

DEVELOPING VETERINARY LEGISLATION IN A WTO CONTEXT

Melvin Spreij

Counsellor, Secretary of the Standards and Trade Development Facility (STDF) - World Trade Organization

In addition to addressing national animal health and public health objectives, veterinary legislation should facilitate the implementation of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), which aims to minimize the negative effects on trade of national measures taken to protect inter alia human and animal life and health. WTO Members are encouraged to base their measures on international standards, guidelines and recommendations adopted by the OIE (for animal health and zoonoses) and the Codex Alimentarius Commission (for food safety). Members are allowed to adopt a higher level protection than that provided by the relevant international standard if there is a scientific justification, based on a specific risk assessment. Examples of other key provisions of the Agreement relate to equivalence and the recognition of disease-free areas and areas of low disease prevalence. New or changed veterinary laws and regulations should be notified to the WTO Secretariat in a draft stage, giving other WTO Members the opportunity to comment on them. Emergency measures that are not based on an international standard or a risk assessment, for instance in the case of disease outbreaks, are permitted on a temporary basis, but must also be notified.

Keywords: World Trade Organization – SPS Agreement – OIE, Code – international standards.
