



WORLD TRADE
ORGANIZATION

Thematic Session on African Swine Fever SPS Committee

Isabel Calderón, SPS team, WTO Secretariat

Geneva, 23 March 2021



WORLD TRADE
ORGANIZATION

RELEVANT PROVISIONS OF THE SPS AGREEMENT AND WORK OF THE SPS COMMITTEE

Thematic Session on Regionalization, July 2017

Relevant provisions of the SPS Agreement

Relevant provisions of the SPS Agreement

Article 2.2



Articles 2.3, 5.5



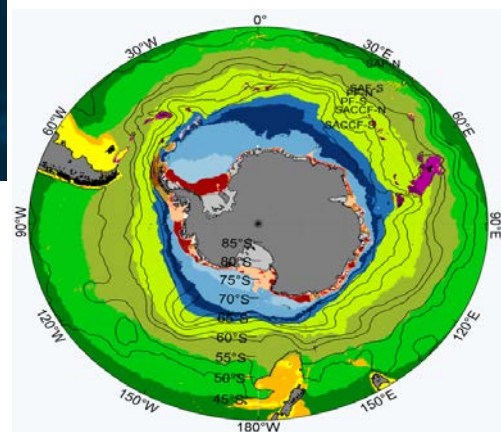
Article 3



Articles 5.1-5.3



Article 6



Article 7,
Annex B



Article 10

Article 8,
Annex C



Article 9



SPS Agreement and regionalization

Article 6: Adaptation to Regional Conditions, Including Pest- or Disease-Free Areas and Areas of Low Pest or Disease Prevalence

Article 6.1

Adapt measures to the SPS characteristics of the area
(all or part(s) of a country/several countries)



...from which the product originated and to which the product is destined



- prevalence of specific diseases/pests
- eradication/control programmes
- criteria/guidelines developed by “sisters”

Article 6.2

Recognize concepts of pest- or disease-free areas or areas of low pest or disease prevalence



- geography, ecosystems
- epidemiological surveillance
- effectiveness of SPS controls

Article 6.3

Exporting Members to **provide evidence**



such areas are, and are likely to remain free areas/areas of low prevalence



reasonable access, upon request, for inspection, testing...

Article 6: Adaptation to Regional Conditions, Including Pest- or Disease-Free Areas and Areas of Low Pest or Disease Prevalence

Article 6.2

Recognize concepts of pest- or disease-free areas or areas of low pest or disease prevalence



An area, whether all of a country, part of a country, or all or parts of several countries, as identified by the competent authorities, in which a specific pest or disease...

A.6. “... does not occur.”

Pest- or disease-free area

A.7. “... occurs at low levels and which is subject to effective surveillance, control or eradication measures.”

Area of low pest or disease prevalence

Annex A - Definitions

SPS Agreement and regionalization



Annex A – Definitions (Note to Annex A.6)

- **may surround, be surrounded by, or be adjacent to an area**
 - *whether within part of a country or in a geographic region which includes parts of or all of several countries –*
- **in which a specific pest or disease is known to occur**
- **but is subject to regional control measures which will confine or eradicate the pest or disease**

Guidelines to further the practical implementation of Article 6 of the SPS Agreement

G/SPS/48, May 2008

Guidelines on Regionalization (G/SPS/48)

I. General considerations (paras. 4-12)

II. Initial discussions (paras. 13-18)

**III. Typical administrative steps in the recognition process
(paras. 19-31)**

IV. Expedite process (para. 32)

V. Monitoring (paras. 33-35)

Guidelines on Regionalization (G/SPS/48)

I. General considerations

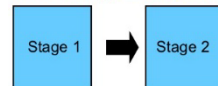
- The recognition process of pest- or disease-free areas or areas of low pest or disease prevalence should:



- Aspects to be considered/taken into account:



- The importing Member should provide, upon request from the exporting Member:



Guidelines on Regionalization (G/SPS/48)



II. Initial discussions

Discussions should, *inter alia*, clarify:

- General process
- General information required
- Process of information exchange (contact point and language)
- If possible, an anticipated timeframe



Discussions within reasonable period of time, and normally within 90 days of a request or as otherwise mutually decided

Guidelines on Regionalization (G/SPS/48)

II. Initial discussions

- Clarifications appropriately recorded by importing Member, and transmitted to exporting Member
- If importing Members has limited resources, discussions may be postponed for a reasonable amount of time, taking into account, *inter alia*:

