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G/SPS/R/115

17 December 2024

(24-8884) Page: 1/55

Committee on Sanitary and Phytosanitary Measures

SUMMARY OF THE MEETING OF 13-15 NOVEMBER 2024

NOTE BY THE SECRETARIAT[1]

[1] This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights and obligations under the WTO.

1 ADOPTION OF THE AGENDA

1.1. The Committee on Sanitary and Phytosanitary Measures (the Committee) held its 90th regular meeting on 13-15 November 2024. The meeting was held in hybrid form, with many delegates attending in person and others joining via a virtual platform. The proposed agenda for the meeting (WTO/AIR/SPS/47) was adopted with amendments. Brazil inserted a new STC entitled "Thailand's unjustified suspension of Brazilian exports of beef and edible offal" (ID 597). The Russian Federation inserted the previously raised STC "Delays in Thailand's approval procedures for animal products" (ID 527) and a new STC entitled "Delays in Korea's approval procedures for animal products" (ID 598). Chile withdrew a new STC.[2]

1.2. The United States pointed out that the Committee's procedures were developed to allow for meaningful engagement on STCs and encouraged Members to comply with previously agreed processes around the closing of the agenda. Brazil explained that its STC had not been included in the draft agenda due to a technical issue. Brazil had reviewed the procedures in coordination with the Secretariat but could not find information regarding the deadline. Noting that the responding Member did not flag any issue, Brazil asserted that eAgenda served Members and not vice-versa. The Russian Federation highlighted the lack of an official instrument for inserting STCs after the deadline and took the view that Members should be able to add STCs before the final agenda is adopted. To the Russian Federation, inserting urgent STCs under agenda item 1 could become a common practice. Acknowledging the lack of time to prepare responses, the Russian Federation asked the responding Members to at least take note of its concerns. Korea opposed but did not object to the Russian Federation's proposal to add a new STC after the deadline. Korea indicated that this was not appropriate in terms of the efficient operations of the Committee as it did not allow for sufficient time for review and response. The European Union noted that this topic could warrant a further discussion in the context of the functioning of the Committee and should not create a precedent at this point. The Chairperson noted the concerns related to this procedure which could give rise to further discussions.

1.3. Based on discussions held at the informal meeting on 13 November 2024, the Chairperson proposed that the agenda item on cross-cutting issues follow the item on information sharing. No Member objected to this change.

1.4. The Secretariat reminded the Committee that its e-mail distribution list had been replaced by the E-Delegate generated list. The Secretariat also reminded Members that they could submit agenda items, support specific trade concerns (STCs), and upload statements through eAgenda as well as circulate statements as GEN documents, with the understanding that only oral interventions during the meeting would be reflected in the summary report. The Secretariat informed the Committee of events and activities organized to celebrate the 30th anniversary of the SPS Agreement and also conducted informal quizzes using an online platform at this meeting.

2 INFORMATION SHARING

2.1 Information from Members on relevant activities

2.1.1 New Zealand - Environmental inhibitors in agrifood systems and the role of Codex (G/SPS/GEN/2255)

2.1. New Zealand drew attention to its document G/SPS/GEN/2255 which included information on two Codex side events that it had convened on environmental inhibitors. Following the side events, it was agreed at the Codex Committee on Residues of Veterinary Drugs in Food that bromoform would be prioritized for risk assessment. This was an important step in considering risk management options and possibly establishing an MRL for the compound. To further assist the risk assessment process, clarify criteria and data requirements, New Zealand was collaborating with FAO to prepare a guidance document on the food safety risk assessment of environmental inhibitors and would welcome bilateral engagement on this topic.

[2] Circulated in WTO/AIR/SPS/47 as "South Africa's undue delays in recognizing Chile's animal health status as a country free from highly pathogenic avian influenza".

2.2. Recognizing the potential of environmental inhibitors in mitigating climate change particularly in agricultural production, Brazil highlighted its progress on methanogenesis and other inhibitors. Brazil noted that its soy production had exceeded 150 million tons per year without the use of nitrogen fertilizers and this reduced cost and greenhouse gas (GHG) emissions. Brazil noted that international regulations must consider the realities of developing countries and harmonization must be based on science and open dialogue. Brazil reaffirmed its commitment to promoting sustainable agriculture for food systems and moving forward on harmonizing MRLs for environmental inhibitors.

2.1.2 China - Introduction to the Electronic Information Verification System for Hygiene Certificates of meat exporting to China

2.3. China provided information on an electronic system to verify the authenticity of certificates for meat exports to China. The exporting entity would submit electronic information to China when preparing the paper certificate, which would allow Chinese authorities at border inspection posts to compare the information against the hard copy of the certificate to prevent fraudulent certificates and ensure safety. China was also upgrading its customs system allowing users to log in, dispatch and modify information in real time. China welcomed feedback at the following e-mail address: shipinjuyichu@customers.gov.cn.

2.1.3 Japan - Update on the safety of Japanese food products regarding radioactive materials

2.4. Japan welcomed Chinese Taipei's further easing of import restriction measures on Japanese food products in September 2024, after the large-scale easing of measures in February 2022. Japan indicated that the easing was based on the assessment of Japan's robust food monitoring and control system and the results of the safety of the monitoring of the public food supply. Japan further addressed the import restrictive measures taken after the discharge of ALPS treated water into the sea under the agenda item on STCs.

2.5. Korea recommended keeping radioactive contamination as low as reasonably achievable and noted that its import measure was based on Codex guidelines. Korea indicated that the radioactive contamination level of soil and the sea belt was significantly high, and until April 2024, many products remained restricted from shipment and consumption due to contamination. Korea urged Japan to adhere to international standards and scientific information until the discharge had been completed.

2.6. Noting that it did not intend to comment on every point that was raised, Japan reiterated that it had a robust control system throughout the food supply chain which prevented the distribution of food exceeding Japanese maximum levels of radio-cesium.

2.7. The Russian Federation indicated that it continued to monitor developments around the Fukushima plant and referred to its statement at the June 2024 Committee meeting.

2.2 Information from Codex, IPPC and WOAH on relevant activities

2.2.1 Codex (G/SPS/GEN/2266)

2.8. Referring to the meeting of the Codex Committee on Residues of Veterinary Drugs in Food held in October 2024, Codex highlighted that the extrapolation of MRLs had increased the availability of Codex MRLs for international trade especially for compounds with reduced data availability. The committee finalized procedures to establish action levels for unavoidable residues of veterinary drugs in food resulting from unintended cross-contamination of feed, and the next meeting of the committee would consider MRLs for camelids. To avoid trade disruptions, Codex planned to develop guidance for governments to assess risk management options where Codex action levels were either exceeded or not detected and no Codex reference was available. Codex informed that new work was submitted to establish MRLs for bromoform and that the committee endorsed continuous collaboration with the Codex Committee on Pesticide Residues (CCPR) on issues of common interest.

2.2.2 IPPC (G/SPS/GEN/2264)

2.9. The IPPC informed the Committee that CPM-19 was tentatively scheduled for 17-21 March 2025 and would address several topics including the adoption of standards, the review of proposals for IPPC's work programme, financial planning and an assessment of the IPPC observatory. Since June 2024, the CPM bureau had convened twice and the strategic planning group which followed, had recommended contacting Codex, WOAH and relevant FAO divisions to jointly work towards One Health and on IPPC's strategic framework. The IPPC provided updates on meetings of its standards committee, implementation committee and observatory, and noted that approximately 200,000 ePhytos were exchanged monthly. The IPPC also highlighted the work of CPM focus groups on climate change and phytosanitary issues, on sea containers, and on the safe provision of food and other humanitarian aid.

2.10. Honduras requested an update on the progress of discussions on the sustainability of the ePhyto solution and possible payments to use it.

2.11. IPPC noted that work was still ongoing on sustainable funding for the ePhyto solution, and CPM had set up an approach whereby contracting parties could provide voluntary contributions from 2025. IPPC noted that official letters would soon be sent to contracting parties requesting that they plan their contributions.

2.2.3 WOAH (G/SPS/GEN/2265)

2.12. WOAH highlighted some aspects of its report in G/SPS/GEN/2265, noting that the four WOAH specialist commissions met in September 2024 and these meeting reports, including standards circulated for comment, were available on its website. On the WOAH Terrestrial Code, biosecurity was among the chapters proposed for adoption at the 92nd WOAH General Session, and new chapters circulated for comment included procedures applicable to transit, and border inspection and quarantine. In addition, 19 texts had been circulated for comment under the Aquatic Code, and 28 chapters were circulated for comment in relation to the Terrestrial Manual including revisions relevant to African swine fever (ASF) vaccination. WOAH shared that its Standards Online Navigation Tool was expected to go live in early 2025. WOAH had also initiated work on electronic veterinary certification which would align with Codex, and it planned to start updating chapter 5.2 in the WOAH Terrestrial and Aquatic Codes in 2025.

2.13. Chinese Taipei acknowledged IPPC work on e-commerce and its guidelines published in 2023 and questioned whether Codex and WOAH planned to prepare guidance on managing SPS risks through e-commerce.

2.14. Codex noted that the Codex Committee on Food Labelling had finalized two texts for consideration at the November 2024 Codex Alimentarius Commission related to use of technology in food labelling. One offered guidance on providing food information for prepackaged foods to be supplied via e-commerce and the other contained guidelines for the use of technology to provide food information on labels.

2.15. WOAH indicated that it was not working on e-commerce since there was no request from WOAH members to pursue this work.

3 CROSS-CUTTING ISSUES

3.1 Follow-up to MC13 Declaration

3.1. Referring to the MC13 S&DT Declaration (WT/MIN(24)/36), in particular paragraphs one and two, the SPS Chairperson referred to discussions held with the Chairpersons of the TBT Committee, the CTD SS and the facilitator for their SPS- and TBT-related work. It was agreed that the SPS and TBT Committees were well placed to conduct more technical discussions in relation to paragraphs one and two of the above-mentioned Declaration. To date, Members had not provided any specific input regarding these two paragraphs.

3.1.1 Information from Members

3.2. No Member took the floor under this agenda item.

3.1.2 Update from the Chairperson

3.3. The Chairperson provided an update on the MC13 S&DT Declaration (WT/MIN(24)/36) noting that the Chairperson of the SPS Committee, and the Chairpersons of the TBT Committee, the CTD SS and the facilitator for their SPS and TBT related work all agreed on the importance of close coordination and cooperation among these Committees in the implementation of the MC13 S&DT Declaration, as well as in continuing the work to enhance the implementation of S&D treatment. As mentioned before, the SPS and TBT Committees should conduct the more technical discussions in relation to paragraphs one and two of the Declaration. Regarding paragraph three, the CTD SS proposed taking the lead in preparing a report by the end of the year, building on inputs on the relevant work carried out in the SPS and TBT Committees as well as any further activities to be carried out in the CTD SS. The Chairpersons of the SPS and TBT Committees had agreed on an outline for the report and briefed the CTD SS accordingly. While the SPS and TBT Chairpersons would present reports under their own responsibility, both reports would follow a similar structure to facilitate Members' work. The SPS Chairperson planned to share her draft report through the SPS Committee mailing list, with a deadline to submit comments. Comments would be taken into account when finalizing the report for submission to the CTD SS.

3.4. No Member took the floor under this agenda item.

4 SPECIFIC TRADE CONCERNS

4.1. The Secretariat provided a brief explanation of the Committee's procedure and practice regarding STCs as well as the work of the Secretariat in preparing the annotated draft agenda after the deadline to submit STCs. Members were normally invited to submit STCs along with other agenda items by a certain deadline about three weeks prior to a Committee meeting, and the annotated draft agenda was circulated two days later. This allowed the Secretariat to translate the agenda items submitted in French and Spanish, and to check with Members where there were questions regarding proposed agenda items and STCs. The Secretariat also requested that for older issues, Members raise previously raised STCs instead of raising a new STC where possible to facilitate the tracking of discussions and avoid duplication of STCs on similar topics. This also allowed responding Members to provide comprehensive replies, avoiding repetition.

4.1 New issues

4.1.1 The Russian Federation's delay in listing of establishments for export of dairy products (ID 586) - Concerns of India

4.2. India raised its concerns regarding delays in the approval and listing of Indian establishments seeking to export dairy products to the Russian Federation. In 2014, two Indian establishments received approval from the Russian Federation after a physical inspection, but they remained unlisted on the official website until April 2023. Additionally, seven dairy product establishments had applied for listing in 2024 but only one had been listed and it was subjected to further export requirements. To India, the Russian Federation insisted on conducting physical inspections for the remaining six establishments without scientific justification. Noting that the establishments were certified by India's official certification body which adhered to Codex standards and export certification protocols, India urged the Russian Federation to expedite the listing of the Indian establishments and refrain from requiring physical inspections.

4.3. The Russian Federation responded that in 2022, a veterinary certificate was agreed upon with India for imports of certain dairy products and India was requested to provide information to assess the capacity of its dairy enterprises to comply with the EAEU requirements. Since April 2023, a total of six Indian dairy enterprises had received necessary authorizations by the Russian competent authority, but so far, no Indian dairy products had been received. The Russian competent authority would consider granting market access to another two Indian dairy enterprises.

4.1.2 The Russian Federation's delay in listing of establishments for export of egg products (ID 587) - Concerns of India

4.4. India expressed its concerns regarding delays in the approval and listing of Indian establishments interested in exporting egg products to the Russian Federation. Indian noted that the duplication of procedures and inspections led to increased costs and delays in exporting egg products to the Russian Federation. India argued that the Russian Federation had approved and listed only four of its egg product establishments, and requests for additional establishments had stalled due to the Russian Federation's insistence on physical inspections without scientific justification. India urged the Russian Federation to eliminate the requirement for physical inspections of establishments certified by India's official certification body, to update and publish the lists of Indian products and establishments pending registration or approval, and provide clear timelines on the approval process.

4.5. The Russian Federation noted that while four Indian egg-producing enterprises were currently authorized to export, only two were doing so. The Russian Federation indicated its readiness to consider the authorization of new enterprises once it received products from the enterprises previously included in the Register. In August 2023, the Russian competent authority had informed India that certification of an additional enterprise was possible following mutual inspections. India was also requested in 2024 to provide information on measures taken to localize and control the spread of HPAI, in particular H5N1 influenza, but the Russian Federation did not receive this information.

4.1.3 EU reduction of current MRL of acetamiprid (ID 588) - Concerns of India

4.6. India expressed its concerns with the EU proposal to revise MRLs for acetamiprid for 38 food commodities notified in G/SPS/N/EU/787. Referring to Codex MRLs of acetamiprid for specific commodities including tomato and cabbage, India noted that the proposed MRLs were more stringent than Codex standards, and the deviations were not based on a risk assessment. India urged the European Union to reconsider the revised MRLs, adopt Codex standards on MRLs where possible, and provide an explanation for the deviations in accordance with Article 5.8 of the SPS Agreement.

4.7. The European Union informed Members that the draft regulation G/SPS/N/EU/787 was notified with a 60-day comment period, and it had received and replied to comments from China, Türkiye and the United States, but no comments were received from India. The measure would be adopted around February 2025 for application around August 2025, taking account of comments received. The European Union stated that the measure was based on an EFSA risk assessment which found high health risks for consumers, and that import tolerance requests could be submitted and considered.

4.1.4 UK non-renewal of the approval of the active substance mancozeb (ID 589) - Concerns of India

4.8. India raised its concerns on the UK Decision to withdraw approval of mancozeb from its market. India had provided comments on UK notification G/TBT/N/GBR/70, to which the UK replied that it would consider amending the MRLs of mancozeb in various food products. India urged the United Kingdom to conduct a comprehensive risk assessment on the effects of mancozeb on human health and safety, prior to setting the MRLs. India also asked the United Kingdom to share the status of review of MRLs for mancozeb and information related to plans to conduct a comprehensive risk-assessment, if any. In India's view, mancozeb was a common fungicide used worldwide and its non-renewal and subsequent MRLs could disrupt agricultural trade and put immense burden on exports from developing countries. India urged the United Kingdom to reconsider the decision on non-renewal of active substance mancozeb, consider international standards and other WTO Member practices, and refrain from adopting a hazard-based approach.

4.9. The United Kingdom responded that the Decision notified in G/TBT/N/GBR/70 did not impact trade in food products as GB MRLs for mancozeb remained unchanged. Explaining its procedure to review MRLs, the United Kingdom noted that mancozeb MRLs would be reviewed within three years of the non-renewal decision notified in G/TBT/N/GBR/70, and any changes would be notified. The United Kingdom noted that import tolerance MRLs could be submitted and would be assessed in line with UK approval criteria and Codex guidelines. The United Kingdom explained that its approach

to assessing active substances for domestic use differed from its approach to assessing MRLs. The United Kingdom was open to bilateral engagement in the SPS context and noted that further information on its regime for assessing MRLs and import tolerances was available online.

4.1.5 UK reduction of current MRL of imazethapyr (ID 590) - Concerns of India

4.10. India raised its concerns with the UK notification G/SPS/N/GBR/54 which set default MRLs of 0.03* mg/kg for imazethapyr on groundnut and rice. Referring to the evaluation report linked in the notification, India argued that the Codex MRL for groundnut (peanut) as well as rice was 0.1 mg/Kg, and considered that the United Kingdom had deviated from the international standard for MRLs for imazethapyr for several products, including groundnuts and rice. In India's view, the deviation lacked scientific justification and was not based on a risk assessment in accordance with the SPS Agreement. India requested that the United Kingdom provide an explanation for the deviation in line with Article 5.8 of the SPS Agreement. India also urged the United Kingdom to harmonize its standards with Codex to prevent trade barriers.

4.11. The United Kingdom informed that the trade facilitating measure notified on 24 March 2024 increased GB MRLs for imazethapyr on dried lentils and on soybeans and that no changes had been proposed for other commodities. The United Kingdom emphasized that applications for import tolerance MRLs could be submitted and would be assessed. To the United Kingdom, its approach aligned with Joint FAO/WHO Meeting on Pesticide Residues (JMPR) risk assessment methods. The United Kingdom noted that new Codex MRLs were reviewed annually and adopted where possible, in compliance with the SPS Agreement and national requirements and that further details were available online.

4.1.6 Hong Kong, China's restriction on spice imports due to established limits of ethylene oxide (ID 591) - Concerns of India

4.12. India expressed its concerns regarding Hong Kong, China's regulatory limit for ethylene oxide (EtO) noting that there was no international standard for the ML of EtO in food products, including spices and that WTO Member practices varied. India referred to Hong Kong, China's statement to the Codex Committee on Contaminants in Food (CCCF) and considered that its regulatory limit for EtO at LOQ for spices was not based on a proper risk assessment, lacked scientific justification, and was adopted on a precautionary or hazard basis. In India's view, the measure was at odds with Articles 2.2, 5.1, 5.6 and 5.7 of the SPS Agreement, was trade-restrictive and led to the rejection of its spice exports to Hong Kong, China. India sought clarification from Hong Kong, China on the use of a hazard-based approach over risk-based assessments.

4.13. During routine food surveillance in April 2024, Hong Kong, China had detected EtO residues in four batches of spices imported from India, with levels ranging from 0.13 mg/kg to 300 mg/kg. Referring to carcinogenic risks associated with EtO, Hong Kong, China took control measures based on the EtO residues detected in the products which were consistent with its procedures for handling food safety incidents. Highlighting the scientific basis of its food safety standards, Hong Kong, China took the view that its measures, specific to the affected batches of products, were not more trade-restrictive than required and that similar actions would be taken for any product found to contain EtO, irrespective of their sources.

4.1.7 Withdrawal by France of the approval of thiacloprid for fresh fruits and vegetables (ID 592) – Concerns of India

4.14. India raised its concerns with France's notification G/SPS/N/FRA/20 suspending imports of fresh fruits and vegetables into France treated with thiacloprid. India noted that the measure was applicable to all fresh fruits and vegetables and did not take into account the distinctions among various food products and their respective MRLs. In India's view, the measure deviated from international standards and lacked scientific justification, was "precautionary" and inconsistent with Article 5.7 of the SPS Agreement. India urged France to withdraw its measure and adhere to the available international standards. India also requested that France provide an explanation for the deviation from international standards in accordance with Article 5.8 of the SPS Agreement.

4.15. The European Union responded that the French Order suspending the entry into France of fresh fruits and vegetables treated with thiacloprid had been notified in G/SPS/N/FRA/20.

An EU regulation had been proposed on 22 October 2024 to provisionally lower to the limit of determination (LOD) all existing MRLs for thiacloprid and would become applicable on 12 May 2025 thus making the French Order redundant.

