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Joint Working Party on Agriculture and Trade

**SANITARY AND PHYTOSANITARY MEASURES AND AGRICULTURAL TRADE:
A SURVEY OF ISSUES AND CONCERNS RAISED IN THE WTO'S SPS COMMITTEE**

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**SANITARY AND PHYTOSANITARY MEASURES AND AGRICULTURAL TRADE:
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Executive summary

This document presents a descriptive overview of issues related to trade and sanitary and phytosanitary (SPS) measures, as observed during the implementation of the SPS Agreement. It aims to provide background information on activities in the WTO's SPS Committee during the period 1995-2001, determine the participation of different country groups, and help to identify issues that might warrant further investigation in the context of analysis on the trade and economic effects of SPS measures.

Attendance at regular meetings of the SPS Committee has varied from 44 to 70 different delegations. Most OECD countries have always been represented. Yet, half to two-thirds of all WTO members, including a large number of developing country members, have not participated in the discussions at SPS Committee meetings. Indeed, 47 WTO members, including 43 developing countries, did not have a representative at any of the 12 meetings for which information on attendance is available.

During regular meetings of the SPS Committee, a total of 105 specific trade concerns have been discussed. Raising an issue makes it possible for countries to attract attention to a particular concern, which might help to avoid disputes between trading partners or potential future trade problems. Of all the specific issues, 27 related to food safety, 38 to animal health, 37 to plant health, and 3 to other SPS issues. Specific trade concerns have been expressed about SPS measures in all 30 OECD countries, and in 18 non-OECD countries, including 15 developing countries. Conversely, 29 OECD countries and 38 non-OECD countries, including 35 developing countries, have raised issues or supported complaints about SPS practices of other WTO members. Fruits, vegetables, and flowers and livestock and livestock products were the product groups most often subject to concerns. In almost a third of all cases, at least a partial solution to the specific trade concern raised was subsequently reported to the SPS Committee. Yet, there might be a number of other concerns that have been resolved through technical exchanges between the affected parties, without this outcome being reported back to the WTO.

Even though the transparency disciplines of the SPS Agreement are obligatory for WTO membership, not all countries have so far complied concerning the provision of information on national notification authorities and SPS enquiry points. All OECD countries have reported an enquiry point to the WTO since 1995 and designated notification authorities since 1997, but a significant number of developing countries had not provided this information by the end of 2001. Nevertheless, the number of countries submitting SPS notifications and the number of notified SPS measures increased considerably between 1995 and the end of 2001. All 30 OECD members and 49 non-OECD countries have submitted notifications, with more than two-thirds of the more than 2400 notified SPS measures being reported by OECD countries. More than half of the notified measures were intended to ensure food safety.

Up to the end of 2001, there had been nineteen disputes concerning alleged violations of the SPS Agreement. Of these, two had been resolved following consultations, seven had led to the establishment of panels (which in four cases led to the subsequent resolution of the dispute), and ten were still pending. OECD countries have been prominently involved in these SPS disputes. In 16 of the 19 cases, both the country raising an issue and the country concerned were OECD-30 members. In two cases, a developing country invoked dispute settlement procedures against import practices in an OECD country, and in one case developing countries were both the complaining party and the party complained about.

Some observers have noted that there seem to be a number of cases where either the substantive obligations of the SPS Agreement or bilateral exchanges in its institutional framework have contributed to regulatory reform. These policy changes might have come about anyway as a result of findings by regulatory scientists that import protocols could be designed in ways to reduce risks to acceptable levels. But the framework of SPS disciplines might have provided assurance that other countries would review their rules and procedures according to the same principles.

1. Background

1. Governments use science-based regulations, rules, and procedures to safeguard public health. Food safety measures serve that purpose and, in addition, establish and maintain trust of consumers in the smooth working of food markets. Other regulations aim to protect animal and plant health in order to avoid losses from pests, diseases and contaminants, as well as from harmful, non-indigenous species. In the course of economic development, sanitary and phytosanitary regulations tend to increase in complexity, as consumers and producers become more demanding with respect to food safety and environmental attributes while at the same time being more capable of paying for the higher costs that additional production requirements and controls entail.

2. Although often viewed predominantly from a domestic perspective, food safety and biosecurity regulations can have significant trans-boundary implications. Technical regulations, rules, and procedures can facilitate and enhance trade, if they reduce the risk for consumers that they might purchase unsafe food and thereby increase confidence in imported products. On the other hand, such regulations can become barriers to trade, in particular if they place demands on importers that are more costly to meet than the requirements applied to domestic producers. For example, many developing country exporters encounter difficulties entering the food markets of OECD countries not necessarily because of insufficiently safe products, but often due to lack of monitoring, testing, and certification infrastructure that would make it possible for them to demonstrate compliance with existing import requirements.

3. One important policy challenge in this context is to design measures in a way, so that they meet science-based food safety objectives while minimising adverse impacts on trade and the risk that measures may be misused for predominantly protectionist purposes. Regulations to safeguard human health can take a variety of forms and use a range of different policy instruments. The latter include labelling requirements, rules on testing, inspection, and quarantine, specifications of product characteristics, and total prohibitions of imports. The trade effects of these measures vary considerably, and it is often difficult to determine whether the underlying policy objectives are met with least cost for consumers, producers, and taxpayers.