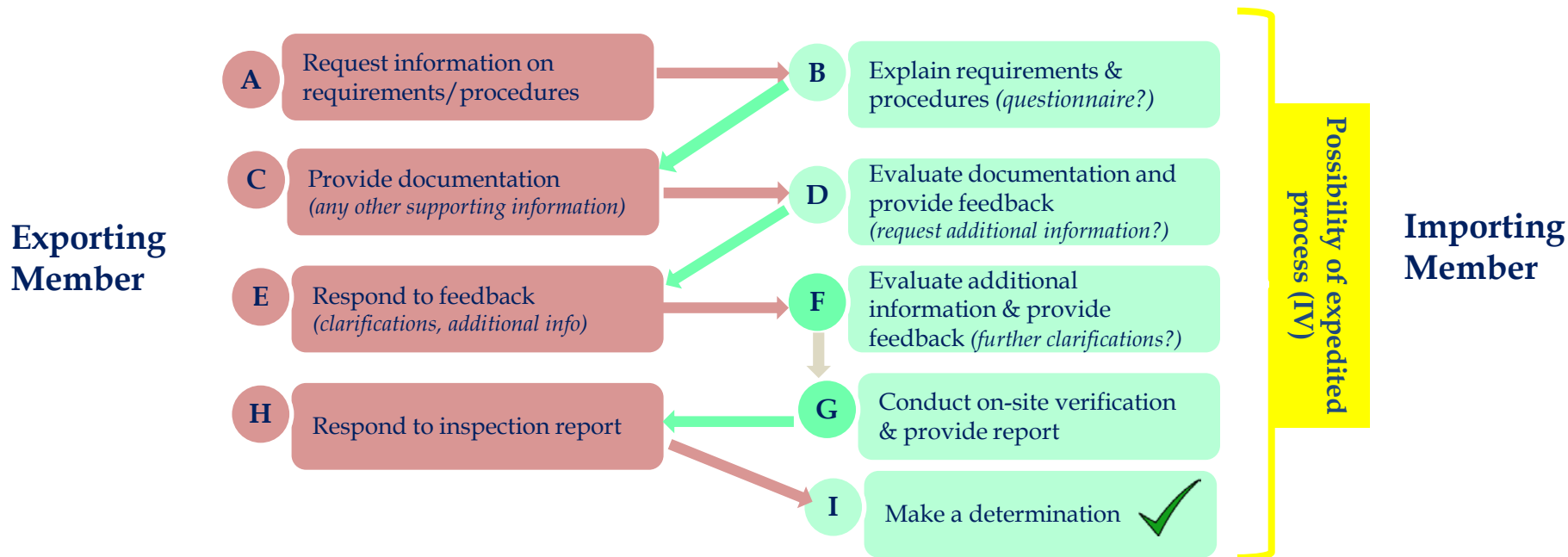


- If discussions postponed, the importing Member should inform the exporting Member and provide an explanation in writing

Guidelines on Regionalization (G/SPS/48)

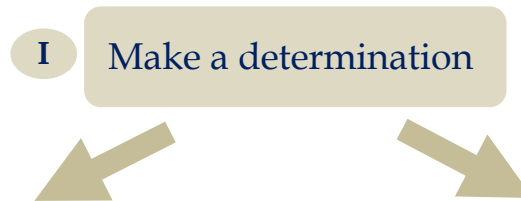
III. Typical administrative steps in the recognition process

“..Members have the sovereign right to **determine their own processes** for the evaluation of requests for recognition of pest- or disease-free areas”



III. Typical administrative steps in the recognition process

“..Members have the sovereign right to **determine their own processes** for the evaluation of requests for recognition of pest- or disease-free areas”



Decision to recognize areas

- Necessary administrative or legal steps taken to facilitate trade from exporting Member
- Modification of existing SPS regulations or elaboration of new ones, as necessary

Decision not to recognize areas

- Technical grounds for the determination provided to the exporting Member
- If appropriate, the exporting Member can modify and adapt its system with a view to submit future requests for recognition.

Guidelines on Regionalization (G/SPS/48)

V. Monitoring

- Members are encouraged to provide information on:

- Requests for recognition of areas
- Determination of recognition of areas
- Experiences in the implementation of Article 6

- Annual report prepared by the Secretariat (most recent report - [G/SPS/GEN/1777](#))