4.1.8 China's import restrictions on animal products in relation to bluetongue disease (ID 593) - Concerns of the European Union

4.16. The European Union raised its concerns regarding China's import restrictions on animal products from several EU member States in relation to bluetongue disease. The European Union was informed by China that the bluetongue outbreak in EU member States carried a high risk for China's animal health and animal husbandry industry, and on that basis, China took the decision to suspend imports of cattle and related products. Referring to the WOAH Terrestrial Code, the European Union was of the view that China's import restrictions on animal products due to bluetongue disease were at odds with international trade rules and standards. The European Union requested that China lift its import restrictions imposed on several EU member States in relation to bluetongue disease.

4.17. China responded that it banned imports from bluetongue-infected countries to protect the safety of its domestic animal husbandry. Referring to the transmission rate, severity, and complexity of bluetongue outbreaks in the European Union and the United Kingdom, China noted that the introduction of an exotic serotype in China would cause significant losses to its animal husbandry. China considered that it was reasonable to take risk control measures to suspend the import of cattle and related products from EU affected countries in line with relevant laws and regulations. China would continue to monitor the situation and would be prepared to lift the ban if the epidemic was controlled, in accordance with its relevant regulations.

4.1.9 South Africa's undue delays in providing the results of the pest risk analysis for the export of kiwifruit (ID 594) - Concerns of Chile

4.18. Chile expressed its concerns regarding South Africa's undue delays in the phytosanitary authorization procedure for exporting kiwifruit, which had affected Chilean producers. Referring to Annex C of the SPS Agreement, Chile complained that South Africa had not provided updates on the review of technical information submitted by Chile for a PRA since 2021. Chile also pointed out that South Africa had not shared information on the steps in the authorization process or standard processing times, despite repeated bilateral requests. Chile urged South Africa to conclude the PRA and communicate openly, to avoid unnecessary barriers to trade.

4.19. Acknowledging that Chile submitted information requesting market access for kiwifruit, South Africa noted that the PRA was initiated, and the exchange of technical information led to the drafting of phytosanitary import requirements. South Africa concluded the national consultation process and was evaluating the inputs received, and the phytosanitary import requirements would be communicated to Chile.

4.1.10 Thailand's import restrictions due to African swine fever (ID 595) - Concerns of the European Union

4.20. The European Union raised its concerns on Thailand's import bans on pork and pork products from EU member States that reported past or current outbreaks of ASF. The European Union had raised the issue bilaterally, and provided comments on Thailand's SPS notifications which were unanswered. The European Union noted that disease-free areas were established according to WOAH standards in EU member States, and many trading partners recognized its regionalization system and traded with its disease-free areas. The European Union urged Thailand to accept commodities which had been treated in accordance with the WOAH Terrestrial Code and called on Thailand to engage constructively to allow trade from disease-free areas.

4.21. Thailand stated that it recognized the concept of regionalization in accordance with Article 6 of the SPS Agreement and WOAH recommendations, and that EU countries could request recognition of regionalization for ASF by submitting an official request for consideration. Thailand also acknowledged the WOAH list of ASF safe commodities and noted that negotiations were ongoing with an EU member State affected by ASF to resume market access. Thailand welcomed technical meetings with the European Union on this issue.

4.1.11 US lengthy approval procedures for plant products (ID 596) - Concerns of the European Union

4.22. The European Union expressed its concerns with complex and lengthy US approval procedures for importing plants and plant products from the European Union and regretted that little progress had been made on EU market access requests, with three new authorizations granted in the past decade. While acknowledging the US recognition of pest-free status for 21 EU member States for two plant pests and the publication of two notices related to the export of orchids, the European Union highlighted that 30 applications were still pending, some for more than 20 years and no indicative timeline for the pending applications had been provided. The European Union called on the United States to comply with its obligations under the SPS Agreement, to base its import approval procedure on science and to simplify its approval procedures to avoid undue delays.

4.23. Referring to another STC on the agenda, Brazil indicated that it had similar concerns regarding lengthy and burdensome US approval procedures.

4.24. Noting that the European Union exported a wide variety of plants and plant products to the United States, with annual exports valued at over USD two billion, the United States responded that it had to balance trading partners' interests in its market with available resources while also taking account of significant differences in the capacities and approaches of regulatory authorities across EU member States. The United States was actively working on requests from many EU member States and updates had been provided during the October 2024 US-EU Plant Health Technical Working Group meeting. Notwithstanding the multiple demands, the market access process had been completed for Kiwi berries from France, and the regulatory process recognizing Asian (ALB) and citrus long horned beetle (CLB) pest-free area status for 21 EU member States had been completed.

4.1.12 Thailand's unjustified suspension of Brazilian exports of beef and edible offal (ID 597) – Concerns of Brazil

4.25. Brazil raised its concerns with Thailand's suspension of beef imports following an inspection mission to Brazilian slaughterhouses in August 2024 although no non-conformities had been found. Brazil noted that Thailand required individual traceability for each animal, although this was not outlined in any regulation, had not been communicated prior to the mission, and was not applied to other exporters. Brazil further highlighted that no traceability concerns were raised during the inspection meetings and all regulations had been met. Brazil referred to inconsistencies with Articles 2, 5 and 7 of the SPS Agreement and requested clarification on Thailand's traceability regulation and whether it was equally applied to all trading partners with a sanitary status comparable to Brazil's.

4.26. Referring to the recent inspection for the renewal of certification for Brazilian beef production establishments in August 2024, Thailand found that certain practices did not meet its requirements and this led to the temporary suspension of beef and offal imports from Brazil until corrective actions were implemented to comply with Thailand's standards. Thailand was reviewing additional documents submitted by Brazil and noted that requests to export beef and offal submitted before 1 October 2024 could continue to be exported until the end of November 2024. Thailand recommended technical consultations to resolve the issue.

4.1.13 Delays in Korea's approval procedures for animal products (ID 598) – Concerns of the Russian Federation

4.27. The Russian Federation raised concerns about delays in Korea's approval procedures for animal products. The Russian Federation had repeatedly informed Korea about its WOAH recognized FMD status and had provided data on the regions free from FMD without vaccination, from which exports were planned, but had not received a response from Korea. The Russian Federation urged Korea to comply with Articles 6, 8, and Annex C of the SPS Agreement and undertake and complete the approval procedures for animal products without undue delay.

4.28. Korea responded that its quarantine authorities were conducting an import risk assessment, and results would be provided once the process was completed. Korea would also review any specific questions submitted in writing.

4.2 Issues previously raised

4.2.1 EU MRLs for alpha-cypermethrin, buprofezin, chlorothalonil, chlorpyrifos, chlorpyrifos-methyl, cypermethrin, diflubenzuron, ethoxysulfuron, glufosinate, imazalil, ioxynil, iprodione, mancozeb, molinate, picoxystrobin and tepraloxydim (ID 448 - See also related STCs ID 453, 454, 457, 474, 475, 517) - Concerns of India, China, Paraguay, the United States, Brazil and Colombia

4.29. Brazil complained that EU regulatory policies continuously disregarded Codex standards, violated Articles 2, 3 and 5.6 of the SPS Agreement, were more trade-restrictive than necessary, had a negative impact on tropical countries, and were harmful to global food security and exporters from countries that complied with Codex standards. In Brazil's view, EU emergency authorizations for plant protection products, under article 53 of EU Regulation 1107/2009, unfairly restricted trade from non-EU countries while allowing EU member States to benefit from the use of these products. Brazil considered that the identification of potential hazards did not replace the obligation to base a measure on a risk assessment based on science, in line with Codex standards. Brazil also expressed concerns with the EU proposal to reduce alpha-cipermethrin MRLs in G/SPS/N/702, noting that it was a registered insecticide used in various crops and that its non-approval could significantly impact producers' income, especially citrus producers. Adding that the EU cancellation of all pesticides containing mancozeb had negatively impacted Brazilian exports, Brazil supported Paraguay's request for the European Union to grant emergency authorizations, and urged the European Union to adopt trade-facilitative approaches while establishing MRLs, including longer transitional periods.

4.30. China reiterated its concerns with the trade barriers resulting from the EU reduction of MRLs based on uncertainty and insufficient scientific evidence. China continued to request that the European Union consider alternative and more flexible approaches to support shared goals of enhanced global food security in the least trade-restrictive way while still protecting consumers.

4.31. Referring to its previous interventions, India echoed other Members' concerns regarding the EU approach in setting MRLs. Specifically referring to dithiocarbamates, India complained that the procedure of fixing of MRLs based on the monitoring data on naturally occurring levels of CS2 from organic products, as recommended by EFSA, was not as per FAO/WHO/JMPR guidelines and might vary within the same crop depending on the variety or agroclimatic conditions. India questioned the reason for increasing the MRLs for ziram for cherries following EFSA's conclusion that a risk for consumers concerning the existing MRLs could not be excluded. India requested that the European Union extend reasonable transition periods before enforcing new MRLs and looked forward to constructive and collaborative engagement to address these concerns comprehensively.

4.32. Paraguay reiterated its concerns regarding EU decisions on pesticides which it contended lacked scientific evidence and violated the SPS Agreement. Paraguay was particularly concerned that the European Union lowered MRLs although EFSA found that many substances did not pose a risk to human health. Paraguay emphasized the importance of basing SPS measures on international standards and risk assessments taking into account techniques developed by the competent international organizations. Noting that it had submitted questions jointly with other Members in G/SPS/GEN/2212, Paraguay considered that the EU response in G/SPS/GEN/2238 which included the link to a Q&A page was insufficient in addressing the concerns raised. Paraguay had again circulated questions jointly with other Members in G/SPS/GEN/2271.

4.33. Reiterating its concerns, the United States requested that the European Union align its MRLs with Codex standards when EFSA could not conclude a risk assessment, consider more flexible enforcement approaches, and extend transition periods for MRLs established without completing a risk assessment that identified specific risks to consumers. The United States also requested that the European Union retain existing MRL levels while import tolerances were under consideration and take Member comments into account prior to finalizing its draft measures. The United States submitted its statement in G/SPS/GEN/2273.

4.34. Referring to its previous interventions and document G/SPS/GEN/2271, Colombia reiterated its concerns about EU MRLs for several pesticides. In Colombia's view, the reduction of MRLs to extremely low levels was more trade-restrictive than necessary. Colombia looked forward to receiving an appropriate response to its concerns in G/SPS/GEN/2271 in relation to the lack of

transparency in the EU evaluation process as well as the European Union's refusal to grant import tolerances, even in cases supported by sound scientific evidence.

4.35. Ecuador reiterated its concerns about the EU reduction of MRLs for essential pesticides in tropical climates, and urged alignment with Codex standards, citing challenges with EFSA's inconclusive risk assessments. Ecuador was particularly concerned with the non-renewal of the use of chlorothalonil as well as the reduction of MRLs for substances such as propiconazole and pymetrozine which severely affected the sustainability of Ecuador's banana production. Ecuador requested that the European Union provide reasonable time for the development and registration of alternatives, and fair conditions for third country producers, including the possibility of emergency authorizations, such as those available in the European Union. Ecuador also asked for detailed information on these authorizations and a list of molecules that could substitute banned ones. Acknowledging the EU response in G/SPS/GEN/2238, Ecuador noted however that important concerns remained pending, and together with other Members it had again circulated questions in G/SPS/GEN/2271 and looked forward to a prompt response.

4.36. Canada reiterated its concerns with the trade implications of the European Union's approach to regulating active substances in plant protection products. Canada emphasized the necessity of maintaining risk-based decision-making concerning MRLs for plant protection products, which were based on science and established risk assessment methodologies. Canada urged the European Union to harmonize its MRLs with Codex or maintain current levels for substances that did not pose unacceptable dietary risks, particularly where risk assessments had not been completed to safeguard consumer health, support stable and predictable trade, and foster global cooperation.

4.37. Guatemala noted the importance of a conclusive and science-based risk assessment, and when inconclusive, maintaining Codex levels. Referring to EU notification G/SPS/N/EU/788 on MRLs of dithiocarbamate, Guatemala expressed concerns that MRLs were maintained for some products for which it has already raised concerns such as banana. Guatemala expressed its concerns about how EU decisions on MRLs were taken, noting that questions had been submitted in document G/SPS/GEN/2212 but considered that the EU response in G/SPS/GEN/2238 was insufficient, and questions had therefore been resubmitted in G/SPS/GEN/2271.

4.38. Peru noted that, despite having raised the issue multiple times in the Committee and bilaterally, no changes had been made regarding EU MRLs. Peru considered the EU measures to be unnecessarily restrictive and to contravene the SPS Agreement and international standards. Peru hoped for a prompt response to the matters presented in a joint statement within the framework of its bilateral trade agreement with the European Union.

4.39. Argentina highlighted the concerns of Members from all regions against the protectionist approach of the European Union. Argentina emphasized the importance of Members basing SPS measures on a comprehensive risk assessment. Argentina called on the European Union to review its regulatory approach, which ignored local production circumstances, the absence of accessible alternatives, and international standards.

4.40. Uruguay reaffirmed its position on the concerns over the EU approach to reducing MRLs for numerous substances to levels lower than those established by Codex. Uruguay underscored the importance of comprehensive scientific risk assessments, in line with guidelines of the relevant international organizations, and the importance of transition periods bearing in mind the timelines for the production and marketing of crops. Reiterating its commitment to dialogue, Uruguay urged the European Union to consider Members' comments and to reconsider its position to avoid unnecessary barriers to trade that could have adverse socioeconomic consequences.

4.41. Costa Rica continued to support this STC and referred to its previous interventions.

4.42. To the Dominican Republic, EU measures must be consistent with the SPS Agreement notably Articles 2.2, 5.2 and 5.3 and scientific evidence. The Dominican Republic reiterated its concerns on STC ID 457 noting the lack of scientific justification for the modification of MRLs for imazalil and that implementation of these MRLs would create unnecessary trade barriers and affect its agricultural exports. Regarding STC ID 448, the Dominican Republic noted that mancozeb was used in small quantities and the European Union had not demonstrated a real risk. The Dominican Republic was concerned about the possible impact of the EU measures and urged the European Union to adhere

to Codex standards and reconsider implementation of its measures which directly affected agricultural producers in developing countries and LDCs.

4.43. The European Union stated that its previous statements remained valid and that it would upload a more detailed statement. The European Union noted that information had been provided bilaterally, in thematic sessions and in writing. The European Union had shared a dedicated Q&A section on its website in G/SPS/GEN/2238 which addressed many of the questions raised. The European Union will give due consideration to any new questions and will provide adequate answers. Regarding MRLs for dithiocarbamates including mancozeb, following the non-renewal of its approval in December 2020, a draft regulation reviewing these MRLs was under discussion and was notified in July 2024. Comments had been received and the draft regulation was still under discussion. The European Union stated that it was a shared interest to ensure that pesticide levels did not pose a risk to human health and that its food safety system provided a high level of consumer protection, and noted that it continued to provide technical assistance including through the STDF.

4.2.2 EU legislation on endocrine disruptors (ID 382) - Concerns of Brazil, India and Paraguay

4.44. India raised its concerns on the implications of EU regulations regarding thiacloprid and endocrine disruptors, which deviated from EFSA recommendations and Codex MRLs. India sought to ensure that its farmers and exporters could compete fairly in the EU market while adhering to international standards, and stated that strict EU measures, such as France's emergency ban on products treated with thiacloprid, could severely restrict market access for Indian agricultural products. India urged the European Union to provide conclusive scientific risk assessments for its regulatory decisions and to engage in a constructive dialogue and collaboration to address these pressing issues, fostering transparency and mutual understanding in regulatory practices.

4.45. Referring to Article 5.7 of the SPS Agreement, Paraguay requested information on the length of time that the risk assessment would take for thiacloprid and reiterated its concerns about the hazard-based approach in the evaluation of substances. Paraguay also sought clarification on the use of specific criteria for thiacloprid and whether this would be applied to other cases. Paraguay reiterated previously raised questions including on the relevant information that made it necessary for the European Union to provisionally lower all MRLs for thiacloprid to the limit of detection. Paraguay called on the European Union to reconsider its approach and base its decisions on conclusive scientific evidence in accordance with international standards.

4.46. Brazil reiterated its concerns and affirmed that the criteria for determining endocrine-disrupting substances needed to be established in accordance with Article 5 of the SPS Agreement, in line with available scientific evidence to avoid unnecessary trade restrictions, instead of being based solely on the perception of hazard. Brazil also highlighted the importance of conducting risk assessments appropriate to the circumstances in accordance with Article 5.1 of the SPS Agreement and believed that the need for additional information for an objective assessment of risk should not serve as an excuse for the adoption of trade-restrictive measures.

4.47. Peru considered that the EU regulation was inconsistent with the SPS Agreement, notably Article 5. Peru noted that a hazard-based approach could lead to the establishment of trade measures that were more restrictive than necessary and had a negative impact on food trade.

4.48. Ecuador noted with concern that reports related the non-approval of certain molecules included references to possible endocrine-disrupting effects among the justifications for withdrawing their authorization. Ecuador urged the European Union to comply with Article 5 of the SPS Agreement and base its measure on scientific principles and risk-assessment techniques developed by the competent international organizations in relation to the establishment of MRLs.

4.49. The United States reminded the EU Commission of the necessity to provide scientific justification for MRL reductions. The United States also noted that the European Union's hazard-based cut-off criteria, including endocrine-disrupting properties were not part of EU Regulation 396/2005. The United States reminded the European Union to reconsider its approach and ensure that its SPS measures were based on scientific evidence and actual risks. The United States submitted its statement in G/SPS/GEN/2274.

4.50. Uruguay reiterated its concerns regarding the EU hazard-based approach for products with potential endocrine-disrupting properties, which could exclude substances that were safe for pest management. Referring to Article 5 of the SPS Agreement, Uruguay underscored the need to base such determinations on adequate risk assessments, in line with recommendations from relevant international organizations. Uruguay continued to support multilateral work undertaken at Codex to develop a harmonized, risk-based approach and urged the European Union to consider concerns raised and to review its approach to avoid unjustified trade barriers.

4.51. Canada reiterated its calls for the European Union to revise its hazard-based approach for regulating active substances in plant protection products, and to consider both hazards and risks in its regulatory decision-making. To Canada, hazard-based approaches could be overly conservative, lead to disproportionate actions, and result in unnecessary losses for producers. Canada urged the European Union to fulfil its obligations under the SPS Agreement for science-based decision-making using risk assessment techniques developed by relevant international organizations when establishing MRLs, and to provide a sufficient transition time when establishing MRLs.

4.52. Guatemala emphasized the importance of evaluating active substances based on scientific evidence and a risk assessment. Guatemala also expressed particular concern about the adverse impact of EU measures on trading partners, noting that the classification of substances as endocrine disruptors often resulted in lower MRLs, effectively amounting to a zero tolerance. To Guatemala, this lacked scientific basis and was at odds with Article 5 of the SPS Agreement. Guatemala asked the European Union to prioritize harmonization of measures to avoid obstacles to trade.

4.53. Referring to its interventions in previous Committee meetings which remained valid, the European Union noted this topic had been on the agenda of the Committee for 31 sessions and that it had addressed numerous inquiries and updated Members on relevant developments. On endocrine disruptors in general, the European Union had no new information to provide. Referring to overlaps in some STCs, in particular, on thiacloprid, the European Union noted that EU Regulation 2024/2711 of 22 October 2024 had been adopted based on strong indications in an EFSA risk assessment that the substance may be an endocrine disruptor. The draft regulation had been notified in G/SPS/N/EU/763 and based on comments received from Members, the European Union included transitional measures for products placed on the EU market before the new MRLs became applicable, except for some commodities for which EFSA had identified an acute health risk for consumers. Additionally, the European Union highlighted the six-month delay for application of the measure, giving food operators the possibility to adapt. The European Union informed that a further EFSA assessment on endocrine-disrupting properties of thiacloprid would be carried out, and that applications for import tolerances for thiacloprid could be submitted and would be assessed on a case-by-case basis in accordance with EU Regulation 396/2005.

