



Committee on Sanitary and Phytosanitary Measures

SUMMARY OF THE MEETING OF 25-26 MARCH 2014

NOTE BY THE SECRETARIAT¹

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1 ADOPTION OF THE AGENDA

1.1. The Committee on Sanitary and Phytosanitary Measures (the "Committee") held its fifty-ninth regular meeting on 25-26 March 2014. The proposed agenda for the meeting was adopted with amendments (WTO/AIR/4262/REV.1).

2 INFORMATION ON RELEVANT ACTIVITIES

2.1 Information from Members

2.1. The Chairperson drew the Committee's attention to the documents G/SPS/GEN/1309 and G/SPS/GEN/1310, circulated by Armenia under this agenda item, providing information on animal health risk assessment and zoning reports, and plant health risk assessment reports respectively.

2.1.1 United States of America – Final Bovine Spongiform Encephalopathy (BSE) Comprehensive Rule

2.2. The United States stated that its amended BSE import regulations had been published by USDA's Animal and Plant Health Inspection Service (APHIS). The new "BSE Comprehensive Rule" brings US regulations in line with OIE criteria for classifying regions as negligible, controlled and undetermined risk for BSE. A Small Ruminant TSE rule, addressing BSE-related issues for sheep and goats, would be proposed for public comment within the year. The United States urged its trading partners to remove all import restrictions on US-origin bovines in accordance with its OIE-recognized BSE negligible risk status.

2.1.2 United States of America - Update on FDA Food Safety Modernization Act (FSMA)

2.3. The United States reported on the progress of the US Food and Drug Administration's (FDA) implementation of the Food Safety Modernization Act (FSMA). Three proposed rules had been published: i) Current Good Manufacturing Practice and Hazard Analysis and Risk-Based Preventive Controls for Food for Animals; ii) Focused Mitigation Strategies to Protect Food Against International Adulteration; and iii) Sanitary Transportation of Human and Animal Food. The three proposed rules had been notified as G/SPS/N/USA/2593, G/SPS/N/USA/2610 and G/SPS/N/USA/2631, respectively, and provided a timeframe for Members to submit comments.

2.1.3 Canada - Update on new Regulatory Framework for Federal Food Inspection

2.4. Canada provided an update on its new Regulatory Framework for Federal Food Inspection (G/SPS/GEN/1282). Passage of the Safe Food for Canadians Act (SFCA) provides a basis for consistent regulatory requirements and inspection approaches across all fields. The Canadian Food Inspection Agency (CFIA) was specifically proposing to replace 13 federal food inspection regulations with one set of regulations. A notice of regulatory intent, containing supporting framework, would be notified in May 2014 and the complete set of draft regulations was anticipated to be notified for consultation during Fall 2014. The SFCA and associated regulations were anticipated to come into force in June 2015.

2.1.4 Canada - Changes to Canada's NNA and NEP

2.5. Canada announced that as of April 2014, the SPS National Notification Authority (NNA) and Enquiry Point (NEP) would be managed directly by Foreign Affairs Trade and Development Canada. Canada committed to provide the new NNA and NEP contact information to the Secretariat, and indicated that it was making every effort to ensure a smooth transition with little impact upon Members.

2.1.5 Japan - Lifting ban on fresh fruits from Argentina, Australia, Chile, Italy and Turkey

2.6. Japan indicated that it had lifted a ban on imports of fresh fruits from Argentina, Australia, Chile, Italy and Turkey, following agreements with these trading partners on certain conditions to prevent the introduction of fruit flies and codling moth into its territory. Thanks to data and information provided for pest risk analysis by its trading partners, this phytosanitary issue was resolved bilaterally.

2.1.6 Japan - Update on situation of Japanese food after the Fukushima Daiichi nuclear power plant accident and latest IAEA report

2.7. Japan reported a contaminated water leakage within the facility of Fukushima Daiichi nuclear power station, but stressed that it was extremely unlikely that any of the leaked contaminated water would affect the Japanese food chain. Japan noted that the IAEA's assessment indicated that the leak posed no danger to the public and concentration levels around the nuclear power station had been relatively stable. IAEA thus concluded that the food supply chain in Japan was safely under control.

2.1.7 European Union - Recent detection of African swine fever virus in Lithuania and Poland

2.8. The European Union announced the detection of African swine fever (ASF) in two of its member States: Lithuania and Poland. Stringent measures had been immediately taken by the affected member States in accordance with international standards. Furthermore, the European Union not only has had surveillance and detection measures in place for a number of years now, but was also providing technical assistance to its neighbouring countries, which had ASF on their territory and had thus far, been unable to control its spread. The European Union urged its trading partners not to take more trade restrictive measures than necessary given the measures the European Union had taken that were fully in line with the principle of regionalization.

2.1.8 Pakistan - Update on National Notification Authority and National Enquiry Point

2.9. Pakistan stated that a new Ministry of National Food Security and Research had been created as a result of the adoption of the 18th amendment of its Constitution. The resulting changes to its SPS NNA and NEP had been notified to the Secretariat and the new contact information was available in the IMS database.

2.10. The Secretariat stressed the importance of being told of any changes to Members' NNAs or NEPs in order to keep trading partners informed.

2.1.9 Burundi - Information on the Standardization and Quality Control Bureau and on the National Coordinating and Monitoring Committee

2.11. Burundi reported on the adoption of a decree relevant to the status of its Standardization and Quality Control Bureau and of a law on the national standardization, metrology, quality assurance and testing system (G/SPS/GEN/1308). Burundi also reported the adoption of a decree concerning the National Committee for the Coordination and Monitoring of Sanitary and Phytosanitary Measures, which was chaired on an annual rotation basis by the national focal points for CODEX, IPPC and OIE (G/SPS/GEN/1306/Rev.1). Burundi highlighted its need for technical assistance to develop the necessary capacities of these bodies in terms of transparency and international trade.

2.2 Information from the relevant SPS standard-setting bodies

2.2.1 CODEX

2.12. Codex provided information on the Codex Sessions held since the last meeting of the SPS Committee (G/SPS/GEN/1322). Codex reported that the Codex Committee on Food Hygiene had finalized Guidelines for the Control of Trichinella and the revision of the Code of Hygienic Practice for Spices and Dried Aromatic Herbs. The Codex Committee on Food Hygiene also agreed to start new work on guidelines for the control of nontyphoidal *Salmonella* ssp. in beef and pork meat, as well as for the application of general principles of food hygiene to the control of foodborne parasites. All these texts would be submitted to the Commission in July 2014 for adoption. The Codex Committee on Fish and Fishery Products had concluded work on the Standard for Fresh and Quick Frozen Raw Scallop Products and on performance criteria for methods for determination of marine bio toxins in bivalve molluscs. The Codex Committee on Food Additives revised the Guidelines for the simple evaluation of food additive intake and referred for adoption more than 550 additive provisions in the context of its work on the General Standard for Food Additives

(GSFA). That Committee had also progressed its work on aligning food additive provisions of commodities with those in the GSFA.

2.13. Codex also announced the forthcoming Codex committee meetings: i) Contaminants in Foods in the Hague; ii) General Principles in Paris; and iii) Pesticide Residues in Nanjing. Chile highlighted the importance of coordination not only between all these committees but between the Three Sisters as well. The Secretariat recalled that the next meeting of the Codex Commission would be held in Geneva in July 2014, back-to-back with the next SPS Committee meeting, which should facilitate the participation of Members in both SPS and Codex meetings.

2.2.2 IPPC

2.14. The IPPC reported on its recent activities and noted that it had 181 members as of the beginning of the year (G/SPS/GEN/1321). The Ninth Session of the Commission on Phytosanitary Measures (CPM) would take place from 31 March to 4 April 2014. The new process for standard-setting permitted formal objections to standards proposed for adoption, and seven of these had been returned to the Standards Committee for further evaluation. A recently completed feasibility study on electronic phytosanitary certification had led to some proposals to improve trade facilitation through the use of the aforementioned certification. The IPPC had also improved its communication activities, not only with its members but with the general public as well. The IPPC had developed several manuals related to capacity development as well as a more user-friendly phytosanitary information web page. The IPPC stressed the need for sustained support in order to continue its work. Finally, the IPPC announced its interest in participating in the WTO Preparatory Committee on Trade Facilitation.

2.2.3 OIE

2.15. The OIE provided an update on developments in standards for terrestrial and aquatic animals (G/SPS/GEN/1317). A revision of the Terrestrial Code User's Guide would be proposed for adoption by the World Assembly of Delegates in May 2014, and the Guide to the Use of the Aquatic Animal Health Code would subsequently be revised. New OIE disease listing criteria were now being applied and the proposed revision of the OIE Terrestrial Code standard on risk assessment for antimicrobial resistance was proposed for adoption in May 2014. The OIE reported that the development of a new "high health, high performance horse" standard, drawing on existing OIE standards and fundamental principles, was underway. In January 2014, the OIE had launched a new web application named WAHIS-Wild Interface, which provided more public information about reporting on wild animal diseases.

2.3 Information from the Secretariat

2.16. The Secretariat provided information on recent activities related to invasive alien species and the Trade Facilitation (TF) Agreement. The Secretariat recalled that it had been participating for a number of years in the interagency liaison group on invasive alien species. This liaison group had developed an overview of the different guidance documents available from the IPPC, the OIE and other organizations that were relevant for the control of invasive alien species (G/SPS/GEN/1320).

