Contaminants in March 2001.

71. The representative of the OIE noted that the Bureau of the International Animal Health Code Commission of the OIE had continued its examination of (i) infectious bursal disease (IBD) in poultry meat; (ii) the frequency of health controls to be carried out on bulls at artificial insemination centres; and (iii) the problems of certification of origin of animals. The OIE's deliberations on these issues were summarized in document G/SPS/GEN/145/Add.2.

VI. MATTERS OF INTEREST ARISING FROM THE WORK OF OBSERVER ORGANIZATIONS

(a) OIE

72. The representative of OIE indicated that the report of the Bureau of the International Animal Health Code Commission of the OIE was now available to member countries through the OIE web site. There had been further development of the chapter on obligations and ethics in international trade and some other points had been reviewed in respect of Bluetongue. In regard to Newcastle disease, a new approach had been proposed based on the concept of compartmentalization. A special ad hoc group had suggested changes to the chapter on bovine spongiform encephalopathy, notably on the systems of surveillance for this disease. A new text on another transmissible spongiform encephalopathy of animals, scrapie, was also submitted to OIE members. The OIE Foot and Mouth Disease and Other Epizootics (FMD) Commission had met to identify its future activities and programme of work. The FMD Commission was considering more work on the epidemiology of animal diseases in general, rather than focussing on FMD. Moreover, the FMD Commission had examined requests by countries for recognition of their freedom status with regard to certain animal diseases. The OIE Fish Diseases Commission would shortly be publishing the International Aquatic Animal Health Code as well as the Diagnostic Manual for Aquatic Animal Diseases. The experts of this Commission had also discussed a wide range of other subjects regarding pathogens of aquatic animals.

(b) Codex

73. The representative of the Codex noted that there had been several Codex meetings since the last meeting of the SPS Committee; the meeting of the Codex Committee on Food Hygiene was of most direct SPS interest. The assessment of microbiological hazards was of high priority to the Codex, as well as for FAO and WHO. A joint FAO/WHO Expert Consultation on Risk Assessment of Microbiological Hazards in Foods had been held and the results published as FAO Food and Nutrition Paper N° 71, also available on both the FAO and WHO web sites. It focussed on *Listeria monocytogenes* in ready-to-eat foods and *Salmonella* spp. in poultry and eggs. The recommendation of the consultation had been considered by the Committee on Food Hygiene in October 2000. There would be another FAO/WHO consultation on microbiological hazards in 2001. Moreover, before the next meeting of the SPS Committee, there would be another meeting of the Committee on Food Import and Export Inspection and Certification Systems in December 2000, and the Committee on Additives and Contaminants would meet on 12-16 March 2001.

74. The representative of Chile added that following the meeting of the Codex Executive Committee in June 2000, there was a meeting of the presidents and vice-presidents of Codex to develop the medium-term plan 2003-2007. This document, now in circulation, develops the objectives and strategic approach, including with respect to the relationship between Codex and the SPS and TBT Agreements.

(c) IPPC

75. The representative of the IPPC reported that an expert working group had met in Australia in July to draft a standard on systems approaches for risk management. Funding and support for this meeting was provided by Australia. A second expert working group had met in Slovenia in September and drafted a standard on pest reporting. This meeting was accomplished through collaboration with the European and Mediterranean Plant Protection Organization (EPPO). The IPPC had distributed six documents to governments for consultation in 2000, and governments' comments on these were to be considered by the Interim Standards Committee (ISC) at its November 2000 meeting. Documents that were approved by the ISC would be submitted to the Interim Commission on Phytosanitary Measures for adoption in April 2001. This could result in as many as four new standards.

76. The representative of the IPPC also reported on the 12th Technical Consultation among Regional Plant Protection Organizations, hosted by the North American Plant Protection Organization (NAPPO) in October 2000. The meeting considered the harmonization of implementation dates for measures on wood packing and the development of draft guidelines for the recognition of RPPOs. The meeting also provided the opportunity for an *ad hoc* consultation on the draft standard being developed for wood packing material.

