

This document contains the consolidated text resulting from the 28th round of negotiations (3-7 July 2017) on Sanitary and Phytosanitary Measures in the Trade Part of the EU-Mercosur Association Agreement. This is without prejudice to the final outcome of negotiations. Both sides reserve the right to make subsequent modifications to their proposals.

EU Mercosur negotiations

Chapter on Sanitary and Phytosanitary Measures

Draft consolidated text

For the purposes of the negotiation of this chapter, the term “Parties” should be understood, on the side of Mercosur, as each of the individual Mercosur Signatory Member States and on the EU side, the Party should be understood as the EU. In case commitments are undertaken by Mercosur, Mercosur will be expressly mentioned. This is without prejudice to the horizontal discussion on the definition of the Parties. The text will be revised in light of the outcome of the discussion of the Institutional group.

**ARTICLE 1
OBJECTIVES**

The objectives of this Chapter are:

1. To protect human, animal or plant life and health in the territory of the Parties while facilitating trade between the Parties under the scope of the implementation of the Sanitary and Phytosanitary (SPS) measures.
2. To establish a cooperation for further implementation of the WTO Agreement on the application of SPS measures.
3. To ensure that SPS measures do not create unjustified barriers to trade between the Parties.
4. To cooperate in technical and scientific issues related to the adoption and application of SPS measures.
5. To improve the exchange of information and consultation between the Parties;
6. To establish working cooperation on international fora.
- [EU: 7. To reach a common understanding between the Parties on animal welfare matters.
8. To cooperate in combating antimicrobial resistance (AMR).]¹

¹ Negotiator note (06.07.17): MCS made a proposal on cooperation on these two issues, and also on biotechnology and MRL. This proposal is without prejudice to its final placement in the Agreement.

**ARTICLE 2
SCOPE**

1. This Chapter shall apply to all SPS measures², as defined in Annex A of the WTO SPS Agreement that may, directly or indirectly, affect trade between the Parties. [MCS: All such matters will be governed only by this Chapter.]
2. This Chapter shall apply to matters related to cooperation on international fora.
- [EU: 3. This Chapter shall apply to the collaboration between the Parties on animal welfare and combating the AMR.]

**ARTICLE 3
RIGHTS AND OBLIGATIONS**

The Parties reaffirm their rights and obligations under the SPS Agreement [MCS: which are hereby made an integral part of this Agreement, except otherwise provided in this agreement and stress the importance of implementing Decisions adopted in the WTO/SPS Committee].

**[MCS: ARTICLE 3bis
PRIVATE STANDARDS**

1. The Parties undertake to exert every precaution to avoid that the commitments under this Chapter are undermined by the application of private standards related to Sanitary and Phytosanitary issues generated by no-governmental organizations.
2. The Parties reaffirm their commitment to the Article 13 of the SPS Agreement and agree to address specific trade concerns arising from the implementation of private standards in the Joint Management Committee established under this Chapter, if requested by one of the Parties.]³

**ARTICLE 4
COMPETENT AUTHORITIES**

1. For the purposes of this Chapter, the official competent authorities are the authorities of the Parties that according to the respective legislation have been empowered to enforce the domestic legislation of a Party falling within the scope of this Chapter to ensure compliance with the requirements of this Chapter, or any other authority to which such authority has delegated that power.

² Negotiator note: There is a common understanding that this chapter applies to all SPS measures but only to SPS measures. Such matters concerning the relation between the Parties will be governed only by this Chapter.

³ Negotiator note: EU considers that private standards belong to the private scope and that neither the European Commission nor the authorities of EU Member States can intervene in this regard. Therefore the EU considers that the issue should be excluded from the Agreement.

2. Upon entry into force of this Agreement, each Party shall provide the other Party the name of the competent authorities responsible for the implementation of the provisions included in this Chapter. This information shall be provided in writing, including the source where it is published. The information shall also include a description of the distribution of competences between the respective authorities.
3. The Parties shall, in accordance with the Article 10 (Transparency and exchange of information), inform each other of any change of these competent authorities.

