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SPS as a Barrier to Competition

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SPS as a Barrier to Competition

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Sanitary and phytosanitary measures are increasingly important in the international trade of agricultural products. They are implemented to ensure that food is safe for consumers, and to prevent the spread of pests or diseases among animals and plants. But they may also be used as protectionist devices to keep foreign competitors out. The paper tries to present examples of adoption of SPS measures, which have resulted in serious decline in the exports by developing countries, and often due to reasons, which have an amazingly insignificant low negative impact on health of people in importing countries.

Sanitary and phytosanitary measures are increasingly important in the international trade of agricultural products. Their role becomes more significant as agriculture is an Achilles heel for both developing countries like India and developed economies like USA, EU, Japan and Australia. Multilateral trade negotiations have found it extremely difficult to achieve a breakthrough in the area of international trade in Agriculture. It was in the Uruguay Round of GATT negotiations that positive and significant steps could be adopted to reduce trade barriers and limit protectionism in agriculture, though negotiations in agriculture were initiated in the Kennedy Round (1964-66).

Reducing barriers to agricultural trade

Adoption of agriculture in the multilateral trading system embodied in the WTO resulted in binding of tariffs, removal of tariff barriers, non-tariff barriers and even the reduction and phasing out of protection and support to domestic agriculture through subsidies, support prices, etc. In fact, the

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Doha Ministerial declaration of November 14, 2001 stated "we commit ourselv to comprehensive negotiations aimed at: substantial improvements in market acce reductions of, with a view to phasing out, all forms of export subsidies; a substantial reductions in trade-distorting domestic support. We agree that spec and differential treatment for developing countries shall be an integral part of elements of the negotiations and shall be embodied in the schedules of concessic and commitments and as appropriate in the rules and disciplines to be negotiat so as to be operationally effective and to enable developing countries to effectiv take account of their development needs, including food security and ru development."

The provision for developing countries and LDCs provided under various W articles and agreements are highly in favor of them. There is no doubt that t concessions and supports provided for under the WTO norms and regulations favor of these countries are in place. In fact there is Special and Differential treatme clause to benefit the developing countries, as also emphasized in the Do Ministerial declaration. However it is up to the developing countries to apply f further commitments, including provisions for Special and Differential treatme but they must do so before the next Ministerial conference at Cancun, Mexico whi is from September 10-14, 2003. It is up to the developing countries to ensure th they receive the full benefit of all considerations envisaged for them under t WTO regime.

The SPS agreement of the WTO deals with principles and norms that govern t trade in products that impact on health. It seeks to protect consumers by providi rules for food safety and health of plants and animals. Given the nature and dep of the existing regulatory structures in case of SPS in the developed countries, t developing countries often find it difficult to comply with such standards. At time it seems that, SPS measures may only impede trade in agricultural and food produc since in many instances they are incompatible with prevailing systems of productic and marketing. Further, the developing countries often lack appropriate scientif and technical expertise to deal with such standards and as a result, many developir countries have experienced losses in exports. Moreover, the multiplicity of standar in diverse developed country markets has further compounded the problems beir faced by developing country exporters. *(This is observed in the EU-afflatoxin ca given below.)*

In the context of India it is found that the share of agricultural exports in the tot exports has declined from 20% (1995-96) to 14%(2000-01). This could be partiall because a number of agricultural exports from India are subject to SPS measure The challenges for Indian agricultural exports are greater because our majo agricultural trading destinations are European Union (22 per cent) and USA (1 per cent) and Japan (9 per cent).

Agricultural products are under strict surveillance especially in the EU where all imported food products are liable for inspection at the first point of entry for compliance with food laws pertaining to the country of entry. The regulations in the EU also stipulate conditions regarding the labeling of packaging materials used in the imported products. For instance, the level of protection proposed by EU is substantially higher than that provided under Codex recommendations in the afflatoxin case.

In Japan, the food sanitation law prohibits the import of many citrus fruits from India without any justification. Indian flower industry is facing a whole set of NTBs while exporting to Japan. *(The case of use of SPS measures and restrictions on import of flowers by Japan from India is detailed below.)*

Meaning of SPS measures

For the purposes of the SPS Agreement, sanitary and phytosanitary measures are defined as any measure applied:

- to protect human or animal life from risks arising from additives, contaminants, toxins or disease-causing organisms in their food;
- to protect human life from plant- or animal-carried diseases;
- to protect animal or plant life from pests, diseases, or disease-causing organisms;
- to prevent or limit other damage to a country from the entry, establishment or spread of pests.