77. The representative of the IPPC recalled his concerns regarding the Convention on Biological Diversity (CBD), including the ratification and implementation of the Cartagena Protocol and initiatives on invasive species. Diverse interpretations of the precautionary approach raised issues of concern to the IPPC and presumably also to the WTO. The IPPC was seeking more active collaboration with the CBD in areas of mutual interest. National plant protection organizations from many countries had reacted positively to the results of the IPPC Open-ended Exploratory Working Group on Phytosanitary Aspects of GMOs, Biosafety, and Invasive Species (June 2000, Rome) although these had not yet been adopted by the Interim Commission on Phytosanitary Measures. The IPPC Secretariat had attended the meeting of the Global Invasive Species Program (GISP) held in Cape Town, South Africa in September 2000. This meeting developed key recommendations for the Subsidiary Body on Scientific, Technical and Technological Advice (SBSTTA) of the CBD regarding draft guiding principles for alien invasive species and strategies for the implementation of CBD

provisions on invasive species, including the possibility of developing an international instrument. The IPPC Secretariat would also attend the first intergovernmental meeting on the implementation of the Cartagena Protocol set for December 2000, in Montpellier, France. The IPPC was organizing a joint meeting with the CBD in January to identify areas for collaboration and was working on a Memorandum of Understanding with the CBD and arranging for observer status in relevant meetings of each organization. The representative of the IPPC stated that the objective of these efforts was to encourage mutual understanding and facilitate the implementation of both conventions by countries in a manner which fully realized the benefits of rights and obligations under each.

78. The representatives of New Zealand, Chile, Canada and the United States welcomed the IPPC's contacts and collaboration with the CBD. They stressed the importance of effective cooperation at the national level between phytosanitary authorities and officials active in areas covered by the CBD and other environmental instruments to ensure that Members adopted consistent and coordinated positions in these areas.

79. The representative of New Zealand found particularly encouraging the fact that the IPPC was planning a meeting to investigate opportunities for further standard development with respect to genetically modified organisms, biosafety and alien invasive species, as they related to phytosanitary measures. He applauded the IPPC Secretariat's work in developing a program for collaborative activities which might include formal links with the CBD and joint technical assistance. The representative of Canada also encouraged the IPPC to play an active role in any international work on invasive species, given its expertise. The representative of Chile suggested that it would be helpful to have information from Codex and WHO regarding their coordination with the CBD, especially since the Cartagena Protocol indicated that it would take into consideration the work of the competent organizations in the area of human health protection.

80. The representative of the United States reported that his government had ratified the revised text of the IPPC on 18 October 2000. He expressed the hope that other Members would soon ratify this agreement.

(d) WHO

81. The representative of the WHO informed the Committee there would be a Joint FAO/WHO Expert Consultation on Foods Derived from Biotechnology, in January 2001, in Rome. The expert consultations would focus, in particular, on the assessment of allergenicity of foods derived from biotechnology. The WHO and FAO had jointly established new procedures to improve transparency in the selection procedure for experts who participated in consultations. FAO and WHO had established a roster of experts in microbiological risk assessment and safety assessment of genetically modified foods from which individuals were selected to serve at expert consultations. FAO and WHO issued a "Call for applications to the roster", which described the essential qualifications of the applicants, the selection procedures and other relevant information. The rosters were posted on the respective WHO and FAO websites.¹ He reported that a WHO/PAHO International Seminar on Risk Analysis and its Use in Food Safety had been held in September, in Buenos Aires. A WHO Workshop on a plan of action for food safety in the Western Pacific Region was scheduled for November 2000 in Manila.

(e) OIRSA

82. The representative of OIRSA informed the Committee that OIRSA had carried out an economic study on the eradication of the Mediterranean Fruit Fly and the integrated management of fruit flies in Central America and Panama. To facilitate harmonization of regional measures, a

¹ WHO website: <http://www.who.int/fsf/>

regional recommendation on poultry and poultry products had been revised and updated. A regional recommendation on inspection and approval of processing establishments for animal products had been developed. OIRSA's internet site contained these regional recommendations and other information of relevant to animal health (www.oirsa.org.sv).

(f) IICA

83. The representative of the InterAmerican Institute for Agricultural Cooperation (IICA) reported that the IICA Executive Committee, comprised of the Ministers of Agriculture of the 34 IICA member countries, had met the previous week. In a session focussed on trade and health, they had adopted a resolution to strengthen and modernize their national systems of agricultural health. On 27-30 November 2000, the Fifth Andean Forum on Agricultural Health would be held in Lima, Peru. At this meeting, the directors of agricultural health in the Andean countries would discuss regional risk assessments and participation in the international standard-setting organizations, in particular the Codex, OIE and IPPC. The representative of IICA also informed the Committee that the proceedings of the 20-22 September 2000 hemispheric conference on dynamic leadership and food safety would soon be available.