ARTICLE 5 GENERAL OBLIGATIONS

1. Products exported from a Party shall meet the applicable requirements of the importing Party.
2. [EU: The SPS requirements of the importing Party shall apply to the entire territory of the exporting Party, having regard to the obligations under Article 9 (Recognition for trade of animal health and pest status and regional conditions).]⁴

[EU alternative proposal (05.07.17): The SPS requirements of the importing party shall be the same for the entire territory of the exporting party having regard to the obligations under Article 9 (Recognition for trade of animal health and pest status and regional conditions). They have to be applied in a proportional and non-discriminatory manner where identical or similar conditions prevail.]

[MCS: The Parties shall ensure that their Sanitary and Phytosanitary measures do not arbitrarily or unjustifiably discriminate between Members of the EU or MERCOSUR Member States where identical or similar conditions prevail, including between their own territory and that of other WTO Members. Sanitary and Phytosanitary measures shall not be applied in a manner which would constitute a disguised restriction on international trade.]⁵

3. The procedures established in this Chapter shall be applied in a transparent manner, and information requested shall be limited to what is necessary for appropriate approval, control, inspection and verification purposes.
4. [EU: The import requirements shall be no less favourable than those applied for domestic like products. They shall be applied in a proportional and non-discriminatory manner].

[EU alternative proposal (14.6.2017): The Parties shall ensure that their Sanitary and

⁴ MERCOSUR has several doubts about this paragraph so they would like to have further clarification during the next intersessional meeting.

⁵ Negotiator note: Paragraph 2 of Article 5 is a merge of former paragraphs 2 and 4 of this same Article.

Phytosanitary measures shall be applied in a proportional and non-discriminatory manner, where identical or similar conditions prevail. Sanitary and Phytosanitary measures shall not be applied in a manner which would constitute a disguised restriction on trade between the Parties.]

5. Parties shall ensure that any fees imposed for the procedures on imported products are equitable in relation to any fees charged on like domestic products or products originating in any other WTO Member and shall not be higher than the actual cost of the service.
6. Except as provided for in the Article XX (Emergency measures), when modifying SPS import requirements, each Party and, when appropriate MERCOSUR, shall allow for a transitional period, taking into account the nature of the modification, in order to avoid the unnecessary interruption or disruption of trade flows of products and to allow the exporting Party to adjust its procedures to such modification.
7. The implementation of the provisions of this Chapter shall not jeopardise the SPS trade related conditions between the Parties existing at the entry into force of this Agreement.

**[EU: ARTICLE 6
TRADE FACILITATION MEASURES**

A – Approval of establishments for the import of animals and animal products:

1. The importing Party may require the approval of the establishments referred to in Annex I.
2. The approval shall be granted without prior inspection of individual establishments by the importing Party if the exporting Party provides sufficient guarantee that they fulfil the sanitary requirements of the importing Party.
3. The exporting Party shall only approve the exports from approved establishments. The exporting Party shall suspend or withdraw the export approval of those establishments that do not comply with the requirements of the importing Party and shall notify it to the importing Party.
4. The exporting Party shall propose the list of establishments to be approved. This list will be accompanied by the guarantees of the competent authority of the exporting Party that the establishments meet the requirements of the importing Party.
5. The importing Party shall approve the imports from the proposed establishments within 40 working days following the receipt of the request of the exporting Party accompanied by the sanitary guarantees. In case additional information is requested and as a result the request cannot be processed within the 40-day deadline, the importing Party shall inform the exporting Party and establish a new deadline for the approval that

shall in no case exceed additional 40 working days after the receipt of the additional information.

6. The importing Party shall draw up lists of approved establishments and shall make these lists publicly available.
7. The importing Party may refuse the approval of establishments that are considered to be non-compliant with the import requirements. In these cases the importing Party shall inform the exporting Party about the rejections to approve establishments, including the justification for the rejection.
8. The importing Party may carry out verifications in accordance with Article 13 (Verification of the official control system) of this Chapter. Based on the results of these verifications the importing Party may amend the list of establishments.

