

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 name, fax number and 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.

<u>Type</u>	<u>WTO Number</u>	<u>Product</u>	<u>Country</u>	<u>FSTSD #</u>	<u>Request a Copy</u>
SPS	USA/427/A2	Unshu Oranges from Honshu Island, Japan	United States of America	01.0242.A2	<input type="checkbox"/>
SPS	USA/691/C1	...Public Health Security and Bioterrorism Preparedness & Response Act of 2002	United States of America	03.039.C1	<input type="checkbox"/>
SPS	NLD/59/C1	Rind of Cheese, Sheep's Cheese and Goat's Cheese	Netherlands	03.065.C1	<input type="checkbox"/>
SPS	JPN/95	Apple Juice and Apple Juice Ingredients	Japan	03.067	<input type="checkbox"/>
SPS	JPN/96	Food Additives (Kojic acid, Methyl hesperidin)	Japan	03.068	<input type="checkbox"/>
SPS	USA/84/A5	Dietary Supplements Containing Ephedrine Alkaloids	United States of America	97.0113.A5	<input type="checkbox"/>
TBT	CAN/62/C1	Prepackaged Food	Canada	03.032.C1	<input type="checkbox"/>
TBT	BRA/102	Labelling Requirements for Ready-to-use Products	Brazil	03.038	<input type="checkbox"/>
TBT	EEC/26	Sardines and Sardine-type Products	European Union	03.039	<input type="checkbox"/>
TBT	USA/34	Sodium Labeling	United States of America	03.040	<input type="checkbox"/>
TBT	BRA/105	Pet Food	Brazil	03.041	<input type="checkbox"/>
TBT	DOM/1	Fish and Shellfish, Fresh Fish	Dominican Republic	03.042	<input type="checkbox"/>
TBT	DOM/2	Waste Water	Dominican Republic	03.043	<input type="checkbox"/>
TBT	DOM/3	Milk and Dairy Products, Raw Cow's Milk	Dominican Republic	03.044	<input type="checkbox"/>
TBT	DOM/4	Water for Domestic Use	Dominican Republic	03.045	<input type="checkbox"/>
TBT	DOM/5	Packaged Drinking Water	Dominican Republic	03.046	<input type="checkbox"/>
TBT	DOM/6	Processed Fruit and Vegetable Products. Juices and Nectars. Soft Drinks.	Dominican Republic	03.047	<input type="checkbox"/>
TBT	DOM/7	Processed Fruit and Vegetable Products, Juices and Nectars...	Dominican Republic	03.048	<input type="checkbox"/>
TBT	DOM/8	Processed Fruit and Vegetable Products, Juices and Nectars	Dominican Republic	03.049	<input type="checkbox"/>
TBT	DOM/10	Mayonnaise	Dominican Republic	03.050	<input type="checkbox"/>
TBT	DOM/11	Edible Oils and Fats	Dominican Republic	03.051	<input type="checkbox"/>
TBT	NLD/57	Animal Feed	Netherlands	03.052	<input type="checkbox"/>

FSTSD # 01.0242.A2 **Country -** United States of A **Product -** Unshu Oranges from Honshu Island, Japan

FSTSD # 01.0242.A2 **Country** - United States of A **Product** - Unshu Oranges from Honshu Island, Japan
Comment Deadline Date - 5/2/2003 **Enforcement Date** - 03/03/03 **WTO Type/Number** - SPS USA/427/A

Objective -

Description - ADDENDUM reads: The USDA-APHIS is adopting as a final rule, without change, an interim rule that amends the regulations governing the importation of citrus fruit to allow Unshu oranges grown on Honshu Island, Japan, to be imported without fumigation if the distribution of the fruit within the United States is limited to non-citrus producing states. This interim rule is effective March 3, 2003. USDA-APHIS will consider all comments received for Docket No.02-108-01 available at www.aphis.usda.gov/ppd/rad/webrepor.html on or prior to May 2, 2003. Please submit comments to Regulatory Analysis and Development, PPD, APHIS, Station 3c71, 4700 River Road Unit 118, Riverdale, MD 10737-1238 or by e-mail to regulations@aphis.usda.gov.

[This document can be obtained from Mr. William Janis, the Acting U.S. Enquiry Point Officer, U.S. Department of Agriculture, Stop 1027, Washington, D.C. 20250. Telephone: 202 720-9047. E-mail: fstd@fas.usda.gov].

FSTSD # 03.039.C1 **Country** - United States of A **Product** - ...Public Health Security and Bioterrorism P
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - SPS USA/691/C

Objective -

Description - CORRECTION read: The Food and Drug Administration (FDA) is correcting a notice of proposed rulemaking that appeared in the Federal Register of February 3, 2003 (68 FR 5378). The document proposed a regulation that would require domestic and foreign facilities that manufacture, process, pack, or hold food for human and animal consumption in the United States to register with FDA by December 12, 2003. Due to a printing error, the document was published with inadvertent errors (numbering sequence of items #11 through # 28 in Section 11 – General Product Categories – Food for Human Consumption) on page 5423 of the appendix, which is a draft facility registration form.

