

# GENERAL AGREEMENT ON

RESTRICTED

## TARIFFS AND TRADE

Spec(91)12  
20 March 1991

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COUNCIL  
12 March 1991  
Item No. 12

### RESTRICTIONS ON EXPORTS FROM PERU FOLLOWING THE CHOLERA EPIDEMIC

#### Statement by the Representative of Peru

In view of the extreme urgency of the matter, the Delegation of Peru has asked to make a short statement to this meeting of the GATT Council concerning the trade restrictions certain countries are imposing on Peruvian exports following the cholera epidemic in Peru and the considerable prejudice caused to the Peruvian economy and external trade as a result of lack of information on the epidemic.

In particular, I wish to point out that some GATT contracting parties are adopting trade measures, supposedly to avoid contamination from Peruvian exports, that in many cases denote an extremely restrictive attitude that is not in accordance with international standards for the control of this disease, nor with recommendations by global health authorities.

Such trade measures will drastically reduce Peruvian exports, especially of foodstuffs. We even have information that a number of governments have decided to close their ports to all Peruvian agricultural and fisheries products. In addition, by a reflex action that is impossible to control, at the private level an increasing number of importers of other consumer goods are cancelling or postponing shipments from Peru of goods such as clothing, handicrafts or forestry products. Furthermore, by a multiplier effect, some restrictions originally imposed on Peruvian exports are being considered, and in some cases have already been applied, without any justification, in respect of neighbouring countries of Peru.

It should be noted that in many cases the Peruvian authorities have not even been informed of the adoption of such measures and are faced with faits accomplis that could cause Peru losses from cancelled or postponed exports amounting to US\$400 million.

We should like to believe that the adoption of such measures that have no logical or scientific justification is due to a lack of information on the nature of the disease and not to commercial attitudes that go beyond the health aspects.

At the international level, the idea has grown that some Peruvian exports could be contaminated. In the face of this erroneous belief, the Government of Peru wishes to emphasize that the State enterprise "CERPER" permanently carries out the inspection, control and certifying of the quality, hygiene, health, conservation and presentation of hydrobiological, agricultural and agro-industrial products exported from Peru. Without a certificate from this body, it is not now possible to export such products or even sell them domestically.

It is important to stress that the World Health Organization has reaffirmed by all the means available to it that there is no evidence of contamination by cholera as a result of the importation of products, and simply states that special attention should be paid to the control of certain fresh and frozen fishery products and some fresh or frozen fruits and vegetables, which might be susceptible to contamination.

I should like to add that it must be borne in mind that, within the framework of negotiations on sanitary and phytosanitary measures under the Uruguay Round, there is a consensus that care must be taken to ensure that such measures are only applied if they are necessary to protect human, animal or plant life or health; be based on principles, techniques and assessments of scientific risk established by the competent international organizations; and must not be applied contrary to available scientific evidence.

In the light of the above, we should also like to draw attention to the validity of specific recommendations adopted by the GATT Council, and express the hope that they will be implemented by all contracting parties. These include in particular the recommendation of 11 October 1989 on the so-called "streamlined mechanism for reconciling the interests of contracting parties in the event of trade-damaging acts" (document C/M/236), which provides that:

- A measure taken by an importing contracting party should not be any more severe, and should not remain in force any longer, than necessary to protect the human, animal or plant life or health involved, as provided in Article XX(b).
- The importing contracting party should notify the Director-General of GATT as quickly as possible. A notification by telephone should be followed immediately by a written communication from the importing contracting party, which would be circulated to contracting parties.
- The importing contracting party is expected to agree to expeditious informal consultations with the principally-concerned contracting party as soon as a trade-damaging act has occurred, with a view to reaching a common view about the dimension of the problem and the best way to deal with it effectively.

It is relevant to mention here the total fulfilment both of the GATT rules and of the recommendations by international health organizations on the part of contracting parties such as Australia, the United States, Japan, Mexico and Venezuela. These countries have abstained from introducing restrictive measures and have simply reinforced health controls for those products that could be deemed sensitive, as is appropriate to the current situation.

I should point out, however, that the Peruvian Mission has received preliminary information that some contracting parties belonging to the European Economic Community, the European Free Trade Association and the Latin American Integration Association have introduced provisions restricting the import of Peruvian food products; in our view these are not in accordance with the recommendations by the World Health Organization.