2.17. The Secretariat also drew attention to the Trade Facilitation Agreement concluded at the WTO's 9th Ministerial Conference in December 2013. In response to various queries, the Secretariat had prepared a brief informal paper describing the relationship between the SPS and the TF Agreement (RD/SPS/3/Rev.1). While any possible conflicts between the TF and SPS Agreements were addressed in paragraph 6 of the Final Provisions of the TF Agreement, the TF Agreement would create some requirements that went beyond those of the SPS Agreement, for example, the obligation to publish a wide range of information related to importation and exportation requirements and procedures.

2.18. An STDF thematic session would be held on 26 March 2014, to present the preliminary results of STDF work on the implementation of SPS measures in the context of trade facilitation. The background note, agenda and report of the session are available at the STDF website: <http://www.standardsfacility.org/en/TATradeFacilitation.htm>.

3 SPECIFIC TRADE CONCERNS (G/SPS/GEN/204/REV.14)

3.1. The Secretariat reported that the annual compilation of Specific Trade Concerns (STCs) had been issued as G/SPS/GEN/204/Rev.14 on 4 March 2014. As in recent years, this compilation contained information only on issues which were raised in the Committee during the previous year. In 2013, a total of 79 STCs were discussed in the Committee, of which 24 were new issues, 15 were previously raised and 40 were reported as resolved. Information on issues discussed before 2013 was available from the SPS Information Management System: <http://spsims.wto.org>.

3.1 New issues

3.2. Seven new Specific Trade Concerns which had been included on the proposed agenda for the meeting were withdrawn following bilateral consultations. These were: (1) China's concerns regarding EU protective measures on products of animal origin (2002/994/EC); (2) China's concerns regarding Korea's requirements of BSE-free certification on compound feed; (3) Chinese Taipei's concerns regarding Indonesia's import restrictions on commercial feathers and down; (4) Ecuador's concerns regarding EU requirements on imports of raw milk and dairy products (EU 605/2010); (5) China's concerns on US limits of procymidone in onions; (6) Ecuador's concerns regarding Brazil's pest risk assessment for bananas; and (7) China's concerns regarding Australia's fumigation requirements on wooden furniture.

3.1.1 Russia's measures on live pigs and pork products due to African swine fever - Concerns of the European Union

3.3. The European Union raised concerns regarding measures taken by Russia in response to the finding of African swine fever (ASF) virus in four wild boar in two EU member States: Lithuania and Poland (G/SPS/GEN/1305 and G/SPS/GEN/1313). The European Union had immediately delimited the affected areas and imposed stringent control measures. However, Russia had banned imports of live pigs, pork and certain other products from the entire EU territory, not just from the affected regions. Russia's claim that it was concerned about the spread of the disease into its own territory was unfounded as ASF was widespread in Russia. The disease was present in both wild boar and domestic pig populations in Russia, as Russia had taken insufficient measures to prevent the spread of the ASF virus. Scientific studies showed that the virus found in Lithuania and Poland originated in Russia. The European Union thus contended that Russia's measure was disproportionate, more trade restrictive than necessary and discriminatory, and urged Russia to bring its measures in line with its WTO obligations and with international standards.

3.4. Russia noted that ASF had inflicted significant damage on the Russian economy since the first outbreak was confirmed in 2008. After this outbreak and much mortality among susceptible animals, a special commission was established in 2013 for the prevention and eradication of ASF. During this period, Russia had kept all trading partners fully informed on possible vectors of spread, and had requested that the European Union consolidate its efforts for ASF control. Apparently the European Union had underestimated the degree of the threat. Russia stressed that it imposed temporary restrictions on the importation of live pigs and pig products not subjected to adequate heat treatment only from those countries that had made relevant notifications to the OIE (Poland and Lithuania), not other EU member States. However, Russia insisted on EU compliance with the requirements of the veterinary certificates agreed in December 2012. These required certification that no cases of ASF had been found during the last 36 months within the territory of an EU member State (excluding Sardinia). There were currently insufficient guarantees that a zone or compartment had been effectively established and that the movement of goods within the EU territory was fully controlled. Furthermore, this was not a matter that could only be resolved without the involvement of the other members of the Eurasian Economic Community: Belarus and Kazakhstan. See also G/SPS/GEN/1315.

3.1.2 US imports of meat from Brazil - Concerns of Nicaragua

3.5. Nicaragua raised concerns regarding a proposed new US rule for the entry of beef from Brazil, which Nicaragua indicated would increase the risk of foot and mouth disease (FMD) spreading to Central America. A lot of effort had gone into ensuring that Central America was free of FMD and to prevent the spread of FMD into the region. Currently, the United States allowed importation of beef only from FMD-free countries, with or without vaccination. While the OIE

recognized Santa Catarina, Brazil, as an FMD-free area, the north of Brazil was not FMD-free and there was no guarantee that the disease would not spread to neighbouring areas. Nicaragua also highlighted the importance of traceability programmes for the identification of affected animals. The cattle traceability programme in Brazil was voluntary and only applied to cattle whose meat was destined for countries that required traceability of the beef from birth. This lack of a mandatory traceability system could affect Brazil's capacity to monitor, detect and respond to emergency events. Nicaragua stressed that the FMD virus was difficult to eradicate with vaccination as it was a disease susceptible to variation. An outbreak of FMD in Nicaragua would have a devastating effect on the country's economy, given that the beef and livestock industry was the main pillar of its national economy. See also G/SPS/GEN/1330.

3.6. El Salvador outlined that FMD was an exotic illness and joint efforts of countries were necessary to maintain Central America's FMD-free status without vaccination. It supported Nicaragua's concerns as the country depended mainly on exports of agricultural goods and a possible outbreak of FMD could bring about significant economic consequences. Guatemala also supported the concern since imports of agriculture products of cattle origin from FMD-free countries without vaccination could put the country at great risk.

3.7. Brazil described Nicaragua's concern as based on purely commercial grounds, which were outside the scope of the Committee. Furthermore, Brazil exported meat to more than 100 countries, and was clearly a trustworthy partner. The United States had concluded a thorough risk analysis of Brazil's sanitary system, in accordance with OIE recommendations and the provisions of the SPS Agreement, which confirmed the high sanitary and food safety conditions of Brazilian beef products.

3.8. The United States responded highlighting its efforts to prevent the entry and spread of FMD. APHIS was proposing changes to its regulations to allow the importation of fresh beef from 14 states in Brazil. After a careful analysis and several site visits to Brazil, APHIS had determined that Brazil could detect, control and report FMD in case of an outbreak. The United States recalled that the planned change in US regulations was a proposed rule and urged Nicaragua to submit its comments on the rule.

3.2 Issues previously raised

3.2.1 Brazil's risk assessment for shrimp - Concerns of Ecuador (No. 344)

3.9. Ecuador raised concerns regarding Brazil's risk assessment for shrimp. The National Fisheries Institute of Ecuador had an agreement with the Brazilian authorities regarding the list of establishments permitted to export to Brazil. However, Brazil had suspended imports since 2009, without any official explanation, indicating that it was undertaking a risk assessment on white spot disease. There was scientific evidence that white spot disease had existed in Brazil since 2004. Recent publications reported that the virus caused high mortality rates in Brazil, which was not the case in Ecuador where the virus was only present at a low level. Ecuador urged Brazil to complete the risk assessment within a reasonable time and stressed that Ecuador had quarantine mechanisms in place to detect white spot disease in its fisheries. Ecuador offered to provide information and enable inspections from the Brazilian authorities in order to ensure compliance with Brazil's requirements and accelerate the process of risk assessment.

3.10. Brazil noted that the risk assessment was a complex task, but the process was moving forward and Brazil had concluded its public consultations. It was prepared to send an inspection delegation to Ecuador in June, as a follow-up to a questionnaire sent in March.

3.2.2 China's import restrictions in response to the nuclear power plant accident – Concerns of Japan (No. 354)

3.11. Japan reiterated its concern over import restrictions by China on Japanese food exports, mainly food and feed, following TEPCO's nuclear power station incident. China maintained the ban on all types of food and feed from 10 prefectures in Japan and requested the submission of an official pre-test certificate for fruits, vegetables, milk products, medicinal plants and fishery products from all other prefectures. Japan considered that these measures were more trade restrictive than necessary and not based on the relevant international standard. Furthermore,

China had not yet approved the form for the requested certificate. Japan requested that China expeditiously finalize its analysis of the proposed certificate, and either accept or specify amendments, if any, to the proposed form.

3.12. China explained that since the nuclear leak incident, serious contamination threats existed to Japan's maritime products. Several adjustments had been made to inspection and quarantine measures since then. China had requested information from Japan in order to conduct a risk assessment. In addition, due to the risk of radioactive contamination of alcoholic beverages, a prohibition had been imposed in accordance with the enhanced inspection and quarantine measures of Japan. Based on the conclusions of its risk analyses, China had permitted a number of imports from two prefectures.

