



Committee on Sanitary and Phytosanitary Measures

SUMMARY OF THE MEETING OF 3-5 NOVEMBER 2021

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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 and obligations under the WTO.

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1 ADOPTION OF THE AGENDA

1.1. The Committee on Sanitary and Phytosanitary Measures (the "Committee") held its 81st regular meeting on 3-5 November 2021. The proposed agenda for the meeting ([JOB/SPS/17](#)) was adopted with amendments. In light of the COVID-19 pandemic, the meeting was held in hybrid form, with some delegates attending in-person and others joining via a virtual platform.

1.2. Members were able to submit agenda items, support specific trade concerns (STCs), and upload statements through eAgenda. Members could support items through eAgenda until they were discussed in the meeting, and upload statements for STCs and other agenda items until Friday, 5 November. Only oral interventions by Members who took the floor during the meeting were reflected in the present report. Some Members also circulated their interventions as GEN documents.

2 INFORMATION SHARING

2.1 Information from Members on relevant activities

2.1.1 Japan – Update on the situation surrounding Japanese food after the TEPCO Fukushima Daiichi nuclear power station accident

2.1. Japan thanked the United States for lifting its import measures on Japanese food, and encouraged other Members to remove the remaining measures. Japan reported that the situation regarding the safety of the food supply, fisheries and agricultural production remained stable. In October 2021, the Joint FAO/IAEA Centre of Nuclear Techniques in Food and Agriculture had assessed the appropriateness of measures to monitor and respond to issues regarding radionuclide contamination of food. No reports of non-compliance in food imported from Japan had been received from destination countries.

2.2. Regarding the water management at the TEPCO Fukushima Daiichi nuclear power station, Japan clarified that it had not announced nor planned the discharge of contaminated water in the sea, and requested related claims in previous Committee meetings to be retracted. Japan indicated that the IAEA review for the discharge of Advanced Liquid Processing Systems (ALPS) treated water in 2023 had started in September 2021, with a first mission to be conducted in December 2021. Japan highlighted the information available on the MAFF one-stop website (<https://www.maff.go.jp/e/export/reference.html>), and the updated link to the IAEA report on the results of interlaboratory comparisons on marine samples near Fukushima. Japan looked forward to receiving updates from its counterparts on the lifting of the remaining import measures.

2.3. Korea urged Japan to halt the implementation of its decision to release contaminated water into the sea until tangible progress was made, including through enhanced transparency and consultation with stakeholders. Korea indicated that about 70% of ALPS treated water exceeded the regulatory standards for discharge and radionuclides such as radioactive isotope Carbon-14. Korea emphasized that the discharge of contaminated water was a global marine environment issue, and urged Japan to handle the issue based on practical consultations with neighbouring countries and transparent information sharing.

2.4. The United States indicated that in September 2021 its Food and Drug Administration (FDA) had deactivated its import alert for food products from Japan, after finding no evidence of radionuclides from the Fukushima incident present in the US food supply at levels that posed a public health concern. Japan's control measures and FDA's surveillance and sampling measures would ensure that imported food from Japan did not pose food safety risks due to radionuclide contamination. The United States would continue communication and collaboration with Japan to monitor and ensure the safety of food products exported to the United States.

2.5. In response to Korea, Japan clarified that the discharge of the ALPS treated water would comply with regulatory standards based on the recommendations of the International Commission for Radiological Protection, as well as international standards and practices. The IAEA would review the safety of the ALPS treated water. Japan indicated that about 70% of the water stored at the Fukushima Daiichi power station contained radionuclides exceeding the regulatory standards for discharge in the environment due to purification capability limitations in the early period of ALPS operation. TEPCO had conducted a re-purification capability test in 2020, whose results showed

that ALPS had the capability to decrease the concentration of radionuclides, other than tritium, below regulatory standards for discharge. Japan noted it would continue its transparency and communication efforts with the international community.

2.1.2 United States – US Food and Drug Administration low-cost or no-cost tech-enabled traceability challenge results ([G/SPS/GEN/1967](#))

2.6. The United States informed Members of its "New Era of Smarter Food Safety Low-Cost or No-Cost Tech-Enabled Traceability Challenge". The main goals of the challenge were to develop tech-enabled food traceability solutions that were low-cost or no-cost to the users, and to promote innovation through the creation of financial models that provided solutions proportional to benefits. The results of the challenge had been announced on 13 September 2021, and included 12 winning teams representing the United States, Canada, and New Zealand. The United States submitted its statement in document [G/SPS/GEN/1967](#).

2.1.3 European Union and Norway – Global transition towards sustainable food systems ([G/SPS/GEN/1934](#) and [G/SPS/GEN/1969](#))

2.7. The European Union thanked Norway for joining the follow-up communication to document [G/SPS/GEN/1934](#), and thanked Switzerland for confirming its support to the initiative. The European Union highlighted the role of the UN Food Systems Summit (UNFSS), held in September 2021, in identifying necessary actions to feed a growing population while protecting the planet. The European Union noted the need for actions to be tailored to the local, national or regional context, and highlighted the role of the WTO in supporting sustainability objectives related to trade in agricultural and fishery products while preventing disguised restrictions to trade. In the EU view, the SPS Committee should become a forum to reflect on how to make trade a major contributor to sustainable food systems and a sustainable future. The European Union invited Members to support the initiative, and to assist in formulating a work programme to address issues pertaining to the transition to sustainable food systems in relation to trade. A starting point for discussion could be to identify a list of policy objectives that could be legitimately pursued, considering the need to mainstream sustainability aspects in all relevant fora. Key findings and actions could be reported to the Thirteenth Ministerial Conference (MC13), with recommendations, as appropriate. More information was provided in document [G/SPS/GEN/1969](#).

2.8. Norway co-sponsored communication [G/SPS/GEN/1969](#) on the global transition towards sustainable food systems, and shared the view that international trade and trade policy should reinforce the global multilateral efforts towards achieving sustainable development. For Norway, the primary trade policy priority was to preserve and strengthen the rules-based multilateral trading system. Norway had launched an action plan on sustainable food systems, and stressed the need for the WTO to take climate change and environmental considerations into account. Norway suggested to investigate how the SPS Committee and the WTO could support Members in achieving their international commitments regarding environmental sustainability, in relation to trade. Norway expressed its readiness to engage with Members in discussions on this subject towards MC13.

2.9. Switzerland stressed that the WTO should play an important role in supporting sustainability objectives in relation to trade in agricultural and fishery products, and that the relevant WTO committees should address the contribution of trade to promote sustainable food systems in all three dimensions of sustainability. Switzerland expressed its readiness to contribute to drafting a work programme and supported the suggestion made by the European Union and Norway to report on key findings and actions to MC13 with recommendations.

2.10. Turkey considered that discussions on the relations between sustainable food systems and international trade were urgent. Increasing the use of renewable energy in agriculture, improving waste management, and climate change and biodiversity strategies were global concerns affecting food systems. At the national level, Turkey had involved all stakeholders to transform its food systems to deal with all these concerns, further highlighting the need for regional and global cooperation mechanisms. Turkey reiterated its commitment towards sustainable food systems while fighting disguised trade restrictions.

2.11. While recognizing the potential role of the WTO in ensuring the sustainability of global food systems, Australia noted that the SPS Agreement lacked the mandate to discuss all facets of sustainable food systems. Australia recalled that the SPS Declaration for the Twelfth Ministerial Conference (MC12) proposed a work programme to explore these relevant issues. Furthermore, Australia referred to the document contained in [G/SPS/GEN/1960](#), which offered a detailed explanation on how the proposed work programme would address these issues. Australia encouraged the European Union and all Members to consider co-sponsoring the SPS Declaration, and to participate in the subsequent work programme.

2.12. Argentina called on the European Union and co-proponents of the initiative for the transition towards sustainable food systems to join the SPS Declaration for MC12. Argentina emphasized that the WTO had been a pioneer in the search for solutions to sustainable development. In Argentina's view, the communication distributed by the European Union and Norway reflected their willingness to actively engage in agricultural reforms, including through the reduction of domestic support. Argentina highlighted the dire effects of agricultural subsidies on habitat loss, overexploitation and climate change, and emphasized that these should be dismantled. Argentina considered that the Continuation of the Reform Process contained in Article 20 of the Agreement on Agriculture already reflected elements of a work programme towards sustainable food systems.

2.13. Paraguay highlighted the similarities in the objectives of the communication distributed by the European Union, Norway and Switzerland, and the SPS Declaration for MC12, and called on them to join the Declaration. Paraguay echoed Argentina's remarks on the agricultural reform process and its contribution to the objectives of the WTO. Paraguay highlighted the findings of organizations such as the OECD, FAO, UNDP and UNEP on the effects on the environment of the protection and distortion of agricultural markets. Paraguay stressed the role to be played by the European Union, Norway and Switzerland in the Committee on Agriculture negotiations on the reduction of agricultural distorting subsidies, as well as the intended work programmes on domestic support and market access.

2.14. The United States highlighted that the SPS Agreement was suited to support Members in working towards addressing global challenges. It agreed that the SPS Committee should continue to be a forum to discuss SPS agricultural trade issues related to sustainable food systems, and that a work programme would help the Committee manage these issues. Noting the work with other Members to develop a work programme contained within the SPS Declaration for MC12 ([G/SPS/GEN/1758/Rev.8](#)), the United States called on the European Union, Norway, Switzerland and other Members to join the SPS Declaration. The United States indicated that increasing the productivity of existing natural resources was the most viable option forward and that, through sustainable productivity growth, the world's growing food security and nutrition needs could be met in a manner that was economically and environmentally sustainable.

2.15. New Zealand considered that any exploratory discussions on sustainable food systems should be focused on SPS-related issues rather than broader environmental issues that went beyond the scope of the SPS Agreement. New Zealand highlighted that the post-Summit process was looking into how to support food system transition, and that any SPS work on food systems should be aligned with the post-Summit process.

2.16. Recognizing the importance of sustainable food systems, Japan emphasized the need for SPS measures to be based on scientific evidence. Japan sought clarification from the European Union on the specific topics to be further discussed in the work programme, and on whether the proposal fell within the scope of the SPS Committee. In Japan's view, the SPS Declaration for MC12 covered major objectives of the EU proposal.

2.17. Uruguay was of the view that governments could contribute to ensuring sustainable food systems, taking into account the complex relationship that existed between the environmental, economic and social pillars of sustainability. There was not a single model of production and sustainable development, and different conditions and realities, as well as trade-distorting policies, should be taken into account. To achieve sustainable food systems, actions should be taken on subsidies, tariffs and non-tariff barriers that continued to distort trade in agricultural products and negatively affected the environment. Uruguay highlighted that the proposed SPS Declaration for MC12 considered the challenges and opportunities related to the production and global trade of food products in the 21st century, and did not seem to contradict the statements made by the European Union, Norway and Switzerland. Uruguay invited these and other Members to work with the co-sponsors to achieve positive results in the upcoming Ministerial Conference.

2.18. Canada underscored its commitment to improving the environmental, economic and social sustainability of food systems. At the UNFSS, the WTO Director-General had noted the increased reliance on international trade for food security, and the importance of addressing trade distortions and the sustainability of food systems. Agreeing that the SPS Committee should be prepared to respond to global challenges that fit within its mandate, Canada believed that the work programme proposed by the SPS Declaration for MC12 was an ideal approach to operationalize this vision. In Canada's view, other WTO bodies should discuss elements of sustainable food systems falling within their mandates, so that the necessary linkages were made. Canada welcomed further discussions on these matters.

2.19. Colombia echoed Argentina's and Paraguay's statements. Colombia considered that the WTO should play a prominent role in supporting sustainability objectives related to trade in agricultural and fishery products, and underlined the environmental, social and economic pillars of sustainability. The SPS Committee should also be prepared to respond to global challenges, such as issues related to distorting agricultural subsidies which were harmful to the environment.

2.20. The European Union thanked Members for their interest in the initiative and indicated it would report back for internal discussions.

2.1.4 European Union – Increased official controls and emergency measures governing the entry into the European Union of certain food and feed of non-animal origin from certain third countries ([G/SPS/GEN/1968](#))

2.21. The European Union informed Members that Commission Implementing Regulation (EU) No 2019/1793 provided for a harmonized approach to increased official controls on certain products entering the European Union, with the aim of protecting EU consumers from a known or emerging risk. The Regulation listed food and feed of non-animal origin subject to checks upon entry (Annex I), food and feed subject to special conditions governing entry (Annex II), and food and feed of non-animal origin for which import was suspended (Annex IIa). These lists were to be reviewed on a regular basis, not exceeding a period of six months. Safeguard measures could be imposed in the case of emerging risks or serious non-compliance with the EU agri-food chain legislation. More information was provided in document [G/SPS/GEN/1968](#).

2.2 Information from Codex, IPPC and OIE on relevant activities

2.2.1 IPPC ([G/SPS/GEN/1957](#))

2.22. IPPC presented its report on relevant activities in document [G/SPS/GEN/1957](#). A virtual meeting of the Commission on Phytosanitary Measures (CPM) was planned for 5 and 7 April 2022. IPPC was revising its dispute settlement procedures, and a new procedure would be presented to CPM for adoption in 2022. Several Focus Groups were currently working on issues related to climate change, communication, implementation of the Strategic Framework 2020-2030, and pest outbreak alert and response systems. The formation of two additional Focus Groups on ePhyto and sea containers was under consideration. Four standards were going forward for adoption, and amendments to IPPC's glossary had been made. Further information would be provided in upcoming webinars on the new guides and training materials under preparation. IPPC had also undertaken work on its website for the development of a phytosanitary systems page, and had embarked on the revamping of the phytosanitary capacity evaluation tool. Regarding ePhyto, 46 countries were now actively exchanging electronic phytosanitary certificates. Work was also ongoing on emerging pests such as the banana fusarium wilt (TR4), fall armyworm and red palm weevil.

2.2.2 OIE ([G/SPS/GEN/1963](#))

2.23. The OIE referred to its report on relevant activities in document [G/SPS/GEN/1963](#). The 2022 OIE General Session would be held in a hybrid format. The official reports of the four Specialist Commission meetings held for the review of existing and development of new OIE standards would become available on OIE's public website. Regarding the Terrestrial Code, extensive reviews had been undertaken on chapter 11.4 on bovine spongiform encephalopathy (BSE) (namely on the categorization of official BSE risk status and BSE risk assessment and surveillance) and on chapter 8.16 on infection with rinderpest virus. These revised chapters would be proposed for adoption in 2022. The chapter on foot-and-mouth (FMD) disease had been revised and circulated for

comments, but would not be proposed for adoption in 2022. Regarding the Aquatic Code, revisions were undertaken on aquatic animal health surveillance and on certain disease specific chapters; the proposed amendments had been circulated and would be proposed for adoption in 2022. Finally, the OIE drew attention to the launch of a joint initiative for the Global Control of African Swine Fever (ASF) in collaboration with FAO, for which an annual report had been published. Following the recent outbreaks of ASF in the Americas, the OIE had organized emergency meetings for the exchange of information and capacity building activities with veterinary authorities, partner organizations and the Global Framework for the Progressive Control of Transboundary Animal Diseases (GF-TADs).

2.2.3 Codex ([G/SPS/GEN/1964](#))

2.24. The Chairperson drew the Committee's attention to the report presented by Codex on its relevant activities, contained in document [G/SPS/GEN/1964](#).

3 SPECIFIC TRADE CONCERNS

2.25. Before the adoption of the agenda, China withdrew a new STC regarding Japan's pesticide maximum residue limits (MRLs) for honey. Guatemala removed the previously raised STC 474 (Modification of EU MRLs for plant protection products: Chlorpyrifos and Chlorpyrifos-methyl) and STC 475 (Modification of EU MRLs for plant protection products: Mancozeb), and raised its concerns on these pesticides under STC 448. Japan withdrew STC 470 on Thailand's phytosanitary restrictions on imports of fresh citrus fruits due to sweet orange scab. All the STCs removed had been included in the draft annotated agenda circulated as [JOB/SPS/17](#).

3.1 New issues

3.1.1 EU delays in authorizing imports of Samgyetang (Korean ginseng chicken soup) – Concerns of the Republic of Korea

3.1. Korea expressed concerns on import approval delays imposed by the European Union regarding Korean chicken soup Samgyetang. According to Korea, the European Union had conducted an onsite inspection and had subsequently received all the data requested on the National Residue Programme report. Despite the indications by the European Union that it would proceed with the next steps for granting market access for Samgyetang, and the listing of eight Korean establishments as third country establishments, no information had been provided on timeframes of the EU member States' voting procedure. In Korea's views, the EU delays in import approvals were a violation of Article 8 and Annex C of the SPS Agreement. Korea urged the European Union to complete the procedure and to provide information on the timeframes.

3.2. The European Union clarified that the import conditions for Samgyetang soup had been extensively discussed with Korea bilaterally and reiterated its commitment to continue the cooperation on this matter.

3.1.2 Delays in Thailand's approval procedures for animal products - Concerns of the Russian Federation

3.3. The Russian Federation expressed its concerns regarding the exportation of Russian beef and pork products to Thailand. Following the inspections of Russian establishments in 2019, Thailand had not finalized the approval procedures and had not confirmed whether the information on BSE provided in 2017 had been taken into consideration. The Russian Federation urged Thailand to complete its approval procedures without undue delay, in accordance with Article 8 and Annex C of the SPS Agreement.

3.4. Thailand recalled that procedures for the importation of live animals and animal products to Thailand, notified as [G/SPS/N/THA/243](#), had entered into force on 5 November 2018. Thailand underscored that the importation of livestock products to Thailand was based on risk analysis for animal health and was in conformity with the SPS Agreement and OIE standards. Thailand would inform the Russian Federation of the results of the review of the additional information received in May 2021.

3.1.3 Peru's undue delays in the authorization of dairy product enterprises – Concerns of Panama

3.5. Panama considered that Peru's undue delays in the authorization of dairy product enterprises constituted a violation of Article 8 and Annex C of the SPS Agreement. Panama regretted the lack of response from Peruvian competent authorities to the requests on procedures and documents related to the import approval from three Panamanian enterprises. Panama reiterated its willingness to maintain open communications.

3.6. Peru recalled that the procedures for the importation of dairy products were established in the guidelines for the importation of industrially processed food of animal origin. Peru noted that the information submitted by Panama was incomplete and that no response had been received to the request to hold a bilateral technical meeting. Noting the conformity of its procedures with Article 8 and Annex C of the SPS Agreement, Peru reiterated its call for Panama to hold a technical meeting to achieve consensus on pending health issues. Peru submitted its statement in document [G/SPS/GEN/1977](#).

