



Committee on Sanitary and Phytosanitary Measures

SUMMARY OF THE MEETING OF 13-14 JULY 2017

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1 ADOPTION OF THE AGENDA

1.1. The Committee on Sanitary and Phytosanitary Measures (the "Committee") held its 69th regular meeting on 13-14 July 2017. The proposed agenda for the meeting was adopted with amendments (WTO/AIR/SPS/16).

2 ELECTION OF THE CHAIRPERSON

2.1. The Chairperson informed the Committee that the Council for Trade in Goods had agreed to the election of Mr Marcial Espinola of Paraguay as the new Chairperson of the Committee on Sanitary and Phytosanitary Measures. The Chairperson recalled that the election of the Chairperson had been conducted by a fax sent on 16 May 2017. Since no comments had been received by 19 May 2017, Mr Marcial Espinola was considered elected by acclamation. The Committee endorsed his election, and voiced its appreciation for his efforts as Chairperson during the consultations on outstanding issues under discussion in the Committee.

2.2. The Chairperson expressed his gratitude to Members of the SPS Committee and the Secretariat for their hard work. He thanked the SPS Committee for the opportunity to serve as Chairperson and acknowledged the work undertaken by Mr Felipe Hees, who served as interim chairperson in the March Committee meeting. The Chairperson further signalled his willingness to engage in consultations with Members.

3 INFORMATION SHARING

3.1 Information from Members on relevant activities

3.1.1 Senegal - Implementation of sanitary and phytosanitary monitoring plans for the food chain

3.1. Senegal provided information on the establishment of a National SPS Risk Assessment and Management System (DNER) involving several agencies and commodity conformity assessment bodies, with the aim of creating synergies between all stakeholders of the food chain. Senegal also shared its authorities' monitoring activities, in particular for arsenic in rice, on the level of aflatoxins, on salmonella in poultry meat and veterinary drug residues, on *E. Coli* STEC in raw milk; and of its National Avian Influenza Plan. Senegal underscored its efforts in promoting consumer safety and hoped it would lead to a better positioning of its products.

3.1.2 Japan - Update on the situation surrounding Japanese food after the Fukushima Daiichi nuclear power plant accident

3.2. Japan provided an update on the developments since the last Committee meeting, reporting on the most recent data from its food monitoring programme. The latest data showed that the rate of products exceeding the Japanese standard limits had decreased and all the test results, with the exception of fungi, wild plants and wild animals, were below the Codex guideline level. Japan expressed its appreciation to the Russian Federation, Qatar and Ukraine for easing or lifting their import restrictions. Japan reported that 49 out of the 54 Members who had introduced import restrictions on Japanese foods had either lifted or eased these restrictions, and that only seven of the 21 initial Members who had imposed an import ban after the Fukushima accident still maintained it. Japan expressed its appreciation for the number of visits from governmental and private sector representatives and remained open to further visits from Members to better assess the current food safety situation. Japan also acknowledged the work of FAO and IAEA for their efforts to ensure food safety.

3.1.3 European Union - New EU legislation on official controls (G/SPS/GEN/1551)

3.3. The European Union drew attention to document G/SPS/GEN/1551, which provides an overview of the new Regulation (EU) No. 2017/625 on official controls and other activities performed to ensure the application of the Food and Feed Law and the rules on animal health and welfare, plant health and plant protection products ("Official Controls Regulation"). The regulation had been adopted in April 2017, to apply from December 2019. The European Union explained that the regulation was part of a broader package of regulations for safer food, that the scope of the

regulation was extended to include plant health and animal by-products and that the risk-based approach was maintained and reinforced. The European Union further explained that implementing measures of the regulation would be completed by the end of 2019, and would be notified as relevant. The European Union invited Members to visit the website of the European Commission for further details: http://ec.europa.eu/food/safety/official_controls/legislation_en.

3.1.4 Russian Federation - Results of the international conference on "Food Safety and Risk Analysis"

3.4. The Russian Federation reported on the international conference held on 18-19 May 2017 in Sochi, Russia, jointly organized by the Russian Federation and the FAO. The meeting was attended by 250 representatives from 23 countries, several organizations and representatives of FAO, WHO, WTO and Codex. Leading scientists and experts had presented on the current status and trends in research on food safety. The conference had covered risk assessment, risk management and risk communication, food safety, food contamination and capacity building.

3.1.5 Russian Federation - Possible scenario on African swine fever spread in the Eurasian region

3.5. The Russian Federation reiterated the importance of paying close attention to the spread of African swine fever (ASF). The Russian Federation expressed appreciation for the thematic session organized at the margins of the SPS Committee meeting on animal diseases regionalization and acknowledged the efforts of international organizations like OIE, IPPC, FAO and WTO in this area. The Russian Federation noted that since the previous SPS Committee, ASF had been introduced into the Czech Republic, and reiterated its warning on said risk. The Russian Federation noted the number of outbreaks in the Slovak Republic and the possible introduction of the virus from third countries. The Russian Federation invited Members to consider compartmentalization and cooperation between competent surveillance services. The Russian Federation thanked the European Union for their bilateral meeting and looked forward to further discussions in the future.

3.6. The Chairperson reminded Members that information provided under agenda item 3 was aimed at sharing national experiences and information on relevant national SPS activities.

3.7. The European Union again expressed its objection to the use of this agenda item for purposes other than providing information to Members on relevant activities. The European Union stated that the Russian Federation's repeated references to EU member States and speculations on ASF spread in EU countries were neither pertinent nor appropriate. Furthermore, the European Union reported that a limited number of ASF cases and in a limited area had been detected in the Czech Republic and that all necessary measures had been taken. As stated in the past, the European Union was confident in the effectiveness of its ASF-related measures as well as in its participation and leadership in international cooperation and in the response against ASF.

3.2 Information from CODEX, IPPC and OIE on relevant activities

3.2.1 Codex (G/SPS/GEN/1559)

3.8. Codex provided an overview of the recent activities on contaminants in food, food additives and pesticide residues as contained in document G/SPS/GEN/1559. Codex highlighted its work on the alignment of the food additives provisions of commodity standards and relevant provisions of the General Standards for Food Additives (GSFA). Codex reported on the conclusion of the Code of Practice for the Prevention and Reduction of Arsenic Contamination in Rice and provided information on its continuing work on the revision of maximum levels of contaminants in food and its new work including the development of a Code of Practice for the reduction of 3-MCPD and Glycidyl Esters in Refined Oils and Products made with Refined Oils, especially in infant formula. Codex had finalized a number of new and revised MRLs for different combinations of pesticide and commodities. Codex also reported on the recent conclusion of its Executive Committee's latest session, and that its recommendations would be considered at the forthcoming session of the Codex Alimentarius Commission. The report of the Executive Committee and other relevant documents were available on the Codex website.

3.2.2 IPPC (G/SPS/GEN/1565)

3.9. The IPPC provided an outline of its activities, as contained in G/SPS/GEN/1565. IPPC was celebrating its 65th anniversary in 2017. Its annual theme was "Plant Health and Trade Facilitation", which had been reflected at CPM 12 in Korea with a special session on e-commerce and a side event on IPPC ePhyto. Also at CPM 12, fifteen International Standards for Phytosanitary Measures (ISPMs) had been adopted, and ten Phytosanitary Diagnostic Protocols approved by the Standards Committee were noted. The IPPC highlighted this record number of adopted standards for a single year in IPPC history and noted that most of these standards were trade or commodity-related. The IPPC also provided an update on the implementation of the STDF pilot project on ePhyto and on the promotion of the development of the International Year of Plant Health (IYPH) 2020, inviting all Members to support this initiative.

3.2.3 OIE (G/SPS/GEN/1553)

3.10. The OIE outlined its report, as contained in G/SPS/GEN/1553. The OIE drew attention to its 85th General Session held in May, the final report of which was available on the OIE website. The OIE also indicated that the updated editions of the *Terrestrial Code* and of the *Aquatic Code* would be available on the OIE website by the end of July 2017. The OIE highlighted the Terrestrial Code Commission's revision of the generic chapters, including those relating to animal welfare, and on ASF and lumpy skin disease. Finally, the OIE encouraged the nomination of experts to the specialist commissions.

3.11. The United States thanked the OIE for its updates to the OIE's Terrestrial Animal Health Code and its Aquatic Animal Health Code and welcomed the recent adoption of the new OIE chapter on porcine reproductive and respiratory syndrome (PRRS). The United States encouraged all Members to implement the OIE's science-based import health recommendations for PRRS.

3.12. The European Union expressed its appreciation to Codex, IPPC and the OIE, highlighting the work carried out by IPPC. The European Union invited all Members to support the adoption and implementation of the International Year of Plant Health 2020. IPPC thanked the European Union for its continuous support.

3.13. Chile drew attention to the presentation of the OIE at the Thematic Session on Regionalization and requested clarification on the plan on monitoring international regulations. The OIE explained that it was still in the early stages of its work with the OECD to develop a framework to monitor the national implementation of OIE standards.

4 SPECIFIC TRADE CONCERNS

4.1 New issues

4.1.1 Brazil's measures on bananas - Concerns of Ecuador

4.1. Ecuador informed that Brazil had suspended its imports of bananas from Ecuador since 1997, due to alleged phytosanitary reasons. Ecuador reported on the measures taken to resolve the issue, including visits of experts from Brazil to its banana plantations, the signing of agreements, the provision of technical reports and finally a work plan for the export of Ecuadorian bananas to Brazil, stressing the safety of the product. Ecuador affirmed that Brazil's *de jure* and *de facto* restrictions were inconsistent with several provisions of the SPS Agreement. Ecuador remained positive on the implementation of the bilateral agreements on this issue and Brazil's 2014 Normative Instruction No. 3.

4.2. Brazil responded that the Department of Plant Health of the Ministry of Agriculture, Livestock and Food Supply (MAPA) had set up a working group to finalize the risk analysis process regarding diseases that affected bananas originating in Ecuador. Brazil also reported that Ecuador had requested a modification of the applicable Normative Instruction No. 3/2014, upon which Brazil had submitted new text to Ecuador. If this text was agreed upon, Brazil would proceed with the corresponding regulatory process.