4. One result of the Uruguay Round of multilateral trade negotiations was an Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement). This Agreement allows governments to implement border measures in pursuit of objectives relating to human, animal, and plant life or health. Governments are encouraged to use international standards when designing their policies and to recognise other countries' compliance procedures as equivalent to their own, if the same level of sanitary and phytosanitary protection is achieved. In cases in which countries wish to adopt measures that provide a higher level of sanitary and phytosanitary protection than international standards, they must ensure that their measures are based on an assessment of the risks to human, animal, and plant health, taking into account the risk assessment techniques developed by relevant international organisations; the Codex Alimentarius for food safety, the International Office of Epizootics for animal health, and the International Plant Protection Convention for plant health. The objective of minimising negative trade effects is to be taken into account when determining the appropriate level of sanitary and phytosanitary protection.

5. The SPS Agreement is maintaining the sovereign right of any government to provide the level of sanitary and phytosanitary protection it deems appropriate, while ensuring that these sovereign rights are not misused for protectionist purposes and do not result in unnecessary barriers to international trade. A sanitary or phytosanitary restriction which is not actually required for health reasons can be a very effective protectionist device, and due to its technical complexity, a particularly deceptive and difficult

barrier to overcome. To address possible disputes, the provisions of the Dispute Settlement Understanding concerning consultations and dispute settlement apply.

6. Earlier work in the OECD on SPS measures and trade has outlined the linkages between food safety regulations and trans-boundary effects (OECD, 1999), discussed the status of food safety considerations in the WTO context (Henderson, 1998; Mahé and Ortalo-Magné, 1998), and examined the concerns of emerging and transition countries regarding food safety and other non-tariff measures on agricultural and food products (OECD, 2001). The following analysis presents a survey of SPS issues and concerns as raised in the WTO's Committee on Sanitary and Phytosanitary Measures. It complements the on-going descriptive analysis of concepts and definitions of SPS and TBT measures and other non-tariff barriers, as well as work on linkages between biotechnology and food security, socio-economic concerns and public consultation, effective inducements to food safety compliance, and the costs and benefits of food safety regulation. The description and discussion in this study aims to provide background information on activities in the WTO's SPS Committee during the period 1995-2001, determine the participation of different country groups, and help to identify issues that might warrant further investigation in the context of analysis on the trade and economic effects of SPS measures.

7. The remainder of the document is organised as follows. Section 2 provides an overview of WTO member attendance at meetings of the WTO Committee on Sanitary and Phytosanitary Measures and of the specific trade concerns that have been raised in these meetings. Section 3 reports on the implementation of the transparency provisions of the SPS Agreement, notably the designation of notification authorities, the establishment of enquiry points, and the notification of SPS measures, and section 4 discusses trade disputes related to SPS matters. Finally, section 5 summarises some preliminary evaluations concerning the implementation of the SPS Agreement.

2. Meetings of the SPS Committee

8. The implementation of the SPS Agreement is overseen by the SPS Committee, which is made up of delegations from WTO member countries. The Committee's role is to review notifications of SPS measures, develop policy and procedural guidelines, and discuss selected trade issues. The Committee held 22 regular meetings from 1995 to 2001, and two special meetings on transparency (November 1995) and equivalence (September 2001).

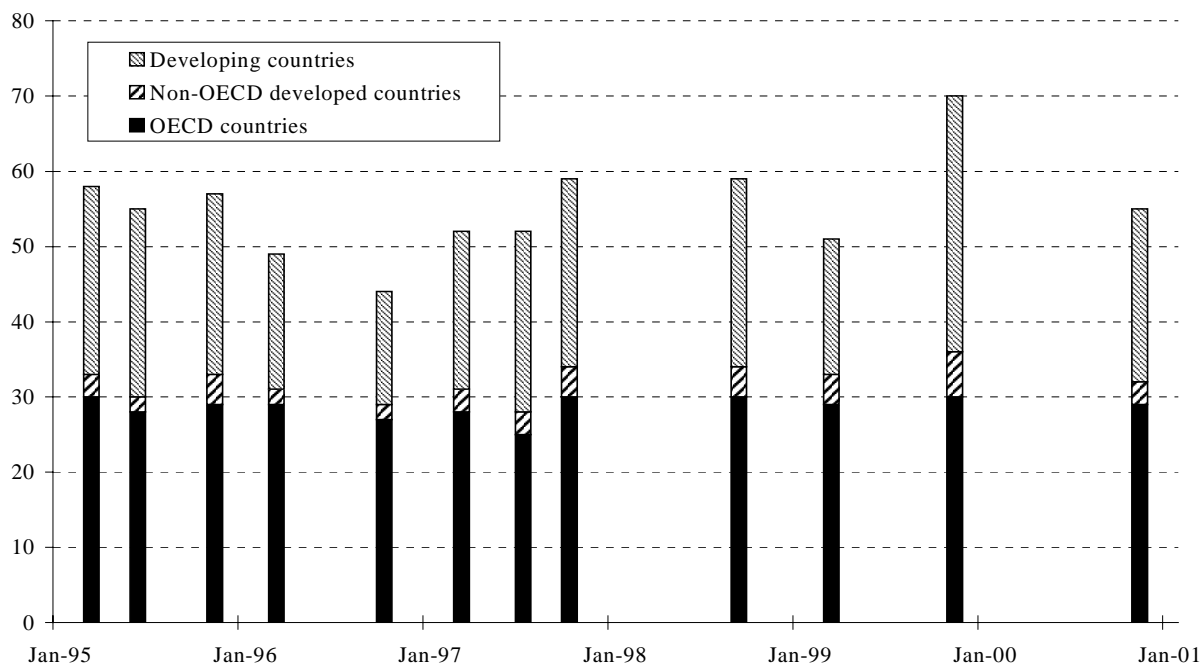
2.1 Meeting attendance

9. Not all WTO members have been sending delegates to meetings of the SPS Committee. According to information from "lists of representatives" that the WTO Secretariat compiles and makes available for selected Committee meetings, attendance has varied from 44 to 70 different delegations during 1995-2000 (Figure 1). Most OECD countries have always been represented. Yet, half to two-thirds of all WTO members, including a large number of developing country members, have not been present in SPS Committee meetings. A total of 47 WTO members, including 43 developing countries, did not have a representative at any of the 12 regular meetings for which information on attendance is available.¹ The relatively low participation of developing countries could mean that these countries either have insufficient