4.2.3 EU import tolerances for certain pesticides to achieve environmental outcomes in third countries (ID 534) - Concerns of Australia, India, the United States and Brazil

4.54. Australia reiterated its concerns regarding the EU regulation on clothianidin and thiamethoxam and the lack of response from the European Union to reconsider its approach. Australia considered that there was no scientific evidence linking lower MRLs and pollinator health, noting that the objective of MRL setting was to ensure food safety and MRLs were not an appropriate nor an efficient tool to pursue environmental outcomes. Australia considered that using food MRLs as a proxy to pursue environmental standards outside EU borders was incompatible with international standards and threatened Members' ability to apply their own environmental policies. Australia considered that a misapplication of MRLs may undermine MRL setting principles and efforts toward harmonization among Members. Australia considered that the EU response to statements made by Australia and others at the June 2024 SPS Committee meeting did not address these concerns, and called on the European Union to engage with its trading partners in its setting of MRLs and to discuss with third countries in multilateral fora to find a less restrictive alternative that would meet its objective.

4.55. Referring to previous statements, India reiterated its concerns about the European Union applying domestic environmental policies to imported products. India asserted that MRLs were established to ensure food safety and not to achieve environmental objectives, and complained that EU measures deviated from Codex standards, which did not account for environmental factors when establishing MRLs. Questioning the EU scientific rationale linking reduced MRLs for neonicotinoid to

the health of pollinators, India urged the European Union to harmonize its MRL policies with Codex standards to prevent trade disruptions and ensure a level playing field for all trading partners. India echoed other Members' concerns that the EU measures amounted to "green protectionism" creating trade barriers that favoured EU producers by selectively applying environmental standards.

4.56. Brazil complained that the EU unilateral measures of "green protectionism" were ineffective and inconsistent with multilateral norms and created barriers to trade. Brazil emphasized that trade liberalization and environmental protection were complementary when countries respected WTO trade principles and environmental multilateral agreements. Referring to the SPS Agreement, Brazil considered that the EU measures were extraterritorial, could have a negative impact on the trade of different crops in Brazil and if fully applied would restrict exports of products containing clothianidin and thiamethoxam to the European Union. Brazil highlighted the importance of respecting the SPS Agreement and hoped that the European Union could avoid creating unnecessary trade barriers with its measures.

4.57. The United States regretted the European Union's lack of substantive engagement on EU Regulation 2023/334. The United States urged the European Union to refrain from using pesticide MRLs other than to monitor the lawful applications of pesticides and ensure consumer food safety. The United States repeated its request that the European Union restore prior MRLs for clothianidin and thiamethoxam. The United States submitted its statement in G/SPS/GEN/2275.

4.58. Japan reiterated its concerns about the EU regulation on clothianidin and thiamethoxam to protect the environment. Japan noted that the adopted measures were a deviation from current MRL setting principles and the trend towards harmonized MRLs. Japan also noted that, given the effect on Members, the adopted policy should be thoroughly discussed in the relevant international fora. Underlining the extraterritorial approach of the EU measure, Japan was of the view that the European Union was not respecting the regulatory decisions made by individual countries, based on each country's own scientific evidence and understanding of its environmental conditions and local agricultural practices.

4.59. Ecuador reiterated its concern that the European Union's use of non-tariff barriers to protect the environment disqualified regulatory policies in other countries. Ecuador was particularly concerned with an EU decision proposing additional restrictions for environmental reasons, noting that these lacked a conclusive risk assessment and resulted in *de facto* barriers for products such as tropical fruits, coffee and cocoa. Ecuador urged the European Union to provide the scientific basis for its measures, consider the limitations of developing countries, and comply with principles of the SPS Agreement including transparency, non-discrimination, and scientific justification.

4.60. Paraguay expressed its concerns with EU Regulation 396/2005 and considered that EU MRLs did not seek to protect EU consumers or pollinators, but rather to regulate other countries' agricultural production, which reduced export opportunities. Noting that some EU member States had requested emergency authorizations, Paraguay reiterated its request to the European Union for details on the emergency authorization procedures including deadlines and costs, to assess their compatibility with WTO non-discrimination obligations. While acknowledging that a corrigendum was issued, Paraguay was concerned that the incorrect mention of its name in the regulation was still available on the EUR-Lex website.

4.61. Argentina highlighted that the EU measure was aimed at obstructing third-party exports to the European Union rather than protecting the environment or pollinators. Argentina regretted the unilateral and extraterritorial nature of the EU approach and associated trade measures, and pointed out that the EU measure was not based on science and questioned its compliance with international environmental law. Argentina urged the European Union to respect the sovereignty of other States over their natural resources.

4.62. Uruguay reiterated concerns about the implementation of the EU regulation modifying MRLs for thiamethoxam and clothianidin. Uruguay recalled that MRLs were a tool to ensure food safety, in line with Codex, and they should not include environmental considerations, which should be dealt with by countries in their own regulatory and environmental context. Uruguay regretted that the European Union had lowered the MRLs to the LOQ, despite the numerous comments received, and highlighted the need to apply appropriate risk assessments and to respect scientific principles.

Uruguay urged the European Union to consider less trade-restrictive measures and to collaborate to reach multilateral solutions.

4.63. Canada reiterated its concerns about the EU integration of environmental objectives into its procedures for establishing MRLs noting the negative consequences for trade. To Canada, the European Union was failing to meet its obligation to facilitate international trade with the MRLs set for thiamethoxam and clothianidin. Canada added that potential environmental impacts were best mitigated at the individual country level, based on their specific growing environment and science-based protocols for optimizing the use of pesticides. Canada cautioned that removing tools such as neonicotinoids from agriculture could lead to more frequent use of less desirable active substances.

4.64. While sharing the global concern on the decline of pollinators and referring to its previous statements, New Zealand maintained that national authorities were the most appropriate decision makers with respect to the sustainable use of pesticides within their country. New Zealand encouraged Members to address global environmental issues multilaterally.

4.65. Chile reiterated its concern regarding the EU reduction of MRLs for clothianidin and thiamethoxam. While recognizing the European Union's right to protect the environment within its territory, Chile considered that the EU measure was not appropriate for the purposes intended. Chile noted significant variations in local agricultural and environmental conditions between countries and stated that the EU MRLs ignored these differences. Chile called on the European Union to reconsider its approach and collaborate with exporting countries to find science-based solutions, emphasizing the importance of international cooperation to strengthen and sustain global agricultural trade.

4.66. Colombia expressed its concern about the EU MRLs for neonicotinoids which resulted in the rejection of import tolerances, in particular clothianidin and thiamethoxam. Colombia referred to document G/SPS/GEN/2271 in which the European Union was requested to share information on requests and rejections of emergency authorizations and import tolerances, and the average processing times of such requests. To Colombia, the European Union's response and approach regarding emergency authorizations and import tolerances had raised additional concerns on the motives for lowering MRLs.

4.67. Costa Rica reiterated its concerns, noting the systemic implications of establishing MRLs as a tool to achieve environmental objectives in third countries. In Costa Rica's view, SPS measures and particularly MRLs were not an appropriate strategy to achieve environmental goals in other countries. Costa Rica maintained that the EU approach was not within the scope of the SPS Agreement and called on the European Union to reconsider its regulatory approach.

4.68. While recognizing the concern regarding pollinators worldwide, Guatemala expressed its concerns with the EU measure, noting that each country was free to define its respective measures. Highlighting differences in geographical conditions, Guatemala emphasized that it was necessary to use some substances to control pests and that its producers complied with good agricultural practices. Suggesting that the EU measure deviated from the objective to protect human health and safety, Guatemala urged the European Union to take account of Codex studies and EFSA studies that have concluded that these substances did not present a risk to human health.

4.69. The European Union provided a response under STC ID 549.

4.2.4 EU Regulation No. 396/2005 setting pesticide MRLs in food and feed of plant and animal origin (ID 549) - Concerns of India

4.70. India reiterated its concerns about the reduction of MRLs to the LOD for clothianidin and thiamethoxam in imported agricultural products. In India's view, this created trade barriers and undermined global food safety standards, and disregarded the agricultural and environmental context of other countries where pest control methods differ. India underscored that setting MRLs was a regulatory tool to ensure food safety, not to protect the environment in third countries, and highlighted the lack of scientific evidence linking reduced MRLs for neonicotinoids to better pollinator health. India noted that the CCPR did not consider environmental factors when setting MRLs. India urged the European Union to align its MRL policies with Codex standards to adopt a risk-based

approach, to revise its MRL framework in line with scientific evidence and international standards, and to collaborate on equitable regulatory solutions to avoid a disproportionate impact on farmers in developing countries.

4.71. Responding to the present concern and STC ID 534, the European Union stated that discussing the underlying measures emphasized the important role of the Committee in the transition towards sustainable food systems. The European Union affirmed that, based on the best available current knowledge, reducing the use of neonicotinoids was an effective action to tackle the decline of pollinators, which is why the European Union had decided to reduce MRLs to the LOD for clothianidin and thiamethoxam. The European Union referred to its eAgenda statement with further information on the notification history. The European Union recalled that application of Regulation 2023/334 had been deferred to 36 months after entry into force, which meant that it would apply in 2026. This allowed products placed on the market before the application date to remain until the end of their shelf life. The European Union added that the regulation would not prohibit the use of neonicotinoids by third countries, but products destined for the EU market would have to comply with the new MRLs. To the European Union, an equally effective and less trade-restrictive alternative to protect pollinators did not exist, and it was acting in full compliance with WTO rules. Acknowledging the difficulties that third countries might face, the European Union noted that import tolerances could be granted for active substances not authorized in the European Union if it was demonstrated that its use would be safe for European consumers and would not raise global environmental concerns. Regarding Paraguay's query on the clerical error on the EU website, the European Union highlighted that a corrigendum was published and would follow up bilaterally with Paraguay.

4.2.5 EU non-renewal of the approval of the active substance thiacloprid (ID 585) - Concerns of India

4.72. India reiterated concerns regarding the non-renewal of the approval of the active substance thiacloprid in tea and the lowering of its MRLs to the LOD, which disregarded Codex standards and lacked scientific evidence. India indicated that thiacloprid was an important insecticide for plant protection to tackle the tea mosquito bug and regretted the lowering of the thiacloprid MRL for tea from 10 mg/kg to 0.01 mg/kg, despite EFSA's finding that the limit did not identify any consumer health risk and safe for consumers. The EU Decision to restrict use of thiacloprid would lead to severe crop loss and severely affect tea exports to Europe as MRLs for other essential insecticides had already been restricted. India noted that the European Union had also proposed lowering the MRL of thiacloprid in major food commodities. India was of the view that the EU MRL policy violated Article 5.6 of the SPS Agreement. India requested that the European Union reconsider the regulation, considering the inputs of international stakeholders in its decision-making process, to adopt a more balanced approach without imposing excessive trade restrictions, and to provide reasonable transition periods.

4.73. Paraguay referred to its statement in STC ID 382.

4.74. The United States expressed its concerns with the retraction of a 2023 EU regulation which maintained existing thiacloprid MRLs that corresponded to existing Codex MRLs or were derived from import tolerances following an EFSA scientific assessment that found them safe for consumers. Noting that thiacloprid was no longer approved for use in the European Union, the United States was concerned that the regulatory action was being taken following a failure of EU member States to adopt science-based MRLs for thiacloprid. The United States reminded the EU Commission of the necessity to provide scientific justification for MRL reductions, noting that the European Union's hazard-based cut-off criteria were not a part of EU Regulation 396/2005 and were not an appropriate justification for the reduction of these MRLs.

4.75. Colombia voiced its concerns on the EU MRLs for thiacloprid and referred to more specific information in its statement on eAgenda. Colombia noted that EFSA assessments did not determine any risk to human health and questioned the scientific justification of the EU measure.

4.76. Guatemala referred to its statement on eAgenda.

4.77. The European Union referred to its response in STC ID 382 and would upload the statement in eAgenda. Acknowledging India's reaction to its notification, the European Union indicated that these concerns had been taken into consideration.

4.2.6 European Union - Maximum residue limits of pesticides (ID 306) - Concerns of India

4.78. India reiterated its concern over EU MRLs of pesticides claiming that the EU MRLs for imported foods and agricultural products did not follow international standards, lacked scientific basis, and were in contravention of the SPS Agreement. Regarding import tolerances for tricyclazole, India was of the view that the European Union adopted a hazard-based approach, disregarding the conclusions in EFSA's report from January 2023, and that the EU MRL policy was more trade-restrictive than necessary and did not consider less restrictive alternatives. India urged the European Union to meaningfully consider the inputs of international stakeholders in its decision-making process, to set its MRLs on scientific justification and to revise any levels that were not adequately supported by scientific evidence, and requested an update on the status of tricyclazole.

4.79. The European Union took note of the India's renewed interest in this STC but due to short notice, could not provide additional substantive information other than that tricyclazole was banned since 2016 in accordance with EU Regulation 2016/1826.

4.2.7 EU restrictions on exports of chocolate and cocoa products due to the application of the Commission Regulation (EU) No 488/2014 of 12 May 2014 amending Regulation (EC) No 1881/2006 as regards maximum levels of cadmium in foodstuff (ID 503) - Concerns of Peru

4.80. Peru reiterated its concerns regarding EU Regulation 488/2014, which established MLs for cadmium in chocolate and other cocoa products. Peru reminded the Committee that Codex had adopted, in 2022, an international standard on levels for cadmium in cocoa. Referring to Article 3 of the SPS Agreement, Peru stated that the EU levels were more trade-restrictive than necessary to protect human health and requested that the European Union consider reviewing its regulation, implement the relevant Codex international standard, and apply the concepts and conclusions of the Codex Committee on Contaminants in Foods (CCFF).

4.81. Colombia voiced its concerns with EU regulations that were stricter than Codex standards. To Colombia, the disparity not only made it difficult to export to the European Union, but it could also be considered protectionist and disproportionately affected small agricultural producers and developing economies. Colombia urged the European Union to adopt Codex standards in line with Article 3 of the SPS Agreement and take account of conclusions of the CCFF.

4.82. The European Union responded that there had been no new developments and that this matter was subject to extensive bilateral discussions. The European Union would provide more substantive information under STC ID 430 and would upload the arguments previously shared on this issue.

4.2.8 European Union - EU maximum level of cadmium in foodstuffs (ID 430) - Concerns of Peru

4.83. Peru expressed its concerns regarding EU restrictions on vegetable exports due to the implementation of EU Regulation 2023/915, which sets MLs for certain contaminants, including cadmium, in food. Peru noted that the EU regulation significantly impacted thousands of Peruvian producers, leading to rejections of their exports. In 2021, Peru's National Agricultural Health Service (SENASA) met with DG-SANTE to discuss these concerns, particularly the cadmium limits. Peru highlighted the lack of mechanisms to help agricultural producers mitigate cadmium issues, and asked the European Union to review EU Regulation 2023/915 or propose joint solutions to mitigate the commercial impact.

4.84. The European Union noted that cadmium was an environmental contaminant that increased cancer risks when ingested, and that EU citizens' exposure to cadmium exceeded the tolerable weekly intake of 2.5 µg/kg bw set by EFSA. To address these health risks, the European Union had established MLs for cadmium in food, starting in 2008. In the following years (2011, 2014 and 2021) some of these MLs were revised and new MLs were established for certain foods. Following a 2014 EU monitoring recommendation, EU member States had collected extensive cadmium data, leading

to a 2019 assessment and EU Regulation 2021/1323 which reduced cadmium MLs in various foods. The European Union noted that all EU cadmium measures had been notified to the WTO, and no comments were received from Peru. The European Union also noted that EU Regulation 2023/915, effective from 25 May 2023 had replaced EU Regulation 1881/2006 and improved the clarity of ML lists without changing cadmium levels, which remained as set in 2021.

4.2.9 EU restrictions on spice imports and other food products due to European Commission Implementing Regulation (EU) 2021/2246 of 15 December 2021 (ID 533) - Concerns of India

4.85. In raising this concern, India reiterated its view that the MRLs of 0.02 mg/kg for chili and ginger and 0.1 mg/kg for other spices for ethylene oxide (EtO) were set on a hazard basis and lacked sufficient scientific basis. Despite India's repeated requests, the European Union had not provided a risk assessment or scientific rationale justifying the trace-level MRLs for EtO in spices. India also took issue with the inconsistent and arbitrary action on non-compliant consignments by EU member States, with some mandating destruction rather than re-dispatch to the source country, which prevented exporters from redirecting consignments to countries with higher MRLs and causing significant financial losses. India requested that the European Union permit the re-dispatch of non-compliant consignments, to provide the risk assessment and scientific basis for fixing EtO MRLs in spices to trace level, and to fix harmonized MRLs for EtO of 0.1 mg/kg for all spices, including chili and ginger.

4.86. The European Union responded that EtO was classified as a mutagen, carcinogen, and reproductive toxicant under EU regulations and was not approved for use in plant protection products within the European Union. Despite its widespread use in non-EU countries for treating foodstuffs, EtO was banned in EU food and feed due to its health risks, and numerous Rapid Alert System for Food and Feed (RASFF) notifications had been received related to EtO. The European Union informed that EU Regulation 2019/1793 listed food and feed subject to special entry conditions and increased controls to protect EU consumers from health risks and ensure compliance with agrifood legislation. The latest amendment of June 2024 had been communicated to Indian authorities and included ongoing concerns about EtO contamination in commodities from India. The European Union had submitted an SPS notification, issued guidelines for handling non-compliant consignments, and reminded the Committee about the November 2021 document explaining increased controls and updates to EU Regulation 2019/1793. The European Union noted that India been regularly informed of non-compliances via the Rapid Alert System and bilaterally.

4.2.10 EU review of legislation on veterinary medicinal products (ID 446) - Concerns of Brazil and the United States

4.87. Brazil stated that EU Regulation 2019/6 and its implementation imposed a heavy burden on producers in third countries by limiting the use of currently available veterinary drugs and introducing requirements that were more trade-restrictive than necessary. Brazil was particularly concerned about: the complexity and cost of certification requirements and guarantees; the impracticability of the proposed 24-month transition period; and the lack of scientific basis, transparency, and predictability of future revisions of the EU list of reserved antimicrobial agents. Brazil urged the European Union to align its legislation on AMR with WOAH and Codex recommendations.

4.88. The United States acknowledged EU notification G/SPS/N/EU/778 on the publication of a third-country list for compliance with article 118 of EU Regulation 2019/6 but reiterated its concerns that article 118 did not appear to be an appropriate or science-based way to address the AMR issue and that phytosanitary measures must be science- and risk-based. The United States urged the European Union to provide scientific evidence demonstrating that the EU measure would significantly and effectively reduce the risk of foodborne AMR and looked forward to continuing bilateral engagement to mitigate potential trade disruptions. The United States submitted its statement in G/SPS/GEN/2276.

4.89. Emphasizing its robust system to mitigate AMR and protect health, Australia expressed concerns about the EU approach. To Australia, the EU regulations did not recognize other countries' competence to manage AMR risks or set their own lists of critical antimicrobials. Australia urged the European Union to work with multilateral organizations and consider equivalent outcomes and raised

concerns regarding the scientific basis, transparency, and predictability of future revisions of the European Union's reserved antimicrobials list. Australia was also concerned that the European Union was not differentiating between high and low AMR risk antimicrobials, particularly ionophores, and requested their exclusion from the regulation. Australia questioned the need for consignment-based certification, which added complexity and costs without significantly changing AMR outcomes. Australia urged the European Union to adopt a forward-looking approach and work with multilateral organizations on AMR risks.

4.90. Concurring with the European Union that AMR presented a serious public health concern, Canada remained concerned about the potential trade implications of the EU regulation. In Canada's view, technical questions still needed to be addressed by the European Union, such as the application versus enforcement dates for third countries and the retrospective application of the prohibition on the use of certain antimicrobials, prior to the full implementation of the regulation.

4.91. Referring to its statements made in previous Committee meetings, Uruguay shared the concern on the complexity and cost of consignment-based certifications. Uruguay was of the view that the revision of the list of restricted antimicrobials should be based on scientific evidence and follow a transparent and predictable approach, and that this should not retroactively affect products previously treated or stored before the entry into force of the regulation. Uruguay requested that the European Union hold a constructive dialogue with exporting countries, and underscored the need to publish regulatory projects enough in advance for Members to analyse them and provide comments that were duly considered in the regulatory process.

4.92. Paraguay referred to its previous statements on this issue.

4.93. The European Union noted that EU Regulation 2019/6 required non-EU exporters of food-producing animals to ensure these animals had not been given antimicrobials for growth promotion or those reserved for human infections. Article 118's provisions were further developed in EU Regulation 2023/905, with application from 3 September 2026. The European Union emphasized that the ban on antimicrobials for growth promotion had been known since 2019, and antibiotics as feed additives had been banned since 2006. To the European Union, the timeframe for third countries to adapt was sufficient. The European Union maintained an updated web page for stakeholders and stressed that the new import provisions were part of the overall fight against AMR, and the necessary legal acts for the implementation of article 118 had been notified for comments. The European Union noted that EU Regulation 2024/2598 establishing the list of third countries authorized for exports had been published on 7 October 2024 and would be revised, as necessary, before its application.

