

SPS/TBT Notifications Affecting Agricultural Trade

Listed below are proposed changes in international agricultural, food and related standards as notified via the World Trade Organization. The first table provides a summary of all notifications; individual details follow separately. Interested parties may obtain a full text of any notification for review and COMMENT. Simply check the "Request a Copy" check box next to the Notification and return by fax (202) 690-0677 to the attention of Deborah A. Thompson, Food Safety and Technical Services Division in USDA/FAS.

Please provide us with your E-mail address (on the request form). For questions regarding policy matters, call Carolyn Fillmore Wilson (202) 720-2239, otherwise Ms. Thompson at (202) 720-9124 for address/telephone changes.

NOTE - Please include your name/fax/ number on all request forms.

Type	WTO Number	Product	Country	FSTSD #	Request a Copy
SPS	DEU/6/R1	Foodstuffs of Animal and Plant Origin	Germany	00.0294.R1	<input type="checkbox"/>
SPS	CAN/119/A1	Pesticide: Myclobutanil	Canada	01.0496.A1	<input type="checkbox"/>
SPS	AUS/139/A1	Importation of Fresh Pineapple...	Australia	02.0175.A1	<input type="checkbox"/>
SPS	CAN/127/A1	Pesticide: Glyphosate and Trimethylsulfonium	Canada	02.0183.A1	<input type="checkbox"/>
SPS	CAN/130/A1	Pesticide: Fomesafen	Canada	02.0186.A1	<input type="checkbox"/>
SPS	CAN/131/A1	Pesticide: Pyridaben	Canada	02.0187.A1	<input type="checkbox"/>
SPS	CAN/132/A1	Pesticide: Rimsulfuron	Canada	02.0188.A1	<input type="checkbox"/>
SPS	CAN/133/A1	Pesticide: Ethylenebisdithiocarbamate Fungicides	Canada	02.0189.A1	<input type="checkbox"/>
SPS	CAN/134/A1	Pesticide: Zoxamide	Canada	02.0190.A1	<input type="checkbox"/>
SPS	CHL/117	Fresh Mexican or Key Limes	Chile	02.0437	<input type="checkbox"/>
SPS	AUS/143	Food Derived from Insect-Protected, Glufosinate-Ammonium Tolerant Corn (maize)	Australia	02.0438	<input type="checkbox"/>
SPS	TPKM/11	Carnauba Wax	Taiwan, Penghu, Kinmen, Matsu	02.0439	<input type="checkbox"/>
SPS	GBR/3	Any food consisting of or containing Piper methysticum aka Kava-kava	United Kingdom	02.0440	<input type="checkbox"/>
SPS	BRA/73	...Animals Susceptible to Foot-and-Mouth Disease (FMD)	Brazil	02.0441	<input type="checkbox"/>
TBT	ZAF/20	Canned/Processed Vegetables	South Africa	02.0148	<input type="checkbox"/>

FSTSD # 00.0294.R1 **Country -** Germany **Product** Foodstuffs of Animal and Plant Origin
Comment Deadline Date - 12/16/2002 **Enforcement Date -** **WTO Type/Number -** SPS DEU/6/R1
Objective - Food Safety, Plant Protection
Description - Fixation and deletion of national maximum residue limits for plant protection products and pesticides, fertilizers and other agents in or on foodstuffs of animal and plant origin and implementation of Directives 2001/39/EC, 2001/48/EC and 2001/57/EC.

The Seventh Ordinance contains among other changes a codified list of MRLs for food of plant origin. The changed positions (101 active agents) are marked in bold; furthermore, these changes are listed in an explanatory document attached to the ordinance for clarification.