3.2.3 Russia's import restrictions on confectionary products – Concerns of Ukraine (No. 368)

3.13. Ukraine reiterated its concerns regarding the non-transparent manner in which Russia had banned imports of confectionary products as of 29 July 2013. This measure, based on the Resolution of the Federal Service on Customers' Rights Protection and Human Well-being Surveillance of Russia (No. 01/8612-13-23), had not been notified. Furthermore, Russia's SPS Enquiry Point had not provided the information requested by Ukraine in August 2013. Ukraine appreciated the site visit conducted by Russia in October 2013 and the answers provided in March 2014, but despite the bilateral consultations, the import ban was still in place. Ukraine believed that the measure was applied beyond the extent necessary to protect human health, in a discriminatory manner and maintained without sufficient scientific evidence, and was contrary to Annex C of the SPS Agreement. Ukraine requested Russia to provide an official detailed justification of its measure or promptly lift the ban and bring its measure in line with the SPS Agreement.

3.14. Russia explained that suspension of imports of Ukrainian confectionaries was related to false labelling information and not SPS issues. Information requested from Ukraine had not yet been provided. Russia hoped to receive the relevant information soon in order to resume trade of these products with improved consumer information.

3.2.4 Application and modification of the European Union Regulation on Novel Foods - Concerns of Peru (No. 238)

3.15. Peru reiterated its concern over the EU Regulation on Novel Foods, as it restricted the access of traditional biodiversity-based products into the European market, with negative effects on exporters. The proposed amendment of Regulation No. 258/97 would exclude from its scope traditional biodiversity-based products which had previously been safely consumed in their country of origin. The aim of this amendment was to facilitate the export of these products from developing countries. Peru requested information on the status of the proposed amendment to Regulation No. 258/97, which would be an important step to access the European market. See also G/SPS/GEN/1329.

3.16. Ecuador noted that the revised legislation, 2013/894, still posed barriers to products of biodiversity and sought assurances that it was compliant with Articles 2.2 and 5.6 of the SPS Agreement. The regulation created a disadvantage to small producers because the EU regulations required that the marketing history of traditional biodiversity-based products be disclosed, and this information was rarely available in developing countries. Ecuador suggested that the European Union: (i) replace the existing process with a simplified risk-based authorization procedure; (ii) define clearly the factors to be used to evaluate safety; and (iii) clarify the international standards and procedures on which EFSA would base its decisions and carry out the risk assessments.

3.17. Costa Rica, El Salvador and Nicaragua also expressed support for Peru's concerns.

3.18. The European Union announced that in December 2013, the Commission adopted a proposal for a new regulation on novel foods, accompanied by a further proposal on cloning. The proposed new regulation for novel foods focused on easing market access for traditional foods, including those produced by small producers. The objective was to simplify and streamline approval

procedures while ensuring food safety. The proposal was notified to WTO in December 2013 (G/SPS/N/EU/64) and an exceptionally long comment period (120 days) had been given. No comments had been received to date and interested Members were encouraged to submit their comments by the 20 April 2014 deadline. The European Union encouraged Ecuador to submit their comments in writing so that they could be considered as part of the notification process.

3.2.5 Korea's strengthened import restrictions on food and feeds with regard to radionuclides – Concerns of Japan (No. 359)

3.19. Japan reiterated its concerns regarding Korea's food, fisheries and feed import restrictions. These included a ban on imports from eight prefectures and additional testing and certification requirements in all cases where radioactive Cesium was detected, even in quantities below the Korean limit of 100 Bq/kg. This requirement applied exclusively to Japanese products; Korean and other trading partners' products could be distributed as long as the radioactive Cesium level remained below 100 Bq/kg. Japan noted that Korea also required inspection certificates on feed exported from certain areas in Japan.

3.20. Korea explained that its measures were in accordance with Article 5.7 of the SPS Agreement, as a result of insufficient scientific evidence and the potentially far-reaching cumulative effects of radioactive contamination on food safety and human health. Korea was in the process of reviewing requested information provided by Japan in January 2014, but given the complexity of the issue, needed more time to come to a final determination. Korea was willing to engage with Japanese experts and discuss bilaterally in order to finalize this process promptly.

3.2.6 European Union temperature treatment requirements for imports of processed meat products – Concerns of Russia (No. 351)

3.21. Russia reiterated its concerns regarding the EU heat treatment regimen for meat products, treated stomachs, bladders and intestines obtained from domestic cattle and farmed wild cloven-hoofed animals (except pigs), as well as domestic sheep and goats. Although the European Union recognized Kaliningrad as a separate region in terms of veterinary concerns, it authorized imports from this region only of products subject to a heat treatment of at least 80°C. Products from the rest of Russia were prohibited, other than to transit through the European Union. In response to a Russian request in March 2013 that the European Union establish the minimum core temperature of 70°C for heat treatment of such products and restore the right to export from the mainland of Russia, the European Union only agreed to the 70°C treatment for products from the Kaliningrad region, but required a longer exposure time than that requested. In response to a March 2014 request for the scientific justification of the EU requirements, the European Commission had explained that the OIE Terrestrial Animal Health Code did not establish special procedures for the destruction of the ASF virus in meat. Consequently, the European Commission decided to apply the procedures in EU legislation for classical swine fever and other viral diseases, i.e. 80°C. Russia noted that this contradicted the provisions of the OIE Code that defined a minimum core temperature of 70°C (regimen D) as sufficient to inactivate classical swine fever virus. See also G/SPS/GEN/1328.

3.22. The European Union highlighted that the issue had been subject to intensive bilateral exchanges during recent years. Imports of meat products from pigs and ruminants used to be permitted from Russia since 1997 if they had been heat-treated to a minimum of 80°C. The animal health situation had deteriorated in Russia, with classical swine fever and African swine fever spreading due to inadequate controls. Russia did not apply regionalization within its territory and did not have an OIE officially recognized Foot and Mouth Disease (FMD) status. The European Union encouraged Russia to set in motion the process to regionalize major animal diseases in their territory and to seek FMD recognition from the OIE.

3.2.7 India's import conditions for pork and pork products – Concerns of the European Union (No. 358)

3.23. The European Union recalled its concerns on India's import requirements for pork and pork products and reiterated its request that such measures be brought in line with international standards. Currently, India required that the exporting country certify freedom from a number of diseases for which there were no OIE standards, yet India had not provided a science-based

justification for these import conditions. India also required exporting countries to have country freedom without recognizing the possibility of trade from disease-free regions. Further, with regard to import conditions for processed meat of pork origin, India required that the exporting country certify that meat was processed so as to achieve an internal temperature of not less than 70°C for 30 minutes, without allowing any alternative treatments. These requirements were not based on the relevant OIE and CODEX standards. Under the SPS Agreement, import conditions should not be stricter than the measures applicable to the domestic market, yet Indian legislation allowed domestic non-heat treated processed pig meat to be sold. The European Union urged India to bring its measures into line with the OIE standards or, alternatively, provide a science-based risk analysis for each of the diseases for which India applied import conditions stricter than the international standards, and also for its requirement to only allow imports of heat-treated processed pork meat. The European Union also urged India to recognize the principle of regionalization, which was effectively applied in the European Union, instead of requiring country freedom for certain diseases.

3.24. Canada shared many of the concerns raised by the European Union. Canada's exports of pork and pork products to India had been blocked due to India's onerous import requirements. Canada's concern was with respect to India's requirements for countries to certify freedom from diseases for which the OIE had not set a standard. Canada looked forward to an update from India on the process and timeline anticipated to complete India's review of its import requirements.

3.25. India explained that its import requirements required freedom from certain diseases which were exotic to India. With a strengthened border surveillance system now in place, as communicated via bilateral channels, a technical expert committee was in the process of reviewing the import health certificate requirements, in light of the OIE standards, but without compromising domestic health requirements.

3.2.8 Turkey's requirements for importation of sheep meat – Concerns of Australia (No. 340)

3.26. Australia reiterated its concerns over Turkey's requirements for the import of sheep meat, which it had raised at each Committee meeting since October 2012. In February 2012, Australia had provided Turkey with a draft bilingual sheep meat certificate based on EU requirements. Turkey had not acknowledged receipt of the draft certificate nor provided advice on its acceptability. Turkey's lack of response was not consistent with its obligations under the SPS Agreement.

3.27. Turkey responded that it was in the process of aligning its food safety legislation with that of the European Union. In this context, Turkey had prepared certificates for beef, bovine meat, livestock and fishery products. Development of a uniform model certificate for other products of animal origin, including sheep- and goat-meat, was underway.

3.2.9 Import restrictions due to BSE - Concerns of the European Union (No. 193)

3.28. The European Union highlighted the importance of this concern as it related to one of the basic requirements under the SPS Agreement: that SPS measures adopted by Members be based on the relevant international standards. Unjustifiable trade restrictions relating to BSE were still in place in a number of Members, although OIE standards for safe trade had existed for more than 10 years. The European Union urged China to base its measures on the OIE standards and lift the ban on EU beef. The European Union welcomed the on-going work in Korea and urged Korea to deal swiftly with all EU applications. Australia's and the US on-going processes to align their BSE import conditions with OIE standards was appreciated, but should be completed without delay so as to now permit trade to occur. Australia should move from the eligibility already granted to some EU member States into real trade by setting out all the necessary subsequent steps, including health certificates. The European Union looked forward to tangible results in the near future.

3.29. China noted that the latency period of BSE was long and as there were no cases in China, an import prohibition of bovine cattle and related products was in place as a safety measure. According to Chinese legislation, China could conduct inspection and quarantine activities only after the BSE ban on certain EU member States had been lifted. Since 2010, the OIE had released reports that a number of EU member States (France, Portugal, Spain, the United Kingdom, etc.)

still suffered from BSE and these countries had not applied for the ban to be lifted in China. Technical exchanges, including a seminar on BSE jointly held with the European Union, and the assignment of a technical person to participate in BSE prevention training, had taken place. In March 2012, EU beef exports were discussed at the 7th China-EU Summit, and a joint expert team had been established to pursue the technical issues.

