

FINAL REPORT – OIE QUESTIONNAIRE ON PRIVATE STANDARDS

Executive Summary

The OIE convened an expert *ad hoc* Group on private standards for sanitary safety and animal welfare to examine the current and possible future problems and benefits presented by private standards for sanitary safety and animal welfare in regard to international trade. In this context, sanitary safety covers animal production food safety and animal health including diseases transmissible to humans. The *ad hoc* Group developed a questionnaire that was sent to all OIE Members and to relevant organizations having an official agreement with the OIE.

In total 68 Members (39% of the 175 OIE Members) and eight international or regional organisations replied to the questionnaire. Some two thirds of the 175 OIE Members are developing countries or countries with ‘in transition’ economies. Based on the OECD system for classifying economic development, 44% (30) of the 68 responses are from developing countries and 56% (38) from developed countries.

The five OIE regions (Europe; Africa; Americas; Asia, Far East & Oceania; and the Middle East) account for 49%, 16%, 15%, 15% and 6% of the responses, respectively. The consolidated submission of the EU Member States accounts for 82% of the responses from countries of the OIE region of Europe.

The replies provided by OIE Members are analysed in section three of this report.

The international and regional organisations that replied to the questionnaire comprise four industry groups, two international animal welfare organisations and two intergovernmental regional associations. Their replies are discussed in section four of the report. Their answers vary widely, making it difficult to draw statistically clear conclusions in section four.

Nearly all (96%) responding OIE Members agree that a clear distinction needs to be made between private standards for sanitary safety and private standards for animal welfare. Many respondents (72%) agree that private standards in international trade have arisen due to a lack of official standards in some areas.

Nearly all respondents (97%) agree that the implementation by OIE Members of animal welfare standards should be strengthened and that the OIE PVS Tool should put greater emphasis on the implementation of the OIE animal welfare standards.

Nearly all respondents agree that private standard setting bodies should do more to promote the harmonization of their standards (91% of respondents) and that there should be closer collaboration between private standard setting organizations and the OIE (97% of respondents). Many OIE Members emphasize the need for broad collaboration and harmonization between international organizations and private standard setting bodies.

Private standards for sanitary safety

Most respondents (82%) agree with the general statement that private standards for sanitary safety either have created or may create significant trade problems for exports from their countries. A few respondents had no opinion or disagree with this statement. Responses from all regions are broadly consistent.

The problems most commonly identified are ‘compliance costs’, ‘lack of basis in science or risk assessment’, ‘lack of transparency’, ‘over-prescriptive nature of private standards’ and ‘inadequate consultation with relevant stakeholders’.

Overall, 62% of respondents consider that private standards for sanitary safety have created or may create significant benefits for their country and other respondents either have no opinion (16%) or disagree (22%). However, there are significant differences between developing and developed countries, with 87% of developed countries seeing real or potential benefits while only 30% of developing countries agree with this statement.

The benefits that are most commonly mentioned are ‘market access opportunities including niche markets’, ‘filling the policy gap left by lack of relevant international standards’, ‘meeting the needs or concerns of stakeholders that are not addressed by OIE standards’ and ‘facilitating the implementation of public standards’.

Respondents give 33 examples of problems with private standards for sanitary safety or animal welfare. In most cases, there is insufficient information for detailed analysis and the OIE is following up on several examples with the respondents.

Where respondents provided a degree of specificity, the examples of problems with private standards for sanitary safety in the first answer concerned:

- requirements for *Listeria* spp for cooked poultry products;
- BSE related requirements concerning the age of animals from which meat is obtained, not respecting the BSE status of the exporting country;
- Bluetongue requirements for meat.

Private standards for animal welfare

In addition to calling for greater efforts by OIE Members to implement the OIE animal welfare standards and for more emphasis on animal welfare in the OIE PVS Tool, most respondents (74%) agree that private standards and certification can be a useful aid to the implementation of official standards. Nearly all respondents (97%) agree that although animal welfare is not covered by the WTO SPS Agreement, the OIE should continue to develop animal welfare standards and most respondents (76%) agree that OIE animal welfare standards would have increased legitimacy if the WTO SPS Agreement covered animal welfare.

Overall, 46% of respondents agree that private animal welfare standards create or may create problems. However, the responses of developed and developing countries are quite different, as shown in the table below.

The most significant problems cited are 'lack of harmonization between different private standards' and 'lack of basis in science or risk assessment'.

Overall, 64% of respondents consider that private animal welfare standards create or may create benefits. The support for this viewpoint was similar to the level of support for the proposition that private standards can provide benefits (62% of respondents agreed on this point). Again, the responses of developing and developed countries are quite different. Nearly all developed countries (89%) could see benefits of private animal welfare standards but 40% of developing countries do not agree.

The benefits/potential benefits that are most commonly mentioned for private standards are 'market access opportunities including niche markets', 'meeting the needs or concerns of stakeholders that are not addressed by OIE standards', 'facilitating the implementation of public standards' and 'creating and improving links between producers and retailers'.

In the cases where respondents provided a degree of specificity, the examples of problems with private standards for animal welfare in the first answer concerned:

- duck stocking density;
- transport requirements;
- slaughter requirements.

Differing opinions on private standards for sanitary safety versus those for animal welfare

For both sanitary safety and animal welfare, two thirds of respondents agree that private standards can provide benefits. This is different in the case of problems presented by private standards, where a majority of respondents (82%) can see problems with private standards for sanitary safety versus 46% that see problems or potential problems with private standards for animal welfare. If the responses of the 27 EU Member States are excluded, 76% of the total respondents agree with the statement that private standards for animal welfare create or may create problems.

The opinions of developed and developing countries on private animal welfare standards differ significantly, as shown in the table below.

OECD classification and number of responses	Private Standards for animal welfare			
	create problems		create benefits	
	agree	disagree	agree	disagree
Developed country (36)	13%	76%	89%	0%
Developing country (28)	87%	10%	30%	40%