4.1.2 Gulf Cooperation Council (GCC) Guide for Control of Imported Foods – Concerns of the United States

4.3. The United States expressed concerns on the proposed Guide for Control on Imported Foods (Guide), developed by the Gulf Cooperation Council (notified as G/SPS/N/BHR/164, G/SPS/N/QAT/22/Add.3, G/SPS/N/OMN/44/Rev.1 and G/SPS/N/SAU/14/Add.2). The United States expressed appreciation to GCC members for the extensive bilateral engagement and to Kuwait and the Kingdom of Bahrain for their June notifications on their non-implementation of the Guide until further notice (G/SPS/N/KWT/4/Add.1 and G/SPS/N/BHR/164/Add.1, respectively). The United States urged all GCC members to follow that example to prevent any confusion as to the status of the proposed food safety requirements.

4.4. Brazil shared the concern of the United States and also welcomed Kuwait and Bahrain's notifications, as well as the continued engagement with the GCC.

4.5. Bahrain, on behalf of the GCC, thanked the United States and Brazil for their interest and engagement, and informed that the rest of the GCC members would be notifying their suspension of the implementation of the Guide.

4.1.3 Saudi Arabia's measures on shrimp – Concerns of Ecuador

4.6. Ecuador raised concerns over Saudi Arabia's ban on shrimps from Ecuador based on an OIE registry indicating the presence of infectious hypodermic necrosis and infectious hematopoietic necrosis in shrimp in some zones of Ecuador, and the lack of information about diseases such as infectious myonecrosis (IMNV), white tail disease and Taura syndrome (TSV). Ecuador noted that infectious hypodermic necrosis and infectious hematopoietic necrosis were globally present, including in Saudi Arabia. Ecuador explained that IMNV and white tail disease had been monitored but had not been reported in Ecuador, and that TSV has not been reported in laboratory analyses for the past seven years. Ecuador further stressed its national control plan, which included a periodic analysis of shrimp, the results of which were notified to the OIE every six months. Finally, Ecuador argued that Saudi Arabia's measure was inconsistent with various provisions of the SPS Agreement.

4.7. Saudi Arabia thanked Ecuador for raising this concern and reaffirmed its commitment to remove any unnecessary barriers to trade. Saudi Arabia explained that according to the OIE, Ecuador was not yet free from the infectious hypodermal and haematopoietic necrosis, and that its shrimps' health status was not yet defined with respect to the infectious yellow head virus genotype 1, myonecrosis, Taura syndrome and white tail disease. Saudi Arabia clarified that the import suspension of frozen and chilled shrimps from Ecuador was temporary, until the issue was resolved, and that certain shrimp products from Ecuador were exempt from said measure. Saudi Arabia welcomed the continued cooperation with Ecuador and encouraged further bilateral discussions.

4.1.4 The Russian Federation's import restrictions on wine - Concerns of Montenegro

4.8. Montenegro raised a concern over the Russian Federation's measures on imports of wine products. Montenegro stressed that there had been no prior record of non-compliance of its wine products with the Russian Federation's required standards. Montenegro indicated that the import restrictions had been introduced on 26 April without advance and/or official notification. The reason provided for said restriction, according to the official website of the Rospotrebnadzor (the Russian Federal Service for Surveillance on Consumer Rights Protection and Human Wellbeing) was related to an increased content of pesticides (Metalaxyl) and phthalate plasticizer particles. Montenegro regretted that despite bilateral meetings and the exchange of information, the restrictive measures continued. Finally, Montenegro requested a joint testing procedure of the confiscated wine, within a reasonable time frame, to clarify the disputed facts.

4.9. The Republic of Moldova supported Montenegro's concern and its proposed joint control, adding that a similar approach could also be of use in addressing its ongoing trade concerns with the Russian Federation.

4.10. The Russian Federation thanked Montenegro for their bilateral meeting, and clarified that its competent authority, Rospotrebnadzor, had detected an incompliance of the affected Montenegrin wine producer with its sanitary and epidemiological legislation and hygienic norms. The Russian Federation recalled that the Rospotrebnadzor had informed the company but that no information had been provided by it or the competent Montenegrin authorities, following which the temporary import restriction had been imposed. The Russian Federation remained open to bilateral discussions with the competent authorities of Montenegro.

4.1.5 India's fumigation requirements for cashew nuts - Concerns of Senegal

4.11. Senegal reported that since January 2017, India mandated the use of methyl bromide fumigation. However, Senegal noted that methyl bromide use had been discontinued by several countries because of its high toxicity and its negative effects on the ozone layer, as reflected in the Montreal Protocol. Senegal explained that it had abandoned the use of methyl bromide in 2002 and stressed that no cases of non-conformity with sanitary requirements had been detected. Senegal noted that in practice the restriction was not being enforced on products from Senegal, and thanked India for its cooperation, but underlined that the measure was still in force and its need for certainty for future shipments.

4.12. Burkina Faso, Kenya, Madagascar, Nigeria and Togo reported that they were also affected by the measure. Togo further indicated that India had also notified of the required use of the fumigant for its timber exports. These Members invited India to apply the principle of equivalence and stressed the negative effects of the use of methyl bromide. The Russian Federation also expressed its interest in this concern and in the implementation of the measure.

4.13. India replied that relaxation of the measure had been extended up to 31 December 2017 to allow fumigation on arrival. India also directed Members to additional information available on the website <http://www.agricoop.nic.in/>. India requested Senegal to provide bio efficacy data to NPPO India regarding the effectiveness of alternative fumigants.

4.2 Issues previously raised

4.2.1 Thailand's import restriction on papaya seeds – Concerns of Chinese Taipei (No. 421)

4.14. Chinese Taipei referred to Thailand's import restrictions on papaya seeds. Although a risk assessment had been conducted nine years ago, and despite repeated requests, no proper response had been received from Thailand. Prior to 2008, papaya seeds had been exported to Thailand. Chinese Taipei observed that Thailand itself did not attribute the ban on papaya seeds to any pest issue in Chinese Taipei; it was the result of a regulatory amendment in 2007. Thailand had requested detailed information for conducting a risk assessment prior to reopening its market, but Chinese Taipei argued that this approach was inconsistent with IPPC ISPM No. 2 *Framework for Pest Risk Analysis*. Chinese Taipei had provided detailed historical records of trade, as well as a pest list, in response to Thailand's request in April 2008. Additional data on papaya seed varieties had also been requested in June 2010 and promptly provided. Since then, Chinese Taipei had sought an update on the progress of the risk assessment on multiple occasions, without substantive response.

4.15. Chinese Taipei also indicated that, after introducing the concern under the agenda item "Other Business" at the March 2017 SPS Committee meeting, Thailand had said that papaya seeds risked the spread of the pests *Candidatus phytoplasma solani* and *Tobacco ringspot virus* (TRSV). In July 2017, Thailand had indicated that it would remove *Candidatus phytoplasma solani* from its quarantine pest list and that it would further discuss its proposed risk mitigation measures for TRSV. Finally, Chinese Taipei urged Thailand to promulgate the import protocol for its papaya seeds, and insisted that the current import restriction was inconsistent with several provisions of the SPS Agreement and the IPPC.

4.16. Thailand drew attention to notification G/SPS/N/THA/158 of 2007, according to which prohibited products could only be imported after the completion of their pest risk analysis, providing an exemption to allow existing commodities' trade to continue until their pest risk analysis was completed. For the exemption to apply, however, the NPPO of the exporting country

had to submit an import request with evidence of previous imports, which in the case of Chinese Taipei did not include papaya seeds. Thailand added that it had conducted a pest risk analysis for papaya seeds as a new commodity and had finalized its quarantine pest list, as communicated to Chinese Taipei's Department of Agriculture. Thailand announced that it was in the process of drafting the import protocol for papaya seeds, to be sent for approval by its Quarantine Technical Subcommittee. Thailand finally expressed its willingness to work closely on this matter with Chinese Taipei.

4.2.2 Viet Nam's suspension of groundnut seed imports – Concerns of Senegal (No. 418)

4.17. Senegal reported that after raising the concern in the March 2017 SPS Committee meeting, Viet Nam had requested a more detailed report of the phytosanitary risk analysis applied to the groundnut industry, which had been provided in June 2017. Viet Nam had acknowledged receipt and requested an official translation into English. Senegal noted that no notification of non-conformity had been issued and expressed appreciation for Viet Nam's collaboration on this issue.

4.18. Viet Nam explained that in 2015 it had issued a new list of commodities subject to pest risk analysis before importation. Viet Nam appreciated Senegal's effort to provide information in English and looked forward to deliver a final response to this issue at their next bilateral meeting.

4.2.3 European Union's revised proposal for categorization of compounds as endocrine disruptors – Concerns of Argentina, China and the United States (No. 382)

4.19. Argentina reiterated its concern over the European Union's policy on pesticides which established criteria to identify substances with endocrine disrupting properties, emphasizing the policy's hazard-based rather than risk-based approach and its potential trade impact. Argentina added that the European Union Standing Committee on Plants, Animal, Food and Feed (SCoPAFF) had approved the proposed criteria in July 2017, and that without a veto from the European Parliament and the EU Council of Ministers, the proposal would enter into force in October 2017, to be implemented six months later. Argentina observed that substances currently authorized after having gone through a European Food Safety Authority (EFSA) risk assessment, could later be banned, including substances with an insignificant risk of endocrine disruption - even in contradiction with Codex standards. Argentina also questioned the division of the original proposal into two texts. Argentina further echoed the questions posed by the United States in the past and urged the European Union to provide practical information on the procedure it would follow for the withdrawal of authorizations.

4.20. China reiterated its concern regarding the European Union proposal and questioned the hazard-based approach of the EU proposal. China argued that the proposal would have a severe impact on trade while marginally improving human or environmental health, and expressed a special concern on the division of the proposal. China underscored the market uncertainty created by the reduction of allowed substances.

