

Good Practice in implementing the SPS Agreement





1. Institutional arrangement to fulfil transparency requirements

Obligations

1. Notification of draft SPS regulations
2. Designation of notification authority
3. Establishment of enquiry point
4. Publication of SPS regulations

Article 7, Annex B

G/SPS/7/Rev.3



1. Institutional arrangement to fulfil transparency requirements

National Notification Authority

- Single central government authority responsible for the implementation of notification procedures e.g., agency responsible for food safety, animal and plant health
- Only one NNA



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Responsibilities of NNA

- Notifies other Members through WTO at an early stage (or immediately for emergency measures) to allow for comments/amendments
- Provides copies of proposed regulations upon request
- Ensures that comments are handled correctly



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Enquiry point (EP)

- Can be same as NNA
- Can have more than one but clearly define responsibilities

❗ At 15 September 2014, 155 WTO Members out of 160, had provided the WTO with the contact information of their Enquiry Point. 26 Members have identified more than one SPS Enquiry Point.



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EP: Practices in other WTO Members from CAREC

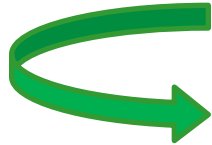
Country	Number of Enquiry Points
Kyrgyz Republic	3
Mongolia	3
Pakistan	1
People's Republic of China	1
Tajikistan	1



1. Institutional arrangement to fulfil transparency requirements

Responsibilities of EP

- Provides answers and documentation to all reasonable questions from interested Members



Regarding...

- SPS regulations, draft or adopted
- Inspection procedures, etc.
- Risk assessment

❗ Reply within 5 working days... or provide an estimate of time for the reply

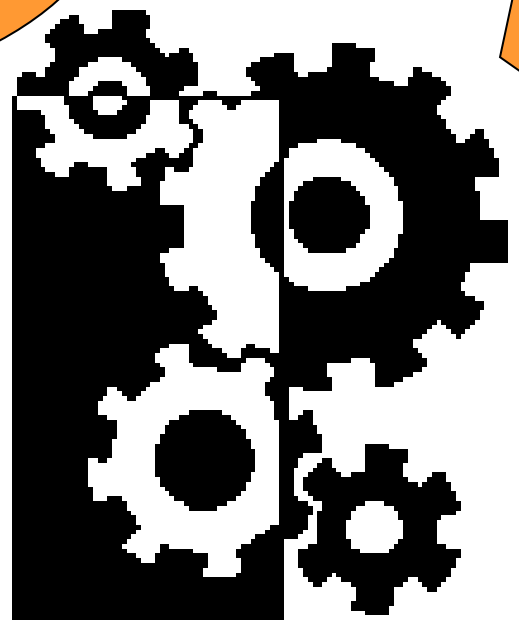


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Beyond Obligations - EP or NNA could:

- Collect/ disseminate SPS documents and notifications
- Alert relevant government agencies, private sector of SPS notifications that could affect exports
- Coordinate comments on other countries' notifications
- Follow-up on comments submitted

Enquiry Point



- Other government bureaus
- Private sector
- Geneva mission
- OIE, Codex, and IPPC
- WTO Secretariat



2. Coordination and information sharing a national level: good practice

Advantages of coordination in the SPS area

- Facilitates transparency (obligations and benefits)
- Improves participation in the work of the SPS committee and standard-setting bodies
- Better use of resources and improved results (cross-cutting topics such as : animal health and food safety (e.g. zoonosis, vet drugs residues); plant health and food safety (e.g. pests → pesticides →MRL))
- Contributes to clarifying roles and responsibilities.
- Policy coherence....



2. Coordination and information sharing a national level: good practice

Coordination at various levels

- National → Regional → International
- Within sectors (e.g. several agencies responsible for various aspects of food safety)
- Between sectors (food safety, animal and plant health, trade, environment,...etc.)
- Public-Public (institutional), public-private (stakeholder involvement), private-private (within value chains e.g. producers, processors, exporters...)





