

Transparency provisions of the SPS Agreement

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Why emphasis on transparency?



- ✦ **Regulatory changes affect market access**
- ✦ **Transparency provides enhanced clarity, predictability**
- ✦ **Signal for a functioning system**

Transparency elements

◆◆◆ Obligations ◆◆◆

Article 7, Annex B

- ✦ Notifications
- ✦ Notification authority
- ✦ Enquiry point
- ✦ Publication of regulations

Beyond obligations

- ✦ Taking advantage of transparency

Committee guidelines in *G/SPS/7/Rev.3*

Notifications - What to notify?

New or modified SPS measures
+
No existing international standard or
Different than the international standard
+
Significant impact on trade
(restricting or facilitating)

2008
Transparency
Procedures



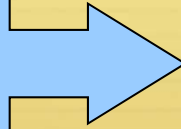
Same as
International
Standard



NOTIFY

When to notify?

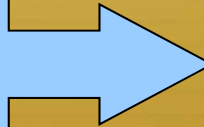
Routine measures



Modifications possible
(Draft text)

Allow 60 days comment period!!

Emergency measures



IMMEDIATELY!!

Transparency elements

◆◆◆ Obligations ◆◆◆

Article 7, Annex B, G/SPS/7/Rev.3

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- ✦ Publication of regulations

