



# The SPS Agreement and the Three Sisters Codex, IPPC, OIE

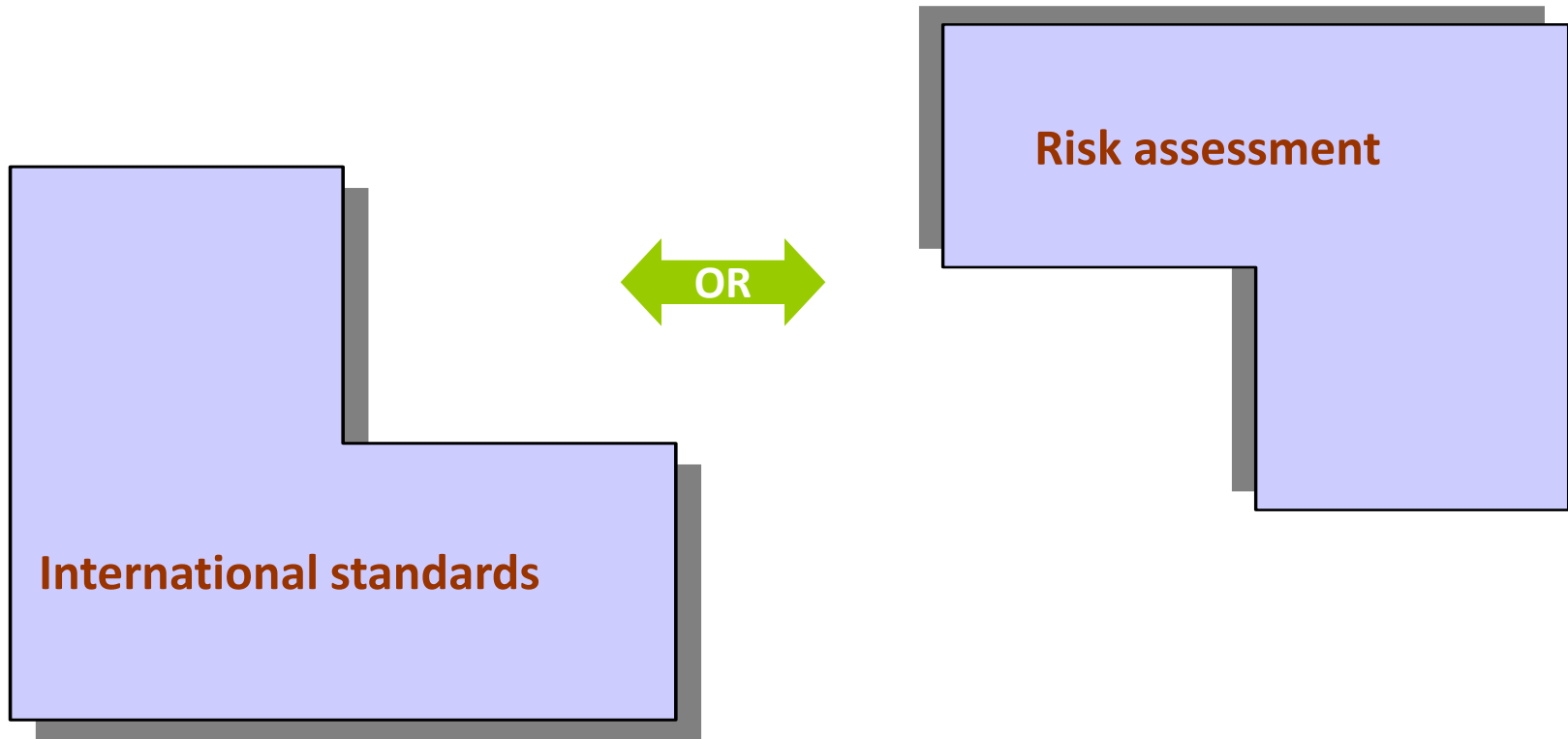


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# Scientific Justification

Articles 3 & 5

Measures must be based on





# Scientific justification - Harmonization

## Article 3

### Standard-setting organizations



**Codex = Joint FAO/WHO Codex Alimentarius Commission**

**OIE = World Organization for Animal Health**

**IPPC = International Plant Protection Convention (FAO)**

- **Codex** (food safety), **IPPC** (plant health) and **OIE** (animal health and zoonoses) are the three international standard-setting bodies referenced in the SPS Agreement.
- The SPS Agreement encourages the adoption of international standards and calls on Members to participate in the work of the relevant standard-setting organizations.



# Harmonization

- Art. 3.1: Members “shall base” SPS measures on the relevant international standards
- Art. 3.2: Measures which “conform to” the international standards are “deemed necessary to protect ... health” and “presumed to be consistent” with SPS and GATT agreements
- Art. 3.3: Members may have measures with higher ALOP than international standards – but must justify



# Risk Assessment

- Art. 5.1: Members “shall ensure” SPS measures are based on appropriate risk assessment “taking into account risk assessments techniques developed by the relevant international organizations”
- Art. 5.7: Members may take temporary SPS measures on basis of pertinent information “including that from the relevant international organizations”



## Links between the SPS Committee and the three sisters also include:

- monitoring use of international standards (Art. 5 and 12.4, G/SPS/11/Rev.1)
- participation of Members in standard-setting (Art. 3.4 & 10.4), technical assistance (Art. 9.1)
- technical advice for use in dispute settlement (Art. 11.2)
- provision of technical advice to the Committee (Art. 12.3)
- work on particular issues (Art. 12.6)

- etc ...





**Thank you!**

**Questions?**



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