4.2.11 China; Hong Kong, China; Macao, China; Russian Federation – Import restrictions on aquatic products after the discharge of ALPS treated water (ID 574) - Concerns of Japan

4.94. Japan reiterated that, since August 2023, when the discharge of ALPS treated water into the sea had begun, no anomalies had been found in the multi-layered monitoring activities conducted by Japan with the involvement of the IAEA. Japan insisted that the discharge was consistent with relevant international safety standards and that reports by the IAEA Task Force reaffirmed the fundamental conclusions of its safety review as outlined in the IAEA Comprehensive Report. The level of radionuclides, including tritium, had been far below the regulatory standards. Japan stated that China; Hong Kong, China; Macao, China; and the Russian Federation nonetheless maintained measures to restrict imports of Japanese fishery products and other products. Japan noted that those measures were not based on the scientific principles nor substantiated by the scientific evidence that the SPS Agreement required and were completely unacceptable. In addition, Japan and IAEA had recently concurred on additional measures on monitoring, building on the existing monitoring under the IAEA framework, in light of the interest of the countries concerned. After conducting additional monitoring activities under the IAEA framework, Japan indicated that China would initiate adjustment of the measures, based on scientific evidence, restoring imports of Japanese aquatic products which met the standards. Japan urged them to repeal the measures and respond to the call for bilateral discussions in accordance with Annex B of the SPS Agreement.

4.95. Hong Kong, China referred to its earlier statements for a detailed explanation on its import control measures on aquatic products and noted that the complete implementation was essential for

controlling the risks from the discharge. Hong Kong, China would continue to coordinate with Japanese authorities for further information and to determine whether the current measures could be relaxed on the basis of science.

4.96. The Russian Federation responded that it had suspended certification of Japanese aquatic products in accordance with Article 5.7 of the SPS Agreement. This emergency measure was aimed at protecting the Russian population from risks associated with radioactively contaminated food. The Russian Federation noted that information on sufficient monitoring of fish products confirming compliance with EAEU requirements had not been provided, while additional materials were currently being considered by the relevant authorities in the Russian Federation.

4.97. China noted that the issue of Japanese aquatic products being exported to China was a crucial matter concerning the safety of marine ecology and food, and that Japan should treat it seriously and handle it with a high sense of responsibility and caution. China and Japan had reached an agreement on the ocean discharge of Fukushima nuclear-contaminated water in September 2024 and maintained communication regarding follow-up implementation work. According to this agreement, the arrangement for long-term international monitoring, China's independent sampling, China's adjustment of relevant measures based on scientific evidence and gradual resumption of imports of Japanese aquatic products that met the regulation's requirements and standards, should follow a sequential order. China noted that it would participate effectively in the long-term international monitoring arrangement within the IAEA framework, carry out independent sampling and would conduct technical consultations with Japan after confirming the results were normal. China hoped that Japan, together with China, would implement the consensus fully, completely, and accurately.

4.98. Japan indicated that the water being discharged was not nuclear contaminated and would have a negligible impact on people and the environment. Japan had been sharing information in a transparent manner, noting that the additional measures under the IAEA framework would be implemented in a manner widely open to concerned countries. In response to the Russian Federation, Japan referred to IAEA's conclusion that the discharged water would have a negligible impact on people and was consistent with relevant international standards. To Japan, scientific evidence was not insufficient. Japan further argued that information on the safety of aquatic products was provided to the Russian Federation and it was also providing relevant information in response to recent requests from the Russian Federation.

4.2.12 India's Draft Food Safety and Standards (Import) Amendment Regulation (ID 553) - Concerns of the European Union

4.99. Acknowledging India's guidance on facility registration, the European Union reiterated some of its concerns regarding the lack of clarity and the delays in listing registered facilities, which could potentially disrupt future trade. Specifically, the European Union sought further clarity on the criteria related to inspections, audits, and the definition of risks associated with the listing or delisting of facilities, as well as on the procedure to follow to maintain the list of facilities updated. The European Union requested that India consider a sufficiently long transition period before restricting imports based on the registration of facilities and avoid suspending facilities that did not register due to administrative errors in the system. The European Union reiterated its call for India to notify these amendments and future measures related to facility registration to the Committee.

4.100. Appreciating recent facility registrations, Japan reiterated its concerns regarding the lack of clarity in the details of India's regulation. Japan requested that India: specify the HS codes for the designated food categories subject to the regulation; clarify procedures following Japan's responses to India's food safety assessment questionnaire for the evaluation of regulatory food control systems over milk and milk products; respond to Japan's outstanding questions submitted in July 2024; provide comprehensive details of its registration system and ensure timely support for Japanese business operators; and notify the regulation under the SPS Agreement.

4.101. Canada reiterated its concern regarding India's amendment to its Food Safety and Standards (Import) Amendment Regulation. It remained unclear to Canada what criteria would be used to determine the level of risk for imported food products imported or what circumstances would trigger an audit or inspection of a foreign manufacturing facility. Canada emphasized that several questions remained and looked forward to India's response to Canada's comment letter. Canada also reiterated

its request to India to notify these amendments to the Committee, given that India's regulations covered food safety measures aimed at protecting human health and safety.

4.102. India noted that it had notified the 2021 Food Safety and Standards (Import) Amendment Regulations which established rules for registering and inspecting foreign food manufacturing facilities based on risk categories. As of 10 October 2022, registration of foreign facilities was mandatory for five product categories: milk and milk products, meat and meat products (including poultry and fish), egg powder, infant food, and nutraceuticals. This requirement, extended until 31 August 2024, followed international guidelines and practices. To address EU concerns regarding delays in listing registered facilities, FSSAI issued an order encouraging stakeholders to register or update their facilities at least 30 days before exporting. Inspections and audits could be conducted as needed, but only registration was currently mandatory. India added that the registration process was a continuous process and FSSAI updated the portal based on information from competent authorities.

4.2.13 India's Order related to requirement of health certificate accompanied with imported food consignment of milk, pork, fish and related products (ID 554) - Concerns of the European Union and the United States

4.103. The European Union reiterated its concerns about India's integrated certificate for importing milk and dairy products and certificates for pork and fishery products. The European Union complained that India disregarded EU comments on its notification which included comparisons between Indian and international standards on pesticides, antibiotics, and other drugs. The European Union added that India did not provide scientific justification to maintain the deviations. The European Union took the view that this was incompatible with other obligations under the SPS Agreement and urged India to remove all requirements from the certificate which did not conform with Codex or provide scientific justification to maintain the divergences. For any future integrated certificates for pork and fishery products, the European Union asked India to notify its draft measures, allow sufficient time before implementation, and ensure that they did not contain any standard that was not based on international standards.

4.104. The United States expressed its concerns with India's new dairy certificate and reminded India that its SPS measures should be science- and risk-based, and consistent with its WTO national treatment commitments. The United States continued to pursue bilateral discussions to resolve the remaining issues and requested that India grant another delay in implementation until a solution could be reached. The United States submitted its statement in G/SPS/GEN/2277.

4.105. Australia acknowledged India's recognition of Australia's food export system for milk and milk products, which was underpinned by a strong regulatory framework. Australia encouraged India to consider inbuilt flexibility that achieved equivalent food safety outcomes in future certification negotiations for seafood and pork products. Australia asked for India's confirmation that, if certificate negotiations for fish and fish products and pork and pork products commenced, existing bilaterally agreed certification would continue to be accepted until new mutually agreeable certification was finalized.

4.106. Acknowledging India's notification to the SPS Committee on milk products, Japan reiterated its concerns regarding India's requirements for health certificates accompanying imported consignments of pork, fish, and related products. Japan noted that no specific implementation date had been provided except for milk products. Japan stressed the need for a transition period of at least six months to allow exporting Members to adapt to the new health certificate forms. Noting that the relevant order pursued the safety of imported food products, Japan urged India to notify the order to the SPS Committee.

4.107. Switzerland thanked India for further postponing the entry into force of the integrated certificate for the imports of milk and milk products. Referring to its interest to continue exporting products of animal origin and cheese products, Switzerland urged India to reduce unnecessary duplications and recognize Swiss certificates as equivalent. Switzerland also reiterated its previous request to India to accept existing health certificates until new certificates were bilaterally agreed.

4.108. Canada acknowledged that India delayed the implementation of new certificates but reiterated its concerns with the new requirements. Canada encouraged India to streamline

certification requirements, rely on international standards, and notify these requirements to the Committee given that India's proposed regulation covered food safety measures aimed at protecting human health.

4.109. India responded that the individual health certificate and veterinary health certificate had been integrated for milk and milk products, with an extension until 31 October 2024 and the integration of sanitary and food safety requirements for pork and fish products was also underway. During the transition period, India had actively engaged on food safety-related provisions in the integrated veterinary certificate, and finalized the integrated certificate for milk and milk products with most trading partners. India reiterated that FSSAI standards were applied uniformly to domestic and imported food products and aligned to the extent possible with Codex standards.

4.2.14 EU increased sampling frequency for inspection of farmed shrimps and newly listed fishery establishments not permitted to export aquaculture products (ID 552) - Concerns of India

4.110. India reiterated its concerns about the increased level of sampling and testing on farmed shrimps exported to the European Union, despite the reduction in antibiotic rejections. India urged the European Union: to provide equivalence in sampling frequency with other supplying countries; to expedite the listing of new aquaculture establishments and re-list eight delisted establishments for which applications had been submitted in "TRACES"; and to lower the sampling frequency of aquaculture consignments from 50 to 10%.

4.111. The European Union reported that a 2022 audit had identified significant progress in testing scope, implementation, and laboratory method validation. However, the European Union noted that high levels of non-compliant results for prohibited antimicrobials were still found in India's pre-harvest testing programme in hatcheries. Since January 2020, 94 non-compliant consignments destined for the European Union had been detected. To the European Union, follow-up investigations and measures to deter illegal use needed improvement and ongoing testing regimes in India remained necessary to ensure the chemical safety of aquaculture products. The final audit report, issued in March 2023, included India's action plan to address four recommendations made in the draft report. The European Union referred to regular exchanges with India, with a review of the pre-listing of aquaculture establishments expected in due course.

4.2.15 European Commission Regulation on plastic materials and articles intended to come into contact with food (ID 520) - Concerns of China

4.112. China understood the European Union's original intention to revise the Food Contact Plastics Regulation 10/2011 to protect consumer health, but would appreciate if the following suggestions could be considered by the European Union: temporarily suspend the implementation of restrictions on the migration of four lanthanide metal elements; maintain the detection limit of 0.01 mg/kg for primary aromatic amines in Annex XVII of REACH; compliance determination rules for reusable materials with low migration levels.

4.113. The European Union responded that the draft measure was notified in G/SPS/N/EU/372, a 60-day comment period was provided, and no comments were received from WTO Members. The adoption of the measure as EU Regulation 2020/1245 of 2 September 2020 amending and correcting EU Regulation 10/2011 was notified in G/SPS/N/EU/372/Add.1. The European Union would share technical responses bilaterally with China.

4.2.16 Proposed new EU rules on composite products (ID 504) - Concerns of China

4.114. China expressed its concerns with EU Regulation 2021/405, which listed third countries or regions authorized to export certain animals and goods, noting that China was not on the list for bivalve molluscs. Additionally, following the implementation of EU Regulation 2017/625 in 2021, oyster sauce products produced in China could no longer be exported to the European Union, resulting in significant financial losses. China added that most countries did not impose such restrictions on the origin of raw materials in seasonings and considered that the EU measures did not comply with the principle of minimizing trade impact. China suggested that the European Union should establish strict standards for the products rather than adopting "a one size fits all" approach.

China also recommended that the European Union reevaluate the regulations to remove origin restrictions for compound food animal-derived raw materials.

4.115. The European Union noted that information in previous statements was still relevant and that EU Regulation 2017/625 allowed the European Commission to adopt additional conditions for the entry of food-producing animals and certain goods, including compliance with EU food safety and hygiene regulations. Third countries from which animals and products of animal origin were authorized to export to the European Union were kept on lists drawn on the basis of various requirements including respect for these rules. The European Union informed that China was not in the list for bivalve molluscs because it could not offer the necessary guarantees. Since 2004, composite products could only enter the European Union if each animal-origin ingredient was produced in approved establishments. China had no approved establishments authorized to export bivalve molluscs because the country was not authorized to export such commodity to the European Union.

4.2.17 China's delay in approving requests for new listing and reinstatement of export establishments (ID 516) - Concerns of Australia, Japan and Canada

4.116. Australia welcomed technical discussions with China in June and September 2024 and encouraged China's engagement to progress mutually beneficial trade. Australia noted that there were still outstanding delays in the assessment and approval of establishment registrations and their products, updating of administrative listings, and the removal of suspensions and restrictions on certain establishments and products. Australia welcomed China's decisions to lift some suspensions on meat establishments and looked forward to resolving remaining issues. Regarding live rock lobsters, Australia noted delays in reissuing import permits since 2020 and would continue to work with China's authorities to finalize technical arrangements for trade to resume. Australia also noted that accreditation for its germplasm collection centres had not been renewed since 2020 and affected trade and welcomed China's commitment to conduct audits for reaccreditation as soon as possible. Australia highlighted delays in updating horticulture lists and hoped for a streamlined process with China's newly launched registration system.

4.117. Reiterating its concerns, Japan regretted that China's procedures lacked scientific justification, predictability, and transparency, and were more trade-restrictive than necessary. Japan urged China to: expedite the registration process; establish and disclose a standard timeline for registration; provide clear and consistent explanations for rejections; promptly notify any changes to the CIFER system or regulatory administration and ensure a reasonable transition period in the event of such changes. Japan also requested that China: not revoke the registration of overseas manufacturers without due cause, provide sufficient explanations in case of suspension and address any deficiencies in the CIFER system.

4.118. Canada referred to its previous interventions which remained valid and noted that other Members were facing similar situations including for new and extended market access requests. Canada considered that it had provided sufficient information for the re-listing of establishments but had not received any response from China.

4.119. The United States reiterated its concerns with China's delays in the publishing of new dairy establishments and reinstating of delisted meat establishments, despite its responses and corrective actions. The United States submitted its statement in G/SPS/GEN/2278.

4.120. China noted that the new registration, modification, and extension of export establishments from Australia, Japan, Canada, and the United States were proceeding normally, and China would approve individual applications of enterprises meeting the requirements in accordance with its procedures. If Members were confused about some details or wanted to know more about the registration system, China invited questions to which responses would be provided in a timely manner. China reiterated that the CIFER system was the only official portal that manufacturers could use to make applications, alterations, extensions, suspensions, or resumptions of food export to China.

4.2.18 India's approval procedures to import plants, animals and their products (ID 565) - Concerns of the European Union

4.121. The European Union expressed concerns about the lack of predictability and unjustified delays in India's import approval procedures for plants, animals, and their products. Despite some recent progress in relation to exports of plants and plant products, the European Union remained concerned about the overall lack of advancement and India's insufficient engagement and responses, which resulted in prolonged delays for animal products. The European Union considered that India's import legislations did not comply with the transparency requirement in the SPS Agreement nor the disciplines regarding undue delays. The European Union urged India to strengthen engagement, adhere to its obligations under the SPS Agreement, ensure transparency in import legislation and to avoid undue delays.

4.122. India reiterated that the concerns raised by the European Union primarily related to market access rather than SPS measures and the Committee was therefore not the appropriate forum for addressing these concerns. India also mentioned that a technical working group had been established with the European Union to discuss market access issues. This working group had held its fifth meeting in May 2024.

4.2.19 Indonesia's approval procedures for animal and plant products (ID 441) - Concerns of the European Union and India

4.123. India considered the undue delay in the approval procedure for imports of animal and plant products to be an unnecessary barrier to trade. India's Export Inspection Council (EIC) was still awaiting a response on the submitted applications for approval, listing, and registration for two dairy establishments, one honey establishment, and one poultry establishment, which was delaying the export of these products. India urged Indonesia to expedite the necessary procedures, thus facilitating a smoother overall approval procedure.

4.124. The European Union reiterated its concerns regarding undue delays in approval processes for imports of plant and animal products. While there had been some progress with respect of certain applications, many applications remained pending. The European Union called on Indonesia to fulfil its SPS obligations by ensuring transparency in its approval procedures and to expedite the backlog of pending market access applications in line with Annex C of the SPS Agreement. The European Union looked forward to a reply from Indonesia to its invitation for technical discussions.

4.125. Indonesia noted that its approval procedures adhered to Articles 5, 7 and 8 as well as Annex B of the SPS Agreement. Indonesia had made progress regarding applications from Spain, Poland and Denmark. More time was needed to prepare for inspections due to the recent change in government. Indonesia informed India that all applications submitted in 2023 and 2024 were still undergoing review and that updates would be provided bilaterally.

4.2.20 Japan's approval procedures for poultry products (ID 556) - Concerns of the Russian Federation

4.126. The Russian Federation expressed its concerns with the ongoing delays regarding approval procedures. The Russian Federation indicated that inspection was a key step in the SPS analysis for granting access to the Japanese market for poultry exports. In 2020, a draft veterinary certificate was proposed by Japan and as agreed, the Russian authorities made minor adjustments to the certificate and requirements. Japanese authorities had repeatedly been invited to conduct inspections in video format. The Russian Federation noted that the STC remained unanswered and regretted the undue delays in veterinary certificates and approval procedures.

4.2.21 Panama's undue delays in the renewal of authorizations for plants of fishery and livestock enterprises (ID 509) - Concerns of Peru

4.127. Peru expressed its concerns about Panama's undue delays in renewing authorizations for Peruvian fishing and livestock plants by Panama. Peru appreciated Panama's efforts in renewing 15 out of 25 pending hydrobiological product plants, now authorized to export until 31 January 2025. However, 10 plants were still pending renewal, and 38 new authorizations had not received a

response. Peru looked forward to the first meeting of the Administrative Commission of their Bilateral Free Trade Agreement in Panama and reiterated its willingness to work bilaterally to promptly resolve this issue.

4.128. Costa Rica maintained its concerns regarding Panama's regulatory practices regarding the non-authorization of animal product establishments, noting that these practices aimed to restrict trade rather than ensure health protection, and negatively impacted Costa Rican agricultural exports to Panama for several years. Costa Rica urged Panama to adjust its regulatory practices to align with the provisions of the SPS Agreement.

4.129. The European Union complained that requests from EU countries to obtain market access to Panama for agricultural and livestock products and to update the lists of plants authorized to export were blocked by Panama. While acknowledging some progress on the listing of establishments from some EU member States, the European Union regretted that this was not the case for all EU member States. The European Union requested that Panama establish transparent, predictable, and swift procedures for the approval of products and the listing or re-listing of establishments in accordance with international standards.

4.130. Referring to its full statement on eAgenda, Canada expressed its concerns with Panama's undue delays in renewing authorizations for livestock enterprises. Canada noted that despite a bilateral agreement, several eligible Canadian meat establishments had lost access to the Panamanian market. Canada requested that Panama update without undue delay its list of meat establishments eligible to export and respect its bilateral agreement with Canada as well as its obligations under the SPS Agreement.

4.131. Chile regretted that beef, pork, and poultry meat establishments had had their export authorizations to Panama expire in 2020. Despite repeated requests and bilateral exchanges, no solution had been found to avoid what Chile considered to be an unjustified interruption to trade. Chile regretted the lack of clarity on how to proceed, noting that it had responded to information requests made by Panama. Chile requested that Panama renew the authorization of affected establishments as soon as possible.

4.132. Panama highlighted its responsiveness to Peru's concerns, evidenced by the authorization of 15 Peruvian fishing plants. Panama also referred to productive bilateral meetings and reaffirmed its commitment to transparency and stated that its authorities were actively addressing the matter. Panama also took note of the other Members' concerns and would update its statement on eAgenda.