4.21. The United States reiterated its concern that the pesticide policy in the European Union was insufficiently grounded in science and risk, and could potentially disrupt international trade without providing a meaningful benefit to public health. The United States expressed particular concern over the lack of transparency and predictability in the implementation of the hazard provisions of Regulation (EC) No. 1107/2009 and queried about MRLs that would be set at trade-restrictive default levels. The United States noted cases where the decisions of the European Food Safety Authority (EFSA) failed to take all available data into consideration and differed substantially from the findings of other national and international authorities, resulting in the proposed withdrawal of authorizations for use of these substances for a wide range of food crops. The United States was additionally concerned that measures to withdraw authorizations of pesticides and prohibit crops treated with those pesticides were being notified to the TBT Committee and the decision to withdraw the corresponding MRL would only be notified to the SPS Committee after the decisions to withdraw authorizations had been finalized. The United States requested that these measures be notified to the SPS Committee when comments and additional data could still be taken into consideration and queried about the procedures for setting MRLs and import tolerances under Regulation (EC) No. 396/2005.

4.22. The United States remained concerned with the division of the draft legal text into two stand-alone components, one proposal to establish criteria for identifying endocrine disruptors and another to amend the derogation criteria. The United States thanked the European Union for engaging in bilateral consultations, looked forward to receiving responses to the questions submitted to the European Union following the March 2017 SPS Committee Meeting, and remained open to sharing those questions with other interested Members.

4.23. Australia, Benin, Brazil, Burkina Faso, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, The Gambia, Guatemala, India, Israel, Kenya, Madagascar, Mexico, Nigeria, Paraguay, Peru, Senegal, South Africa, Chinese Taipei, Thailand, Togo, Uruguay, and Zambia indicated that they shared this concern and called upon the European Union to adopt a risk-based approach in compliance with the SPS Agreement. Members underlined, *inter alia*, their special concerns over the hazard-based approach; the split of the proposal between criteria to identify endocrine disruptors and the criteria for derogations; the approval of the proposal on the reduction in allowed pesticides and its potential negative trade impact. Australia encouraged the European Union to provide updates on the work of the European Food Safety Authority and European Chemicals Agency in reviewing and prioritizing chemicals as endocrine disruptors.

4.24. Canada expressed concern over the language introduced in the Revised Plant Protection Products Draft criteria, presented on 30 May, referring to "known" and "presumed" endocrine disruptors. Canada requested the European Union to clarify that these terms would not result in a wider scope of endocrine disruptors. Canada also enquired whether the decisions for setting MRLs and import tolerance levels would continue to be made on the basis of risk assessments, as set out in Regulation (EC) No. 396/2005. Canada appreciated the European Union's efforts in developing this proposal as well as the intense consultations that had taken place around the SPS Committee meetings.

4.25. India emphasised that the "hazard based cut-off criteria" approach of the regulation would disrupt international trade without providing a meaningful benefit to public health. Further, this approach would not include a risk assessment, and has left open the scope for the interpretation of "negligible risk" and other terms, which would result in lack of clarity in its implementation.

4.26. The European Union reiterated its commitment to transparency, recalling that it had duly notified its draft acts, received and responded to Members' comments. The European Union recalled the information session of October 2016 and document G/SPS/GEN/1494/Rev.1 about the ongoing review of pesticides MRLs. The proposed criteria had been endorsed by its member States and, barring any objection by the European Council and Parliament, the criteria would be adopted by the European Commission in three months. They would then enter into force 20 days after their publication, and become applicable six months after that date. Regarding concerns raised on the criteria, the European Union recalled that in the absence of these criteria, its legislation would require the application of the so-called *interim criteria*, leading to more stringent conditions. Finally, the European Union had taken note of specific questions received, in particular those submitted by the United States, and confirmed it would provide responses. With respect to the concerns raised regarding a possible change in the European Union policy on pesticides in general and their MRLs, the European Union confirmed that there had been no such change. The European Union reiterated its commitment to keeping the SPS Committee informed about any future developments.

4.2.4 France's dimethoate-related restrictions on imports - Concerns of the United States (No. 382)

4.27. The Chairperson noted that this concern was first raised in June 2016 as part of the concern regarding the European Union's revised proposal for the categorization of compounds as endocrine disruptors. It was now being raised as a separate specific trade concern, and would thus be so reflected in the IMS.

4.28. The United States reiterated its concern over actions taken by France to ban the importation of fresh cherries from countries that had approved the use of the pesticide dimethoate on cherries. The United States noted that the ban had not been based on a risk assessment of the safety of residues and that the measure had been renewed despite being inconsistent with the November 2016 EFSA decision and the regulation approved in February 2017 by SCOPAFF on MRLs for

dimethoate (and its metabolite omethoate). The United States recalled that the European Commission and a majority of member States deemed France's requests for a European emergency measure to be unjustified and highlighted that the measure had a significant impact on trade without achieving a significant public health benefit. The United States further added that the measure had only been notified after its implementation and after the US request. It had then been notified as an emergency measure, without a specified comment period. Finally, the United States questioned the scientific basis for applying the measure only to fresh cherries when other commodities could also contain dimethoate residues. The United States expressed its willingness to exchange scientific information with France on the safety of dimethoate and its metabolites, as well as to explore less trade-restrictive measures.

4.29. Argentina endorsed the statement of the United States, highlighting the measure's lack of scientific justification and that it was more trade-restrictive than necessary, noting alternative measures such as the use of MRLs and the monitoring of residues during import controls. Argentina urged France and other Members imposing pesticide-related restrictions, to act in accordance with the SPS Agreement.

4.30. Canada echoed the United States and remained concerned about the renewal of a temporary restriction as a national emergency measure. Canada recalled that in October 2016 and July 2017 it had asked France for evidence that the current MRL of 0.2 mg/kg was insufficient to protect human health and for alternative appropriate levels of MRL for dimethoate. Canada highlighted the lack of scientific evidence of the measures imposed by France and expressed its general concern regarding bans based on substance authorizations, regardless of residue levels. Canada urged France to conduct a risk assessment to justify the application of a more restrictive MRL than the one applied by the European Union.

4.31. The European Union recalled that on 28 April 2017, France had introduced a protective measure suspending the importation of fresh cherries for consumption from member States and non-EU countries that had approved the use of the pesticide dimethoate on cherry trees. France had justified the measure because of unacceptable toxicological risks posed by the consumption of certain dimethoate metabolites. The European Union clarified that France was particularly concerned by the identification of a possible acute risk by EFSA, leading to France's request to the European Commission for emergency measures to ban the use of dimethoate for cherry trees. In the absence of EU measures, France had introduced a national emergency measure. The European Union finally indicated that new studies had been submitted to EFSA for evaluation, expecting a conclusion in spring 2018.

4.32. The United States thanked the European Union and looked forward to further bilateral discussions. The United States added that plant metabolism studies and toxicological data on relevant dimethoate metabolites had been previously submitted to and reviewed by the United States Environmental Protection Agency (EPA), and that omethoate, the only metabolite that was found to be toxicologically relevant by the EPA for risk assessment purposes (as well as enforcement), had also been evaluated by EFSA, with separate protective MRLs voted and approved by EU member States in February 2017.

4.2.5 The Russian Federation's import restrictions on processed fishery products from Estonia and Latvia – Concerns of the European Union (No. 390)

4.33. The European Union reiterated its concerns regarding the Russian Federation's restrictions on imports of all fishery products from Estonia and Latvia. The European Union reiterated that the restrictions were inconsistent with the SPS Agreement and did not respect Russia's WTO accession commitments. The European Union underlined that Latvia and Estonia had acted without delay in response to the findings of the Russian Federation in 2015, and had put in place corrective measures within the timeframes set by the Russian Federation. Those actions had been brought to the attention of the Russian Federation, which carried out subsequent audits in 2016 to verify the corrective actions, but the results of their audits had not been communicated and the bans remained in place. The European Union reiterated its call to the Russian Federation to repeal the ban while expressing its readiness to work with the Russian Federation in a constructive and cooperative manner.

4.34. The Russian Federation responded that the temporary restriction imposed on supplies of fish products in Latvia and Estonia was due to violations in the process of ensuring the safety of fishery products, as confirmed by experts' inspections. The Russian Federation explained that it was working in coordinating with other Eurasian Economic Union member countries and that it was open to further cooperation and discussions.

4.2.6 Brazil's measures on shrimp – Concerns of Ecuador (No. 344)

4.35. Ecuador referred to its previously raised concern regarding Brazil's suspension of shrimp imports from Ecuador, and recalled that it had provided Brazil with all the requested evidence but that after almost 20 years there was still no risk assessment. Ecuador also noted that SPS requirements for shrimps had been established in February 2017 and that in May 2017 Brazil had informed Ecuador of its equivalency for the inspection system for shellfish, and that enabled plants were authorized to export. However, a group of Brazilian producers presented a court action which led to the suspension of the authorization to import shrimps from Ecuador. Ecuador highlighted the importance of exports for its economy and regretted the barriers imposed by Brazil on its most exported products, shrimp and bananas. Ecuador contended that Brazil's measures were not in conformity with various provisions of the SPS Agreement and Article XI of the GATT.

4.36. Brazil underlined its open market for imports of shrimps from Ecuador, as reflected in its letter No. 926/2017 sent on 9 May informing Ecuador's sanitary authorities of the recognition of equivalence of their fish inspection system. Brazil indicated that the plants previously qualified were allowed to export, prior approval of the labelling, while plants that had not yet been authorized to export had to request authorization. Finally, Brazil drew attention to its document "Animal Health Requirements of Brazil for the importation of non-viable crustaceans and derivatives derived from extractive fisheries or aquaculture", of January 2017.

4.2.7 The Russian Federation's import restrictions on certain animal products from Germany – Concerns of the European Union (No. 411)

4.37. The European Union recalled that since 2013, the Russian Federation had maintained a ban on imports of pig, beef and poultry meat from Germany, and a ban on imports of meat and milk products from three German federal states. The European Union (i) reiterated that the restrictions were inconsistent with several provisions of the SPS Agreement; (ii) regretted that despite the efforts made by the German authorities, the ban remained in place; and (iii) urged the Russian Federation to repeal these restrictions. The European Union welcomed further discussions with the Russian Federation to find a solution in a timely manner.

