

OIE –
**international health standards for
 animals and animal products**
 – global animal health trade conditions

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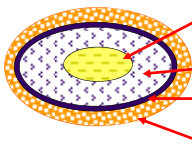
Info on Pets

- http://ec.europa.eu/food/animal/liveanimals/pets/index_en.htm
- The following rules apply to movement of dogs, cats and ferrets both between Member States and from third countries into the EU:
- Since 3 July 2004, the conditions for the movement of pet animals have become harmonised under the conditions laid down in Regulation 998/2003 of the European Parliament and of the Council of 26 May 2003. It lays down the animal health requirements for both the movement of pets between Member States and from third countries.
- Article 6: Derogation for Ireland, Malta, UK, Sweden until 30.06.2010



The World on Your Plate

An 'EU' Chicken Kiev



- Herb Butter:**
 - Salted butter - Ireland
 - garlic puree - China, USA, Spain
 - garlic salt - China, USA, Spain
 - lemon - USA
 - parsley - France, UK
 - pepper - Indonesia
 - water - Ireland
- Chicken Breast:** Chicken - Ireland, Belgium, UK, France etc.
- Batter:**
 - Flour - Belgium, France
 - Water - Ireland
- Fried Bread Crumb:**
 - Bread crumb - Ireland, UK
 - Rape-seed oil - EU, Australia, Eastern Europe

A Russian inspired recipe made in Europe with ingredients from around the world





Part I

International standards and the SPS

OIE and the SPS Agreement

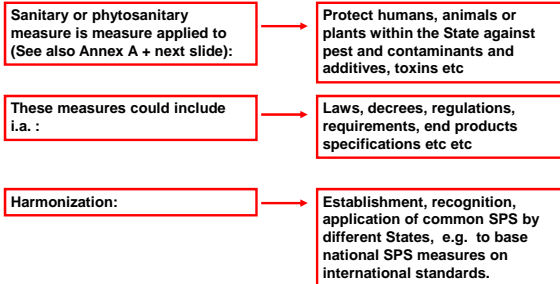
What does it mean:	Office International des Epizooties - Sanitary and phyto-sanitary measures
What is it for:	Essential goal: Non-discrimination To remove or prevent barriers to trade
What else to consider: !	The TBT Agreement, see also reference in Article 1 and GATT Article XX
The difference SPS-TBT:	SPS applies only to health measures, TBT to every kind of measure for whatever purpose

General ideas - overview

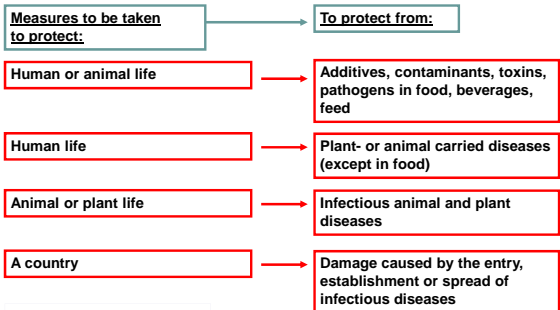


- The WTO Member Countries (152) are not authorised to ask more of imports than they request inside their own territory
- To be compliant, the importing country has to prove that the measures it takes is really for SPS protection (EU-US)
- Animal protection is excluded from the SPS agreement, but there are new OIE standards for animal welfare.
- The member countries may have bilateral agreements between them based on principles and transparency:
 - They have to communicate their legislation (concerning import)
 - They should accept visits based on audits and inspections
 - They should base their action on risk assessment, risk evaluation, HACCP

Some important definitions



Definition¹ of SPS measures



¹ Gretchen H. Stanton, SPS committee

Some other important definitions



Pest- or disease free area:	→	An area identified by the C.A. where a specific pest does not occur
Risk assessment:	→	Evaluation of entry and spread of pest or disease including the biological and economical consequences
Appropriate level of SPS protection:	→	The level deemed appropriate by the State concerned to protect humans, animals or pest