4.2.22 Bolivia's import restrictions on agricultural and fisheries products (ID 530) - Concerns of Peru

4.133. Peru reiterated its concerns regarding Bolivia's trade restrictions, which had affected exports of fresh and chilled whole trout from Peru since 2017. Despite the approval of a health certificate, Bolivia had not yet concluded its internal administrative steps to allow market access. Peru was of the view that Bolivia disregarded its international commitments and the SPS Agreement. Peru also regretted that Bolivia had applied SPS requirements without notifying them and without providing a 60-day comment period. While Bolivia had indicated, in previous Committee meetings, its readiness to have a dialogue with Peru, Peru had not received any statement or answer from Bolivia. Peru therefore asked Bolivia to: hold a bilateral technical meeting; explain the reasons for not recognizing health certificates; provide a list of relevant applicable SPS requirements; and allow the imports of whole trout from Peru.

4.134. The Chairperson noted that Bolivia was experiencing connection issues and would upload its statement to eAgenda.

4.2.23 Mexico's undue delays in the clearance of frozen shrimp (ID 577) - Concerns of Ecuador

4.135. Ecuador referred to previous statements and expressed its concerns regarding Mexico's undue delays in reopening its shrimp market. Ecuador noted that since 2015, Mexico had suspended exports of frozen shrimp due to exotic diseases and since 2020, Mexico had been requesting additional information on an incremental basis. Ecuador considered that the delays were inconsistent

with the SPS Agreement and a disguised restriction on trade. Ecuador reiterated that information was sent guaranteeing the safety of its products and urged Mexico to publish the requirements and respect the principles of transparency and non-discrimination. Ecuador's complete statement would be uploaded to eAgenda.

4.136. Mexico noted that Ecuador's comments would be communicated to the relevant authority.

4.2.24 Bolivia's undue delays in the import authorization procedure for dairy products (cream cheese) (ID 578) - Concerns of Peru

4.137. Peru reiterated its concerns regarding undue delays in Bolivia's import authorization procedure for dairy products. Peru's full statement would be available on eAgenda.

4.138. The Chairperson noted that Bolivia was experiencing connection issues and would upload its statement to eAgenda.

4.2.25 Russian Federation - Procedures for authorizing units eligible for export of fish and fish products to Eurasian Customs Union (ID 508) - Concerns of India

4.139. India reiterated its concerns regarding the non-listing of Indian processing establishments by the Federal Services of Veterinary and Phytosanitary Surveillance (FSVPS) to export fish and fish products. A Memorandum of Understanding (MoU) had been signed to facilitate the smooth trading of fish and fish products to the Eurasian Customs Union. The MoU foresaw that India would send a list of approved processing establishments for registration after ensuring that these establishments met the export requirements of the Eurasian Customs Union. India regretted that the FSVPS insisted on the onsite inspection of all recommended establishments, which defeated the facilitative objective of the MoU. India requested that the Russian Federation undertake a system-based approach and to share its risk assessment in support of requesting the inspections.

4.140. The Russian Federation responded that the procedure to include new enterprises in the EAEU Register of Exporters was set out in Decision of the Eurasian Economic Commission No. 94 and required enterprise inspections or an audit of the foreign SPS control system. India had been informed that provisions of its 2009 memorandum with the Russian Federation were not applicable and that the attestation of Indian fish processing plants and aquaculture feed plants was possible after mutual inspections. The Russian Federation had requested that India suspend certification of fish products from certain enterprises from March 2024 due to India's reluctance to accept inspections and the detection of prohibited EAEU substances in supplies from India. The Russian Federation emphasized that the inclusion of new enterprises in the list of companies authorized to supply animal products could only be considered in accordance with EAEU legislation considering all SPS risks.

4.2.26 EU delays in the renewal of authorizations for fishery enterprises and fish products (ID 579) - Concerns of the Russian Federation

4.141. The Russian Federation reiterated its concern regarding the EU delay in updating technical information in the TRACES-NT system on Russian fish enterprises approved for exports, which hindered exports of Russian fish and animal products to the EU market. The Russian Federation indicated that the European Union was not renewing information and blocking the correction of errors. The Russian Federation was of the view that the delays in the renewal of authorizations constituted a discriminatory trade restriction. Referring to Article 5 of the SPS Agreement, the Russian Federation urged the European Union to base its SPS measures on a risk assessment, based on international standards, guidelines, and recommendations, and not to hinder trade through technical restrictions. The Russian Federation indicated that the lack of substantive answer from the European Union demonstrated a low level of transparency and diminished the authenticity of EU statements that the sanctions it had imposed on the Russian Federation and other measures did not cover agriculture products and foodstuffs.

4.2.27 Viet Nam's undue delays in the authorization of beef imports (ID 575) - Concerns of Mexico

4.142. Mexico referred to its full statement on eAgenda and expressed its concerns about delays in Viet Nam's authorization of Mexican beef imports. Emphasizing its compliance with Vietnamese requirements and sharing of technical information, Mexico urged Viet Nam to proceed with the risk assessments and inspections to allow exports and reiterated its commitment to open and constructive dialogue.

4.143. Viet Nam considered that information was still lacking and requested further information on the monitoring programme for veterinary residues, in compliance with the requirements of Vietnamese authorities, to facilitate the review of the requests.

4.2.28 US delays in the authorization of sweet citrus fruits (ID 569) - Concerns of Argentina

4.144. Argentina reiterated its concerns about the lack of progress towards opening the US market to sweet citrus fruits, noting that no progress had been made since 2020. In Argentina's view, these undue delays were inconsistent with Articles 2.2, 5, and 8 and Annex C of the SPS Agreement. Argentina complained about the lack of response from the United States despite multiple attempts to conclude the issue. Argentina urged the United States to publish the PRA for public comments without delay and promptly conclude the market opening for sweet citrus fruits.

4.145. Brazil noted the importance of concluding PRAs without undue delay, in accordance with Article 8 of the SPS Agreement, and highlighted its interest in receiving updates on this STC and the similarities with STC ID 542.

4.146. The United States indicated that it was proceeding through its standard commodity import approval process for this request and would release a draft PRA for stakeholder review for a 30-day comment period.

4.2.29 The Dominican Republic's undue delays in the authorization process for exports of animal products from Costa Rica (ID 581) - Concerns of Costa Rica

4.147. Costa Rica raised concerns regarding undue delays in the authorization of establishments exporting animal products. Costa Rica complained that the Dominican Republic had discontinued the process for authorization on account of changes in staff. While an assessment had been carried out in early 2022, Costa Rica still had not received the report. Costa Rica considered that the reason for the delay was not justified and recalled that, under Annex C of the SPS Agreement, procedures needed to be finalized without undue delays. While the Dominican Republic had recently provided information on health requirements, other concerns on authorization remained unresolved. Since the last SPS Committee meeting, Costa Rica had reached out to the Dominican Republic for a bilateral meeting but had not received a response. Costa Rica requested that the Dominican Republic finalize the process for market access.

4.148. The Dominican Republic noted that Costa Rica would receive the draft animal health certificate in the coming days.

4.2.30 General import restrictions due to BSE (ID 193) - Concerns of the European Union

4.149. Regretting that it was reiterating this concern for the 51st time, the European Union informed that some Members continued to maintain import bans and accumulate unacceptable delays in their approval procedures to lift BSE restrictions. In the European Union's view, the delays by some Members, including Australia, China, Korea, South Africa, Chinese Taipei, and the United States, were at odds with Article 8 of the SPS Agreement and Annex C thereto. The European Union noted that key Members kept markets closed by imposing burdensome and lengthy procedures, without providing any indicative timelines on when procedures would be completed. The European Union urged Members to comply with their obligations under the SPS Agreement, apply international standards, lift remaining BSE-related restrictions, finalize the assessment of pending market access requests, and conclude administrative steps to lift bans without further delay. The European Union

welcomed a constructive bilateral meeting with the United States held in the margins of the November 2024 SPS Committee meeting.

4.150. The United States acknowledged the productive bilateral engagement and asked that it not be included in future iterations of this STC.

4.151. Australia informed that under its Imported Food Control Act 1992, beef imports required a foreign government certificate, and in line with its Australia's BSE policy, certification arrangements could only be negotiated with countries assessed and approved by Food Standards Australia New Zealand (FSANZ). Australia noted that EU countries needed to apply to FSANZ for a determination of their BSE risk status and that countries, classified as categories one or two could export beef to Australia subject to relevant certification requirements. Australia noted that 14 countries, including five EU member States had been approved and there were no outstanding applications. Australia noted that FSANZ safety assessment process was based on WOAH guidelines for BSE risk assessment. Australia advised that it had actively engaged in WOAH's proposed updates to the BSE chapter of the WOAH Terrestrial Animal Health Code and looked forward to receiving advice from WOAH about the impact of the revisions on Australia's official BSE status.

4.2.31 China's suspension of beef imports due to bovine spongiform encephalopathy (BSE) restrictions (ID 561) - Concerns of Canada

4.152. Referring to its interventions in previous Committee meetings, Canada reiterated its concerns with China's prohibition of Canadian beef imports following one case of atypical BSE in 2021. Canada stated that this did not affect its BSE negligible risk status, according to WOAH guidelines, as reaffirmed by WOAH revised standards on atypical BSE adopted in May 2023. Canada informed the Committee that it had continuously tried to engage with and responded to all requests from China and regretted that neither scientific justification nor timeframes for the restoration of trade had been provided. Canada would welcome an update from China with respect to the necessary procedure referenced at the March and June 2024 Committee meetings. In Canada's view, China's measures were arbitrary and discriminatory compared to actions taken when other countries had experienced cases of atypical BSE. Canada added that it was considering all options to restore trade for beef as bilateral efforts had thus far not achieved resolution.

4.153. The European Union expressed its concerns with China's prohibition of beef imports following a case of atypical BSE in an EU member State. Referring to WOAH revised standards on atypical BSE adopted in May 2023, and noting that the case did not affect the BSE negligible risk status of the member State in question and should not have affected trade, the European Union urged China to restore market access.

4.154. China noted that in December 2021, Canada reported a case of atypical BSE and voluntarily suspended beef exports to China as per a bilateral agreement, which China appreciated. Chinese experts were currently assessing the risk and would provide feedback to Canada once the assessment was completed. Due to the BSE case in Canada, Canadian beef exports to China had been temporarily halted in accordance with the bilateral protocol and Chinese regulations. To resume beef exports, a risk assessment had to be completed and if the risk was confirmed to be under control, China would be open to negotiating the resumption of beef exports. China also informed that 19 EU member States had reported BSE outbreaks. Among them, 14 countries had applied for China to lift the ban on BSE after the outbreak had been effectively controlled, and China had lifted the ban on BSE in 11 countries. China was stepping up the risk assessment of BSE-related materials provided by the remaining EU member States. China would inform the relevant countries of the assessment results.

4.155. Canada noted that it was China Customs that requested the current suspension, and although Canada had provided all requested technical information about the atypical BSE case, no clear timeline had been provided by China for resuming trade. Canada stated that if China considered the suspension voluntary, Canada would be prepared to resume certification of beef exports immediately.

4.156. China noted the information provided and would further examine the situation and revert.

4.2.32 EU recognition of Mexico as a country with WOAH negligible BSE risk (ID 543) - Concerns of Mexico

4.157. Mexico reiterated its repeated requests to the European Union to recognize its negligible BSE risk status granted by WOAH in 2016. Mexico considered that it was receiving discriminatory treatment as other Members who had obtained WOAH status recognition after Mexico had already been included in EU Decision 2007/453/CE. Mexico detailed that the delay in this recognition concerned the marketing of medical devices derived from bovine animals, affecting the public health and employment sectors. Referring to the importance of basing measures on scientific evidence and a risk assessment, as well as on the sanitary and phytosanitary characteristics of a region, Mexico looked forward to a response from the European Union on its inclusion in EU Decision 2007/453/EC. Mexico referred to its full statement on eAgenda.

4.158. The European Union took note of Mexico's official BSE status and was considering the request. The European Union indicated that it had replied to Mexico's communications, that the issue was being discussed bilaterally in the framework of the EU-Mexico Economic Partnership, Political Coordination and Cooperation Agreement, and it looked forward to continuing the technical discussions.

4.2.33 Canada's restrictions on Brazilian pork from internationally recognized FMD free zones without vaccination (ID 568) - Concerns of Brazil

4.159. Brazil reiterated its concern on Canada's lack of recognition of Brazilian FMD-free zones without vaccination for swine. Brazil had completed the process of expanding its free zoning without vaccination for FMD for new areas in 2020, which expansion had been recognized by WOAH in 2022. While Canada had recognized Santa Catarina as FMD-free without vaccination, Brazil regretted that Canada continued to prevent some other Brazilian states form exporting pork and that it would only carry out a new evaluation when the entire Brazilian territory would be free of FMD without vaccination. To Brazil, this approach disregarded the regionalization and harmonization principles as well as WOAH recommendations and showed an inconsistent application of the ALOP. Brazil thus considered Canada's measures to be inconsistent with Articles 3, 5, and 6 of the SPS Agreement. Brazil also took the view that Canada's refusal to start the recognition process from areas other than Santa Catarina characterized undue delay. Brazil enquired whether Canada could consider first recognizing the states of Rio Grande do Sul and Paraná, whose statuses as FMD-free had been recognized by WOAH in 2022 and wondered about the scientific reasons for recognizing these states.

4.160. Affirming its support for trade in line with WTO principles and WOAH guidelines, Canada noted that granting access to pork from additional Brazilian states would require a comprehensive multi-disease status evaluation, which would include other animal diseases that affected swine. Canada reiterated its commitment to continued technical engagement on Brazil's market access for pork and to adhering to scientific principles and its international trade obligations.

4.2.34 Japan - Restrictions related to FMD (ID 332) - Concerns of Argentina

4.161. Argentina reported that there had been progress on this concern since the June 2024 Committee meeting, and it was now in the final stage of the risk assessment. Argentina also referred to a recent bilateral meeting during which Japan showed interest in moving forward with the opening process. Argentina was hopeful that an important progress update could be reported at the March 2025 Committee meeting if work continued along these lines.

4.162. Japan informed the Committee that, in 2017, it had opened its market for beef imported from the Patagonian region and had also received an additional request from Argentina to allow entry of boneless fresh beef originating in the FMD-free zone with vaccination. Japan had dealt with these requests in a transparent manner in accordance with its standard approval procedure (SAP). Japan further informed that, in September 2024 it had formally requested the Committee on Animal Health to initiate a risk assessment review. Highlighting its FMD-free status without vaccination, Japan insisted on the need for discussions between experts of both competent authorities based on sound and robust science and reaffirmed its commitment to advancing risk assessment procedures through mutual collaboration.

4.2.35 South Africa's import restrictions on poultry due to highly pathogenic avian influenza (ID 431) - Concerns of the European Union

4.163. The European Union reiterated its concerns regarding country-wide imports bans imposed by South Africa on EU member States after HPAI outbreaks. South Africa had maintained bans on poultry products from several EU member States. While the European Union welcomed the commitments that South Africa had made earlier in the year to participate in a regionalization technical meeting and review the procedure of resuming trade after regaining HPAI-free status, results were yet to be seen. The European Union considered the measures maintained by South Africa to be restrictive, unjustified and in violation of Article 6 of the SPS Agreement. The European Union urged South Africa to apply the regionalization principle.

4.164. South Africa reaffirmed its adherence to WOAH guidelines for the safe trade of animals and animal products, including on zoning, compartmentalization, and safe commodities. South Africa indicated that a workshop took place towards the end of 2023 and that it was evaluating additional information received from the European Union.

4.2.36 China's import restrictions due to highly pathogenic avian influenza (ID 406) - Concerns of the European Union and the United States

4.165. The European Union expressed concerns regarding China's continued country-wide bans on several EU member States due to HPAI outbreaks, some of which dated back to 2015. The ban was lifted on one EU member State but many market access applications were still pending. The European Union called on China to lift the country-wide bans and allow safe trade from unaffected zones, in accordance with the WOAH Terrestrial Code and the SPS Agreement.

4.166. The United States remained concerned that China had not lifted restrictions on poultry exports from US states declared HPAI-free in accordance with WOAH guidance. The United States called on China to promptly resume poultry meat exports from these US states and affirmed its commitment to working bilaterally with China to resolve the issues. The United States submitted its statement in G/SPS/GEN/2279.

4.167. China indicated that HPAI had persisted in Europe posing significant risks to animal and human life and health. China had suspended live poultry imports from affected EU member States, in accordance with relevant regulations and international rules. China informed the Committee that due to positive prevention results achieved by some EU member States, it had lifted bans in Spain, Belgium, and France. China had also signed a two-way regional management agreement with France and started technical exchanges on avian influenza with Europe. China noted the lifting of bans in seven US states in November 2023 but remained concerned about recurring HPAI outbreaks. With recent reports of 380 dairy farms in 14 US states experiencing outbreaks and eight dairy farm workers infected, China urged the United States to take effective measures to control HPAI and expressed its willingness to continue technical exchanges.

4.2.37 China's import restrictions on heat-treated pet food containing poultry ingredients due to highly pathogenic avian influenza (ID 562) - Concerns of Canada

4.168. Canada referred to previous interventions which remained valid and requested that China provide scientific justification for its prohibition of Canadian heat-treated pet food containing poultry ingredients. Canada noted that China had indicated that it would conduct a risk assessment and step up its technical exchanges with Canada. Canada expressed its readiness to engage, urged China to provide an update on the risk assessment and resolve the matter without undue delays, and noted that it was considering all options to resolve the issue as bilateral engagement had not worked.

4.169. China considered that there was a risk for disease transmission if the dried pet food had not been adequately heated. China had initiated consultations with Canada on the avian influenza issue, provided a risk assessment questionnaire, and would conduct a risk assessment based on the responses provided by Canada. China would also increase its technical exchanges with Canada on this issue.

4.2.38 Chinese Taipei's import restrictions on poultry and beef (ID 521) - Concerns of Brazil

4.170. Brazil reiterated its concerns regarding the import restrictions on poultry and beef imposed by Chinese Taipei, which violated Articles 5 and 8 of the SPS Agreement as well as its Annex C. To Brazil, this STC exemplified issues discussed in the Committee Working Group on Approval Procedures, such as the lack of predictability on the length of approval procedures and the benefits of anticipated procedures. Brazil was of the view that the additional requirements imposed by Chinese Taipei for importing poultry and bovine meat related to HPAI and FMD were contrary to the principles of harmonization and regionalization. Brazil asked Chinese Taipei to: (i) indicate the parameters used to consider a country as a disease-free zone or define a free zone and whether WOAH guidelines were being considered in the process; (ii) provide a time estimate for the final analysis of the latest documents provided by Brazil in relation to both poultry and bovine meat; (iii) explain what were the sanitary risk for thermo-processed poultry that justified successive questionnaires for diseases that were not transmissible after thermal processing treatment; (iv) indicate when it would set a date for an audit mission to Brazil; and (v) indicate whether a technical virtual meeting could take place to clarify these matters.

4.171. Regarding market access applications for poultry meat, Chinese Taipei referred to information presented in previous SPS Committee meetings and in an official letter sent to Brazil. Noting that it did not recognize Brazil as free from HPAI and ND, Chinese Taipei informed that after recovering ND-free status, Brazil should provide dossiers for ND-free recognition. Referring to Brazil's October 2024 application for HPAI-free recognition, Chinese Taipei had requested that Brazil submit dossiers. Regarding heat-treated poultry meat, Chinese Taipei explained that Brazil had provided supplemental food safety documents, and these would be reviewed. In addition, Chinese Taipei had informed Brazil that the review of an animal health questionnaire for heat-treated poultry meat was suspended due to an HPAI outbreak in June 2023. Regarding Brazil's market access application for beef, documents submitted in March and April 2024 would be reviewed, but some supplemental documents remained pending. Reiterating that its measures complied with the SPS Agreement, Chinese Taipei's noted that its authorities were working with Brazil regarding the market access applications.

4.172. Brazil indicated that it would appreciate receiving a detailed list of requirements that were missing, based on Chinese Taipei's legislation.

4.2.39 China's import restrictions due to African swine fever (ID 392) - Concerns of the European Union

4.173. The European Union reiterated its concerns regarding the country-wide import bans that China maintained on pork products from various EU member States, despite the implementation of disease management measures in accordance with the WOAH rules and the regionalization principle. The European Union complained that various EU member States were still subject to trade restrictions preventing exports of EU pork to China. The European Union looked forward to concrete progress on the recognition of EU-regionalization measures, and requested that China respect its obligations, in accordance with the WTO SPS Agreement and the relevant WOAH standards and allow trade from disease-free areas.