4.38. The Russian Federation recalled that the restrictions had been imposed following the detection of unsafe products through laboratory monitoring, border controls and inspections carried out in 2013 and 2015, highlighting systemic non-compliance. Following the discussions in the SPS Committee and bilateral consultations, the parties agreed to introduce guidelines for the inspection of German establishments by the national competent authority, in order to comply with the regulations of the Eurasian Economic Union (EAEU) and of the Russian Federation. The Russian Federation reported on technical consultations held on 4 April 2017 in Moscow between the Rospotrebnadzor and the competent German authority. The Russian Federation remained convinced that these consultations would facilitate a harmonized approach to ensure the safety of the concerned products.

4.2.8 China's import restrictions due to Highly Pathogenic Avian Influenza – Concerns of the United States (No. 406)

4.39. The United States reiterated its concerns regarding China's highly pathogenic avian influenza (HPAI)-related restrictions on its poultry products, last raised in October 2016. The United States reiterated its request for recognition of pest-free areas and authorization to import heat-treated poultry products, which could not transmit the virus. The United States highlighted its rigorous and effective monitoring system for avian influenza, and its compliance with the transparency obligations, consistent with OIE guidelines. The United States expressed appreciation to Chinese officials for agreeing to participate in an avian influenza workshop in the United States in July 2017 and for conducting an avian influenza system audit in the United States.

4.40. The European Union echoed the United States concern regarding the country bans, which also affected European Union members. The European Union recalled the Thematic Session on Regionalization and expressed its willingness to continue to engage with China on the matter.

4.41. China highlighted the global challenge posed by avian influenza. China underlined its special attention to prevention and control of the avian influenza virus risks, especially on HPAIV, as a major producer and consumer of poultry products. China drew attention to the outbreaks notified by the United States in March and April 2017 and to the consensus reached with the United States that due to the specific epidemic pattern of HPAI, it was necessary to apply compartmentalization. Finally, China indicated that an expert mission of China had been in the United States to conduct an on-site review on the effectiveness of prevention and control measures, and the animal health status. Future steps were to be determined based on the evaluation of the expert group. China remained positive on finding a mutually satisfactory solution.

4.2.9 General import restrictions due to BSE – Concerns of the European Union (No. 193)

4.42. The European Union reiterated the importance of this long-standing concern, recalling its conviction that BSE-related science was solid and that the European Union fully guaranteed safe trade of beef. However, it noted that some WTO Members had kept BSE-related bans in place, arguing the need for further assessments, which could amount to undue delays in the approval procedures, contrary to Article 8 of the SPS Agreement. The European Union also stressed that it had a harmonized SPS framework which was strictly implemented in all its member States, and therefore urged Members not to discriminate among its member States. The European Union appreciated the progress made by Australia, the United States and China and encouraged them to finalize all pending applications submitted by EU member States. The European Union also urged other Members, including Malaysia, South Africa and South Korea, to proceed in a speedy manner on pending applications submitted by EU member States. Finally, the European Union reiterated its openness to continue working with all trading partners.

4.2.10 China's import restrictions due to African swine fever – Concerns of the European Union (No. 392)

4.43. The European Union again raised its concern regarding China's country-wide ban on pork products from Poland due to the outbreak of African swine fever (ASF) in early 2014. The European Union thanked China for their bilateral discussions and hoped this would lead to further engagement. The European Union reiterated that China's legislation appeared not to allow for recognition of disease-free areas, despite OIE standards; urged China to provide information on its procedure and the anticipated processing time to recognize the European Union's zoning measures; and requested China to provide its scientific risk assessment for maintaining a country-wide ban instead of accepting importation from disease-free areas in Poland. The European Union stated that they had provided China with all the necessary evidence to demonstrate that there were disease-free areas in Poland and that they were likely to remain disease-free.

4.44. China fully understood the concern of the European Union, but emphasized the acute, virulent and highly contagious insect-borne infectious nature of ASF, with China's pig population accounting for over 50% of the world's pig population. China noted that ASF had become endemic in Poland, according to data that Poland had notified to OIE. Despite Poland's implementation of control measures, including regionalization, it had not effectively blocked ASF from spreading. China was therefore still unable to recognize regionalization and other measures adopted by Poland. China remained open to bilateral technical cooperation and emphasized their joint technical expert group.

4.2.11 Korea's import restrictions due to African swine fever – Concerns of the European Union (No. 393)

4.45. The European Union reiterated its concern over Korea's ban on pork and pork products from Poland since early 2014, without taking into account the European Union's regionalization measures. The European Union regretted that despite bilateral meetings, the ban remained in place. The European Union recalled that Korea had performed a preliminary risk assessment and an on-site inspection in December 2014, and had received responses to its questions.

The European Union reminded Korea of its obligation to limit the information requested to what was necessary to complete the recognition of regionalization, and to take into account the information it already had; and urged Korea to continue with the risk analysis and the recognition of regionalization without further undue delays. The European Union remained open to continue working with Korea.

4.46. Korea replied that the import risk analysis had temporarily been suspended due to the unstable outbreak situation in Poland in 2016, including the continuous ASF outbreaks in domestic pigs in August 2016 and the expansion of contaminated areas. In order to resume its import risk analysis, Korea had requested Poland and the European Union to notify the list of ASF-free areas that satisfied OIE standards. These had been specified in May 2017, and Korea had resumed the relevant procedures. However, Korea remained concerned with the increasing outbreaks of ASF in domestic pigs on small-scale farms in Poland. Korea believed that this showed that Poland's ASF control measures still needed to go further in order to contain ASF. Korea was still holding bilateral consultations with the European Union on this matter.

4.2.12 United States Seafood Import Monitoring Programme - Concerns of China (No. 415)

4.47. China appreciated that the United States had revised some of the provisions regarding the United States Seafood Import Monitoring Program (SIMP), published by the National Oceanic and Atmospheric Administration (NOAA) in early 2016. However, China still had some concerns related to transparency, national treatment, scientific justification and least trade-restrictiveness. China highlighted that the traceability requirements and catch-certification for at-risk species applied only to imported fish and fish products, and not to domestic products, and that the measure was not based on science as it would apply to all imported aquatic products, regardless of risk levels and without distinction between aquaculture products and wild capture fisheries. The regulation required more information than necessary and overlapped with other rules, including the International Trade Data System (ITDS), which increased costs and generated unnecessary market access delays. China urged the United States to notify the SIMP to the WTO for comments by Members.

4.48. The United States reiterated that the final rule was not an SPS measure and therefore fell outside the scope of the SPS Agreement. The United States explained that the objective of the final rule was to combat illegal, unreported and unregulated (IUU) fishing and seafood fraud. It thus required domestic importers to report certain information upon entry into the United States and to retain other information that would allow shipments to be traced back to the point of catch or harvest in order to prevent its market from being used to sell fraudulently marketed seafood or seafood products produced from IUU fishing. The United States looked forward to continuing engagement with China on the implementation of the rule, but did not believe the SPS Committee was the appropriate forum for this engagement.

4.2.13 China's AQSIQ official certification requirements for food imports (G/TBT/N/CHN/1209) – Concerns of Israel and the United States (No. 184)

4.49. The United States reiterated its concerns over the official certificate requirement for imported foods, originally issued by China's General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) in April 2016, recalling its transparency concerns regarding the lack of notification of this measure. The United States appreciated China's notification as G/TBT/N/CHN/1209 on 19 June 2017, which indicated under description and objective of the measure, the protection of human health and food safety. Therefore, the United States reiterated the request that China notify its measure to the SPS Committee as well. The measure – entitled AQSIQ Food Bureau's Correspondence [2017] No. 83 in the TBT notification – would require a range of imported food products, including low-risk processed, shelf-stable foods, to be accompanied by official certificates. The United States noted that AQSIQ Correspondence No. 83 would apply only to imports and would require official certification of low-risk foods on a shipment-by-shipment basis. Correspondence No. 83 indicated that the official certificate would need to include product and shipment details which were outside the purview of the United States Food and Drug Administration, a requirement which would go into effect on 1 October 2017.

4.50. Given the impact these requirements could have, the United States enquired about (i) the scope of products covered by this measure, noting the importance of using the Harmonized Commodity Description and Coding System developed by the World Customs Organization, and to clarify that duplicate official certificates would not be required; (ii) the scientific justification of the requirements, including data documenting food-borne hazards associated with imported shelf-stable processed foods; how such documented hazards would pose a human health risk to consumers, and evidence showing that shipment-by-shipment official certification was appropriate and proportionate to address the risk; (iii) considering replacing the official certification requirement with a less trade restrictive measure that recognized the primary responsibility of food business operators for compliance, which would be consistent with domestic Chinese requirements, as well as with Codex principles and guidelines; and (iv) the measures that would require the domestic certification of foods manufactured, processed, stored, transported and exported under the supervision of its domestic competent authority. The United States urged China to delay the implementation of this measure to allow for the discussion and resolution of these trade concerns. Finally, the United States appreciated China's willingness to cooperate and they looked forward to a continued engagement.

4.51. Israel shared the concerns of the United States, mainly the significant and unnecessary barriers to trade the measure would cause. Israel hoped that, in addition to the notification to the TBT Committee, China would follow with a notification to the SPS Committee; and requested China to elaborate on the scientific justification and international standards their work was based on and the proportionate level of risk presented by the targeted products. Israel thanked China for its willingness to engage bilaterally.

4.52. Australia, Canada, Chile, Costa Rica, European Union, Japan, Mexico, Norway, Singapore, and Switzerland shared the concerns expressed by the United States and Israel. They underlined, *inter alia*, their concerns over the lack of a notification to the SPS Committee, the scope of the products affected by this measure (including low-risk products), the inconsistency with Codex standards, the possible duplication of certification, and the unrealistic implementation date of 1 October 2017. In particular, the European Union underlined the ambiguity of some of the provisions and the difficulties this would pose for custom authorities. Several Members expressed appreciation of China's constructive bilateral meetings and clarifications.