B – Sanitary and Phytosanitary import checks:

1. Products shall not be subject to more than a single physical import check.
2. In case of rejected products as a result of the import check, the importing Party shall inform the exporting Party of the results of the import checks as soon as possible and normally within 3 working days from the date of the rejection.

C – Reduction of the frequency of physical sanitary and phytosanitary checks:

The importing Party may reduce the frequency of the physical import checks, considering the risks involved.]

D – Simplification of approval procedures:

1. The competent authorities of the EU on one side and MERCOSUR on the other side, as defined in Article 4 (Competent authorities), shall ensure that, at entry into force of this Agreement, the provisions of this Chapter are applied to products included in Annex III (List of products subjected to regional trade conditions) in such a way that each product is subjected to an uniform import approval process for the entire territory.
2. The import approval referred to in point 1 shall:
 - a) be based on one single questionnaire;
 - b) consist in one single certificate, and
 - c) include the list of approved establishments, if applicable.
3. The list included in Annex III is provisional; it will be amended by means of a decision

of the Subcommittee, established in Article 19.]

ARTICLE 7 ALTERNATIVE MEASURES

1. Upon request of the exporting Party, the importing Party shall examine whether exceptionally an alternative SPS measure ensures its appropriate level of protection. The alternative measure may be based on international standards, or on SPS measures of the exporting Party.
2. Alternative measures are not subject to the provisions on Article 8 (Equivalence).

ARTICLE 8 EQUIVALENCE

1. An exporting Party may request a determination of equivalence regarding a specific SPS measure or measures related to a product or group of products or on a system-wide basis.
2. In order to implement this article, the Subcommittee established in Article 19 will develop provisions and make recommendations to establish a procedure for the recognition of equivalence based on WTO/SPS Committee Decision G/SPS/19/Rev.2 (or its subsequent updates) and guidelines, standards and recommendations adopted in the framework of Codex, OIE and IPPC. This procedure should include the consultation process, the information to be required, responsibilities of the parties and the deadlines.
3. Upon receipt of a specific request, the Parties shall enter into consultations based on the procedure established in paragraph 2, with the aim of achieving an agreement on recognition of equivalence.
4. Upon request of the exporting Party, the importing Party shall inform the exporting Party of the status of the equivalence assessment.

ARTICLE 9 RECOGNITION OF ANIMAL HEALTH AND PEST STATUS AND REGIONAL CONDITIONS

[EU: A. Animals, animal products and animal by-products:

1. The Parties shall recognise the concept of regionalisation, including disease-free areas or zones and agree to apply it in the trade between the Parties, in accordance with the WTO SPS Agreement and the relevant International Animal Health Organization (OIE) guidelines, standards and recommendations.

2. The procedure for the recognition of the disease-free areas or zones referred to in paragraph 1 is established in Annex II (Procedure for recognition of regionalization and pest status). The Subcommittee established in Article 19, may define further details for this procedure, taking into account the SPS Agreement and OIE guidelines, standards and recommendations.
3. When establishing or maintaining the areas or zones referred to in paragraph 1 the Parties shall consider factors such as geographical location, ecosystems, epidemiological surveillance and the effectiveness of sanitary controls in that country/area/zone.
4. When determining such areas the importing Party shall, in principle, base its determination on the information provided by the exporting Party including the determination made by the exporting Party.
5. The importing Party shall assess the information requested (including any additional information) within 90 days after its receipt. Any verification the importing party may request shall be carried out in accordance with Article 13 (Verification of the official control system) and within [XX] days following receipt of the request for verification, unless otherwise decided by the Parties.
6. After finalisation of the procedure established in Annex II (Procedure for recognition of regionalisation and pest status) and without prejudice to Article 14 (Emergency measures), the importing Party shall take the decision to approve the requested regionalisation recognition and shall allow trade on that basis, without undue delay.
7. In the event that the importing Party does not approve the requested regionalisation recognition, it shall notify its decision to the exporting Party and explain the reasons for the rejection and, upon request, hold consultations, in accordance with Article 12 (Consultations).