3.1.4 Qatar's new import rules for dairy products – Concerns of the European Union

3.7. The European Union expressed its concerns regarding Qatar's new trade-restrictive import rules for dairy products, previously raised in the TBT Committee. Qatar's Ministry of Public Health Circular established new import requirements for UHT milk and white cheese, and the instructions issued by Qatar's Council of Ministers expanded the range of dairy products covered under the Circular, creating additional barriers to EU products. The European Union noted that none of the measures had been notified under SPS nor the TBT Agreements. In particular, the European Union was concerned by the stringent restrictions on the shelf-life, as well as about certain product characteristics for milk products and cheeses, which it considered to be more trade-restrictive than necessary, not based on science, not in line with Codex international standards and not required to guarantee the safety of imported products. In the EU view, Qatar's measures violated several provisions in Articles 2 and 5 of the SPS Agreement. The European Union urged Qatar to suspend the application of both measures and to comply with its WTO notification obligations. The European Union thanked Qatar for the bilateral exchanges and expressed intention to continue the constructive dialogue.

3.8. Qatar subsequently submitted its replies in document [G/SPS/GEN/1987](#).

3.1.5 Bolivia's import restrictions on agricultural and livestock products – Concerns of Peru

3.9. Peru expressed concerns over various restrictive measures applied by Bolivia on Peruvian exports of agricultural products, such as potatoes and onions. These restrictions persisted despite the recent bilateral agreements signed to improve trade aspects and to streamline SPS procedures. Peru hoped that the bimonthly meetings scheduled would enable a free trade flow and lead to a mutually satisfactory solution. Peru submitted its statement in document [G/SPS/GEN/1971](#).

3.10. Bolivia took note of the comments and would transmit Peru's concerns to capital. Both countries had reaffirmed their commitments in bilateral technical meetings and in the Binational Cabinet held on this matter. Bolivia reiterated its willingness to continue an open and transparent communication with Peru.

3.1.6 China's import restrictions on fishery products – Concerns of Mexico

3.11. Mexico expressed its concern regarding on the exportation of live and processed fishery products to China. Mexico highlighted the barriers to authorization faced by Mexican establishments since 2019 due to the excessive requirements for information of the General Administration of Customs of the People's Republic of China (GACC). Mexico regretted the uncertainty, the loss of employments and the impacts on production resulting from China's suspension of Mexican establishments; the short-notice requirements to undertake remote inspections; and the lack of response by China, despite having provided all the requested information on establishments interested in exporting to China. In Mexico's view, China was incurring in undue and unjustified delays, and was breaching Articles 2.2, 2.3 and 5.4 of the SPS Agreement. Mexico asked China:

1) to share the procedures for the registration of Mexican establishments, as well any additional requirement by the GACC; 2) to provide an updated record of Mexican establishments authorized to export to China; 3) to authorize species captured in Mexico without unjustified restrictions; and 4) to open communication with the GACC in order to establish the equivalence of sanitary legislation between both countries. Mexico reiterated its willingness to continue the dialogue with China.

3.12. China argued that its measures did not restrict the imports of Mexican fishery products. During the relevant inspection, China had noticed that the fishing vessels listed in the Mexican Aquatic Product Certificate lacked the registration status in China. The Chinese Food Bureau of GACC had not received information in response to the letter sent to Mexico in November 2020 listing China's new health certificate requirements for fishery products.

3.1.7 China's import suspension of fresh fruits – Concerns of Chinese Taipei

3.13. Chinese Taipei raised concerns about China's suspension of the importation of pineapples, sugar apples and wax apples, and requested China to resume imports without delay. Following notifications of non-compliance from China, Chinese Taipei had adopted measures to strengthen pest-control and prevention. Although no additional notifications had been received, the GACC had suspended imports of these fruits, arguing interception of scale insects (*Planococcus minor*). Chinese Taipei emphasized that the low rate of non-compliance, below 1%, proved the effectiveness of the pest-control management measure in place. Chinese Taipei noted that scale insects were also detected in some Chinese regions and that quarantine and fumigation of consignments were accepted international practices, less restrictive than import suspension. Chinese Taipei urged China to bring its measures in conformity with Articles 2, 3 and 5 of the SPS Agreement, to conduct bilateral scientific and technical dialogue, and to share the relevant risk assessment and supporting scientific evidence.

3.14. China clarified that since January 2020, it had repeatedly found quarantine pests such as *Planococcus minor*, *Albonectria rigidiuscula* and *Dysmicoccus neobrevipes* on fresh fruits imported from Chinese Taipei, involving 33 batches of pineapples, 35 batches of cherimoyas and 6 batches of wax apples respectively. These quarantine pests, once introduced, would pose a serious threat to China's agricultural and forestry production and ecological security. China regretted that the situation had not improved, despite the timely notifications to Chinese Taipei about these unqualified products each time. Based on a risk assessment and sufficient scientific evidence, in accordance with Articles 2 and 5 of the SPS Agreement and with the national legislation, China had temporarily suspended the importation of sugar apples and wax apples since 20 September this year. These Chinese measures were necessary to prevent risks to agriculture and forestry production and to protect ecological security and human health. China urged Chinese Taipei to actively take effective quarantine measures, reducing the occurrence, spread and damage of these quarantine pests, so that stable and sustainable development of agricultural production and trade could be preserved.

3.15. In response, Chinese Taipei highlighted that China had provided no scientific evidence to support the import suspension, and underscored that pest rates in consignments detected from 2020 to 2021 were extremely low (0.29% rate of inconsistency for pineapple, 0.23% for sugar apple and 0.16% for wax apple). Chinese Taipei reiterated that no additional notification of non-compliance had been received after the enhancement of the two-stage pest control mechanism.

3.16. China reiterated the harmfulness of these quarantine pests and emphasized that the temporary import suspension was based on sufficient scientific evidence and fully consistent with the WTO rules.

3.2 Issues previously raised

3.2.1 EU MRLs for alpha-cypermethrin, buprofezin, chlorothalonil, chlorpyrifos, chlorpyrifos-methyl, diflubenzuron, ethoxysulfuron, glufosinate, imazalil, ioxynil, iprodione, mancozeb, molinate, picoxystrobin and tepraloxydim (ID 448) - Concerns of Colombia, Costa Rica, Ecuador, Guatemala, Paraguay and the United States

3.17. Paraguay recalled its intervention at the Committee meeting in July 2021, requesting written answers to the questions in document [G/SPS/GEN/1926](#).

3.18. Costa Rica reiterated its concern regarding the impact on its production systems of the reduction to the minimum level of detection of MRLs for several of the substances at issue. Referring to its interventions in previous meetings, Costa Rica noted the support received for this concern in the SPS and TBT Committees and in the Council for Trade in Goods (CTG). Costa Rica supported the questions contained in document [G/SPS/GEN/1926](#), with particular interest in the questions related to emergency authorizations by the European Union. Costa Rica urged the European Union to reconsider its regulatory approach, to establish an effective dialogue with affected Members, and to consider measures to limit the impact that these new regulations would have globally.

3.19. Colombia regretted the lack of progress in this matter and noted that no responses had been received to questions contained in [G/SPS/GEN/1926](#). In Colombia's view, the implementation of MRLs by the European Union was discriminatory and restricted trade more than necessary. Colombia requested that emergency authorizations be granted under similar conditions for domestic producers and for countries exporting to the European Union. Colombia argued that the European Union's capacity to subsidize producers so they could adapt to standards was much higher than that of other Members. Colombia questioned the scientific justification of the measures and the precautionary implementation of the MRLs, and called for a comprehensive plurilateral technical dialogue, an extension of transition periods and a joint review of the authorization process for a substance to ensure the effective participation of the affected countries. Colombia urged the European Union to maintain Codex MRLs in cases where the scientific evidence was not conclusive and, in cases where Codex had not established an MRL, to impose a default fixed MRLs not more trade-restrictive than necessary.

3.20. Guatemala reiterated its concern regarding the negative effects of the reduction of MRLs for several substances such as chlorothalonil, imazalil, mancozeb and others, which were crucial for pest control in Guatemala. Stressing that there were currently no effective substitutes for these substances, and that the banana industry was currently testing pyriproxyfen, a molecule approved by the European Food Safety Authority (EFSA), as a substitute to chlorpyrifos, Guatemala had requested a delay in the implementation of this measure. Guatemala reiterated its request for the European Union to share the relevant scientific information on the harmful effects to human health from the consumption of agricultural products from third countries, to consider climatic differences between countries and to provide answers to the questions in document [G/SPS/GEN/1926](#).

3.21. Ecuador shared the concern and highlighted that the reduction or substitution of these substances required innovation and development of new technologies; an additional transition period for implementation; and financial and technical resources that were difficult to achieve for developing countries. Ecuador specifically referred to changes in pesticides such as chlorothalonil, mancozeb, metiram, chlorpyrifos and chlorpyrifos-methyl. Ecuador reminded on the economic and social impact of these measures in the banana sector and reiterated its request for the suspension of the entry into force of the reduction of MRLs, considering the efforts made by the productive sectors for the economic recovery following the COVID-19 crisis. Ecuador urged the European Union to take into account available scientific information, such as information provided by Codex, and provide at least 36 months for producers in developing countries to adapt to the reduction in MRLs. Ecuador further requested to grant similar conditions for emergency authorizations to producers in the European Union and in third countries. Ecuador thanked the European Union for the continued dialogue and recalled the concerns contained in document [G/SPS/GEN/1926](#) regarding the granting of emergency authorizations by the European Union.

3.22. The United States reiterated its concern that the European Union continued to lower many pesticide MRLs to trade-restrictive levels without clear scientific justification or measurable benefit to plant and human health. The United States also reiterated its concerns regarding the EU hazard-based approach to pesticide regulation and the application of the precautionary principle which threatened global food security and created trade barriers. The United States requested the European Union to clarify the justification for its intention to factor global environmental impacts into EU decisions on import tolerances. Similarly, it requested the European Union to afford producers in third countries equal access to crop protection tools based on emergency authorizations. The United States called on the European Union to apply MRLs at the point of production for imported products, to extend the transition period for all MRLs to at least 24 months, and to continue to facilitate dialogue with third countries on this matter. The United States submitted its statement in document [G/SPS/GEN/1978](#).

3.23. Panama supported the concern regarding the non-renewal of mancozeb. While supporting a global transition to sustainable agri-food systems, Panama believed this objective should be based on science and on solutions designed and implemented through international cooperation. Panama invited the European Union to reconsider its regulatory approach and to respond to the questions contained in document [G/SPS/GEN/1926](#).

3.24. Uruguay recalled its intervention at the Committee meeting in July 2021, requesting written answers to the questions in document [G/SPS/GEN/1926](#).

3.25. Argentina supported this concern and reiterated the need to ensure that Members applied risk-based SPS measures taking into account the techniques developed by the relevant international organizations. Argentina urged the European Union to use a risk-based approach and determine the different aspects that could affect human health and the environment on the basis of conclusive scientific studies. Argentina urged the European Union to provide answers to the questions submitted, including on the issues relative to emergency authorizations.

3.26. Brazil reiterated its concern regarding the EU approach to pesticide MRLs. In Brazil's view, certain EU MRLs were more trade-restrictive than necessary, lacked scientific justification and violated the harmonization principle of the SPS Agreement. The establishment of low MRLs for mancozeb, together with the ban in the EU market of substances of similar use such as chlorothalonil, limiting the availability of alternative substances in the short to medium term, would have major consequences in international trade. Brazil underscored that risk assessment techniques should consider the relevant guidance of international standard-setting bodies (ISSBs) and that the risk management options adopted should be the least trade-restrictive.

3.27. Canada reiterated the need to base decision-making processes on risk assessment techniques developed by relevant international organizations. Canada was particularly concerned by the impact of the EU approach to setting import tolerances and to the transition periods implemented. Canada requested the European Union to maintain MRLs for substances that did not pose unacceptable dietary risks, thus eliminating the need for import tolerance requests. Canada invited the European Union to notify any anticipated changes in its MRLs, to take Members' comments into account and to allow for transition periods for producers to adapt to new requirements. Canada requested the European Union to avoid discrimination between domestic producers and foreign exporters regarding the authorization of emergency derogations.

3.28. Reiterating its support, Peru expressed its concern regarding the EU hazard-based approach, which Peru considered to be inconsistent with the SPS Agreement and to result in unnecessary barriers to trade.

3.29. Honduras requested the European Union to address the issue in a constructive manner and to ensure that its measures did not restrict trade more than necessary.

3.30. Chile supported this concern, specifically in relation to the decision not to renew the authorization for mancozeb, which Chile considered a violation of Article 5 of the SPS Agreement.

3.31. The European Union reminded delegates that most questions had previously been answered, including the recent responses to [G/SPS/GEN/1926](#) circulated in document [G/SPS/GEN/1970](#), or in the communication on the ongoing review of MRLs contained in document [G/SPS/GEN/1494/Rev.2](#). Regarding emergency authorizations, the European Union clarified that EU member States were allowed, in special circumstances, to authorize the placing on the market of plant protection products, including products containing active substances that were not approved; emergency authorizations were limited in time. Import tolerances could also be established to facilitate trade, and were not limited in time. The European Union summarized the updates on chlorothalonil, mancozeb, alpha-cypermethrin, chlorpyrifos and chlorpyrifos-methyl, as well as clethodim, phosmet and abamectin. The European Union reiterated its availability to cooperate with all Members interested in the subject.

3.2.2 EU legislation on endocrine disruptors (ID 382) - Concerns of Guatemala and Paraguay

3.32. Paraguay looked forward to the circulation of responses by the European Union to the questions in [G/SPS/GEN/1926](#). Paraguay sought further information on several aspects, such as the consideration of environmental factors in the process of defining import tolerances, or whether the European Union would maintain emergency authorizations for non-renewed substances. Paraguay referred to examples of emergency authorizations granted to EU member States and questioned the different stringency of criteria used to grant these authorizations for domestic and foreign producers.

3.33. Guatemala reiterated its request for the European Union to reconsider its hazard-based approach and to base its measures on technical and scientific evidence, in accordance with Article 5 of the SPS Agreement, taking into account international standards and the work of Codex to avoid unnecessary trade barriers. Guatemala looked forward to receiving answers to the questions raised in [G/SPS/GEN/1926](#).

3.34. Uruguay reiterated its trade and systemic concern relating to the EU adoption and implementation of a hazard-based approach in its regulatory determinations concerning products with endocrine-disrupting properties. Uruguay insisted on the need to base such determinations on conclusive scientific evidence to avoid the withdrawal of certain important components of pest management systems despite their safe use. Uruguay stressed that a hazard-based approach could have negative and disproportionate impact on sustainable agricultural production, food security and international trade in food products. Uruguay supported the multilateral work undertaken by Codex to develop a harmonized, risk-based approach, and requested the European Union to reconsider its regulatory approach to avoid unjustified barriers to international trade and their socio-economic consequences.

3.35. Chile was particularly concerned by the negative impact of the gradual reduction of effective and safe phytosanitary products due to the hazard-based cut-off criteria applied in the assessment of active substances in Regulation (EC) No 1107/2009. These criteria deviated from the principles of risk analysis internationally agreed, unnecessarily lowering MRLs for substances commonly used in agriculture.

3.36. Peru supported the concern and considered that the EU hazard-based regulations were inconsistent with Article 5 of the SPS Agreement, leading to measures that were more trade-restrictive than necessary.

3.37. Colombia regretted the lack of progress on this concern and reiterated its systemic concern on the precautionary approach of the measure.

3.38. Costa Rica reiterated its concern regarding the EU approach for the implementation of Regulation (EC) No 1107/2009. Costa Rica urged the European Union to ensure that the regulation of endocrine disruptors was based on risk assessments, using criteria supported by sufficient scientific evidence, in line with the SPS Agreement.

3.39. Brazil recalled that the criteria for the determination of endocrine-disrupting substances had to be based on science and be established in accordance with Article 5 of the SPS Agreement to avoid unnecessary trade restrictions. Brazil highlighted the importance of conducting risk assessments appropriate to the circumstances and the need to obtain the additional information necessary for an objective assessment of risk.

3.40. Canada reiterated its request for the European Union to amend its hazard-based approach and consider both hazards and risks in its regulatory decision-making. Canada asked the European Union to explain how it would establish the restrictions to be applied in exporting countries with respect to environmental impacts. Canada encouraged the European Union to notify all proposed regulations arising from the Farm to Fork Strategy and to allow sufficient time for comments.

3.41. The European Union affirmed that the scientific criteria in place in the European Union to identify endocrine disruptors were based on the WHO definition. The criteria to identify pesticides

had been applicable since November 2018. The criteria also applied to ongoing procedures for the approval or renewal of active substances. The European Union reiterated that, to date, there had been no cases of non-approval of a substance solely based on endocrine disruptor criteria that had been followed by the lowering of MRLs. For all substances for which MRLs had been lowered following the non-approval under Regulation (EC) No 1107/2009, other intake concerns, in addition to their classification as endocrine disruptors, had been identified.

3.42. The European Union confirmed that it would follow the procedure in Regulation (EC) No 396/2005 for import tolerance requests concerning active substances falling under the cut-off criteria. The procedure included a risk assessment by an evaluating EU member State and a scientific opinion by EFSA. The European Union referred to article 49 of Regulation (EC) No 396/2005 regarding transitional measures. The European Union was reflecting on how to improve the notification procedures to ensure that WTO Members were informed well in advance of any changes in the EU legislation. The European Union reiterated its commitment to keep Members informed of further developments.

3.2.3 EU regulatory approach to maximum levels for contaminants (ID 519) - Concerns of Canada

3.43. Canada stated that the EU implementation of hazard-based regulatory decision-making requirements under Regulation (EC) No 1881/2006 was leading to the lowering of maximum levels (MLs) for contaminants in many food products. In Canada's view, the EU approach did not take into account consumption patterns and levels of dietary risk. Canada was particularly concerned with the negative trade implications of the EU approach to the regulation of MLs of cadmium in cereals, pulses and oilseeds; ergot and ergot alkaloids in cereals; and cyanogenic glycosides in linseed (flaxseed). Canada indicated that it was pursuing this matter bilaterally, with questions related to compliance tests in the food supply chain, risk assessment, definitions of key terms, sampling methods and implicated HS Codes. Canada requested further details from the European Union on the scientific basis and risk assessments underlying these measures. Canada underlined the importance of providing significant advance notice between the adoption of regulations and their entry into force, to give industries sufficient time to adapt.

3.44. The United States shared the concern on the EU MLs for contaminants in foodstuffs under Regulation (EU) No 2021/1399. The MLs for ergot appeared to be unnecessarily trade-restrictive and to lack a scientific justification. The United States asked which sampling and testing provisions would be used, and urged the European Union to delay the adoption of this measure and undertake a more robust risk assessment based on science. The United States submitted its statement in document [G/SPS/GEN/1980](#).