1 . It should be noted that the "lists of representatives" only reflect those meeting participants that fill out and return the attendance sheets. Delegates that are not in the meeting room when the forms are circulated or that do not complete the forms are not covered.

financial resources to send a delegate to the SPS Committee, lack the technical expertise to participate actively in the discussions, or see SPS issues not as being sufficiently important to warrant meeting attendance.

Figure 1: Number of WTO member countries represented at SPS Committee meetings



Note: The information refers to meeting participants that fill out and return the attendance sheets.

Source: OECD Secretariat based on WTO information (documents G/SPS/INF).

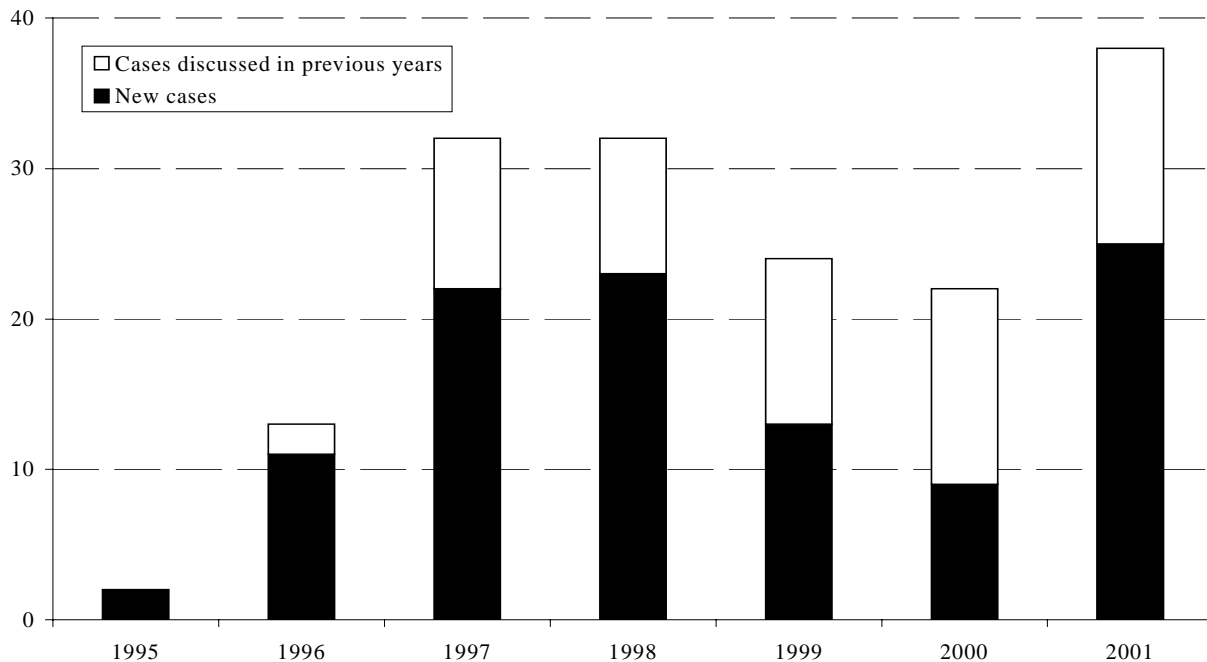
2.2 *Specific trade concerns raised*

10. During regular meetings, a total of 105 specific trade concerns have been discussed. Raising an issue makes it possible for countries to attract attention and initiate discussion about a particular concern, which might help to avoid disputes between trading partners or potential future trade problems. SPS issues raised included concerns over policy measures taken in response to foot-and-mouth disease outbreaks and BSE, maximum levels for certain food contaminants, and measures taken by countries that affect trade in particular commodities. Of all the specific issues, 27 related to food safety, 38 to animal health, 37 to plant health, and 3 to other SPS issues (WTO, 2002).²

2. Following the WTO Secretariat's classification, issues that concerns both food safety and animal health are included under food safety, except for BSE concerns, which are classified under animal health.

11. Specific trade concerns have been expressed about SPS measures in all 30 OECD countries³ and in 18 non-OECD countries, including 15 developing countries. Conversely, 29 OECD countries and 38 non-OECD countries, including 35 developing countries, have raised issues or supported complaints about SPS practices of other WTO members.⁴ The number of new and previously raised issues does not show a clear trend over time (Figure 2). It first peaked in 1997/98 and then again in 2001.

