

Committee on Sanitary and Phytosanitary Measures

**PROCEDURE TO MONITOR THE PROCESS
OF INTERNATIONAL HARMONIZATION**

Draft Ninth Annual Report¹

A. INTRODUCTION

1. At its meeting of 15-16 October 1997, the SPS Committee adopted a provisional procedure to monitor the process of international harmonization and the use of international standards, guidelines or recommendations, as provided for in Articles 3.5 and 12.4 of the SPS Agreement. This procedure was subsequently revised by the Committee in October 2004.² The Committee decided to extend the provisional monitoring procedure for a further two-year period in July 1999, and again in July 2001, and in June 2003 the Committee further extended the provisional procedure for 36 months.³ On 28 June 2006, the Committee agreed to extend the provisional procedure indefinitely, and to review its operation as an integral part of the periodic Review of the Operation and Implementation of the Agreement under Article 12.7.⁴ The next such Review is to be completed in 2009, and every four years subsequently.

2. The Committee has previously adopted eight annual reports on the monitoring procedure.⁵ These reports summarize several standards-related issues that the Committee has considered and the responses received from the relevant standard-setting organizations.

B. NEW ISSUES

3. Since the adoption of the Eighth Annual Report, [no] new issues have been raised under this procedure. [Update on basis of June 2007 meeting.]

C. PREVIOUS ISSUES

4. Since the adoption of the Eighth Annual Report, there has been [no] further discussion on any issue previously raised under this procedure. [Update on basis of June 2007 meeting.]

D. RESPONSES RECEIVED FROM THE RELEVANT STANDARD-SETTING ORGANIZATIONS

5. At the meeting of the Committee in October 2006, the representative of the Codex Alimentarius reminded the Committee of the decision by the Codex Alimentarius Commission to abolish the procedure regarding the notification of acceptance by Members on the use of Codex

¹ 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.

² G/SPS/11/Rev.1.

³ G/SPS/14, G/SPS/17 and G/SPS/25.

⁴ G/SPS/40.

⁵ These were circulated as G/SPS/13, G/SPS/16, G/SPS/18, G/SPS/21, G/SPS/28, G/SPS/31, G/SPS/37 and G/SPS/42.

standards. The main reasons for the abolition were that it created a dichotomy between those Codex standards submitted for acceptance by Codex members and those that were not actually used substantively by Codex members. There had been ongoing discussion in the Codex as to which new procedure or measures or instruments could be introduced to address the wish of Codex members to monitor the use of Codex standards. One proposal to this effect had been that the regional Codex coordinating committees have a standing agenda item regarding the use of Codex standards and related texts at the national and regional level. The Codex secretariat had sent a circular letter to all Codex members that contained a questionnaire related to: (1) the use of Codex standards and related texts at the national and regional level; (2) non-use of Codex standards and related texts; (3) any difficulties encountered by Codex members in using Codex standards and related texts; (4) relevance of Codex standards as a basis for harmonization; and (5) any other health and trade problems related to standardization (G/SPS/GEN/727).

[Update on the basis of June 2007 meeting.]