The corrected version of the appendix can be found at:
<http://www.fda.gov/OHRMS/DOCKETS/98fr/03-5203.pdf>

For further information contact Ms. Joyce Strong, Office of Policy (HF-27), U.S. Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, Telephone: 301-827-7010.

Enquiry Point: Mr. William Janis, U.S. Department of Agriculture, Stop 1027, Washington, D.C. 20250. Telephone: 202 720-9047: E-Mail: fstd@fas.usda.gov

FSTSD # 03.065.C1 **Country** - Netherlands **Product** - Rind of Cheese, Sheep's Cheese and Goat
Comment Deadline Date - 4/25/2003 **Enforcement Date** - **WTO Type/Number** - SPS NLD/59/C1

Objective -

Description - CORRECTION reads: In box 6 "Description of content", paragraph 2, second line, the word "hydrated" should be replaced by "hydrogenated".

Description of content (from original notification): The Commodities Act on cheese rind coatings lays down rules pertaining to the manufacture of cheese rind coatings in order to protect public health. The enclosed draft amendment to this Regulation has been drafted at the request of the industry.

The draft aims to permit the use of a new cheese rind coating which is composed of acetoglycerides (E 472a), mono- and diglycerides (E 471), hydrated natural oils and fats, natural waxes, plastics and colourings (including curcumin (E100)).

FSTSD # 03.067 **Country** - Japan **Product** - Apple Juice and Apple Juice Ingredients
Comment Deadline Date - 5/23/2003 **Enforcement Date** - **WTO Type/Number** - SPS JPN/95

Objective - Food Safety

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FSTSD # 03.067 **Country -** Japan **Product -** Apple Juice and Apple Juice Ingredients

Description - Not more than 50 ppb as patulin in apple juice and apple juice ingredients for other non-alcoholic beverages.

FSTSD # 03.068 **Country -** Japan **Product -** Food Additives (Kojic acid, Methyl hesperidin)

Comment Deadline Date - 5/23/2003 **Enforcement Date -** **WTO Type/Number -** SPS JPN/96

Objective - Food Safety

Description - Prohibition of the use of kojic acid, as a food additive, in food. Revision of the requirement of content of methyl hesperidin.

FSTSD # 97.0113.A5 **Country -** United States of A **Product -** Dietary Supplements Containing Ephedrine

Comment Deadline Date - 4/4/2003 **Enforcement Date -** **WTO Type/Number -** SPS USA/84/A5

Objective -

Description - ADDENDUM 5 reads: Dietary Supplements Containing Ephedrine Alkaloids, Reopening the Comment Period.

Federal Register Vol. 68, No. 43, pages 10417-10420 (4 pages; available in English)
<http://www.fda.gov/OHRMS/DOCKETS/98fr/03-5072.pdf>

The US Food and Drug Administration (FDA) has reopened for 30 days the comment period for a proposed rule entitled "Dietary Supplements Containing Ephedrine Alkaloids" that published in the Federal Register of 4 June 1997 (62 FR 30678) (the June 1997 proposal). In that document, FDA proposed a number of requirements relating to dietary supplements containing ephedrine alkaloids, including a requirement for a warning statement on the product label. Since publication of the June 1997 proposal, new scientific evidence has come to light concerning health risks associated with the use of dietary supplements containing ephedrine alkaloids. FDA is reopening the comment period to receive comment on this new evidence, as well as on the warning statement it is now considering for dietary supplements containing ephedrine alkaloids. FDA also intends to consider, to the extent possible, whether in light of current information FDA should determine that dietary supplements containing ephedrine alkaloids present a "significant or unreasonable risk of illness or injury under conditions of use recommended or suggested in labeling, or if no conditions of use are suggested or recommended in the labeling, under ordinary conditions of use."

Final date for comments: Submit written or electronic comments by 4 April 2003.

Submit written comments on the document to the:

Dockets Management
Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane, rm. 1061
Rockville, MD 20852, USA.

It is possible to submit electronic comments to: <http://www.fda.gov/dockets/ecomments>

Submit comments by indicating DOCKET Number 95N-0304 and Title of document "Dietary Supplements Containing Ephedrine Alkaloids."