Figure 2: Number of specific trade concerns raised in the SPS Committee, 1995-2001



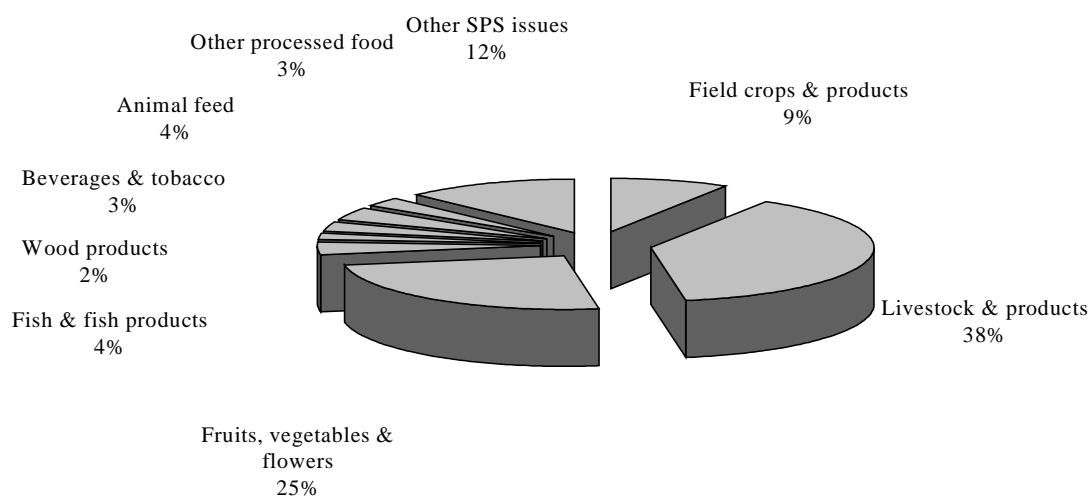
Source: OECD Secretariat based on WTO information (document G/SPS/GEN/204/Rev. 2).

12. A breakdown by commodity reveals that almost two-thirds of all specific trade concerns arose either with respect to fruits, vegetables, and flowers or regarding livestock and livestock products (Figure 3). However, this distribution of cases should be interpreted with care, as the underlying trade concerns differ substantially in nature, scope, and severity.

13. In almost a third of all cases, at least a partial solution to the specific trade concern raised was subsequently reported to the SPS Committee. Yet, there might be a number of other concerns that might have been settled through technical exchanges between the affected parties, without this outcome being reported back to the WTO.

3. Concerns about EU measures are counted as complaints about policies of all 15 members. Moreover, specific trade concerns have been expressed about policies in seven individual EU member countries.

4. Concerns expressed on behalf of ASEAN are counted as being made by all 10 member countries. Four ASEAN members have raised or supported specific trade concerns individually.

Figure 3: Specific trade concerns raised in the SPS Committee by product (in per cent)

Note: Data for 1995-2001. "Other SPS issues" includes concerns about approval processes for modern biotechnology, translation of regulations, and measures that apply across a large range of products.

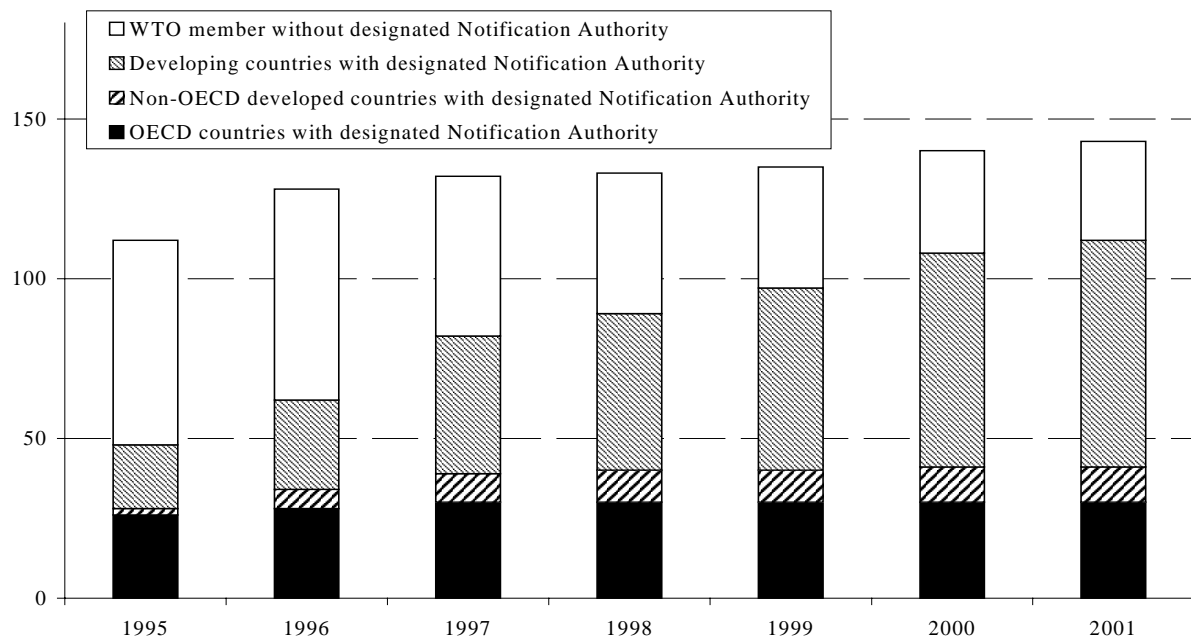
Source: OECD Secretariat based on WTO information (document G/SPS/GEN/204/Rev. 2).

3. Notifications under the SPS Agreement

14. The SPS Agreement requires countries to designate national notification authorities, notify the WTO of new or amended measures that do not conform to an international standard, guideline, or recommendation and may have a trade impact, and to maintain at least one enquiry point to respond to information requests related to the notified regulations.⁵ The standardised information in the notification concerns the justification of the proposed measure, the products to which it applies, and the international standard, if any, to which it refers. This notification process provides an opportunity for trading partners to comment on a measure before it is adopted, and thereby makes it possible to suggest regulatory changes that might help to avert potential trade disputes.