B. Plants and plant products:

1. The importing Party shall recognise the determination of the phytosanitary status of the exporting Party taking into account the provisions in this Section B plants and plant products and Annex II.
2. The Parties shall recognise the concepts of Pest Free Areas, Pest Free Places of Production and Pest Free Production Sites, as well as areas of low pest prevalence as specified in the International Plan Protection Convection (FAO/IPPC) International Standards for Phytosanitary Measures (ISPM), and of Protected Zones which they agree to apply in their trade.
3. When establishing or maintaining phytosanitary measures, the importing Party shall take into account Pest Free Areas, Pest Free Places of Production, Pest Free Production sites, areas of low pest prevalence, as well as Protected Zones established by the

exporting Party.

4. The exporting Party shall identify Pest Free Areas, Pest Free Places of Production, Pest Free Production sites, Protected Zones or areas of low pest prevalence to the other Party and, upon request, provide an explanation and supporting data as provided for in the relevant ISPMs or otherwise deemed appropriate. Unless the importing Party raises an objection or requests additional information or consultations within 90 days, the recognition of the determination of the status of the exporting Party shall be understood as accepted by the importing Party.
5. The importing Party shall assess additional information requested within 90 days after receipt. Any verification the importing party may request shall be carried out in accordance with Article 13 (Verification of the official control system) and within [XX] days following receipt of the request for verification unless otherwise agreed between the Parties, taking into account the biology of the pest and the crop concerned.

C. The Subcommittee established in Article 19, may define further details for this procedure, taking into account the SPS Agreement and OIE and IPPC guidelines, standards and recommendations.]

[MCS:

1. The Parties shall implement the guidelines to further the practical implementation of Article 6 of the SPS Agreement (WTO/SPS Committee Decision G/SPS/48) for the recognition of pest-or-disease free areas and areas of low pest-or-disease prevalence, whether all of a country, part of a country, or all or parts of several countries.
2. The Signatory Parties shall adopt the recommendations of the IPPC to recognise pest free areas and areas of low pest prevalence.
3. The Signatory Parties will automatically adopt the Disease Status official recognitions granted by the OIE for trade between them.]

ARTICLE 10 TRANSPARENCY AND EXCHANGE OF INFORMATION

1. Upon request of a Party and within [EU: 15] working days following the date of such request, the Parties shall exchange information on:
 - i) SPS administrative import procedures required to accept, proceed and conclude the approval of a product;
 - ii) The requirements that apply for the import of specific products, including as appropriate the model of certificate;
 - iii) Information on the pest status, including surveillance, eradication and containment programs and their results in order to support such pests status and

- import phytosanitary measures;
- iv) The state of play of the procedure for import approval of specific products;
- v) In case of adoption of a SPS measure which results in a higher level of sanitary or phytosanitary protection than would be achieved by SPS measures based on the standards, guidelines or recommendations of the relevant international organizations (Codex, OIE and IPPC), the Party adopting the SPS measures shall provide the [MCS 1: corresponding risk assessment]; [MCS 2. corresponding scientific justification].

2. The Parties shall make publically available up to date information of its:

- i) SPS import requirements for all products.

[EU, MCS:

- ii) SPS administrative import procedures (step-by-step including a comprehensive description of the administrative steps, expected timelines, and authorities in charge of receiving import applications and of processing them) required to accept, proceed and conclude the approval of a product, including relevant programs, reports, records, other documentation or actions to be provided or undertaken by the exporting Party].
- iii) List of regulated pests.

3. The Parties shall inform each other of:

- i) Any change in the sanitary and phytosanitary status that may affect trade between the Parties.
- ii) Matters related to the development and application of SPS measures that may affect trade between the Parties.
- iii) Any pertinent information for the adequate implementation of this Chapter.

4. Without prejudice of paragraph 1 when the information referred has been made available by notification to the WTO or to the International Standard Setting Body, in accordance with the relevant rules, or on publicly accessible and fee free websites of the Parties, the information shall be considered communicated to the other Party.

5. The Parties shall inform the contact points to exchange information under this Article no later than one month after the entry into force of this Agreement.

