



# SPS Issues at the WTO

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# Current issues - outline

- The SPS Agreement
  - it's not under negotiation
  - Mediterranean products...
- The work of the SPS Committee
  - decisions & guidelines, current work
- Notifications
- Dispute settlement cases
- Specific trade concerns raised in the SPS Committee

# SPS Agreement: Key provisions



- Scientific justification
  - Risk assessment
  - Use international standards (“harmonization”)
- Avoid arbitrary levels of protection (“consistency”)
- Accept “equivalence”
- Recognize disease- and pest-free areas
- Notify and publish measures taken (“transparency”)
- Fairness in control, inspection and approval procedures
- Provision of technical assistance and special and differential treatment



# Scope of the SPS Agreement

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



# Mediterranean products: wine

Important role in negotiation of  
SPS Agreement

- US restrictions on residues of procymidon in European wine
- Codex standards



# Work of the SPS Committee



Adopted decisions / guidelines on:

- Transparency procedures (notification)
- Monitoring the use of international standards
- Consistency in appropriate levels of protection
- Recognition of equivalence
- Transparency of special and differential treatment in favour of developing countries
- Report on S&D, Review

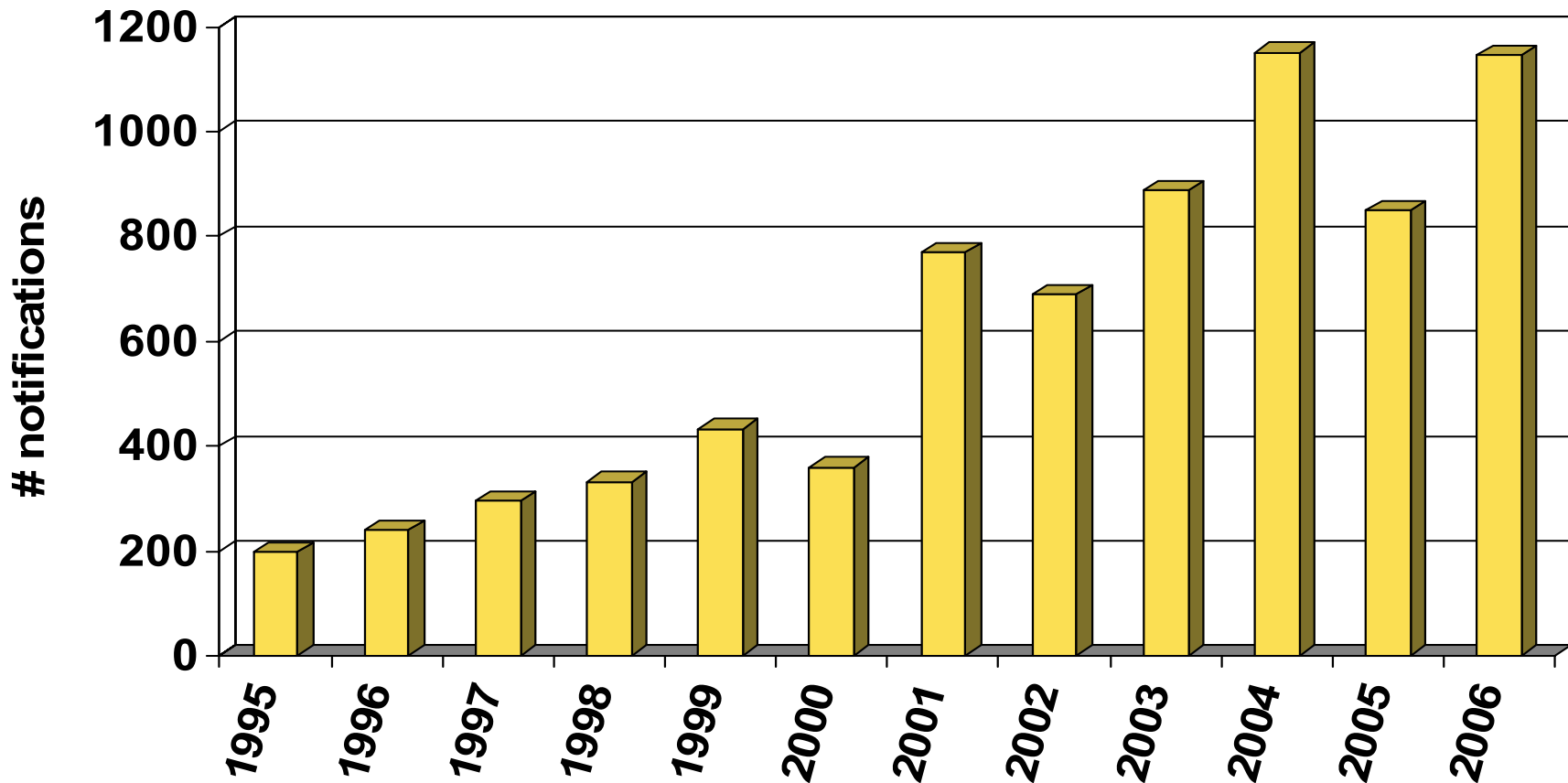
# Work of the SPS Committee



## Ongoing work / current issues

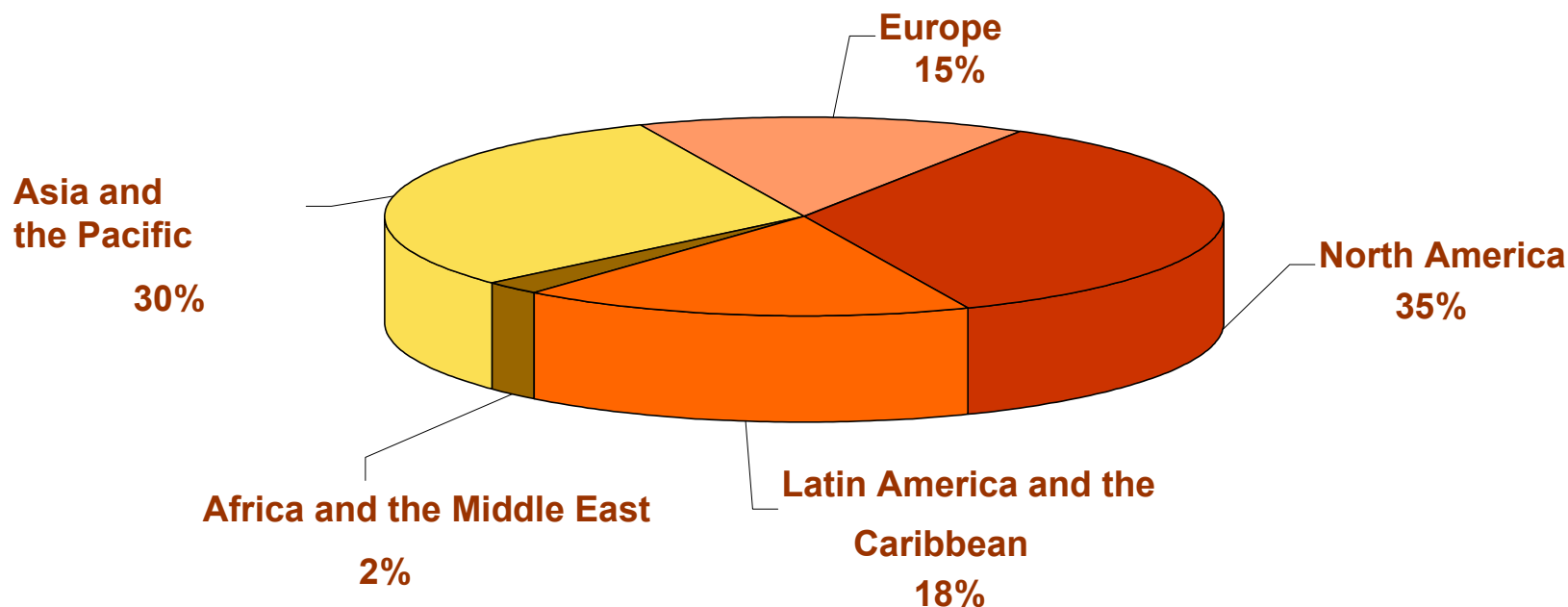
- Regionalization
  - recognition of pest- or disease-free areas
- Special and differential treatment
- Transparency
- Issues identified during the review
  - e.g. undue delays, co-operation with the “3 sisters”, trade concerns and consultations
- Private sector standards

# Notifications of SPS regulations





# SPS Notifications – Regional Breakdown (1995-2004)



# Notifications on Mediterranean products (since 1995)



Product	SPS notifications	TBT notifications
Olives/olive oil	26	8
Nuts	67	7
Grapes	103	21
Wine	56	79
Citrus	252	13
- oranges	45	18
Stone fruit	51	0
- peach	46	2
Vegetables	228+	98
Fruit fly	58	-