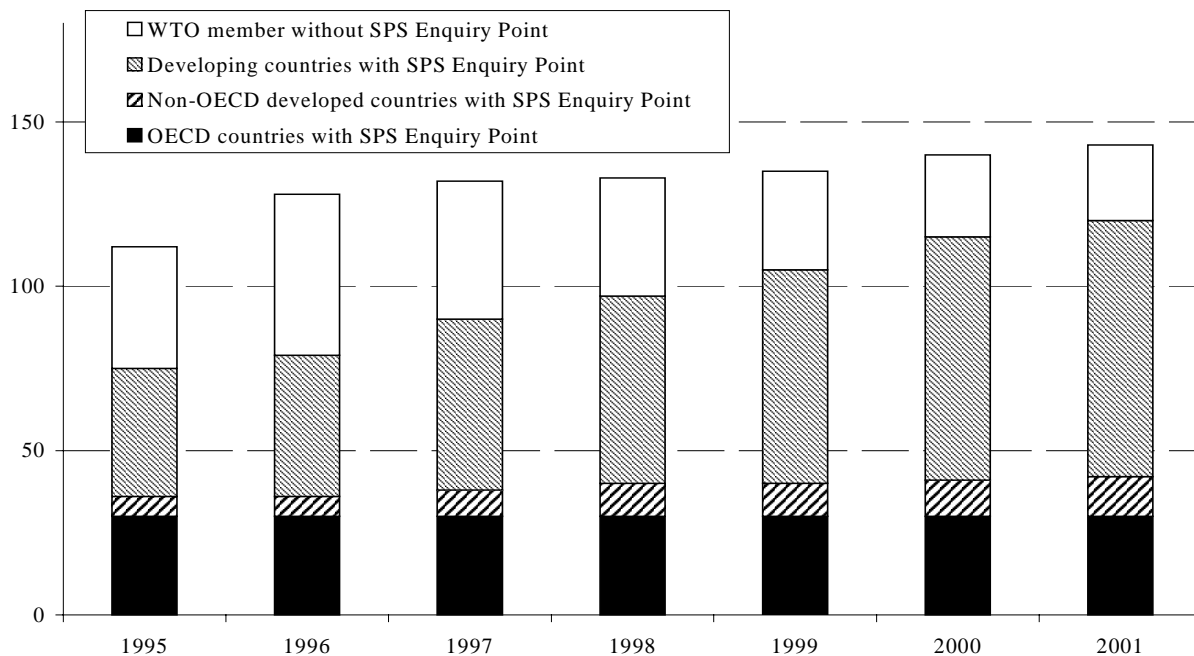
15. Even though the transparency disciplines of the SPS Agreement are obligatory for WTO membership, not all countries have so far been providing information on the national authorities responsible for the notification of changes in SPS measures and SPS enquiry points. All OECD countries have reported an enquiry point to the WTO since 1995 and on notification authorities since 1997, but a number of countries have not provided corresponding information. The share of WTO members that had not yet designated national notification authorities or established an enquiry point has decreased over time (Figures 4 & 5), but by the end of 2001, 31 of the 143 WTO members, including 29 developing countries, had not reported the information on national notification authorities and 23 countries, including 22 developing countries, had not yet established SPS enquiry points.

5. Least-developed WTO members were allowed to delay the implementation of the Agreement until 2000.

Figure 4: Number of WTO members with and without designated Notification Authorities

Note: The information on WTO membership refers to the end of the year, while the data on the designation of national Notification Authorities is based on WTO documents (G/SPS/NNA or, before November 2000, relevant documents under G/SPS/GEN) that were released during autumn of the same year.

Source: OECD Secretariat based on WTO information.

Figure 5: Number of WTO members with and without SPS Enquiry Points

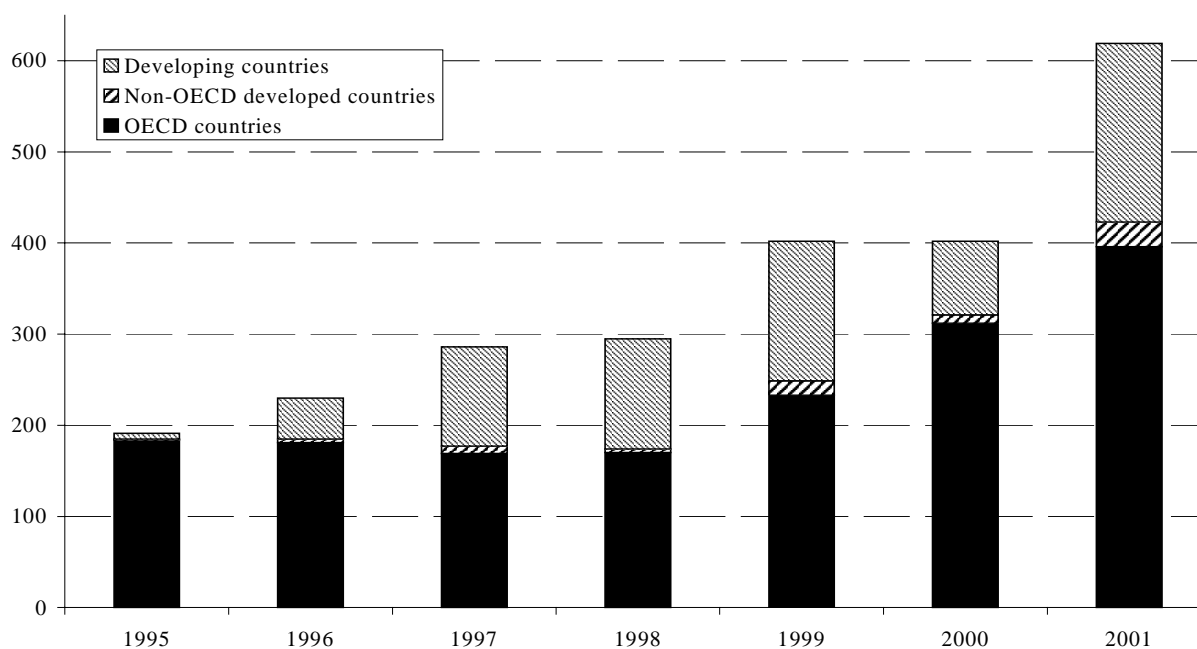
Note: The information on WTO membership refers to the end of the year, while the data on the establishment of Enquiry Points is based on WTO documents (G/SPS/ENQ) that were released during autumn of the same year.

