

MINISTERIAL CONFERENCE ON FISHERIES  
COOPERATION AMONG AFRICAN STATES  
BORDERING THE ATLANTIC OCEAN



CONFERENCE MINISTERIELLE SUR LA COOPERATION  
HALIEUTIQUE ENTRE LES ETATS AFRICAINS  
RIVERAINS DE L'OCEAN ATLANTIQUE

# **CODEX AND WTO SPS AND TBT AGREEMENTS**

By

Dr AMADOU TALL

Consultant

# **World Trade Organization**

## **SPS/TBT agreements**

### **Objectives:**

- ❖ **Consumer Protection**
  - ❖ **Fair practices in the food trade**
  - ❖ **Coordination of all food standards work**
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- **Liberalization of trade**
  - **Maximal protection of plant, animal and human health**
  - **Minimal technical obstacles to trade**

# **SPS/TBT Agreements**

- TBT cover any subject related to industrial goods, from car safety to energy – saving devices to food packaging
  - SPS cover health (human, animal and plant) protection measures
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## **TBT**

### **Revised Agreement from Tokyo Round (1973-1979)**

#### **Purpose of Agreement:**

- To encourage the development and use of international standards and conformity assessment systems
- To prevent the use of technical requirements as unjustifiable trade barriers
- To prevent deceptive trade practices

# SPS/TBT Agreements

## General Principles

- **Sovereignty**
- **Harmonization**
- **Equivalency**
- **Scientific basis**
- **Transparency**
- **Technical Assistance**
- **Special and differential treatment**
- **Consultation and dispute settlement**

# **The food chain approach**

- **Prevention at Source**
- **Risk Analysis**
- **Harmonization**
- **Equivalence**
- **Traceability**

# Prevention at source

- Producers and processors are responsible for fish safety and quality along the food chain using preventive systems (GAP, GHP, HACCP)
- Control authorities provide regulatory framework, verify that producers and processors apply properly preventive systems
- Harmonization and Equivalence (e.g. EU List 1, US importers' responsibility)

# HARMONIZATION

## Achievements:

- HACCP-based systems widely accepted
- Codex Alimentarius Commission, OIE accepted as international standards setting bodies

## Shortcomings:

- Different inspection and control schemes
- Different fish standards applied
- High rates of detentions/rejections

# **EQUIVALENCE**

## **Achievements:**

- **“Food chain” and “Control at source” approaches**
- **Cost-effectiveness of these approaches**

## **Shortcomings:**

- **Very few agreements**
- **Obligation of means vs. obligation of results**



# Scientific basis

## Achievements:

- Risk analysis widely accepted
- National and International work undertaken

## Shortcomings:

- Needs exceed by far activities undertaken
- Lack of resources in developing countries
- Many standards not scientifically based

# **Special and differential treatment Technical assistance**

## **Achievements:**

- **Regional and national initiatives (SIDA, EC-ACP, other initiatives)**
- **STDF (Standard and Trade Development Fund)**
- **Trust Fund for CAC**

## **Shortcomings:**

- **Developing countries obliged to meet market requirements**
- **Needs exceed by far initiatives**
- **Lack of resources in developing countries**
- **Many standards not scientifically based**

# Implications of WTO Agreements

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- The SPS Agreement
- The TBT Agreement
- Their Implications for Codex and its Members

# **THE AGREEMENT ON THE APPLICATION OF SPS MEASURES**

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- ❖ Discourage the use of SPS measures as barriers to international trade
- ❖ Recognizes Codex as a reference on food safety
- ❖ Codex may be used to settle disputes
- ❖ Calls for harmonization based on Codex

# **Codex food safety provisions recognized by SPS :**

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- **Maximum Residue Limits for Pesticides and Veterinary Drugs**
  - **Maximum Level of Use of Food Additives**
  - **Maximum Levels of Contaminants**
  - **Food Hygiene Requirements of Codex standards**
    - ◎ **Codex focuses on risk-based inspection and certification systems**
    - ◎ **Inclusion of HACCP in the General Principles of Food Hygiene**
    - ◎ **Development of import/export food inspection and certification guidelines**
    - ◎ **Work on Risk Analysis - Risk Assessment Codex reaffirms the role of science in its work**
    - ◎ **Codex revises its acceptance rules**

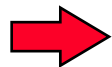
# **IMPLICATIONS OF SPS ON CODEX**

- **Codex focuses on risk-based inspection and certification systems**
- **Inclusion of HACCP in the General Principles of Food Hygiene**
- **Development of import/export food inspection and certification guidelines**
- **Work on Risk Analysis - Risk Assessment Codex reaffirms the role of science in its work**
- **Codex revises its acceptance rules**

# **AGREEMENT ON TECHNICAL BARRIERS TO (TBT)**

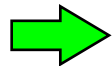
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Prevent the use of technical requirements as barriers to trade

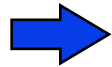


Covers all consumers' protection aspect not covered by SPS

Places emphasis on International standards such as Codex standards for



food products



# **CODEX PROVISIONS RECOGNIZED BY TBT :**

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**Food Labelling**

**Quality Provisions**

**Nutritional Requirements**

**Methods of Analysis and Sampling**



# **SPS& TBT IMPLICATIONS FOR CODEX / WTO MEMBERS :**

- **Should base their requirements on Codex**
- **Should become more involved in Codex work**
- **Should harmonize requirements using Codex**

# **NATIONAL CODEX COMMITTEES (NCC) HELP MEETING CHALLENGES OF SPS TBT**

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## **NCC are information centres on Codex**

**NCC are tools to monitor & contribute to the elaboration of Codex standards**

**NCC are a national forum where consumers, the government, and the food industry meet and discuss necessary actions at national level**

- THANK YOU