2. Coordination and information sharing a national level: good practice

Areas of and format of coordination schemes

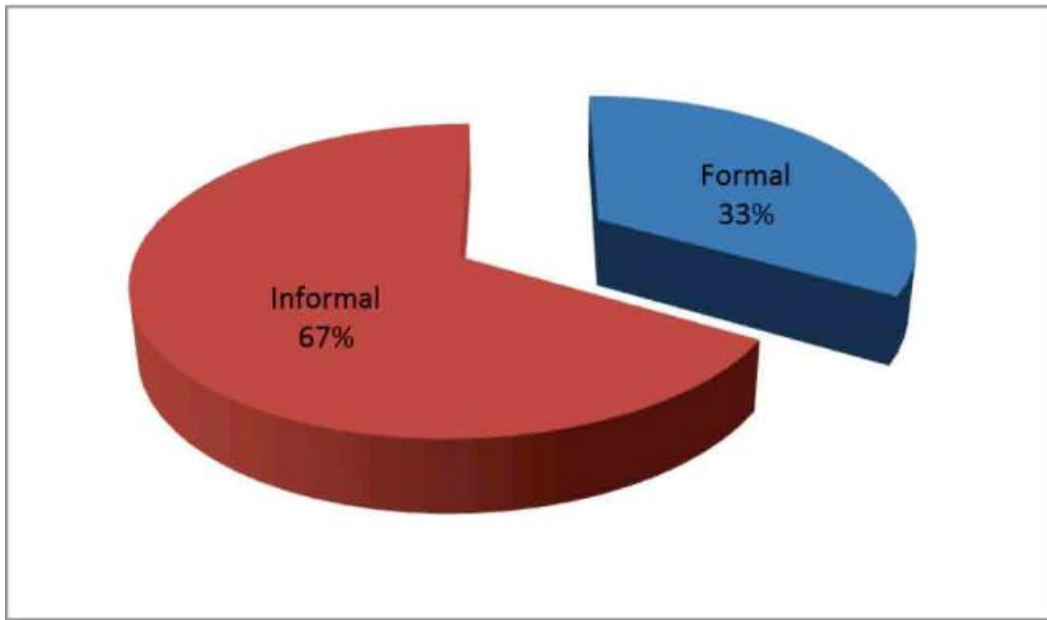
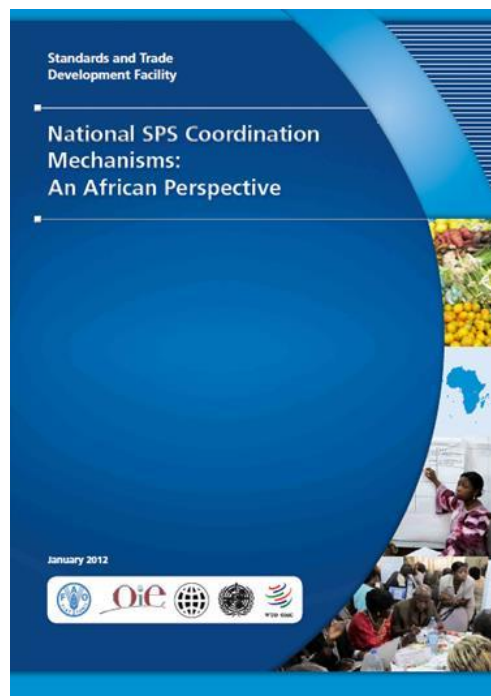
- Sectoral and national policies (ascending vs. descending) e.g. SPS policy feeding into trade development policy feeding into poverty reduction strategy,
- Technical assistance, legislative reforms, priority-setting,...
- Committees (no obligation under SPS Agreement, commonly encountered National Codex Committees); topic fora (e.g. fruit fly); export sector round-tables (e.g. the Kenya National task Force on Horticulture, Market Access Working Group for Fresh Fruits in South Africa, etc.)
- **Formal** (legally-constituted, official designation of participants and allocation of resources) or **Informal** (voluntary initiatives of groups sharing common interests)
- Single Agency set-up (e.g. Belize Agricultural Health Authority (BAHA) or National Office for Food Safety in Morocco (ONSSA))



2. Coordination and information sharing a national level: good practice

STDF study on coordination mechanisms (2010)

- Survey in 38 countries in Africa. 74% of respondents have a coordination mechanism in a form or another.



THANK YOU!



WTO OMC