Source: OECD Secretariat based on WTO information.

16. From 1995 to the end of 2001, more than 2400 changes in SPS measures were notified to the WTO (not taking into account the more than 300 corrections, revisions, and addenda to previous notifications), of which about 17 per cent were emergency measures. All 30 OECD countries have notified SPS measures, with the European Union reporting EU-wide regulations for its members and individual EU countries notifying national measures that fall outside the competence of the Union.⁶ In addition, 49 non-OECD countries, including 42 least developed countries, have submitted SPS notifications. On the other hand, 64 countries have not introduced SPS measures that deviate from international standards since joining the WTO or had not yet notified the policy changes by the end of 2001.

17. The number of WTO members submitting SPS notifications in a particular year rose from 30 in 1995 to 63 in 2001.⁷ In parallel, the number of notified new or amended SPS measures increased continually and more than tripled over the seven-year period (Figure 6). More than two-thirds of all notifications have been submitted by OECD countries. The increasing participation of countries in the notification process and the expanding number of notified measures might to some extent be due to increases in agro-food trade and the growing complexity of SPS policies. But it also suggests that the transparency provisions of the SPS Agreement are taken seriously, to the benefit of all WTO members, including less developed countries.

Figure 6: Number of notified SPS measures, 1995-2001



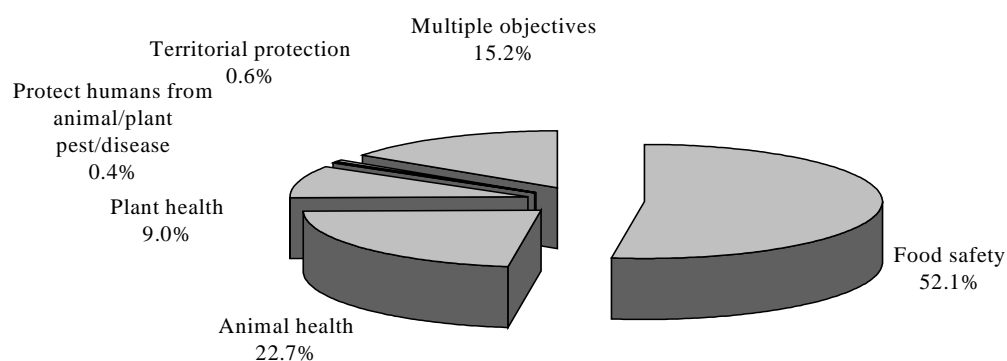
Note: Corrections, revisions, and addenda to previous notifications of SPS measures are not included.

Source: OECD Secretariat based on WTO information (documents G/SPS/N).

18. Of the measures notified during 2000 and 2001, more than half were intended to ensure food safety (Figure 7). Other objectives for a substantial share of notified SPS measures were animal health and plant health, while protection of humans from animal and plant pests and diseases and of a country's territory from other damage from pests has been of relatively minor importance. About 15 per cent of notifications referred to a combination of objectives.