4.174. China stated that ASF was a notifiable disease by WOAH and classified as a Category I infectious disease in China's quarantine list. ASF posed a significant threat to the pig industry, and since China had the world's largest pig industry, pork imports were prohibited from countries with ASF in line with China's domestic laws and WTO/SPS principles. China mentioned that it had adopted a scientific approach to regional management of ASF, as recommended by WOAH, and had agreements like the one with France on regionalization. China indicated that it carried out assessments on ban lifting in countries where ASF had been eradicated. In January 2024, China announced the lifting of the ASF ban on Belgium and signed an MoU to cooperate on ASF prevention and control. China would continue its technical exchanges on ASF with EU member States.

4.2.40 Peru's non-application of regionalization for African swine fever (ID 544) - Concerns of European Union

4.175. The European Union expressed its concerns regarding Peru's country-wide import ban on pork and pork products from EU member States that had reported ASF outbreaks. The European Union had repeatedly requested that Peru apply the principle of regionalization, accept the WOAH ASF-free self-declarations, and lift the ban for safe commodities from EU member States with ASF outbreaks in line with the methods foreseen in the WOAH Terrestrial Code. The European Union reiterated its request for Peru to comply with its obligations under the SPS Agreement and the relevant WOAH standards and allow trade from disease-free areas.

4.176. Peru noted that this STC had been discussed in detail at a recent meeting, and a letter was sent to the European Union on 11 November 2024 requesting necessary information to continue work. Peru looked forward to receiving the pending information to efficiently address the issue and achieve a mutually beneficial solution.

4.2.41 Mexico's import restrictions due to African swine fever (ID 563) - Concerns of the European Union

4.177. The European Union reiterated its concerns regarding Mexico's country-wide import bans on pork from several EU member States that had ASF outbreaks, although the matter had been raised bilaterally and in the SPS Committee. The European Union requested that Mexico respect its obligations under the SPS Agreement and relevant WOAH standards, as well as the health certificate agreed in 2017 and allow trade from disease-free areas as other partners had done without reporting any problems. The European Union further reminded Mexico of its obligation to accept pork safe commodities which had been treated in line with the methods foreseen in the WOAH Terrestrial Code.

4.178. To Mexico, it could be interpreted that regionalization had been applied in accordance with WOAH guidelines as Mexico had only restricted access for affected EU countries and not the entire European Union. Mexico had communicated in various meetings that its national regulations prohibited the import of pork from countries affected by ASF, and that it could not violate national regulation. Mexico had also indicated its openness to initiate a review of its national legislation preventing imports of pork products from countries where ASF was present and emphasized its interest in collaborating to resolve pending issues.

4.2.42 Colombia's import restrictions due to African swine fever (ID 580) - Concerns of the European Union

4.179. The European Union raised its concerns regarding Colombia's country-wide import bans on pork and pork products from EU member States that had reported ASF outbreaks. Despite its repeated requests, Colombia failed to apply the principle of regionalization, accept the WOAH ASF-free self-declarations, as in the case of Belgium. Noting that disease-free areas were established according to WOAH standards and that national competent authorities were responsible for issuing export certificates only for products from these areas, the European Union requested that Colombia comply with its obligations, in accordance with the SPS Agreement and WOAH standards, and allow trade from disease-free areas.

4.180. Colombia responded that ASF was a recurrent issue in the European Union, while it was considered an exotic disease in the Andes and that most South American countries lacked the appropriate infrastructure to deal with ASF. Colombia, as a member of the Andean Community, continued to monitor the situation in EU member States and maintained strict regulatory measures to prevent the entry of the disease in its territory in accordance with international standards. Colombia had established measures to prevent ASF including controls at ports and airports, prohibiting the entry of pork products from ASF-affected countries, and ensuring proper waste management. Colombia informed that the Andean Community had closed the risk analysis for importing Italian pork due to Italy's lack of response on inspection schedules.

4.2.43 The Philippines' trade restrictions on imports of meat (ID 466) - Concerns of the European Union[3]

4.181. The European Union referred to its concerns regarding the Philippines' country-wide bans on meat imports from EU member States, due to ASF and HPAI, including from disease-free EU member States. The European Union noted that these bans, which had been in place for several years, were inconsistent with the SPS Agreement. The European Union had provided the necessary information and guarantees on EU control measures, and noted that through a study visit, officials from the Philippines had been able to assess the European Union's strict SPS controls. The European Union looked forward to a positive outcome of the visit and to the Philippines allowing trade from EU disease-free zones.

4.2.44 EU Commission Decision 2002/994/EC on animal products (ID 442) - Concerns of China

4.182. China expressed its concerns with EU Decision 2002/994/EC which had severely affected exports of animal-derived products, increasing costs and inefficiencies in customs clearance. China urged the European Union to reassess the requirements of Decision 2002/994/EC based on scientific evidence and real circumstances and withdraw the requirement that each shipment of animal-derived products for human consumption be tested and accompanied by an additional certificate before export. China also recommended that the European Union revise the provisions of Decision 2002/994/EC to include Chinese collagen in the annex since Article 18 of EU Regulation 2021/405 stipulated that collagen produced from livestock, poultry, farmed rabbits, and aquatic products in China could be exported to the European Union. To China, this meant that China's collagen met the European Union's animal health and public health requirements.

4.183. Aware of the request to streamline import requirements for products covered by Decision 2002/994/EC, the European Union underlined that exports of the commodities concerned were allowed with additional guarantees to ensure safety. The group of affected products had been reduced since its adoption in 2002 in response to China's progress in residue controls. The European Union asked China to address the recommendations of the recent audits on residues of veterinary drugs undertaken by the European Union. Noting that progress was being made, the European Union looked forward to continuing the bilateral cooperation.

4.2.45 Qatar's new import rules for dairy products (ID 529) - Concerns of the European Union

4.184. The European Union appreciated the ongoing dialogue with Qatar regarding the longstanding issue affecting dairy products exports. The European Union indicated that despite bilateral discussions, Qatar had maintained its import measures. One primary issue of concern was that Qatar's import conditions had a short shelf life on several dairy products which lacked scientific basis and were not aligned with international standards. To the European Union, these conditions effectively closed the market for certain dairy products. The European Union reiterated its request for Qatar to lift trade restrictions and adopt a permanent solution, which should be communicated to the Committee at a draft stage.

4.185. New Zealand viewed Qatar's shelf-life requirements for imported cheese and other commodities as trade-restrictive, not based on science, and not in line with Codex standards. New Zealand requested Qatar to use internationally recognized standards for setting shelf-life requirements or provide the scientific evidence that supported the setting of such a restrictive shelf-life requirement.

4.186. Qatar stated that the relevant measure was non-discriminatory and applied equally to domestic and imported products and did not have any significant impact on trade. Qatar had held constructive discussions on this matter with its trading partners and remained available to continue the discussion.

[3] The Philippines uploaded a statement on eAgenda.

4.2.46 Thailand's sanitary requirements on wet blue leather imports (ID 539) - Concerns of Brazil

4.187. Brazil raised its concerns regarding Thailand's requirement for a sanitary certificate for exporting "wet blue" leather, arguing that the transformation of collagen into rot-proof fibres prevented the development and survival of etiologic agents of diseases affecting animals or humans. Brazil noted that "semi-processed leathers" had been added to WOAH's list of safe commodities in May 2024 as also acknowledged by Thailand at the June 2024 SPS Committee meeting. Brazil asked Thailand whether the sanitary certificate requirement would be officially removed.

4.188. Thailand acknowledged WOAH's recommendation including wet blue leather in the list of safe commodities under Chapter 8.8. but noted that there were other diseases specified under the Thai Animal Epidemics Act, B.E. 2558 (2015) that Thailand needed to control to prevent their entry into the country. Thailand welcomed technical consultations to review the import requirements for wet blue leather products from Brazil to reach a mutually satisfactory solution.

4.189. Brazil noted that the WOAH Terrestrial Code listed wet blue leather as a safe product, and that Thailand had never mentioned any other diseases. Brazil considered that Thailand's measure was not intended to protect health, and invited Thailand to review it and bring it in line with the SPS Agreement and WOAH guidelines.

4.2.47 China's import suspension of fresh fruits (ID 532) - Concerns of Chinese Taipei

4.190. Chinese Taipei reiterated its concerns regarding China's suspension of importation of pineapples, wax apples, citrus, and mangoes, and requested that China provide regulations and quarantine requirements for sugar apple and pomelo orchards and packaging facilities. Chinese Taipei noted that China had unilaterally resumed the import of sugar apple and pomelo from specific orchards and packaging facilities without applying consistent scientific standards for review and urged China to comply with its obligations under the SPS Agreement and provide clear regulations. Chinese Taipei indicated that despite having implemented enhanced measures and having provided detailed information to China for review, China had not substantively responded to their demands. In this context, Chinese Taipei regretted that this concern had been raised several times in the Committee and that it had repeatedly requested technical dialogue with China. Chinese Taipei urged China to engage in a science-based dialogue and resume trade in accordance with the SPS Agreement and relevant international standards for a win-win solution. Chinese Taipei further requested that China provide the relevant scientific identification and risk assessment reports.

4.191. China responded that due to multiple detections of quarantine pests such as *Planococcus minor (maskell)* in fruits imported from Chinese Taipei, China had suspended the import of pineapples, wax apples and other products to prevent the risk of plant disease epidemics. The quarantine pest *Planococcus minor (maskell)* was still detected in mangoes exported from Chinese Taipei since 2023 and had been returned or destroyed in accordance with relevant laws. China noted that imports of sugar apple and pomelo from Chinese Taipei had resumed and enterprises that met the requirements had been registered with no further delay. China requested that Chinese Taipei further improve its phytosanitary supervision system and ensure the safety and health of fruits exported to China.

4.2.48 US import restrictions on apples and pears (ID 439) - Concerns of the European Union

4.192. The European Union reiterated its concerns over import restrictions on apples and pears from the European Union, despite numerous exchanges and completed scientific groundwork eight years ago. The European Union noted that the United States had not published the final notice without scientific justification, disregarding its own risk assessment and WTO SPS obligations. The European Union indicated that, while the US market was open under a preclearance condition, this had been prohibitively expensive, effectively closing the market. The European Union urged the United States to honour its WTO SPS obligations, base import conditions on scientific evidence, publish the final notice, and allow apples and pears from EU member States under the agreed systems approach.

4.193. The United States noted that the USDA was working through its administrative procedures on the request for expanded market access of eight EU member States under a systems approach. The United States reminded the European Union of the existing preclearance programme and remained interested in additional discussions that would meaningfully enhance bilateral trade.

4.2.49 Morocco's import ban on ornamental plants (ID 548) - Concerns of the European Union

4.194. Reiterating its concern regarding Morocco's measures against *Xylella fastidiosa*, particularly the ban on importing ornamental plants, the European Union thanked Morocco for bilateral exchanges. The European Union complained about the lack of clear application of pest-free zones in countries where only certain areas were affected by the disease. The European Union looked forward to discussing the remaining issues bilaterally.

4.195. Morocco emphasized that it was free from *Xylella fastidiosa* and committed to maintaining this status to protect its national plant sectors. The introduction of this pathogen could affect multiple crops and cause significant economic losses for Moroccan agriculture. Referring to an increase in host plants for the bacteria, Morocco considered that there was not yet a stable understanding on the bacteria. Morocco was also of the view that management measures, if the regionalization principle was applied for ornamental plants, were not sufficient as compared to those for fruit species, due to differences in the level of phytosanitary controls, certification regimes, and traceability.

4.2.50 US undue delays in opening its citrus market (ID 542) - Concerns of Brazil

4.196. Brazil reiterated its concerns regarding US undue delays in opening its citrus market, noting that in 2022, the United States had published the PRA and results of public consultations, but subsequently, no further progress had been made despite bilateral discussions. Referring to STCs raised by other Members on the agenda, Brazil requested an explanation for the lack of progress noting that almost two years had passed since the PRA was published. Brazil also requested clarification on next steps and a reasonable timeframe for the conclusion of the process.

4.197. Argentina took note of the undue delays and urged the United States to facilitate the resolution of the procedures in accordance with the SPS Agreement.

4.198. The United States indicated that progress had been made following the PRA's conclusion, but several procedural steps were required before its regulatory agency could finalize and publish notices in the US Federal Register. The United States reiterated that the next step was the development and bilateral concurrence on risk mitigation measures.

4.2.51 Delays in Thailand's approval procedures for animal products (ID 527) – Concerns of the Russian Federation

4.199. The Russian Federation had been working with Thailand to gain market access for its pork, beef, and poultry products but despite several inspections and the submission of necessary information, Thailand had not granted market access to any Russian enterprise for these products. The Russian Federation had provided data on its BSE and FMD status, and ASF and HPAI control measures. The Russian Federation proposed that Thailand provide the attestation for Russian beef and pork exports and also proposed granting market access to Thai enterprises producing animal feed for non-productive animals, but Thailand did not support these proposals. The Russian Federation urged Thailand to comply with its WTO obligations under Article 8 and Annex C of the SPS Agreement and undertake the approval procedures for Russian animal products without undue delay.

4.200. Referring to ongoing outbreaks of HPAI, Newcastle disease, and ASF in the Russian Federation, Thailand would consider market access requests for Russian pork and chicken once WOAH declared the Russian Federation free from these diseases. Thailand noted that the Russian Federation's request to open the Thai market to Russian beef products was under review, and it would inform the Russian Federation of any progress, and continue bilateral consultations.

4.3 Information on resolution of issues (G/SPS/GEN/204/Rev.24) (G/SPS/GEN/2261)

4.201. The Secretariat informed the Committee that it had contacted 40 Members to seek information regarding the status (resolved, partially resolved or not reported as resolved) of STCs that had not been discussed since November 2022. In their responses, Members had reported 42 of these STCs as resolved and 25 STCs as partially resolved. For transparency purposes, the information provided by Members to the Secretariat was circulated in document G/SPS/GEN/2261, which also included the results of similar exercises undertaken in 2013, 2017, 2020 and 2022. About 65% of the STCs discussed in the Committee had now been reported as resolved or partially resolved.

4.4 Annual report on the use of the procedure to encourage and facilitate resolution of specific SPS issues among Members in accordance with Article 12.2 (G/SPS/61) (G/SPS/GEN/2259)

4.202. The Secretariat informed the Committee that for the reporting period from 1 October 2023 to 30 September 2024, there had been one consultation request from Brazil concerning the export of products to Nigeria (G/SPS/GEN/2189) linked to STC ID 523. In the SPS Committee, Brazil and Nigeria had indicated their willingness to pursue bilateral discussions. As Nigeria did not provide a written response to Brazil's request, it was considered not to have accepted Brazil's request, and no *ad hoc* consultations had taken place.

5 OPERATION AND IMPLEMENTATION OF THE SPS AGREEMENT

5.1 Equivalence

5.1.1 Information from Members

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

5.2 Pest- and disease-free areas (regionalization)

5.2.1 Information from Members

5.2.1.1 Brazil - Brazilian sanitary status on various animal diseases and compliance with WOAH guidelines

5.2. Brazil drew the Committee's attention to the recognition of disease-free zones by WOAH. Brazil had worked to maintain and expand zones free from FMD, CSF and other diseases of significant concern, in line with WOAH recommendations, and was recognized as disease-free or with insignificant risk for FMD, BSE, CSF, AHS, CBPP, and PPR. Brazil noted however that exports of many Brazilian products continued to face trade restrictions due to non-compliance with WOAH guidelines by some Members. Referring to Articles 3 and 6 of the SPS Agreement, Brazil called on Members to fully respect the guidelines by the three sisters when establishing SPS measures. Brazil encouraged Members to reaffirm its commitment to international standards for a more equitable and science-based trading system.

5.3 Operation of transparency provisions

5.3.1 Information from Members

5.3.1.1 Brazil - Transparency provisions and the need to notify the end of temporary restrictions to exports, in line with G/SPS/7/Rev.5

5.3. Brazil drew the Committee's attention to the principle of transparency and its implementation. Brazil noted that the recent outbreak of avian influenza was a major concern, and that in 2024 alone, there had been than over 50 notifications in this regard. Brazil added that some Members did not notify when restrictions had been lifted and this made trade less predictable. Referring to Article 7, Annex B and G/SPS/7/Rev.5, Brazil emphasized the importance of tracking the status of an SPS regulation and invited Members that did not notify the lifting of bans and other changes to

review their practices and bring them into conformity with the SPS Agreement. Brazil submitted its statement in G/SPS/GEN/2252.

5.3.2 Information from the Secretariat

5.4. The Secretariat provided information on a pilot translation feature available on the ePing test platform shown at the side event held on 13 November 2024. It allowed registered users to request unofficial translations in English, French and Spanish of SPS or TBT measures notified to the WTO. The lack of access to unofficial translations had been a recurring issue raised in both the SPS and TBT Committees, particularly during review exercises of these Agreements. Access to these translations could support timely feedback from Members. Previously, unofficial translations were accessible via posts on the ePing international forum, or through bilateral requests made to a Member's enquiry point or notification authority. Members could also circulate unofficial translations using the supplement format, but these were rarely used. The new unofficial translation feature on ePing would facilitate access to unofficial translations. The pilot was currently only available on the ePing test platform and was expected to go live by the end of 2024 or in early 2025. Members interested in testing the pilot and providing feedback were invited to contact the Secretariat.

5.5. The Secretariat also reminded the Committee that in June 2024, the STDF Working Group had approved the ePing project "Improving the Use of the ePing SPS&TBT Platform to Enhance Transparency for Market Access". The project aimed to increase clarity, predictability, and regulatory coordination on SPS/TBT regulations impacting trade, with a targeted rollout in Kenya, Namibia, South Africa, Tanzania, and Uganda. This three-year project foresaw the incorporation of technological upgrades based on feedback from pilot countries and broader input from WTO Members and was expected to start in early 2025. More information was available on the STDF website (STDF/PG/1000).

5.6. Referring to the ePing side event held on 13 November 2024 which showed that there was interest in the new unofficial translations feature, the Chairperson encouraged delegates to contact the Secretariat to explore the use of this new feature, which was currently available on the ePing test platform, and provide feedback before it went live.

5.4 Control, inspection and approval procedures

5.4.1 Information from Members

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

5.5 Special and differential treatment

5.8. The Chairperson drew the Committee's attention to the MC13 SPS Declaration which had been addressed in agenda item 3.

5.5.1 Information from Members

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

5.6 Monitoring of the use of international standards

5.6.1 New issues

5.6.1.1 Brazil - Information on STCs raised in the SPS Committee related to non-compliance with international standards

5.10. Brazil referred to the upcoming Codex Alimentarius Commission (CAC) meeting, highlighting that international standards were among the main issues discussed in the SPS Committee. Brazil noted that developing and least-developed Members had to allocate scarce resources to comply with requirements by wealthier Members. Brazil encouraged WTO Members to continuously reaffirm their commitment to international standards and ensure that the scientific basis for their

measures was robust. Brazil also invited Members to engage in discussions within the realm of the three sisters including the upcoming CAC meeting in Geneva.

5.6.2 Issues previously raised

5.6.2.1 European Union - HPAI restrictions not consistent with the WOAH international standard

5.11. The European Union reiterated its concern that a significant number of Members continued to disregard their obligations under Article 6 of the SPS Agreement and Annex C thereto by imposing country-wide trade bans after local outbreaks of avian influenza. The European Union indicated that these bans were not scientifically justified if effective movement controls were in place and there was no justification to wait one year or more to restore disease-free status. The European Union asked Members to respect their obligations on regionalization under the SPS Agreement and to follow WOAH recommendations.

5.6.2.2 European Union - ASF restrictions not consistent with the WOAH international standard

5.12. The European Union pointed out inconsistencies in the application of WOAH standards related to ASF. The European Union considered that many Members disregarded the WOAH Terrestrial Code guidance for the identification, treatment, and certification of tradable products and zoning. The European Union noted that ASF could be managed effectively to ensure that legitimate trade was not the cause of any outbreaks. ASF had been a disease affecting several Members, and it was a shared interest to maintain free and safe trade of pork and pork products. The European Union invited Members to address the issue of country-wide bans and implement science-based, rational, and proportionate import policies.

5.6.2.3 WOAH

5.13. WOAH expressed its commitment to monitoring the uptake of its international standards, noting that data collection and analysis would assist in gaining a better understanding of implementation of its standards, including the challenges that Members faced when applying them. To date, WOAH's Observatory programme had produced its first annual report and a study analysing the barriers preventing WOAH members from implementing standards in relation to zoning. This was the first time that WOAH had provided a global perspective of WOAH members' implementation of standards, and these reports raised awareness of some of the current gaps in the implementation of international standards and suggested how they could be filled by improving practices at the national level. Highlighting the importance of submitting quality data and information, WOAH encouraged Members to submit good quality information that allowed a meaningful analysis and could lead to a good evaluation of the level of implementation of international standards. To this end, WOAH was contributing to the improvement of ePing in collaboration with IPPC and Codex.