3.45. The European Union noted the answers provided to comments submitted by Canada on notifications [G/SPS/N/EU/466](#) and [G/SPS/N/EU/479](#). The European Union stated that the measures in question were based on a risk assessment and considered relevant consumption patterns and levels of dietary risk. According to the European Union, the population's exposure to cadmium should be reduced in view of its toxicity and possible health risks. The MLs for cadmium had been established at levels as low as reasonably achievable, considering the occurrence data for cadmium in the specific foodstuffs from various origins, in order to ensure a rejection rate of 5% or lower. The expected effect on trade was thus limited.

3.46. The European Union confirmed that the new ML established for ergot sclerotia in wheat and durum wheat (0.2 g/kg, established on safety considerations) was lower than the one established in CXS 199/1995 (0.5 g/kg, established as a quality factor). Taking into account EFSA's scientific opinion and JECFA's assessment in its 91st meeting, it was necessary to establish MLs for ergot alkaloids in cereals and cereal products to ensure a high level of human health protection. According to the European Union, the established level was readily achievable by applying good practices. The European Union further confirmed that the proposed ML for ergot alkaloids did not apply to bulk raw grain, but to cereals placed on the market for the final consumer. As such, the European Union was of the view that these concerns did not justify a further deferral of the application of the MLs for ergot alkaloids. Concerning the ongoing discussion on possible MLs for hydrocyanic acid in certain foods, including linseed, Canada's comments were being considered, and the outcome of the technical discussions would be notified as a draft for Members' comments. The European Union reiterated its commitment to discuss the issue bilaterally with Canada.

3.2.4 EU restrictions on exports of chocolate and cocoa products due to the application of the Commission Regulation (EU) N° 488/2014 of 12 May 2014 amending Regulation (EC) N° 1881/2006 as regards maximum levels of cadmium in foodstuff (ID 503) - Concerns of Peru

3.47. Peru raised concerns regarding Commission Regulation (EU) No 488/2014, establishing maximum levels (MLs) for cadmium in chocolate and other cocoa products that, in practice, had a negative impact on trade in cocoa beans and cocoa. Peru highlighted the trade performance and the social importance of the cocoa production chain, and was of the view that the EU regulation violated Article 2 of the SPS Agreement and created unnecessary barriers to trade. Making reference to JECFA/91/SC, dated 5 March 2021, Peru noted that the contribution of cadmium from cocoa-derived products remained insignificant, including in high-consumption countries, and that the application of MLs of cadmium in chocolate and cocoa derivatives would not significantly reduce dietary exposure to cadmium. Peru called upon the European Union to rescind Commission Regulation (EU) No 488/2014 with respect to chocolate and other cocoa products. Peru submitted its statement in document [G/SPS/GEN/1973](#).

3.48. Being an important exporter of cocoa and cocoa powder, Colombia supported this concern and highlighted difficulties in mitigating the presence of contaminants, given their natural occurrence, within the timeframe of the regulation. Colombia questioned the consistency of setting restrictive MLs for cadmium in cocoa and cocoa powder, and not for other products also considered to contain high levels of cadmium, such as potato, wheat, fine bakery wares and leafy vegetables. Colombia called on the European Union for flexibility.

3.49. The European Union recalled that it had granted a transition period of 5 years to comply with the legal requirements of the measure concerning cocoa and chocolate products. The European Union added that the MLs were established on finished products, and did not apply to intermediate cocoa products. Noting the toxicity of cadmium, the European Union stressed that the exceedance of the tolerable weekly intake (TWI) of cadmium by EU consumers justified setting limits for chocolate and cocoa products and other commodities. On the basis of the most recently updated JECFA assessment, issued on 5 March 2021, the European Union considered it necessary to maintain the existing MLs to limit the exposure of consumers to cadmium from cocoa products. The European Union also noted that the EU ML for chocolate over 50% total dry cocoa solids was in line with the recently agreed Codex levels, and stricter limits had only been introduced to the extent necessary to protect human health. While the European Union was aware that some private operators applied strict limits for cadmium in imported cocoa beans instead of finished products, it argued that WTO Members did not have jurisdiction over contractual arrangements between private parties.

3.50. The European Union was providing targeted technical assistance in Peru and neighbouring countries within the framework of a Standards and Trade Development Facility (STDF) project preparation grant to develop a regional strategy and a proposal to establish mitigation and remediation measures for cadmium contamination in cocoa beans in Latin America and the Caribbean region. The European Union was also providing technical assistance in the context of a specific development programme under the Development Smart Innovation through Research in Agriculture Initiative (DeSIRA) to put more science in development with a view to foster innovation for increased impact. The European Union reiterated its commitment to work constructively with Members to address outstanding issues.

3.2.5 EU review of legislation on veterinary medicinal products (ID 446) - Concerns of the United States

3.51. Referring to its statements in previous SPS Committee meetings, the United States reiterated its concerns regarding the implementation of the EU legislation on veterinary medicinal products (Regulation (EU) No 2019/6). In September 2021, the European Parliament had allowed for the science-based criteria to be used to determine the EU list of antimicrobials reserved for human use. The United States requested further information on how the list of antimicrobials reserved for human use would be maintained to ensure fair, transparent, and science-based risk assessment. The United States asked for the scientific justification for restricting the use of antimicrobial drugs for growth promotion that were not medically important for humans, appropriate transition periods for justified SPS measures, the recognition of the levels of protection provided by national regulatory

systems, and flexibility for national authorities to implement their own effective SPS systems. The United States submitted its statement in document [G/SPS/GEN/1979](#).

3.52. [Paraguay](#) referred to [G/SPS/N/EU/478/Add.1](#) regarding the criteria for the designation of antimicrobials reserved for the treatment of certain infections in humans. Paraguay expressed concerns on the implementation status of the regulation and requested further information on the timeline for its adoption, in order to avoid disruptions to trade.

3.53. [Brazil](#) noted the potential burden of the EU regulation on producers due to the introduction of sanitary requirements that were more trade-restrictive than necessary. Expressing its support for the work of the international organizations in the development of multilateral harmonized guidelines on antimicrobial resistance (AMR), Brazil urged the European Union to consider the ongoing global efforts by the WHO, the OIE and FAO, as well as the work of the Codex Taskforce on Antimicrobial Resistance. Brazil also requested the European Union to provide sufficient transitional periods to implement and adapt to its measures.

3.54. [Canada](#) expressed its support for the coordinated international efforts to promote the prudent use of antimicrobials in animal and public health. In Canada's view, the European Union should take into account global disease prevalence, the One Health approach and antimicrobial usage in different countries while developing its legislation. Acknowledging the notification of the criteria for the designation of antimicrobials reserved for human use adopted by the European Commission, Canada asked that the list of antimicrobials reserved for human use be notified, as well as the import control requirements related to veterinary medical products. Canada requested the European Union to grant sufficient transitional periods, to respond to the joint letter sent by Ambassadors of several WTO Members in June 2021, and to provide further details on upcoming third country information sessions by the Commission on the relevant legislation. Canada expressed its commitment to provide comments on the remaining implementing legislation affecting third countries.

3.55. [Japan](#) requested the European Union to explain the necessity and the scientific rationale of the measures. Acknowledging the adoption of the draft legislation on the criteria for designation of antimicrobials for human use, Japan urged the European Union to announce the implementing regulations concerning imported products; to notify the list of antimicrobials exclusive for human use; to provide sufficient time for Members to submit comments and take into account these comments; and to set a sufficient transitional period.

3.56. Reiterating its low rates of AMR, [Australia](#) recalled the ongoing implementation of its national AMR strategy and expressed support for the international efforts to set standards for AMR. Australia requested the European Union to consider the different conditions, the availability of antimicrobials and the disease prevalence in third countries before releasing a risk- and science-based list of antimicrobials reserved for the treatment of human infections, and to recognize third countries' AMR management programmes. Australia asked for an extension of the implementation deadline, as well as for information on the expected release date for consultation, on how it would implement the measures and on the transition periods offered.

3.57. [Uruguay](#) referred to its intervention in the July Committee meeting and expressed its concern caused by the uncertainty regarding the approach and implementation of the EU regulation on veterinary medicinal products. In light of the recent adoption of Commission Delegated Regulation (EU) No 2021/176 establishing the criteria for the designation of antimicrobials to be reserved for the treatment of certain infections in humans, notified in [G/SPS/N/EU/478/Add.1](#), Uruguay questioned whether the implementation deadline, initially scheduled for January 2022, would be maintained. Uruguay noted that the conditions, AMR regulatory framework and disease prevalence in third countries should be considered when establishing sanitary measures, and stressed the need to allow sufficient time for third countries to review the proposed regulation and to provide adequate transitional periods for implementation.

3.58. [Argentina](#) expressed appreciation for the dialogue with the European Union on this subject and reiterated its concerns regarding the list of antimicrobials reserved for human use and the implementation of article 118 of Regulation (EU) No 2019/6, which required third countries to demonstrate the non-use of those antimicrobials. Argentina considered it necessary to have early access to the evaluations used to create the list and information on transition periods.

Argentina reiterated the importance of basing regulations on science to avoid unnecessary barriers to trade.

3.59. The European Union reiterated that Regulation (EU) No 2019/6 would strengthen EU action to fight AMR, following the European One Health Action Plan against AMR. Implementing measures were under preparation for the implementation of the new regulation as of 28 January 2022, which would impose stricter rules on EU operators than on those in non-EU countries. The European Union provided a detailed state-of-play regarding the preparation of the draft legal acts, and committed to keep Members informed of any future developments to avoid trade disruptions. The European Union underscored the importance of international collaboration and expressed its continued engagement with trading partners and other WTO Members in the fight against AMR to promote and support effective strategies to prevent and contain the global threat of AMR.

3.2.6 China's actions related to COVID-19 that affect trade in food and agricultural products (ID 487) - Concerns of Australia, Canada, the Russian Federation and the United States

3.60. Australia requested an update on steps that China was taking to obtain additional information and review the emergency COVID-19 measures notified in [G/SPS/N/CHN/1173](#) and outlined in GACC Announcement No. 103 of 2020. Australia enquired how China would take account of the revised WHO/FAO guidance, which considered unlikely the transmission via food or food packaging of viruses that cause respiratory illnesses, including SARS-CoV-2. In Australia's view, China's current suspensions were contrary to FAO and other international guidance. Australia also requested that China notify its additional measures to prevent COVID-19, including widespread testing and disinfection of imported products and packaging. Australia called on China to provide details of its consideration process of the information provided in support of lifting the suspensions of Australian export establishments, and to share an indicative timeframe for lifting these suspensions.

3.61. Canada emphasized the importance of basing COVID-19 related measures on sound scientific principles and risk assessments, and drew the Committee's attention to the recently updated WHO/FAO guidance on COVID-19 and Food Safety. Canada questioned the scientific basis for China's measures relating to COVID-19 as notified in [G/SPS/N/CHN/1173](#). Canada urged China to remove these measures, since the scientific evidence was insufficient to support their adoption or their maintenance. Canada expressed concerns as well on the lack of clarity, transparency and predictability of these measures taken, in particular, for the reinstatement of suspended establishments. Canada requested their reinstatement without undue delays and called on China to maintain the ongoing technical dialogue to resolve the concerns at issue.

3.62. Reiterating its concern on China's measures, the United States explained that China had not provided science-based justification or test results in support of maintaining the provisional measures notified in [G/SPS/N/CHN/1173](#). The United States referred to the updated WHO/FAO guidance, and encouraged China to withdraw its measures and to support the guidance of international organizations by building the body of scientific evidence on COVID-19. The United States also encouraged China to share the process to reinstate establishments as eligible for export to China and to resume the exports from two poultry production facilities suspended on the basis of COVID-19 related concerns. The United States submitted its statement in document [G/SPS/GEN/1982](#).

3.63. The Russian Federation expressed its concern regarding China's emergency measures on imported frozen foods to prevent the risk of introduction of COVID-19, which, in its view, were not transparent. These restrictions had mainly affected Russian fish exports, on the basis of several cases of COVID-19 detected on product packaging. Regretting the lack of scientific justification provided by China confirming the risk of cross-border spread of COVID-19, the Russian Federation urged China to withdraw its COVID-19 measures and expressed its willingness to cooperate bilaterally to ensure food safety and resume previous trade volumes.

3.64. Stressing the need to base SPS measures on scientific principles and the importance of international cooperation, Japan requested China to clarify the risk assessments and scientific evidence that supported its measures.

3.65. India informed the Committee that GACC had indefinitely suspended exports from over 50 fish and fishery product establishments on the basis of presence of COVID-19 nucleic acid on the packaging of frozen products. China had not shared the relevant test reports, hindering detailed investigations in India. Following the WHO/FAO guidance, Indian exporters had implemented stringent preventive controls. India requested China to share the relevant reports that had led to the export restrictions.

3.66. The United Kingdom also referred to the WHO/FAO guidance, and further specified that the detection of virus or viral ribonucleic acid remnants on foods and food packaging did not confirm the transmission of SARS-CoV-2 to people touching the contaminated products. Citing Article 2.2 of the SPS Agreement, the United Kingdom asked whether China would review its import measures in light of the updated international guidance, and requested China to share any relevant scientific evidence available.

3.67. Norway highlighted concerns regarding the lack of scientific justification for China's SPS measures and the lack of transparency and written information regarding positive nucleic acid test results on imported consignments, which had led to uncertainty for exporters of seafood and other food products. Referring to the updated WHO/FAO guidance, Norway requested China to withdraw its emergency measures unless it could share the evidence suggesting that cold-chain foods were a likely transmission route for coronavirus to humans. Norway expressed its willingness to work further with China on this issue.

3.68. Referring to WHO/FAO guidance, the European Union considered that Chinese policies for agri-food products were not proportionate and caused uncertainty, delays and increased costs. The European Union invited China to share its risk assessment, scientific evidence and data which justified its measures and to review them in light of the recent international guidance. The European Union stated that unnecessary verification measures were harmful to food security, food prices and global trade and may undermine public trust.

3.69. Switzerland expressed its concern regarding the additional requirements on imported food products linked to COVID-19 established by China without having shared the risk assessment or the scientific justification. Switzerland highlighted the importance of transparency and noted that Members should respect the rules-based multilateral trading system.

3.70. China responded that it had conducted a comprehensive analysis of surveillance data on food products and their packaging, which concluded that cold-chain foods and their packaging could become carriers of the virus if in contact with infected people. China had notified the several prevention and control measures implemented with a view to ensuring the safety of people and of imported food, which it considered to be effective. China considered its measures to be in line with the SPS Agreement. China explained that it applied different measures on cold-chain food products according to different categories of risk, in an effort to minimize the impact on the cold-chain food trade.

3.2.7 Concerns with transparency, delays and due process associated with China's import requirements for agricultural goods (ID 524) - Concerns of Australia

3.71. Australia stated that China's increased inspections and testing measures at the border had constrained trade of several agricultural commodities including rock lobster, wine, wheat, barley, oats, canola, logs and table grapes. Australia stressed that the measures had been initiated without prior notice, were arbitrary and did not appear to be based on scientific evidence. China had not provided detailed information on detections of non-compliances in Australian products and had not engaged with Australia on proposed corrective approaches to ensure compliance. Australia would welcome bilateral engagement on these matters, and asked China to respond to its requests for information, to provide details for its inspection and testing measures, and to engage with Australia on its proposals.

3.72. China stated it had responded to Australia's concern, and called on Australia to strengthen its supervision of export enterprises in accordance with bilateral agreements to ensure the safety of products.

3.73. Australia clarified it had provided information outlining its food safety and biosecurity system and was awaiting a response from China on investigations following non-compliance reports.

3.2.8 China's administrative measures for registration of overseas manufacturers of imported food (26 November 2019) (ID 485) - Concerns of Australia, Canada, the European Union, Japan and the United States

3.74. Australia expressed its concern that China's Regulation on Registration and Administration of Overseas Manufacturers of Imported Food ([G/TBT/N/CHN/1522](#)), promulgated as Decree 248, would unnecessarily restrict trade, and complained that China's timeframes to respond to the requirements were too short. Australia reiterated its request for China to provide the risk analysis, scientific data and technical information, and to notify to the Committee the implementation guidance for the regulation. Australia believed that the regulation would lead to delays and would increase the regulatory and administrative burden. Australia expressed its appreciation to China for providing the implementation guidance, but sought clarity on issues related to the relevant HS Codes for specific foods, the timeframes and process for the approval of applications received after 1 November 2021, the issuance of registration numbers, and the transitional arrangements. Understanding that the Regulation would come into effect on 1 January 2022, Australia requested China to delay the implementation to allow for a transition period of at least 18 months. Australia welcomed the opportunity for further discussions with China.

3.75. Noting the many successful bilateral arrangements between both countries, Canada was concerned that China's administrative measures were overly burdensome; did not appear to be based on risk assessment; would create confusion for competent authorities and industry due to the lack of details and transparency regarding its implementation; went beyond the extent necessary to protect against food safety risks; and would create serious barriers to trade, including significant financial impacts. Canada urged China to delay for 18 months the implementation of Decrees 248 and 249, in order to provide further information and clarifications on these measures to Members in a timely manner and give sufficient time for trading partners to comply.

3.76. The United States reiterated its concern regarding China's Decrees 248 and 249 (notified in [G/TBT/N/CHN/1522](#) and [G/SPS/N/CHN/1191](#)). The United States considered that the additional certification, audit and inspection procedures would create major trade disruptions. The United States remained concerned regarding China's lack of response to previous requests for scientific justification and clarification on how to implement these measures. The United States requested China to postpone for at least 18 months the proposed implementation date of 1 January 2022, and to engage with foreign food manufacturers and government regulators. The United States submitted its statement in document [G/SPS/GEN/1983](#).

3.77. Japan remained disappointed with the lack of detailed information provided by China; specifically regarding the ambiguity of the regulation's scope for food items and the new labelling requirements. Japan suggested clarifying the scope of the regulation by including information on the corresponding HS Codes. Concerned that China's regulation would create unnecessary barriers to trade, Japan requested China to take into consideration the comments from WTO Members, to reconsider the implementation date of the measures, and to provide a sufficient transition period of 18 months to avoid negative impacts on trade.

3.78. The European Union expressed its concern regarding the implementation of Decree 248 by GACC. Taking into account the high volumes of products and beverages traded between China and the European Union, and in order to minimize disruptions to economic relationships, the European Union urged China to postpone the implementation of the Decree until guidelines, template forms and functioning websites were available; to indicate the HS Codes of product categories that must be registered under the 'registration with recommendation' procedure; to provide transition periods of at least 18 months for the self-registration of businesses; to provide adequate transition periods for implementing provisions related to labelling; and to organize information sessions on the new registration requirements.

3.79. The Philippines shared the concern and indicated that the registration requirements and duplicative processes would add costs to trade and regulatory burden to competent authorities, and cause undue trade disruptions. The Philippines called on China to reconsider the measures, to provide a longer transition period, and to extend to the end of the year the deadline for submission

of information on competent authorities and food enterprises exporting products covered by Decree 248. The Philippines expressed its willingness to continue to engage with China.