Committee on Sanitary and Phytosanitary Measures

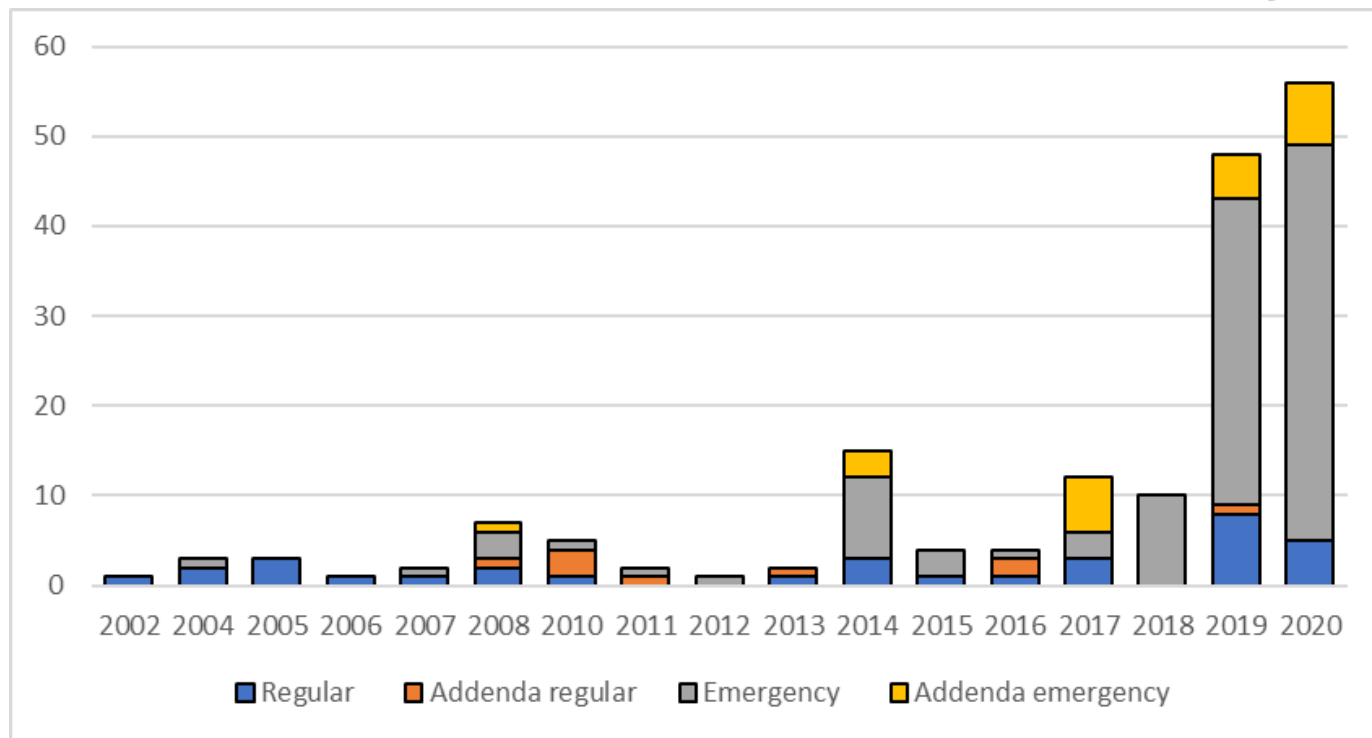
Original: English

**ANNUAL REPORT ON THE IMPLEMENTATION OF ARTICLE 6
OF THE AGREEMENT ON THE APPLICATION OF SANITARY
AND PHYTOSANITARY MEASURES**

NOTE BY THE SECRETARIAT¹

ASF: Notifications and discussions in SPS Committee meetings

Notifications on African swine fever (since 2000)



Total notifications = 26406

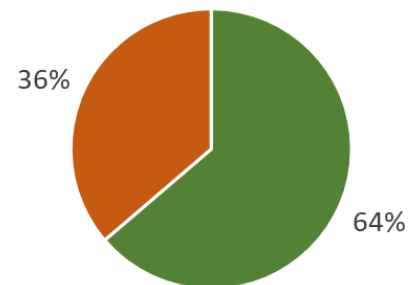
Notifications on ASF = 182 (0.7%)

Notifications on African swine fever (Total=182, since 2000)

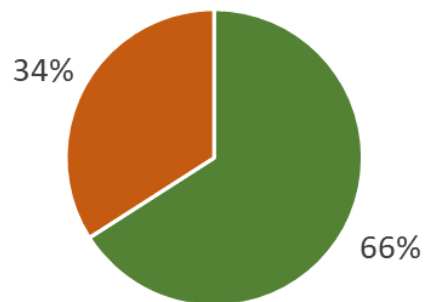
Keyword “Regionalization”