5.7 Sixth Review of the Operation and Implementation of the SPS Agreement including thematic sessions

5.7.1 Report on the Thematic Session on Emerging Risks and New Agricultural Technologies to Address Them

5.14. The Chairperson drew the Committee's attention to the draft report on the Thematic Session on Emerging Risks and New Agricultural Technologies to Address Them held on 11 November 2024. The draft report would be circulated to Members with an opportunity to provide comments by 25 November 2024. The final report is included in Annex A.

5.7.2 Report on the Thematic Session on Codex Guidelines for Voluntary Third-Party Assurance Programmes

5.15. The Chairperson drew the Committee's attention to the draft report on the Thematic Session on Codex Guidelines for Voluntary Third-Party Assurance Programmes held on 12 November 2024. The draft report would be circulated to Members with an opportunity to provide comments by 25 November 2024. The final report is included in Annex B.

5.7.3 Report on the informal meeting

5.16. The Chairperson reminded the Committee that at the informal meeting held on 13 November 2024, Members had discussed the revised version of the background document, the draft report of the Sixth Review and the draft recommendations for the Sixth Review. These last two documents had been revised based on comments received by Members both orally, in the intersessional consultations held on 17 September, and in writing by the deadline of 4 October. The summary of the informal meeting would be sent to Members with an opportunity to provide comments by 25 November 2024. The final report was circulated as a revision to document JOB/SPS/36, and contained the summaries of previous informal meetings and consultations.

5.7.4 Information from Members

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

5.7.5 Topics for 2025 thematic sessions/workshop

5.18. The Chairperson reminded the Committee that the scheduling of thematic sessions had been discussed at the informal meeting held on 13 November 2024. The Chairperson noted that the Committee had already agreed that the second part of the thematic session held on 11 November 2024 would take place in March 2025. Based on discussions with interested Members, the Chairperson noted that a proposed title for the March 2025 thematic session was "Innovative Regulatory Approaches to Facilitate Safe Trade". The Chairperson thanked Members for their interest and looked forward to receiving inputs to prepare and circulate a first draft of the programme before the end of 2024.

5.19. Regarding the thematic sessions for June and November 2025, the Chairperson proposed resuming this conversation in March 2025, after conclusion of the March 2025 thematic session. Based on discussions with interested Members, the Chairperson noted that possible topics for thematic sessions for the rest of 2025 and possibly 2026 could include facility registrations, AMR, and how to facilitate safe trade based on efficient import controls using modern technologies.

5.20. Regarding the 2025 Committee workshop, tentatively scheduled for June, the Chairperson had received one suggestion for it to focus on risk communication. The Chairperson noted that the Committee should ideally confirm the topic of the workshop in January 2025, given the time needed for its organization, and proposed to further discuss the workshop at the informal meeting scheduled for January 2025.

5.21. Referring to the successful thematic session held on 12 November 2024, Belize thanked those involved including the WTO, STDF, IICA, and other agencies leading the pilot projects. Belize also expressed appreciation to the speakers and project beneficiaries and hoped that Members would continue to collaborate for a better understanding and use of vTPAs.

5.22. Referring to the thematic session on vTPAs held on 12 November, Chinese Taipei thanked the speakers for their contributions and Belize for the proposal. Chinese Taipei noted that the thematic session recommended discussions with Codex and relevant international organizations as well as amongst Members regarding the implementation of vTPA programmes, especially on addressing major challenges faced by developing Members in implementing vTPAs such as cost, confidentiality, and data sharing.

5.8 Chairperson's annual report to CTG

5.23. The Chairperson reminded delegates that she would submit a factual report, on her own responsibility, on the activities of the Committee for consideration by the CTG at its meeting on 2-3 December 2024. The Chairperson also noted that a first version of the report had been made available to Members for comments. The report would be revised to reflect the Committee's work at the present meeting, and circulated again for comments from Members. The final report was subsequently circulated as G/L/1548.

6 TECHNICAL ASSISTANCE AND COOPERATION

6.1 Information from the Secretariat

6.1.1 WTO SPS Activities

6.1. The Secretariat provided an update on technical assistance activities held since the last Committee meeting and an overview of upcoming activities. Two national SPS and TBT seminars were held for Mauritius and Uzbekistan, and more general training on the SPS Agreement was provided including in two WTO Advanced Trade Policy Courses and two WTO Regional Trade Policy Courses, as well as in other activities organized by the AfCFTA, the Korean Ministry of Food and Drug Safety, and IICA. In terms of upcoming activities, three national seminars on the SPS and TBT Agreements were being planned for Guatemala, Nepal, and Paraguay. Additionally, an upcoming Regional SPS Workshop for French-speaking Africa would be held in Morocco from 2 to 6 December. The Secretariat also highlighted that a second SPS Transparency Champions Course took place from 30 September to 11 October 2024 in Geneva and benefitted 25 participants. The Secretariat hoped to organize a Follow-up Session of this course in June 2025 allowing participants to share the results of their action plans. The Secretariat also recognized the participation of government officials from Brazil and Uganda as experts in the programme. Finally, the Committee was reminded that the e-Learning Course on the SPS Agreement was available in English, French and Spanish on the WTO's e-Learning Platform.

6.2. Guatemala thanked the Secretariat for the organization of the national workshop on the SPS and TBT Agreements to be held in November 2024, which aimed to build the capacity of officials and the private sector to promote safe and transparent trade.

6.3. Morocco expressed its gratitude for the participation of its official in the SPS Transparency Champions Course, as well as the organization of the Regional SPS Workshop for French-speaking Africa in Rabat.

6.4. Chinese Taipei was grateful for the participation of its official in the SPS Transparency Champions Course. Chinese Taipei considered that the focused approach of this course could help Members implement the SPS Agreement in specific areas and looked forward to other topics for future courses.

6.1.2 STDF (G/SPS/GEN/2257)

6.5. The STDF secretariat noted that STDF work was closely aligned with the work of the SPS Committee and highlighted a few ways in which these synergies were strengthened. For example, the STDF benefitted from the opportunity to share results and experiences from its work in thematic sessions, meet with developing country delegates and observer organizations, and engage with STDF donors. STDF Working Group members would like to see these synergies strengthened even further in the next STDF strategy, including as part of the Sixth Review, and the STDF was working with the Secretariat to deepen collaboration, for example by participating in the Regional SPS Workshop for French-speaking Africa in December 2024. The 2025-2030 STDF strategy would be launched in early 2025 and would build on existing work to date and the successes and lessons learned. The STDF Working Group had approved three project preparation grants and four project grants at its November 2024 meeting. The STDF secretariat drew attention to its new website and its 20th anniversary STDF publication which told the story of the STDF partnership since 2004. More comprehensive information on STDF work including on projects was available in G/SPS/GEN/2257.

6.6. The European Union thanked the STDF for its work over the past 20 years and looked forward to continuing cooperation.

6.2 Information from Members

6.2.1 United States - Technical assistance to developing countries (G/SPS/GEN/181/Add.17)

6.7. The United States brought the Committee's attention to document G/SPS/GEN/181/Add.17 on the technical assistance provided between October 2021 and September 2022 to support Members in the implementation of the SPS Agreement, adding up to USD 15 million. The United States also referred to its distance learning courses available at www.SPScourses.com which had reached over 16,000 individuals in more than 240 countries. The United States also detailed its partnership with the STDF and other collaborators on biopesticides, eVET, and GRPs. The United States welcomed continued collaboration on how to facilitate impactful capacity building activities.

6.2.2 Canada - Canada's technical assistance activities (G/SPS/GEN/2269)

6.8. Canada updated the Committee on the SPS-related technical assistance to developing countries delivered in 2023, for which it had committed approximately CDN $4.3 million. Canada had delivered or initiated a total of 47 SPS-related technical assistance projects, which supported countries in Africa, Latin America and the Caribbean, Central Asia and the Asia-Pacific region. Canada's assistance addressed information, training, and soft infrastructure development, and covered most of the typical areas of competence provided in G/SPS/GEN/206.

7 CONCERNS WITH PRIVATE AND COMMERCIAL STANDARDS

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

8 OBSERVERS

8.1 Information from Observer Organizations

8.1.1 African Union (G/SPS/GEN/2272)

8.1. The African Union provided a brief report on activities undertaken since August 2024 including the development of rapid alert systems for food and feed in Africa, the review of SPS regulations for COMESA, and training for national enquiry points and notification authorities. The African Union also supported its members' participation in several Codex committee meetings including CCFICS and food labelling. Additionally, the Comprehensive African Agricultural Development Programme (CAADP) Strategy and Action Plan for 2026-2035 had been developed and included SPS as a priority area. The African Union expressed its gratitude to its development partners for their support.

8.1.2 IICA (G/SPS/GEN/2270)

8.2. IICA referred to the report of its activities from July to November 2024 in document G/SPS/GEN/2270. IICA highlighted the first strategy session on WTO SPS matters which addressed matters related to the Sixth Review and resulted in the coordination of joint positions on the nine draft recommendations in G/SPS/W/371, as well as coordination on key STCs of interest for the region. IICA also highlighted the inclusion of other regions in IICA's interregional Codex coordination efforts. Additionally, to control the spread of New World screwworm in Mesoamerica, IICA was at the forefront of awareness campaigns in Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala, Belize, and Mexico.

8.3. Guatemala thanked IICA for their work in the region including in Guatemala.

8.1.3 ITC (G/SPS/GEN/2260)

8.4. The report of the ITC's activities is contained in document G/SPS/GEN/2260.

8.1.4 OECD (G/SPS/GEN/2262)

8.5. The report of the OECD's activities is contained in document G/SPS/GEN/2262.

8.1.5 IGAD (G/SPS/GEN/2263)

8.6. The report of the IGAD's activities is contained in document G/SPS/GEN/2263.

8.1.6 GSO (G/SPS/GEN/2268)

8.7. The report of the GSO's activities is contained in document G/SPS/GEN/2268.

8.2 Requests for observer status

8.8. The Chairperson informed the Committee that no new requests for observer status had been received. The Chairperson recalled that, following the exercise undertaken the previous year to contact all organizations with pending requests, the Committee had updated the list of observers in document G/SPS/W/78/Rev.16. There were no pending requests for observer status.

9 OTHER BUSINESS

9.1. No Member took the floor under this agenda item.

10 DATE AND AGENDA OF NEXT MEETING

10.1. The Chairperson recalled that the next regular meeting of the Committee was tentatively scheduled for the week of 17 March 2025, with the formal meeting starting in the afternoon of 19 March 2025. The proposed calendar of Committee meetings for 2025 had been circulated as G/SPS/GEN/2214/Rev.1. The document would be reviewed to include information on thematic sessions.

10.2. The Secretariat indicated that it would prepare a summary report of this meeting based on oral interventions, complemented by Members' ability to download statements via eAgenda.

10.3. The Chairperson informed the Committee of the following deadlines, also to be circulated by e-mail:

a. eAgenda closure for the uploading of statements: Friday, 15 November 2024 (midnight, Geneva time);

b. Comments on the Chairperson's draft report on the two thematic sessions held in November: Monday, 25 November 2024;

c. Comments on the Chairperson's draft report on the Sixth Review discussions at the informal meeting: Monday, 25 November 2024;

d. Comments on the Chairperson's draft report to the CTG: Monday, 25 November 2024;

e. Comments on the Chairperson's draft report on the MC13 Declaration: Monday, 25 November 2024;

f. Additional written comments on the draft report of the Sixth Review, including on the draft recommendations: Friday, 6 December 2024;

g. Submission of short SPS Committee success stories in the context of SPS@30: Friday, 6 December 2024;

h. Agenda closure for the March SPS Committee meeting: Wednesday, 26 February 2025, and

i. Distribution of the annotated draft agenda: Friday, 28 February 2025.

ANNEX A

SPS COMMITTEE THEMATIC SESSION ON EMERGING RISKS AND NEW AGRICULTURAL TECHNOLOGIES TO ADDRESS THEM

11 NOVEMBER 2024

REPORT BY THE CHAIRPERSON

1. The SPS Committee held a thematic session on emerging risks and new agricultural technologies to address them on 11 November 2024. The thematic session was held in person and via Zoom, with about 100 delegates attending in person and 70 joining online. The event was also livestreamed on the WTO YouTube channel. The programme (G/SPS/GEN/2253/Rev.1), information about the speakers, and presentations were made available on the dedicated webpage ahead of the event and the recordings were added subsequently.

2. The thematic session was based on a joint proposal submitted by Canada and the European Union (G/SPS/W/369) in the context of the Sixth Review of the Operation and Implementation of the SPS Agreement with the aim of exploring: (i) ways to define, identify, and characterize SPS-related emerging risks that pose a threat to food safety, human, plant or animal life or health (Session 1); and (ii) the development and implementation of new agricultural technologies to address emerging risks and the barriers to their successful implementation (Session 2). As a follow-up to this event, the SPS Committee is planning another thematic session in March 2025 to discuss regulatory approaches to emerging SPS risks and new technologies.[1]

3. In the opening session, the WTO Secretariat recalled how the topics of emerging SPS risks and technological tools to address such risks related to the SPS Agreement, linking the thematic session to the work conducted under the MC12 SPS Declaration on Responding to Modern SPS Challenges (MC12 SPS Declaration Work Programme). Using "word clouds", Members were invited to share views on which emerging risks would be the most relevant to the work of the SPS Committee and which agricultural technologies required further discussion. Responses pointed to environmental challenges and disease pressures, as well as other topics such as AMR and e-commerce as key emerging risks. Key technologies identified included irradiation, gene editing, artificial intelligence, biotechnologies, and systems approaches, among others.

4. With this background, Session 1 focused on initiatives and structures for the definition, identification, and characterization of emerging risks, starting with WHO, FAO, and WOAH providing an overview of their work in this area. The speaker from FAO presented FAO's food safety foresight programme, highlighting the importance of effective foresight to understand how new trends could affect agrifood systems. The speaker discussed how consumer preferences and patterns were changing due to various factors, such as awareness of climate impacts, animal welfare, and ethical considerations, and this needed to be reflected in risk assessment. He further informed about topics that gained traction and FAO relevant work, including on new food sources (e.g. plant-based novel food, edible insects), food safety risks in circular agrifood initiatives, and environmental inhibitors for sustainable agriculture. The speaker from WHO presented WHO's Global Strategy for Food Safety 2022-2030 and looked at three mechanisms to identify and assess emerging and re-emerging risks: the WHO Global Strategy for Food Safety Roadmap Tool; a proposed conceptual framework to evaluate emerging risks; and the WHO/FAO international food safety authorities' network (INFOSAN). He noted the importance of working collectively, looking for example at INFOSAN to promote a rapid exchange of information during food safety incidents and share resources. Finally, the speaker from WOAH discussed WOAH's epidemic intelligence framework, which included gathering information from a large variety of sources to provide rapid and continuous analysis of risks of health threats, monitoring and surveillance, early warning systems, risk communication, risk assessment, and activities to address emerging threats through guidance and coordination efforts. He stressed how the amount and type of information had increased and changed over time and the importance of collaboration.

[1] More information will follow on WTO | Sanitary and Phytosanitary Measures — events, workshops and training.

5. In the Q&A segment, the speakers from FAO, WHO, and WOAH discussed data integration and standardizing mechanisms in collecting data, prioritization efforts to the benefit of developing and LDC Members, uncertainty in science, emerging areas for future work within Codex, such as environmental inhibitors and recycling of plastic and food contact materials, and FAO/WHO coordination programmes and exchange of information to ensure consistent approaches.

6. Session 1 continued with perspectives from Members and other stakeholders on SPS-related emerging risks. Two speakers from the European Food Safety Authority (EFSA) provided information on EFSA's emerging risks analysis system. The speakers introduced the emerging risks exchange network (EREN) and the EFSA Stakeholder Discussion Group on Emerging Risk (StaDG-ER), as well as EFSA's emerging risks analysis workflow. As an example, the speakers noted that signals through EREN and StaDG-ER identified vibrio-infections as likely to increase due to climate change. Other examples of emerging issues included increasing antifungal resistance, increased probability of aflatoxin contamination in maize, and possible outbreaks of epizootic haemorrhagic disease. Next, a speaker from Japan's National Agriculture and Food Research Organization discussed changes in migration patterns of the oriental fruit fly. He highlighted possible factors linked to climate change that could explain migration pattern modifications, such as variations in insect density in source areas and higher wind speeds in the rainy season. Predicting migration patterns (timing and landing area) allowed for a rapid response in the fields, which was crucial to tackle risks associated with the oriental fruit fly. Next, a speaker from Chinese Taipei's Animal and Plant Health Inspection Agency shared his experience in managing cross-border e-commerce. Chinese Taipei had taken key actions to strengthen its legal framework, monitor the online marketplace, rely on public-private partnerships, conduct consumer awareness raising campaigns, and enhance border inspections. In addition, the speaker focused on challenges associated with managing e-commerce related risks, such as dealing with imposter accounts, lack of jurisdiction over foreign sellers from international platforms, and the rise of live-stream e-commerce on social media.

7. Presentations on emerging risks continued with a speaker from the Danish Agriculture & Food Council and Member of the EFSA StaDG-ER addressing African swine fever (ASF) as an emerging risk for the Danish pig industry. Noting that a single case of ASF could have a devastating impact, the speaker detailed precautionary measures taken, e.g. registering pig herds and movements of imported pigs. She also spoke to the importance of the StaDG-ER to address such issues, get relevant information, assess the importance of incoming signals in a systematic way, and help prioritize. Finally, a speaker from the Canadian Food Inspection Agency discussed risk modelling in imported foods, i.e. Canada's "Food Import Risk Explorer" or FIRE model for prioritizing imported food risks. The model allowed to estimate imported food safety risks in Disability Adjusted Life Years (DALYs), using food-hazard-country of origin level data, comparing relative risks across different hazard types, and enabling to rank and prioritize risks. The speaker detailed how the model relied on an assessment of imports (what and from where), hazards, and consumer exposure, and connected diverse datasets to support better decision-making.

8. The Q&A segment allowed speakers to clarify certain points of their presentations, such as possible expansion of the Canadian FIRE model, challenges associated with e-commerce risks, e.g. how to streamline processes for detecting violations and allocation of responsibilities among different stakeholders, as well as the participation of industries and enterprises in the context of EFSA's work.

9. Building on a thematic session on digital tools held earlier in the year, Session 2 looked at new agricultural technologies targeted at emerging SPS risks. In a first segment, a research scientist from Australia discussed regulation technology to support the shift to automated compliance to enhance trade facilitation. The speaker discussed how to automatically verify supply chain processes and data against applicable regulations, standards, and guidelines. Examples of application included the "Continuous Assurance Platform" in the context of red meat processing, that allowed to piece together different elements (weather, farm, transport, and abattoir data) to facilitate auditing and compliance, E. coli prediction and mitigation, and quality control. Next, a speaker from Japan's National Agriculture and Food Research Organization presented methods for detecting pathogens and antibiotic resistance genes in honey to contribute to the appropriate use of antibiotics in apiaries. American foulbrood being a bacterial infection and one of the most important honeybee diseases in the world, the speaker noted the use of antibiotics to deal with this disease. As he further detailed, with his team's testing methods (which relied on existing technology), foulbrood pathogens and resistance gene contamination of apiaries could be detected from a small amount of honey to help advise beekeepers on the appropriate prophylactic use. This in turn helped prevent the spread

of drug-resistant bacteria and maintain the effectiveness of the prophylactic. In addition, a Professor from Chinese Taipei discussed uses of AI machine vision to identify diseases, pests and disorders in tomatoes, in lieu of expert manual identification. A digital interface application allowed farmers to send an image of a tomato leaf, which would be verified and subject to models to determine the leaf type, symptoms and cause, and identify prevention methods for the farmers. He also spoke to the use of large language model (LLM) and retrieval-augmented generation (RAG) for the system to work based on image or text. In a short Q&A segment, questions related to AMR, engagement in international networks, and sources of funding of R&D technology in particular in developing and LDC Member context.