International standards

SPS measures are compared against a set of well-established international standards and norms. International standards regarding safety of foods and other products involving use of plants or animals are set as benchmarks formulated by well known committees.

The CODEX Alimentarius Commission has the CODEX standards, which are a recognized reference standard for food safety and are accepted by the WTO in the SPS and the TBT agreements. For animal health and Zoonoses (A zoonose is a disease that humans may acquire from animals) For every cute, cuddly (non-human) creature out there, there is something horrible that you can potentially catch from it), the Office International des Epizooties (OIE) sets the standards while for plant health, the FAO International Plant Protection Convention (IPPC) is the responsible organisation.

The Hazard Analysis and Critical Central Point (HACCP) is a process control system designed to identify and prevent microbial and other hazards in food production. It includes steps designed to prevent problems before they occur and to correct deviations as soon as they are detected.

Besides these, in the area of Biotechnology there exists CODEX Task fo Convention on Biological Diversity (CBD) and the January 2000 Biosafety P

The SPS Agreement

As the liberalization of tariff and quotas was extended to agricultural trad was a risk that SPS measures would be used more frequently to substi protectionist purposes. The SPS agreement was formulated in The Uruguay to establish international rules for the use of SPS measures.

It acknowledges a country's right to protect it from risks to human, anir plant life and health. On the other hand, it confirms the need to hinder co from using such risks as convenient excuses to create unnecessary barriers t The approach taken to address these two issues simultaneously is to dema SPS measures are based on sound science. That way, only measures wh truly aimed at protecting life and health are allowed, and measures which ar not related to life and health issues at all or that are excessively strict are ru

However, Article 3 of SPS Agreement states "members may introduce or m sanitary or phytosanitary measures which result in a higher level of san phytosanitary protection than would be achieved by measures based on the r international standards, guidelines or recommendations, if there is a sc justification."

Article 5.7 of the SPS Agreement states "In cases where relevant scientific e is insufficient, a Member may provisionally adopt sanitary or phytos measures on the basis of available pertinent information, including that f relevant international organizations as well as from sanitary or phytos measures applied by other Members. In such circumstances, Members shall obtain the additional information necessary for a more objective assessmen and review the sanitary or phytosanitary measure accordingly within a rea period of time."

From the above, it is apparent that member countries can adopt high international standards at short notice, which they later have to scientifically as being non-discriminatory and non-protectionist. The two basic principle SPS agreement are

(a) Non discrimination and (b) Scientific justification

But at the same time the agreement contains certain articles (3.3 & 5.7) that gaps for member countries to adopt higher than international standards ar sometimes violate the principle of nondiscrimination. Often the justifica such SPS measures is only scientifically projected and the assessment o extremely low. In such situations it is difficult not to consider the case as a v of the principle of nondiscrimination.

Case of violation of principle of non-discrimination

The example of Indian flower industry is a case in point. The industry is facing a whole set of NTBs while exporting to Japan. In recent past, Japan has imposed zero tolerance clauses on insects, on the assumption that these could possibly be present in Indian flowers. This clause is imposed on particular insects, which are already present in abundance in Japan. *In fact this even violates the National Treatment Clause which is an important core principle of WTO.*

There is another problem with regard to quarantine of flowers. The plant quarantine authorities at Japanese airports take a lot of time in the clearance of flower consignments due to elaborate fumigation procedures because of which it takes 5-9 hours to clear a consignment of flowers, which are highly perishable. However, many of the South Asian suppliers of flowers are allowed to do pre-shipment inspection at the port of dispatch. In that case it is possible for Japan to post their inspectors at exit points of flowers. But the cost of posting inspectors is prohibitively high and would render Indian flowers uncompetitive.

Another problem that Indian flower exporters face is that Japanese auction houses bring the Indian roses towards the end of the auction process after entire domestic supply and also flowers from other supplier countries have been auctioned. Since flowers are perishable, this affects their value in the market.

If this is not discrimination what is it?

The SPS Agreement also contains a number of instruments that are to be used in achieving its goals. These are briefly described below..

