

## SANITARY AND PHYTOSANITARY IMPORT REGULATIONS

### Pinewood Nematode

Since July 1993, the European Union has required that Canadian exports of softwood lumber, except Western Red Cedar, be heat-treated in order to ensure the destruction of the pinewood nematode (PWN). This requirement has effectively eliminated Canadian exports of untreated softwood lumber to the European Union. Canada has indicated on numerous occasions that it views this mandatory requirement as excessive, given the negligible risk of establishment of pinewood nematode in the European Union as a result of trade in Canadian softwood lumber.

Over the years, Canada has proposed alternative measures to control pinewood nematode, while allowing trade in untreated lumber. However, the European Union has not accepted Canadian proposals for less trade-restrictive measures. At Canada's request, WTO consultations were held on July 15, 1998, but the issue remains unresolved. Government officials will work with industry and provincial representatives to assess next steps.

### Beef Hormones

In 1989, the European Union banned the use of growth-promoting hormones in livestock and imposed a ban on the importation of beef produced with growth-promoting hormones. Both Canada and the United States consistently opposed the ban on the grounds that it was not based on scientific evidence and was an unjustified barrier to trade. The safety of growth-promoting hormones has been endorsed by the Codex Alimentarius and by Canada's own scientific reviews.

After Canada and the United States referred the matter to the World Trade Organization, a panel concluded in August 1997 that the EU ban violated the SPS Agreement since it could not be justified by scientific evidence. The panel's conclusion was further confirmed by the WTO Appellate Body in January 1998. The European Union was given until May 1999 to implement the WTO rulings, but it failed to do so.

In August 1999, because the European Union did not implement the WTO rulings, and given the absence of an acceptable offer of compensation as an interim solution, Canada imposed retaliatory tariffs on a list of imports from the European Union, including beef, cucumbers, gherkins and pork. These measures will remain in effect until such time as the EU implements the WTO rulings or offers a satisfactory compensation package on an interim basis pending implementation of the WTO rulings.

As of March 2001, the European Union has still not implemented the WTO rulings and Canada's retaliation remains in effect. Canada's objective remains open access to the EU market for Canadian beef. For more information, [www.dfait-maeci.gc.ca/tna-nac/dispute-e.asp#Hormones](http://www.dfait-maeci.gc.ca/tna-nac/dispute-e.asp#Hormones)

### Canada-EU Veterinary Agreement

On December 17, 1998, Canada and the European Union signed a Veterinary Agreement governing trade in live animal products, fish and fish products. The agreement establishes a mechanism for achieving recognition of equivalent sanitary measures between Canada and the European Union aimed at improving bilateral trade. A Joint Management Committee (JMC) has been established to implement the agreement.

A second meeting of the JMC was held in Halifax in October 2000. There was agreement to continue joint work by developing a list of commodities which reflect shared priorities and for which an agreed approach to equivalency can be undertaken. Agreement was also reached on ways to move ahead to improve the exchange of information and notifications. As future work, it was agreed, as a matter of priority, to establish three technical working groups to focus on audit/verification, information exchange/notification and equivalency.

### Seed Potatoes

A derogation from EU phytosanitary requirements is required for continued access to the European Union for Canadian seed potatoes. The particular pests of concern are bacterial ring rot (BRR) and potato spindle tuber viroid (PSTV).

Traditionally, an annual derogation had been granted based on requirements that Canada conduct stringent laboratory testing and certification of disease-free zones in Prince Edward Island and New Brunswick for all exports to the European Union.