10. A speaker from Argentina's National Service for Agri-Food Health and Quality, presented Argentina's experience supervising e-commerce. Given the importance of having an interdisciplinary approach and coordinating with the private sector, she detailed Argentina's initiative to control electronic marketing of products of plant and animal origin effectively through strategic alliances with the main e-commerce and social media platforms. Relying on this network allowed for early reports of products that might affect the health of consumers and statistics confirmed that monitoring efforts worked to decrease infringements. A speaker from Australia's Department of Agriculture, Fisheries and Forestry presented on irradiation as an alternative phytosanitary treatment. The speaker highlighted benefits of ionising irradiation (gamma rays, electrons or x-rays) as a simple and effective treatment that could be used for a wide range of commodities and pests and with strong sustainability credentials. He further noted that use of irradiation for import and export pathways was on the rise in Australia, but challenges to irradiation uptake remained, such as challenges relating to treatment protocols and facilities and to awareness raising among supply chain actors and consumers. Next, a Professor from Canada looked at how innovative agricultural technology was being used to address emerging risks. The speaker noted that innovation was increasingly important to feed a growing population and deal with climate change, and presented on innovation in genetics, inputs (fertilizer & pesticides) and equipment to contribute to reduced food production risk. As the speaker further noted, increased zero- and minimum-tillage land management practices led to less soil erosion, which, in turn, meant fewer pesticide residues and fertilizer in watersheds. The speaker concluded on the importance of reducing regulatory uncertainty for sustaining R&D investments.

11. A speaker from Chile's Agriculture and Livestock Service presented on Chile's experience with sanitary intelligence to improve management, technology, and innovation in a framework of increasing phytosanitary and zoo-sanitary risks worldwide. He spoke about the actions carried out through the establishment of three platforms (an alert and surveillance system, biosecurity intelligence, and a geographic and spatial information system), and emphasized the importance of international surveillance and cooperation through border controls. A Professor from the United States spoke about new technologies in animal production. Highlighting the complexity of sustainability, she emphasized there was no single solution to greenhouse gas emissions, especially from livestock, and emissions needed to be addressed from different angles. The speaker further discussed key challenges, such as the very few practical mitigation options available, increased pressure to report and mitigate greenhouse gas emissions, and very limited empirical data for cattle. Last but not least, a speaker from GreenLight Biosciences discussed spray-induced RNA interference (RNAi) to manage pests in agricultural production systems, looking at products for Colorado potato beetle, mite control for bees, and fungicidal control for powdery mildew on grapes. He highlighted benefits for growers and sustainability aspects of an RNAi solution that broke down quickly in the environment and targeted the destructive organism while leaving non-target organisms unharmed, and detailed challenges relating to communicating on a novel technology, approval timelines, and regulatory frameworks.

12. The Q&A segment allowed speakers to provide clarifications on a number of issues, including on actions taken following infringements in the context of e-commerce and barriers to adopt some technologies, such as those relating to regulatory approvals, costs, and resistance to change. Irradiation was also discussed, with questions on surveillance and monitoring of radiation residues and how to enhance public understanding of a novel technology.

13. Session 3 took the form of a wrap-up session with audience participation. I noted that many of the topics identified through the "word clouds" in the opening session of the event had been addressed or touched upon during the day. Looking at guiding questions that had been shared in advance, I then invited the audience to share views on key issues highlighted in the thematic session

and explore the role of the SPS Committee in taking the discussion forward.[2] Participants shared key takeaways, thoughts on how the day's discussions paved the way for the March 2025 thematic session on regulatory approaches to emerging SPS risks, and how work could be otherwise taken forward in the Committee. Key takeaways as highlighted were how agricultural technologies could contribute to safe international trade and the crucial role of the Committee in providing a predictable framework for science-based SPS measures. Linkages with the March 2025 thematic sessions on regulatory approaches were made, including on how issues discussed in relation to fruit flies related to the topic of systems approaches and how irradiation linked to the topic of MRLs. Taking a broader perspective, one participant stressed that, in the face of new challenges, the role of the Committee was to create a space for experience sharing on how new challenges were regulated. Others concurred and invited the Committee to continue discussions to share ideas and promote a common understanding of key issues. In this context, one participant recommended that future discussions be targeted on key identified emerging challenges while another participant cautioned not to lose sight of longstanding issues such as those linked to regionalization.

[2] For this segment of the event, the livestream was stopped to allow for an open conversation.

ANNEX B

SPS COMMITTEE THEMATIC SESSION ON MONITORING THE USE OF INTERNATIONAL STANDARDS: IMPLEMENTATION OF THE CODEX PRINCIPLES AND GUIDELINES FOR THE ASSESSMENT AND USE OF VOLUNTARY THIRD-PARTY ASSURANCE PROGRAMMES (CXG 93-2021)

12 NOVEMBER 2024

REPORT BY THE CHAIRPERSON

1. The SPS Committee held a Thematic Session on Monitoring the Use of International Standards, specifically looking at the implementation of the Principles and Guidelines for the Assessment and Use of Voluntary Third-Party Assurance Programmes (vTPAs) developed by the Codex (CXG 93-2021) (hereinafter, the "Codex Guidelines"), as agreed at the June 2024 SPS Committee meeting in the context of the Sixth Review of the Operation and Implementation of the SPS Agreement. Based on a proposal submitted by Belize (G/SPS/W/362/Rev.1), the thematic session aimed to: 1) explore different approaches to implement the Codex vTPA Guidelines and allow for the sharing of experiences and identification of lessons learned; 2) identify tools and strategies to support regulators' assessments of vTPA programmes; and 3) discuss opportunities for enhanced capacity building initiatives to assist developing Members to use the Codex vTPA Guidelines. The thematic session was held in person and virtually via Zoom. It was also livestreamed on the WTO YouTube channel, and the recordings in English, French and Spanish are available on the event's dedicated webpage. The final programme was circulated in document G/SPS/GEN/2254/Rev.1 of 22 October 2024.

2. Session 1, entitled "Introduction to the Codex vTPA Guidelines", began with an overview on the functioning of vTPA programmes provided by the Chairperson of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS), from the Department of Agriculture, Fisheries and Forestry of Australia. He shared information on the needs that led to the development of the Codex Guidelines. He explained that the Codex Guidelines were primarily aimed at: 1) providing guidance to competent authorities on how and under which conditions they could make use of vTPA programmes; and 2) setting out a checklist to assess the credibility and integrity of vTPA programmes. Such checklist included assessments on the governance structure of vTPA programmes, the status of relevant certification bodies, and the nature of the standards used by vTPA programmes. The speaker concluded by noting that data generated by vTPA schemes could have substantial positive impacts on regulatory efficiency, reducing regulatory burden and costs, and improving food safety outcomes. The second presentation, by the speaker from the Department of Nutrition and Food Safety of the World Health Organization (WHO), explored the interplay between vTPA programmes, the WHO's Global Strategy for Food Safety 2022-2030 (GSFS), and the needs of low- and middle-income countries (LMICs). The WHO speaker started by illustrating the GSFS, which included a work programme to support WHO member States' efforts to modify, redesign or strengthen their national food safety systems in five priority areas. He explained that vTPA information and data may help regulators identify which food business operators (FBOs) are more likely to be compliant with food safety law, and national inspection plans may then be adjusted accordingly. He underlined that, given the voluntary nature of vTPA programmes, the WHO would work only with member States who expressed an interest in such programmes. He concluded by sharing information on the feasibility of vTPA programmes in LMICs, noting the importance of carefully analysing local conditions and underlining that one size does not fit all.

3. In the Q&A segment, Members posed questions on the percentage of companies that use vTPA schemes; on the relevance of such schemes for primary production; on whether and how potential limitations related to data sharing in specific jurisdictions have been taken into account in the Codex Guidelines; on the economic implications of implementing the Codex Guidelines for FBOs; and on how different stakeholders (e.g. governments, industry, consumers) perceive the benefits and drawbacks of the Codex Guidelines. The speaker from Australia explained that many businesses in Australia use vTPA programmes, especially those that are export-oriented; Australia was using information generated by vTPA programmes in its regulatory framework to streamline risk-based inspections by competent authorities. Trading partners' requirements for specific commodities were an important driver for the implementation of vTPA programmes. Regarding limitations related to

data sharing, he noted that all parties involved in the operation of vTPA programmes should keep their "eyes wide open", meaning e.g. that FBOs should be aware of how information generated in connection with the operation of these schemes may then be used by regulators. The WHO speaker added that, in his view, primary production was impacted by the operation of vTPA programmes, and that such programmes brought about economic benefits. WHO had a "road mapping tool" in the GSFS framework to support governments' efforts to integrate vTPA programmes in their national food safety systems.

4. Session 2 looked at Members' experiences in implementing the Codex vTPA Guidelines. The speaker from the National Bureau of Standards of Uganda presented information on the role of national standardization bodies (NSBs) in the East Africa Community (EAC) region. She explained that NSBs actively use vTPA programmes, thus acting as a forerunner to encourage the private sector to take on vTPA schemes; the latter also improved the testing capacity of NSBs in EAC. Supporting the operation of vTPA schemes was a priority for regulators, as relevant efficiency-related improvements were becoming evident. She highlighted challenges related to local IT capabilities, extended turnaround time to obtain certification, and costs linked to accreditation. The speaker from the Food Standards Agency (FSA) of the United Kingdom highlighted that vTPA programmes had brought about significant efficiency gains in terms of: 1) a decrease in the total number of inspections by competent authorities; 2) inspections focussing on higher-risk activities; and 3) an overall increase in the total number of premises being inspected. Primary production, dairy hygiene and animal feed were the three areas where inspection frequency had been reduced thanks to the "earned recognition" status of vTPA schemes granted by the FSA. The establishment of a list of FSA-recognised vTPA schemes brought about several benefits for both regulators (e.g. confidence in the schemes, risk profiling of relevant businesses, better resource allocation) and industry (e.g. easier handling of audits and diminished frequency of visits; better relationship with regulators). Finally, the third presentation, by the speaker from the Specialty Crops Inspection Division of the United States Department of Agriculture (USDA), illustrated the USDA GAP Program, which covered a wide range of commodities (agricultural crops, dairy products, livestock and poultry, etc.). The speaker delved into the details of the functioning of audits as set out in the GAP Program, including how cases of non- or partial compliance were handled by the GAP Program. She explained that unsatisfactory conditions included the presence of immediate food safety risks when produce is grown, processed or packed; or the presence of excessive amounts of pests in the production area during packing, processing and storage. She concluded by noting that information about audit scope and dates for individual premises was regularly made available on the GAP Program website. In the Q&A segment, questions were raised on the frequency of inspections for the FBOs that had obtained the status of "earned recognition" by the FSA of the United Kingdom, as well as on the availability of group certification for cooperatives of smallholders, in the case of the US GAP Program. The speaker from the United Kingdom clarified that, although less frequently, the operations and premises of FSA recognised FBOs where still being inspected regularly.

5. Session 3 focused on experiences and lessons learned from three regional STDF projects (in West Africa, in Central America and in East Africa) on piloting the use of the Codex Guidelines in developing countries. The session took the form of a moderated panel discussion. The Moderator, from the Secretariat of the Standards and Trade Development Facility (STDF), opened the discussion by sharing background information on the three projects, all of which were still ongoing. These projects were focused on the topic of piloting vTPA programmes in developing countries, using the Codex Guidelines as a key reference for that exercise; they generated a significant amount of knowledge and experience on both the benefits of the vTPA approach (e.g. in terms of efficiency gains and cost savings for regulators), and also helped to address questions related to the operation of vTPA schemes, such as accountability, transparency, infrastructural gaps and the possibility of generating parallel food safety systems. The project in Central America was implemented by the Inter-American Institute for Cooperation on Agriculture (IICA) and benefitted Belize and Honduras. The speakers from the Agricultural Health Authority of Belize and from the Technical Directorate of Agri-Food Safety of Honduras said that, when project implementation began, they expected to gain a better understanding of the functioning of vTPA schemes, as well as on improving co-operation between the public and private sectors, and possibly also facilitating the creation of public-private partnerships (PPPs). They added that the project offered an opportunity to pilot the Codex Guidelines in a developing country setting, which was innovative. The speakers from the Rwanda Inspectorate, Competition and Consumer Protection Authority and the Ministry of Agriculture Animal Industry and Fisheries of Uganda took the floor next, to share their expectations at the start phase of the project in East Africa, which was implemented by the Land O'Lakes Venture 37. They highlighted the importance of the vTPA approach in their countries, particularly for export-oriented sectors such as

fish and fish products. Creating awareness on the functioning of vTPA programmes; having opportunities to perform situation/gap analyses; placing the focus on risk-based inspections; reducing costs and hurdles linked to inspection and certification activities; enabling the private sector to use Codex food safety standards and benefit from vTPA schemes; and raising the overall level of trust across national food control and inspection systems, regulators and private sector, were all key expectations they had when project implementation started. Finally, the speaker from the National Food Safety Agency of Mali spoke about expectations linked to the project in West Africa, benefitting both Mali and Senegal, and implemented by the United Nations Industrial Development Organization (UNIDO). For Mali and Senegal, the key reason to embark on this project was to test the real opportunities to improve food safety outcomes, streamline relevant operations and reduce costs.

6. The Moderator next asked about lessons learned from the STDF projects. The speaker from Honduras said that, to engage with vTPA schemes and incorporate them in national systems, trust was key, because governments were still concerned about a vTPA scheme's potential to replace regulators' controls and inspections. For the assessment of vTPA scheme owners, the Codex Guidelines mentioned that public authorities could use different approaches, yet authorities did not know how to do that in practice, so that was where the STDF project proved to be most useful. For countries where scheme owners do not have local presence, the national certification bodies became the key counterparts with which both regulators and FBOs had to interact. Since this situation was common in developing countries, she suggested that a future revision/expansion of the Codex Guidelines address the role of certification bodies and similar intermediaries that constitute important actors in the operation of vTPA schemes. The speaker from Belize added that, owing to the project, vTPA schemes were considered a risk-mitigating factor, and risk-based inspections were improved because of this. The speaker from Uganda explained that the initial scoping exercise had revealed the potential of vTPA schemes within the country. Effective PPPs were also crucial in the implementation of vTPA schemes, as risk-based inspection systems could significantly reduce public expenditure, while improving food safety outcomes remained the key goal for regulators. Confidentiality and reliability of data were key challenges. The speaker from Rwanda said that the project helped to create practical ways and incentives to reward FBOs' compliance. The Project also allowed learning from other countries' risk profiling practices; strengthening of science-based public-private dialogue; and training inspectors, auditors, FBOs and other stakeholders. The Codex Guidelines was a useful tool to support cooperative efforts between different actors. Finally, the speaker from Mali said that the role of producers, who had to be trained on how to meet requirements such as those of GlobalGAP, became evident with the implementation of this project. He noted that this approach could be replicated in other countries, including at the regional level.

7. Session 4 focused on "capacity building initiatives"; it was moderated by the speaker from the Food Security and Food Systems Unit of UNIDO and included both presentations and a panel discussion. The speaker from UNIDO presented various vTPA-related tools developed by UNIDO: a "model food safety management scheme", or mock scheme, to serve as a theoretical reference or benchmark for regulators; a "vTPA programme assessment tool", comprising various steps for the assessment of vTPA schemes based on the Codex Guidelines; and a "vTPA readiness checklist". The key objective of the STDF project in Mali and Senegal was to test and evaluate how the Codex Guidelines could be used in practice by government authorities to improve food safety outcomes based on public-private collaboration. The speaker from the Safety and Agrifood Quality Programme of IICA presented how the project in Central America (primarily aimed at piloting, testing, assessing, and gathering insights on how the vTPA approach, as outlined in the Codex Guidelines) worked in practice. Project activities to achieve these objectives included visits to food inspection agencies in other countries, virtual workshops with scheme owners, and other training activities. These activities confirmed: the importance of public-private cooperation in the preparation of mappings exercises, legislation, and roadmaps; a shifting of the focus in regulators approaches to risk management towards considering vTPA schemes as a risk-mitigating factor; and the fact that a single, universal approach could not fit all contexts. The speaker form the Food Inspection Agency of Canada presented her country's "establishment-based risk assessment model" (ERA). She said that the ERA supported competent authorities in establishing a risk-based inspection system using a consistent, systematic and evidence-based approach to allocate resources based on risk. The ERA model had three major components: inherent risk factors, mitigating factors (incorporating information from vTPA programmes) and compliance factors. The use of the model had yielded positive results and its predictions had been empirically tested against the results of inspections by competent authorities, showing satisfactory levels of correlation. She said that workshops on the functioning of

this model were delivered worldwide (e.g., Honduras, Belize, Argentina, Australia, United Kingdom) and addressed how risk-based assessment models helped guide how often establishments, importers, or products should be inspected, and how. This also proved to foster global collaboration, and contributed to improving food safety outcomes worldwide.

8. The last presentation of Session 4 was delivered by the speaker from the Land O'Lakes Venture 37; he explained that the objective of the STDF project in Rwanda and Uganda was to improve compliance with national food safety standards and regulations through better targeting public resources using the vTPA approach. Examples of capacity building activities carried out under the project included a study visit to the United Kingdom, where food safety regulators learned how to use reliable data from vTPA programmes in national food control systems; training sessions on the Codex Guidelines as well as on risk-based inspections; and awareness raising for FBOs about the functioning of vTPA programmes. In the subsequent Q&A segment and panel discussion, the speaker from Canada explained that the ERA model was constantly reviewed based on information gathered by competent authorities, yet the updating process also involved FBOs and other actors. The speaker from IICA noted that, in the future, it was likely that fewer resources would be allocated for inspections performed by government authorities, so building trust in vTPA schemes was a crucial step to move forward. The speaker from Venture 37 noted that vTPA programmes represented the future of national food safety systems, that FBOs were already moving ahead in that direction, and that the key step was ensuring that relevant information was made accessible to a variety of different stakeholders.

9. Session 5, titled "Next steps: scaling up PPPs to address gaps" took the form of a panel discussion moderated by the speaker from the FSA of the United Kingdom, who noted that, from the discussions of the day, it was evident that the implementation of the Codex Guidelines had received crucial support from initiatives such as the STDF pilot projects and UNIDO's assessment tools. The speaker from SSAFE explained that the current food system depended on trade, thus creating a need to make sure that food was safe before it was traded. To enable that, functioning and properly enforced trade agreements were crucial, and vTPA programmes represented an important factor to help FBOs meet consumer expectations. He stressed the importance of ensuring the credibility of vTPA schemes, possibly by promoting those that were accredited by international bodies. Next, the speaker from the Food Security and Food Systems Unit of UNIDO explained that most vTPA programmes were being operated in industrialized nations, mostly due to the lack of a functioning tertiary sector in many developing countries. Whereas both experts and know-how were more abundant in developed countries, there was also a clear willingness to cooperate across different countries, so UNIDO's strategy focused on fostering international partnerships. The speaker from Red Tractor said it was crucial for both vTPA owners and competent authorities to understand each other's perspectives and roles, which were different and complementary. In addition, having vTPA schemes recognized by competent authorities was key to achieve the objective of reducing inspections and improving overall efficiency in operations. Competent authorities found it easier to recognize vTPA schemes based in their national jurisdiction, whereas recognition of schemes based elsewhere was more difficult to achieve.

10. The Moderator noted that the Codex Guidelines made it clear that the roles and responsibilities of regulators and vTPA programmes remained separate and complementary, thus avoiding the risk, perceived by some regulators, that the operation of vTPA schemes would ultimately lead to a replacement of the work of competent authorities with that of scheme owners. The speaker from SSAFE said that the benefits from the operation of credible vTPA schemes were clear, so both regulators and FBOs should be encouraged to use vTPA programmes as tools to improve resource allocation. The speaker from UNIDO identified a need to develop regional approaches to vTPA recognition, and that capacity building efforts should also be focused on standards harmonization to facilitate safe trade. The speaker from Red Tractor said that a mutual understating about data and information that can be made available by vTPA owners was the starting point to facilitate trust building and the setting up of successful PPPs. She said that scheme owners would normally share aggregated results from audits and an aggregated assessment of the situation of the industry.

11. I recalled that the STDF projects had piloted the implementation of the Codex Guidelines, and reflected on the need for enhanced cooperation across various stakeholders involved in ensuring the safety of traded food. I also acknowledged that vTPA programmes could help competent authorities and food business operators to improve food safety outcomes, while allowing each of them to operate within their defined roles and responsibilities. I also noted that trust appeared to be crucial in dynamics linked to the efficient and effective operation of vTPA programmes.

12. In conclusion, I recognized that the presentations and debates of the day had been engaging and informative, and thanked the speakers and participants for their contributions. I also reminded the Committee that the presentations made during this thematic session, as well as its full video recording in three languages, were available on the dedicated webpage.