6. Up to the end of 2001, 10 of the 15 EU member countries had notified national SPS measures.

7. EU-notifications are counted as notifications by all 15 member countries.

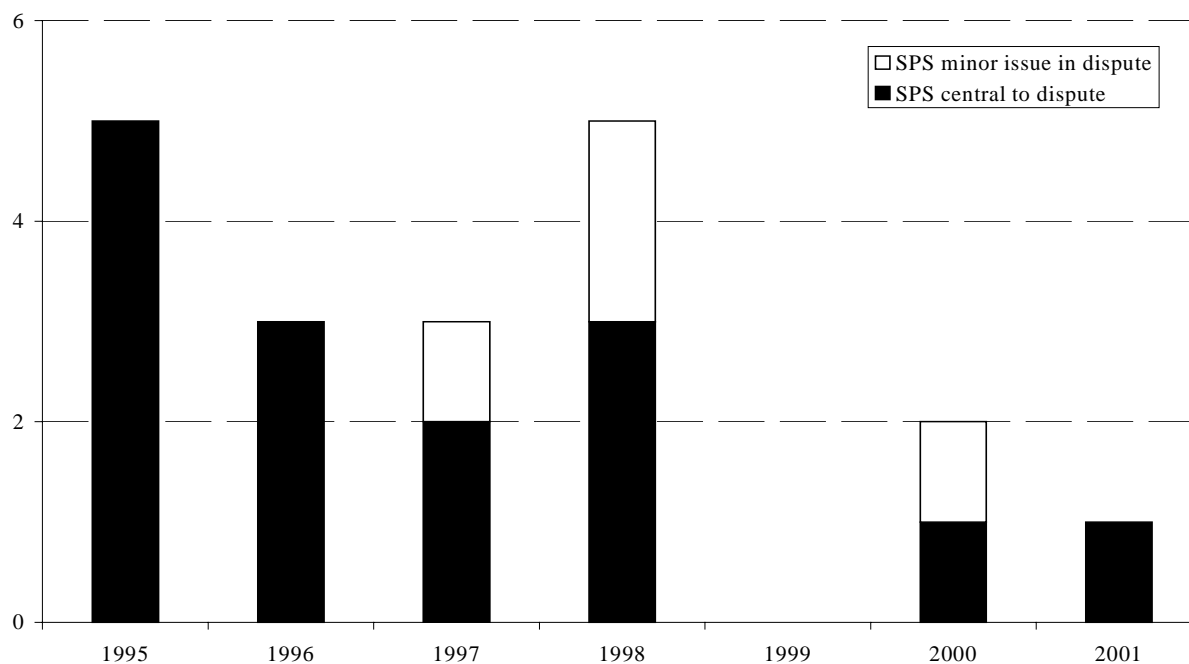
Figure 7: Objectives of SPS measures notified during 2000-2001

Source: OECD Secretariat based on WTO information (documents G/SPS/N).

4. SPS disputes

19. In cases where discussions at the bilateral or multilateral level have not made it possible to resolve a disagreement, WTO dispute settlement procedures can be invoked. In the initial stage this involves formal consultations. If no mutually agreeable solution between the parties can be found, a WTO member can request the establishment of a dispute panel that would rule on the compliance of a measure with the provisions of the SPS Agreement. This ruling could subsequently be reviewed by the WTO Appellate Body, if necessary.

20. Up to the end of 2001, more than 240 disputes had been formally raised under the WTO's dispute settlement system, of which 19 concerned alleged violations of the SPS Agreement (Annex Table 1). Many of these SPS disputes occurred during the mid to late 1990s and the number of new disputes has declined since (Figure 8). Nine of the issues under dispute had previously been discussed as specific trade concerns in the SPS Committee.

Figure 8: Number of new SPS disputes (requests for consultations), 1995-2001

Source: OECD Secretariat based on WTO information (documents WT/DS).

21. In seven of the 19 disputes, panels were established: two regarding Australia's restrictions on imports of salmon, two regarding the EU's import prohibition on meat produced with growth-promoting hormones, and one each regarding Japan's variety-by-variety testing of certain fruit, India's quantitative restrictions on imports of agricultural and other products, and France's measures affecting asbestos and asbestos containing products. A detailed description of the background and proceedings of the Australian salmon, the EU hormone, and the Japanese varietal-testing cases can be found in Stanton (2001). The Indian quantitative restrictions and the French asbestos cases touch on SPS issues, but are mainly about compliance with other Agreements under the WTO.⁸ Four of the seven panel-cases had been resolved by the end of 2001. Of the 12 SPS disputes for which no panel had been established (yet), two had been settled after consultation, while ten were still pending.

22. OECD countries have been prominently involved in the SPS disputes. In 16 of the 19 cases, both the country raising an issue and the country concerned were OECD-30 members. In two cases, a developing country invoked dispute settlement procedures against import practices in an OECD country, and in one case developing countries were both the complaining party and the party complained about.

5. Summary of preliminary evaluations concerning the implementation of the SPS Agreement

23. The preceding discussion has provided a descriptive overview of issues related to trade and SPS measures, as observed during the implementation of the SPS Agreement. The participation of WTO members in the notification process and in the discussion of specific trade concerns in the SPS Committee suggests has been widening over time. The resulting transparency of SPS measures and the institutional

8. In the Indian quantitative restrictions and the French asbestos cases, violations of the SPS Agreement were alleged in the initial requests for consultations, but not pursued in the subsequent panel requests.

framework for technical exchanges seem to have facilitated the reaching of mutually agreeable solutions to trade concerns, as indicated by the share of SPS-related trade concerns that have been resolved following their discussion at formal meetings of the SPS Committee or bilaterally and the relatively small number of SPS disputes.

24. During 1998, the SPS Committee reviewed the operation and implementation of the SPS Agreement (WTO, 1999). The Committee emphasised that the SPS Agreement "had contributed to improving international trading relationships with respect to sanitary and phytosanitary measures, although a number of implementation issues gave concern to some Members, including a number of developing country Members." It noted that "the Agreement had significantly improved transparency in the application of sanitary or phytosanitary measures. This was illustrated by the fact that Members are progressively, and in a more comprehensive manner, meeting their notification obligations." Moreover, the Committee observed that "extensive discussions on particular implementation problems at its formal meetings had helped to draw attention to specific trade concerns and related issues and to avoid potential trade conflicts."

25. Some observers have noted that there seem to be a number of cases where either the substantive obligations of the SPS Agreement or bilateral exchanges within its institutional framework have contributed to regulatory reform (Roberts, 1998). For example, the USA has moved to "regionalised regulation", allowing imports of uncooked beef from regions that have been recognised as free of foot and mouth disease, even if the whole source country has not achieved the same status. Japan has lifted a long-standing ban on US tomatoes, New Zealand has been accepting imports of Canadian salmon, and Australia has changed regulations to allow imports of cooked poultry meat. These changes might have come about anyway as a result of findings by regulatory scientists that import protocols could be designed in ways to reduce risks to acceptable levels. But the framework of SPS disciplines might have provided assurance that other countries would review their rules and procedures according to the same principles.

