

**Committee on Sanitary and Phytosanitary Measures**

**DRAFT DECISION ON FURTHER CLARIFICATION OF PARAGRAPH 5  
OF THE DECISION ON EQUIVALENCE (G/SPS/19)**

*Based on discussions of the Meeting of the SPS Committee on 28-30 October 2003*

Note by the Secretariat<sup>1</sup>

Members agree as follows:

1. An importing Member should consider the relevant information and experience that the sanitary and phytosanitary services have on the measure(s) for which recognition of equivalence is requested as applied to the product for which that request relates.

This information and experience refers to:

- (i) The historic knowledge and confidence that the competent authority of the importing Member has of the competent authority of the exporting Member.
- (ii) The existence of an evaluation and recognition of the products-related system of inspection and certification of the exporting Member by the importing Member.
- (iii) The available scientific information supporting the request for the recognition of equivalence.

The more such relevant information and experience is available to the importing Member, the more rapid should be the procedure for recognition of equivalence by that Member.

2. A Member should consider the existence of information between competent authorities related to sanitary and phytosanitary measures of other products (different from the one for which equivalence is requested) when this information is useful.

3. A Member should consider the risk of the product to which the sanitary and phytosanitary measures are applied, in order to reduce requirements and accelerate the procedure in cases of low risk.

4. The importing Member should not seek again information already available with respect to the determination of the equivalence of sanitary and phytosanitary measures proposed by the exporting Member, unless this information needs to be updated.

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<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights or obligations under the WTO.

5. For accelerated procedures, the importing Member should estimate the steps that the demonstration of equivalence will require, and inform the exporting Member, when it is possible, of an estimated time schedule for the whole process. These steps should be considered between the exporting and importing Members, on an issue-by-issue basis, in order to give predictability to the process of determination of equivalence.

6. When more than one agency is involved, the relevant requirements of all of these agencies must be taken into account and included in the steps and timetable identified above.

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