3.80. Sharing the concern, Norway considered the measures to be more trade-restrictive than necessary and inconsistent with China's WTO obligations, and noted that they would impose an increased burden on the industry and foreign competent authorities. Norway requested China to provide additional information and to postpone the implementation date by at least 18 months, so that exporting countries would have sufficient time to prepare for the new regulations.

3.81. The United Kingdom argued that application of China's measures to all food products regardless of the risk would negatively impact food trade and create unnecessary barriers. The United Kingdom requested China to postpone the implementation of the measures, and to provide further clarity on the risk assessments and scientific evidence, as well as the scope and application of the measures.

3.82. Chinese Taipei sought additional information from China regarding the implementation of the measure notified in [G/SPS/N/CHN/1191](#), such as the scope of products and facilities covered; the registration requirements and guidelines; the procedures and timelines for audits, re-evaluation and renewal of registration; and the establishment of the risk categories for products. Chinese Taipei urged China to explain the justification for the measures, and to provide sufficient transition periods and detailed guidance on implementation.

3.83. Highlighting the provisions of Article 5 of the SPS Agreement, Korea considered China's measures to be more trade-restrictive than necessary, and requested China to provide the scientific evidence underpinning the requirements. Korea noted that China had not provided detailed guidelines for complying with the request to provide a list of manufacturers subject to government registration. Korea urged China to provide a sufficient transition period prior to implementation. Korea also called on China to provide detailed guidelines for export items requiring registration through competent authorities of exporting countries, as well as the items subject to registration by private businesses.

3.84. Switzerland regretted that the measure included all food categories irrespective of their risk profile and seemed to be more trade-restrictive than necessary. Switzerland requested further clarification regarding product categories (by HS Codes), labelling, and the types of operations that would need to be registered. Switzerland urged China to brief Members on the detailed guidelines, implementing rules and template forms, and to extend the implementation and transition periods for at least 18 months.

3.85. China indicated that the revised version of the Administrative Measures for Registration of Overseas Manufacturers of Imported Foods had been notified to the WTO as Decree 248, taking into consideration Members' comments and recommendations, and provided a transition period before implementation. China clarified that this Decree would not affect the implementation of relevant agreements previously signed with China. China's GACC had informed the relevant Members about the application for registration of overseas food production enterprises of different categories and the requirements of the materials to be submitted. Interpretation and implementation guidance of Decree 248 would be issued promptly.

3.2.9 China's delay in approving requests for new listing and reinstatement of export establishments (ID 516) - Concerns of Australia and Canada

3.86. Australia remained concerned with the long delays and lack of transparency in China's approval and administrative update process for agricultural and seafood establishments and products. Noting a lack of improvement since first raising the concern, Australia waited for China to approve establishment registrations and to update administrative listing changes. Australia requested China to fulfil its obligation under Article 2.3 and Annex C of the SPS Agreement, and to provide details regarding the assessment and approval of products and establishments, updating administrative lists and lifting restrictions on suspended establishments.

3.87. Canada continued to experience undue delays in China's approval procedures for the import of food products and of foreign establishments, and was waiting for China to provide updated information over 10 lists of approved Canadian products and facilities eligible to export. These delays

and the lack of transparency and of a rationale of approval procedures for foreign establishments had resulted in unjustified barriers to trade, administrative burdens, and trade disruptions. Recalling the obligations in Annex C of the SPS Agreement, Canada urged China to update and publish the lists of Canadian products and establishments awaiting registration; to provide timelines for acceptance; to transmit the result of the approval procedures; to provide the reason why Canadian products and establishments had not been approved; to explain any delays; to limit information requirements to what was necessary; and to ensure transparent and predictable approval procedures.

3.88. The United Kingdom noted that its trade continued to be affected by undue delays and lack of transparency in China's approval procedures for products and establishments. The United Kingdom had not received a response to two approval applications submitted in June 2020, nor to a request to relist UK fish establishments submitted in August 2021. The United Kingdom asked China to ensure the application of SPS measures in a non-discriminatory and predictable manner.

3.89. The European Union supported the concern and called for transparent, predictable and swift approval procedures and for the listing or re-listing of establishments in line with agreed international standards.

3.90. Highlighting its strict implementation of the products' access and enterprise registration, China noted the recurring incidents in recent years involving Australian and Canadian products, including detection of the COVID-19 virus on Canadian aquatic products and chloramphenicol residues in imported Australian beef products. China urged Canada and Australia to strengthen the supervision of their export establishments. China had undertaken risk assessments of the agricultural and food product quarantine access applications to prevent the introduction of pests and pandemics and to ensure the facilitation and sustainability of trade under controllable risks.

3.91. Australia responded to China by underscoring the high standards of its food system and the quality of its agricultural products. Australia regretted that China had not honoured their bilateral commitments, the lack of progress on market access requests, and the unresponsiveness to the requests for engagement. Australia highlighted that it had responded to all requests for information from China and had undertaken corrective actions in a timely and transparent manner. Noting that other trading partners had also raised concerns on delays and lack of transparency, Australia believed that China's actions were inconsistent with WTO obligations.

3.92. In response to China, Canada emphasized the adherence of all Canadian federally licensed establishments to internationally accepted standards and food safety requirements. In case of any potential food safety risks, appropriate actions were taken immediately by Canada to prevent contaminated foods from entering the domestic and international food supply. Despite the fulfilment of all the requests, including audits on Canadian establishments, China had not responded to approve and publish the eligibility for exporting establishments.

3.2.10 Panama's undue delays in the renewal of authorizations for plants of Peruvian fishery and livestock enterprises (ID 509) - Concerns of Peru

3.93. Peru expressed its concern regarding Panama's undue delays in renewing authorizations for fishery and livestock enterprises. Peru considered Panama's actions to be inconsistent with Articles 2.2, 5.1 and 8, and Annex C of the SPS Agreement, as no response had been provided by Panama concerning the pending requests for authorization. Peru emphasized that Panama had failed to communicate the anticipated processing period, and that the timeframe that would be granted to Peruvian enterprises in case of renewal of authorizations was uncertain. Peru requested Panama to renew the authorizations for Peruvian export plants, to provide new authorizations and to avoid undue delays. Peru submitted its statement in document [G/SPS/GEN/1974](#).

3.94. Costa Rica supported this concern regarding Panama's trade-restrictive practices. Costa Rica called upon Panama to address Members' concerns, which were indicative of an inadequate application of SPS measures and a non-observance of the obligations in the SPS Agreement.

3.95. Panama indicated it would report the information provided to capital and that the STCs were being addressed bilaterally. Panama hoped to move forward in the search for solutions in this matter.

3.96. Disappointed by Panama's response, Peru urged Panama to provide answers to its communications and to hold a meeting as soon as possible.

3.2.11 Panama's authorization of Federal Inspection Type establishments (ID 515) - Concerns of Mexico

3.97. Mexico reported the resolution of this STC after receiving information from Panama regarding the authorization of Federal Inspection Type establishments for meat exports. Mexico thanked Panama for its efforts and reiterated its willingness to maintain an open communication between authorities.

3.98. Panama confirmed the temporary authorization of a list of Federal Inspection Type establishments for exports of bovine products and by-products. Panama reiterated its willingness to continue to work constructively with Mexico and its trading partners.

3.2.12 Saudi Arabia's temporary suspension of Brazilian poultry exporting establishments (ID 486) - Concerns of Brazil

3.99. Brazil drew Members' attention to the tariff and non-tariff measures imposed by Saudi Arabia restricting market access of poultry without scientific evidence. Brazil considered Saudi Arabia's policies to be at odds with the SPS Agreement. In 2020, Brazil had become aware, through Letter No. 19672/E, that the Saudi Food and Drug Authority (SFDA) had temporarily suspended imports of products manufactured in two establishments without providing technical reasons. Brazil noted Saudi Arabia's reference to media reports on an investigation conducted in Brazil regarding an alleged fraud scheme in the production of animal feed, and clarified that neither of the plants affected by the suspension of imports had been involved in the investigation. Referring to its statement in previous meetings, Brazil recalled that another 11 plants had been suspended, without the possibility to provide technical clarifications. Brazil considered the restrictions to violate Articles 2, 5 and 8 and Annex C of the SPS Agreement, and urged Saudi Arabia to reconsider its restrictive measures as soon as possible.

3.100. Referring to its statements in previous meetings, Saudi Arabia stressed that the measures imposed on Brazilian establishments were intended to ensure food safety and the protection of human health and compliant with the provisions of the SPS Agreement. Brazil and Saudi Arabia had agreed to exchange information regarding the reasoning behind the temporary measures during a high-level official meeting in August. Saudi Arabia noted that measures were subject to review in light of any new information, and reaffirmed its commitment to transparency by notifying any new proposed changes to its SPS measures.

3.2.13 General import restrictions due to BSE (ID 193) - Concerns of the European Union

3.101. The European Union reiterated its concerns regarding unjustified and long delays in certain Member's approval of beef imports from the European Union in light of BSE. In its view, the delays in the approval procedures of some Members, in particular Argentina, Australia, Brazil, China, Egypt, Jordan, South Korea, Malaysia, South Africa, Chinese Taipei and the United States, were inconsistent with Article 8 and Annex C of the SPS Agreement. The European Union urged all Members to comply with their obligations under the Agreement; to apply international standards; to lift remaining BSE-related restrictions for all EU member States; and to finalize the remaining pending approval procedures without further delay. The European Union remained open to continue to work constructively with all trading partners.

3.102. Switzerland supported the concern, highlighting that it was recognized by the OIE as having negligible BSE risk. Two cases of BSE in 2012 and 2020 had been reported in a transparent manner to the OIE. Switzerland urged trading partners to lift remaining import restrictions due to BSE, and to allow imports of beef products from Switzerland.

3.103. Referring to statements in previous meetings, China highlighted that great caution was taken when importing cattle and related products from countries where BSE was reported, to ensure public

health and the safety of the industry. China noted it had carried out technical exchanges with the European Union to solve relevant technical issues. Based on the premise that BSE risk could be controlled, EU member States could apply for export licenses through bilateral channels. China assured it would carry out risk assessments and improve the relevant measures according to the assessment results.

3.2.14 China's import restrictions due to African swine fever (ID 392) - Concerns of the European Union

3.104. The European Union expressed concerns regarding China's ASF-related country-wide import bans on pork products from EU member States, including from those that had successfully eradicated the disease in livestock and wildlife and regained a disease-free status in accordance with OIE rules. The European Union explained that since 2015, China had expanded rather than lifted the unjustified trade bans, despite having the same sanitary profile as the European Union. The European Union requested clarification on the difference in the risk profile between imported and domestically-produced pork products. The European Union called upon China to respect its obligations under the SPS Agreement and OIE standards, to allow trade from disease-free areas, and to engage in meaningful, solution-oriented exchanges.

3.105. China noted the success of the strict measures adopted to prevent and control ASF since the disease was introduced in 2018. According to OIE data, ASF had been reported in Poland, Latvia, Romania, Germany, Hungary, Bulgaria, and other countries in 2021. Noting the ongoing trade with some EU member States and the regional technical exchanges on ASF with France and Germany, China encouraged bilateral applications from EU member States for export licenses on the premise that the risk could be controlled. China expressed its willingness to carry out technical exchanges and to cooperate with the European Union.

3.2.15 Korea's import restrictions due to African swine fever (ID 393) - Concerns of the European Union

3.106. The European Union reiterated its concern regarding Korea's ASF-related ban on pork and pork products from several EU member States since 2014, which did not take into account EU regionalization measures. The European Union considered the measure to be more trade-restrictive than necessary. In addition, the European Union indicated that Korea had continued to receive detailed information on all outbreaks in full transparency and had received all necessary evidence demonstrating the effectiveness of the EU regionalization measures. The European Union regretted that Korea had not recognized the regionalization policy despite the detailed evidence provided. The European Union welcomed recent bilateral exchanges and encouraged continued constructive engagement with a view to finding a solution on this important matter.

3.107. Korea pointed out that the import ban on pork products from the ASF-affected countries was in accordance with the import health requirements agreed by the two parties. Consultations for the evaluation of the regionalization of ASF for EU member States were ongoing, and imports of pork meat from Belgium had resumed following the recent recovery of the country's ASF-free status. Korea reported that it had changed its internal regionalization recognition process to facilitate harmonization with international standards, and expressed its willingness to continue dialogue with the European Union to resolve the matter.

3.2.16 Mexico's import restrictions on pork (ID 489) - Concerns of Brazil

3.108. Brazil reiterated concerns regarding Mexico's restrictions on pork imports from Santa Catarina. According to Brazil, Santa Catarina had been recognized by the OIE as free from FMD without vaccination for the past 13 years, and FMD had last occurred 28 years ago. Underscoring the effectiveness of its National Program on Swine Health, Brazil considered that exports of pig meat to Mexico presented no risk since they came from a zone free from classic swine fever and FMD, as recognized by the OIE, and because pork imports would be thermo processed in Mexico before reaching households. Brazil was waiting for a response from Mexico on a proposed model international sanitary certificate for pig meat for industrial processing. Brazil argued that Mexico's restrictions were inconsistent with the principles of non-discrimination, harmonization and regionalization, and with Decision [G/SPS/48](#).

3.109. Mexico responded that its measures systematically recognized the principles of the SPS Agreement and remained concerned with the guarantees offered by the Brazilian authorities to demonstrate export safety with respect to regionalization. Mexico considered the two Brazilian normative instruments for the mobilization of animals to be conflicting, and noted that, in addition to the review of the technical information provided on the control of FMD in the state of Santa Catarina, a legal analysis of these normative instruments was ongoing in accordance with the SPS Agreement and the relevant international standards. Mexico highlighted differences in risk assessment calculations and invited Brazil to recalculate the data provided. Mexico indicated its willingness to continue working with Brazilian authorities and encouraged a continued technical dialogue to deal with this concern. In response to Brazil's queries, Mexico noted that it took into account the sanitary status in accordance with OIE recommendations, while also applying the national legislation. Mexico noted that it continued to import from countries with which it had established import protocols and agreed to specific risk mitigation measures.

3.110. Brazil appreciated the information provided by Mexico on the consideration of OIE recognition, and referred to [G/SPS/GEN/1932](#) outlining states and zones recognized by the OIE as FMD-free without vaccination. Regarding epidemiological calculations, Brazil argued that Mexico's approach was neither supported by the OIE Terrestrial Code nor by the available and relevant scientific evidence on the issue, and urged Mexico to revise its methods accordingly.

3.2.17 China's import restrictions due to highly pathogenic avian influenza (ID 406) - Concerns of the European Union

3.111. The European Union raised its concern regarding China's imposition, since 2015, of country-wide bans on several EU member States on account of highly pathogenic avian influenza (HPAI). The European Union had repeatedly requested China to lift country-wide import suspensions in accordance with the OIE Terrestrial Code and to recognize the principle of regionalization. The European Union regretted the lack of progress towards the resolution of this longstanding issue.

3.112. China highlighted that HPAI was a serious infectious disease affecting the poultry industry which continued to occur in some EU member States, affecting both wild and domestic poultry. China had suspended imports of live poultry from the European Union to protect the safety of its poultry industry. China welcomed extensive technical exchanges with the European Union and its member States through bilateral and multilateral channels, and expressed its willingness to maintain discussions and resolve this issue.

3.2.18 South Africa's import restrictions on poultry due to highly pathogenic avian influenza (ID 431) - Concerns of the European Union

3.113. The European Union regretted that South Africa maintained country-wide bans on poultry products from six EU member States following HPAI outbreaks, and had not lifted the trade restrictions in line with OIE recommendations. The European Union considered the measure to be at odds with Article 6 of the SPS Agreement. South Africa had carried out inspections in certain EU member States, and was familiar with EU veterinary services and the EU policy and regionalization system. The European Union called for South Africa to respect its obligations.

3.114. Noting the mutual commitment to continue engagement, South Africa encouraged the use of the principle of compartmentalization to avoid disruptions to trade. In South Africa's view, EU control measures were not in conformity with chapters 4.4 and 4.5 of the OIE Terrestrial Code. The process followed by South Africa for approval of trading partners in order to ensure an appropriate level of health protection for its poultry population had been extensively discussed with the European Union. South Africa remained committed to further constructive bilateral engagement.

3.2.19 Korea's import restrictions on poultry due to highly pathogenic avian influenza (ID 456) - Concerns of the European Union

3.115. The European Union reiterated its concern regarding Korea's country-wide bans on poultry imports from certain EU member States due to HPAI. The European Union had provided information on the sanitary control systems in place to demonstrate that avian influenza was reliably controlled, and that disease-free areas were likely to remain free. A recent update of the OIE Code on HPAI had reduced the waiting period to regain freedom from three months to 28 days. The European Union

urged Korea to lift the country-wide bans and recognize its harmonized regionalization measures. The European Union welcomed the recent exchanges with Korea and expressed its willingness to find a solution.

3.116. Korea indicated that it had imposed import bans on HPAI-affected countries according to the import health requirements mutually agreed upon by the two sides, and that bans on poultry meat imports from EU member States had been lifted upon recovery of the HPAI free-status. Noting the bilateral dialogue on ASF/HPAI regionalization procedures, Korea informed the Committee that it had notified the European Union of its decision to proceed with the ASF regionalization process for EU member States eligible for poultry export. Korea expressed its willingness to resolve the issue through technical consultations.

3.2.20 Chinese Taipei's import restrictions on poultry and beef (ID 521) - Concerns of Brazil

3.117. Brazil considered restrictions on poultry and beef imports to Chinese Taipei to be at odds with Article 5 and Annex C of the SPS Agreement. Brazil lamented of undue delays in the risk analysis process for poultry, despite having provided the necessary information. In its view, beef exports were also facing undue delays and market access restrictions, without scientific justification. Brazil urged Chinese Taipei to be more transparent and predictable in its approval procedures and indicated its openness to providing any information scientifically necessary to accelerate the risk analysis process.

3.118. Chinese Taipei explained that, regarding poultry meat products, exporting countries had to be recognized as free from HPAI and Newcastle disease (ND), and approved by a systematic inspection process. Brazil was recognized as HPAI-free, but not as ND-free, based on the results of a risk assessment. Chinese Taipei invited Brazil to conduct active surveillance and apply other measures in accordance with OIE guidelines, and to submit supplementary information for review, before resuming its application for recognition of ND freedom. Chinese Taipei would notify Brazil of the results of the review of the responses provided to the questionnaire of food safety on poultry. Regarding beef, Brazil was listed as a country where BSE occurred by the OIE. Chinese Taipei acknowledged reception of two questionnaires: a first questionnaire on BSE control, following which additional information, epidemiological investigation reports and an animal health questionnaire had been requested; and a second questionnaire on food safety, which would be reviewed in the order of applications.