Beyond obligations

- ✦ Taking advantage of transparency

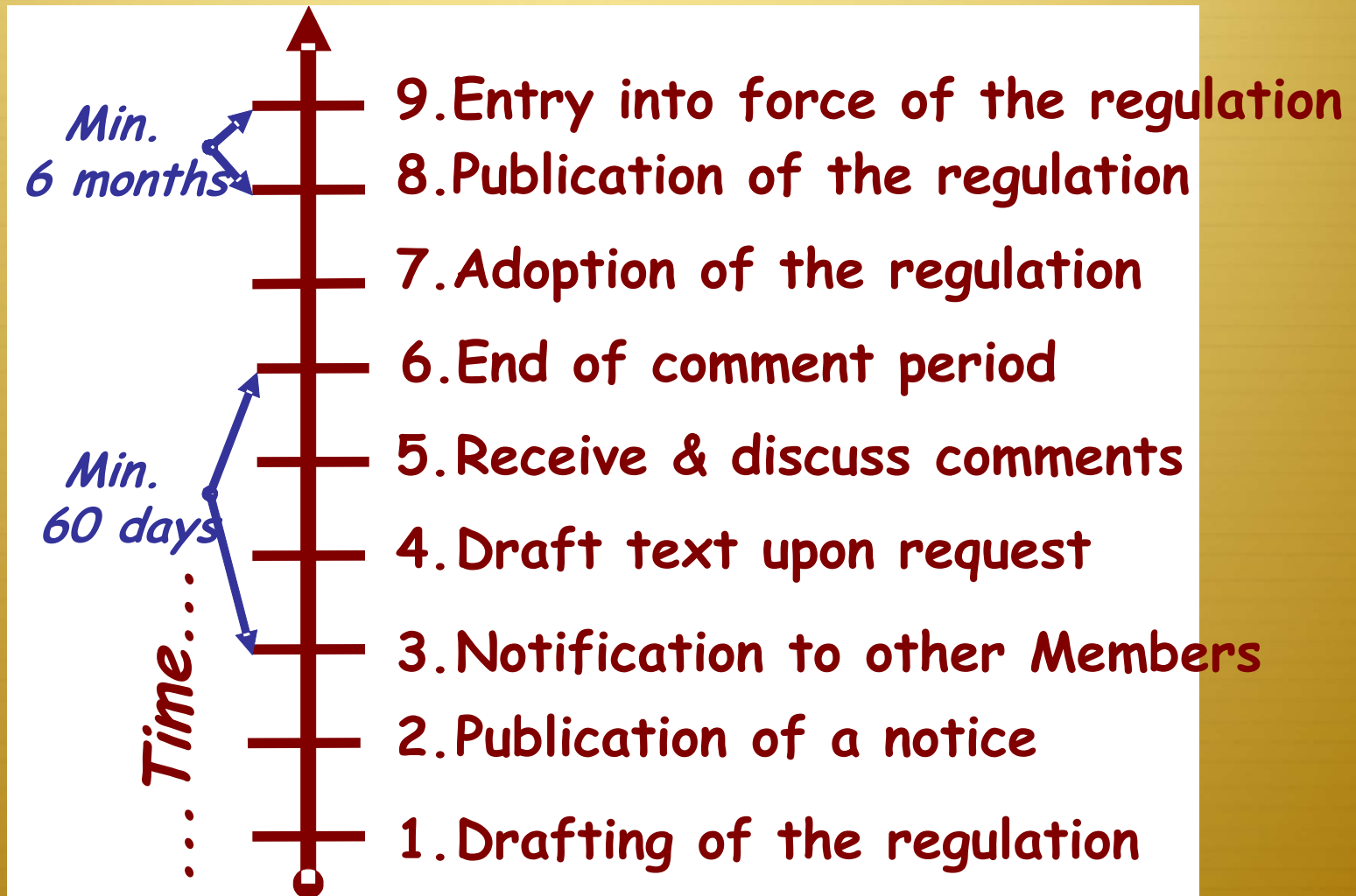
Beyond Obligations



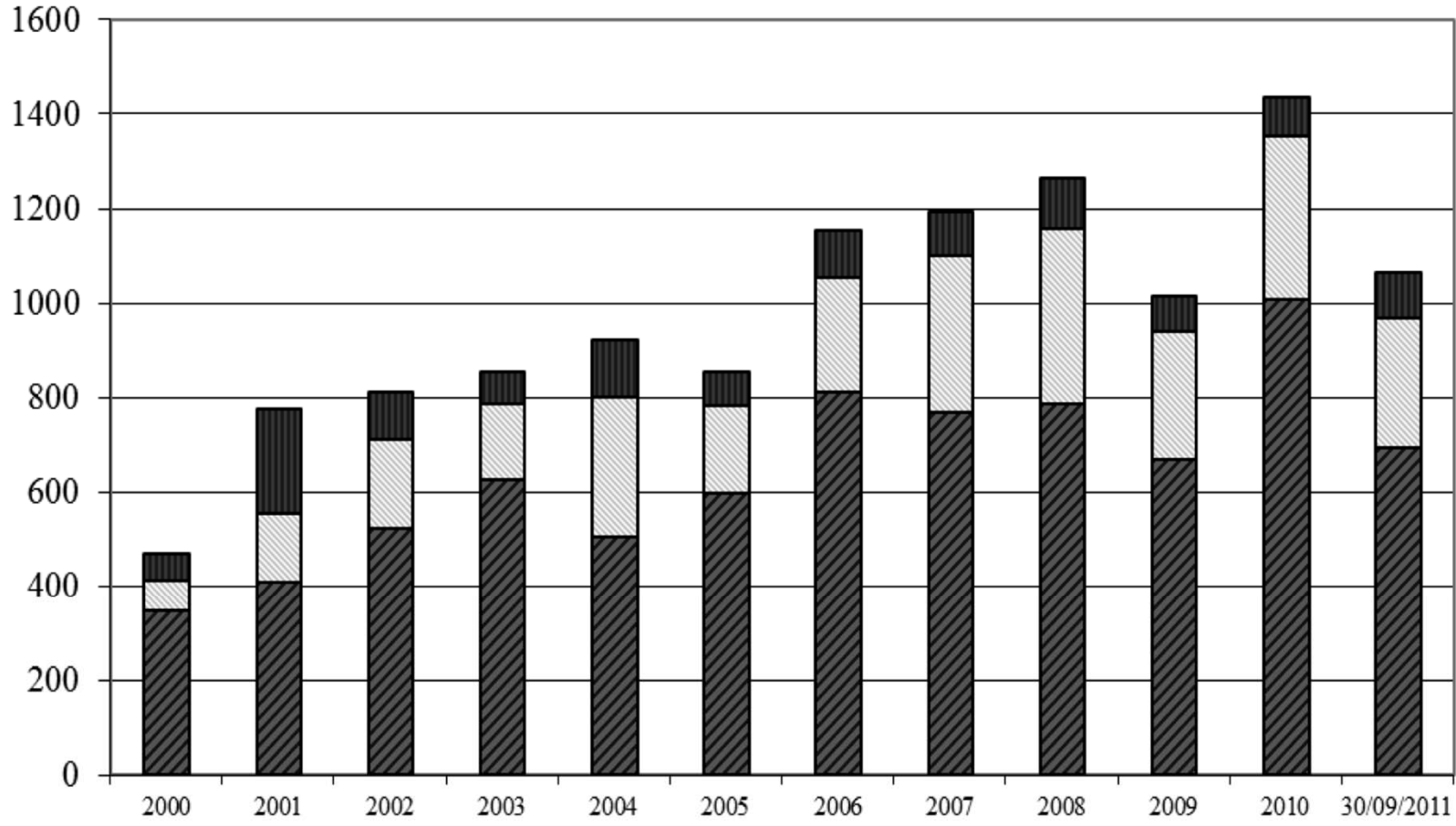
EP or NNA could:

- Track/filter/disseminate incoming SPS notifications
- Alert relevant government agencies, private sector
- Coordinate comments/contact notifying Member
- Help adapt to changes/raise concerns

Recap of transparency timeline

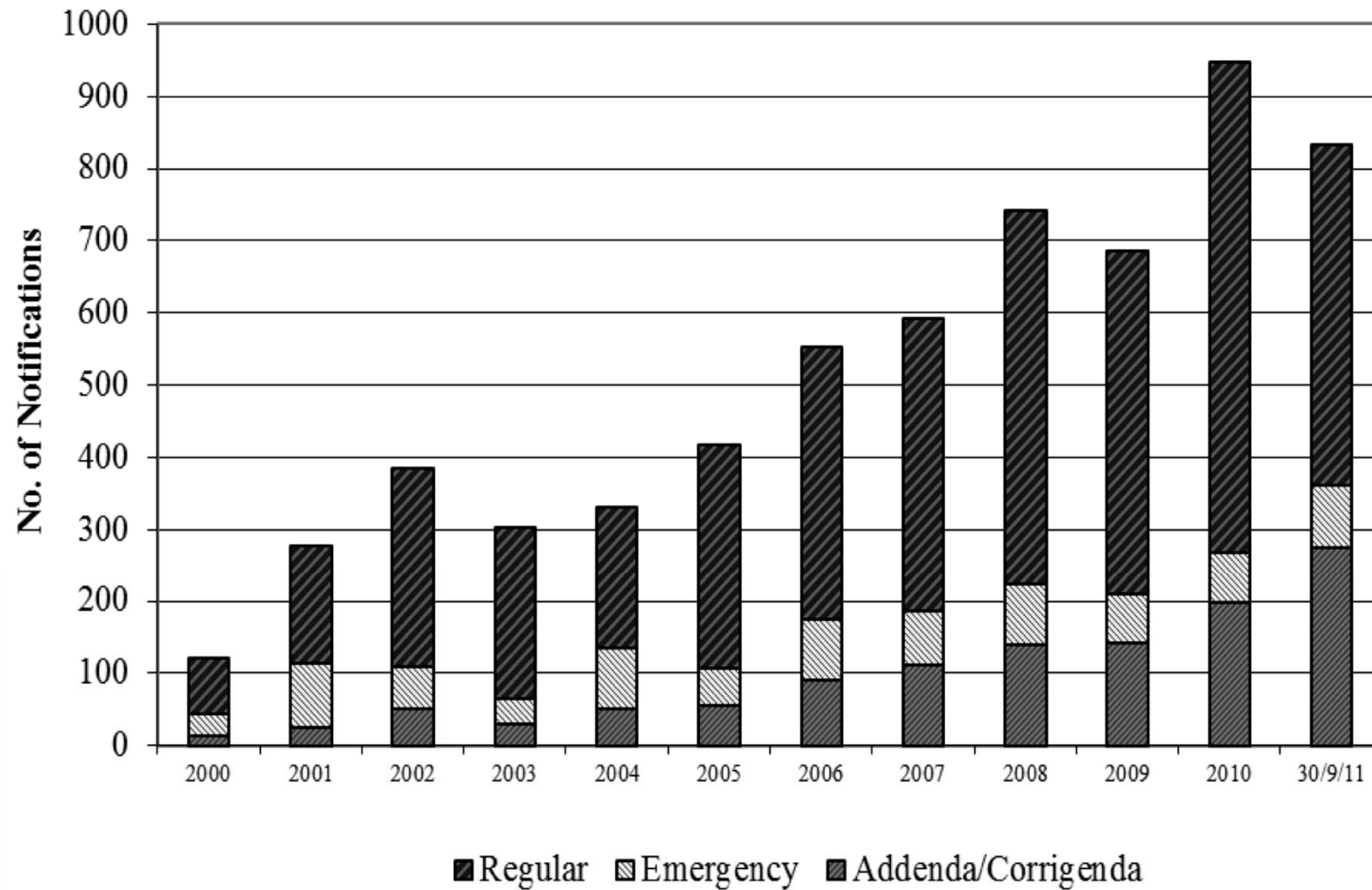


Notifications Submitted per Year

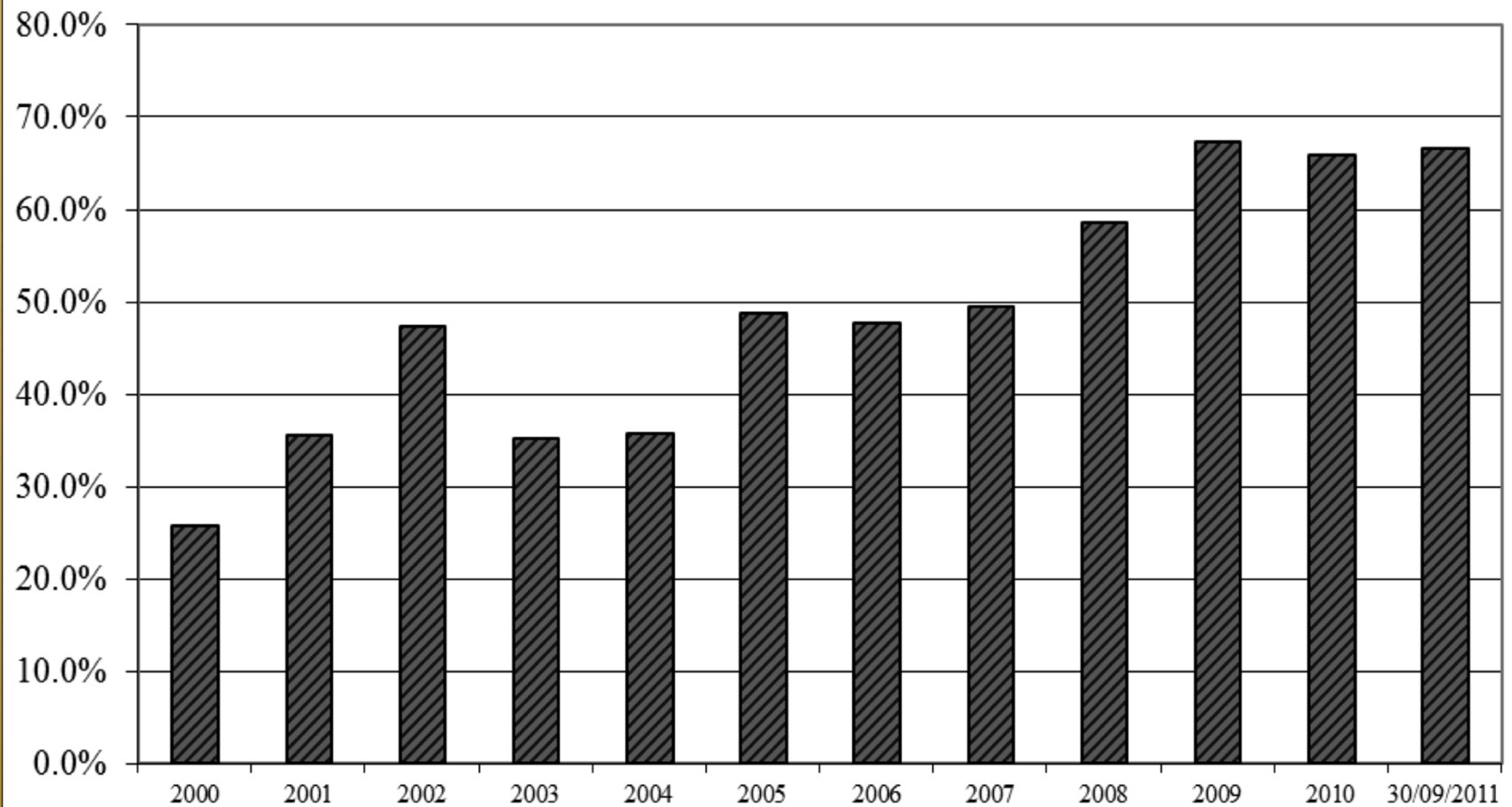


■ Regular Notification □ Addenda/Corrigenda ■ Emergency Notification

Notifications by Developing Country Members (including LDCs)



