

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference		WTO Reference	Compliance of Jordan
1.	Standstill: the introduction of new standards, animal health regulations and food safety regulations shall conform to SPS Agreement principles	Generally agreed principle in WTO accession negotiations.	<p>AgLaw Article (16)</p> <p>Sanitary and Phytosanitary measures shall be prepared, reviewed, applied, adopted, notified to other parties and published according to the following basic principals:</p> <p>(a) Subject to the provision of subparagraph (3) of paragraph (b) of this Article, all Sanitary and Phytosanitary measures are based on scientific principals and available scientific evidence.</p> <p>(b) 1- Subject to the provision of subparagraph (3) of this paragraph, if international Sanitary and phytosanitary standards exist they shall be used as basis for the preparation of SPS measures;</p> <p>2- In case international Sanitary and phytosanitary standards do not exist or are insufficient to fulfill the required level of health protection, SPS measures are prepared on the basis of internationally accredited risk assessment;</p> <p>3- When sufficient scientific evidence needed for risk assessment is insufficient, or in urgent circumstances that may cause or threaten to cause health problems, SPS measures are prepared on the basis of available relevant information including that from international organizations or other countries.</p> <p>(c) Relevant economic factors shall be taken into consideration when preparing SPS measures that are adopted in order to fulfill the required level of health protection.</p> <p>(d) SPS measures shall take into account animal and plant health status in the Kingdom and countries of origin or parts thereof—including regional characteristics, the existence of eradication or control programs and pest and disease-free areas.</p> <p>(e) SPS measures in another country shall be considered equivalent to those of the Kingdom and are adopted if the other country shows in an objective manner that</p>

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference	WTO Reference	Compliance of Jordan
		<p>its measures achieve the Kingdom's required level of health protection for humans, animals and plants;</p> <p>(f) Sanitary and phytosanitary measures are applied only to the extent necessary to protect human, animal and plant health and shall be applied without discrimination between exporting countries or between the exporting countries and the Kingdom except under circumstances specified elsewhere in this Law.</p> <p>(g) Sanitary and phytosanitary measures shall not be more trade-restrictive than necessary to achieve the appropriate level of protection of animal, plant and human health taking into consideration economic and technical feasibility of such measures.</p> <p>(h) All SPS measures referred to in this Article-including measures adopted in urgent circumstances- shall be reviewed and updated as new scientific information becomes available, or on the basis of significant (substantive) comments from countries concerned with such measures with which the Kingdom has signed a relevant international agreement and from national concerned entities in order to make sure that such measures are within the limits of what is necessary to protect human, animal and plant health.</p> <p>(i) Whenever international standards do not exist, or the proposed measures do not conform to international standards, and the effect of such measures is expected to significantly affect the exporting opportunities of other countries of agricultural products, a notice of the proposed measures shall be published in two local newspapers at an early stage, and other concerned countries with such measures -with which the Kingdom has signed a relevant international agreement- shall be notified through the competent national authority at an early stage of the products to be covered by the proposed new measure together with a brief summary of its objectives in order to give them an adequate chance to submit their comments</p>

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference	WTO Reference	Compliance of Jordan
		<p>thereon. Such comments will be taken into consideration in a non-discriminatory manner before they are adopted. In urgent circumstances however, SPS measures are adopted before notification provided that such notification will be done later.</p> <p>(j) All new and changed SPS measures shall be published promptly in the Official Gazette after they are adopted and they will not come into force no unless at least (no sooner than) 45 days after their publication except for emergency SPS measures which are enforced as of the date of issuance provided they are subsequently published in the Official Gazette.</p> <p>(k) The Minister shall issue the necessary instructions and resolutions for the execution of this Article.</p>
2. Establishment and operation of a single contact point for information (“enquiry point”)	Article 7 and Annex B.3	<p>Implied in Article 16I (ix): “and other concerned countries with such measures -with which the Kingdom has signed a relevant international agreement- shall be notified through the competent national authority”.</p> <p>An additional Cabinet of Ministers’ Decree of this matter will be issued upon enactment of the Law and before the end of the year 1999.</p>
3. Transparency: notification and access to documents	Articles 7 and Annex B, Also G/SPS/7	<p>Implied in Article 16I (ix): “and other concerned countries with such measures -with which the Kingdom has signed a relevant international agreement- shall be notified through the competent national authority”.</p> <p>An additional Cabinet of Ministers’ Decree of this matter will be issued upon enactment of the Law and before the end of the year 1999.</p>