We hope that these contracting parties, as well as any other contracting party introducing measures aimed at restricting Peruvian exports, will forthwith notify the Director-General of GATT accordingly.

In the light of such notifications and the scientific and health justification for the measures adopted, which we hope will be included in the notification, Peru reserves the right to request consultations with those contracting parties which implement measures it deems exaggerated, as well as the right to raise this matter again within the framework of the GATT Council.

I shall conclude by requesting that the text of this statement be circulated to all contracting parties, with the request that they transmit it to the competent authorities in their respective governments. I shall attach to this statement information and communications from the World Health Organization\*, which should be annexed to my statement and also circulated to the contracting parties.

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\* Available in English and French only. Other documents, namely resolutions adopted by the Ministers of Health of the member countries of the Andean Group and the resolution adopted jointly with the Health Ministers of Brazil and Chile on 27 February 1991 in Lima, are available for consultation in the GATT Secretariat (Office No. 3012).

Press Release WHO/13  
22 February 1991

#### RISK OF CHOLERA FROM FOOD IMPORTS NEGLIGIBLE

The World Health Organization (WHO) has no documented evidence of any cholera outbreak occurring as the result of the importation of food across international borders. In fact, cholera has been endemic for decades in many countries of Africa and Asia which continue to export food without the importing countries reporting any cholera outbreak as a result.

While there is a theoretical possibility that many uncooked foods such as fish, fruit and vegetables, could carry the cholera organism, the fact is that provided the shipping time port-to-port is at least 10 days, the organism will have died out even under refrigeration conditions.

An exception to the 10-day rule is raw shellfish, which are likely to remain contaminated. However, thorough cooking will kill cholera bacteria.

Contaminated frozen food may contain the cholera organism for a longer period. Frozen foods theoretically pose a risk in cases where they are eaten raw or allowed to cross-contaminate other foods.

Imported fresh fruits and vegetables are safe if they are peeled or cooked before eating; they should not be allowed to contact other food before such preparation.

Dried, canned or irradiated food that has been processed under proper conditions will not contain cholera bacteria even if the original material was contaminated.

There is no danger from dried fish meal for two reasons. Drying destroys the cholera organism, and the meal is fed to poultry and livestock which do not become infected with cholera.

WHO's Weekly Epidemiological Record in today's issue, reminds national authorities that, if they are concerned about the importation of any product, they should consult the Headquarters of WHO at Geneva or its Regional Offices before taking any action.

WORLD HEALTH  
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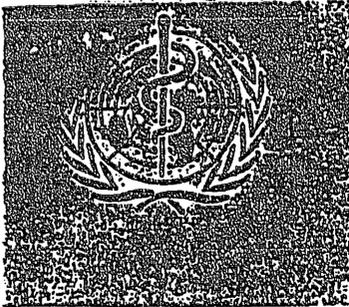
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# WHO PRESS

Press Release WHO|UN 14  
22 February 1991

## Cholera outbreak in Peru

SMALL RISK OF CHOLERA TRANSMISSION BY FOOD IMPORTS

Food characteristics reiterated by WHO

Geneva, 22 Feb. (WHO Office at UN) -- In an effort to ease fears about food products emanating from the cholera outbreak area in South America, the World Health Organization's current Weekly Epidemiological Record issued here today includes an annotated list of foods commonly found in international commerce. [For an initial report on the cholera outbreak, see Press Release WHO|UN 10, 12 February 1991.]

WHO categorically stated that it has no documented evidence of a cholera outbreak occurring as a result of the importation of food across international borders. In fact, cholera has been constantly present for decades in many countries of Africa and Asia which continue to export food without the receiving countries reporting any cholera outbreaks as a result.

While there is a theoretical possibility that many uncooked foods such as fish, fruit and vegetables, could carry the cholera organism, the fact is that provided the shipping time port-to-port is at least 10 days, the organism will have died out even under refrigerated conditions.

An exception to the 10-day rule is raw shellfish, which is likely to remain contaminated. However, thorough cooking will kill cholera bacteria (see COOKING, below).

(more)

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SMALL RISK OF CHOLERA TRANSMISSION BY FOOD IMPORTS

consult with WHO, PAHO, or any other WHO regional office before taking any action. At WHO, please contact Dr Friedrich K. Kaferstein, Manager, Food Safety, World Health Organization, 1211 Geneva 27, Geneva [TP + 41 22 791 35 35; FX + 41 22 791 07 46; TX 845 415 416; TG UNISANTE GENEVE].