3.30. Korea indicated that its authorities had been conducting import risk analysis on beef from some EU member States. Responses to questionnaires were awaited so as to proceed with the risk analysis in a timely manner. Korea maintained a close dialogue with the concerned Members in this regard.

3.2.10 European Union phytosanitary measures on citrus black spot – Concerns of South Africa (No. 356)

3.31. South Africa reiterated its concerns over the restrictive requirements regarding citrus fruit imports by the European Union. In December 2013, the European Union published an emergency measure on further restrictions to prevent the introduction of the citrus black spot pathogen into EU territory. The pest risk analysis of the European Food Safety Authority (EFSA) on citrus black spot was made available in February 2014. South Africa reviewed its risk management practices related to citrus black spot on an annual basis and significant improvements had been made, as documented to the European Union. South Africa maintained that the EU measures were more stringent than technically justified, and disproportionate in light of the area of the European Union that could possibly be endangered by citrus black spot.

3.32. The European Union confirmed that EFSA carried out a pest risk analysis on citrus black spot in February 2014. As part of the process, a public consultation with scientific experts was held and all the resulting comments were made public. EFSA's assessment confirmed that citrus black spot presented a high risk to the European Union as environmental conditions in some parts of the European Union were favourable for the introduction, establishment and spread of the disease via the import of citrus fruit. It was also underlined that while EU prevention measures were sufficient, they should be reinforced in some cases. Since the process of revising its general import requirements in respect of citrus black spot would take time, the European Union was considering interim measures for the import of citrus fruit from South Africa due to the number of non-compliant consignments during the previous season. The European Union acknowledged the efforts being made by South Africa to ensure a safer trade in citrus fruits.

3.3 Consideration of specific notifications received

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

3.4 Information on resolution of issues in G/SPS/GEN/204/REV.14

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

4 OPERATION OF TRANSPARENCY PROVISIONS

4.1. The Secretariat recalled that it no longer produced paper copies of the contact lists of National Notification Authorities and National Enquiry Points, but the lists were constantly updated and available through the SPS Information Management System (IMS) (<http://spsims.wto.org>). Members could also generate a monthly summary list of notifications through the SPS IMS. The Secretariat noted that it had not prepared an annual list of all documents circulated by Members, Secretariat and Observers, as this information was readily available using the SPS IMS.

4.2. Interested delegates can subscribe to any one of three e-mail lists to receive SPS-related information and documentation from the Secretariat. One publicly available list receives all unrestricted SPS documents, whereas a second list receives all unrestricted documents other than notifications. The third list was for SPS delegates only, for the transmission of restricted documents, communications from the Chair, faxes, room documents and other non-public documentation. Documents were provided through the various e-mail lists in the original language in which they were submitted by Members, and translations of these documents were accessible

through the SPS IMS or WTO's Docs-on-line. Members interested in receiving documentation via e-mail from the Secretariat should ensure the addresses they provided remained correct.

4.1 European Union revised proposal for categorization of compounds as endocrine disruptors – Concerns of the United States

4.3. The United States noted that the European Union planned to publish a road map outlining different options and a preliminary impact assessment in its process to assess, classify and regulate endocrine disruptors. The United States urged the European Union to swiftly notify the roadmap, any future proposals and the draft impact assessment, and to take into account comments from Members. The United States requested that the European Union explain its endocrine disruptor assessment program, particularly the timing for public consultations, as well as the timeframe for notifications and the manner in which Members' comments would be taken into consideration.

4.4. The European Union highlighted that several segments of its legislation contained provisions on endocrine disruptors; however, scientific criteria for the identification of endocrine disruptor substances were not yet available. The European Union noted that it had planned to propose scientific criteria to identify endocrine disruptors in its biocidal products regulation and plant protection products regulation by December 2013. In light of the potential impacts of a choice of criteria, however, the European Commission decided to carry out a comprehensive impact assessment – to analyze the different policy options available to define criteria for the identification of endocrine disruptors – before making a revised proposal. This process was underway and the next step would be publication of a roadmap, within the coming weeks, outlining the various policy options for the criteria to be assessed. The impact assessment would follow standard EU guidelines, take into account existing scientific studies and reports, relevant international on-going work on this subject, and the impact on international trade. The European Union further clarified that a public consultation would be launched as part of the process in the course of 2014, enabling all stakeholders and trading partners to provide their input.

4.2 Information from the European Union

4.5. The European Union drew Members' attention to two proposals on animal cloning, notified under the TBT Agreement in March 2014. The first proposed directive (G/TBT/N/EU/197) prohibited animal cloning for farming purposes and the placing on the EU market of animal and embryo clones. The prohibition applied to animals "kept and reproduced for the production of food, wool, skin or fur or other farming purposes". It did not apply to animals kept and reproduced "exclusively for other purposes such as research, production of medicinal products and medical devices, preservation of rare breeds or endangered species, sporting and cultural events".

4.6. The second proposed directive (G/TBT/N/EU/198) prohibited the placing of food obtained from animal clones on the EU market, including food from third countries where such prohibitions might not exist. Although the proposed measures on cloning were not sanitary measures according to Annex A of the SPS Agreement, the European Union wanted to ensure that Members were aware of these proposals. The final date to submit comments was 90 days from 12 March 2014.

5 IMPLEMENTATION OF SPECIAL AND DIFFERENTIAL TREATMENT

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

6 EQUIVALENCE - ARTICLE 4

6.1 Information from Members on their experiences

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

6.2 Information from relevant observer organizations

6.2. No Observer provided any information under this agenda item.

7 PEST- AND DISEASE-FREE AREAS - ARTICLE 6

7.1. The Secretariat noted that several Members had submitted documents providing information on the pest and disease status in their territories. These documents had been circulated and Members could access them online. The Secretariat reminded Members to ensure that this information was also reported to the IPPC or the OIE directly, as the provision of such information to the WTO did not fulfil Members' obligations to the IPPC and the OIE.

7.1 Information from Members on their pest or disease status

7.1.1 Australia – Information on freedom from highly pathogenic avian influenza

7.2. In October 2013, Australia had advised the OIE and trading partners of the finding of an H7N2 highly pathogenic avian influenza virus in layer hens. Immediate surveillance and tracing had led to the detection of second infected premises, which was also reported to the OIE. Since then, Australia had provided regular updates on developments to the OIE, in accordance with OIE requirements. Australia reported to the OIE in November 2013 that stamping out operations - including humane destruction, disposal, cleansing and disinfection - had been completed on both infected premises. Following surveillance for residual infection and absence of further reports of highly pathogenic avian influenza, there had been no further occurrences of the disease in domestic poultry. Australia thus again met OIE requirements of freedom from highly pathogenic avian influenza.

7.3. Australia thanked trading partners who had either not applied additional measures or had applied only measures that caused minimal disruption to trade of avian products in response to this incident, and those who had lifted measures put in place in response to this incident. Australia requested those trading partners who continued to apply trade restrictive measures on the importation of Australian birds and avian products in response to this incident, to remove such measures and to again recognize Australia as a country free from highly pathogenic avian influenza.

7.1.2 South Africa – Information on foot and mouth disease (FMD) status

7.4. South Africa reported that the outbreak of FMD in its free zone in February 2011 had resulted in the suspension of its FMD free zone status and in a number of trade restrictions by Members on cloven hoofed animals and products from South Africa. Following intensive efforts to eradicate FMD from the free zone and ensure the necessary monitoring and control measures, the OIE officially reinstated this zone as an "FMD free zone where vaccination is not practised" with effect from 14 February 2014. South Africa urged all trading partners to immediately remove any restrictions imposed following the February 2011 outbreak so as to allow trade of cloven hoofed animals and products originating from the recognized free zone into their markets.

7.1.3 Paraguay – Information on foot and mouth disease status

7.5. Paraguay indicated that it had recovered its OIE FMD-free with vaccination status as of 1 November 2013. Paraguay thanked the veterinary services of all members of the Standing Veterinary Committee and the Pan American FMD Centre for the collaboration they provided throughout the process.

7.6. Paraguay also noted that the "Better training for safer food" initiative, funded by the European Union (DG SANCO) had organized a workshop on FMD in Paraguay, 18-21 March. Paraguay thanked the European Union for its support to veterinary services in the region. This support undoubtedly contributed towards the objectives of improving the technical capacity of staff, guaranteeing the safety of products and improving development prospects.

7.1.4 Honduras – Information on declaration of a pest free area

7.7. Honduras reported that the Finca Santa Rosa in the municipality of Nacaome, department of Valle, was a pest free area for *Ceratitits Capitata* Wied., in accordance with Section 3.3 of ISPM No. 10 (Requirements for the Establishment of Pest Free Places of Production and Pest Free

Production Sites). This communication was made for transparency, without prejudice to the country's rights and obligations under the SPS Agreement. See also G/SPS/GEN/1300.