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference		WTO Reference	Compliance of Jordan
			AgLaw, Article 19(a): The Ministry shall provide any country or person with any information concerning sanitary and phytosanitary measures and technical regulations applied to agricultural products and agricultural inputs.
	(A) Identification of authority responsible for making notifications to the WTO and ensuring transparency obligations are met on an ongoing basis;	Annex B.5.(b) and Annex B.10	Implied in Article 16I (ix): "and other concerned countries with such measures -with which the Kingdom has signed a relevant international agreement- shall be notified through the competent national authority". An additional Cabinet of Ministers' Decree of this matter will be issued upon enactment of the Law and before the end of the year 1999.
	(B) establish guidance or law requiring publication of proposed measures at an early stage for comment; (C) provision in law or administrative procedures to provide copies of proposed measures to WTO members; and	Annex B.5.(a)	AgLaw, Article 16(i): Whenever international standards do not exist, or the proposed measures do not conform to international standards, and the effect of such measures is expected to significantly affect the exporting opportunities of other countries of agricultural products, a notice of the proposed measures shall be published in two local newspapers at an early stage, and other concerned countries with such measures -with which the Kingdom has signed a relevant international agreement- shall be notified through the competent national authority at an early stage of the products to be covered by the proposed new measure together with a brief summary of its objectives in order to give them an adequate chance to submit their comments thereon. Such comments will be taken into consideration in a non-discriminatory manner before they are adopted. In urgent circumstances however, SPS measures are adopted before notification provided that such notification will be

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference		WTO Reference	Compliance of Jordan
	(D) require in law or administrative procedures a reasonable period of time for comment from Members and the public, and establishment of a process to take comments into account without discrimination		done later. AgLaw, Article 19(a): The Ministry shall provide any country or person with any information concerning sanitary and phytosanitary measures and technical regulations applied to agricultural products and agricultural inputs.
4.	Necessity: measures are applied only to the extent necessary to protect human, animal or plant health	Article 2.2	AgLaw, Article 16(f): Sanitary and phytosanitary measures are applied only to the extent necessary to protect human, animal and plant health and shall be applied without discrimination between exporting countries or between the exporting countries and the Kingdom except under circumstances specified elsewhere in this Law.
5.	Regulations Based on Science: regulations governing animal and plant health and food safety shall be based on scientific evidence	Articles 2.2, 3.3 and 5.2	AgLaw, Article 16(a) Subject to the provision of subparagraph (3) of paragraph (b) of this Article, all Sanitary and Phytosanitary measures are based on scientific principals and available scientific evidence. Subparagraph (3) of Article 16(b): When sufficient scientific evidence needed for risk assessment is insufficient, or in urgent circumstances that may cause or threaten to cause health problems, SPS measures are prepared on the basis of available relevant information including that from international organizations or other countries.

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference		WTO Reference	Compliance of Jordan
6.	Harmonization: to the extent possible, members shall follow international standards, guidelines and recommendations in establishing SPS measures	Articles 3.1, 3.3 and 3.4	AgLaw, Article 16(b)1: Subject to the provision of subparagraph (3) of this paragraph, if international Sanitary and phytosanitary standards exist they shall be used as basis for the preparation of SPS measures; Subparagraph (3) or Article 16(b): When sufficient scientific evidence needed for risk assessment is insufficient, or in urgent circumstances that may cause or threaten to cause health problems, SPS measures are prepared on the basis of available relevant information including that from international organizations or other countries.
7.	Equivalence: members shall recognize different measures that achieve the same level of protection	Article 4	AgLaw, Article 16(e): SPS measures in another country shall be considered equivalent to those of the Kingdom and are adopted if the other country shows in an objective manner that its measures achieve the Kingdom's required level of health protection for humans, animals and plants.
8.	Risk Assessment: developing scientific evidence and conducting risk assessments to ensure that measures are based on science and applied only to the extent necessary	Article 5.1, 5.2 and 5.3	AgLaw, Article 16(b)2: In case international sanitary and phytosanitary standards do not exist or are insufficient to fulfill the required level of health protection, sanitary and phytosanitary measures shall be prepared on the basis of internationally accredited risk assessment.