ARTICLE 11 NOTIFICATIONS

1. Any serious or significant risk to human, animal or plant life or health, including any food or feed control emergencies, shall be notified to the contact points designated in Article 10 (Transparency and exchange of information), within [EU: two] [MCS: XX] working days.

2. When a Party has [EU: serious] concerns regarding a risk to human, animal or plant life or health, in relation to a product for which trade takes place, consultations regarding the situation shall, on request, take place as soon as possible. Each Party shall endeavour, in such conditions, to provide all the information necessary to avoid disruption in trade.

[MCS: ...]⁶

ARTICLE 12 CONSULTATIONS

1. Without prejudice to the Dispute Settlement Chapter of this Agreement, if the SPS measures or draft measures of the importing Party, or their implementation, are considered to be inconsistent with this Chapter, both Parties shall enter into consultations within [EU: 60] days after the exporting Party has introduced a motivated request.
2. At the request of the exporting Party, the importing Party shall provide the following information [MCS: in order to facilitate the consultations]:

[MCS: a. If there is an international standard, guideline or recommendation, and identify whether its measure is in conformity with, or based on it].

[EU: a. When the importing Party considers the measures to be in conformity with Codex, OIE or IPPC guidelines, standards or recommendations, specify the relevant standard].

[MCS: b. In case the SPS measure results in a higher level of SPS protection than would be achieved with a measure based on an international standard, guideline or recommendation, or in case of the absence of a relevant standard, guideline or recommendation, the importing Party must detail the scientific information and provide the corresponding risk assessment which supports the SPS measure].

[EU: b. Without prejudice of the provisions established in Article 14 (Emergency measures), when the importing Party considers that its measure differs from the international standards, guidelines or recommendations listed in paragraph (a), or there are no international standards, guidelines or recommendations, the importing Party shall provide the scientific justification for its measure].

3. Consultations may be held for a reasonable period of time to review and suggest any procedure to resolve the difficulties.

⁶ Negotiator note: MCS will make a proposal on alerts.

4. Consultations may be held by e-mail, video or audio conference. The requesting Party should ensure the preparation of the minutes which shall be formally approved by the Parties.
5. If the Parties do not reach a satisfactory solution after the consultation, the case may be submitted to the Subcommittee established in Article 19 that may meet in special session⁷.

ARTICLE 13 VERIFICATION OF THE OFFICIAL CONTROL SYSTEM

1. Each Party, within the scope of this Chapter, has the right:
 - a) To carry out verification of the official control system of the other Party, including verification visits [MCS: carried out on the basis of risk].
 - b) To receive information about the control system of the other Party and the results of the controls carried out under that system.
2. The verification visits shall be notified to the exporting Party at least 60 working days before such verifications are carried out, except in emergency cases or if the Parties decide differently. Any modification to the date of the visit shall be agreed by the Parties.
3. Verifications shall be conducted in accordance with the [MCS: working plan agreed by the Parties concerned, based on the] international guidelines for the design, operation, assessment and accreditation of food import and export inspection and certification systems. [MCS: Any modification to the working program of the visit shall be agreed by the Parties].
4. [MCS: Except as otherwise provided in the national legislation of one of the Parties and/or with the agreement of the Parties,] the expenses incurred by the Party carrying out the verification shall be borne by this Party.
5. The Party carrying out the verification shall send a draft report of the verification to the Party receiving the verification within [EU: 20] working days after the end of the visit. The Party receiving the verification may comment on the draft report within [EU: 25] working days after the receipt of the report; comments and action plan, when required, shall be attached to the final report. The Party carrying out the verification shall send the final report within [XX] working days after the receipt of the comments on the draft report.
6. Where a significant public, animal or plant health risk has been identified during the verification, the Party being verified shall be informed as quickly as possible and in any

⁷ Negotiator note: Pending of the definition in the institutional group of the agreement.

case within 10 working days following the end of the verification.