7.1.5 Guatemala – Response to query raised by Senegal regarding areas free of Mediterranean fruit fly

7.8. Guatemala recalled that Senegal had requested further information regarding the areas declared free of Mediterranean fruit fly by the Ministry of Agriculture, Livestock and Food (G/SPS/GEN/1326). These areas met the FAO definition of a pest-free zone, as demonstrated through a surveillance system using trapping and sampling carried out through the MOSCAMED programme. This status was maintained by the application of phytosanitary measures in line with international standards NAPPO and IPPC. Guatemala had implemented an integrated management system for pest control using the latest technology, and the principal component was the sterile fly technique (TIE) applied "area-wide".

7.9. MOSCAMED had been established as a training centre for professionals working in the area of Mediterranean fruit fly control in the various programmes worldwide. It had provided capacity building for over 170 professionals from 35 countries, through the integrated management system. The MOSCAMED strategy to control and eradicate Mediterranean fruit fly comprised the following: (a) information and public relations; (b) detection of the pest – including detection through sampling and/or trapping; (c) presence or absence of the pest corresponding to an information analysis; (d) pest control, including land and air spraying, mechanical control, sterile insect technique and biological control; (e) suppression and eradication; (f) protection of working place, with legal control; (g) creation and maintenance of free zones; and (h) production of healthy fruit for local consumption as well as exports. Additional information on the programme can be found online: <http://www.moscamed-guatemala.org.gt>.

7.2 Information from Members on their experiences in recognition of pest- or disease-free areas

7.10. Ecuador reported on its progress towards recognition as an FMD-free country. Since August 2011, the Livestock Ministry and sanitary authorities, alongside the private livestock sector, had undertaken a project to eradicate FMD. In this context, Ecuador had been able to confirm the absence of FMD for 33 months. Bi-yearly campaigns enabled Ecuador to enhance monitoring and implement a notification system, linked with the progressive control of beef through electronic follow-ups. As a result of this work and of the confidence of the international community in the sanitary services of Ecuador, the OIE had officially recognized Ecuador's FMD official control programme. This was an important basis for the recognition and declaration of Ecuador as an FMD-free country with vaccination, expected for 2015.

7.11. Indonesia provided information on its National Plant Protection Organization. The Indonesian Agriculture Quarantine Agency had been facilitating access for Members' consignments into Indonesia. Pest quarantine protection measures were listed in the Ministerial Decree of Agriculture No. 93 2011. Based on this list, Indonesia applied quarantine measures at pre-border, border, and post-border stages. During the period of 2013-2014, the Indonesian Minister of Agriculture had endorsed requests of recognition of pest-free areas from several Members. In order to obtain recognition of pest- or disease-free areas, Members should submit completed technical data to facilitate the conduct of a pest risk analysis by an Indonesian expert team.

7.12. The Secretariat reminded Members that according to the Committee's decision on recognition of pest- or disease-free areas (G/SPS/48), Members are encouraged to provide information on their experiences in requesting the recognition of such areas. Some of the information reported under earlier agenda items referred to receiving such recognition, and it would be helpful if the Members who had recognized pest- or disease-free areas would confirm that this was the case.

7.3 Information from relevant Observer Organizations

7.13. No Observer provided any information under this agenda item.

8 TECHNICAL ASSISTANCE AND COOPERATION

8.1 Information from the Secretariat

8.1.1 WTO SPS activities

8.1. The Secretariat provided information regarding G/SPS/GEN/521/Rev.9, which identified all SPS-specific technical assistance activities undertaken by the WTO Secretariat from 1 September 1994 to 31 December 2013. The document presented information on the number and type of activities delivered in each year, regions covered, languages used, participation of the international standards setting organizations and additional items.

8.2. The Secretariat had provided a total of 288 SPS-specific TA activities, with an overall participation of more than 11,000 persons since 1994. In 2013, 20 SPS training activities were undertaken. Three of them were regional workshops, seven national SPS seminars, one advanced SPS course, one thematic Workshop on SPS-related Market Access Challenges and Opportunities and eight courses organized by other organizations.

8.3. Document G/SPS/GEN/997/Rev.4 provided an overview of the planned technical assistance activities for 2014. The scheduled activities included three regional SPS workshops for: (a) Central and Eastern Europe, Central Asia and the Caucasus; (b) Latin America; and (c) the Pacific region. An advanced course on the SPS Agreement would be held in October, and an SPS thematic workshop on risk analysis would be held on the margins of the October SPS Committee meeting.

8.4. The Secretariat highlighted that funding was available to assist the participation of some relevant officials from least-developed and developing countries to attend these activities. The application deadline for the Geneva-based activities was 6 June 2014. More detailed information on the dates of the activities, eligibility criteria, pre-requisites, deadlines and application processes was available in G/SPS/GEN/997/Rev.4 and G/SPS/GEN/997/Rev.4/Add.1. The application form was available online and the web link to access this form was included in G/SPS/GEN/997/Rev.4.

8.5. The report of the Workshop on SPS-related Market Access Challenges and Opportunities, held in October 2013, was contained in G/SPS/R/72.

8.6. Since the last Committee meeting, technical assistance on the SPS Agreement had been provided through the following activities: (a) seven national seminars held in Azerbaijan, China, Costa Rica, Guinea, Haiti, Lao People's Democratic Republic and Zimbabwe; (b) SPS training workshops held in Mexico and Japan; as well as (c) a Regional SPS Workshop in the United Arab Emirates. The Secretariat thanked the Arab Monetary Fund and the United Arab Emirates for hosting and organizing the regional workshop, and for all their collaborative efforts in this regard.

8.7. More general training on the SPS Agreement had been provided as follows: (a) Advanced Trade Policy Course in Geneva; (b) Intermediate Thematic Courses for LDCs (29-30 January 2014, 25 February and 6 March 2014) in Geneva; (c) FAO Regional Training Workshop for CIS countries (12-13 November 2013) in Ukraine; (d) phytosanitary symposium organized by the Moroccan Association for Plant Protection (4 December 2013) in Morocco; and (e) SPS Training Programme organized by the Swedish International Development Cooperation Agency (12-14 March 2014) in Sweden.

8.8. Upcoming national activities included national seminars for Angola, Comoros, El Salvador, Jordan, Saint Vincent and the Grenadines, Seychelles and Tanzania.

8.9. The Secretariat recalled that the e-learning course on the SPS Agreement was available year-round in the three WTO official languages. Further information on SPS-related technical assistance can be obtained on the WTO website (under trade-related technical assistance), or by contacting the Secretariat for additional clarification and assistance.

8.1.2 STDF

8.10. The STDF Secretariat reported on the most recent activities of the STDF (G/SPS/GEN/1311). Four issues were highlighted for the attention of the Committee.

8.11. An independent mid-term review of the STDF had been completed in January 2014. It examined the STDF's performance against OECD evaluation criteria — relevance, effectiveness, efficiency, sustainability and impact. The executive summary of the evaluation, including the recommendations, was circulated as G/SPS/GEN/1304. The full report could be downloaded (in English only) on the STDF and WTO websites.

8.12. The mid-term evaluation had been very positive of the STDF partnership (FAO, OIE, WHO, WB and WTO), of the donors and the developing country SPS experts, which participated actively in STDF, as well as of the STDF Secretariat. According to the mid-term evaluation report, the STDF had successfully established itself as a coordination forum and had achieved impressive results. Projects were considered as "highly relevant to the needs of beneficiaries and to the policies of partners and donors". The Secretariat operated efficiently and effectively. STDF's target to spend at least 40% of its resources on projects originating in least developed countries (LCDs) and other low income countries was fully met (currently stands at 50%). The evaluation report made recommendations on how to further strengthen the operation of the STDF, including by further improving its results-based management framework. These recommendations would be further discussed by the STDF Working Group.

8.13. STDF held a thematic session on 27 March 2014 for Working Group members, SPS delegates and other interested organizations. The increasing attention on trade facilitation as a means to stimulate economic growth and competitiveness was generating a renewed focus on SPS measures and their application to imports, exports and transit goods. The session was an opportunity to discuss and follow up the work by governments and the broader trade and development community, including the STDF. The adoption of the Trade Facilitation Agreement created a momentum and additional financial resources would be available for projects and programmes related to facilitating trade. Customs services had normally been the main beneficiaries of these programmes and the STDF encouraged greater participation by other border agencies, including SPS agencies. The need for greater participation by other agencies had also been acknowledged by the World Bank, which was leading many trade facilitation projects.

8.14. A study on International Trade and Invasive Alien Species had been conducted by STDF in conjunction with the IPPC and OIE. A number of targeted recommendations had been made, including on the use of existing phytosanitary and veterinary controls, quarantine systems and procedures to prevent the introduction of invasive species. An STDF publication on this topic was available in English, French and Spanish.

8.15. STDF provided support for project preparation, and seed funding up to US\$50,000, to help beneficiaries in developing countries prepare sustainable SPS projects. 60 projects had been developed through the STDF and the Mid-Term Review considered the STDF's work in this area as a "good investment". Currently, the STDF website was being redesigned. The next deadline for the submission of applications for STDF funding was 18 July 2014. Detailed information on STDF activities and how to apply for funding was available in G/SPS/GEN/1304 and from the STDF website: <http://www.standardsfacility.org/en/index.htm>.

8.2 Information from Members

8.16. The United States provided an update on its technical assistance activities, reported in G/SPS/GEN/181/Add.10. Between October 2011 and September 2012, the United States sponsored 316 SPS technical assistance activities for 72 developing countries, which were worth more than US\$45 million. These activities provided technical building blocks for strong animal health and plant systems. In 2012, the US Government had developed a partnership with the Government of Chile to provide SPS training to El Salvador. In 2013 and 2014, this partnership expanded to provide training to Guatemala and Honduras.