3.2.21 The Philippines' trade restrictions on imports of meat (ID 466) - Concerns of the European Union and the Russian Federation

3.119. The Russian Federation expressed concerns regarding the Philippines' restrictions on imports of Russian beef and pork. Exports of pork and beef to the Philippines would only be allowed after receiving recognition from the OIE for FMD-, ASF- and lumpy skin disease-free status, as well as low-risk status for BSE-. The Russian Federation had submitted information on the domestic epizootic situation to the Philippines for the diseases at issue, and had not yet received a response. Noting the proposals made to hold bilateral meetings between competent authorities, the Russian Federation urged the Philippines to comply with obligations under Articles 6 and 8, and Annex C of the SPS Agreement, and to provide responses to its requests.

3.120. The European Union reiterated that the Philippines did not adhere to OIE international standards and maintained country-wide bans on imports of meat and meat products from EU member States on grounds of ASF or HPAI. The European Union recalled that nine EU member States were subject to country-wide import bans imposed by the Philippines on pork meat or poultry meat and relevant products, and considered that these measures were inconsistent with Articles 2.2 and 6 of the SPS Agreement. The European Union indicated that it had provided the necessary evidence demonstrating the effectiveness of disease control measures, and called on the Philippines to respect its international obligations and to allow trade from disease-free areas.

3.121. The Philippines maintained a temporary suspension of imports from seven EU member States and selected areas in two EU member States due to HPAI, and had lifted the suspension for four EU member States, based on its assessment of available technical information on disease situations and the effectiveness of controls implemented. Regarding ASF, the Philippines considered that the

technical information available was not sufficient to ease ASF import restrictions. The Philippines indicated that measures were regularly reviewed and updated in light of the available scientific information. In response to the Russian Federation, the Philippines indicated that it maintained import suspensions on poultry meat due to HPAI, and noted that the Russian Federation remained not accredited to export pork and beef due to its ASF, lumpy skin disease, and FMD status.

3.2.22 South Africa's import restrictions on bovine meat, pet food and other by-products of animal origin (ID 522) - Concerns of Brazil

3.122. Brazil raised concerns with South Africa's import restrictions on several products, and regretted the lack of response to several requests. Regarding bovine meat with bone and offal, Brazil had requested South Africa to lift the restrictions and had provided the information requested to perform a risk assessment on FMD. Regarding by-products of animal origin, Brazil was still waiting for a response to the model international sanitary certificates that it had proposed in 2017 and 2019, respectively. Regarding pet food, South Africa had requested changes to the proposed model sanitary certificate. In Brazil's view, South Africa's restrictions were at odds with Articles 2, 5, 8 and Annex C of the SPS Agreement.

3.123. South Africa responded that it currently allowed imports of deboned anatomically recognizable beef cuts from Brazil, excluding some products due to outstanding information on Brazil's FMD control and surveillance. Some information submitted by Brazil was considered incomplete and other was still under evaluation. South Africa was also awaiting a response on a proposed health certificate for pet food recently communicated to Brazil. Engagement between both countries was ongoing on bovine and porcine processed protein.

3.2.23 Non-publication of US final rule on importation of sheep, goats and certain other ruminants (ID 493) - Concerns of the European Union

3.124. The European Union reiterated its concerns about the unjustified and long delay in the publication of the US final rule on importation of sheep, goats and certain other ruminants. The European Union noted that this would only be the starting point for EU member States and other WTO Members to start the relevant approval procedure for exports of small ruminant meat. Considering that necessary technical and administrative work had been completed in 2017, the European Union considered the accumulated delays to constitute a violation of Article 8 and Annex C of the SPS Agreement. The European Union urged the United States to comply with its obligations under the SPS Agreement, to apply international standards, to lift remaining TSE-related restrictions for all EU member States, not to further delay the publication of the final rule and to provide precise indications on the necessary remaining steps prior to the publication of the final rule. The European Union indicated its openness to continue working constructively with the United States.

3.125. The United States indicated that it continued to work through its administrative procedures regarding the status of the final rule to change BSE-related restrictions for non-bovine ruminant species and most sheep and goat products. Noting their bilateral engagement, the United States looked forward to continuing cooperation with the European Union. While a timeline for publication of the final rule could not be provided, the United States encouraged EU member States interested in exporting sheep and goat meat products to the United States to submit an equivalence request to the US Department of Agriculture Food Safety and Inspection Service (USDA FSIS).

3.2.24 Guatemala's restrictions on egg products (ID 413) - Concerns of Mexico

3.126. Mexico reiterated its concern regarding the import restrictions imposed by Guatemala on thermally processed egg products, which could be a violation of fundamental principles of the SPS Agreement and of the FTA between Mexico and Central America. While all the necessary technical information demonstrating the safety of the products had been submitted, the delay in the responses had hindered the progress of negotiations. Mexico had been informed by Guatemala that the questionnaire submitted for the evaluation of the veterinary services was not compliant. Mexico requested Guatemala to consider its questionnaire as compliant, to prioritize the resolution of this concern and continue bilateral discussions, and to allow imports of the products in question. Mexico looked forward to resolving this trade concern as soon as possible, through technical dialogue between both countries.

3.127. Guatemala informed the Committee that this issue had been addressed in a bilateral meeting between the relevant authorities of both countries. Guatemala indicated that it was awaiting a response on one of the official communications on the legal and technical follow-up on the matter.

3.2.25 The Russian Federation's import restrictions on processed fishery products from Estonia and Latvia (ID 390) - Concerns of the European Union

3.128. The European Union reiterated its concerns regarding import bans on fishery products from Estonia, and considered that these measures were inconsistent with the SPS Agreement. Estonia had held several bilateral discussions with the Russian Federation and had conducted follow-up actions towards the lifting of trade restrictions, without satisfactory progress. The European Union hoped that all Estonian fishery establishments compliant with the requirements of the Russian Federation would regain access to the Russian market in the near future, and called on the Russian Federation to repeal its measures. The European Union indicated the availability to continue cooperation with the Russian Federation to resolving the matter.

3.129. The Russian Federation recalled that the temporary restrictions imposed on imports of fish products from Latvia and Estonia were due to violations in the fish product safety control system, as detected by inspections in 2015 and 2016. Follow-up inspections carried out in Latvia and Estonia in 2016 and 2019, respectively, led to the lifting of certain restrictions. No additional requests to lift the restrictions nor letters with information confirming the elimination of violations in the food safety control system had been received.

3.2.26 India's new requirements for animal feed in the Food Safety and Standards Act, 2006 (dated 27 January 2020) (ID 479) - Concerns of the United States

3.130. The United States reiterated its concern regarding India's directive on animal feed, which omitted certain commonly used feed ingredients. The United States requested India to postpone the implementation of the measure until a specific written process was available and notified, and comments by Members on the proposed measure had been taken into consideration. The United States submitted its statement in document [G/SPS/GEN/1984](#).

3.131. India responded that Indian Standard 2052-2009 listed the ingredients for use in compounded cattle feed, and proposals for inclusion of more ingredients in the list could be submitted for the consideration of the relevant technical committee. India noted that the directive in question had entered into force as of 1 July 2021, following a period of 18 months for compliance. Taking into account the difficulties faced in obtaining Bureau of Indian Standards (BIS) certification and licensing during the COVID-19 pandemic, the deadline for businesses whose applications were still being processed had been extended to 1 January 2022.

3.2.27 India's approval procedures for animal products (ID 484) - Concerns of the Russian Federation

3.132. Acknowledging progress in the cooperation, the Russian Federation reiterated concerns regarding its inability to supply food products of animal origin to the Indian market, despite the repeated requests and the submission of relevant, scientifically based materials to the competent veterinary authorities of India. The Russian Federation regretted that India had not shared its view regarding regionalization for avian influenza and the access of Russian poultry products to the Indian market, and considered that India had incurred in unreasonable delays in the approval of veterinary certificates for poultry meat and poultry products (offal) and for fish products. The Russian Federation urged India to comply with Article 8 and Annex C of the SPS Agreement and requested India to complete its approval procedures without undue delay.

3.133. India was currently reviewing the responses provided by the Russian Federation.

3.2.28 Indonesia's approval procedures for animal and plant products (ID 441) - Concerns of the European Union and the Russian Federation

3.134. The Russian Federation expressed concerns regarding the lack of progress in Indonesia's approval of export certificates for poultry and cattle meat, milk and dairy products obtained from cattle and small cattle, canned food, sausages, table eggs and egg products. The Russian Federation

had sent several reminders on the pending approvals and had submitted questionnaires on poultry and beef establishments, but had received no response to its proposal to conduct veterinary inspections. The Russian Federation urged Indonesia to comply with Article 8 and Annex C of the SPS Agreement and to complete its approval procedures without undue delay.

3.135. The European Union reiterated its concerns about the lack of transparency, the limited feedback on requests for information on pending export applications, and the undue delays in Indonesia's approval procedures for imports of plant and animal products. Specifically, the European Union expressed concerns with the lack of progress on export applications for beef, dairy, poultry, pork, and plant products, and acknowledged the information provided by Indonesia on requirements and procedures related to imports of cereals. The European Union requested Indonesia to be transparent about its approval procedures and to finalize pending market access applications without undue delay.

3.136. Indonesia recalled the national regulations relevant to the importation of animal and plant products, and provided details on the timeline for the approval procedures for animal products, indicating that approval of establishment units could take up to three years. Indonesia noted its responsiveness in reporting on the applications of each EU member State, in accordance with Articles 7 and 8 of the SPS Agreement. Indonesia explained that some applications were pending due to outstanding documents or audit fee payments. Regarding plant products, Indonesia provided updates on recognitions and approvals granted to some EU member States. Indonesia concluded that most of the applications had been processed and invited EU member States to report on the progress to the EU representative in Geneva.

3.2.29 Proposed new EU rules on composite products (ID 504) - Concerns of Australia, the Russian Federation and Chinese Taipei

3.137. Australia was still concerned about the new EU rules for shelf-stable composite products under Regulations (EU) No 2019/625 and (EU) No 2020/2235. For Australia, these new rules were not commensurate with risk and had already restricted trade in shelf-stable composite products. The requirement that animal origin ingredients be sourced from EU-listed establishments for all composite products was unjustified. Australia considered that the private attestation requirement, which added transaction costs and brought no food safety benefits, could be eliminated without any impact on food safety. Referring to Articles 4 and 5 of the SPS Agreement, Australia requested the European Union to recognize equivalence of third countries and to establish measures commensurate with the level of risk, and asked for information on the process for consideration of alternative equivalent measures. Australia asked the European Union to reconsider the implementation of this regulation.

3.138. The Russian Federation considered that new EU rules for composite products were excessive and more trade-restrictive than necessary. Russian confectionery exporters, as well as other international companies, could not comply with the EU requirements for composite products. The Russian Federation was unclear on when audits on such Russian enterprises could take place.

3.139. Chinese Taipei reiterated its concern and noted the lack of strong correlation between the requirement for ingredients of processed products of animal origin in shelf-stable composite products to be produced by EU-approved establishments, and food safety risks to public or animal health. Chinese Taipei considered that there was insufficient scientific evidence to support the requirement for ingredients of processed products of animal origin used in trace amounts to be produced by EU-approved establishments. Chinese Taipei urged the European Union to review the requirement and to set a threshold level for ingredients of animal origin to be sourced from EU approved establishments based on risks to avoid unnecessary barriers to trade. Chinese Taipei looked forward to a response by the European Union on this matter.

3.140. The United States expressed concerns on the negative impact of the proposed model certificates notified under [G/SPS/N/EU/401](#), [G/SPS/N/EU/402](#) and [G/SPS/N/EU/403](#) on supply chains and trade. The United States expressed appreciation for the extension of the deadline to 15 January 2022 but considered that insufficient for trading partners to adapt to the requirements and to ensure that certificates accounted for regulatory oversight achieving a level of protection equivalent to that of the European Union. The United States submitted its statement in document [G/SPS/GEN/1981](#).

3.141. Supporting the concern, Japan noted that businesses continued to enquire about the categorization of items as composite product even after the entry into force of the regulation. Japan requested the European Union to provide clarification of affected products, and to respond to requests for information.

3.142. Referring to its previous statements, the European Union reiterated that the import conditions laid down in the new composite product legislation were all risk-based. While most of the rules remained unchanged, some of the changes related to the three-tier approach to categorizing composite products depending on their level of risk. The European Union highlighted that more flexibility was now offered, making it easier to source ingredients from other countries, with a longer list of composite products being exempted from controls at the border due to their lower risk, and through the replacement of official certificates by a private attestation for certain categories of shelf-stable and meatless composite products. Additional information explaining the new rules on composite products had been submitted in documents [G/SPS/GEN/1763](#) and [G/SPS/GEN/1786](#); all draft measure had been notified and all comments had been answered. A special website provided up to date information on the import conditions for composite products (https://ec.europa.eu/food/safety/international_affairs/trade/special-eu-import-conditions-composite-products_en).

3.143. The European Union noted that Commission Implementing Regulation (EU) No 2020/2235 provided for transitional provisions for the use of certificates issued in accordance with Regulation (EU) No 28/2012 for consignments of composite products. The transitional period had been further extended until 15 March 2022, as provided for in Implementing Regulation (EU) No 2021/1329, provided the relevant certificate was signed before 15 January 2022. Animal health requirements for the entry into the Union of shelf-stable composite products were laid down in Delegated Regulation (EU) No 2020/692. This was amended by Delegated Regulation (EU) No 2021/1703, which modified the requirements for shelf-stable products containing gelatine and collagen and simplified the treatment required for shelf-stable composite products containing dairy. The European Union clarified that the principle of equivalence was included in Regulation (EU) No 2017/625. The European Union remained open to continue the dialogue with interested Members.

3.2.30 US non-recognition of the pest-free status in the European Union for Asian longhorn beetle and citrus longhorn beetle (ID 471) - Concerns of the European Union

3.144. The European Union reiterated its concern regarding the US failure to recognize the EU pest-free status for Asian longhorn beetle and citrus longhorn beetle. Although it had satisfactorily finalized its scientific assessment, the European Union indicated that the United States had yet to publish a final Federal Order in this respect and to finalize the administrative procedure needed to formalize the recognition of pest-free status in 21 EU member States. The European Union urged the United States to formally accept the pest-free areas and to resolve this longstanding issue.

3.145. The United States assured the European Union that it was working through its administrative procedures to process this request. The United States noted the bilateral technical engagement on the matter, including through discussions during the October 2021 Plant Health Working Group meeting, and looked forward to continued cooperation.

3.2.31 US import restrictions on apples and pears (ID 439) - Concerns of the European Union

3.146. The European Union regretted that the United States had not finalized the approval of imports of apples and pears under a systems approach and had not yet published the final notice to allow trade to start, despite having concluded its assessment several years ago. The European Union indicated that trade of apples and pears was hindered by the high costs associated with the existing preclearance approach, and urged the United States to solve this matter without further delay.

3.147. The United States responded that it continued to work through its administrative procedures to process this request. Noting that the European Union was able to export apples and pears under the existing preclearance programme, the United States expressed its appreciation for the bilateral engagement on this issue, including during the October 2021 Plant Health Working Group meeting.

3.2.32 Chinese Taipei's phytosanitary risk assessment procedure on imports of fresh vegetables and fruits (ID 496) - Concerns of Ukraine

3.148. Ukraine regretted the lack of progress in the completion of pest risk assessments (PRAs) for imports of fresh vegetables and fruits from Ukraine. Following the bilateral meetings held and the provision of the priority ranking of products, Ukraine had received a new request for information. Ukraine lamented the undue delays in the procedures to conduct PRAs for onions and apples and considered Chinese Taipei's actions to be inconsistent with Article 8 and Annex C of the SPS Agreement. Ukraine urged Chinese Taipei to conduct transparent PRAs, to finalize Ukraine's applications and to transmit the results in a precise and complete manner.

3.149. Chinese Taipei noted that its experts had initiated the PRA following the confirmation by Ukraine of onions as its priority. Based on this review, Ukraine had been recently informed of the need to provide additional information. Chinese Taipei would continue the assessment upon receipt of the updated information.

3.2.33 Ecuador's import restrictions on grapes and onions (ID 498) - Concerns of Peru

3.150. Peru reiterated its concern regarding Ecuador's restrictive measures on Peruvian grapes and onions. Peru was of the view that Ecuador's actions constituted a violation of the legislation in place in Ecuador, of Articles 2, 3, 4, 5, 7 and 8, as well as Annexes B and C of the SPS Agreement, and of Codex Guidelines for the Exchange of Information Between Countries on Rejections of Imported Food. While the Technical Resolution DAJ-20133EC-0201.0096 had been notified in document [G/SPS/N/ECU/132](#), Resolution 0064, from 2017, had not been notified and Members had not been able to submit comments, despite the impact of the regulation on trade. Despite the exchanges held since 2014, Peru regretted that the answers received from Ecuador seemed to unnecessarily delay market access. Peru requested Ecuador to avoid proposing measures that violate the provisions of the SPS Agreement and the basic principles of the WTO; not to disregard the technical agreements previously developed; to notify its measure and provide opportunities for comments; and to reopen the market for grapes and onions. Peru submitted its statement in document [G/SPS/GEN/1975](#).

3.151. Ecuador thanked Peru for raising this concern and referred to its statement uploaded on eAgenda. In Ecuador's view, the mitigation measures established by Peru, following detection of dimethoate, procymidone and pyriproxyfen in grapes above allowed MRLs, were not effective in reducing contamination. Residues of difenoconazole and tebuconazole had also been detected. Ecuador was waiting for a response from Peru regarding the phytosanitary requirements and technical criteria sent to Peru's National Agrarian Health Service (SENASA) following the field visit undertaken after the document review of Peru's action plan.

3.152. Ecuador pointed out that sampling of onions from Peru had evidenced residues of endosulfan and dimethoate above established Codex MRLs. Ecuador had subsequently requested Peru to develop an action plan to mitigate contamination risks, and was currently reviewing the proposal received. Ecuador reiterated its willingness to continue working with Peru to reopen trade flows for grapes and onions.

3.2.34 Panama's restrictions and procedure to regain access for Peruvian potatoes and onions (ID 512) - Concerns of Peru

3.153. Peru raised concerns regarding Panama's restrictions and undue delays in granting market access to Peruvian onions and potatoes. Peru considered Panama's measures to be inconsistent with Articles 2, 5 and 8 and Annex C of the SPS Agreement. Panama had suspended the importation of onions in 2016 on the basis of an updated PRA. Trade in potatoes had been suspended in 2009 following the interception of a pest in a consignment at destination. In this respect, Peru regretted the lack of response on the phytosanitary protocol for the exportation of potato proposed in 2010. Peru requested Panama to reopen the market to Peruvian potato and onion exports and to avoid unnecessary barriers to trade. Peru submitted its statement in document [G/SPS/GEN/1976](#).