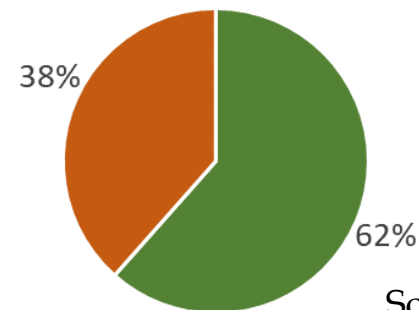
Affect specific regions or countries





Relevant OIE standard



Conformity to relevant OIE standard

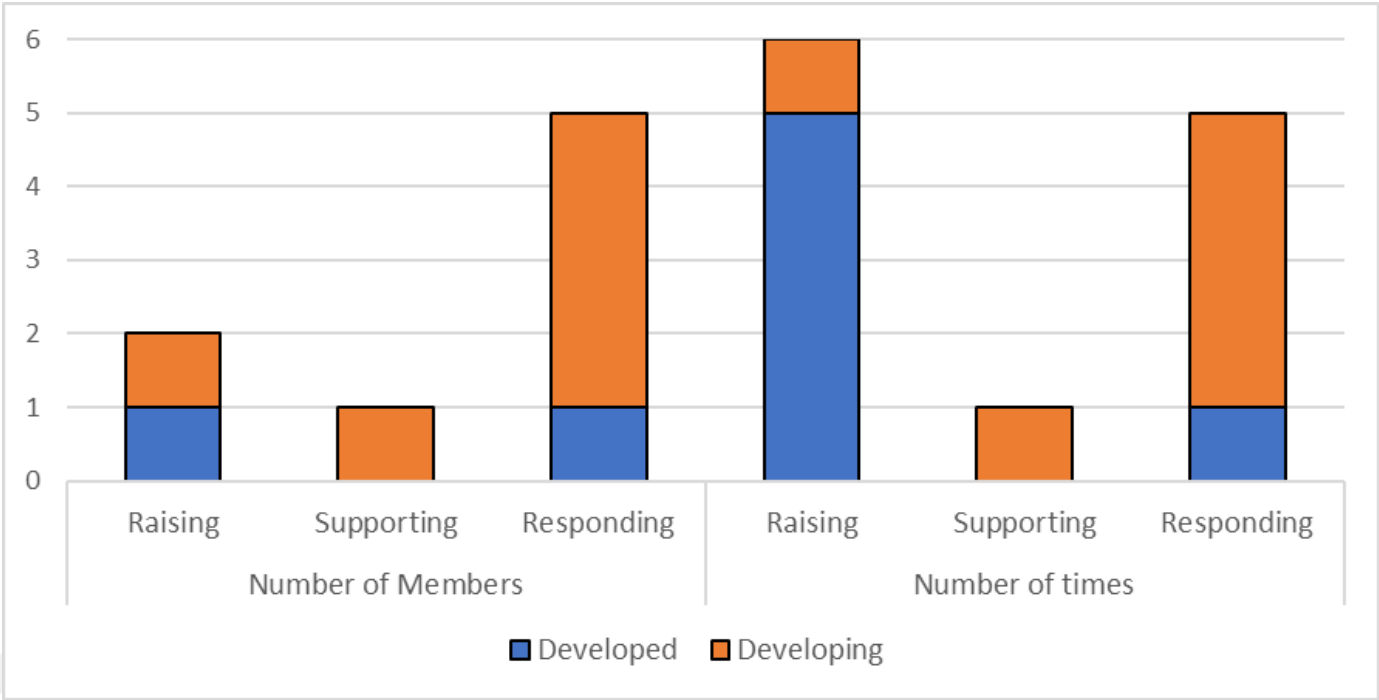


 Yes (%)  No (%)

STCs on African swine fever (Total=6)

STC ID	Title	Member(s) raising	Member(s) responding	First - last raised (number of times)	Status
351	EU temperature treatment requirements for imports of processed meat products	Russian Federation	European Union	27/06/2013 - 09/07/2014 (2 times)	R
369	Russia's measures on live pigs and pork products due to African Swine Fever	European Union	Russian Federation	25/03/2014 (0 times)	NR
384	General import restrictions due to African swine fever	European Union		26/03/2015 (0 times)	NR
392	China's import restrictions due to African swine fever	European Union	China	15/07/2015 - 05/11/2020 (9 times)	NR
393	Korea's import restrictions due to African swine fever	European Union	Korea, Republic of	15/07/2015 - 05/11/2020 (9 times)	NR
466	The Philippines' trade restrictions on imports of meat	European Union	Philippines	07/11/2019 - 05/11/2020 (2 times)	NR

STCs on African swine fever (Total=6)



SPS Committee and ASF

- 182 notifications (since 2000), submitted by 23 Members
 - 6 STCs (1 R, 5 NR), 6 Members involved
 - Monitoring of the use of international standards: ASF restrictions not consistent with the OIE international standard (7 times, 1 Member)

Thank you!

SPSCommittee@wto.org