

What is the World Trade Organization?

- Established on 1 January 1995
- Succeeded GATT (1948 – 1994)
- Current Membership is 150

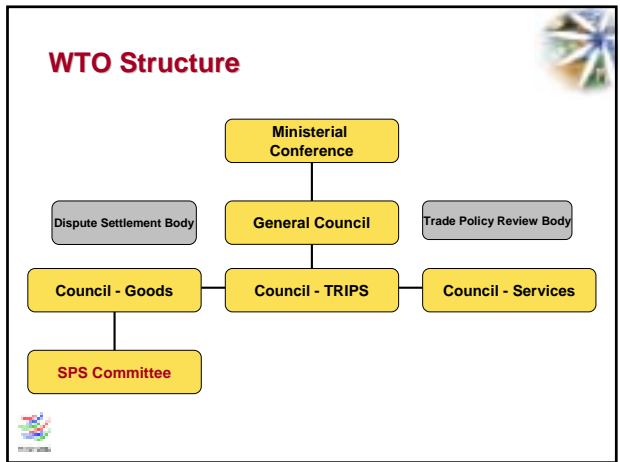
“WTO Contract”

Decisions: consensus

30 negotiated agreements

- Status of international treaties
- WTO Members must modify their commercial policies to conform with their WTO obligations.
- When Members disagree, WTO rules have priority.

Dispute settlement



Agreements on Trade in Goods

- GATT 1994
- Sector specific agreements
 - Agriculture
 - Textiles and clothing
- Rules – based agreements
 - Technical Barriers to Trade
 - **Application of Sanitary and Phytosanitary Measures (SPS)**

Definition of an SPS measure

to protect:	from:
human or animal life	risks arising from additives, contaminants, toxins or <u>disease-causing</u> organisms in food, beverages, feedstuffs
human life	plant- or animal-carried diseases (zoonoses);
animal or plant life	pests, diseases, or disease-causing organisms
a country	damage caused by entry, establishment or spread of pests (including weeds)

All types of measures with these purposes, including:

- ✓ product criteria
- ✓ quarantine measures
- ✓ processing requirements
- ✓ certification
- ✓ inspection
- ✓ testing
- ✓ health-related labeling

Key Provisions

- Scientific justification
- Consistency in levels of health protection
- Accept equivalence
- Recognize disease- and pest-free areas
- Transparency
- Fair control, inspection and approval procedures
- Technical assistance and special and differential treatment

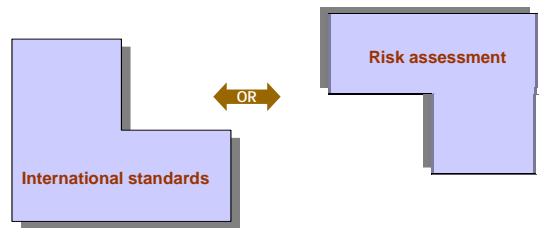
Scientific justification

shall ensure:



- is based on scientific principles
- applied only to the extent necessary to protect human, animal or plant life or health (least trade restrictive)
- is not maintained without sufficient scientific evidence except as provided for in Article 5.7

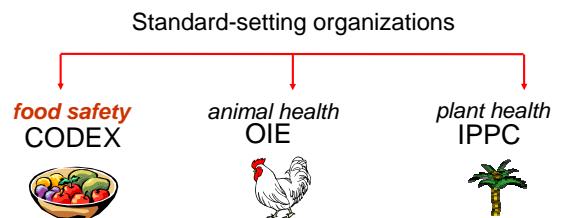
Scientific Justification



International Harmonization

- ✓ Encourage use of international standards
- ✓ Presumption of conformity
- ✓ Right to be more stringent if have scientific justification

Harmonization



Codex = Joint FAO/WHO Codex Alimentarius Commission
OIE = World Organization for Animal Health
IPPC = International Plant Protection Convention (FAO)

Risk Assessment

Food safety risks

Risks associated with foods, drinks or animal feed



Pest or disease risks

Evaluation of the probability of entry, establishment or dissemination
As a function of the applied SPS measure
Possible biological and economic consequences



Risk assessment

- scientific evidence
- processes and production methods
- inspection, sampling and testing methods
- pest or disease prevalence
- ecological and environmental conditions
- quarantine and other treatment



Equivalence

If the exporting country objectively demonstrates that its measures achieve the same ALOP as the importing country



Members **shall**

Accept SPS measures of other Members as **equivalent**

G/SPS/19/REV.2

Pest- or Disease-Free Areas

Members **shall** take into account :



disease prevalence
guidelines set by relevant international organizations
existence of eradication programmes



G/SPS/GEN/640/REV.1

Transparency

Members **shall**

Enquiry Point Notification Authority



Notify other Members of **PROPOSED** SPS regulations when



no international standard exists
OR
regulation **different** than international standard **AND** regulation may have **significant effect** on trade

Transparency

Notifications

Normal
Emergency



Observations?

Normally allow at least 60 days for comments

Enquiry Points



SPS Committee

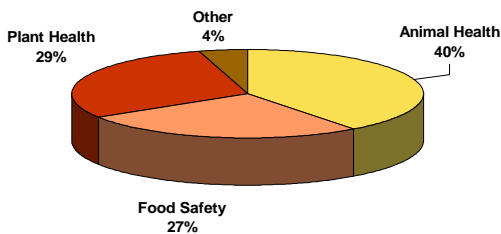
- All WTO Members
- Observer governments and organizations
- 3 meetings/ year
 - 26 February – 1 March
 - 25-28 June
 - 9-13 October
- All meetings at WTO, Geneva



SPS Meetings

- Information from Members
- Specific trade concerns
- Transparency
- Special and differential treatment
- Equivalence
- Regionalization
- Use of international standards
- Issues from Review of SPS Agreement
- Technical assistance
- Information from other organizations

Trade concerns by subject



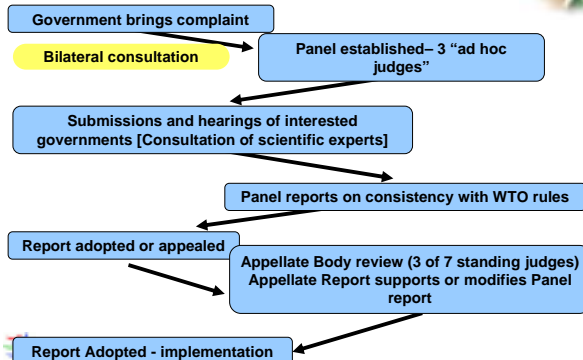
Total 245 issues raised

Dispute Settlement



- Coverage: goods, services and intellectual property
- Procedures: fixed time limits
- Adoption of reports by the Panel: *inverted consensus*
- Examination by the Appellate Body
- Non-compliance with recommendations

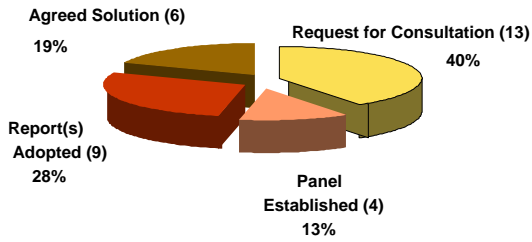
WTO Dispute Settlement



Consultations

- Consultations between concerned Members
- **Mutually agreed solutions any time**
- “Good offices” of WTO-DG
- DSB establishes Panel on request
- 60 day period

30 (+ 2) disputes have invoked the SPS Agreement



SPS Information

www.wto.org

→ "Docs-on-line"

↻ "Trade topics"

↻ Sanitary and phytosanitary measures

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