Share of Total Notifications Submitted by Developing Country Members (including LDCs)



Active notifiers

1 October 2010 – 30 September 2011

Regular Notifications

Member	No.
United States	175
China	161
Brazil	114
Canada	83
Peru	44
Chile	36
Chinese Taipei	28
European Union	23
Japan	23
Kingdom of Bahrain	22
Australia	21

Emergency Notifications

Member	No.
Ukraine	30
Colombia	15
Philippines	12
Albania	10
United States	8
Saudi Arabia	6
China	5
Thailand	5
Chinese Taipei	4
Chile	3
Kingdom of Bahrain	2

Who is the NNA/EP among SADC Member States?

Member	NNA	EP
Angola	Min of Commerce	1 - Same as NNA
Botswana	Min of Agriculture	2 – Vet & plant health
Congo	Min of Commerce	3 – Ag / Health / Stand.
Lesotho	Min of Trade	1 - Agr - Vet
Madagascar	Min of Agriculture	1 – Plant health
Malawi	Min of Commerce	3 – Stand./Vet./Plant
Mauritius	Min of Foreign Affairs	1 – Plant health
Mozambique	Min of Agr - livestock	1 – Plant health

Who is the NNA/EP among SADC Members?

Member	NNA	EP
Namibia	Min of Agriculture	1 – Min of Agriculture
Seychelles	-	-
South Africa	Min of Agriculture	1 – Same as NNA
Swaziland	Min of Agriculture	2 – Vet & plant health
Tanzania	Min of Industry, Trade	2 – Stand. & Min of Ag
Zambia	Min of Commerce	3 – Plant/Animal/Human
Zimbabwe	Secretary of Agriculture	3 – Plant/Animal/Human

SPS notifications from SADC countries

Country	SPS notif.	Country	SPS notif.
Angola	-	Namibia	-
Botswana	3	Seychelles	N/A
Congo DR	-	S. Africa	31
Lesotho	-	Swaziland	1
Madagascar	9	Tanzania	1
Malawi	1	Zambia	4
Mauritius	12	Zimbabwe	-
Mozambique	-		

Useful tools

- ✦ Procedural Step-by-Step Manual
- ✦ WTO Secretariat ☺
- ✦ SPS notification submission system
- ✦ SPS IMS
- ✦ Distribution of SPS docs by e-mail
- ✦ Mentoring (G/SPS/W/217)

SPS IMS

Searches/reports on:

✦ SPS notifications

- ✦ What are notifications of last week/from SADC? Any recent notifications related to FMD?

✦ SPS-related documents

- ✦ How can I find documents related to "regionalization"?

✦ Specific trade concerns

- ✦ Any concerns regarding veterinary drug residues?

✦ Contact information on EPs/NNAs

- ✦ I want to call the Egyptian Enquiry Point

Conclusions

- ✦ Any new or changed SPS measures (including veterinary legislation) need to be notified to the WTO
- ✦ Disease status notifications are made to the OIE
- ✦ SPS measures taken by importing Members are notified to the WTO
- ✦ Tracking other Members' notifications can be very informative and helpful for
 - ✦ for developing/notifying own measures
 - ✦ reacting/adapting to changing requirements

WORLD TRADE ORGANIZATION

G/SPS/N/PHL/204

19 July 2011

(11-3582)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION OF EMERGENCY MEASURES