4.53. China explained that in recent years it had observed a sustained and fast growth of imported food, becoming the largest importer of food and agricultural products. Imported food and agricultural products accounted for around 7.5% of its domestic food consumption, imported dairy products for 17.1% and edible oil for 29.3% of domestic food consumption. China underlined the importance of strengthening cooperation on food safety and therefore drafted the measure at issue. China also noted that the requirement of official certificates did not go against international conventions, and clarified that certificates were not required to demonstrate that the imported food completely met Chinese regulations, but only to prove that the production, processing, storage, transportation and export processes of the food had been under the effective supervision of the competent authorities of exporting countries. In addition, China explained that the certificates could be issued by the competent authorities of exporting countries or regions, or their authorized institutions. China stated that the notified measure had included Members' suggestions and comments and welcomed further feedback on the notification to the TBT Committee (G/TBT/N/CHN/1209). China explained that the certificates mentioned in the notification included the bilateral sanitary certificate and phytosanitary certificate, which meant that the imported food already covered by these certificates did not require a new certificate. China looked forward to a strengthened communication and cooperation with Members.

4.3 Information on resolution of issues in G/SPS/GEN/204/Rev.17

4.54. Chile provided an update on the development of STC 399 on Viet Nam's restrictions on fruits including apple, kiwi and grapes from Chile. Chile noted that the restrictions for grapes had been lifted and that work was ongoing on the restrictions applied to the importation of apples.

4.55. Viet Nam confirmed this information.

5 OPERATION AND IMPLEMENTATION OF THE SPS AGREEMENT

5.1 Equivalence

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

5.2 Pest- and disease-free areas

5.2.1 Report on the Thematic Session on Regionalization

5.2. The Chairperson reported that a thematic session on regionalization had been held on 11 July 2017 as agreed by the SPS Committee in March 2017, based on a proposal submitted by the European Union (G/SPS/W/293). The purpose of the thematic session had been to provide an opportunity for Members to increase their awareness of regionalization principles, and to learn from each other by sharing experiences about the challenges, as well as the benefits, of implementing regionalization in practice from the perspective of an importing, as well as an exporting party. This, in turn, would contribute to building confidence among trading partners when recognizing or seeking recognition of their regionalization measures. In particular, the thematic session had focused on animal diseases.

5.3. The programme for the thematic session had been circulated in document G/SPS/GEN/1567. It had been prepared on the basis of contributions received from Members, and had been divided in three sessions.

5.4. In Session 1, the Secretariat had provided an overview of the provisions of the SPS Agreement on regionalization (Article 6) and relevant guidelines (G/SPS/48), as well as relevant jurisprudence from recent disputes. Dr Matthew Stone, Deputy-Director General of the OIE, had provided an overview of the OIE standards on zoning and compartmentalization, and their implementation. In addition, he had also presented the implementation challenges and opportunities in applying the regionalization approach. Discussions had covered the use of the SPS Committee Guidelines in disputes, the differences in terminology related to regionalization, the use of special and differential treatment in recognizing free areas and the process for OIE recognition, among others.

5.5. In Session 2, Members had shared their experiences on the practical implementation of regionalization from both an exporting perspective, as well as from an importing perspective. Presentations covered the use of regionalization in dealing with diseases such as highly pathogenic avian influenza, BSE, classical swine fever, as well as more general experiences in applying the regionalization principle. Discussions had highlighted the importance of 'peace-time' agreements, building trust among trading partners and creating regional frameworks for cooperation. In addition, several common weaknesses had been identified in the recognition process from the importing Members' perspective, such as the submission of insufficient data by the exporting Member. In addition, the OIE had underscored that reports of avian influenza outbreaks in wild birds should not change a country's disease status and, as such, should not result in trade restrictions.

5.6. In Session 3, Members had been provided with the opportunity to have general discussions on regionalization.

5.7. Concluding, the Chairperson had underscored that the thematic session had proven to be informative and interesting, and that it had provided a useful opportunity to increase Members' awareness of regionalization, from the perspective of existing international rules and guidelines, as well as its practical implementation by importing and exporting Members.

5.8. The Chairperson indicated that the presentations from the Thematic Session would be made available on the SPS Gateway page.

5.9. Finally, the Chairperson thanked the presenters for their insightful and interesting presentations. In particular, he expressed appreciation to the Deputy-Director General of the OIE for participating in the thematic session. He also acknowledged the willingness of Members to share their experiences, as indicated by the number of speakers on the programme.

5.10. Chile thanked the European Union for their proposal to organize a thematic session on regionalization and suggested that another session on regionalization should be organized with a specific focus on plant health.

5.11. The European Union appreciated how the session had developed, and stated that the suggestion by Chile should be reflected upon.

5.12. The United States expressed appreciation for the diversity of perspectives in the presentations in Session 2, in particular by Guatemala, Ukraine and South Africa. The United States suggested developing a deeper exchange with the OIE on a regular basis, as the OIE's information was so valuable.

5.13. Guatemala and Japan appreciated the initiative by the European Union. Also, Guatemala supported Chile's proposal to hold a thematic session on regionalization and plant health.

5.14. The OIE recognised the high level of engagement by Members and the opportunity provided to learn about country perspectives. The OIE looked forward to a continued engagement.

5.15. The Chairperson indicated that although there already was a lengthy agenda for the October meeting, he and the Secretariat were always open to explore other issues, such as the proposal presented by Chile.

5.2.2 Annual report in accordance with G/SPS/48

5.16. The Secretariat introduced the annual report prepared in accordance with the Committee's Guidelines to Further the Practical Implementation of Article 6 of the SPS Agreement (G/SPS/48). The report covered the period from 1 April 2016 until 31 March 2017, and was based on information provided by Members through notifications and reports provided during the Committee meetings (G/SPS/GEN/1552).

5.2.3 Information from Members

5.2.3.1 Kazakhstan – Information on FMD-free areas

5.17. Kazakhstan provided the Committee with a brief history of the country's partnership with the OIE and its process of becoming a Member of the WTO. Kazakhstan informed the Committee that in 2017 Kazakhstan had been awarded the status of FMD-free zone where vaccination was practiced only in five regions. Kazakhstan emphasized the significant impact this had on its exports and on the number of investors showing interest in producing and processing meat in Kazakhstan. In addition, Kazakhstan was currently working to obtain other disease-free statuses as well. In concluding, Kazakhstan emphasized the increasing role of agriculture in the development of Central Asia and other emerging regions.

5.2.3.2 Paraguay – Recent recognition of health status by OIE

5.18. Paraguay provided updated information on recent resolutions from the OIE World Assembly of Delegates on the health status of the country with regard to classical swine fever and foot-and-mouth disease (FMD). Paraguay informed the Committee that for the first time it had been recognized as a country free of classical swine fever and that two disease-free zones had been merged, leading to recognition of the country as free of FMD with vaccination. In addition, Paraguay noted that the country maintained its health status for the following diseases: insignificant risk for BSE, free of African horse sickness, and free of peste des petits ruminants (PPR). Paraguay emphasized the importance of the OIE resolutions to obtain access to new markets.

5.2.3.3 Costa Rica – Declaration of freedom from Velogenic Newcastle disease (G/SPS/GEN/1560)

5.19. Costa Rica provided information on the outbreak of Velogenic Newcastle disease of April 2015. After the implementation of control measures and epidemiological surveillance,

the entire national territory had been declared free of this disease. Costa Rica referred Members to document G/SPS/GEN/1560 which described the measures applied by their national services.

5.2.3.4 Australia – Update on East West regional freedom for Mediterranean fruit fly (*Ceratitis Capitata*)

5.20. Australia announced that the Eastern states of Australia and the Ord River irrigation area of Western Australia were pest-free areas for Mediterranean fruit fly. In addition the Mediterranean fruit fly had a limited distribution in Western Australia. These pest-free areas were maintained through the regulatory control of host material from infested areas. The pest-free status of these areas was verified through absence records collected from Australia's national fruit fly trapping grid.

5.2.3.5 Indonesia – Recognition of Mediterranean fruit fly free region in Chile

5.21. Indonesia extended its appreciation to Chile's NPPO for providing transparent technical data and for their support during the field verification process carried out by Indonesian experts on the status of the Mediterranean fruit fly. In compliance with Article 6 of the SPS Agreement, Indonesia had finalized a comprehensive assessment of *Ceratitis capitata* in the grape-growing areas in the Atacama Region, in Chile, after which it recognized the region as a pest-free production area for grapes.

5.22. Chile thanked Indonesia for recognizing the Atacama Region as free of Mediterranean fruit fly and stressed that the whole country was free of the fruit fly, as recognized by the relevant international bodies. Chile therefore called upon other countries to also recognize Chile as a country free from the Mediterranean fruit fly.

5.2.3.6 South Africa – Update on recent cases of animal diseases

5.23. South Africa provided information on two recent cases of animal diseases: (i) the detection and confirmation of African swine fever in free roaming pigs of smallholder farmers in two provinces in June and October 2016, and then in February and May 2017 in neighbouring provinces, on which investigations were ongoing and the outbreaks had not been closed; and (ii) the occurrence of outbreaks of Highly Pathogenic Avian Influenza (H5N8) in four commercial poultry farms and in wild birds, which were not epidemiologically linked. Control measures were being implemented; compartments free of Avian Influenza had been established and maintained. South Africa informed the Committee that it had received a Contagious Bovine Pleuropneumonia (CBPP) freedom status as well as freedom of FMD and PPR.

5.2.3.7 Chile – Update on outbreak of Avian Influenza

5.24. Chile reiterated that the avian influenza outbreak that had occurred towards the end of 2016 had been of low pathogenicity, not of high pathogenicity, and that it was in compliance with the OIE Terrestrial Code. Further, it had been declared free from avian influenza in June 2017. Self-defined export-restricted areas had been lifted, placing Chile in a position to export according to agreements currently in force with their trading partners.

5.2.3.8 Dominican Republic – Update on the Mediterranean fruit fly situation

5.25. The Dominican Republic informed the Committee that it had dealt with the outbreak of Mediterranean fruit fly, first detected in March 2015, and that it had been eradicated through declaration of a phytosanitary emergency, a control and eradication programme and a monitoring and surveillance system, in compliance with international norms. The Ministry of Agriculture announced that the Dominican Republic was free from the Mediterranean fruit fly. The Dominican Republic thanked USDA, FAO, OIE, IICA, IAEA, and the Guatemalan and Mexican agencies for their help in eradicating this pest.