FSTSD # 01.0496.A1 **Country -** Canada **Product** Pesticide: Myclobutanil
Comment Deadline Date - **Enforcement Date -** **WTO Type/Number -** SPS CAN/119/A
Objective -

FSTSD # 01.0496.A1 **Country** - Canada

Product Pesticide: Myclobutanil

Description - ADDENDUM reads: The Pest Management Regulatory Agency (PMRA), of Health Canada, has recently approved an application to amend the registration of myclobutanil in order to allow its use for the control of brown rot, leaf spot and powdery mildew on peppers. This regulatory amendment will establish Maximum Residue Limits (MRLs) for residues of myclobutanil and its metabolites resulting from this use in peppers. This amendment will also establish MRLs in dried cherries and dried peaches/nectarines, and in imported bananas, cucurbits (balsam apples, balsam pears, bitter melons, cantaloupes, casaba melons, chayotes, Chinese cucumbers, Chinese wax gourds, citron melons, crenshaw melons, cucumbers, golden pershaw melons, gourds (edible), honey balls, honeydew melons, mango melons, Persian melons, pineapple melons, pumpkins, Santa Claus melons, snake melons, summer squash, watermelons and winter squash) and strawberries, in order to permit the sale of food containing these residues.

After the review of all available data, the PMRA has determined that MRLs for myclobutanil, including its metabolites, of 7 p.p.m. in dried peaches/nectarines, 4 p.p.m. in dried cherries, 2 p.p.m. in bananas, 1 p.p.m. in peppers, 0.5 p.p.m. in strawberries and 0.3 p.p.m. in cucurbits would not pose an unacceptable health risk to the public.

The full text of this addendum (final rule) can be downloaded from:
<http://canada.gc.ca/gazette/part2/pdf/g2-13623.pdf> or requested from:

Canadian Enquiry Point
Standards Council of Canada
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FSTSD # 02.0175.A1 **Country** - Australia

Product Importation of Fresh Pineapple...

Comment Deadline Date - **Enforcement Date** - 10/08/02 **WTO Type/Number** - SPS AUS/139/A

Objective -

Description - ADDENDUM reads: The policy to allow imports of fresh pineapple fruit from the Philippines, the Solomon Islands, Sri Lanka and Thailand has now been adopted.

Comments on the proposed import conditions were requested from Members in notification G/SPS/N/AUS/139 dated 26 April 2002.

The finalised import conditions including de-crowning of fruit and pre-shipment methyl bromide fumigation, can be obtained from the Australian Quarantine and Inspection Service's website at www.aqis.gov.au/icon.

A copy of the import risk analysis report is available from the Department of Agriculture, Fisheries and Forestry – Australia's website at www.affa.gov.au/plantbiosecurity or copies can be requested from the contact point below.

The import conditions came into effect on 8 October 2002.

Contact:SPS Contact Point
Market Access and Biosecurity
Department of Agriculture, Fisheries and Forestry – Australia
GPO Box 858
Canberra ACT 2601

FSTSD # 02.0175.A1 Country - Australia
Australia

Product Importation of Fresh Pineapple...

Tel:+61 2 6272 5242
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Email:sps.contact@affa.gov.au

FSTSD # 02.0183.A1 Country - Canada Product Pesticide: Glyphosate and Trimethylsulfoniu
Comment Deadline Date - Enforcement Date - WTO Type/Number - SPS CAN/127/A

Objective -

Description - ADDENDUM reads: The Pest Management Regulatory Agency (PMRA), of Health Canada, has recently approved an application to amend the registration of glyphosate in order to allow its use for the control of fall-seeded rye in asparagus as a pre-emergent treatment. The PMRA has also approved applications to amend the registration of glyphosate, formulated as trimethylsulfonium salt, in order to allow its use for the control of annual and perennial grasses and broadleaf weeds in barley, beans, flax, lentils, oats, peas, and rapeseed (canola) for pre-harvest management. This regulatory amendment will establish Maximum Residue Limits (MRLs) for residues of glyphosate, including its metabolite, resulting from these uses in asparagus, oat milling fractions, excluding flour, and rapeseed (canola), and amend the MRLs for beans, oats and flax, in order to permit the sale of food containing these residues. The amendment would also establish MRLs for residues of trimethylsulfonium cation in barley, beans, flax, lentils, oats, oat milling fractions, excluding flour, peas and rapeseed (canola).