ARTICLE 14 EMERGENCY MEASURES

1. Should a Party take domestic measures to control any serious risks to human, animal and plant life or health, these measures shall, without prejudice to the provisions of paragraph 2, also aim to prevent the introduction of any sanitary and phytosanitary risk into the territory of the other Party.
2. The importing Party may, in case of serious human, animal or plant life or health risk, take emergency measures against these risks.
3. For products in transit between the Parties, the importing Party shall consider the most suitable and proportional solution in order to avoid unnecessary disruptions to trade.
4. Measures referred to in paragraph 2 could be adopted without previous notification. However, the Party adopting the emergency measures shall notify the measures to the other Party as soon as possible and, in any case, no later than [EU: 24 hours] following its adoption.
5. Each Party may request any information related to the sanitary and phytosanitary situation and the emergency measures adopted. Each Party shall answer as soon as the requested information is available.
6. Upon request of either Party and in accordance with the provisions of Article 12 (Consultation), the Parties shall hold consultations regarding the situation within [EU: 15 working days] of the notification. The Parties may consider options for the facilitation of the implementation or the replacement of the measures.

[EU: ARTICLE 15 COOPERATION IN COMBATING ANTIBIOTIC RESISTANCE

1. The Parties recognise that antibiotic resistance is a serious threat to human and animal health. Antibiotic use in animal production can contribute to antibiotic resistance that may represent a risk to humans, either through direct infection by resistant zoonotic bacteria or by the transfer of resistance determinants to other bacteria. The Parties recognise that the nature of the threat is transnational.

The Parties agree to create a Technical Working Group with an agreed mandate and scope, consisting of expert level representatives, with a dedicated work plan under the Subcommittee established in Article 19.

2. Furthermore, the Parties shall:

- a) Cooperate in and follow existing and future guidelines, standards, recommendations and actions developed in relevant international organisations, initiatives and national plans aiming to promote reduced use of antibiotics and relating to animal production and veterinary practices.
- b) Cooperate in promoting reduced use of antibiotics in animal production in third countries including the phasing out of the use of antibiotic as growth promoter in animal production.
- c) Support the implementation of agreed international action plans on anti-microbial resistance.]

**ARTICLE 16
COOPERATION IN MULTILATERAL FORA**

1. The Parties shall promote the cooperation in all the multilateral fora relevant for SPS issues, in particular in international standard setting bodies recognised in the framework of the WTO/SPS Agreement.
2. The Subcommittee established in Article 19 shall be the forum to exchange information and cooperate in the field of matters covered by paragraph 1.

**[EU: ARTICLE 17
ANIMAL WELFARE**

1. The Parties recognise that animals are sentient beings. They undertake to respect trade conditions for live animals and animal products that are aimed to protect their welfare.
2. The Parties undertake to exchange information, expertise and experiences in the field of animal welfare with the aim to align regulatory standards related to breeding, holding, handling, transportation and slaughter of farm animals.
3. The Parties will strengthen their research cooperation in the area of animal welfare to develop adequate and science-based animal welfare standards related to animal breeding and the treatment of animals on the farm, during transport and at slaughter.
4. In accordance with Article 16 (Cooperation in international fora) the Parties undertake to cooperate in international fora with the aim to promote the further development of good animal welfare practices and their implementation.
5. The Subcommittee established in Article 19 may appoint a working group to implement this provision.]

**ARTICLE 18
COOPERATION AND TECHNICAL ASSISTANCE**

1. The Parties shall endeavour to strengthen cooperation so as to further the implementation of this Chapter and optimise its results with a view to expand opportunities and obtaining the greatest benefits for the Parties in relation to public health, animal and plant health and food safety. This cooperation shall be developed within the legal and institutional framework governing cooperation relations between the Parties.
2. To achieve these objectives, the Parties shall give consideration to the cooperation needs identified by the Subcommittee established in Article 19.