5.3 Operation of transparency provisions

5.3.1 Preparations for Transparency Workshop (G/SPS/W/294/Rev.1, G/SPS/W/290, G/SPS/GEN/1568)

5.26. The Secretariat reported on the advancement of the preparations for the workshop on the transparency provisions of the SPS Agreement to be held in Geneva on 30 and 31 October 2017. The draft programme could be found in document G/SPS/GEN/1568. The Secretariat requested Members to present their views on the structure and content of this programme. The Secretariat indicated that comments could be submitted in writing until 10 August, after which a revised programme would be issued.

5.27. Benin welcomed the initiative and emphasized the importance of transparency for international trade, in particular for LDCs. Benin encouraged the Secretariat to do everything possible to ensure that African delegations could participate in this training.

5.28. Nigeria commended the initiative and expressed its support to the content and structure of the workshop.

5.29. Chinese Taipei suggested that the presenter in Session 5 of the workshop ("Implementation of the Transparency Provisions") could also present on transparency provisions of the Trade Facilitation Agreement.

5.30. Togo welcomed the organization of this workshop, in particular with respect to enhancing the effective use of the IMS, NSS and ePing. Togo argued that public consultations remained a shortcoming when drafting SPS regulations, and suggested including a session on the exchange of experiences and best practices on public consultations. Togo also supported Benin's statement that African countries should take part in this workshop.

5.31. The Gambia echoed Togo and Benin's statements.

5.3.2 Nigeria – Update on Transparency

5.32. Nigeria acknowledged a concern regarding its lack of regular SPS notifications, as stated during its 5th WTO Trade Policy Review. Nigeria noted that it had submitted notifications of regulations issued until 2015, and was committed to updating all outstanding SPS notifications until 2017.

5.3.3 Madagascar – Update on Transparency

5.33. Madagascar reported on its efforts to comply with SPS-related transparency provisions in 2017, submitting six notifications as well as emergency notifications regarding the fall armyworm, and its new phytosanitary certification models.

5.3.4 Chile – Request to Update Notification Authorities

5.34. Chile reported on the difficulties experienced in contacting some Members' agencies for animal or plant health. Chile requested Members to update the contact information of their notification authorities and information services.

5.4 Special and Differential Treatment

5.35. Nigeria requested Members to improve their efforts to ensure the full implementation of special and differential treatment provisions to help Members with low capacity to implement the provisions of the SPS Agreement.

5.36. The Dominican Republic echoed Nigeria's concern and urged Members to take this principle into account when applying new legislation.

5.5 Monitoring of the use of International Standards

5.5.1 New issues

5.5.1.1 United States – Codex Guidelines and Principles for Official Certification Requirements

5.37. The United States raised concerns regarding the impact on trade caused by official import and export certification requirements that were not based on Codex guidance developed over more than two decades, and also not based on scientific justification and risk. The United States regretted the proliferation of new proposed requirements for official certificates – particularly for low-risk products. These requirements increased the burden on exporters and regulatory agencies in the exporting country, and importers and officials in the importing country, with no identifiable public health or food safety benefit. The United States called upon Members to reflect on this concern, to consult with their exporters and consider whether and how the Committee might support the work of Codex by advancing the understanding and use of the relevant Codex principles and guidelines in this area.

5.38. Canada shared the concerns of the United States and encouraged Members to follow the Codex Guidelines for Design, Production, Issuance and Use of Generic Official Certificates (CAC/GL/38-2001) when establishing their official certification requirements. According to these guidelines, official certificates should be required only where attestation and essential information were necessary to ensure food safety and fair practices in food trade; and that importing countries should consider alternative means to achieve this objective.

5.5.2 Issues previously raised

5.5.2.1 Senegal – Application of ISPM 13 on notifications of non-compliance

5.39. Senegal referred to the non-notification of non-compliance of products in international markets, contrary to ISPM 13. Senegal welcomed the efforts of some Members, particularly the European Union in notifying non-conformities, allowing Senegal to follow-up and rectify where required.

5.40. Madagascar supported Senegal's request that all Members respect the non-compliance notification principle.

5.41. Burkina Faso associated itself with Madagascar and highlighted that in general such notifications were not sent to public services, but to exporters directly, and therefore competent authorities were unable to react accordingly.

5.5.2.2 Argentina – Use of the Codex International Standard on Glyphosate

5.42. Argentina reiterated its concern regarding the debates in the European Union on the renewal of authorising the use of glyphosate, a commonly used pesticide. Argentina recalled the extension of the authorization until the end of 2017, urging for its renewal. Argentina expressed concern by the trade impact that a non-renewal of the authorization would have. Argentina emphasized that glyphosate had already been assessed by the Joint FAO/WHO Meeting on Pesticide Residues (JMPR), which was the basis for the MRLs adopted by Codex. Argentina therefore urged the European Union to comply with its multilateral obligations and base its decision on Codex rules and on the scientific reports published by the European authorities EFSA and ECHA.

5.43. The United States, Brazil, Canada, the Dominican Republic and Australia associated themselves with Argentina and stressed the importance of scientific assessment and consistency with international standards, recalling the JMPR re-evaluation of glyphosate and other risk assessments; as well as the negative trade impact that a non-renewal of the authorization of glyphosate would have on producers.

5.44. The European Union clarified that the Risk Assessment Committee of ECHA had concluded that the "available scientific evidence did not meet the criteria to classify glyphosate as a

carcinogen, as a mutagen or as toxic for reproduction". The European Union recalled that on 16 May the European Commission had restarted discussions with Member states about the possible renewal of approval for ten years. The deadline to decide on the renewal was 15 December 2017, six months after the reception by the Commission of ECHA's formal opinion. The European Union restated its commitment to adopt a science-based decision that ensured the protection of human health and the environment.

5.5.3 Annual report in accordance with G/SPS/11/Rev.1

5.45. The Secretariat introduced the Annual Report on the Procedure to Monitor the Process of International Harmonization, as contained in G/SPS/GEN/1550. The report reflected the issues that had been discussed over the past year. No new issues had been raised under this procedure since the 2016 Annual Report.

5.6 Fourth Review

5.6.1 Catalogue of Instruments - Report of informal meeting

5.46. The Chairperson indicated that at the beginning of the informal meeting, he had recalled that at the end of the March meeting, the Secretariat had circulated different proposals for disclaimer language for the Catalogue of Instruments. At the consultations held in June there had been no sign of convergence, although everyone had agreed that the Catalogue was a very useful document.

5.47. At the informal meeting, several Members had reaffirmed the usefulness of the Catalogue. Regarding the need for a disclaimer, some Members had supported language to clarify that the Catalogue was a reference document only, with no binding value. Some had highlighted that in their view, the disclaimer was not necessary, but indicated flexibility towards a 'soft' disclaimer to help achieve a consensus. Other Members had indicated that they were prepared to continue discussions based on language circulated by previous Chairpersons, or by the European Union. Despite the constructive comments shared during the meeting, the well-known divisions had persisted.

5.48. In concluding, the Chairperson indicated that he would continue consulting after the meeting with the proponents and a few Members with concerns to see if a solution could be found.

5.49. After presenting the report of the informal meeting, the Chairperson added that one Member had expressed concern with regard to a sentence in the last disclaimer that had been circulated. Members seemed to be in agreement that a "soft" disclaimer clause could be the appropriate solution, with the exception of one Member that requested a more far-reaching disclaimer.

5.50. The Chairperson further noted that a suggestion had been made to explore new language, which would allow Members to go back to their capitals for consultations. This new language could describe what the Catalogue meant instead of setting out what it did not mean. This suggestion could also address the Catalogue's current lack of an introduction. The Chairperson had discussed this option with certain Members with concerns.

5.51. The Chairperson explained that the current proposal, contained in document RD/SPS/16, included an introductory paragraph explaining what the Catalogue sought to achieve and its objectives. In addition, a soft disclaimer was proposed which sought to cover common elements of prior proposals. The Chairperson requested Members to consult this proposal with their respective capitals and provide comments until 15 September 2017. If no comments were received, the Catalogue of Instruments, with the proposed introductory language, would be proposed for adoption at the next Committee meeting in October 2017.

5.52. Canada stated that the inclusion of an introductory paragraph was a good suggestion, to add clarity to the purpose of the Catalogue.

5.53. Nigeria reiterated its interest in including a disclaimer, and indicated no objection to consider it again in October for final adoption.

5.6.2 Adoption of the Fourth Review – Report of informal meeting

5.54. Regarding the Fourth Review, the Chairperson noted that the draft report of the Fourth Review (G/SPS/W/280/Rev.2) had been waiting to be adopted for nearly three years. He recalled that the United States had presented a proposal with three options on how to move forward with the issue of the Fourth Review Report. The Chairperson indicated that several consultations had been held in June 2017 to discuss the descriptive text to replace the second bullet of paragraph 14.20. During those consultations Members reviewed proposals that had been submitted, as well as the common elements of these proposals. In this regard, a compilation of proposed language for descriptive text for paragraph 14.20 of the Fourth Review Report (RD/SPS/14) had been circulated ahead of the Committee meeting. The Chairperson noted that this document had been discussed at the informal meeting.

5.55. The Chairperson reported that at the informal meeting he had recalled the history of the Committee's discussion on the Report of the Fourth Review, in particular of the second recommendation under the SPS-related private standards-section, in paragraph 14.20. In addition, the Chairperson recalled that in March 2015 the Committee had accepted the first two of the suggestions that Egypt presented for additions to the report, contained in document G/SPS/W/282.

5.56. The Chairperson also reported on his consultations with a group of African Members prior to the informal meeting. These African Members had emphasized that the subject of private standards and their effect on market access was very important to them. They had wished to retain the possibility of discussing this issue in the SPS Committee, and he had reassured them that this would be possible, given the inclusion in the report of the first and third recommendations in paragraph 14.20. This group of Members had also signalled their flexibility to accept the common elements identified in RD/SPS/14, provided that a phrase was added to the second sentence.

5.57. One Member had proposed a couple of edits to the common elements, taking into account that this text would now be placed before the recommendations. This Member had also indicated the need to consult their capital before being able to accept the proposed changes. Certain Members had reaffirmed their commitment to achieving consensus.