8.17. Canada provided information on its technical assistance to developing countries in the calendar year 2012, as detailed in G/SPS/GEN/1318. In 2012, Canada delivered or initiated a total of 16 SPS-related technical assistance projects targeting various geographic regions. Of note, a second contribution of Can\$1 million of a multi-year, multi-million dollar contribution was made by Canada to the Standards and Trade Development Facility (STDF).

8.18. The European Union also provided information on its technical assistance activities during 2013 (G/SPS/GEN/1139/Add.2). In the SPS area, the European Union provided approximately 75 million Euros via 300 projects all over the world – preserving its commitment to provide technical assistance to third countries despite the global economic downturn. EU assistance took the form of both development assistance and aid directed at improving opportunities for trade, animal health, plant health and food safety. The European Union contributed not only at regional or national levels, but also at the international level to the work of the international standard setting bodies as well as to the STDF. The assistance provided was to secure new markets for developing countries and to find supplies of safe food for the European Union. The European Union was committed to strengthen technical assistance. Developing countries should address technical assistance requests to the EU delegation in their country or to the European Commission in Brussels, Belgium.

8.19. The Chairperson thanked Canada, the European Union and the United States for their continuous support in the field of technical assistance.

8.3 Information from observers

8.20. The OIE referred to its activities reported in G/SPS/GEN/1317, and highlighted the veterinary education conference held in Brazil, on 4-6 December 2013. More than 1,000 participants from 110 countries had addressed the need for better quality and harmonization of veterinary education worldwide, based on OIE guidelines. The conference had also focused on strengthening the role of veterinary statutory bodies in supporting better veterinary education. The OIE was planning to hold a training seminar in April 2014 for Performance of Veterinary Service (PVS) evaluators on recent revisions to the PVS pathway tools.

8.21. The IPPC reported on the restructuring of the phytosanitary resources web page. The IPPC thanked the European Union for providing assistance for developing countries to participate in IPPC-related meetings, and Canada and the United States for their generous contributions to advance the work of the IPPC.

8.22. Codex announced the next sessions of its regional coordinating committees, which will be held between September 2014 and February 2015. In connection with the six meetings, the Codex Trust Fund was organizing capacity building workshops.

8.23. The ITC referred to its report in G/SPS/GEN/1324, providing information on its SPS-related assistance to help enterprises meet SPS requirements. ITC highlighted an Enhanced Integrated Framework project titled "Sector Competitiveness and Export Diversification in The Gambia" which technical barriers hindering market access of Gambian exports of groundnuts, cashew nuts, and sesame. Another project had the objective of expanding Nigeria's export of sesame seeds and sheanut and shea butter through improved SPS capacity building for the private and the public sector (STDF/PG/172). The project "Improving Safety and Quality of Sri Lankan Fruits and Vegetables" had the objective of analyzing SPS constraints along value chains, enhancing public and private sector stakeholders' capacity to meet international SPS requirements and improve public-private cooperation (STDF/PG/354). Another project aimed at the development of an SPS Strategy in Comoros. ITC had been contracted by UNDP as implementing agency for the project (STDF/PG/242). The project "Improving Key Services to Agriculture" in Fiji was an EU programme aimed at improving deliverables of key services to non-sugar agriculture. This project was implemented by ITC and the Secretariat of the Pacific Communities (SPC). An EU-funded project implemented by ITC on trade and private sector development in Zimbabwe focused on capacity building for testing laboratories of the Standards Association of Zimbabwe for pesticide residue testing and other testing for food products. The ITC informed the Committee that this year is ITC's 50th anniversary, and a number of events would take place to build awareness about ITC's role in trade-related technical assistance.

8.24. IICA highlighted a project under which consultations had been held in eight Caribbean countries to identify priority needs for agricultural health, food safety and fisheries. The project supported active participation at the multilateral level in SPS-related issues, including in Codex, IPPC and OIE meetings. A video conference on salmonella control in meat was held, with the participation of Costa Rica, the Dominican Republic, El Salvador, Honduras, Guatemala, Nicaragua and Panama. The video conference was attended by over 80 participants. IICA also held events on

the US Food Safety Modernization Act. IICA also announced a twinning mechanism coordinated in partnership with the Codex Coordinating Committee for Latin America and the Caribbean which aimed to promote skills development in the region. More details are available in G/SPS/GEN/1314.

8.25. OIRSA reported on its activities in support of the agricultural ministries in its nine member countries as of October 2013. The support related to animal health, plant health, food safety and quarantine and included various seminars and technical capacity building activities. Details are available in G/SPS/GEN/1319.

9 REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE SPS AGREEMENT

9.1 Issues arising from the Second Review

9.1.1 Adoption of procedure relating to implementation of Article 12.2 (G/SPS/W/259/Rev.7)

9.1. The Chairperson recalled that Members had worked intensively to develop the procedure proposed in G/SPS/W/259/Rev.7. Although this might not be a perfect document and might not be considered ideal by all Members, it was a carefully crafted compromise. Following the Committee's failure to adopt the proposal in October 2013, no new text had been proposed by any delegation before the 17 December 2014 deadline. The Chairperson proposed therefore that the Committee adopt the procedure contained in G/SPS/W/259/Rev.7.

9.2. India stated that several clarifications were needed before it could agree to the adoption of G/SPS/W/259/Rev.7. While paragraph 1.1 stated that participation in the procedure was voluntary, paragraph 2.3 indicated what information should be provided by a Member in responding to a request for consultations, and India questioned the relationship between these provisions, as well as the meaning of "shall not constitute a legally binding agreement" in paragraph 1.2. India also sought clarification of what was a "related technical issue", referred to in paragraph 1.3, in the context of the definition of an SPS measure contained in Annex A of the SPS Agreement. Other points where India sought clarification was with regard to third party participation (paragraph 2.10), as well as whether the report of the facilitator would be confidential or could be used by a Member in a dispute settlement procedure (paragraph 2.14). Finally, India sought further clarification regarding the final paragraph of the proposal (paragraph 5.1) and whether the procedure would be continued following its review.

9.3. The Chairperson requested India to provide its requested clarifications in writing by 24 April 2014. (These were subsequently circulated as RD/SPS/4.)

9.4. The European Union suggested that the stewards and co-stewards of the electronic working group be asked to assist with the requested clarifications. On this basis the Chairperson proposed that the stewards and co-stewards prepare a response to the concerns raised by India, for discussion by the Committee at an informal meeting just prior to the July SPS Committee meeting. These proposed clarifications would be circulated sufficiently in advance of the meeting to permit their consideration by India and other Members prior to the meeting. The Chairperson expressed the hope that this would permit the Committee to finally adopt this procedure at the July meeting.

9.2 Fourth Review

9.5. The Chairperson reported that at the informal meeting held on 24 March 2014, the following issues had been discussed: (i) issues and proposals for consideration received from Members; (ii) comments on the updated background document; and (iii) comments on any other related issues.

9.6. With regard to issues and proposals for consideration, Canada had presented its proposal on a catalogue of available instruments for the management of SPS issues (G/SPS/W/271), noting that the timely use of these tools could help Members avoid, manage or escalate issues. Some examples of what could be included in the catalogue were the right to provide comments on notifications and to discuss them, the targeted or strategic use of the STC agenda item, and the use of the IPPC or OIE dispute settlement procedures.

9.7. Many Members had welcomed the proposal and highlighted the usefulness of developing a compendium of all the actions available. It had been proposed that the Secretariat collaborate with Canada on preparing a draft of the catalogue, for subsequent comments by other Members.

9.8. On transparency, the European Union had welcomed a discussion of its first proposal (G/SPS/W/274) and the subsequent joint proposal submitted with Chile, Morocco and Norway (G/SPS/W/277). The European Union had noted that with the rapidly growing number of SPS notifications, it was crucial that the information provided be clear, complete, reliable and timely. It was proposed that the recommended procedures be reviewed, with a view to improve such matters as: (i) the quality and completeness of the information provided in the notification; (ii) the timeliness of the publication of regular and emergency notifications; (iii) interactions with trading partners; and (iv) access to all measures adopted and proposed by a Member.

9.9. Many Members had recognized the importance of transparency and supported the proposal, and one Member had suggested that it was also important to identify the problems encountered by countries and further improve technical assistance in this area.

9.10. The Secretariat had recalled that the Committee had agreed to hold a transparency workshop every three years and that the next one would take place in 2015. This was an opportunity to ensure the participation of a large number of national notification authorities to discuss and agree on changes to notification formats and templates. The Secretariat had also reported that a project to revise and modernize the SPS NSS and SPS IMS tools had been approved and would start this year. It had been suggested that Chile, the European Union, Morocco and Norway draft a proposal highlighting specific modifications to the recommended procedures (G/SPS/7/Rev.3), for further consideration by the Committee.

9.11. The Committee had next discussed the US proposed workshop on risk analysis (G/SPS/W/275). The United States had noted that since the last workshop on this topic was in 2000, a significant amount of work must have been carried out, by Members and the Three Sisters.

9.12. Many Members had supported the proposal and proposed that a session on risk communication be included in the programme. It had also been suggested that the session related to dispute settlement be presented by WTO staff. Furthermore, given the amount of material to be covered, the possibility of splitting the workshop into two events had been discussed.