Risk assessment

An SPS measure has to be backed by a risk assessment that provides scientific justification for the relationship between the measure chosen and the level of protection the measure is aiming at. This is stipulated in Article 5.1- 5.3 of the Agreement. The Agreement is not very explicit as to what distinguishes a valid risk assessment under the auspices of the Agreement from assessments not judged valid. But the task of making risk assessments is extremely complex and costly, even for the developed countries. For developing countries to participate in any acceptable risk assessment exercise for applying an SPS measure will be almost impossible, as they have limited resource availability and requisite technical expertise and infrastructure.

Rules on setting protection levels

Articles 5.4 - 5.6 and 5.8 of the SPS agreement describe how the anti- discriminatory principle is to be used in practice. A risk assessment is a necessary but not sufficient condition for an SPS measure to be in conformity with the Agreement. In addition,

a measure must be the least restrictive to trade among the available altern and it shall be no more restrictive to trade than necessary to achieve the d level of protection. The protection level provided by an SPS measure shall a consistent with the levels resulting from other measures in similar situa However, we note in the afflatoxin case applied by EU that the protection le the same context are lower by USA and Japan.

Exceptions in case of insufficient evidence

There is a single exception to the risk assessment requirement. Article 5.7 stip that when scientific evidence is insufficient, a member country is entitled measures based on "available pertinent information". There are two cond attached to this use. First, such measures must be temporary and, secon member must seek additional evidence and must review the measure af reasonable period of time"

This can 'temporarily' harm exporting countries faced by such precauti measures but the effects of damage can be 'permanent'. *A good case is the S EU-Bangladesh case detailed below.*

Harmonization

The tool of harmonization plays a special role in the Agreement. Befor Agreement was signed, international organizations had already worke harmonizing various SPS measures for several years. The international stan (CODEX, OIE, IPPC etc.) developed were voluntary and covered only a li number of SPS measures.

Article 3 of the SPS agreement stipulates the relationship between internat standards and national SPS measures. In general, the article encou harmonization. Article 3.2 makes it clear that if a country adopts an SPS mea which conforms to an internationally agreed standard, the measure is consistent with the SPS Agreement. In other words, the obligation to prov risk assessment is fulfilled and the measure is judged as being non-discrimina

The use of international standards automatically grants a country immunity legal proceedings under WTO law. Whether widespread internati harmonization actually occurs remains an empirical question to be answ sometime in the future. Member countries are however free to choose to ig the encouragement of harmonization by designing their own measures providing their own scientific evidence but this would be effectively relevan developed countries who can afford to undertake the expenses of formul their own risk assessment measures.

For developing countries the harmonization of national standards international norms can be an expensive proposition, requiring significant cha in production processes and control mechanisms. For example, in India

standards are governed widely by the PFA (Prevention of Food Adulteration) standards and the international standard is set by CODEX. However there are differences in the format of the two standards. CODEX Standards are more comprehensive and besides quality parameters include provisions for hygiene/ special hygiene, food additives, contaminants, labeling and methods of analysis and sampling. There are differences in permitted additives and the limits of contaminants. The PFA and CODEX Standards can not be harmonized until these issues are resolved. CODEX Standards have become international reference standards under WTO and a selective revision of the PFA Standards for items of export/import interest will have to be done, followed by re-editing of all PFA Standards in the CODEX format to avoid necessity of providing equivalence from time to time. This is bound to take time and will involve considerable costs.

Equivalence

The SPS Agreement encourages the use of equivalence and mutual recognition clauses in article 4. According to article 4 as well as the decision by the SPS Committee, two SPS measures are said to be equivalent to one another when they are not identical but they yield the same level of sanitary and phytosanitary protection. However in practice it has been observed that countries interpret equivalence as 'sameness' which creates difficulties when the distinction in processes is as wide as between developed and developing countries.

Regionalisation

In article 6 of the Agreement, members are encouraged to adapt their SPS measures to the regional characteristics of their trading partners, rather than treat the whole country as uniform. Historically, it has been common to stop exports from an entire country if a particular problem exists in that country, even in the case where the problem is isolated to specific regions in the country. Article 6 stipulates that this practice has to stop and that member countries must recognize pest or disease free areas of their trading partners according to objective factors.

Transparency

One of the main problems of the various SPS measures applied today is the lack of transparency. When rules are unclear and their relation to scientific evidence masked it becomes more difficult to distinguish between legitimate and illegitimate SPS measures. The SPS Agreement contains a notification procedure through which members are obliged to make public any changes in their SPS regulatory frameworks. If measures differ from international standards or if international standards do not exist, a member country is obliged to notify other members of their measures through the WTO.