84. The representatives of India and of the European Communities indicated that it would be useful to receive the information provided by the observer organizations in writing in advance of the meetings of the SPS Committee, as this would permit Members to carefully examine this important information, and to prepare questions and comments. The representative of the United States suggested that it would be useful if the reports by the observer organizations contained information on the number of countries which participated in their various meetings, so that the Committee could track the participation of developing countries.

VII. OBSERVERS - REQUESTS FOR OBSERVER STATUS (G/SPS/W/78/REV.1, G/SPS/GEN/178)

85. The Chairman recalled the Committee's decision to grant ad hoc observer status for only one meeting at a time to a number of observer organizations. The Committee agreed to invite the ACP Group, EFTA, IICA, OECD, OIRSA and SELA to its next regular meeting.

86. The Chairman reminded the Committee of a request for observer status from the Asian and Pacific Coconut Community (APCC). The information provided by the APCC was summarized in G/SPS/GEN/121/Add.1 and in G/SPS/GEN/178.

87. The representative of Indonesia, speaking also on behalf of Malaysia, the Philippines and Thailand, voiced their support for granting observer status to the APCC. He noted that APCC was the only intergovernmental body in the world on coconut, and could articulate the common position of all coconut producing and exporting countries. As an observer to the SPS Committee, the APCC could contribute to the resolution of issues, problems, challenges and opportunities that affected and were affected by the coconut producing and exporting countries. The Secretariat brought to the attention of the Committee letters submitted by the government of Fiji supporting observer status for the APCC. The government of Fiji noted the importance of the coconut industry to its economy, and that discussions in the SPS Committee on special and differential treatment, equivalence and harmonization could directly affect the coconut industry. Fiji was interested in participating, through APCC representation, in the SPS Committee meetings.

88. The representative of Canada indicated that his country appreciated the interest of the APCC in the work of the Committee. However he was concerned with establishing a precedent by accepting a regional, commodity-specific body. He suggested that the Committee reflect on this issue in informal discussions prior to its next meeting. The representative of the European Communities noted

that it would be appropriate for the Committee to review the criteria for the granting of observer status which the Committee had previously adopted (G/SPS/W/98), to see whether any modifications were warranted in light of the intervening experience of the Committee with observers. The Committee agreed to discuss this issue first at an informal meeting, and also at its next regular meeting.

89. The Chairman recalled that the request from the Office International de la Vigne et du Vin (OIV) was still on the table. He noted that no further progress had been made on this issue at the March and June 2000 meetings of the Committee. The OIV had provided copies of the resolutions which had been adopted at its General Assembly on 23 June 2000. These were voluminous documents, currently available only in French, and could be consulted in the offices of the Secretariat. The representative of the United States reaffirmed their opposition to granting observer status to the OIV until it had adopted and implemented modifications to its transparency and decision-making process. The representative of the European Communities indicated that it maintained its position, stated in the last three meetings of the Committee, supporting observer status for the OIV. The Committee agreed to revert to this matter at its next meeting.

VIII. REPORT TO THE COUNCIL FOR TRADE IN GOODS

90. The Chairman indicated that the annual report of the activities of the Committee had to be submitted to the Council for Trade in Goods before its meeting on 15 November 2000. The draft report by the Chairman was available for examination by Members, and he would take into account to the greatest extent possible any suggestions provided by Members by 10 November 2000.

IX. OTHER BUSINESS

(a) Australia – Re-structuring of services

91. The representative of Australia reported that import risk analysis and its related activities were no longer being conducted by the Australian Quarantine and Inspection Service (AQIS) but by a new unit within the Department of Agriculture, Fisheries and Forestry called Biosecurity Australia. The same staff and procedures would be involved, but the Australian government wanted to identify the import risk assessment functions as independent of the other work of AQIS. The responsibilities of Mr. Digby Gascoine would be assumed, at least in the short term, by Dr. Simon Hearn, and Dr. David Wilson would continue to represent Australia at meetings of the SPS Committee.

(b) Australia – Workshop on the economics of quarantine

92. The representative of Australia informed the Committee of a 2-day workshop held in Melbourne in October on the economics of quarantine. The workshop explored issues such as how to incorporate economic factors into quarantine risk analysis, how costs and benefits might be weighed with regard to the appropriate level of protection, and environment and food safety. Participants included academics, government regulatory officials, the World Bank and the WTO Secretariat. The proceedings of the workshop will be published early in 2001 and copies available from Biosecurity Australia.