6. References

Henson, S., 1998. "Regulating the Trade Effects of National Food Safety Standards: Discussion of Some Issues." Paper presented at the OECD Workshop on Emerging Trade Issues in Agriculture. Paris.

Mahé, L.P., and F. Ortalo-Magné, 1998. "International Co-operation in the Regulation of Food Quality and Safety Attributes." Paper presented at the OECD Workshop on Emerging Trade Issues in Agriculture. Paris.

OECD (Organisation for Economic Co-operation and Development), 1999. *Food Safety and Quality: Trade Considerations*, Paris.

OECD (Organisation for Economic Co-operation and Development), 2001. *Agricultural Policies in Emerging and Transition Economies: Special Focus on Non-tariff Measures*. Paris.

Roberts, D., 1998. "Implementation of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures"; in *Agriculture in the WTO*, WRS-98-44, United States Department of Agriculture, Washington, DC; pp. 27-33.

Stanton, G.H., 2001. "The WTO dispute settlement framework and operation;" in Anderson, K., C. McRae, and D. Wilson (editors), *The Economics of Quarantine and the SPS Agreement*. Centre for International Economic Studies and AFFA Biosecurity Australia, Adelaide and Canberra; pp. 53-74.

WTO (World Trade Organization), 1999. "Review of the operation and implementation of the Agreement on the Application of Sanitary and Phytosanitary Measures." Document G/SPS/12, Geneva.

WTO (World Trade Organization), 2002. "Specific Trade Concerns." Document G/SPS/GEN/204/Rev. 2, Geneva.

Annex Table 1: WTO disputes invoking the SPS Agreement, 1995-2001

Parties and nature of complaint	Countries supporting complaint	Consultations request	Panel request	Panel established	Panel report	Appellate body report	Decision on dispute	Implementation deadline	Solution reported	Comments
USA's complaint against Korea's testing and inspection procedures for fresh fruits.	JAP	6-Apr-95								
USA's complaint against Korea's shelf-life requirements for frozen processed meats and other products.	CAN, JAP	3-May-95	-	-	-	-	-	-	20-Jul-95	
Canada's complaint against Australia's import restrictions on fresh, chilled or frozen salmon.		5-Oct-95	7-Mar-97	10-Apr-97	12-Jun-98	20-Oct-98	6-Nov-98	6-Jul-99	18-May-00	
Canada's complaint against Korea's restrictions on treatment methods for bottled water.	EU, USA	8-Nov-95	-	-	-	-	-	-	24-Apr-96	
USA's complaint against Australia's import restrictions on fresh, chilled or frozen salmon.	CAN	17-Nov-95	11-May-99	16-Jun-99	-	-	-	-	1-Nov-00	
USA's complaint against EU's import prohibition for meat produced with growth-promoting hormones.	AUS, CAN, NZL	26-Jan-96	25-Apr-96	20-May-96	18-Aug-97	16-Jan-98	13-Feb-98	13-May-99		USA authorised (26-Jul-99) to raise tariffs by 100% on EU products worth US\$116 mill. p.a.
USA's complaint against Korea's inspection procedures for fresh fruits.		24-May-96								
Canada's complaint against EU's import prohibition for meat produced with growth-promoting hormones.	AUS, NZL, USA	28-Jun-96	16-Sep-96	16-Oct-96	18-Aug-97	16-Jan-98	13-Feb-98	13-May-99		CAN authorised (26-Jul-99) to raise tariffs by 100% on EU products worth C\$11.3 mill. p.a.
USA's complaint against Japan's "varietal testing" requirements for fresh fruits.		7-Apr-97	3-Oct-97	18-Nov-97	27-Oct-98	22-Feb-99	19-Mar-99	31-Dec-99	23-Aug-01	
EU's complaint against India's quantitative restrictions on agricultural and other products.	AUS, CAN, JAP, NZL, CHE, USA	18-Jul-97	3-Oct-97	18-Nov-97	-	-	-	-	7-Apr-98	SPS minor issue.

Continued on next page.

Annex Table 1 (cont.)

Parties and nature of complaint	Countries supporting complaint	Consultations request	Panel request	Panel established	Panel report	Appellate body report	Decision on dispute	Implementation deadline	Solution reported	Comments
EU's complaint against USA's restrictions on imports of poultry products.		18-Aug-97								
Switzerland's complaint against Slovakia's BSE-related restrictions on cattle and meat imports.	USA	11-May-98								
India's complaint against EU's restrictions concerning rice imports.		25-May-98								SPS minor issue.
Canada's complaint against EU's (France's) measures affecting asbestos.	BRA	28-May-98	9-Oct-98	25-Nov-98	18-Sep-00	12-Mar-01	5-Apr-01			SPS minor issue.
Canada's complaint against EU's restrictions on pine wood imports due to nematodes.		17-Jun-98								
Canada's complaint against USA's restrictions on imports of live animals and grains.		25-Sep-98								
USA's complaint against Mexico's measures affecting trade in live swine.		10-Jul-00								SPS minor issue.
Thailand's complaint against Egypt's GMO-related import ban on canned tuna with soybean oil.		22-Sep-00								
Ecuador's complaint against Turkey's import requirements for fresh fruit, especially bananas.	EU, USA	31-Aug-01								

Source: OECD Secretariat based on WTO information (documents WT/DS).