The Agreement outlines the necessary infrastructure to allow transparency to work. A member is obliged to establish a notification point responsible for notifying future

changes in SPS measures. In addition, each member must establish inquiry so that foreigners can obtain information about the sanitary and phytosanita in force. The information that must be disclosed includes information ab rules themselves, the control mechanisms to assure conformity, and t assessment procedures on which the measures are based.

For developing countries setting up notification and inquiry points is an ex and difficult measure.

Violation of Transparency Norms

It is observed that often developed countries violate the Transparency no more often against the developing countries that do not have strong pres Geneva and in other multilateral trade negotiations.

Recently, Italy and Germany have detained Indian spice consignments ground of pesticide residue. These countries failed to convince Indian expo the changes they made on their existing regulations on microbial contam and contamination due to pesticide residue. This is a blatant denial of fa offered under Article 7, which requires transparency of the SPS regulatio has caused difficulties for India in its spice exports.

Dispute settlement

The Dispute settlement process is an unique feature of the WTO and co disputes resulting from violation of any of the agreements under WTO, when the issue is brought to the DSB (Dispute Settlement Body). However, t Agreement also has an informal option that is often exploited before the cumbersome formal procedure of the dispute settlement system is disagreements are presented at the regular meetings of the SPS Committe very common that disagreements are solved bilaterally without recourse formal dispute settlement system. This is efficient as dispute settlement pro often lengthy and very demanding in terms of financial capacity and h resources.

In fact a developing country encounters problems even before the legal pro enacted in Geneva. Filing a complaint about the SPS Agreement re identification of a violation of a specific commitment. A dispute settlement p frequently lasts two to three years before a possibly favorable decision by a or the Appellate Body will bring about changes in regulations. For a produ exporter the loss in the meantime may be so large that it would be wiser to s for alternative market outlets. But costs of identification of new markets v entailed and the returns from there may not be as good.

Case of "Aflatoxin Standards" EU-Africa, etc.; violation of SPS Agreement:

Aflatoxins are a group of structurally related toxic compounds, which contan

certain foods and result in the production of acute liver carcinogens in the human body. The major aflatoxins of concern are designated B1, B2, G1, and G2, and these toxins are usually found together in foods (UNDP-FAO, 2000). Aflatoxin B1 is usually predominant and the most toxic of the four categories and has been identified in corn and corn products, groundnut and groundnut products, cottonseed, milk, and tree nuts such as Brazilian nuts, pecans, pistachio nuts, and walnuts.

The standards set by the European Commission are more stringent than those set by CODEX, which does establish a standard of B1 but assumes that 50-70 percent — or around 7.5-10.5 ppb (part per billion) of the total aflatoxin level of 15 ppb — is usually accounted for by aflatoxin B1 contamination. While the European Commission established a 4 ppb levels for total aflatoxins in cereals, dried fruits, and nuts intended for direct human consumption, it set the standard for aflatoxin B1 at 2 ppb for food products intended for direct human consumption.

According to the directive, EU members had to implement the necessary laws to comply with the new standards no later than 31 December 2000. For 8 EU members (Belgium, Greece, Ireland, Italy, Luxembourg, Netherlands, Spain, Sweden) the new directives meant that they must also reduce the acceptable aflatoxin levels in their imports of groundnuts by more than 50 percent.

The results of a case study by Otsuki, Wilson and Sewadeh found that the implementation of the new aflatoxin standard in the EU will have a significant negative impact on African exports of cereals, dried fruits and nuts to Europe. The EU standard, which would reduce health risk by approximately 1.4 deaths per billion a year, will decrease these African exports by 64 percent or US$ 670 million in contrast to regulation set at an international standard.

The population of EU is approximately 377 million. So effective potential impact will be approximately .5 deaths for the total population of the EU.

The harmonization principle is also flouted by this case; the Australian standard for total aflatoxins in groundnut is set at 15 ppb (which implies a 10 ppb level of B1 aflatoxins). The United States adopts 20 ppb as the maximum level for the contaminant in various agricultural and food products (which implies a 14ppb level of B1 aflatoxins). This clearly illustrates that the EU norms are not harmonised with even those of other developed countries.