3.154. Costa Rica reiterated its concerns regarding Panama's practice of implementation of SPS measures which, in some cases, led to total restrictions of trade of a wide range of agricultural products. Costa Rica asked Panama to take into account Members' concerns, which were indicative

of an inadequate implementation of SPS measures, and a non-compliance of the obligations established in the Agreement.

3.155. While taking note of Members' comments, Panama considered the TBT Committee to be the appropriate forum to address this concern. Panama informed the Committee that it had nonetheless been addressing Members' concerns and expressed its willingness to continue to work constructively with its trade partners.

3.2.35 India's import requirements for pulses (ID 497) - Concerns of Canada

3.156. Canada reiterated its concern regarding India's trade-restrictive measures on pulses, including mandatory fumigation requirements and measures on weed seeds. Canada indicated that, in the Plant Health Technical Working Group between both countries, India had committed to respond on the fumigation issue by the end of 2021. Turning to India's measures on weed seeds, Canada noted that India had added 26 new weed seed species to its List of Quarantine Weed Seeds in October 2019. In Canada's view, these actions were inconsistent with the principles of transparent and predictable international rules-based trade. Canada continued to seek an early resolution to these outstanding issues.

3.157. India stated that the pulse export pilot programme submitted by Canada was currently under examination and that it would convey its decision to Canada.

3.2.36 India's requirement for certificate for non-GM origin and GM-free status (ID 501) - Concerns of the United States

3.158. The United States reiterated its concerns with India's measure mandating non-GM (genetically modified) origin and GM-free certificates for certain agricultural imports into India, notified as [G/TBT/N/IND/168](#). Noting that no scientific justification nor risk assessment for the measures had been provided, the United States continued to seek technical cooperation with the Food Safety and Standards Authority of India, for which it had not received a response to date. The United States requested India to consider withdrawing its measure, or to develop alternative approaches that were less trade-restrictive. The United States submitted its statement in document [G/SPS/GEN/1985](#).

3.159. Acknowledging the ongoing cooperation, Australia remained concerned that India's regulation created unnecessary costs and additional regulatory burden on Australian exporters and Indian importers of products such as apples, canola, plums, and wheat. Australia requested India to notify its measure to the SPS Committee and to consider adopting a less trade-restrictive alternative arrangement. Australia looked forward to further engagement with India.

3.160. Japan shared the concern and considered that the proposed requirements would create unnecessary trade barriers and have negative impacts on agricultural trade. Japan controlled the import, distribution and cultivation, in order to ensure the safety of GM food. Regretting the entry into effect of the Order without taking Members' comments into account, Japan requested India to waive the certification requirement for Members managing GM food appropriately.

3.161. Argentina supported the concern regarding India's measure notified as [G/TBT/N/IND/168](#), and highlighted that measures should be based on science and a risk analysis, as well as on international standards. Argentina sought further information on the scientific evidence underpinning the measure and on how the measure contributed to food security.

3.162. Canada reiterated its concern about the implementation of India's Order, that would impact exports of GM-producing Members to India and unnecessarily restrict international trade. Canada recalled its request for India to notify the Order to the SPS Committee, to suspend the implementation of this measure and to consider the scientific and technical information in its approach to support a transparent, predictable, risk- and science-based trading environment. Canada looked forward to a response to the comments submitted through India's TBT Enquiry Point, and remained available for further bilateral discussion.

3.163. Uruguay noted the international consensus on the equivalence between GM products approved by exporting countries based on Codex recommendations and their equivalent

conventional counterparts. As such, Uruguay considered that there was no technical justification for India's measure to achieve the legitimate objective of food safety, and that the Order should be notified to the SPS Committee. Highlighting the need for science-based measures, Uruguay looked forward to India's response to the concerns submitted, including through a joint communication by several Members in January 2021.

3.164. Paraguay recalled their intervention at the July meeting of the Committee.

3.165. Brazil expressed its concern regarding India's Order notified as [G/TBT/N/IND/168](#). Brazil was not aware of the publication by India of a regulatory impact assessment, a risk analysis nor a technical document linking the regulation and its objectives, which raised concerns about transparency in India's regulatory process. India's regulation was expected to harm Brazilian exporters of apples, cowpea beans, tobacco and corn. In Brazil's view, GM exemption guarantees for these crops would only add unnecessary costs and regulatory burdens to food value chains, without scientific justification and with no additional benefits to food safety. Recalling the provisions of Article 5.5 of the SPS Agreement, Brazil requested India to indicate whether alternative measures had been considered and whether the measure had been the result of a risk assessment. Brazil remained open to engage with India to find appropriate solutions to this matter.

3.166. New Zealand considered that India's requirements unnecessarily increased costs of existing trade, and asked for a scientific and risk-based justification for this measure that also applied to countries free of the specified GMOs, such as New Zealand. New Zealand requested India to consider less trade-restrictive options based on risk to consumers, as relevant to the trade between the two countries concerned. The solution proposed by New Zealand, to accept a country-wide assurance as an alternative to consignment-to-consignment certification for a specified period of time, would reduce the burden and costs associated with existing certification without reducing any level of protection.

3.167. India reiterated that the requirement to regulate imports of GM food had already been notified to the WTO as the Environment Protection Act 1986. In India's view, the Order was not trade-restrictive as consignments of the identified commodities, accompanied by the requested certificate, were being imported to India. So far, the Genetic Engineering Appraisal Committee had not approved any of the crop varieties of GM- or GE-origin listed in the Order.

3.2.37 Request for information on the EU Farm to Fork Strategy (ID 499) - Concerns of Guatemala

3.168. Guatemala expressed its concern regarding the impact of the EU Farm to Fork Strategy on third country agricultural exporters as of 2022. In Guatemala's view, the internal EU objective to transform 25% of agricultural production land into organic by 2030 should not create negative impacts on third countries. Guatemala was concerned by the disadvantages that the reform of the EU Common Agricultural Policy to transit to organic production could have on developing countries, and by the indirect demand for tropical countries to convert to organic production of exports to the European Union. Guatemala deplored of the differential treatment granted to European producers concerning emergency authorizations for thiamethoxam, despite the environmental concerns indicated in [G/SPS/GEN/1868](#). Finally, Guatemala stated that the negotiation of equivalence agreements, proposed as an alternative solution, would require at least two years before approval.

3.169. Expressing its appreciation for the information provided on the Farm to Fork Strategy, Paraguay continued to have questions on the Strategy, including on the lack of impact assessment for the numerical targets established by the European Union and the intention to implement its domestic Strategy extraterritorially. Concerned by the information that no import tolerances for certain substances would be granted for environmental reasons, Paraguay sought confirmation that emergency authorizations would not be granted for those same reasons.

3.170. Pointing out the difference between Guatemala's statement and the information provided in eAgenda, the European Union recalled the objective of the Farm to Fork Strategy in relation to food security and safety and questioned whether this point could be raised as a trade concern. The Farm to Fork Strategy was a policy paper with no legal effect. It envisaged a mix of regulatory and non-regulatory measures that would be taken forward in line with good regulatory principles. The

European Union indicated it had organized information activities and was engaging with trade partners to accompany the transition towards more sustainable use of pesticides.

3.171. Acknowledging an error in the statement uploaded in eAgenda, Guatemala reiterated the outstanding concern regarding the Strategy and its potential impact on trade, in spite of a virtual seminar that had taken place in October.

3.3 Information on resolution of issues ([G/SPS/GEN/204/Rev.21](#) and [G/SPS/GEN/204/Rev.21/Corr.1](#))

3.3.1 Panama's authorization of Federal Inspection Type establishments (ID 515) – Concerns of Mexico

3.172. The Chairperson recalled that Mexico's concern regarding Panama's authorization of Federal Inspection Type establishments (ID 515) had been reported as resolved under agenda item 3.b. The Chairperson encouraged Members to work together to find solutions to existing concerns to facilitate trade and implementation of the SPS Agreement and indicated his willingness to assist in this process.

4 OPERATION AND IMPLEMENTATION OF THE SPS AGREEMENT

4.1 Equivalence

4.1. No Member provided any information under this agenda item.

4.2 Pest- and disease-free areas (regionalization)

4.2.1 Information from Members

4.2.1.1 Ukraine – Self-declaration of Ukraine on freedom from avian influenza

4.2. Ukraine announced its freedom from avian influenza to the SPS Committee. A programme of active and passive monitoring of avian influenza had been introduced since 2004, in accordance with the OIE Terrestrial Code. Ukraine had informed its trading partners that, as of 28 May 2021, it met all the OIE requirements as a "country free from infection with HPAI viruses in poultry", as published on the OIE's website. Ukraine stated that Members should not impose bans on poultry commodities in response to notifications of infection of birds other than poultry or infections of domestic or captive wild birds with low pathogenicity avian influenza viruses, nor to other information on the presence of any non-notifiable influenza A virus in birds.

4.2.1.2 United States – African swine fever protection zones

4.3. The United States informed the Committee that it had temporarily suspended the interstate movement of all live swine, swine germplasm, swine products, and swine by-products from Puerto Rico and the US Virgin Islands to the mainland United States, to prevent introduction of ASF following outbreaks in Dominican Republic and Haiti. The Animal and Plant Health Inspection Service (APHIS) had submitted to the OIE its self-declaration of establishment of a protection zone for Puerto Rico and the US Virgin Islands. The establishment of this protection zone would facilitate disease protection, limiting the overall spread of ASF, and allow for international trade to continue. This action would also provide additional safety beyond the controls in place to safeguard the US swine herd and protect US pork producers.

4.3 Operation of transparency provisions

4.4. The Secretariat provided an update on ongoing efforts to enhance, streamline and integrate SPS and TBT online tools. An information session had been held on 20 October 2021, including a demo of the new platform. The Secretariat reminded Members that the first part of the project had been the development of the SPS and TBT Trade Concerns Database (TCD), which was currently available in beta version and had been presented to Members in March 2021. A new centralized platform integrating the SPS and TBT IMS, SPS and TBT NSS, and the ePing SPS and TBT notification alert system was currently being developed. The new platform would allow users to search SPS and

TBT notifications, receive alerts, and exchange comments. Users would also be able to search STCs on the new platform, but would be redirected to the TCD for additional data and filters on STCs. From the new platform, authorized users would be able to access eAgenda, which remained a standalone platform. A search for other types of documents would be added in a later phase. The Secretariat would also provide a new url to Members using the XML feed. It was expected that the pilot testing phase would begin before the end of the year and Members would be invited to test the platform and provide feedback to the Secretariat. Following this, the platform would be launched during the first quarter of 2022.

4.4 Control, inspection and approval procedures

4.5. No Member took the floor under this agenda item.

4.4.1 Working Group on Approval Procedures ([G/SPS/W/328/Rev.1](#))

4.5. The Chairperson noted that further to the informal meeting of the Committee, a draft report on the work on the Working Group (WG) on Approval Procedures had been circulated with an opportunity for Members to provide comments by Wednesday, 10 November 2021. The final version of the report is included in [Annex A](#).

4.6. Paraguay recalled that the report of the Fifth Review did not provide information on the timeline for the WG on Approval Procedures. Paraguay added that, in document [G/SPS/W/328/Rev.1](#), it was noted that the Working Group would conclude in November 2021, unless the WG and the SPS Committee agreed to extend the timeframe. The co-stewards proposed to extend the work of the WG for another year. Paraguay highlighted the WG's valuable exchanges on approval procedures, its development of a common understanding on approval procedures for purposes of its work, and its collection of existing tools and best practices. Canada looked forward to extending the timeframe to allow participants to undertake discussion on the key challenges and principles of approval procedures, and the role of the SPS Committee in these areas. Canada thanked the WG's participants for their continued engagement.

4.7. The Chairperson drew the Committee's attention to the discussions at the informal meeting regarding the proposal for an extension of the WG's timeline for one year. The SPS Committee agreed to extend the WG for another year, until November 2022.

4.5 Special and differential treatment

5.1. No Member provided any information under this agenda item.

4.6 Monitoring of the use of international standards

4.6.1 New issues

5.2. No new issues were raised under this agenda item.

4.6.2 Issues previously raised

4.6.2.1 European Union – ASF restrictions not consistent with the OIE international standard

4.8. The European Union drew the Committee's attention to inconsistencies in the application of OIE international standards related to ASF. The European Union considered that many Members did not follow the OIE Terrestrial Code guidance for identification, treatment, and certification of tradable products and zoning. The European Union highlighted that ASF could be managed effectively to ensure that legitimate trade was not the cause of any outbreak, as presented in the Thematic Session held in March 2021. The European Union added that ASF was a disease affecting WTO Members that were connected by longstanding trade relations, and considered that it was a shared interest to maintain free and safe trade of pork and its products. Members were invited to work with the European Union on the substitution of country-wide trade bans by science-based, rational and proportionate measures.

4.6.2.2 European Union – HPAI restrictions not consistent with the OIE international standard

4.9. The European Union regretted that some Members disregarded their obligations under Article 6 and Annex C of the SPS Agreement. Country-wide bans after a disease outbreak were not scientifically justified where effective movement controls were in place, and there was no justification to wait one year or more to restore disease-free status. Noting the revisions regarding avian influenza in the Terrestrial Code adopted in the 88th OIE General Session of May 2021, the European Union asked Members to lift trade restrictions 28 days after eradication of HPAI and disinfection and reinstate trade conditions applicable to disease-free countries; to refrain from trade restrictions after reported cases of HPAI in wild birds and from trade restrictions after reported cases of low pathogenicity avian influenza (LPAI); to respect their obligations on regionalization under the WTO SPS Agreement; to follow the recommendations of ISSBs; and to allow trade from non-affected zones.

4.10. The OIE informed the Committee of the adoption of revisions of two chapters of the OIE Terrestrial Code: chapter 10.4, on infection with HPAI viruses, and chapter 1.3, regarding the names of relevant diseases. Key amendments included a focus on infection with HPAI viruses in line with the changes to the OIE listed disease. It included new articles listing safe commodities, defining a compartment free from HPAI and recommendations for its establishment. It also included new and revised recommendations on surveillance, including for demonstrating freedom from HPAI and revised provisions related to recovery of freedom. Modifications to the list of relevant disease names in chapter 1.3 were also adopted. In addition, a revised Terrestrial Manual chapter 3.3.4 on avian influenza was adopted in May 2021 and included amendments to reflect current knowledge of the disease, and ensure alignment with changes adopted in the Terrestrial Code chapter.

4.6.3 New Zealand – Procedure to Monitor the Process of International Harmonization

4.11. The Chairperson drew the Committee's attention to New Zealand's submissions on the Procedure to Monitor the Process of International Harmonization ([G/SPS/GEN/1851](#), [G/SPS/GEN/1877](#) and [G/SPS/GEN/1915](#)) and recalled that Members had had an opportunity to discuss these submissions at the informal meeting. A draft report on the discussions had been circulated to Members with an opportunity to provide comments by Wednesday, 10 November. The final report of the discussions held in the informal meeting is included in [Annex A](#).

4.12. Codex recalled that an overview of its project to design a monitoring framework for Codex standards had been presented at the Thematic Session on the Procedure to Monitor the Process of International Harmonization, held on 2 November 2021. Codex indicated that it expected initial results from the project towards the end of 2021 and intended to provide an update at the March 2022 Committee meeting. Codex also drew Members' attention to upcoming elections of officers for the Codex Alimentarius Commission and invited SPS delegates to ensure that they were registered to vote and to address questions to codex@fao.org.

4.13. South Africa encouraged the WTO Secretariat to collaborate with ISSBs to advocate for the allocation of adequate technical and financial resources to the initiatives to monitor the implementation of standards. South Africa also encouraged ISSBs to report to the SPS Committee on the status of these initiatives.

4.14. The Chairperson recalled that Members had a further opportunity to submit comments on New Zealand's proposals by Friday, 3 December.

4.6.4 Report on the Thematic Session on the Procedure to Monitor the Process of International Harmonization

4.15. The Chairperson recalled that a Thematic Session on the Procedure to Monitor the Process of International Harmonization was held on Tuesday, 2 November 2021. The Chairperson reminded Members that a draft report had been circulated to Members with an opportunity to provide comments by Wednesday, 10 November. The final report is included in Annex B.

4.7 Follow-up to the Fifth Review of the Operation and Implementation of the SPS Agreement ([G/SPS/64](#) and [G/SPS/64/Add.1](#))

4.7.1 Report on the Informal Meeting

4.16. The Chairperson drew the Committee's attention to the draft report on the informal meeting of the Committee of 3 November 2021, specifically referring to the summaries of the discussions on the follow-up to the Fifth Review and the upcoming thematic sessions for 2022. The draft report had been circulated to Members with an opportunity to provide comments by Wednesday, 10 November. The final report is included in [Annex A](#).

4.17. The Committee agreed to the following schedule for thematic sessions to be held in 2022:

- March 2022: a thematic session on trade facilitative approaches to pesticide MRLs, including substances not approved for use in an import market, as proposed by Australia, Colombia, Paraguay and the United States ([G/SPS/GEN/1947](#));
- June 2022: (i) a thematic session on the use of virtual audits and verification systems in regulatory frameworks, as proposed by Australia ([G/SPS/GEN/1949/Rev.1](#)); and (ii) a session on transparency organized by the Secretariat, where Members would learn about the new platform integrating SPS and technical barriers to trade (TBT) online tools;
- November 2022: a thematic session on international standards and best practices in pest risk identification, assessment and management, as proposed by the European Union ([G/SPS/GEN/1951/Rev.1](#)).

4.18. The Chairperson invited Members to submit comments on the proposals for thematic sessions, including suggestions of speakers for the March 2022 thematic session by Friday, 3 December 2021.

4.19. The United States requested an extension of the deadline for comments and suggestions of speakers for the March 2022 thematic session. The Committee agreed to extend the deadline for comments to Monday, 13 December.

4.8 Chairperson's Annual Report to CTG

4.20. The Chairperson reminded delegates that he would submit a factual report on the activities of the Committee for consideration by the CTG at its meeting on 1-2 November 2021. The Chairperson also noted that a first version of the report had been made available to Members for comments. The report would be revised to reflect to Committee's work at the present meeting, following which Members would have another opportunity to review the report before it is submitted to General Council. The final report was circulated as [G/L/1413/Rev.1](#).