At the Pan American Health Organization, please contact Dr David Brandling-Bennett, Chief, Health Situation and Trend Assessment, PAHO, 525-23rd Street, NW, Washington, DC, 20037-2897 USA [TP + 1 202 861 4353; FX + 1 202 223 5971; TX 248338; TG OFSANPAN WASHINGTON].

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NB The Codex Alimentarius is prepared by the Joint FAO/WHO Food Standards Programme, Codex Alimentarius Commission, is published by the Food and Agriculture Organization of the United Nations, Rome, and is available from the book agents of FAO. See also United Nations "World Chronicle" television interview (and transcript) with Dr Sanford Miller, WHO Expert Advisory Panel on Food Safety, Programme No. 357, recorded on 10 May 1989.

The Weekly Epidemiological Record is published by WHO and is available by subscription in a bilingual English/French edition from Distribution and Sales, World Health Organization, 1211 Geneva 27, Switzerland.

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## WEEKLY EPIDEMIOLOGICAL RECORD

## REVUE EPIDEMIOLOGIQUE EBDOMADAIRE

22 FEBRUARY 1991 • 66th YEAR

66<sup>e</sup> ANNÉE • 22 FÉVRIER 1991

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**Cholera**

Small risk of cholera transmission by food imports

WHO has no documented evidence of a cholera outbreak occurring as a result of the importation of food across international borders.

- *Dried, acid and pickled foods, fruit juices*: cholera organisms are sensitive to drying and to acidity (pH <4.5), therefore these foods and juices are unlikely to cause infection.
- *Coffee, cereals*: as for dried foods above.
- *Frozen foods*: freezing below -20 °C will reduce, but may not completely eliminate, cholera organisms from food.
- *Canned foods*: canned foods produced according to the relevant Codex standard<sup>1</sup> are free of cholera organisms even if the raw product was contaminated.
- *Irradiated foods*: irradiated foods produced according to the relevant Codex standard<sup>2</sup> and which have received a dose of at least 1kGy are free of cholera organisms even if the raw product was contaminated.
- *Fresh sea food*: sea food from shallow coastal waters (such as prawns and shellfish) may be contaminated. It should be properly cooked as shown below. Deep sea fish are unlikely to have been infected in their habitat, but could become contaminated during subsequent handling.
- *Fresh vegetables and fruit*: these may be surface contaminated and may remain so up to a maximum of 10 days.
- *Animal feeds*: since there is no known reservoir of cholera in poultry or livestock, animal feeds, and in particular *dried fish meal*, do not pose a risk of transmission.

<sup>1</sup> Recommended International Code of Practice for Low-Acid and Acidified Low-Acid Canned Food, *Codex Alimentarius* Vol. G, FAO/WHO 1983.

<sup>2</sup> Codex General Standard for Irradiated Foods, and Recommended International Code of Practice for the Operation of Radiation Facilities used for the Treatment of Foods, *Codex Alimentarius* Vol. XV, FAO/WHO 1984.

**Choléra**

Faible risque de transmission du choléra par des aliments importés

L'OMS n'a jamais eu connaissance d'aucun cas confirmé d'épidémie de choléra provoquée par des aliments importés.

- *Aliments secs, acides ou marinés, jus de fruits*: le germe du choléra étant sensible à la dessiccation et à l'acidité (pH <4,5), ces aliments et ces jus ne risquent guère de transmettre la maladie.
- *Café, céréales*: même remarque que ci-dessus en ce qui concerne les aliments secs.
- *Aliments congelés*: la congélation au-dessous de -20 °C réduit le nombre des germes du choléra dans les aliments mais ne les élimine pas complètement.
- *Aliments en conserve*: les conserves préparées conformément aux normes pertinentes du Codex<sup>1</sup> sont exemptes de germes du choléra même si elles ont été faites à partir de denrées contaminées.
- *Aliments irradiés*: les aliments irradiés conformément aux normes pertinentes du Codex<sup>2</sup> et ayant reçu une dose d'au moins 1kGy sont exempts de germes du choléra même s'ils ont été préparés à partir de denrées contaminées.
- *Poissons et fruits de mer frais*: les poissons et fruits de mer (tels que crevettes et crustacés) provenant des eaux littorales peu profondes peuvent être contaminés. Ils doivent donc être bien cuits (voir ci-dessus). Pour ce qui est des poissons pêchés en haute mer, le risque d'infection dans leur habitat est faible, mais ils peuvent être contaminés au cours de manipulations ultérieures.
- *Fruits et légumes frais*: ils peuvent être contaminés en surface et peuvent le rester jusqu'à 10 jours au maximum.
- *Aliments pour animaux*: étant donné qu'il n'existe pas de réservoir connu du choléra chez la volaille ou le bétail servant à l'alimentation, les aliments pour animaux et particulièrement *la farine de poisson séchée* ne devraient pas créer de risque de transmission de l'infection.