Why SPS

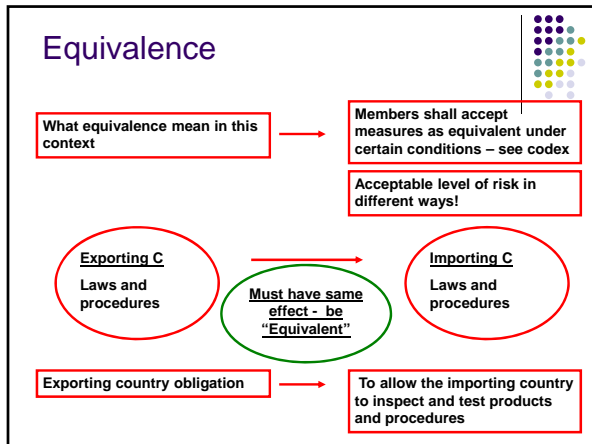


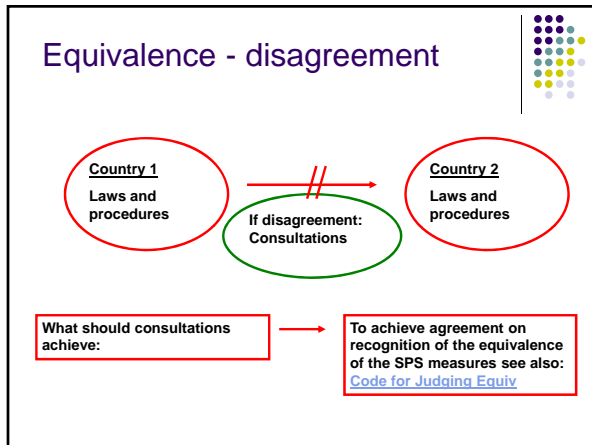
Member should be allowed to adequately protect:	→	Human, animal, plant life and/or health – fundamental right As long as not arbitrary or unjustifiable
In the past these measures were used as barrier to trade “VBT”	→	The aim is to continue justifiable protection – NO VBT
This is an international framework for achieving the goal – through harmonization and cooperation	→	All member states are able to take measures within an agreed framework of the SPS agreement

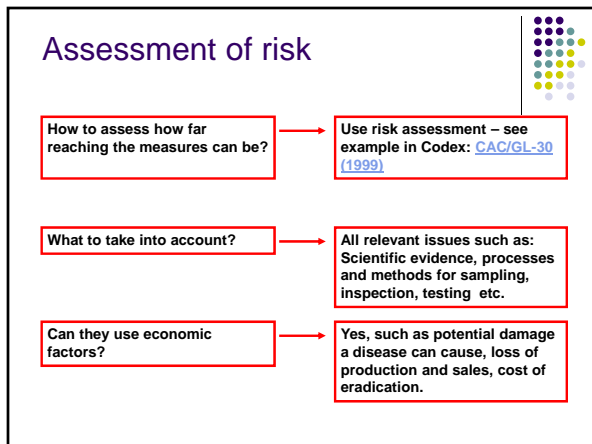
How do we achieve the aim



Agree on standards, guidelines, recommendation	→	Codex, OIE, IPPC. These standards are used and considered e.g. EU rules on food, feed and plant protect.
When taking measure use at least the spirit of these standards	→	E.g. when banning import of animals, products or plants and making rules and procedures
Flexibility is possible ...	→	For example in case of poorer states.







Assessment of risk




What to avoid in particular? → **Negative trade effects**

Arbitrary distinctions as to what is "appropriate" – use guidelines

What to try to ensure → **That measures are not more trade restrictive than required to achieve goal of protection**

Can members act alone without hesitation → **Yes, on the basis of available pertinent information including from international organisations**

Assessment of risk



What if another member takes a unilateral measure, not based on standards or they don't exist? → **The state can ask this other member to justify the measure**

An explanation shall be provided!

NB! The burden of proof is on the member taking the unilateral measure!

