Brazil’s experience with notifying measures that contain elements covered under both the TBT and the SPS Agreements

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Both TBT National Notification Authority and Enquiry Point come under INMETRO

- National Metrology Institute
- Legal Metrology Regulation Authority
- Product Safety Regulation Authority
- National Accreditation Body

TBT NNA & EP
There is a constant dialogue among the main regulators, international trade authorities and the TBT National Notification Authority and many opportunities for it:

- Conmetro’s CBTC
- interministerial coordination for:
  - WTO CTBT meetings
  - negotiations of trade agreements
  - regulatory cooperation within Mercosur
- whenever necessary for clarifying notification drafts
Flow from main regulators to TBT and SPS notification authorities and to WTO
Most TBT notifications are for regulations issued by:

- ANVISA – Brazilian Health Regulatory Agency
- MAPA – Ministry of Agriculture, Livestock and Food Supply
- INMETRO – Natl. Inst. of Metrology, Quality and Technology

Around 160 notifications per year:

- 37% ANVISA
- 34% MAPA
- 23% INMETRO
- 6% other regulators
SPS notifications are for measures issued by:

- ANVISA – Brazilian Health Regulatory Agency
- MAPA – Ministry of Agriculture, Livestock and Food Supply

Around 160 notifications per year:

80% ANVISA
20% MAPA

70% pesticides
15% territory protection (plants)
Regulators notify all technical regulations that have impact on trade, including less trade restrictive measures and those based on international standards, going beyond what is prescribed in both Agreements.

That is enhanced transparency!

And the number of “double” notifications (TBT and SPS) have increased over the past year.
Double notifications address mostly

- food marking and labelling,
- packaging in contact with food, and
- pesticides
Criteria and procedures for importing wines and beverages

Classification, identity, quality, sampling and labeling of soybean

Processing, storage and transport of organic products
2018 - ANVISA  G/TBT/N/BRA/803  03/04/2018
              G/SPS/N/BRA/1389  16/04/2018
Criteria for toxicological classification and risk assessment
of pesticides

2018 - ANVISA  G/TBT/N/BRA/819  31/05/2018
              G/SPS/N/BRA/1411  31/05/2018
Active ingredient T48 – Tiametoxam

2019 - MAPA   G/TBT/N/BRA/273  15/04/2019
              G/SPS/N/BRA/393  31/03/2019
Definitions and standards for organic fertilizers used in
agriculture
“It is important to say that even when a technical regulation or conformity assessment procedure is, at first sight, just an administrative procedure, on a second revision it could be considered as a measure under one of the objectives foreseen in the SPS Agreement” (JOB/TBT/283).

Members are encouraged to continue discussion on the possibilities of double notification to both TBT and SPS Agreements.
Thank you

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