After the review of all available data, the PMRA has determined that MRLs for glyphosate, including its metabolite, of 35 p.p.m. in oat milling fractions, excluding flour, 15 p.p.m. in oats (increased from 10 p.p.m.), 10 p.p.m. in rapeseed (canola), 4 p.p.m. in beans (increased from 2 p.p.m.), 3 p.p.m. in flax (increased from 1 p.p.m.) and 0.5 p.p.m. in asparagus, and MRLs for trimethylsulfonium cation of 15 p.p.m. in barley and oat milling fractions, excluding flour, 10 p.p.m. in oats and rapeseed (canola), 3 p.p.m. in flax and peas, 1 p.p.m. in beans and 0.5 p.p.m. in lentils would not pose an unacceptable health risk to the public. These MRLs would cover expected residues of glyphosate and trimethylsulfonium cation in both succulent and dry beans and peas.

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<http://canada.gc.ca/gazette/part2/pdf/g2-13623.pdf> or requested from:

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FSTSD # 02.0186.A1 Country - Canada Product Pesticide: Fomesafen
Comment Deadline Date - Enforcement Date - WTO Type/Number - SPS CAN/130/A

Objective -

Description - ADDENDUM reads: The Pest Management Regulatory Agency (PMRA), of Health Canada, has recently approved an application to expand the registration of fomesafen in order to allow its use for the control of broadleaf weeds in dry beans, snap beans and soybeans as a post-emergent treatment in an additional area of the country. This regulatory amendment will establish a Maximum Residue Limit (MRL) for residues of fomesafen resulting from this

FSTSD # 02.0186.A1 **Country** - Canada **Product** Pesticide: Fomesafen
use in dry beans, snap beans and soybeans, in order to permit the sale of food containing these residues.

After the review of all available data, the PMRA has determined that an MRL for fomesafen of 0.05 ppm in dry beans, snap beans and soybeans would not pose an unacceptable health risk to the public. This new MRL harmonizes with the one established by the United States Environmental Protection Agency.

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FSTSD # 02.0187.A1 **Country** - Canada **Product** Pesticide: Pyridaben
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS CAN/131/A

Objective -

Description - ADDENDUM reads: The Pest Management Regulatory Agency (PMRA), of Health Canada, has recently approved an application to amend the registration of pyridaben in order to allow its use for the control of mites on tomatoes. This regulatory amendment will establish a Maximum Residue Limit (MRL) for residues of pyridaben resulting from this use in tomatoes, in order to permit the sale of food containing these residues.

After the review of all available data, the PMRA has determined that an MRL for pyridaben of 0.15 p.p.m. in tomatoes would not pose an unacceptable health risk to the public.

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FSTSD # 02.0188.A1 **Country** - Canada **Product** Pesticide: Rimsulfuron
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS CAN/132/A

Objective -

Description - ADDENDUM reads: The Pest Management Regulatory Agency (PMRA), of Health Canada, has approved an application to amend the registration of rimsulfuron in order to allow its use for the control of hairy nightshade in field tomatoes for fresh market as a post-emergent treatment. This regulatory amendment will establish a Maximum Residue Limit (MRL) for residues of rimsulfuron resulting from this use in tomatoes, in order to permit the sale of food containing these residues.

After the review of all available data, the PMRA has determined that an MRL for rimsulfuron of 0.05 p.p.m. in tomatoes would not pose an unacceptable health risk to the public. This

FSTSD # 02.0188.A1 **Country** - Canada **Product** Pesticide: Rimsulfuron
new MRL harmonizes with the one established by the United States Environmental Protection Agency.

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FSTSD # 02.0189.A1 **Country** - Canada **Product** Pesticide: Ethylenebisdithiocarbamate Fung
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS CAN/133/A

Objective -

Description - ADDENDUM reads: The Pest Management Regulatory Agency (PMRA), of Health Canada, has recently approved an application to amend the registration of the ethylenebisdithiocarbamate fungicide, mancozeb, in order to allow its use for the control of anthracnose and ascochyta blight on lentils. This regulatory amendment will establish a Maximum Residue Limit (MRL) for residues of ethylenebisdithiocarbamate fungicides resulting from this use in lentils, in order to permit the sale of food containing these residues.

