Notifying Draft Measures which contain both SPS and TBT Provisions: Ugandan experience

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Compliance to Notification obligations by Uganda under TBT Agreement in 2017

Source: G/TBT/40
Compliance to Notification obligations by Uganda under TBT Agreement, 2018

Source: G/TBT/42
Compliance to Notification obligations by Uganda under TBT Agreement, 1995-2018

Source: G/TBT/42
As Compliance Increases...

- **Rise in Food/Agriculture related** Draft TBT measures
  - **Most** of the **Measures** contain **both TBT & SPS Provisions**
  - **Number** is expected to **grow**

- **TBT Provisions**: 
  - Quality requirements,
  - Composition requirements,
  - Environmental requirements,
  - Health & safety requirements, etc.
As Compliance Increases...

- **SPS Provisions: Mainly Food Safety**
  - Limits of migration of packaging materials,
  - Hygiene,
  - Food additives,
  - Microbiological limits,
  - Radioactive matter,
  - Contaminants and toxins including heavy metal contaminants,
  - Maximum residue limits: pesticides/antibiotics and other veterinary drugs,
  - Mycotoxins (e.g. Aflatoxin, ochratoxins), etc.
• Concurrently Notify Draft TBT Measures to TBT & SPS Committees

• 81 Draft TBT Measures Notified Concurrently to TBT & SPS committees
Rationale for Decision to Notify to both TBT & SPS Committees

- Draft Measures meet criteria for notification under both TBT & SPS Agreements,
- Comments submitted both by SPS & TBT institutions in Members on Draft Measures that were notified only to TBT Committee,
- Uganda tasked to explain why Draft TBT Measures were not also notified to SPS Committee,
- Demand by some Members that Draft Measures be notified also to SPS Committee.
• **SPS and TBT Institutions** may only have technical capacity to review & interpret SPS & TBT provisions respectively in Draft Measures containing both SPS & TBT Provisions,

• To **Maximize the Benefits** created by SPS & TBT Agreements’ Notification Procedures, Members should simultaneously **Notify Draft Measures** that meet the Criteria for Notification under both Agreements to SPS & TBT Committees.
Thank you for your attention