

that assesses proposals on a case-by-case basis. It includes full consultation with federal and provincial regulatory and trade officials (in their areas of jurisdiction), as well as with stakeholders, including industry. This document is also available on the WTO Web site under document number G/TBT/W/167.

Canada is an active participant in the ongoing work of the WTO Committee on Technical Barriers to Trade. We are currently preparing for the Third Triennial Review, to be concluded in 2003. The review will provide Canada with an opportunity to work toward further implementation of the TBT Agreement internationally. In line with the Doha Declaration, Canada's focus going into the third review will be on issues related to developing-country capacity building and trade-related technical assistance, as well as conformity assessment procedures and labelling issues. Recognizing these areas as priorities, the TBT Committee will be hosting two important workshops in 2003: one on trade-related technical assistance, for which funding will be made available to developing countries, and the other on labelling issues. Canada played a leadership role in orchestrating these workshops and is fully engaged in and committed to both events.

The Third Triennial Review will also provide Canada with an opportunity to enhance and strengthen its multilateral discussions on specific issues of importance to Canadian producers, exporters and governments. We will continue to assist further implementation of the various obligations in the TBT Agreement, which will reduce technical barriers to trade among Canada's trading partners and potentially facilitate the flow of Canadian goods to other countries.

## **SANITARY AND PHYTOSANITARY MEASURES**

The WTO Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures (the SPS Agreement) stipulates that SPS measures must be based on scientific principles and scientific evidence; they must be applied only to the extent necessary, and they must not result in unfair discrimination or disguised restrictions on trade. The SPS Agreement has been in force since 1995 and continues to work well. Obviously, Canada is not alone in this view

as it was agreed at Doha that the SPS Agreement would not be reopened during the current round of WTO negotiations.

The SPS Agreement established the Committee on Sanitary and Phytosanitary Measures (SPS Committee), which is responsible for the operation and implementation of the agreement. The Committee generally meets three times a year. Canada is an active participant in SPS Committee meetings.

Over the last year, the SPS Committee has continued to focus its efforts on the implementation concerns of developing countries. In particular, the Committee has considered, as a priority, the implementation constraints facing developing countries including accessing the special and differential (S&D) treatment provisions of the SPS Agreement. Canada tabled a proposal that would provide members with information concerning the provision of S&D treatment through the transparency obligations of the SPS Agreement, thereby encouraging more extensive use of the S&D provisions. The Committee has also considered issues such as equivalence, transparency and technical assistance. For example, the Committee developed and adopted a format to notify agreements recognizing the judgment of equivalence; the Committee also revised and updated the recommended procedures for implementing the transparency obligations of the SPS agreements; 29 developing countries have submitted responses to the technical assistance questionnaires that the Committee developed and circulated in late 2001. As well, the Committee agreed that the report of the next review of the SPS Agreement would be prepared for the sixth Session of the Ministerial Conference in 2005.

The SPS Committee is increasingly being used by Canada and other WTO members, including developing country members, as a forum for raising bilateral issues. In 2002, WTO members raised more bilateral issues than ever before. Canada raised 13 bilateral issues including the European Union's moratorium on genetically modified organisms (GMOs), China's GMO regulations, Brazil's restrictions on potatoes and other plant products, the Philippines' measures on meat products, Panama's import licences for agricultural products, and Argentina's measures related to Bovine Spongiform Encephalopathy (BSE).