9.13. The Secretariat had noted that the topic of the October thematic workshop had not yet been identified and that risk analysis could be an option. However, funding was available for a two-day workshop only. The Committee had suggested that risk analysis be the topic of the October 2014 workshop, and Members were invited to submit suggestions regarding the programme, based on that contained in the US proposal, to the Secretariat by 24 April 2014. A revised programme would then be presented for the next meeting.

9.14. Finally, the Committee had considered South Africa's proposal on risk assessment and the appropriate level of protection (G/SPS/GEN/1307). South Africa had suggested that its proposal, which consisted of two questions related with the implementation of Article 5.4 of the SPS Agreement, could be addressed in the context of the workshop on risk analysis.

9.15. Several Members supported South Africa's proposal and the suggestion to discuss the issue of minimizing negative trade effects in the risk assessment process. Furthermore, one Member proposed that the issue of special and differential treatment should also be taken into account when establishing the ALOP.

9.16. Following the timetable adopted by the Committee, the Secretariat had circulated a background document describing the Committee's work since the last Review, and subsequently a revision based on comments and suggestions from Members, issued as G/SPS/GEN/1312.

9.17. The Secretariat had briefly introduced the main changes included in the updated background document, and had noted that a corrigendum had been circulated to include paragraph 8.2, which had inadvertently been omitted in the English version. It had been further clarified that the categories of level of development used in the document relied on the WTO IDB

reference database. As compared to former Review exercises, a smaller number of issues with supporting documents had been put forward by Members, and the proposed work programme seemed achievable.

9.18. On other related issues, Switzerland had proposed that thematic sessions be held in the margins of the Committee, in order to discuss issues in an open and constructive manner.

9.19. In concluding, the Chairperson had recalled the agreed follow-up actions resulting from the meeting: (i) Canada to work with the Secretariat on the catalogue of instruments; (ii) the European Union, Chile, Morocco and Norway to submit specific modifications on the recommended transparency procedures by 8 May 2014; (iii) comments and suggestions by Members on the workshop on risk analysis to be submitted by 24 April 2014; and (iv) Switzerland to submit a paper on its thematic sessions proposal by 24 April 2014.

9.20. In addition, according to the agreed Review process, Members should provide any further comments or suggestions on the background document prepared by the Secretariat by 24 April 2014. A compilation of any new proposed actions would be circulated and Members would have the opportunity to comment on these proposed actions by 15 May 2014. Comments on the background document as well as proposed actions on issues under consideration and subsequent comments would be incorporated in the first draft report, to be circulated by 19 June 2014. This first draft report would provide the basis for discussions at the next informal meeting on the Review, to be held prior to the July meeting.

9.21. In commenting on the Chairperson's oral report, Egypt suggested that it would be useful if the catalogue proposed by Canada could also contain a comparison between the different dispute settlements mechanisms available in IPPC and OIE.

10 MONITORING OF THE USE OF INTERNATIONAL STANDARDS

10.1 New Issues

10.1. No Member raised any new issues under this agenda item.

10.2 Issues previously raised

10.2. No Members or observer organizations provided further information under this agenda item.

11 CONCERNS WITH PRIVATE AND COMMERCIAL STANDARDS

11.1 Report on the informal meeting

11.1. The Chairperson reported on the informal meeting on SPS-related private standards held on Monday, 24 March 2014. At the informal meeting, she had recalled that the Committee had agreed to develop a working definition of SPS-related private standards in order to set the framework within which it would discuss the issue. Agreed Action 1 (G/SPS/55) did not propose a legal definition, but merely sought a framework to limit the scope of issues considered by the Committee.

11.2. The Chairperson had also reminded the Committee that as stated in paragraph 4 of G/SPS/55, endorsement of the adopted actions was without prejudice to the views of Members regarding the scope of the SPS Agreement.

11.3. The Chairperson had recalled that after no consensus had emerged on the working definition at the October 2013 meeting, the Committee had agreed to form an electronic working group (e-WG) and China and New Zealand had accepted to serve as "co-stewards".

11.4. It had been agreed that the e-WG would submit a proposed compromise text on a working definition of an SPS-related private standard by the end of February 2014, for consideration at the March meeting.

11.5. The Chairperson had reported that the co-stewards had circulated a report on the work of the e-WG in document G/SPS/W/276, dated 18 March 2014. This report noted that no consensus had been reached by the e-WG on a working definition, thus the co-stewards had put forward a compromise working definition on their own responsibility.

11.6. The Chairperson had acknowledged the leadership and constructive approach shown by China and New Zealand on the issue. Xinhua, Carolyn and Richard had, in their personal capacity, invested considerable effort into collecting e-WG members' comments, and into coming up with compromise language for a working definition that in their view best bridged the differences between these positions. The Chairperson had also thanked all of the members of the e-WG: Argentina, Australia, Belize, Brazil, Burkina Faso, Canada, China, the European Union, Japan, Singapore and the United States, for their engagement and participation in the work of the e-Working Group.

11.7. China and New Zealand had introduced their report on the work of the e-WG and had presented the proposed working definition of an SPS-related private standard contained therein. Various Members had taken the floor to thank China and New Zealand on their joint effort as co-stewards, and had either supported the proposed joint working definition, or flagged particular concerns with the suggested language.

11.8. Unfortunately, and despite the Chairperson's urging Members to show flexibility and fulfil this long standing action, no consensus had emerged on the working definition tabled by the co-stewards.

11.9. Belize had referred to IICA's report on the financial costs and legal implications of private food standards in the Southern Cone (G/SPS/GEN/1100), and had stressed the urgent need for the Committee to adopt a working definition on SPS-related private standards.

11.10. Following a suggestion by Canada, the Committee had agreed to request the Secretariat to research existing definitions of "private standards" from other international organizations and circulate these before the next meeting in July. The Committee would then decide whether to continue discussions in the Committee as a whole or in the e-WG, with the objective of adding SPS elements to an existing definition of private standards.

11.11. Under Action 2, the OIE had noted that since the 2010 Resolution guiding OIE's relations with private standard-setting bodies, the OIE had continued to work with private standard-setting bodies to ensure that their standards were aligned with OIE standards.

11.12. Under Action 3, the Secretariat had reported on relevant developments on SPS-related private standards in other WTO fora, and had drawn attention to the thematic discussion on standards organized on the margins of the March 2014 TBT Committee. Document G/TBT/GEN/144/Add.1 contained the list of the presentations and details of the discussions during the session as well as references to other relevant work on standards by the TBT Committee.

11.13. Under Action 4, the Philippines had noted the importance of sensitizing private actors and had reported on recent regional and national briefing sessions jointly organized by the Department of Agriculture and UNFSS. The regional briefing had discussed how ASEAN would manage voluntary sustainability standards in the light of the harmonization of SPS standards under the ASEAN Economic Community Integration by 2015. The national briefing had recommended that in implementing the Philippines GAP program, farms should not be forced to comply with commercial GAP schemes and that compliance with the national GAP program should remain voluntary, as only food safety requirements should be made mandatory.

11.14. Belize had drawn Members' attention to its recommendations regarding the implementation of Action 4 in document G/SPS/GEN/1290, and had encouraged Members to give those recommendations due consideration.

11.15. China had referred to its submission G/SPS/GEN/1261 on Action 4, and had noted that some Members were already communicating with private entities in their territories involved in the development, application and certification of private standards. China had encouraged Members to share their experiences in that regard.

11.16. Pakistan had noted the usefulness of the recommendation under Action 5 and had encouraged the Three Sisters to report on their activities to promote the effective dissemination of international standards, including through appropriate translation. The OIE had noted that all its publications were available in its three official languages and that any further translation, while encouraged, was at the discretion of the end-user. The OIE had also noted that it constantly emphasized the importance of adopting and adhering to international standards. The IPPC had noted that all IPPC communications, including its standards, were available in its six official languages. The IPPC continued to raise the awareness of its members on the issue of private standards, and would address any future appearance of private standards in the plant health area.

11.17. In closing the discussions on this point, the Chairperson had encouraged all Members to share information on their experiences regarding the implementation of the agreed Actions 2 to 5 at the July meeting of the Committee.

11.18. Belize had drawn Members' attention to document G/SPS/GEN/1291, which flagged the need to consider Actions 6 to 12 in parallel with those in document G/SPS/55, and which also provided specific recommendations for the implementation of Actions 10 and 11. Belize had also recalled its proposal to establish an ad hoc working group in order to advance work on Actions 6 to 12. Finally, Belize had noted that IICA's report on private food standards in the Southern Cone (G/SPS/GEN/1100) contained several recommended actions for the Committee and/or governments to address concerns associated with SPS-related private standards.

11.19. The ITC had presented the most recent iteration of its online "Standards Map", an interactive web-tool which provides information on over 130 private and public voluntary standards, across 700 different criteria of analysis. Standards Map data was quality checked by independent experts and then validated by each of the participating standards' organizations. The ITC had developed the Standards Map as a tool for better linking product supply with market demand, and ultimately making market requirements and standards more transparent. Users could, for example, search for standards that had food safety-specific requirements.

11.20. The presentation by ITC had prompted interest and questions from the Committee. In relation to the concern expressed about the multiplication of testing and costs for producers, as well as the proliferation of private schemes, ITC had confirmed that it was being consulted by ISEAL and GIZ² regarding the development of a Sustainability Standards Comparison Tool. This tool would be based on ITC's Standards Map database and aimed to enable qualitative comparisons and assessments of standards. The tool was being currently developed and should be piloted by the end of 2014.