1.	Notifying Member: <u>PHILIPPINES</u> If applicable, name of local government involved:
2.	Agency responsible: Department of Agriculture (DA), Bureau of Animal Industry (BAI)
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Live poultry (HS Code 0105), poultry meat (HS Code 0207), day-old chicks (HS Code 0105.11), eggs (HS Code 0407) and semen (HS Code 0511.99)
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input type="checkbox"/> All trading partners <input checked="" type="checkbox"/> Specific regions or countries: South Africa
5.	Title of the notified document: DA Memorandum Order No. 09, series of 2011, Temporary Ban on the Importation of Domestic and Wild Birds and their Products including Poultry Meat, Day-Old Chicks, Eggs and Semen Originating from South Africa Language(s): English Number of pages: 1 http://members.wto.org/crnattachments/2011/sps/PHL/11_2241_00_e.pdf
6.	Description of content: The Philippines is imposing a temporary ban on the importation of domestic and wild birds and their products, including day-old chicks, eggs and semen originating from South Africa.
7.	Objective and rationale: <input type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8.	Nature of the urgent problem(s) and reason for urgent action: A high pathogenic avian influenza with serotype H5N2 has been detected in a farm in Oudtshoorn, Western Cape Province, South Africa. The Philippines is instituting this emergency measure to prevent the entry of avian influenza virus.
9.	Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (<i>e.g. title or serial number of Codex standard or related text</i>) <input checked="" type="checkbox"/> World Organization for Animal Health (OIE) (<i>e.g. Terrestrial or Aquatic Animal Health Code, chapter number</i>) Chapter 1.4.4., 2007 OIE - Terrestrial Animal Health Code

<p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number)</p> <p><input type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
<p>10. Other relevant documents and language(s) in which these are available:</p>
<p>11. Date of entry into force (dd/mm/yy)/period of application (as applicable): 14 April 2011</p> <p><input type="checkbox"/> Trade facilitating measure</p>
<p>12. Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p>
<p>13. Texts available from: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>Philippine National SPS Enquiry Point: Office of the Director Policy Research Service Department of Agriculture 3rd Floor, DA Building, Elliptical Road Diliman, Quezon City, Philippines Tel: +(632) 926 7439 Fax: +(632) 928 0590 E-mail: epad.polreser@lycos.com</p>

WORLD TRADE ORGANIZATION

G/SPS/N/BLZ/3

21 June 2011

(11-3052)

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1.	Notifying Member: <u>BELIZE</u> If applicable, name of local government involved:
2.	Agency responsible: Belize Agricultural Health Authority
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Live bovine animals and fresh meat and meat products
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5.	Title of the notified document: Regulation for the Importation and Exportation of Live Animals and Products of Animal Origin for the Prevention of Spongiform Encephalopathy Language(s): English Number of pages: 11 http://members.wto.org/crattachments/2011/sps/BLZ/11_1929_00_e.pdf
6.	Description of content: The notified regulation seeks to: 1. Regulate the importation of live bovine animals and bovine products; 2. Regulate the importation of gelatine and collagen produced from bovine bones; 3. Regulation the importation of tallow and dicalcium phosphate.
7.	Objective and rationale: <input checked="" type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8.	Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (<i>e.g. title or serial number of Codex standard or related text</i>) <input checked="" type="checkbox"/> World Organization for Animal Health (OIE) (<i>e.g. Terrestrial or Aquatic Animal Health Code, chapter number</i>) Chapter 11.5 Volume 2 <input type="checkbox"/> International Plant Protection Convention (<i>e.g. ISPM number</i>) <input type="checkbox"/> None Does this proposed regulation conform to the relevant international standard? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

If no, describe, whenever possible, how and why it deviates from the international standard:	
9.	Other relevant documents and language(s) in which these are available: Regulation for the Importation and Exportation of Lives Animals and Products of Animal Origin for the Prevention of Bovine Spongiform Encephalopathy (BSE) (available in English)
10.	Proposed date of adoption (dd/mm/yy): After the comment period Proposed date of publication (dd/mm/yy): After adoption
11.	Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): Immediately after publication <input type="checkbox"/> Trade facilitating measure
12.	Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 20 August 2011 Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body: The Belize Agricultural Health Authority Central Farm, Cayo District, Belize, Central America Tel: +(501) 824-4899/4872 Fax: +(501) 824-3773 E-mail: bahasps@btl.net Website: http://www.baha.bz
13.	Texts available from: <input type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body: The Belize Agricultural Health Authority Central Farm, Cayo District, Belize, Central America Tel: +(501) 824-4899/4872 Fax: +(501) 824-3773 E-mail: bahasps@btl.net Website: http://www.baha.bz