5 CROSS-CUTTING ISSUES

5.1 Canada and the United States – SPS Declaration for the 12th WTO Ministerial Conference ([G/SPS/GEN/1758/Rev.8](#) and [G/SPS/GEN/1960](#))

5.1. The United States acknowledged Panama and Ukraine as the most recent co-sponsors of the SPS Declaration for MC12. Many Members shared concerns on similar global issues that would affect agricultural production and trade, and were interested in addressing them in the SPS Committee. Referring to [G/SPS/GEN/1960](#), the United States highlighted the importance of science and innovation for a sustainable and more productive agriculture. The co-sponsors had jointly constructed a work programme to explore the critical SPS challenges facing 21st century agricultural production and trade, captured through discussions with Members and phrased in a neutral way to ensure a deeper engagement on the topics without presupposing any specific outcomes. It was the view of the co-sponsors that transparent, science and risk-based approaches would be essential to meet the demands of improving sustainability, safely feeding a growing population and responding effectively to emerging diseases and climatic pressures. The United States considered that the SPS Declaration acknowledged the resiliency of the principles of the SPS Agreement in supporting food and agriculture trade and advanced the functioning of the WTO as the deliberative body. The United States clarified that the proposed work programme did not launch negotiations of new obligations under the SPS Agreement. The United States thanked Members for their active engagement, and optimistically looked forward to an outcome at MC12.

5.2. Canada recalled that the SPS Declaration had been proposed to underline the benefits of the SPS Agreement to WTO Members and to reaffirm the continuing importance of adhering to its obligations. Canada talked about the new opportunities and emerging pressures relating to international trade in food, animals and plants resulting from the evolution of the global agricultural landscape since 1995. Canada hoped that document [G/SPS/GEN/1960](#) illustrated the challenges facing WTO Members and provided greater confidence and context to the SPS Declaration. Having observed openness towards the development of a multilateral SPS Declaration, Canada thanked Members for their discussion and insights, including at the informal meeting, which had helped to further refine the Declaration. Canada anticipated the Declaration to be placed on the agenda of the next General Council and encouraged Members to reach out to the co-sponsors for additional information ahead of MC12.

5.3. Encouraged by the increasing support to the proposal, Brazil considered the SPS Declaration to be a positive response to emerging challenges in the agricultural landscape. In Brazil's view, the work programme contained topics of importance to all Members and would favour dialogue on new challenges related to sustainability, climate change, food security, access and use of innovative tools and technologies, rural development and employment. Emphasizing the importance of transparency and science and risk-based approaches, Brazil considered that improving Members' adherence to the SPS Agreement was essential to reach the goal of safe, affordable, and sustainably produced food for all. The co-sponsors had taken into account the legitimate concerns and reservations expressed by some Members, and Brazil expressed its willingness to engage further to overcome different views. Brazil concluded that MC12 was an opportune moment to further reflect on the challenges ahead in the implementation of the SPS Agreement.

5.4. Belize thanked the United States and Canada for spearheading the development of a background paper contained in [G/SPS/GEN/1960](#), highlighting critical elements of the SPS Declaration. Belize considered that it identified a range of topics of interest to all Members and sought to elevate the importance of the SPS Agreement to the highest decision-making level. Belize reiterated its full support for the SPS Declaration, welcomed Panama and Ukraine as the newest co-sponsors, and encouraged other Members to become co-sponsors.

5.5. Panama considered that the SPS Declaration was an opportunity to reflect on the achievements of the SPS Agreement and noted the importance of a forward-looking work programme to facilitate work on emerging issues in international agricultural trade. In Panama's view, it was essential to recognize the challenges and pressures on the global agri-food system, which would be increasingly common. Panama invited Members to support the Declaration to strengthen the multilateral trading system and the SPS Agreement.

5.6. Peru stressed that the SPS Declaration highlighted the advantages and existing sanitary challenges, and was an opportunity to advance future work of the SPS Committee on emerging trade issues. Peru emphasized the need to correctly implement the SPS Agreement, in particular the use of science-based SPS measures.

5.7. Appreciating the efforts by co-sponsors towards establishing the SPS Declaration, Indonesia considered that the draft proposal should take into account special and differential treatment and the acceleration of market access for developing countries and least-developed countries (LDCs).

5.8. Japan co-sponsored the Declaration and the background paper and hoped these documents gained wider support. In Japan's view, the Declaration addressed common challenges in the implementation of the SPS Agreement and contained available mechanisms to address such challenges, and proposed to undertake a work programme to identify new opportunities and challenges.

5.9. Noting the wide support among Members, Australia stated that the Declaration reflected the various views of different co-sponsors. Australia emphasized the importance of sustainable food systems and the crucial role of the SPS Agreement in underpinning international rules-based trade in agriculture.

5.10. Underscoring the good functioning of the SPS Committee, the European Union confirmed its reservation with respect to the draft Declaration. The European Union considered that the

Declaration lacked references to the current and future environmental and climatic challenges for trade in foods. The European Union stated that the proposal did not correspond to the features of a Ministerial Declaration.

5.11. Singapore encouraged more Members to join the SPS Declaration. Singapore highlighted the importance of issues contained in the Declaration to sustainable, safe and secure food supply chains. Singapore was of the view that the forward-looking nature of the work programme would enhance international cooperation on these issues.

5.12. Emphasizing the impact of SPS measures in the country, Colombia highlighted the importance of the Declaration, which referred to the analysis of trade challenges related to population growth, the increase in technological innovation, climate change and its impact on food production, sustainable agricultural practices, the spread of pests and diseases, and the application of SPS measures that constituted a disguised restriction on trade.

5.13. Mexico noted the wide diversity of co-sponsors to the Declaration. Mexico stressed that the Declaration reaffirmed the principles of the SPS Agreement while recognizing the evolution in the global agricultural landscape, and established a work plan to face the SPS challenges of the 21st century. Mexico clarified that the Declaration did not entail a renegotiation of the SPS Agreement, and invited Members who had not done so to join the Declaration.

5.14. Paraguay thanked Members for the contributions and exchanges, namely in the informal meeting of the Committee, and invited Members who had not done so to join the Declaration.

5.15. Honduras expressed its support to the Declaration and highlighted the need to continue to strengthen the implementation of the SPS Agreement. Honduras indicated that the Declaration offered an opportunity to develop a forward-looking work plan to face the SPS challenges of the 21st century.

5.16. Switzerland flagged its reservations on the current draft Declaration and noted that the proposal did not correspond to the style of a Ministerial Declaration. Switzerland regretted that the draft proposal did not reflect the acceleration of climate change, biodiversity loss and environmental degradation. In order to consider withdrawing its reservations, Switzerland suggested the inclusion of a reference to sustainable and innovative agricultural production systems in the list of opportunities and emerging pressures for international trade in food, animals and plants; and to specify the facilitation of sustainable and innovative agricultural production in the themes for exploration in the work programme.

5.17. Expressing its general support for the initiative, the Russian Federation considered the format of the SPS Declaration not to correlate with Ministerial Declarations. The Russian Federation had developed specific proposals on the wording for the draft document that it had transmitted to the co-sponsors.

5.18. Ukraine expressed its willingness to join the Declaration as a new co-sponsor. The Declaration reflected Ukraine's priorities to develop an effective system of agricultural production as well as to build global confidence in food safety standards. Ukraine was convinced that Members' efforts to enhance the implementation of the SPS Agreement would contribute to positive results.

5.2 COVID-19 and SPS issues

5.19. The Chairperson recalled that the informal Committee meeting of 3 November 2021 had included discussions on COVID-19 and SPS issues. These discussions had been summarized in his draft report on the informal meeting. The final report is included in [Annex A](#).

6 TECHNICAL ASSISTANCE AND COOPERATION

6.1 Information from the Secretariat

6.1.1 WTO SPS activities

6.1. The Secretariat provided Members with an overview of the technical assistance activities held since July 2021. These activities included the new SPS In-depth Virtual Course, held from 20 September to 8 October 2021. This course had been delivered virtually, in English, over a series of sessions of approximately 1.5-2 hours, dedicated to a comprehensive analysis of aspects related to the implementation of the SPS Agreement, and topical SPS issues to enable the effective participation of capital-based delegates in the SPS Committee. Other core components of the course included participants' self-study, inter-session assignments, group work and simulation of the SPS Committee. In addition, the course benefitted from the participation of current and former Chairpersons and several delegates, Codex, OIE, IPPC, other SPS experts and the STDF and WTO Secretariat. Participants had been encouraged to attend the thematic session held that week and the Committee meeting, in agreement with their respective Missions.

6.2. In terms of other activities, a national seminar had been held in virtual format for Ecuador, in October. The following more general training on the SPS Agreement had been provided: an UNCTAD session on Trade Facilitation and the SPS Agreement for Peru, in August; a WTO Virtual Regional Trade Policy Course for Latin America, including a SPS and TBT sessions, in September; an FAO virtual training on market access and PRA for Ethiopia, in October; a Short Virtual Course on Trade Policy for members of the Latin American Integration Association (ALADI), in October. The Secretariat highlighted upcoming activities that would include a virtual national SPS seminar, for Thailand; and a Virtual Regional SPS Workshop for Arab Countries, to be held on 22-25 November.

6.3. Further information on SPS technical assistance activities was available on the SPS gateway of the WTO website (under Events, workshops and training), or by contacting the Secretariat. Finally, the Secretariat noted that the E-Learning Course on the SPS Agreement was available all year long, in the three official languages of the WTO.

6.1.2 STDF ([G/SPS/GEN/1959](#))

6.4. The STDF Secretariat reported on its recent activities detailed in [G/SPS/GEN/1959](#). The STDF Annual Report for 2020, published in July 2021, and a practical guide on good regulatory practices to improve SPS measures, presented on 3 November, were available on the STDF website. The STDF highlighted that it was implementing several projects related to the topics proposed for thematic sessions to be held in 2022, discussed in the informal meeting of the SPS Committee. These included the use of remote inspection in the food safety area, the use of biopesticides to mitigate the risk of residues and the use of systemic approaches to control phytosanitary pests. The STDF noted that the deadline to apply for funding had been postponed to 18 February 2022. Finally, the STDF Secretariat announced a survey (<https://www.surveymonkey.com/r/STDFSPS2021en>) to measure STDF's contribution to a sustainable increase of SPS capacity in developing countries. The STDF thanked its donors for their contributions.

6.2 Information from Members

6.2.1 United States – Technical assistance to developing countries ([G/SPS/GEN/181/Add.14](#))

6.5. The United States informed the Committee that technical assistance amounting to more than 40 million USD had been provided to Members to support their implementation of the SPS Agreement between October 2018 and September 2019 ([G/SPS/GEN/181/Add.14](#)). The United States reiterated its commitment to provide technical assistance to developing countries on SPS issues, to support Members in meeting their international obligations, and to facilitate safe trade in agricultural products.

6.6. The Philippines appreciated the work of the United States in various technical assistance projects and activities. The Philippines' participation in the International Symposium on Biocontrol

and Integrated Pest Management for Crop Protection had contributed to expand farmer's toolbox in protecting crops yields against threats posed by pests and diseases. The Philippines was also grateful to be a recipient of the US Food for Progress Programme through the Building Safe Agricultural and Food Enterprises (B-SAFE Project), which it considered a vital springboard in transforming agriculture and reinforcing the farm to fork food safety regulatory system.

6.2.2 Canada – Technical assistance to developing countries ([G/SPS/GEN/1962](#))

6.7. [Canada](#) updated the Committee on the SPS-related technical assistance to developing countries delivered in 2020, for which it had committed approximately CDN \$17 million. Canada had delivered or initiated a total of 26 SPS-related technical assistance projects, which supported Thailand, Kenya, India, Mexico, Guatemala, Botswana, China, Nigeria, Ghana, Morocco, and Senegal. Canada's assistance addressed information, training, and soft infrastructure development, and covered most of the typical areas of competence listed in [G/SPS/GEN/206](#). More information was provided in document [G/SPS/GEN/1962](#).

6.2.3 Belize – Technical assistance received by Belize

6.8. [Belize](#) informed Members of its participation in a regional training sponsored by OIRSA entitled "Regional Identification and Diagnostic Training for Molluscs of Quarantine and Economic Importance with emphasis on Giant African Snail". The training touched upon various topics on molluscs, in particular the giant African snail (*Lissachatina fulica*), which could be a vector of diseases to humans and was a quarantine pest in many countries of the region. Belize thanked OIRSA for the organization of the training.

7 CONCERNS WITH PRIVATE AND COMMERCIAL STANDARDS

7.1. No Member provided information under this agenda item.

8 OBSERVERS

8.1 Information from observer organizations

8.1.1 ECOWAS ([G/SPS/GEN/1952](#))

8.1. The Chairperson drew the Committee's attention to the report of activities provided by [ECOWAS](#) in document [G/SPS/GEN/1952](#).

8.1.2 GSO ([G/SPS/GEN/1953](#))

8.2. The Chairperson drew the Committee's attention to the report of activities provided by [GSO](#) in document [G/SPS/GEN/1953](#).

8.1.3 OIRSA ([G/SPS/GEN/1955](#))

8.3. The Chairperson drew the Committee's attention to the report of activities provided by [OIRSA](#) in document [G/SPS/GEN/1955](#).

8.1.4 IGAD ([G/SPS/GEN/1956](#))

8.4. The Chairperson drew the Committee's attention to the report of activities provided by [IGAD](#) in document [G/SPS/GEN/1956](#).

8.1.5 ITC ([G/SPS/GEN/1958](#))

8.5. The Chairperson drew the Committee's attention to the report of activities provided by [ITC](#) in document [G/SPS/GEN/1958](#).

8.1.6 SADC ([G/SPS/GEN/1961](#))

8.6. The Chairperson drew the Committee's attention to the report of activities provided by SADC in document [G/SPS/GEN/1961](#).

8.1.7 IICA ([G/SPS/GEN/1965](#))

8.7. IICA reported on its activities, detailed in document [G/SPS/GEN/1965](#). IICA had concluded its second coordination session on WTO SPS Committee matters, addressing discussions on the WG on Approval Procedures, the SPS Declaration for MC12, STCs and proposals for 2022 thematic sessions. Concerning the support for SPS multilateral fora, in collaboration with the USDA and the African Union's Inter-African Bureau for Animal Resources (AU-IBAR), IICA had hosted a series of interregional virtual colloquia addressing several Codex Committees. These events provided an opportunity for participants to analyse issues of common interest and to develop regional participation strategies. Regarding animal health international standards, IICA and USDA had organized an OIE strategy session to discuss regional positions on various Code chapters. Under the umbrella of the GF-TADs, IICA was leading the inter-agency effort towards the implementation of capacity building initiatives for the ASF emergency response and control in the western hemisphere, with the objective of strengthening the technical capacities of the veterinary services.

8.2 Requests for observer status

8.8. The Committee decided to invite organizations with *ad hoc* observer status in the Committee to participate in all Committee meetings in 2022 – with the exception of any closed meeting – unless any Member raised an objection in advance of a meeting.

8.2.1 Pending requests

8.8. The Chairperson referred to document [G/SPS/W/78/Rev.15](#), listing the outstanding requests for observer status. The Chairperson indicated that, absent any intervention, he would assume that the positions of Members had not changed. No Member took the floor.

9 OTHER BUSINESS

6.1. No Member took the floor under this agenda item.

10 DATE AND AGENDA OF NEXT MEETING

6.2. The Chairperson recalled that the next regular meeting of the Committee was scheduled for 23-25 March 2022 and that the proposed calendar of meetings for 2022 was contained in [G/SPS/GEN/1910/Rev.1](#).

10.1. The Secretariat informed the Committee that it would prepare a summary report based on oral interventions at the meeting, complemented by Members' ability to download complete statements via eAgenda.

10.2. The Chairperson also reminded of the following deadlines:

- a. eAgenda closes for the uploading of statements: **Friday, 5 November 2021 (midnight Geneva time)**;
- b. For submitting comments on the Chairperson's draft report on the Thematic Session on the Procedure to Monitor the Process of International Harmonization and the informal Committee meeting: **Wednesday, 10 November 2021**;
- c. For submitting comments on New Zealand's submissions on the procedure to monitor the process of international harmonization ([G/SPS/GEN/1851](#), [G/SPS/GEN/1877](#) and [G/SPS/GEN/1915](#)): **Monday, 13 December 2021**;
- d. For submission of comments on the proposals for thematic sessions ([G/SPS/GEN/1947](#), [G/SPS/GEN/1949/Rev.1](#) and [G/SPS/GEN/1951/Rev.1](#)), including suggestions of speakers

for the March 2022 Thematic Session on Trade Facilitative Approaches to Pesticide MRLs:
Monday, 13 December 2021;

- e. For requesting that items, including STCs, be put on the agenda, AND for identifying new issues for consideration under the monitoring procedure: **Wednesday, 2 March 2022;**
and
- f. For the distribution of the annotated draft agenda: **Friday, 4 March 2022.**

ANNEX A

INFORMAL MEETING – 3 NOVEMBER 2021

REPORT BY THE CHAIRPERSON

1 FOLLOW-UP TO THE FIFTH REVIEW

1. At the informal meeting on 3 November 2021, the Committee discussed how to take forward some of the recommendations in the Fifth Review Report, as well as ongoing work in various areas.

SPS Committee Working Group on Approval Procedures ([G/SPS/W/328/Rev.1](#))

2. The co-stewards for the Working Group, Canada and Paraguay, provided an update on the activities of the Working Group.¹

3. In the first round of work (November 2020 to March 2021), participants had identified four main themes for the Working Group: (1) common understanding of "approval procedures"; (2) key challenges of approval procedures; (3) principles of approval procedures that facilitate international trade while meeting the importing Member's ALOP; and (4) tools available and best practices to enhance the implementation of the obligations of the SPS Agreement as they apply to approval procedures.

4. In the second round of work (March to July 2021), the discussions had focused on developing a common understanding of the term "approval procedures" and assembling a collection of available tools and best practices.

5. In the third round of work (July to November 2021), the Working Group concluded its discussions on a common understanding of approval procedures. This common understanding of approval procedures was developed for the purposes of the Working Group and to facilitate the discussions in the Working Group. The common understanding recalls that "approval procedures" are any procedure to check and ensure the fulfilment of SPS measures. The common understanding also refers to the 2019 Thematic Session on Approval Procedures, which had highlighted a number of types of approval procedures that Working Group participants may want to take into consideration. This common understanding does not represent a legal interpretation of the rights and obligations of the SPS Agreement and does not in any way constitute a legal definition.

6. Having concluded the discussions on the common understanding, the Working Group addressed key challenges of approval procedures that affect international trade and that the Committee should seek to address. A number of challenges had emerged from previous discussions, namely: (1) timing and undue delays; (2) transparency; (3) communication or information exchange; (4) justification and discrimination of approval procedures; (5) harmonization with international standards; and (6) other challenges such as COVID-19. To facilitate exchanges, the Working Group decided to address a few of these challenges at a time. At its meeting of 1 November 2021, the Working Group proceeded to discuss challenges associated with transparency and communication or information exchange.

7. Finally, at its meeting of 1 November 2021, the Working Group agreed that it would like to continue its work and extend its timeline for another year to allow the Working Group to continue its in-depth discussions on key challenges and address principles of approval procedures.