5.58. The Chairperson had emphasized the need for a constructive approach and noted that a convergence seemed to be close. The Chairperson requested that the Secretariat circulate the proposed language as modified, which was done after the meeting in room document RD/SPS/15.

5.6.3 Adoption of the Report

5.59. The Chairperson noted that the language of document RD/SPS/15 seemed acceptable to Members and therefore proposed adopting the report contained in document G/SPS/W/280/Rev.2 with the agreed changes.

5.60. The Committee adopted the Report of the Fourth Review.

5.61. The Secretariat explained that the agreed changes would be included in the Report, and that it would be circulated with the new document symbol. The Secretariat also explained that the report would include a footnote to indicate that it reflected the stage of the discussions at the time when it was first presented for adoption. The period after this point in time would be covered by the next review.

5.62. The United States reiterated its view that private standards were not within the scope of the SPS Agreement. The US decision to join the consensus should not be interpreted as a deviation from this view. The United States further noted that nothing about paragraph 14.20 suggested a continued implementation of actions 1 to 5 of G/SPS/55 beyond the time necessary for those actions to be completed or determined to be impossible to complete. Completion of the Fourth Review was an important achievement and the United States congratulated the Members and the Chair.

5.63. Nigeria congratulated the Chairperson for the adoption of the report, and appreciated the recognition and inclusion of their position in the adoption of the Report.

6 CROSS-CUTTING ISSUES

6.1 Workshop on Pesticide Maximum Residue Levels (MRLs): Possible next steps for consideration by the SPS Committee – Proposal by Kenya, Uganda and the United States (G/SPS/W/292)

6.1.1 Report of the Informal Meeting

6.1. At the informal meeting, the Chairperson had reminded Members that Kenya, Uganda and the United States had submitted a proposal for follow-up steps to the Workshop on Pesticide MRLs held in October 2016 (G/SPS/W/292, circulated in March this year). The Chairperson also noted that at the March 2017 meeting, Members had been invited to submit comments on this proposal by the end of May. A compilation of the comments received from Members had then been circulated by email, and the proposal had been discussed in the consultations held on 16 June 2017.

6.2. The United States had expressed appreciation for the comments and feedback received from Members regarding the joint proposal. The proponents were planning to incorporate the comments received into a revised proposal to be circulated before the next Committee meeting in October. Some Members had reaffirmed their support for this initiative. One Member had recalled that elements of a previous document submitted by India (G/SPS/W/284) should be taken into consideration.

6.3. The Chairperson noted the broad support for this proposal. In concluding his report of the informal meeting, he indicated his availability to continue consulting on the basis of the revised proposal to be submitted by Kenya, Uganda and the United States, including on ways to address the concerns addressed in India's proposal.

6.4. The United States thanked the Chairperson for the report and indicated that the submitted comments would be incorporated in their revised proposal, and that the revision of the paper would be submitted in advance of the next Committee meeting. The United States also indicated that the revision would contain details on the vehicle that proponents believed would be best suited to take forward a consensus on these matters. As outlined in the joint paper, the United States believed the Committee should play a constructive role in advancing solutions to the trade-related problems identified by experts in the workshop. The United States invited Members to take an ambitious view of what might be achievable through greater collaboration and a sustained follow-up to the workshop.

6.5. Kenya reported that there were many useful submissions and that those issues would be incorporated.

6.6. India considered that some of the proposed suggestions contained in G/SPS/W/292 were part of the ongoing process and strategy to handle trade issues with relation to pesticides matters. Although India supported the approach of crop grouping for extrapolation of MRLs to crops of the same group, India had concerns with the suggestions under paragraph 4.1. India also recalled the trade concerns related to default MRLs at LOD levels imposed by importing countries, primarily developed countries. India had presented a paper (G/SPS/W/284) in this regard, and was of the view that those concerns remained unaddressed in the current proposal. India urged importing countries to consider the available data instead of applying default MRLs. India urged the inclusion of these concerns in the proposal of Kenya, Uganda and the United States.

6.7. The United States appreciated India's efforts in providing its views on "levels of detection of pesticide residues" contained in G/SPS/W/284. In the United States' view, however, those issues must be set in the context of both the rights and obligations of the SPS Agreement, including Members' right to protect human health through science and risk-based evaluations of pesticide residues. In addition, the United States believed those issues to be considerably more complex than described by India in its submission and that those complexities must be accounted for in considering potential solutions. Indeed, the presentations and discussions at the workshop

highlighted the depth and complexity of the issues, as well as many efforts underway in international and regional fora to address them. In the view of the United States, the information provided by experts at the Workshop provided a firmer basis for the resolution of trade-related MRL issues, based on which the joint paper recognized a wide range of legitimate MRL-related trade concerns that Members could collectively work to resolve. The United States recognized that the LOD issue was complex, as they had a pre-market authorization approval system that was consistent with their rights under the SPS Agreement. The United States indicated openness for discussions with India and other Members on their perspectives.

6.8. Chile appreciated the proposal and emphasized that the original document that had given rise to this discussion had been document G/SPS/W/284 from India. Chile stressed that with implementation, measures were often taken to the detriment of countries, setting a harmful precedent.

6.9. The Dominican Republic remained concerned by the trade-effects on a product if a pesticide was not in the official register of the importing country.

6.10. The United States regretted that the points presented had not been introduced in writing prior to the meeting. The United States requested other Members to respect the process laid out by the Chairperson.

6.11. Chile indicated that the comments made were complementary to the discussion and reemphasized that the original document from India (G/SPS/W/284) was clear. India supported Chile's statement.

6.12. The Chairperson indicated his availability for further consultations.

7 TECHNICAL ASSISTANCE AND COOPERATION

7.1 Information from the Secretariat

7.1.1 WTO SPS activities

7.1. The Secretariat provided Members with an overview of the technical assistance activities, held since the last SPS Committee meeting in March 2017. These activities had included four national seminars held in Kazakhstan, Liberia, Pakistan and Paraguay; and one regional workshop held in Costa Rica focused on good regulatory practice. The Secretariat thanked IICA for their assistance in coordinating the regional workshop, as well as Costa Rica for hosting this activity, and for all their collaborative efforts in this regard.

7.2. More general training on the SPS Agreement had also been provided in the following activities: the WTO Advanced Trade Policy Course (in French) and the Introduction to LDCs Course (in French); two Regional Trade Policy Courses held for Central and Eastern Europe, Central Asia and the Caucus in Kazakhstan and for the Caribbean in Barbados; the IICA Virtual Forum in Risk Assessment; the FAO Workshop on Resolving Agricultural Trade Issues through the WTO held in Ukraine; the Conference on Food Safety and Risk Analysis held in the Russian Federation; the SIDA Workshops held in Stockholm in February and April; and several training sessions held in Geneva with students from Duke University and American University Washington College of Law. The Secretariat also indicated that document G/SPS/GEN/997/Rev.7 provided information on the planned technical assistance activities scheduled to take place later in 2017. The activities included the Advanced Course on the SPS Agreement (to be held in English) in October, and a Thematic Workshop on Transparency to be held on the margins of the October SPS Committee meeting. The Secretariat noted that they had received almost 400 applications for the planned technical assistance activities: 174 applications for the Advanced SPS Course; and approximately 200 applications for the Thematic Workshop. The Secretariat informed Members about the selection process and indicated that they were finalizing the selection of candidates for these activities.

7.3. In addition to the planned activities, the Secretariat announced that a Follow-up Regional SPS Workshop for Arab countries would be organized. This workshop would be co-organized with the IMF-Middle East Centre for Economics and Finance, and would be held in Kuwait, during the

week of 19 November 2017. The Secretariat also informed Members of upcoming national seminars scheduled for Colombia, Jordan, Papua New Guinea, Argentina, Bangladesh, Fiji and Tunisia. General SPS training was also included in the WTO Regional Trade Policy Courses for Latin America (Ecuador) and for French-speaking Africa (Cote d'Ivoire); SIDA Workshops to be held in Stockholm; and a regional SPS workshop that was planned with the Intergovernmental Authority on Development (IGAD), at the request of this organization.

7.4. Chad expressed appreciation for the technical assistance provided to LDCs and developing countries, and highlighted that it ensured a sustained strengthening of capacities to fully understand the rights and obligations under the SPS Agreement, as well as understanding how the SPS Committee worked. Additionally, Chad expressed appreciation for improvement of the SPS quality of products through working with the STDF.

7.1.2 STDF (G/SPS/GEN/1558)

7.5. The STDF Secretariat provided an overview of its activities, as circulated in document G/SPS/GEN/1558. In addition, the STDF highlighted its work on the topic of good regulatory practices to improve the development and implementation of SPS regulations. Following discussions in the STDF Working Group of March 2017, the STDF was preparing a short informal survey to find out how developing country Members were using good regulatory practices to improve their SPS regulations, also taking into account public consultations. The STDF announced that it would circulate the survey through the SPS electronic distribution list and emphasized that feedback was appreciated. The findings of the survey would be shared with the STDF Working Group in October and would be used as a basis for the development of future STDF work in the area of good regulatory practices. Additionally, the STDF recalled that the deadline for applications for the next round of funding considerations was 4 August 2017.

7.2 Information from Members

7.2.1 Senegal - Information on technical assistance and cooperation

7.6. Senegal provided an update on the technical assistance it had received. Senegal welcomed the efforts made by USAID, USDA and ECOWAS to assist with emerging SPS issues through a regional approach to tackling pests. Senegal reported that during the workshop held in Accra, Ghana in June 2017 they dealt with issues related to the infestations of the fall army worm in some countries in West Africa. Senegal also expressed appreciation for the activities underway in its country in the context of the project initiative for Trade Africa of the United States. Finally, Senegal thanked Malaysia for its collaboration on SPS-related issues and for their bilateral protocol.

7.2.2 European Union – SPS-related technical assistance provided in 2015-2016 (G/SPS/GEN/1139/Add.4)

7.7. In accordance with article 9 of the SPS Agreement, the European Union continued to provide technical assistance to other Members, as part of the highly prioritized European Union development co-operation policy. The European Union had circulated document G/SPS/GEN/1139/Add.4 that covered all the activities it carried out during the period 2015-2016, containing a list of 400 projects which were fully, or partially, devoted to SPS technical assistance. The document also included contributions made through the three sisters and the STDF. The European Union invited Members interested in technical assistance to contact the European Union delegations in their capitals.