11.21. The ITC had confirmed that the terminology of "voluntary standards" and the 132 schemes identified in the Standards Map encompassed both government and private voluntary standards, but these could be separated through a dedicated search. On capacity building, ITC had explained that it provided training on its on-line tool through country visits, but also via guided tools and user videos. Finally, ITC had noted that it was in the process of developing an e-learning course.

11.22. The IPPC had noted its interest in the criteria ITC was using to define voluntary standards, and also in the application of standards on packaging materials. The ITC presentation would be made available on the SPS gateway page on the WTO website. More information and contact details were also available on the Standards Map website (<http://www.standardstmap.org>).

11.23. The European Union had welcomed the presentation by ITC and had requested that Members be informed ahead of time of the theme of presentations so they could prepare for the discussions.

11.24. In commenting on the Chairperson's oral report, China thanked the e-Working Group members and underlined the importance of the collaboration and constructive involvement of all Members in this work.

² International Social and Environmental Accreditation and Labelling Alliance (ISEAL); and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).

11.25. El Salvador endorsed the proposed working definition of private standards as presented by China and New Zealand, and voiced their appreciation of the presentation by the ITC.

11.26. India and Ecuador expressed their wish to participate in any future working group. The Chairperson noted that the Committee would need to decide during its July meetings whether there would be further work by a working group.

11.27. Belize indicated that the Agricultural Health Authority had met with major papaya and citrus exporters whose products were being affected by private standards. The standards set by the private bodies in these cases went beyond the official requirements, thus limiting trade.

12 OBSERVERS

12.1 Information from observer organizations

12.1. New Zealand thanked those observer organizations that had submitted their reports in advance of the meeting, and encouraged others to do the same.

12.2. The African Union thanked WTO for its support and technical assistance to its member countries. In October 2013 and February 2014, the African Union had held meetings on food additives and on pesticide residue issues, to assist its member countries to prepare for Codex meetings. It had also held other meetings to help its members coordinate common positions for other international meetings, including those of IPPC and OIE. The African Union was proposing the creation of a common African-wide food safety body, to complement those already existing in the plant protection and animal health areas.

12.3. OIRSA submitted a written report on its activities under G/SPS/GEN/1319. OIRSA thanked the STDF for the project to support the application of international standards, which it was implementing in collaboration with OIE and FAO. OIRSA also reported on the seminar conducted with the OIE in the veterinary area and further thanked the OIE for its training of experts.

12.4. The OIE thanked OIRSA and the African Union for their support in coordinating Members' positions and in implementing their standards.

12.5. The IPPC appreciated the information provided by other observers regarding their phytosanitary related activities. The IPPC would welcome the opportunity to discuss technical materials being prepared by other observer organizations before these were published, to ensure consistency with the international standards.

12.2 Requests for observer status

12.6. The Chairperson recalled that the Committee had agreed in 2012 an ad hoc observer organization that did not attend any meetings of the SPS Committee during a one-year period, the Committee might consider that its observer status had lapsed, but only after the Secretariat had contacted the observer organization and had received confirmation that it was no longer interested in maintaining its observer status.

12.7. The Secretariat reported on having contacted the ad hoc observer organizations who had not attended any meetings of the SPS Committee during 2013, to request confirmation of their continuing interest to participate in the meetings of the SPS Committee. None of the observers confirmed that they were no longer interested in the work of the Committee. Three of them confirmed their interest in maintaining ad hoc observer status in the Committee. The three Observers that did not respond are: AITIC, which had ceased to exist; SELA and CEN-SAD. However, in the case of CEN-SAD, the Secretariat had been in contact with the African Union, which had also been following-up on this issue. They pointed out some difficulties in communicating with CEN-SAD due to the political situation in Libya, where it was based. In light of these specific difficulties, and taking into consideration special and differential treatment, the Secretariat proposed, through the Chair, that ad hoc observer status be maintained for CEN-SAD. On the other hand, it was proposed to remove AITIC and SELA from the list of observer organizations benefiting from ad hoc observer status in the Committee.

12.8. Canada inquired as to how the situation of non-responsive observers would be managed. The Chairperson explained that they would be contacted again and in case no interest was expressed, they should be removed from the list.

12.9. The Chairperson noted that there were still six outstanding requests for observer status in the SPS Committee: the Convention on 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 (APCC) and the International Cocoa Organization (ICCO). The Chairperson noted that there was not yet a consensus to grant ad hoc observer status to any of these organizations.

12.10. The Chairperson informed observer organizations that their contributions to the work of the SPS Committee and their assistance to Members were highly appreciated and that the Committee had agreed to invite them to participate in all unrestricted meetings during 2014. The Chairperson once again encouraged the observers to provide written reports on their relevant activities in advance of the July meeting.

13 ELECTION OF THE CHAIRPERSON

13.1. The Chairperson reported that the Chairperson of the Council for Trade in Goods had been carrying out informal consultations on a slate of names for appointment as chairpersons to the subsidiary bodies of the Council for Trade in Goods in accordance with the established Guidelines for Appointment of Officers to WTO bodies (contained in document WT/L/31). At the time, however, these consultations had not yet reached a conclusion. As such, it was suggested that the election of the Chairperson of the Committee be postponed until the next Committee meeting in July.

14 OTHER BUSINESS

14.1. Brazil referred to its submission (G/SPS/GEN/1323), highlighting that it was carrying out research for substitute solutions to reduce the use of methyl bromide on imported products, in line with IPPC recommendations. Brazil referred to Indonesia's document on the same subject (G/SPS/GEN/1271), and clarified that the highest dose it required was 64 gr/m³, not 80 gr/m³. Brazil was considering reviewing the use of methyl bromide fumigation in its trade with Indonesia in favor of an equally effective alternative. Brazil also encouraged other WTO Members to collaborate in these efforts.

14.2. New Zealand requested more information on methyl bromide substitutes, and Brazil replied that its efforts were still in the research phase. Costa Rica drew attention to document G/SPS/GEN/1295, in which Costa Rica provided information on its ban on the use of methyl bromide, and on efforts to find substitutes for methyl bromide.

14.3. The IPPC also requested to be kept informed about any substitute treatments. The IPPC was pleased that Members were implementing IPPC recommendations on the use of methyl bromide. The IPPC also reported that there two additional recommendations were proposed for adoption at the upcoming CPM, regarding internet trade and aquatic plants.

15 DATE AND AGENDA FOR NEXT MEETINGS

15.1. The next meeting of the Committee is tentatively scheduled for 9-10 July 2014. The Chairperson proposed to hold informal consultations regarding the Fourth Review and SPS-related private standards and ad hoc consultations immediately prior to the next meeting.

15.2. The Committee agreed to the following tentative agenda for its July 2014 meeting:

1. Adoption of the agenda
2. Election of the Chairperson
3. Information on relevant activities
 - a. Information from Members
 - b. Information from the relevant SPS standard-setting bodies

4. Specific trade concerns
 - a. New issues
 - b. Issues previously raised
 - [c. Consideration of specific notifications received]
 - d. Information on resolution of issues in G/SPS/GEN/204/Rev.14
5. Operation of transparency provisions
6. Implementation of special and differential treatment
7. Equivalence – Article 4
 - a. Information from Members on their experiences
 - b. Information from relevant Observer organizations
8. Pest- and Disease-free areas – Article 6
 - a. Information from Members on their pest or disease status
 - b. Information from Members on their experiences in recognition of pest- or disease-free areas
 - c. Information from relevant observer organizations
9. Technical assistance and cooperation
 - a. Information from the Secretariat
 - i. WTO SPS activities
 - ii. STDF
 - b. Information from Members
 - c. Information from Observers
10. Review of the Operation and Implementation of the SPS Agreement
 - a. Issues arising from the Second Review
 - i. Report of the informal meeting
 - [b. Issues arising from the Third Review]
 - c. Fourth Review
 - i. Report of the informal meeting
11. Monitoring of the use of international standards
 - a. New issues
 - b. Issues previously raised
 - c. Adoption of annual report
12. Concerns with private and commercial standards
 - a. Report on informal meeting
13. Observers
 - a. Information from Observer organizations
 - b. Request for observer status
 - i. New requests
 - ii. Outstanding requests
14. Other business
15. Date and agenda of next meeting

15.3. The Secretariat clarified that agenda item 10 (b) - Issues Arising from the Third Review – would only be included in the agenda if Members identified specific issues to be considered under this item. The Secretariat further clarified that agenda item 4(c) would similarly only be included if Members indicated they wished to raise specific issues.

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

- For comments on the background document of the Fourth Review (G/SPS/W/273), further proposals, comments on the proposed agenda of the risk analysis workshop, as well as requests for additional background information on specific issues under consideration: **24 April 2014**;
 - For the proposals regarding revision of the transparency procedures from the European Union and other Members (G/SPS/W/277): **8 May 2014**;
 - For comments by Members on the proposals under consideration in the context of the Fourth Review: **15 May 2014**;
 - For identifying issues for consideration under the monitoring procedure and for requesting that specific trade concerns or other items be put on the agenda: **26 June 2014**;
 - For distribution of the Airgram and for circulation of documents for the July meeting: **27 June 2014**.
-