¹ The Working Group on Approval Procedures was established in November 2020. Twenty-five Members are participating in the Working Group: Argentina, Belize, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, the European Union, Japan, Mexico, New Zealand, Norway, Paraguay, Peru, the Philippines, the Russian Federation, Singapore, South Africa, Switzerland, Chinese Taipei, Ukraine, the United Kingdom, the United States, and Uruguay. The OECD is also a participant.

The co-stewards, on behalf of the Working Group, therefore proposed to extend the Working Group's timeline until November 2022.²

8. Following the co-stewards' update, I provided an opportunity for Members to raise any questions or comments on the activities of the Working Group. In particular, I invited Members to provide comments on the Working Group's proposal to extend the timeline for its work to November 2022. No Member took the floor. I noted that no objection had been made. I further indicated that I would revisit this point in the formal meeting of the Committee.

Exchange of experiences or continued discussions on various topics

9. We then discussed the recommendations that encourage Members to continue to exchange experiences or have continued discussions. I highlighted that these recommendations were found in various sections of the Fifth Review Report, such as: appropriate level of protection, risk assessment and science (para. 2.15); equivalence (para. 4.11); fall armyworm (para. 5.16); national SPS coordination mechanisms (para. 6.7); MRLs for plant protection products (para. 8.6); and regionalization (para. 9.15).

10. Similar to the July 2021 meeting, I again sought Members' views on the best way to move forward with these recommendations. I recalled that in the September 2020 consultations, one Member had observed that the proposed work plan for the MC12 SPS Declaration, also currently being discussed by the Committee, was consistent with these recommendations and could provide a pathway to continue exploring these topics. I also noted that in the November 2020 informal Committee meeting, another Member had reminded the Committee of its previously raised concerns regarding some of the topics covered by the recommendations. No comments had been received from Members in the July meeting.

11. In this week's meeting, I again invited Members to provide any further comments or suggestions on the identified recommendations. No Member provided additional inputs.

2 SPS DECLARATION FOR THE 12TH WTO MINISTERIAL CONFERENCE (G/SPS/GEN/1758/REV.8 AND G/SPS/GEN/1960)

12. The Committee also discussed the SPS Declaration for the 12th WTO Ministerial Conference. I first reminded Members that this proposal had previously been discussed in informal Committee meetings held this year and last year. I also drew attention to the proposal in document [G/SPS/GEN/1758/Rev.8](#)³, as well as a recently circulated background document ([G/SPS/GEN/1960](#)).

13. I then invited the proponents to provide an update. The United States first introduced the Declaration highlighting Members' deep concerns about the global issues that would affect agricultural trade and production in the future, while underscoring that the Declaration provided a forward-looking approach to these issues in the Committee. In this regard, the work programme had been constructed as an open-ended exploration of critical SPS challenges facing 21st century agricultural production and trade, informed by debates in the Committee over the years. Australia then explained the rationale for the Declaration, noting that it provided an opportunity to demonstrate to Ministers and the global community, the ongoing relevance and importance of the SPS Agreement, and the Committee's work to support rural livelihoods and sustainable growth.

14. In its overview of the work programme, Brazil highlighted that the Declaration aimed to strengthen the SPS Agreement, but not to launch negotiations on new obligations. The work programme had been formulated to capture elements of the 21st challenges in a neutral way, without prejudging the outcome of the discussions. Brazil also provided clarification on the proposed process for the implementation of the work programme, and noted the distinction between the Declaration

² In recommending, in the Report of the Fifth Review of the Operation and Implementation of the SPS Agreement ([G/SPS/64](#) and [G/SPS/64/Add.1](#)), that a working group be created to examine the topic of approval procedures, the Committee did not foresee a particular timeline for this working group. Canada's proposal for the Working Group contained in document [G/SPS/W/328/Rev.1](#), however, indicated that the Working Group would conclude at the November 2021 SPS Committee meeting, unless the Working Group and Committee agreed to extend the timeframe.

³ [G/SPS/GEN/1758/Rev.9](#) was circulated on 11 November 2021, also submitted to the General Council as [WT/GC/W/835](#).

(oriented towards the future) and the Review process (a retrospective, stock-taking exercise). The United States addressed specific aspects of the work programme, such as the focus on innovation, underscoring that the Declaration did not presuppose any specific outcomes or prejudge any of these new tools or technologies, but instead acknowledged the important role these tools would play in agricultural production and trade, which warranted further discussion in the Committee. Discussions were being held with several Members on the articulation of this point in the Declaration, and also in relation to capturing the visibility of developing countries.

15. Canada addressed issues related to sustainability and scope, noting that the Committee seemed to widely agree with the importance of sustainable food systems and the sustainable development goals from the UN Food Safety Summit, but that at the same time some Members were concerned that the work programme should only be used to examine issues within the Committee's mandate. In this regard, the co-sponsors were cognizant of not overlapping with ongoing work on sustainability in other WTO bodies, while aligning the proposed work with the mandate of the Committee. Canada provided clarification on the legality of the Declaration, referring to the scope of the Committee's work as set out in Article 12.1, and highlighting the Committee's previous work programme on equivalence. The text of the Declaration was also not meant to represent a legally binding document nor to reflect all aspects of the SPS Agreement, but to be a political statement without impact on Members' rights and obligations under the SPS Agreement. For that reason, the co-sponsors had specifically attempted to avoid inclusion of direct references to specific articles in the Agreement.

16. In terms of next steps, Members were requested to identify any remaining concerns which could be clarified in the meeting or to signal their support for the Declaration. The co-sponsor's intention was to place the SPS Declaration on the agenda for the November General Council meeting and to be able to confirm that the initiative had broad support and could achieve consensus as an important deliverable at MC12. Further to adoption at MC12, a work programme would be developed by the SPS Committee and collective consultations held on how the work programme could be implemented.

17. The United States presented the background paper ([G/SPS/GEN/1960](#)) entitled "New Opportunities and Emerging Challenges in International Trade in Food, Animals and Plants". This background paper, submitted by 17 Members, outlines scientific evidence and global trends behind some of the critical topics listed in the SPS Declaration: population growth and distribution; changing climatic conditions and associated stresses on food production; shifting pressures due to pests and diseases; and innovation in tools and technologies.

18. Fifteen co-sponsors took the floor to share their perspectives, voice support for the Declaration, and echo several of the previous points presented by other co-sponsors. In addition, Ukraine indicated its intent to join as a new co-sponsor and expressed its willingness to work with other co-sponsors in the future. Panama and Ukraine were also welcomed as new co-sponsors.

19. Some Members welcomed the Declaration, underscored the importance of the work programme and expressed appreciation for the clarification provided in the background document. Several Members suggested textual revisions to the SPS Declaration, which included inserting a reference to Article 5 of the SPS Agreement; considering the specific situation of developing countries and LDCs in the proposed work programme, as well as including a specific reference to developing countries. In addition, other Members expressed concerns regarding the unprecise emphasis on innovative tools/ technologies, and the capacity of developing countries and LDCs to access such tools. One Member also referred to its concerns regarding paragraph 8 of the Declaration. Another Member suggested that the Declaration should follow the legal wording of the SPS Agreement, and indicated concerns with the use of the terms "innovative" and "innovation" in the background document.

20. Some Members also expressed concerns in relation to the format of the proposed Declaration in view of the usual style of Ministerial Declarations. In particular, one Member referred to the length and level of detail of the proposal, and indicated that the text should seek to achieve a balance, avoiding the impression of prioritizing the enhanced implementation of the SPS Agreement over other agreements, while improving the text to take into account concerns such as climate change, biodiversity loss, environmental degradation, sustainable food systems, sustainable use of pesticides and animal welfare.

21. The European Union noted that the Declaration and the background paper focused on how climate change and related global challenges and emerging issues affect agri-food systems, and not on how agri-food systems could positively affect climate change. The European Union also made reference to its previous comments, noting the need to include more robust references in the Declaration to current and future environmental and climate challenges for trade in food. European Union confirmed its commitment to the relevance and good functioning of the SPS Committee, however expressed its reservations with the Declaration.

22. Finally, Canada noted the large and diverse group of co-sponsors, underscoring their commitment to ensure that the Declaration continued to reflect the diverse perspectives of Members. In this regard, Canada welcomed further discussions to ensure that developing countries' perspectives were properly reflected in the text, and also reminded Members that the Declaration sought to prompt discussion without prejudice to its results. Canada referred to several Members' comments on the Declaration text and indicated openness to make improvements to clarify these points. Canada looked forward to finalizing the Declaration in collaboration with any interested Members, and co-sponsors.

23. I commended the sincere and constructive engagement of Members and noted more convergence than divergence points in the said proposal. Therefore, I strongly encouraged Members to reach out to each other and take due note of all remarks and concerns, and endeavour to take into account, to the extent possible, those elements in order to build consensus. I finally called on Members to show flexibility in their engagements.

[3 PROCEDURE TO MONITOR THE PROCESS OF INTERNATIONAL HARMONIZATION \(G/SPS/GEN/1851, G/SPS/GEN/1877 AND G/SPS/GEN/1915\)](#)

24. I recalled that New Zealand had presented its first proposal [G/SPS/GEN/1851](#) in the November 2020 Committee meeting, following which Members and ISSBs had been invited to propose ideas and suggestions on how the Committee could proactively explore this topic. Subsequently, New Zealand submitted document [G/SPS/GEN/1877](#) which presented some specific ideas for consideration by the Committee. Three Members had submitted comments, and these were shared with New Zealand who subsequently circulated document [G/SPS/GEN/1915](#). This document proposed several areas of focus, which provided the basis for yesterday's thematic session on international harmonization.

25. I also reminded the Committee that several Members had previously underscored the importance of having in-depth discussions in the thematic session as a first step, and as such, I provided another opportunity in the informal meeting for further discussions on New Zealand's submitted proposals, taking into account our discussions at the thematic session held on 2 November. I also informed Members that a brief summary of the thematic session would be provided during the formal meeting of the Committee.

26. New Zealand thanked all those who had participated in the Thematic Session on the Procedure to Monitor the Process of International Harmonization. New Zealand also indicated that it looked forward to the final report and to continuing discussions on this topic. No other Member took the floor.

[4 UPCOMING THEMATIC SESSIONS \(G/SPS/GEN/1947, G/SPS/GEN/1949/Rev.1, G/SPS/GEN/1951/Rev.1\)](#)

27. I recalled that after the July 2021 meeting, Members had been invited to submit proposals for thematic sessions by the deadline of Friday, 13 August 2021. On this basis, I informed the Committee that three proposals for thematic sessions had been put forward: (i) Trade facilitative approaches to pesticide MRLs, including substances not approved for use in an import market – submission by Australia, Colombia, Paraguay and the United States of America ([G/SPS/GEN/1947](#)); (ii) Use of remote (virtual) audit and verification in regulatory frameworks – submission by Australia ([G/SPS/GEN/1949/Rev.1](#)); and (iii) International standards and best practices in pest risk identification, assessment and management – submission by the European Union ([G/SPS/GEN/1951/Rev.1](#)).

28. Overall, based on the discussions in the meeting, there was no objection to the Committee holding thematic sessions on the three above-mentioned proposals. In relation to the first proposal ([G/SPS/GEN/1947](#)), the proponents reiterated the importance of the topic of pesticide MRLs, and expressed interest in sharing best practices and identifying areas for collaboration with a view to facilitating safe trade. Several Members expressed support for this proposal and were interested in the session being held in 2022.

29. Regarding the second proposal ([G/SPS/GEN/1949/Rev.1](#)), several Members took the floor to express their support, noting the relevance of remote auditing and verification, particularly in the context of the COVID-19 pandemic. Members expressed interest in hearing about the experiences and challenges of other Members in this area. The OIE also expressed interest in this session and considered that it could help with planning future work. Australia indicated its interest in having a full day session on the topic.

30. In relation to the third proposal ([G/SPS/GEN/1951/Rev.1](#)), the European Union thanked Members for their interest in the proposal and reiterated its interest in sharing experiences regarding the application of ISPMs. The European Union added that the outcome of the session could potentially feed into the work of the IPPC in the coming years. Some Members took the floor to express support. The importance of this discussion on international standards in the plant health area was highlighted, and there was interest in taking it forward.

31. In terms of scheduling, two options were examined. The first option consisted of the following:

- A thematic session on trade facilitative approaches to pesticide MRLs, including substances not approved for use in an import market ([G/SPS/GEN/1947](#)) would be held in March 2022;
- A thematic session on the use of remote (virtual) audit and verification in regulatory frameworks ([G/SPS/GEN/1949/Rev.1](#)) would be held in November 2022; and
- A session on international standards and best practices in pest risk identification, assessment and management ([G/SPS/GEN/1951/Rev.1](#)) would be held in March 2023.

32. As a second option, I proposed the possibility to hold two back-to-back thematic sessions in November 2022, which should be explored.

33. In addition, Members were in agreement with the Secretariat's suggestion to hold a transparency workshop in July 2022. I further noted that there were a number of new transparency tools, in particular ongoing work on a new SPS/TBT online platform, which could be presented in this workshop, and hands-on training provided.

34. I invited Members to provide further comments on the proposals and/or suggestions of speakers for the thematic session that would take place in March 2022, by Friday, 3 December.⁴

5 COVID-19 AND SPS ISSUES

35. I recalled that COVID-19 and SPS issues had been discussed at the dedicated information-sharing session of June 2020, and in the informal meetings of the Committee since November 2020. Out of all WTO COVID-19 related notifications, 27% related to SPS. There had been 112 SPS notifications and other communications related to COVID-19 submitted by Members. These could be extracted from the SPS Information Management System (SPS IMS) and ePing using the "COVID-19 SPS" keyword. Furthermore, a video explaining how to sign up for electronic alerts on COVID-19 was available on the ePing welcome page. Finally, the Secretariat recalled that SPS, as well as all other WTO COVID-19 related documents were available on the COVID-19 gateway of the WTO website.

36. The European Union expressed concern regarding certain Members' restrictive measures, which caused uncertainty, undue delays, and had no scientific basis. The European Union recalled the

⁴ The deadline was subsequently extended to 13 December. At its formal meeting, the Committee modified the proposed schedule of thematic sessions. The final agreed schedule can be found in paragraph 4.18 above.

assessments of WHO and EFSA, which found no evidence that food could be a source of COVID-19 transmission, and requested Members maintaining such measures to share their risk assessment that would explain these measures as necessary and proportionate.

ANNEX B**SPS COMMITTEE THEMATIC SESSION ON INTERNATIONAL HARMONIZATION****2 NOVEMBER 2021****REPORT BY THE CHAIRPERSON**

1. A thematic session on the Procedure to Monitor the Process of International Harmonization was held on 2 November 2021, as agreed by the SPS Committee in July 2021. The programme was circulated in October 2021 as document [G/SPS/GEN/1966](#), which built on proposals submitted by New Zealand in documents [G/SPS/GEN/1851](#), [G/SPS/GEN/1877](#), and [G/SPS/GEN/1915](#). The session was held in hybrid format with Members invited to attend in-person or virtually through the Interprefy platform.

2. The purpose of the thematic session was to provide an opportunity for WTO Members to exchange views and review progress on international harmonization, and to learn about the efforts by the relevant international standard-setting bodies (ISSBs), namely, the Codex, OIE and IPPC, to better understand how their standards and related texts are used. An opportunity was also given to some regional and national bodies to share their experiences.

3. In Session 1, the Secretariat provided an overview of the relevant provisions of the SPS Agreement on international harmonization, including the Preamble, Articles 3 and 12, and Annex A, the work of the SPS Committee in monitoring international harmonization, and transparency-related matters. The Secretariat explained that the SPS Agreement promotes harmonization by strongly encouraging WTO Members to use international standards, guidelines and recommendations developed by Codex, OIE and IPPC as a basis for SPS measures. Alternatively, Members can justify measures resulting in higher levels of protection if these are based on a risk assessment appropriate to the circumstances. It further reviewed selected take-aways from relevant WTO disputes, such as on the distinction between measures "based on" and those that "conform to" a relevant international standard, and the lack of distinction in the SPS Agreement between "standards", "guidelines", and "recommendations". The Secretariat described the Committee's Procedure to Monitor the Process of International Harmonization ([G/SPS/11/Rev.1](#)), and how its application had evolved over time. On transparency, it was recalled that in 2008, the Recommended Transparency Procedures ([G/SPS/7/Rev.4](#)) had been revised to identify measures that conform with international standards.

4. In Session 2, the relevant ISSBs presented on their initiatives to monitor the implementation of their standards, which were at various stages of development. Codex planned to finalize by January 2022 the development of a monitoring and evaluation framework to measure the use and impact of Codex standards, aimed at protecting consumer health and facilitating international food trade. The OIE presented on the OIE Observatory, expected to be fully implemented by 2025. Data quality was key to developing a robust evidence-based system to enhance the standard-setting process and design of capacity building activities. The IPPC was planning to develop a monitoring and evaluation framework for the implementation of the new IPPC Strategic Framework 2020-2030. It further reviewed existing tools, i.e. the Implementation Review and Support System (IRSS) and ePhyto, which had proven useful to monitor selected standards. This session generated discussion on the financial sustainability of the various monitoring mechanisms being developed, the "relevance" of standards leading to varying levels of implementation across countries, data accessibility and reliability, non-duplication of initiatives to better manage resources, and whether the use of automated machine learning systems could help monitoring alignment of domestic legislation with international standards.

5. In Session 3, OIRSA shared its experiences in developing a harmonized regional guide to good risk-based agricultural practices, collaborating with other countries in the Latin America and Caribbean region, as well as with FAO, IICA and OIE. The guide, which covered chemical, physical and biological risks, targeted small, medium and large producers.

6. Session 4 provided some insight into national initiatives to promote international harmonization and challenges that Members faced when harmonizing SPS measures. First, New Zealand promoted

international harmonization through explicit references to the SPS Agreement in domestic legislation and active participation in the work of the ISSBs. It highlighted challenges of non-recognition of international standards and areas which could benefit from better alignment with such standards. Second, the United Kingdom used a case study to illustrate benefits of IPPC standards, such as contributing to building trust with trading partners and facilitating negotiations on plant protection requirements. Next, Peru and Canada illustrated how their respective food safety regulations incorporated Codex standards. Peru also provided examples on how national requirements could complement Codex standards. Canada noted the issue of resource constraints when a risk assessment was needed. It also referred to the notification formats, and challenges of completing and reviewing information on international standards contained in notifications, encouraging reflection in this area.

7. In concluding, I remarked that the thematic session had proven to be informative and interesting, and that it had provided a useful opportunity to increase Members' understanding of international harmonization, including the relevant provisions, initiatives of the ISSBs, and national and regional perspectives.

8. Presentations from all session of the thematic session would be made available on the [SPS Gateway](#).