7.2.3 Japan – Technical assistance provided to developing countries (G/SPS/GEN/1160/Add.5)

7.8. Japan informed the Committee about its SPS-related technical assistance. Japan submitted document G/SPS/GEN/1160/Add.5 with details of Japan's SPS-related technical assistance from 1 April 2016 to 31 March 2017. As described in the document, the total value of the assistance provided by Japan amounted to approximately 470 million Japanese yen (US\$4.3 million), with an accumulated amount of Japanese assistance since 1 April 2009 of approximately 5.5 billion Japanese yen (US\$50 million). Japan informed the Committee that it had provided 62 relevant

programs since 1 April 2009 to more than 50 countries in various regions, including Asia, the Pacific Region, Central America, South America, Central Asia, and Africa. Japan noted that most of the assistance had been carried out by the Japan International Cooperation Agency (JICA), and that it was not only directed at individual countries, but also to groups of countries, regions and the world. Japan reemphasized its aim to continue providing technical assistance to developing members.

7.2.4 Nigeria - Technical assistance received

7.9. Nigeria thanked the European Union, the United States Department for Agriculture (USDA) and AU-IBAR for their assistance and support, and emphasized the importance of continuous support, especially to African countries with a low level of capacity. Nigeria reiterated the need for international donors to increase their funding to African regional implementing partners such as AU-IBAR and ECOWAS.

7.2.5 Paraguay – Technical assistance received

7.10. Paraguay thanked the WTO for the national intermediate level workshop on the implementation of the SPS Agreement. The workshop had been part of the Action Plan for Paraguay at the 2014 Advanced SPS Course and included 32 representatives of the government and the private sector.

7.2.6 Zambia – Technical assistance received

7.11. Zambia noted the serious problem with the fall army worm, which had infested all of its ten provinces. It further informed that it had carried out surveillance, training of farmers and integrated pest control management. Zambia emphasized the need for more research and called upon other partners to support capacity building, research and development.

7.2.7 Madagascar – Technical assistance received

7.12. Madagascar thanked the WTO, the European Union, USAID, the African Union and FAO for supporting their SPS capacity building programs.

7.2.8 Burkina Faso – Technical assistance received

7.13. Burkina Faso provided information on the situation of the army worm in Burkina Faso, which had led to harvest reductions of up to 90%. Actions had been carried out from first detection until confirmation by research institutes, which involved communication and coordination of SPS measures. Burkina Faso stated that the pest was under strict monitoring, with support of the FAO. Additionally, Burkina Faso thanked the African Union, Japan, SADN, ECOWAS, the European Union and STDF.

7.14. Kenya also referred to the issue of the fall army worm, requesting Members to consider it a pan-African pest. Over 80 species of Kenyan crops had been affected by the pest, leading to food insecurity for over one fifth of the African population food, with close to a million devastated hectares. Kenya requested help from institutions like IPPC to build their capacity to detect, manage, control, and eradicate pests.

8 CONCERNS WITH PRIVATE AND COMMERCIAL STANDARDS

8.1. No Members intervened under this agenda item.

9 OBSERVERS

9.1 Information from observer organizations

9.1.1 OIRSA

9.1. OIRSA reported on recent activities of interest to the Committee, through document G/SPS/GEN/1554. OIRSA provided an update of its pilot capacity building project and highlighted the strengthening of disease detection in Panama; the training of veterinarians in providing support and monitoring; and the establishment of a regional programme of climate effects on aquaculture.

9.1.2 ISO

9.2. ISO reported on recent activities of interest to the Committee, through document G/SPS/GEN/1555. ISO highlighted included their continued collaboration with Codex and their collaboration with the OIE for the development of technical specifications on animal welfare management.

9.1.3 IGAD

9.3. IGAD reported on recent activities of interest to the Committee, through document G/SPS/GEN/1556. IGAD referred to the support it had provided on export quarantines; the regional training organized with the African Union on standard operating procedures to comply with importing requirements of Middle Eastern North Africa; and the animal health network meeting organized with 11 countries which provided an opportunity to discuss emerging issues and outbreaks.

9.1.4 IICA

9.4. IICA reported on recent activities of interest to the Committee, through document G/SPS/GEN/1557. IICA reiterated their continued support for the development of the capacity of their member states. In addition, IICA thanked the United States, Canada, the WTO and OIE.

9.1.5 CAHFSA

9.5. The Chairperson drew attention to the report submitted by CAHFSA contained in G/SPS/GEN/1561.

9.1.6 OECD

9.6. The Chairperson drew attention to the report submitted by OECD contained in G/SPS/GEN/1562.

9.1.7 African Union

9.7. The African Union reported on recent activities of interest to the Committee, through document G/SPS/GEN/1563. The African Union reported on the second AU-EU Agriculture Ministers Conference; its meetings related to advancing the Continental Free Trade Area (CFTA); the continued work of the Partnership for Aflatoxin Control in Africa (PACA); the 9th Pan-African Chief Veterinary Officers meetings and three meetings of African animal health experts to analyze and comment on OIE proposed changes to the Terrestrial and Aquatic Animal Health Codes; the 8th Pan-African National Codex Contact Point Officers meeting; the African Pesticide Residue Data Generation Project; two workshops to improve the understanding of members of the Pan African Parliament (PAP) on SPS issues; and the Inter African Phytosanitary Council's (IAPSC) annual General Assembly.

9.1.8 ECOWAS

9.8. ECOWAS reported on recent activities of interest to the Committee, through document G/SPS/GEN/1570. ECOWAS referred to the establishment of an institutional SPS working group; the auditing and revitalizing of national SPS committees; a regional stakeholders meeting on plant health and plant protection; and a training session on food safety and capacity building focused on aflatoxin issues. ECOWAS thanked USAID, USDA, USDA-APHIS and all their partners and donors, and also sought more support for the implementation of their action plans.

9.2 Requests for observer status (G/SPS/W/78/Rev.14)

9.2.1 New requests

9.9. There were no new requests received by the Secretariat.

9.2.2 Outstanding requests

9.10. The Chairperson noted that there was still no consensus on the six outstanding requests for observer status from the Commission for Biological Diversity (CBD); CABI International; the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); the Organisation Internationale de la Vigne et du Vin (OIV), the Asian and Pacific Coconut Community (APPC); and the International Cocoa Organisation (ICCO).

9.11. The Chairperson thanked the representatives of observer organizations for their contributions to the work of the Committee and for their assistance to Members.

10 OTHER BUSINESS

10.1 Brazil – Animal products: recent measures implemented

10.1. Brazil provided an update on the actions taken regarding the irregular practices involving misconduct of some private and public agents. Brazil reported on the actions taken by the Ministry of Agriculture in addition to those that were communicated to the SPS Committee at the March meeting (G/SPS/GEN/1545). First, the Sanitary Inspection Regulation (RIISPOA) was updated with the objective of fighting economic fraud and improving food safety, including severe penalties for irregularities ranging from heavy fines to losing the federal inspection approval seal (SIF) in case of persisted non-compliance. Second, the Ministry of Agriculture established a compliance programme, which would provide enrolled companies with a certification seal.

10.2. Brazil stressed that the identified irregularities were related to economic fraud and did not compromise the safety and quality of the products consumed in Brazil and exported to other markets. Brazil remained confident that their sanitary controls were robust and trustworthy, and thanked trade partners that expressed confidence in their system by keeping their markets open to their animal products.

10.2 Brazil – Discussion paper on SPS measures (COA-SS RD/AG/57)

10.3. Brazil informed the SPS Committee of its joint submission with Argentina to the Committee on Agriculture in Special Session of a discussion paper on SPS measures as room document RD/AG/57, with the objective to start a discussion on SPS issues that could be part of the deliverables for the next Ministerial Conference, in Buenos Aires. Brazil and Argentina had taken note of the comments and expressions of interest conveyed to them in the COA-SS, and invited Members to present additional inputs.

10.3 Burkina Faso

10.4. Burkina Faso expressed appreciation for the SPS-related support provided to African countries, and highlighted the opportunity provided by SPS Committee meetings to obtain information and ownership of SPS matters.

11 DATE AND AGENDA FOR NEXT MEETINGS

11.1. The next regular meeting of the Committee was tentatively scheduled for 2-3 November 2017, with a Workshop on Transparency scheduled for 30-31 October. An informal meeting was planned on 1 November 2017.

11.2. The Committee agreed to the following tentative agenda for its upcoming regular meeting:

1. Adoption of the agenda
2. Information sharing
 - a. Information from Members on relevant activities
 - b. Information from OIE, Codex and IPPC on relevant activities
3. Specific trade concerns
 - a. New issues
 - b. Issues previously raised
 - c. Information on resolution of issues
4. Operation and implementation of the SPS Agreement
 - a. Equivalence
 - b. Pest- or disease-free areas
 - c. Operation of transparency provisions
 - d. Special and differential treatment
 - e. Monitoring the use of international standards
 - i. New issues
 - ii. Issues previously raised
 - f. Fourth Review
5. Cross-cutting issues
6. Technical assistance and cooperation
 - a. Information from the Secretariat
 - i. WTO SPS activities
 - ii. STDF
 - b. Information from Members
7. Concerns with private and commercial standards
8. Observers
 - a. Information from Observer organizations
 - b. Requests for observer status
9. Other business
10. Date and agenda of next meeting

11.3. Members were asked to take note of the following deadlines:

- For submitting comments on the draft programme for the transparency workshop and to suggest possible speakers: **Thursday, 10 August 2017;**
 - For submitting comments on the proposal for follow-up to the workshop on Pesticide MRLs submitted by Kenya, Uganda and United States: **Thursday, 10 August 2017;**
 - For submitting comments on the Chairperson's proposed new language, contained in RD/SPS/16: **Friday, 15 September;**
 - For identifying new issues for consideration under the monitoring procedure and for requesting that those items be put on the agenda: **Thursday, 19 October 2017;**
 - For the distribution of the Airgram: **Friday, 20 October 2017.**
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