<sup>1</sup> Code d'usages international recommandé en matière d'hygiène pour les aliments peu acides et les aliments peu acides acidifiés en conserve, *Codex Alimentarius* Vol. G, FAO/OMS 1983.

<sup>2</sup> Norme générale Codex pour les aliments irradiés et code d'usages international recommandé pour l'exploitation des installations de traitement des aliments par irradiation. *Codex Alimentarius* Vol. XV, FAO/OMS 1984.

Cholera transmission through food can be eliminated by thorough cooking (core temperature 70 °C), and by prevention of contamination of cooked foods by contact with raw foods or infected food handlers. Refrigeration prevents multiplication of the cholera organism but may prolong its survival. Fruit from which the peel can be removed should also be safe.

Le risque de transmission du choléra par les aliments peut être éliminé si les aliments sont bien cuits (température à cœur 70 °C) et s'ils sont protégés de toute contamination par des aliments crus ou des manipulateurs porteurs de l'infection. La réfrigération empêche la multiplication des germes du choléra mais peut prolonger leur survie. Les fruits pouvant être pelés ne devraient pas présenter de risques.

**Important Note:** If national authorities are concerned about the importation of any product, they are urged to consult with the World Health Organization, Food Safety unit, 1211 Geneva 27, Switzerland, or with the Pan American Health Organization, Program Coordinator, HST, 525 Twenty-Third Street, N.W., Washington, D.C. 20037-2897, United States of America (Fax (202) 223-5971).

**Note importante:** Il est vivement recommandé aux autorités nationales qui auraient des doutes au sujet de l'importation d'un produit donné de consulter l'Organisation mondiale de la Santé, unité de la Sécurité alimentaire, 1211 Genève 27, Suisse, ou l'Organisation panaméricaine de la Santé, Program Coordinator, HST, 525 Twenty-Third Street, N.W. Washington, D.C. 20037-2897, Etats-Unis d'Amérique (Fax (202) 223-5971).

**Vaccination requirements**

Countries are reminded that cholera vaccine is *not* recommended as a measure for prevention or control and they should *not* require it from persons entering or leaving infected countries.

On no account should the travel of people across frontiers be restricted because of cholera.

**Exigences en matière de vaccination**

Il est rappelé aux pays que la vaccination anticholérique n'est *pas* recommandée comme moyen de prévention ou de lutte contre la maladie et de devrait *pas* être exigée des personnes entrant dans une zone infectée ou la quittant.

Ils ne devraient en aucune manière restreindre la circulation des voyageurs à travers leur frontière du fait du choléra.

**REGULATIONS / MALADIES SOUMISES AU RÉGLEMENT**

**Notifications received from 15 to 21 February 1991**

C - cases, D - deaths, ... - data not yet received, i - imported, r - revised, s - suspect

**Cholera • Choléra**

America • Amérique

	C	D
Peru - Pérou	31.I-17.II	
.....	20 580	108

**Notifications reçues du 15 au 21 février 1991**

C - cas, D - décès, ... - données non encore disponibles, i - importé, r - révisé, s - suspect

Asia • Asie

India - Inde

	C	D
.....	1-31.XII.90	
.....	56	2

**Newly infected areas as at 21 February 1991**

For criteria used in compiling this list, see No. 27, 1990, page 212.

**Cholera • Choléra**

America • Amérique

Peru - Pérou

Apurimac Department

Arequipa Department

Cajamarca Department

Ica Department

Junin Department

La Libertad Department

Lambayeque Department

Tacna Department

**Zones nouvellement infectées au 21 février 1991**

Les critères appliqués pour la compilation de cette liste sont publiés dans le N° 27, 1990, page 212.

**There have been no notifications of areas removed.  
Aucune notification de zones supprimées n'a été reçue.**

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(Attention EPIDNATIONS for notifications of diseases subject to the regulations)

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