The sampling procedure mandated in the Commission's standard is also noteworthy. Sampling is one of the most important contributors to the variability of analyses and identification of aflatoxin contamination due to the non-homogeneous nature of aflatoxin distribution in foods. The EU regulation requires that three tests are conducted on a randomly drawn 30 kg. Each sample has to individually pass the three tests before the shipment is allowed to enter the market. In the case of bulk raw nuts the implementation of this procedure presents

difficulties because, as noted earlier, aflatoxin is not evenly distributed throu an entire batch. Regulations currently under discussion by CODEX, would r that the average aflatoxin levels in the samples meet the standard, rather tha sample independently. The U.S. also requires that the average aflatoxin le the three samples meet the standard. Under the proposed CODEX regulation samples that have levels of aflatoxins equal to 20 ppb, 10 ppb, and 15 ppb wo accepted. The same samples could lead to the rejection of a whole shipment the new EU sampling regulations, with same CODEX standards.

African export revenue from the 15 European countries is estimated to decre 59 percent for cereals and 47 percent for dried and preserved fruits and edibl The total loss is estimated to be nearly US$ 400 million for cereals, drie preserved fruits, and nuts under the Commission's new standard.

Such cases will have serious effects in terms of lowering of exports in lo middle- income countries, where the share of food exports in total trade re high at approximately 13 percent in the 1990's. Such restrictive sanitar phytosanitary measures limit market access.

In case an export lot is rejected the resultant loss is not limited to the value product. It also includes transportation and other export costs, all of whi incurred by the exporter. Compliance requirements on exporters impose non- but huge costs especially on developing countries, such as the cost of upgr production systems, processing and storage equipment, and quality control sta

Thus, how regulatory costs for exporters compare with possible gains in h sanitary and phytosanitary levels in importing countries should be cruc evaluating whether an SPS measure is in conformity with the principles of th agreement.

Technical assistance for developing countries

The different principles and instruments of SPS Agreement require consid transformation in the product and process systems, inspection and c procedures, etc. in the developing countries. This will be feasible for such n only if stipulated technical assistance is forthcoming.

Article 9 of the Agreement encourages members to provide technical assista developing countries. Article 9.1 talks about general technical assistance t developing countries comply with SPS measures in their export markets. A 9.2 addresses the situation when developing countries have to undertake 'subst investments' to fulfill the requirements of an importing member country. I situation the importer is encouraged to provide the technical assistance tha permit the developing country to maintain and expand its market access. B formulation of Article 9 is vague and the article does not contain any commitm

But the need for technical assistance is significant and large.

For developing countries even basic infrastructure facilities remains a major problem e.g. some Indian villages still have no access to roads and electricity. But the need for development of such basic facilities is essential to ensure that our exports fulfill international standards and tests like the HACCP systems explained above. This entails huge investments that are largely to be provided by the government. Considerable time will be required for upgradation of systems by the developing countries. The problem meanwhile is: how to ensure acceptance of developing agricultural products in the world markets.

In the case of marine products, EU regulations concerning implementation of food safety systems, additive requirements and other process controls are of very high order. They are more stringent than HACCP methods. As a result, many of the Indian fishing companies were required to upgrade their facilities, which amounts to a huge expenditure and a number of companies were also forced to close down their factories for a long duration to enable them to upgrade their facilities with heavy investments. Currently, only 90 out of 404 plants in India are approved for fishery exports to EU.

EU-Bangladesh 'Shrimp case': serious limitation for a developing country to comply with the international standards without technical assistance:

The ban on imports of shrimp from Bangladesh by the EU, imposed in 1997, brings to the fore, in a very revealing fashion, a number of contentious issues. The ban, and its impact, highlight a range of issues which are of critical importance to the LDCs, including the issue of trade related domestic capacity building in the LDCs, and the need for technical assistance at the firm and policy implementation levels.

Share of shrimp in Bangladesh's total export averaged more than 6 per cent in the 1990s. In FY2000 shrimp exports amounted to US$ 322.4 million. It constitutes more than 70% of the export of primary products from Bangladesh and its share in FY 2000 was higher than the combined share of Bangladesh's exports of raw jute and jute goods (5.8% of total exports). About a million people are engaged in activities related to shrimp culture in the country - in harvesting, culture, processing and exporting. A majority of these workers are women. The production of shrimp by aquaculture method is a 100% export-oriented activity in Bangladesh producing an average output of 30 thousand tons annually (5% of the global production). Major markets of Bangladesh's shrimp export are the EU which accounted for 38.7% of the total market in FY 2000; USA's share was 38.3%, whilst Japan accounted for another 11.2% of Bangladesh's global export of shrimp.