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference		WTO Reference	Compliance of Jordan
	to protect health		
9.	Regional Conditions: measures take into account the regional characteristics both of the areas from which products originate and the areas for which they are destined	Article 6 and Annexes A.6 and A.7	AgLaw, Article 16(d): SPS measures shall take into account animal and plant health status in the Kingdom and countries of origin or parts thereof—including regional characteristics, the existence of eradication or control programs and pest and disease-free areas.
10.	Non-Discrimination: measures do not arbitrarily or unjustifiably discriminate between different members or between domestic and foreign suppliers	Article 2.3 and Annex C.1.(a) and (d)	AgLaw, Article 16(f): Sanitary and phytosanitary measures are applied only to the extent necessary to protect human, animal and plant health and shall be applied without discrimination between exporting countries or between the exporting countries and the Kingdom except under circumstances specified elsewhere in this Law. Circumstances specified elsewhere: AgLaw, Article 30(b): It is prohibited to enter imported plants and plant products into the Kingdom unless all plant quarantine procedures have been completed. The Minister shall exempt consignments of plants and plant products from quarantine procedures if they are from a country or areas thereof proven to be free of pests and diseases not found in the Kingdom and if any countries that they are shipped through are also proven to be free of such pests and diseases and he may also exclude certain plants and plant products imported from countries with which Jordan has concluded bilateral agreements that recognize the equivalence of sanitary and

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference	WTO Reference	Compliance of Jordan
		<p>phytosanitary measures.</p> <p>AgLaw, Article 54(a): It shall be prohibited to enter animals or their products to the Kingdom until completion of veterinary quarantine procedures to verify their freedom from infectious and contagious diseases. Consignments coming from countries or areas of countries that are proven to be free of animal diseases not found in the Kingdom and any countries that such consignments are shipped through that are also proven free of such diseases shall be excluded from quarantine procedures. The Minister may also exclude specific animals and animal products imported from countries with which the Kingdom has concluded bilateral agreements on the recognition of the equivalence of sanitary (animal and animal product health) measures.</p>
<p>11. Control, Inspection and Approval Procedures: ensure that procedures, including systems for the approval of the use of additives or for establishing tolerances for contaminants in foods, beverages or foodstuffs comply with the Agreement</p>	<p>Article 8 and Annex C</p>	<p>AgLaw Article (17)</p> <p>(a) Subject to the provisions of Article (16) of this Law, the Ministry - in accordance with the instructions issued by the Minister- shall undertake the necessary procedures to ensure that agricultural products and inputs fulfil the technical and health conditions, including inspection, testing and control procedures, provided that the following shall be taken into account:</p> <ol style="list-style-type: none"> 1) Such procedures shall conform with international guidelines, and with the requirements of relevant agreements to which the Kingdom is a party; 2) Such procedures are executed expeditiously without unjustifiable delay. The expected time for completing these procedures shall be communicated to interested parties upon their request as well as any deficiencies in the application that should be completed so as to avoid any delay. In addition, the

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

Description of the principles and WTO reference	WTO Reference	Compliance of Jordan
		<p>results of the procedures are communicated in a precise and complete manner to the applicant.</p> <p>3) Such procedures shall be applied without unjustifiable discrimination to agricultural products and inputs whether locally produced or imported. In addition, the results of the procedures are communicated in a precise and complete manner to the applicant.</p> <p>4) All adopted procedures as well as the required information shall be within the limit of what is necessary to insure the fulfillment of SPS measures.</p> <p>5) Confidentiality of provided information should be respected in order to protect the commercial interests of the applicants.</p> <p>6) The collected fees shall not exceed the actual cost of the service rendered.</p> <p>(b) The Minister shall issue instructions that regulate the review of complaints and objections submitted to the Ministry in relation with the execution of the procedures referred to in paragraph (a) of this Article and determine the necessary periods of time to resolving them.</p>

Abbreviations:

MIT Ministry of Industry and Trade
MOA Ministry of Agriculture

SPS CONFORMITY TABLE-AGRICULTURE

Based on the Draft law on Agriculture
(as finalized at the ministerial level-September 30, 1999)

AgLaw	Draft Law on Agriculture for the Year 1999 (October 1, 1999 Proposal)
-------	---