



**SIXTH REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE AGREEMENT
ON THE APPLICATION OF SANITARY AND PHYTOSANITARY MEASURES**

PROPOSAL FROM AUSTRALIA

The following proposal, received on 19 April 2024, is being circulated at the request of the delegation of Australia.

1 INTRODUCTION

1.1. Australia considers the Sixth Review is an important opportunity to be forward-looking on issues of contemporary sanitary and phytosanitary (SPS) relevance. The Sixth Review should not unduly focus on business-as-usual type activities or focus on issues that have already been well considered in previous reviews, or where issues sit outside the remit of the SPS Committee.

1.2. Australia supports the Sixth Review having a future focus on areas of innovation, emerging technologies and increasing awareness and implementation of international standards that can support improved approaches to implementation of the SPS Agreement and enhance sustainable production and promote trade facilitation outcomes. These are all areas broadly addressed in the M12 SPS Declaration work program and the Chair's report and would therefore provide continuity to that body of work.

2 PROPOSALS

2.1 Digital Trade Solutions

2.1. The Sixth Review should have a strong focus on the application of digital technologies such as electronic certification, remote audits, remote inspection and verification activity, as well as the potential application of artificial intelligence. Through outcomes and reflections from thematic sessions and ongoing dialogue, the SPS Committee can ensure that the benefits and challenges of these technologies can be considered by all Members.

2.2. Digital enabled solutions (i.e. "ICT" – information and communications technologies) are increasingly used within the regulatory frameworks that govern agri-food trade. This includes ICT-assisted remote (virtual) audits, technologies that can support remote inspection and verification activities, and the use of electronic certification to facilitate paperless trade for compliance with food safety and SPS requirements. Artificial intelligence (AI) platforms also have the potential for assessing compliance and conformance and implementing real-time follow up and checking of goods and accompanying documentation.

2.3. These approaches can provide additional tools to facilitate trade through increasing the efficiency and cost-effectiveness in the delivery of regulatory functions with trading partners, and consideration of this by the SPS Committee will be important for expanding their acceptance and wider use.

2.2 Science and Risk Based SPS Approaches for Sustainable Agriculture

2.4. Science and risk based SPS approaches will be increasingly critical to meeting global challenges around sustainable agricultural and food production, while also meeting food security and environmental challenges. A range of international standards have been developed which can assist with managing these challenges, and consideration of these and other new approaches by the SPS Committee through thematic sessions and dialogue will be important in supporting their acceptance and implementation.

2.5. Phytosanitary systems approaches and phytosanitary irradiation can offer safe and effective alternatives to meet biosecurity requirements for trade, while also unlocking market access opportunities by overcoming restrictions on single-point treatments (such the phasing out of methyl bromide) or managing future potential bans or restrictions on certain treatments. They can provide effective chemical-free import and export pathways to meet biosecurity requirements while also supporting alternative approaches to achieve sustainable agricultural production and trade outcomes in the future. Discussion by the SPS Committee of the effectiveness, safety and sustainability of these approaches as well as the potential role of new technologies for new detection and diagnostic approaches will be important in increasing awareness of these options and encouraging the acceptance and adoption of related standards.

2.6. Similarly, it is important to acknowledge there are different pest, disease and environmental pressures globally and that a variety of agricultural chemicals suitable to different regional environments and agricultural purposes will be essential in supporting the future sustainability of agricultural production. Given the absence of Codex MRLs, or where MRLs differ between countries may create barriers to trade, it will be important to consider how best to address these challenges. Exporting countries must have the option to have import MRLs considered and/or established based on science and risk that reflect their own unique production systems and circumstances and have been set using Good Agricultural Practice (GAP) appropriate for that country. This discussion will also be essential to support agricultural sustainability and to meeting future growing food security needs.

2.3 International Standards

2.7. The MC12 SPS Declaration work program and Chairperson's report acknowledged the importance of addressing impediments to the adoption of international standards to facilitate trade. Australia, like other Members, considers this an important area of focus for the Sixth Review. However, in recognition of the broad scope of such an initiative, Australia suggests that a more targeted look at the adoption of a small group of contemporary trade facilitating standards would be an effective focus for the Sixth Review.

2.8. Australia suggests a focus on standards and guidelines relevant to contemporary and innovative SPS approaches which support the uptake of technologies and science and risk based SPS approaches which support sustainable agricultural and food trade, particularly regarding barriers to uptake and challenges and constraints to their application. This could include a particular focus on needs of least developed countries (LDCs) in implementation of these standards and guidelines, given their potential SPS, cost and efficiency benefits, and that capacity building for developing and LDC Members will also be an essential component to bring domestic regulatory frameworks in line with international guidance to realise these benefits.

2.9. Focus standards, in coordination with relevant International Standards-Setting Bodies, could include:

- Guidance on Irradiation (ISPM 18 and various annexes under ISPM 28);
- Systems Approaches (ISPM 14, ISPM 35, e.g. National Food Control Systems CXG 101-2023);
- Guidance on Remote Audit (CXG 102-2023);
- IPPC and Codex guidance on electronic certification (recognised in ISPM 12 and CAC/GL 38-2001).

2.10. A thematic session could also consider where there may be gaps in the development of such approaches across international standards and guidance and where additional effort could be applied

by international standards bodies. For example, while an ISPM on audit in phytosanitary trade was adopted in 2022 (ISPM 47), there is no international guidance on how a remote audit could be conducted under this ISPM (despite an existing a Codex standard on this). Further, while the use of electronic certification is more 'mature' in relation to plant and food products, it is not the same for animal products, and the reasons for this and possible approaches may warrant further consideration.