If disagreement, see article 11

Disease or pest free areas

See also separate lecture



E.g. exporting country wants to demonstrate their status, e.g. free of Foot and Mouth disease → **It is up to the exporting country to demonstrate**

Must provide scientific proof based on:

Geography, ecosystems, epidemiological surveillance, effectiveness of controls

Importing country must be given right to access for inspection, testing and procedures

How to verify compliance



Annex C to the agreement	→	Instruction how check fulfilment of SPS measures
Difference domestic / import	→	Procedure for import no less favourable!
Obligations on information	→	Only what is necessary for appropriate control – Confid.
How far to go in checking, inspecting etc.	→	Limited to necessary and reasonable
Approval of food additives, if restriction on the basis of	→	Use international standard as basis for access

Assistance



Member have agreed to provide assistance	→	What is happening here these days
In addition, exemptions possible	→	Time-limited exceptions in whole or in part from obligations under the agreement

Disputes



Applicable provisions	→	GATT 1994, Article XXII, XXIII
How is this handled?	→	Consultations, if not successful: A panel seeks advice of experts chosen in agreement with parties to the dispute.
Is it important and used?	→	Yes it is. On of the corner-stones of multilateral trade. Member shall not make themselves determination but use the procedure for settlement.

Notifications



The SPS Agreement requires countries to notify the WTO of proposed new sanitary and phytosanitary regulations or modifications to existing regulations whenever

either an international standard, guideline or recommendation does not exist, or;

the content of a proposed SPS regulation is not substantially the same as the content of an international standard, guideline or recommendation,

and, in both cases, if;

the regulation may have a significant effect on trade of other countries.

Significant effect on trade



How to decide which measures have "significant effect" on trade?
Consider:

the value or other importance of imports in respect of the importing and/or exporting country (ies) concerned, whether from other countries individually or collectively;

the potential development of such imports

and

difficulties for producers in other countries to comply with the proposed SPS regulations

Part II Animals – OIE international standards



OIE international standards



- OIE develops and publishes
 - health standards for trade in animals and animal products, and
 - biological standards for diagnostic tests and vaccines
- Standards are adopted by OIE Member Countries during General Session each May by consensus
 - There is no other procedure for adoption

OIE international standards



- Veterinary Administrations should base their health measures on OIE standards -
- to enable the harmonisation of health aspects in international trade

The OIE Codes and Manuals



- Terrestrial Animal Health Code
- Aquatic Animal Health Code
- Manual of Diagnostic Tests and Vaccines for Terrestrial Animals
- Manual of Diagnostic Tests for Aquatic Animals

OIE Specialist Commissions



- Following commissions have been established:
 - Terrestrial Animal Health Standards Commission
 - Aquatic Animal Health Standards Commission
 - Biological Standards Commissions

What are the codes for?




- They are recommend health measures to be used by veterinary authorities or other competent authorities
 - to establish health regulations for the safe importation of animals and animal products while at the same time avoiding unjustified trade restrictions!
- now expanding into animal welfare and food safety

Main principles of the Codes




- Scientifically based recommendations for
 - assessment of risk factors
 - evaluation of veterinary services / competent authorities
 - zoning and compartmentalisation
 - epidemiological surveillance
- Credible health certification
- Importing country assumed to be free of disease or with a control programme



The OIE Codes and Manuals and the SPS Agreement are linked

The SPS agreement does require member states to use standards




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graph TD
    A[ ] --> B[animal health  
OIE]
    A --> C[food safety  
CODEX]
    A --> D[plant health  
IPPC]
    
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Approach in the Terrestrial Code

- Generic (horizontal) chapters
 - General definitions
 - Obligations and ethics in international trade
 - Disease notification
 - Import risk analysis methodology
 - Evaluation of veterinary services
 - Import/export procedures



Approach in the *Terrestrial Code*

- Specific chapters on diseases for
 - Live animals
 - Genetic material
 - Products of animal origin (meat, milk, hides / skins)
- Covering diseases of
 - Mammals
 - Birds
 - Bees

What are OIE Codes and Manuals for?



- Terrestrial Animal Health Code: To assure the sanitary safety of the international trade in terrestrial animals (mammals, birds and bees).
- Aquatic Animal Health Code: To assure the sanitary safety of international trade in aquatic animals (fish, molluscs and crustaceans) and their products.
- Diagnostic Manuals: To provide standards for diagnostic tests and vaccines for the diseases listed in the OIE Terrestrial Animal Health Code and the Aquatic Animal Health Code

Purpose of the Codes - proceed



- To set recommendations, standards and guidelines to protect animal health and guard against zoonotic diseases in the trade of terrestrial and aquatic animals and their products
- To be a reference manual for the trade in terrestrial and aquatic animals and their products as referred to in the SPS Agreement
 - Corresponding standards for products of animal origin are to be found in Codex Alimentarius. They should be read in conjunction with the relevant requirements in the Codes.