EU Ban on Imports of Bangladesh Shrimp

In July 1997 the European Commission imposed a ban on imports of shrimp products from Bangladesh into the EU on the ground that exports of this commodity did not

meet the stringent provisions of EC's HACCP regulations. The ban orig
a) concerns as regards standards in areas related to health safegu
control, infrastructure and hygiene in the processing units, and b) la
the efficiency of the controlling measures carried out by designated a
Bangladesh, in this particular case, the Department of Fisheries (DoF)

Shrimp processed for global markets has to comply with the internatio
specified by Codex Alimantarius Commission provisions and has to
specifications as well as the regulatory requirements of the import
Unfortunately, as in may other LDCs, Bangladesh has difficulty in m
the required safety standards and quality requirements. Problems
compliance arise at pre-processing phase at the stage of handling of
(harvesting, sorting by size and colour, removal of heads and peelin
often carried out under conditions and facilities that are unsuitable fr
perspective) and also at processing stage (absence of high quality wa
irregular electricity supply, poor infrastructure and transportation fac
seriously constrain Bangladeshi firms' ability to pursue modern sanita

As is the case in other LDCs, plants in Bangladesh do not have suffici
invest in expensive mechanical equipment, fishing boats, quality contr
and adequately trained staff. While the EU concern about quality
compliance by Bangladesh plants was reasonably justified, and i
conformed to the SPS provisions of the WTO, the underlying causes of t
lack of capacity to address EU concerns must also need to be factored
equation. The need for technical support from the developed countrie
international organizations is thus undeniable.

The issue of compliance cost is important for the developing countries. I
the costs of upgrading sanitary conditions in the Bangladesh frozen shri
to satisfy EU and US hygiene requirements is estimated to be $ 17.6 mill
98. The total industry cost, that is required to maintain HACCP stand
million per annum.

The ban was imposed following EU inspection of Bangladesh's seafood
plants in July 1997 which raised questions as regards compliance wi
regulations in the processing plants in Bangladesh. The ban remained e
five months, between August and December 1997 and caused serious in
export-oriented sector. Export of frozen shrimp from Bangladesh to the I
August and December was zero.

The shrimp case also violates the harmonization clause. This is indic
fact that Bangladesh tried and succeeded in limiting its losses by diver
part of their intended shipment to the USA and Japan. The markets o
Japan are not particularly known for any lack of vigilance in terms of e
hygiene standards. It is thus, suggestive of adoption of extremely stringen

by EU, which are seriously trade restrictive and appear to violate the spirit of the SPS agreement.

Conclusion

The EU ban on shrimp imports from Bangladesh once again reaffirms the apprehension of many LDCs that standards will become a major issue in terms of their market access in the context of the evolving global trading regime under the WTO.

The core of the problem is the lack of trust developed countries have in the capacities of the food safety systems of developing countries. It must be noted that this lack of trust is often based on real deficiencies in developing country food safety systems. To change this notion requires developing countries to adopt better production systems and go for implementation of recognized process control systems like HACCP. For example, in India HACCP has been adopted for establishing standards on food hygiene and Guidelines for their applications are given in IS 15000:1998, which also meets the CODEX standards.

The heavy costs and technology involved clearly establish that technical assistance from developed countries is essential to enable the developing countries to raise their standards to meet the international standards. This will also go a long way in ensuring that SPS measures do not become a barrier to trade competition.

References:

Arun Goyal & Noor Mohammed (ed): *WTO in the new Millennium*

Doha Ministerial declaration , 14th November 2001.

Michael Friis Jensen: *Reviewing the SPS Agreement : A Developing Country Perspective.*

Mustafizur Rahman: *EU ban on Shrimp imports from Bangladesh: A case study on market access problem faced by the LDC's.*

Otsuki, Wilson and Sewadeh: *Case of Aflatoxin Standards imposed by EU.*

Sachin Chaturvedi & Gunjan Nagpal; *WTO and product related environment standards: Emerging issues and policy options before India.*

Sri Ram Khanna & Madhu Saxena: *Food Standards And Safety In A Globalised World: The Impact Of WTO and Codex.*

The WTO Agreement on the application of Sanitary and Phytosanitary Measures (SPS agreement)