The WTO MRL Initiative: Progress and Promise

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Overview

• The WTO SPS Agreement and SPS Committee

• Recent work on MRLs at the WTO SPS Committee
  – October 2016 thematic workshop on MRLs
  – Joint proposal by Kenya, Uganda, and the United States
  – Joint ministerial statement on trade in food and agricultural products

• Next steps
WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement)

Recognises the right to protect human, animal, plant life or health

Avoiding unnecessary barriers to trade
WTO SPS Committee

Forum for consulting and carrying out functions related to implementation of the SPS Agreement.

SPS measures shall be:

- Transparent
- Based on international standards
- Based on scientific principles and risk assessment
- Non-discriminatory
- Proportionate
- No more trade restrictive than necessary
Role on International Standards

- Encourage and **monitor** the use of international standards
- Sponsor technical consultation and study
  - “with objective of *increasing coordination and integration between international and national systems and approaches for [...] establishing tolerances for contaminants in food*...”
- Maintain close contact with Codex
  - “with objective of securing the *best available scientific and technical advice*...”
WTO SPS Committee

Role on Specific Trade Concerns (STCs)

- Forum for consultations with countries to resolve trade concerns with specific SPS measures
- Raise trade concerns, singly and in coalitions, on the “floor” of the Committee
- Provides regular access to SPS and trade officials for “bilateral” meetings on the margins
Animal Health, Tolerances, and Certification Issues are Top Trade Concerns

- Animal Disease Related: 32
- Tolerances: 16
- Certification/Customs: 15
- Conformity & Risk Assessment: 11
- Plant Pests/Contaminants: 11
- Treatments: 6
- Food Additives/Alterations: 3
- Microbiological: 3
- Production & Processing Requirements: 3

% of SPS STCs By Type 1995-2015

Thematic SPS Workshop on MRLs
October 2016

Objectives:
• Review relevant provisions of the SPS Agreement and dispute settlement reports;
• Review the Codex approach to establishing MRLs;
• Share information on international, regional, and bilateral work on MRLs; and
• Share experiences in establishing and complying with MRLs, including information on domestic regulatory and legal frameworks.

Links:
Program and Presentations
Summary Report
Joint Paper from Kenya, Uganda, and the United States

Laid out core conclusions of the workshop:

• Central role of risk analysis in protecting health, enabling safe use, and facilitating trade

• Broad range of MRL-related issues are currently having a significant impact on trade of food and agricultural products
Joint Paper from Kenya, Uganda, and the United States

Proposed five recommendations for addressing MRL-related trade issues:

• Enable JMPR to Better Respond to Increased Demand and Monitor Progress on New Codex MRLs
• Strengthen Notification Practices for Greater Transparency and Predictability on MRLs
• Expand Reporting to the Committee on International and Regional Activities on MRLs
• Collaborate on Solutions for MRLs for Minor Use and Specialty Crops
• Strengthen Role of the Committee in Increasing Coordination and Harmonization

Full Paper
“In order to face the challenge of producing more food in a safer and sustainable way, farmers must be able to access the full range of tools and technologies available for agricultural production...The development and application of sound SPS measures is needed to support farmers' choice in tools that can expand agricultural production and facilitate access to food and agricultural products, and also to safeguard human, animal and plant health.”

Full Statement
Next Steps
Many thanks to Julia Doherty of USTR
Questions?

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Thank you!