Principle for the international trade in animals and animal products



- The Codes, setting recommendations, standards and guidelines to protect animal health:
form the basis for the acceptance of the sanitary guarantees of the exporting country satisfying the desired level of protection for human and animal health of the importing country

Slide 35

- g2** While the Codes are primarily aimed at the protection of global animal health and to prevent the spread of pathogens to animals through international trade, the OIE also has an obligation in terms of human health implications and therefore compliment the guidelines and recommendations of the Codex Alimentarius to sensitise Member Countries on the zoonotic implications of the trade in specific commodities of animal origin.

gideonb, 04-May-05

The Codes give guidelines and recommendations for trade negotiations



- The outcome of trade negotiations, is of equal importance to both the importing and exporting country
 - IMPORTING COUNTRY: To ensure that the imported commodity do not endanger the required level of protection for human and animal health
 - EXPORTING COUNTRY: To focus on the shortcomings indicated by the negotiations and the ability to apply the sanitary guarantees required by the importing country

Information needed to negotiate trade



- What sanitary guarantees could the importing country require?
- What risk mitigating measures would be required to put in place?
- What tests need to be conducted to verify disease-free claims?
- What are the requirements to accept a disease free zone?
- When and why is an import risk assessment necessary?

Information needed to negotiate trade



- What will be an acceptable certification?
- What products will be acceptable for export?
- What products will not be acceptable for export and why not?
- How do I know that the standard of veterinary service delivery is acceptable?
- What are the alternatives if a country cannot declare a disease-free zone?
- If the disease is present in my country can I still export products irrespective of the disease status?

Additional in the Terrestrial Code



- appendices
 - collection and processing of semen
 - collection and processing of embryos/ova
 - disease surveillance - general and disease specific
 - inactivation of pathogens and vectors
 - animal welfare
 - antimicrobial resistance
- model veterinary certificates for
 - live animals
 - products of animal origin

Using the Codes and Manuals



- do not use the Codes as a textbook on diseases
- use it as an international standard to evaluate measures to protect animal and aquatic health in the trade of animals and animal products
- ensure that the application of the standards of the Codes for national health measures are in accordance with obligations under the SPS Agreement

Using the Codes and Manuals



- Use the Guidelines for the Evaluation of Veterinary Services as an essential baseline for risk assessment
- Use the Codes to establish baseline arguments to establish equivalence for trade negotiations
- Use the Codes to establish cost-effective risk mitigation measures for trade
- Use the Codes and Manuals to challenge scientific unjustifiable sanitary measures of importing countries

Using OIE biological standards



- OIE harmonises diagnostic testing and vaccination procedures through use of
 - standard methods – OIE *Manuals*
 - Reference Laboratories / Collaborating Centres
 - International Reference Sera
 - quality assurance guidelines
- Supports laboratories in Member Countries
→ reliable results
- Coordinated by the Biological Standards Commission and Aquatic Animal Health Standards Commission

Using OIE *Manuals*



- Describe internationally agreed laboratory methods for disease diagnosis
 - to enable the requirements for health certification in connection with trade to be met
- Terrestrial Manual also covers the production and control of biological products e.g. vaccines
- Tests in the Manuals should be performed according to the methods described in order to avoid differences in interpretation of results

Terrestrial Manual - proceed



- Diagnostic tests for OIE listed diseases and other diseases of importance to trade
- Diagnostic tests
 - 'prescribed' – those required by the *Code* for international trade – printed in blue
 - not every listed disease has a 'prescribed' test
 - 'alternative' – suitable for import/export after bilateral agreement
 - not same level of confidence
 - can provide valuable information for the diagnosis of disease nationally or regionally or for evaluating the risks of any proposed trade in *animals* or animal products

Websites of interest



WTO

http://www.wto.org/english/thewto_e/thewto_e.htm

SPS

http://www.wto.org/english/tratop_e/sps_e/spsagr_e.htm

Standards and Trade Development Facility

<http://www.standardsfacility.org/>

Codes Alimentarius

http://www.codexalimentarius.net/web/index_en.isp

OIE

http://www.oie.int/eng/en_index.htm

WTO Distance Learning

http://www.wto.org/english/res_e/d_learn_e/d_learn_e.htm#sps