(c) Australia – Public forum on the SPS Agreement

93. The representative of Australia also reported about a meeting in September in Canberra that was designed to raise awareness in Australia among industry, various non-governmental organizations, stakeholders and other areas of government about the SPS Agreement, the impact it has on Australian trade, and the rights and obligations of Australia as a member of the WTO. The meeting attracted over 200 participants, and speakers included the WTO Secretariat. The proceedings of the meeting should be available in December 2000.

(d) Chile – Poultry meat trade with Bolivia

94. The representative of Chile reported that in August 2000, Chile consulted with the authorities of Bolivia, in the context of Article 5.8 of the SPS Agreement, regarding their requirements on poultry meat imports with respect to Inclusion body hepatitis. This disease is endemic to Bolivia and restrictions on imports from Chile were not justified. Chile hoped that this issue would soon be resolved. The representative of Bolivia indicated that he would transmit this information to his authorities.

(e) European Communities – Australia's notification on methyl bromide

95. The representative of the European Communities noted concerns with Australia's proposed introduction of minimum standards for fumigation with methyl bromide, which had been notified in June (G/SPS/N/AUS/118). The new regulation requires a minimum temperature of 10 degrees for fumigation. This new measure could significantly constrain EC exports, and he requested additional information on the Australian risk assessment and any other relevant evidence which could justify this requirement.

96. The representative of Australia responded that the proposed standard was the result of quarantine breaches involving ineffective fumigation treatment of various imported goods. To improve the efficacy of fumigation prior to export, Australia developed a standard reflecting best practice guidelines in the use of methyl bromide. Australia was still considering the comments it had received on its notification of this proposed measure, and implementation of the new measure would be delayed until early 2001. With regard to the minimum temperature requirement, this was based on expert advice and reflected the minimum temperature requirement established by the European Plant Protection Organization.

(f) European Communities – Adoption of EC proposal

97. The representative of the European Communities informed the Committee that on 8 November 2000, the European Commission adopted a proposal of regulation addressed to the European Parliament laying down fundamental principles of food law and the establishment of a European Food Authority. This was the centrepiece of a proactive food policy covering the entire food chain from the farm to the fork, providing an effective and high level of protection to human health while facilitating international trade. The draft proposal could be consulted on the web page of the European Commission.

(g) United States – Seminar on poultry inspection

98. The representative of the United States brought to the Committee's attention an annual meat and poultry inspection seminar for foreign officials which would be sponsored by the US Department of Agriculture's Food Safety and Inspection Service. The seminar was designed to assist Members understanding of the US inspection system and of HAACP. This was the 15th time the United States offered the seminar, and each year some 30 countries were represented. The seminar would be presented from 8-25 January and again from 19 February through 8 March 2001, in College Station, Texas.

X. DATE AND AGENDA FOR NEXT MEETING

99. The next meeting of the Committee is scheduled for 14-15 March 2001. The Committee agreed on the following tentative agenda:

1. Adoption of agenda

2. Implementation of the Agreement
 - (a) Information from Members
 - (i) Activities of Members
 - (b) Specific trade concerns
 - (i) New issues
 - (ii) Issues previously raised
 - (c) Consideration of specific notifications received
 - (d) Any other matters related to the operation of transparency provisions
3. SPS Agreement and developing countries
 - (a) Implementation of the provisions for special and differential treatment
 - (b) Equivalence – Article 4
4. Technical assistance and cooperation
 - (a) Identification of technical assistance needs (G/SPS/GEN/206)
5. Monitoring of the use of international standards
6. Matters of interest arising from the work of observer organizations
7. Observers – Requests for observer status
8. Election of Chairperson
9. Other business
10. Date and agenda of next meeting

100. The Chairman reminded delegates of the following deadlines for:

- identifying new issues for consideration under the monitoring procedure: **Friday, 9 February 2001;**
- specific information regarding equivalence: **Friday, 15 February 2001;**
- correcting references to specific issues raised in document G/SPS/GEN/204: **Friday, 16 February 2001;**
- requesting that items be put on the agenda: **Thursday, 1 March 2001;**
- distribution of the airgram: **Friday, 2 March 2001;**

101. The Chairman observed that both Mr. Digby Gascoine of Australia and Mr. Marco Castellina of the European Communities were leaving their current positions and would no longer participate in the work of the SPS Committee. The former chairman of the Committee, many delegates and the Secretariat expressed their appreciation for the contributions that both of these representatives had made to the work of the SPS Committee. Mr. Gascoine had participated in the negotiation of the SPS Agreement since 1989, and subsequently in the work of the Committee, and the depth of his knowledge and his constructive approach to addressing SPS issues would be missed.

102. The Committee meeting was adjourned.