After the review of all available data, the PMRA has determined that an MRL for ethylenebisdithiocarbamate fungicides of 6 p.p.m. in lentils would not pose an unacceptable health risk to the public.

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FSTSD # 02.0190.A1 **Country** - Canada **Product** Pesticide: Zoxamide
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS CAN/134/A

Objective -

Description - ADDENDUM reads: Under authority of the Pest Control Products Act, the Pest Management Regulatory Agency (PMRA), of Health Canada, has approved an application for the registration of the pest control product (pesticide) zoxamide as a fungicide for the control of early and late blight in potatoes and for the control of black rot, downey mildew and powdery mildew in grapes. This regulatory amendment will establish Maximum Residue Limits (MRLs) under the Food and Drugs Act for residues of zoxamide resulting from this use in grapes and raisins, and for residues of zoxamide and its metabolites resulting from this use in potato processed fractions (chips, flakes and granules) and potatoes, in order to permit the sale of food containing these residues.

After the review of all available data, the PMRA has determined that MRLs for zoxamide of

FSTSD # 02.0190.A1 **Country** - Canada **Product** Pesticide: Zoxamide
15 parts per million (p.p.m.) in raisins and 3 p.p.m. in grapes, and MRLs for zoxamide and its metabolites of 0.3 p.p.m. in potato processed fractions (chips, flakes and granules) and 0.06 p.p.m. in potatoes would not pose an unacceptable health risk to the public. These new MRLs harmonize with those established by the United States Environmental Protection Agency.

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FSTSD # 02.0437 **Country** - Chile **Product** Fresh Mexican or Key Limes
Comment Deadline Date - **Enforcement Date** - 12/12/02 **WTO Type/Number** - SPS CHL/117
Objective - Plant Protection
Description - This draft Resolution establishes the phytosanitary requirements for the importation into Chile of fresh Mexican or key limes on the basis of the risk analysis conducted for the Department of Piura, Peru.

FSTSD # 02.0438 **Country** - Australia **Product** Food Derived from Insect-Protected, Glufosi
Comment Deadline Date - 12/20/2002 **Enforcement Date** - **WTO Type/Number** - SPS AUS/143
Objective - Food Safety. Foods produced using gene technology are required to undergo a pre-market assessment of their safety, to ensure that they are as safe as their conventional counterparts. All applications to change the Australia New Zealand Food Standards Code, must be assessed in the context of the following objectives: (a) the protection of public health and safety; (b) the provision of adequate information relating to food to enable consumers to make informed choices; and (c) the prevention of misleading or deceptive conduct.
Description - FSANZ has received an application to amend the Food Standards Code to approve food derived from a corn line 1507 genetically modified to produce a Bt protein (CRY1F) that confers protection against attack by certain lepidopteran insect pests, and a PAT protein for tolerance to glufosinate-ammonium herbicide.

FSTSD # 02.0439 **Country** - Taiwan, Penghu, Ki **Product** Carnauba Wax
Comment Deadline Date - 11/10/2002 **Enforcement Date** - **WTO Type/Number** - SPS TPKM/11
Objective - Food Safety
Description - Revision of the application standards for carnauba wax on foods.

FSTSD # 02.0440 **Country** - United Kingdom **Product** Any food consisting of or containing Piper
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS GBR/3
Objective - Food Safety
Description - Under Section 16 of the Food Safety Act 1990, these proposed Regulations will prohibit the sale, possession for sale, offer, exposure or advertisement for sale, and the importation into England from outside the United Kingdom, of any food consisting of, or containing, Kava–Kava (being a plant or part of a plant, or an extract from such a plant, belonging to the species *Piper methysticum*). Similar Regulations will be made in Scotland, Wales and Northern Ireland.

