Recent Experience on Adjusting Phytosanitary Measures pursuant to the SPS Agreement

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Outlines

• What was wrong
• How it went wrong
• How it was fixed pursuant to SPS Agreement
• Conclusion
What was wrong

• On 2010 the Egyptian Standard for wheat (1601-1/2010) was adopted in accordance with the Codex Standard 199-1995 (STANDARD FOR WHEAT AND DURUM WHEAT), including the limit of (Clavispesis purpurea) Ergot 0.05 %

• On 2015 there was interception of Ergot in imported wheat, (Ergot is listed as a quarantine pest in table 1 of the plant quarantine regulation 3007/2001) then was the great issue of Ergot from the context of food safety and plant health.

• On 2016 compensation cases against the government were raised by the importers
How it went wrong

• The conflict between the regulations and the standards as well as the internationally approved standards

• The misunderstanding of the scope of plant health and the scope of the food safety

• Media

• Poor presentation of the private grain importers
Cancerous Bread Scare Entangles Egypt's Effort to End Wheat Spat

By Salma El Wardany
March 15, 2016, 2:01 AM GMT+2  Updated on March 15, 2016, 1:45 PM GMT+2

Egypt wheat row turns toxic

By Will Chu
22-Mar-2016 - Last updated on 22-Mar-2016 at 09:45 GMT

Egypt Backs Down on Wheat Import Rules After Trader Boycott

Egypt court ruling revives row over ergot fungus in wheat imports
Impacts

- Heavy economic losses
- Loss of confidence between trading partners
- Trade bans followed by more severe import controls
- Loss of consumers’ confidence!
How it was fixed pursuant to SPS Agreement

• Regionalization
• Article 6 (Adaptation to Regional Conditions) of the SPS agreement
• Pest Free Area from ergot fungus
How it was fixed pursuant to SPS Agreement

• **Article 3. Harmonization**

• As indicated in Annex A of SPS Agreement

• (a) for food safety, the standards, guidelines and recommendations established by the Codex Alimentarius Commission relating to food additives, veterinary drug and pesticide residues, contaminants, methods of analysis and sampling, and codes and guidelines of hygienic practice;

• Thus from the technical point of view of the food safety we have to stick to the percentage of 0.05 % of Ergot in the imported wheat
How it was fixed pursuant to SPS Agreement

• **Article 5 . Risk Assessment**
  
  • In 2016, with a technical assistance from FAO, CAPQ conducted pest risk analysis for ergot fungus, based on the available data the results of the study reflects the low probability of establishment of the fungus in the Egyptian climatic conditions.
  
  • Ministerial decree was issued allowing the percentage of 0.05% of Ergot in the imported wheat (without setting measures of ALoP).
  
  • 2017, based on the higher committee of plant quarantine meeting, another ministerial decree was issued by setting the measures to achieve the ALoP.
### How it was fixed pursuant to SPS Agreement

#### Article 7. Transparency

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Conclusion
( lessons learned )

• Zero risk doesn’t exist, appropriate level of protection is determined to mitigate the risk.
• The difference between hazardous point of view and risky point of view
• The importance of risk assessment
• The importance of adjusting the phytosanitary measures pursuant to SPS Agreement and provisions
• The importance of the strong representation of all stakeholders (EGSA)
Never waste a good crisis...chance to prove...improve...initiate change

Thank you!

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