Mr. William Janis
US Department of Agriculture
Stop 1027
Washington, DC 20250
Tel (202) 720-9047, (202) 720-0677
fstd@usda.gov

Complete text can be also be found on the Internet:

FSTSD # 97.0113.A5 **Country** - United States of A **Product** - Dietary Supplements Containing Ephedrine
<http://www.accessdata.fda.gov/scripts/oc/ohrms/index.cfm> by looking under DOCKET No.
95N-0304

FSTSD # 03.032.C1 **Country** - Canada **Product** - Prepackaged Food
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - TBT CAN/62/C1
Objective -

Description - CORRECTION reads: Canada has requested the withdrawal of notification
G/TBT/N/CAN/62.

Description of content: Information on the background, international positions, and details
of proposals to clarify labelling rules for highlighted ingredients, flavours, and sensory
characteristic descriptions.

FSTSD # 03.038 **Country** - Brazil **Product** - Labelling Requirements for Ready-to-use P
Comment Deadline Date - 3/20/2003 **Enforcement Date** - 03/31/03 **WTO Type/Number** - TBT BRA/102
Objective - Labelling and packaging requirements, consumer's health and safety.

Description - This Resolution updates the legislation on sanitary surveillance of imported products. It
establishes labelling requirements for ready-to-use products as well as external packaging
requirements for bulk products.

It adds to the previous requirements on what concerns the obligation to identify in the
external package the lot's number or code, the manufacturer name as well as specific
aspects relative to product storage, where applicable. The importers have 60 days to
comply with these specific requirements, after their entry into force.

This Resolution revokes the following documents:

- Ministerial Act number 772, October 2nd 1998 (Portaria SVS/MS no. 772 de 2 de outubro
de 1998)
- Resolution number 19, January 18th 2002 (Resolução RDC no. 19 de 18 de janeiro de
2002)
- Ministerial Act SVS, nº 1, 16 December 1996 (Instrução Normativa SVS no. 1 de 16 de
dezembro de 1996)
- Ministerial Act number 331, May 6th 1998 (Portaria MS/SVS no. 331 de 6 de maio de 1998)
- Ministerial Act number 996, December 10th 1998. (Portaria MS/SVS no. 996 de 10 de
dezembro de 1998)Resolution number 20, January 30th 2003 (Resolução RDC no. 20 de
30 de janeiro de 2003) postponed the entry into force of the present resolution to March
31st 2003. Obs.:

Also notified under SPS Agreement

FSTSD # 03.039 **Country** - European Union **Product** - Sardines and Sardine-type Products
Comment Deadline Date - 3/19/2003 **Enforcement Date** - April 2003 **WTO Type/Number** - TBT EEC/26
Objective - The objectives of the measure are to provide accurate information to consumers and to
prevent deceptive practices, as well as to promote market transparency, fair competition,
and variety of choice.

The widening variety of supply of sardine-type products in the territory of the EU makes it
necessary to lay down marketing rules aiming at providing consumers with sufficient
information on the identity and the main characteristics of the products. In so doing, the
Codex Alimentarius standard Codex STAN 94 is used as a basis for the new common
trade description, taking into account the particular conditions prevailing on the Community
market.

In particular, the measure intends to regulate the use of the name "sardine" in the
marketing of preserved sardines and sardine-type products presented in the same way as

FSTSD # 03.039 **Country** - European Union **Product** - Sardines and Sardine-type Products
preserved sardines. The name "sardine" traditionally designates fish of the species *Sardina Pilchardus* (Walbaum), and it is recognized as such by European consumers. As a result, it can be used to designate other fish species only if appropriately qualified. The envisaged trade descriptions are intended to ensure an appropriate level of consumer information about the specific varieties of sardine-type fish that are marketed in preserved form in the same way as sardines, and to maintain the wide availability and diversity of sardine-type products currently marketed in the EU.

Description - Rules on the trade description of preserved sardines and sardine-type products marketed in the territory of the European Communities.

FSTSD # 03.040 **Country** - United States of A **Product** - Sodium Labeling
Comment Deadline Date - 5/6/2003 **Enforcement Date** - **WTO Type/Number** - TBT USA/34
Objective - Sodium content of "healthy" food products.

Description - The Food and Drug Administration (FDA) is proposing to amend the regulation for sodium levels for foods that use the nutrient content claim "healthy." FDA is proposing that a previously established, but not yet implemented, more restrictive, second-tier sodium level would be permitted to take effect as a criterion that individual foods must meet to qualify to bear the term "healthy." FDA is proposing to retain the current first-tier sodium level for meal and main dish products because implementing the second-tier sodium level could result in the substantial elimination of meal and main dish products bearing the claim "healthy" from the marketplace. FDA believes that the proposed sodium levels will help consumers achieve a total diet that is consistent with current dietary recommendations, as the proposed levels will give consumers a reasonable number of "healthy" products from which to choose. FDA has also revised the regulatory text for the definition of "healthy" to clarify the scope of the regulation and conform to the Presidential Memorandum instructing Federal agencies to use plain language.