FSTSD # 02.0440 **Country -** United Kingdom **Product** Any food consisting of or containing Piper
Date of entry into force: In England, consultation on the proposed Regulations ended on 27 September 2002. If, after consideration of comments received, the Food Standards Agency considers that it is necessary to bring in the proposed legislation in order to protect public health, the Food Standards Agency's recommendation to the Secretary of State will be that he make the Regulations as soon as possible. The date of entry into force is then likely to be 21 days after the Regulations are made. The United Kingdom's Medicines Control Agency has proposed that, for human health reasons, the use of Kava-kava in unlicensed medicines should also be prohibited. This intention was notified under the TBT Agreement on 21 August 2002. Mention is made here for transparency.

EMERGENCY MEASURE: Nature of the urgent problem(s) and reason for urgent action: Evidence has emerged that, in rare cases, consumption of products containing Kava-kava may be associated with liver damage.

The UK's Committee on Safety of Medicines (CSM) has reviewed a total of 68 case reports of suspected liver toxicity associated with consumption of Kava-kava. The severity of the liver damage suffered varies and includes abnormal liver function, jaundice, hepatitis, liver failure and death. In six cases the patients suffered irreversible liver failure and received liver transplants. Three patients died, including one who had received a transplant.

The CSM advised that there was sufficient evidence to conclude that Kava-kava is associated with rare cases of liver toxicity that may be serious in nature.

The UK Medicines Control Agency is consulting on a proposed Order that would prohibit the use of Kava-kava in unlicensed medicinal products.

There are also a number of food products containing Kava-kava on the market in the UK. Currently there are no specific controls on the inclusion of Kava-kava in foods. A number of the case reports reviewed by the CSM concerned patients who were consuming food products containing Kava-kava as well as medicinal products containing Kava-kava. The advice from CSM also requires action on food uses of Kava-kava because there is no clear understanding of the nature of the hepatotoxicity, including its mechanism. Consequently, the FSA is proposing to prohibit food uses of Kava-kava.

The proposed Regulations are considered necessary to protect consumers against the risk that consumption of foods containing or consisting of Kava-kava may cause liver damage.

FSTSD # 02.0441 **Country -** Brazil **Product** ...Animals Susceptible to Foot-and-Mouth
Comment Deadline Date - **Enforcement Date -** 09/24/02 **WTO Type/Number -** SPS BRA/73
Objective - Animal Health, Protect Territory from Other Damage from Pests
Description - Because of the detection of vesicular disease in four bovine animals in the Department of Canindeyú, District of Corpus Christi, in the locality of Paková, near the border of the State of Mato Grosso do Sul, which could be an indicative of foot and mouth disease, Brazil is forbidding the import of animals, products and sub?product derived from animals susceptible to foot and mouth disease (FMD) until the episode is fully clarified by the Centro Panamericano de Febre Aftosa, as requested by Brazil. The measure was taken after an exchange of letters with the President of SENACSA, the sanitary authority of Paraguay, and is based on Articles 1,2,3 of the Regulamento do Serviço de Defesa Animal, approved by Decreto Nº 24.548 from 3 July 1934.

EMERGENCY MEASURE: FMD is a very contagious, easily disseminated, virus and Brazil has to protect its herds and its important economic interests related to the cattle raising industry.

FSTSD # 02.0148 **Country -** South Africa **Product** Canned/Processed Vegetables
Comment Deadline Date - 1/13/2003 **Enforcement Date -** not before **WTO Type/Number -** TBT ZAF/20

FSTSD # 02.0148 Country - South Africa Product Canned/Processed Vegetables

Objective -

Description - The proposed regulations seeks to facilitate the sale of canned vegetables in the Republic of South Africa by setting technical standardized norms for canned vegetables with regard to quality, grading, packing and marking and which will also apply to imported canned vegetables. The norms for quality are set taking into consideration the Codex Alimentarius Commission standards for processed vegetables.

End of Report.