

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED
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Group on Environmental Measures and International Trade

AGENDA ITEM 1: TRADE PROVISIONS CONTAINED IN EXISTING MULTILATERAL ENVIRONMENTAL AGREEMENTS VIS-A-VIS GATT PRINCIPLES AND PROVISIONS

Corrigendum

Paragraphs 11 and 12 should be revised to read as follows:

11. In the context of the SPS decision, the risks to human, animal or plant health must first be assessed taking into account the scientific, technical, economic and other factors indicated in the text. On the basis of this risk assessment, contracting parties are to determine what level of sanitary or phytosanitary protection is appropriate under the circumstances. Once a level of protection has been determined, there are often a number of alternative measures, or combinations of measures, which may be used to *achieve* this protection (i.e. treatment, quarantine or increased inspection). It is when selecting which specific measures will be applied to achieve the desired protection that contracting parties are to ensure that, except when it is not feasible because of technical difficulties or high economic costs, they institute those measures which least restrict trade.

The final sentence of paragraph 12 should read as follows:

12. Consideration of the degree of restrictiveness should be proportional to the risk of non-fulfilment of the legitimate objectives in the case of TBT. In the SPS case, because the assessment of risks to health are already reflected in the determination of the appropriate level of protection, contracting parties should use the least restrictive means to achieve this level of protection.