FSTSD # 03.041 **Country** - Brazil **Product** - Pet Food
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - TBT BRA/105
Objective - Marking, labelling and composition requirements.

Description - Ministerial Act and annex technical regulation on the establishment of identity and quality of complete and specialty pet food. It lays down composition, quality, marking and labelling requirements.

FSTSD # 03.042 **Country** - Dominican Republi **Product** - Fish and Shellfish, Fresh Fish
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - TBT DOM/1
Objective - Define and establish the requirements for fresh fish for human consumption.

Description - Establishes the classification and physical, organoleptic and microbiological characteristics of fresh fish.

FSTSD # 03.043 **Country** - Dominican Republi **Product** - Waste Water
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - TBT DOM/2
Objective - Control environmental pollution

Description - Establishes the minimum physical, chemical and microbiological characteristics of effluent discharged into receiving bodies.

FSTSD # 03.044 **Country** - Dominican Republi **Product** - Milk and Dairy Products, Raw Cow's Milk
Comment Deadline Date - **Enforcement Date** - **WTO Type/Number** - TBT DOM/3
Objective - Establish minimum and maximum limits for the physical, chemical, microbiological and organoleptic characteristics of raw cow's milk in order to determine its quality.

Description - Regulates the physical, chemical, microbiological and organoleptic characteristics of raw cow's milk.

FSTSD # 03.045 **Country** - Dominican Republi **Product** - Water for Domestic Use

FSTSD # 03.045	Country - Dominican Republic	Product - Water for Domestic Use	
Comment Deadline Date -	Enforcement Date -	WTO Type/Number - TBT	DOM/4
Objective - Establish the characteristics of water for domestic use.			
Description - Establishes the minimum and maximum limits for the physical, chemical, microbiological, bacteriological, radiological and organoleptic characteristics of water for domestic use.			
FSTSD # 03.046	Country - Dominican Republic	Product - Packaged Drinking Water	
Comment Deadline Date -	Enforcement Date -	WTO Type/Number - TBT	DOM/5
Objective - Classify waters according to source and purification process.			
Description - Classification, definition and characteristics of packaged drinking waters other than natural mineral waters.			
FSTSD # 03.047	Country - Dominican Republic	Product - Processed Fruit and Vegetable Products, J	
Comment Deadline Date -	Enforcement Date -	WTO Type/Number - TBT	DOM/6
Objective - Define and classify juices and nectars to prevent deceptive practices.			
Description - Differentiation between and classification of soft drinks and juices and nectars.			
FSTSD # 03.048	Country - Dominican Republic	Product - Processed Fruit and Vegetable Products, J	
Comment Deadline Date -	Enforcement Date -	WTO Type/Number - TBT	DOM/7
Objective - Establish differences as regards preservation in order to prevent deceptive practices.			
Description - Specifications in relation to the process for preserving fruit and vegetable juices and nectars by physical and chemical means.			
FSTSD # 03.049	Country - Dominican Republic	Product - Processed Fruit and Vegetable Products, J	
Comment Deadline Date -	Enforcement Date -	WTO Type/Number - TBT	DOM/8
Objective - Define and classify juices and nectars to prevent deceptive practices.			
Description - Definition and classification of processed fruit and vegetable products, such as juices and nectars. This Standard was developed as a draft on the basis of two draft Codex Standards.			
FSTSD # 03.050	Country - Dominican Republic	Product - Mayonnaise	
Comment Deadline Date -	Enforcement Date - 05/08/01	WTO Type/Number - TBT	DOM/10
Objective - Health and safety.			
Description - Optional ingredients; organoleptic requirements; microbiological requirements: physical and chemical requirements; food additives; contaminants; labelling.			
FSTSD # 03.051	Country - Dominican Republic	Product - Edible Oils and Fats	
Comment Deadline Date -	Enforcement Date - 10/07/1993	WTO Type/Number - TBT	DOM/11
Objective - Health and safety. Establish common requirements for edible fats.			
Description - Definitions; organoleptic requirements, microbiological requirements; chemical requirements; packaging and labelling.			
FSTSD # 03.052	Country - Netherlands	Product - Animal Feed	
Comment Deadline Date -	Enforcement Date - 04/29/03	WTO Type/Number - TBT	NLD/57
Objective - This logo reflects compliance with the Standard Quality Control of Feed Materials for Animal Feed quality regulation. The rules indicate the way in which the log may be used and the sanctions to be taken in the event of infringement of this permitted use.			
Description - Through this Decree, the collective logo for approval suppliers, i.e., a foreign supplier of feedingstuffs for which a verification body has established that the quality system used complies with the Standard Quality Control of Feed Materials for Animal Feed, is established as well as the rules concerning the use and monitoring of this logo.			

End of Report.