# Dispute settlement cases

- EC – Hormones
  - complaints by Canada and the United States
- Australia – Salmon
  - complaint by Canada
- Japan – Varietals (incl. stone fruits, walnuts)
  - complaint by the United States
- Japan – Apples
  - complaint by the United States
- EC – Biotech
  - complaint by Argentina, Canada and the US

# Dispute settlement cases



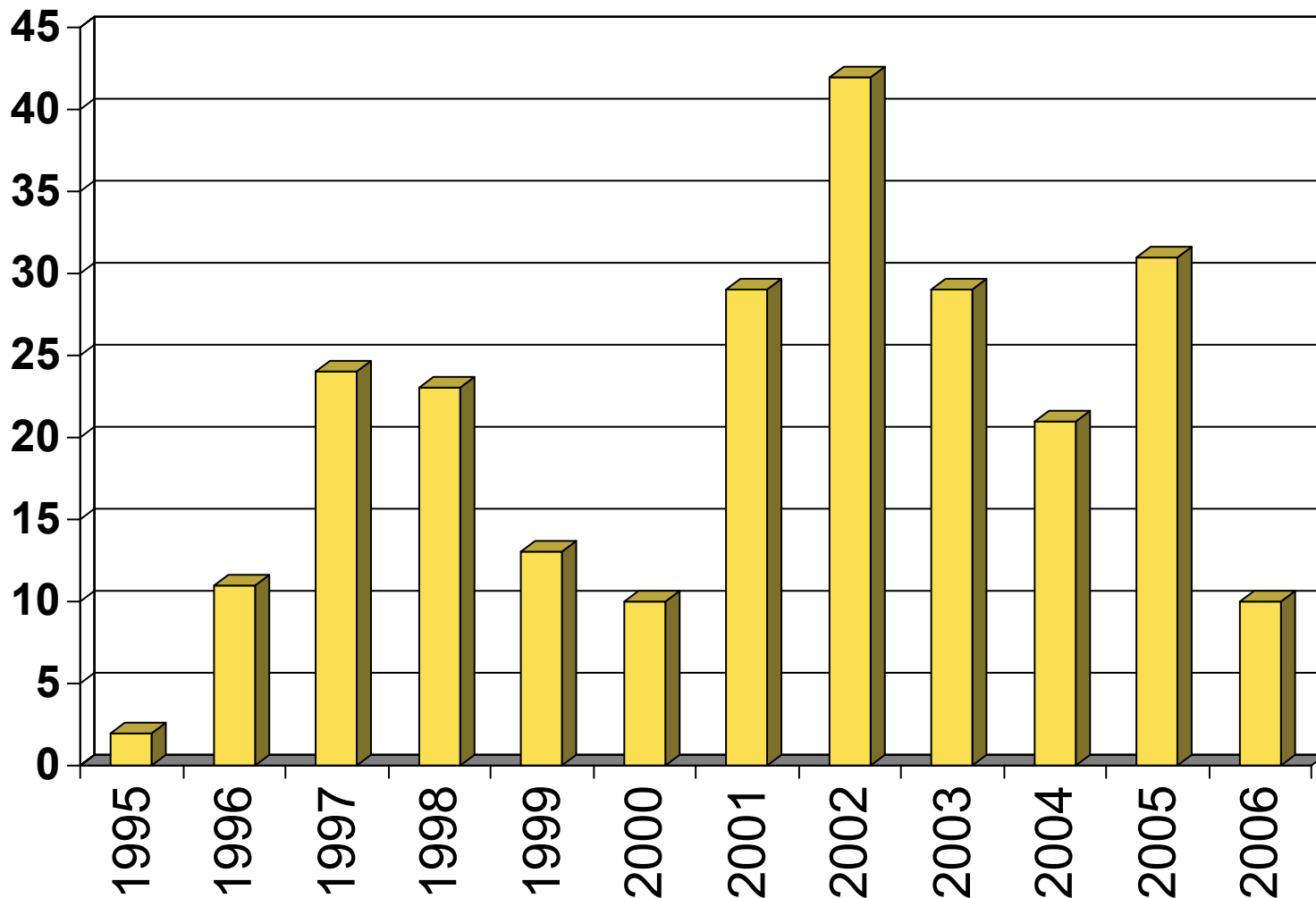
One ongoing procedure:

- Canada and United States – Continued Suspension of Obligations in the *EC Hormones* case
  - Complaint by the European Communities

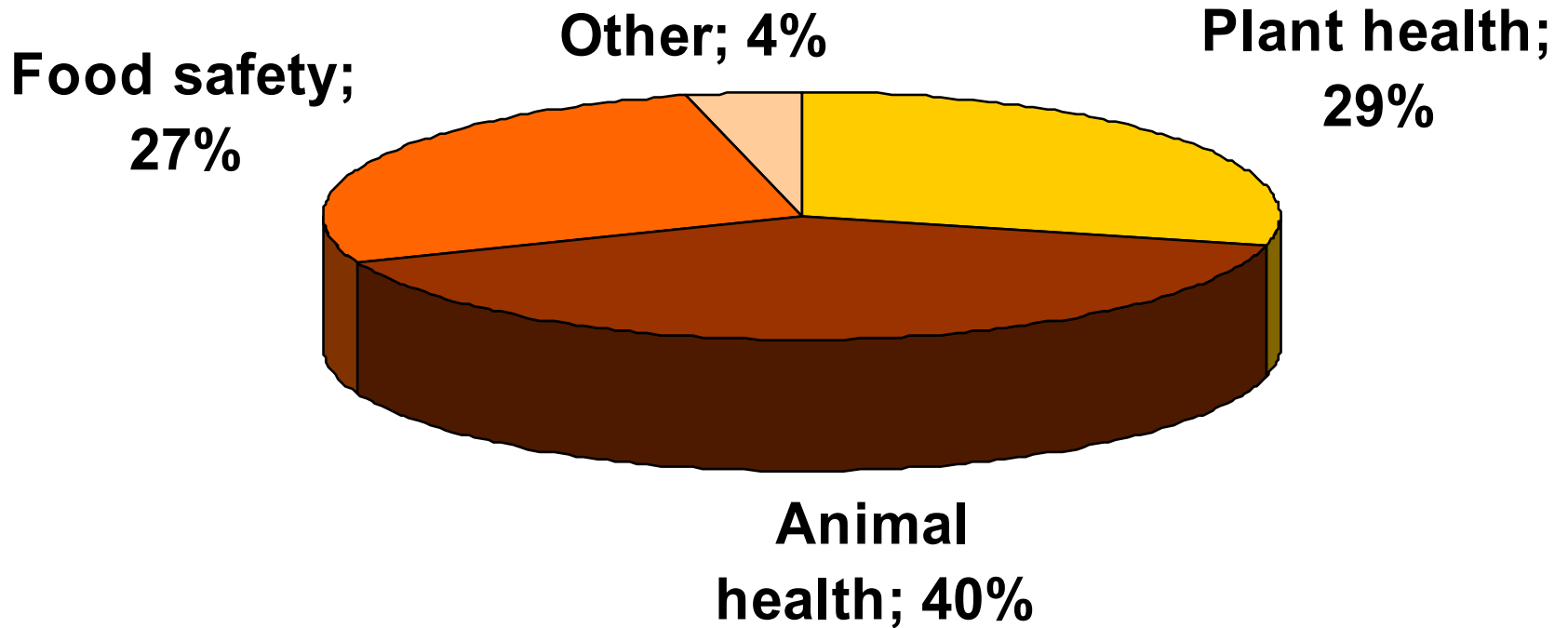
# Specific trade concerns



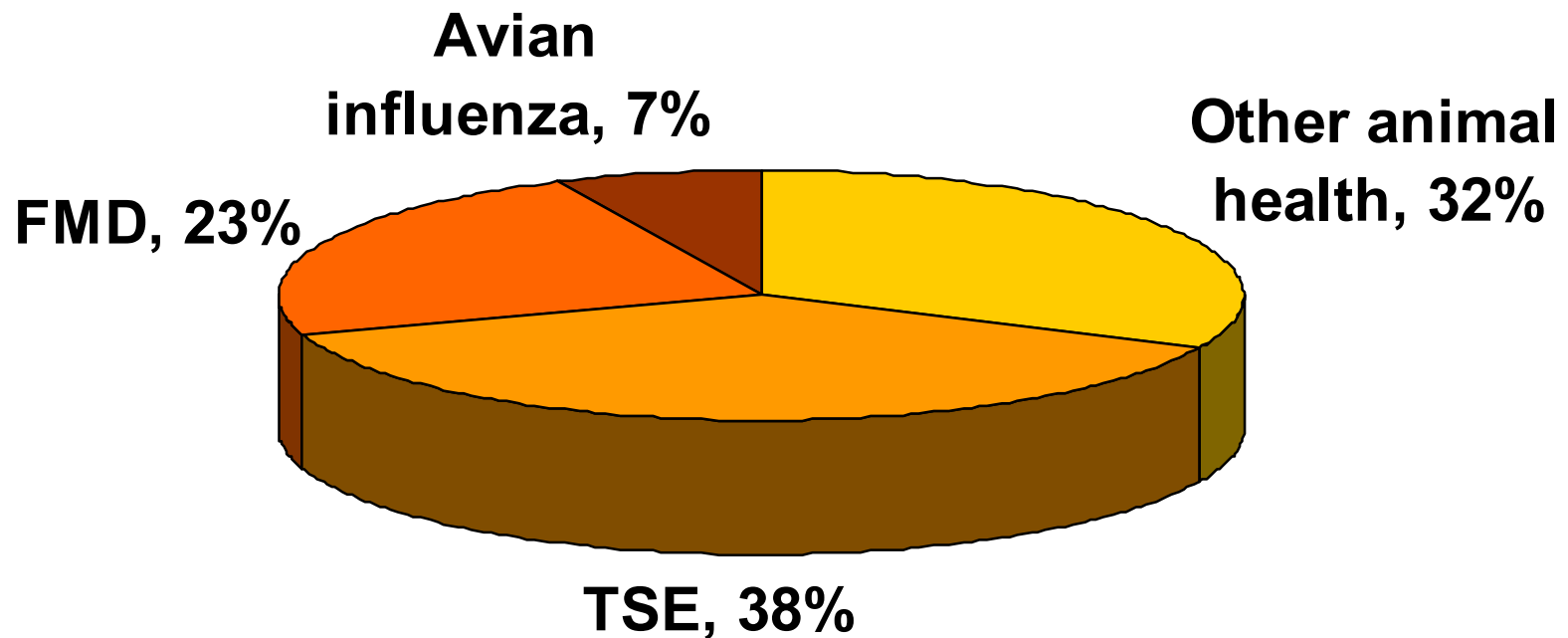
Number of new issues



# Trade concerns by subject



# Concerns related to animal health & zoonoses



# Trade concerns related to Mediterranean products (1)



- Olive oil
  - EC concern (2003): Import restrictions maintained by Bahrain, Kuwait, Qatar, Oman, UAE following an incident of contamination in Spain. Partial solution reported in 2005.
- Grapes
  - US concern (2001): Access of California table grapes to Australia; delay in import risk analysis. Solution reported in 2002.
  - Chile's concern (2004): similar concern; supported by EC, NZ. Solution reported in 2006.



# Trade concerns related to Mediterranean products (2)



- Citrus

- Argentina's concern (1997): EC measures on citrus canker (supported by Brazil, Chile, South Africa, Uruguay). Consultations organized by SPS Chairman. Solution reported in 2004.
- Brazil's concern (1998): EC emergency measures related to dioxin contamination of citrus pulp for animal feed. Solution reported in 2001.
- Argentina's concern (1999): US imports of citrus fruit. Reported solution in 2000, but California court overturned APHIS risk assessment. Solution reported in 2004.

# Trade concerns related to Mediterranean products (3)



- Citrus (continued)
  - Argentina's concern (2002): China's import restrictions on citrus and other fruits related to fruit fly. Solution reported in 2006.
  - US, NZ concern (2002): Japan's official control restrictions on citrus and other fresh fruits and vegetables. Concern shared by Australia, EC; no solution reported.
  - Venezuela's concern (2004): Barbados' restrictions on citrus. No solution reported.
  - Nicaragua's concern (2005): Nicaragua's import requirements for fresh oranges. No solution reported.

# Trade concerns related to Mediterranean products (4)



- Observations

- Indicative list only, many more concerns raised, e.g. on fruit flies, aflatoxins and other horizontal issues
- Not huge number (out of total of 245 concerns raised)
- Many concerns resolved!
- Citrus: many developing countries involved, many south-south issues



For more information:

[www.wto.org](http://www.wto.org)

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