**ARTICLE 19
SUBCOMMITTEE**

1. The Parties hereby establish a Subcommittee on SPS matters. This Subcommittee shall meet for the first time within one year after the entry into force of this Agreement. Subsequently, the Subcommittee shall meet at least once a year, and if necessary in special session at the request of one of the Parties. The Subcommittee may meet in video or audio-conference and may also address issues electronically between sessions.
2. The Subcommittee shall have in particular the following responsibilities and functions:
 - a) Establish the necessary arrangements to resolve the problems raised by the implementation of this Chapter.
 - b) Monitor the progress in the implementation of this Chapter.
 - c) Provide a forum to discuss the problems arising from the application of the SPS measures with a view to reaching mutually acceptable solutions. This forum may also discuss the information exchanged according to Article 10 (Transparency and exchange of information).
 - d) Promote the collaboration on international fora.
 - e) Perform any other function or consider any matter referred to it expeditiously, as agreed by the Parties.
 - f) Exchange the lists of Contact Points to share information related to this chapter.
 - g) Recommend the amendment of the Annexes.
3. The Subcommittee shall be comprised of representatives of the Parties with responsibility for SPS, [EU: animal welfare and antimicrobial resistance matters].

4. The Subcommittee may establish ad hoc working groups.

**[MCS: ARTICLE 20
SPECIAL AND DIFFERENTIAL TREATMENT**

1. When the Parties of MERCOSUR identify significant difficulties with regard to SPS measures proposed or adopted by the European Union or its Member States, on request in this regard, the Parties shall hold discussions to reach agreement with respect to:
 - i) cooperation and technical assistance;
 - ii) gradual implementation, and/or
 - iii) a period of 12 months for compliance with the measures.])

ANNEX I

ESTABLISHMENTS TO BE APPROVED FOR EXPORTS OF PRODUCTS OF ANIMAL ORIGIN FOLLOWING THE PROCEDURE OF ARTICLE 6A

Procedure established in Article 6A shall initially be limited to the approval of the following categories of establishments:

- All establishments for fresh meat of domestic species
- All establishments for fresh meat of wild and farmed game
- All establishments for poultry meat
- All establishments for meat products of all species
- All establishments for other products of animal origin for human consumption (e.g. casings, meat preparations, minced meat)
- All establishments for milk and milk products for human consumption
- Processing establishments and factory/freezer vessels for fishery products for human consumption including bivalve molluscs and crustaceans
- Establishments for the export of animal by-products
- Any other category of establishments decided by the Parties

[EU: ANNEX II

PROCEDURE FOR RECOGNITION OF REGIONALISATION AND PEST STATUS

1. In accordance with the provisions of Article 11 (Notification), the exporting Party, seeking recognition by the importing Party of its regionalisation or recognition of a zone with special status with respect to a specific disease or pest or a protected zone, shall notify its measures to the importing Party.
2. Notification shall include explanation and supporting data setting out in particular:
 - 2.1. In the case of animal health:
 - the nature of the disease and the history of its occurrence in its territory;
 - the results of surveillance testing based on serological, microbiological, pathological or epidemiological investigation. It shall also be considered if the disease must be notified by law to the competent authorities;
 - the period over which the surveillance was carried out;
 - where applicable, the period during which vaccination against the disease was prohibited and the geographical area concerned by the prohibition;
 - the measures to verify the absence of the disease.
 - 2.2 In the case of plant health:
 - 2.2.1 Each Party shall establish a list of regulated pests including:
 - Pests not known to occur within any part of its own territory;
 - Pests known to occur within any part of its own territory and under official control;
 - Pest known to occur within any part of its own territory, under official control and for which pest free areas/protected zones are established.
 - 2.2.2 Any change to the list of pest shall be communicated to the other Party in accordance with Article 10 (Transparency and exchange of information).
3. Within 20 working days following the receipt of the notification referred to in paragraph 1, the importing Party may raise an explicit objection or request additional information, consultation or verification.

The consultations shall take place according to Article 12 (Consultations) and the

verifications according to Article 13. The importing Party shall assess the additional information within 25 working days following its receipt.

4. The Parties shall notify each other of any change in the measures specified in paragraph 1 which relate to the disease or pest. The additional guarantees may, in the light of such notification, be amended or withdrawn.]

[EU: ANNEX III

**LIST OF PRODUCTS SUBJECTED TO REGIONAL TRADE FACILITATION
MEASURES ACCORDING TO ARTICLE 6 (Trade facilitation measures)]**