CLASSIFICATION OF NON-TARIFF MEASURES
FEBRUARY 2012 VERSION

A SANITARY AND PHYTOSANITARY MEASURES

Measures that are 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; and to protect bio-diversity. These include measures taken to protect the health of fish and wild fauna, as well as of forests and wild flora.

Note that measures for environmental protection (other than as defined above), to protect consumer interests, or for the welfare of animals are not covered by SPS.

Measures classified under A1 through A6 are Technical Regulations while those in A8 are their Conformity Assessment Procedures.

A1 Prohibitions/restrictions of imports for SPS reasons

Prohibition and/or restriction of the final products to be imported are classified in this chapter. Restrictions on the tolerance limits on residues or use of certain substances contained in the final products are classified under A2 below.

A11 Temporary geographic prohibitions for SPS reasons

Prohibition of imports of specified products from countries or regions due to infectious/contagious diseases: Measures included in this category are typically more of an ad-hoc and time-bound nature.

Example: *Imports of poultry from areas affected by avian flu or cattle from foot and mouth disease affected countries are prohibited.*

A12 Geographical restrictions on eligibility

Prohibition of imports of specified products from specific countries or regions due to lack of evidence of sufficient safety conditions to avoid sanitary and phytosanitary hazards: The restriction is imposed automatically until the country proves employment of satisfactory sanitary and phytosanitary measures to provide a certain level of protection against hazards that is considered acceptable. Eligible countries are included in a "positive list". Imports from other countries are prohibited. The list may include authorized production establishments within the eligible country.

Example: *Imports of dairy products from countries that have not proven satisfactory sanitary conditions are prohibited.*

A13 Systems Approach

An approach that combines two or more independent SPS measures on a same product: The combined measures can be composed of any number of inter-related measures as well as their conformity assessment requirements and applied at all stages of production.

Example: *An import program establishes a package of measures that specifies specific pest-free production location, pesticides to be used,*

harvesting techniques as well as post-harvest fumigation, combined with inspection requirement at entry point: Hazard Analysis and Critical Control Point (HACCP) requirements.

A14 Special Authorization requirement for SPS reasons

A requirement that importer should receive authorization, permit or approval from a relevant government agency of the destination country for SPS reasons: In order to obtain the authorization, importers may need to comply with other related regulations and conformity assessments.

Example: *An import authorization from the Ministry of Health is required.*

A15 Registration requirements for importers

The requirement that importers should be registered before they can import certain products: To register, importers may need to comply with certain requirements, provide documentation and pay registration fees.

Example: *Importers of a certain food item need to be registered at the Ministry of Health*

A19 Prohibitions/restrictions of imports for SPS reasons n.e.s.

A2 Tolerance limits for residues and restricted use of substances

A21 Tolerance limits for residues of or contamination by certain (non-microbiological) substances

A measure that establishes a maximum residue limit (MRL) or "tolerance limit" of substances such as fertilisers, pesticides, and certains chemicals and metals in food and feed, which are used during their production process but are not their intended ingredients: It includes a permissible maximum level (ML) for non-microbiological contaminants. Measures related to microbiological contaminants are classified under A4 below.

Example: *a) MRL is established for insecticides, pesticides, heavy metals, veterinary drug residues, b) POPs and chemicals generated during processing; c) residues of "dithianon" in apples and hop.*

A22 Restricted use of certain substances in foods and feeds and their contact materials

Restriction or prohibition on the use of certain substances contained in food and feed. It includes the restrictions on substances contained in the food-containers that might migrate to food.

Example*: a) Certain restrictions exist for food and feed additives used for colouring, preservation or sweeteners. b) For food containers made of polyvinyl chloride plastic, vinyl chloride monomer must not exceed 1 mg per kg.*

A3 Labelling, Marking and Packaging requirements

A31 Labelling requirements

Measures defining the information directly related to food safety, which should be provided to the consumer: Labelling is any written, electronic, or graphic communication on the consumer packaging or on a separate but associated label

Example: *a) Labels that must specify the storage conditions such as "5 degree C maximum"; b) potentially dangerous ingredients such as allergens, e.g. "contains honey not suitable for children under one year of age".*

A32 Marking requirements

Measures defining the information directly related to food safety, which should be carried by the packaging of goods for transportation and/or distribution:

Example: *Outside transport container must be marked with instructions such as handling for perishable goods, refrigeration needs, or protection from direct sunlight, etc.*

A33 Packaging requirements

Measures regulating the mode in which goods must be or cannot be packed, or defining the packaging materials to be used, which are directly related to food safety:

Example: *Use of PVC films for food packaging is restricted.*

A4 Hygienic requirements

Requirements related to food quality, composition and safety, which are usually based on hygienic and good manufacturing practices (GMPs), recognized methods of analysis and sampling: The requirements may be applied on the final product (A41) or on the production processes (A42).

A41 Microbiological criteria of the final product

Statement of the microorganisms of concern and/or their toxins/metabolites and the reason for that concern, the analytical methods for their detection and/or quantification in the final product: Microbiological limits should take into consideration the risk associated with the microorganisms, and the conditions under which the food is expected to be handled and consumed. Microbiological limits should also take account of the likelihood of uneven distribution of microorganisms in the food and the inherent variability of the analytical procedure.

Examples: *Liquid eggs should be pasteurized or otherwise treated to destroy all viable Salmonella microorganisms.*

A42 Hygienic practices during production

Requirements principally intended to give guidance on the establishment and application of microbiological criteria for foods at any point in the food chain from primary production to final consumption: The safety of foods is principally assured by control at the source, product design and process control, and the application of Good Hygienic Practices during production, processing (including labeling), handling, distribution, storage, sale, preparation and use.

Examples: *Milking equipment on the farm should be cleaned daily with a specified detergent.*

A49 Hygienic requirements n.e.s.

A5 Treatment for elimination of plant and animal pests and disease-causing organisms in the final product (e.g. Post-harvest treatment)

Various treatments that can be applied during production or as a post-production process, in order to eliminate plant and animal pests or disease-causing organisms in the final product:

A51 Cold/heat treatment

Requirement of cooling/heating of products below/above certain temperature for a certain period of time to kill targeted pests, either prior to, or upon arrival to the destination country: Specific facilities on land or ships are requested. Containers should be equipped properly to conduct cold/heat treatment and should be equipped with temperature sensors.

Example: *Citrus fruits must undergo cold (disinfection) treatment to eliminate fruit flies.*

A52 Irradiation

Requirement to kill or devitalize microorganisms, bacteria, viruses, or insects that might be present in food and feed products by using irradiated energy (ionizing radiation):

Example: *This technology may be applied on meat products, fresh fruits, spices and dried vegetable seasonings.*

A53 Fumigation

A process of exposing insects, fungal spores or other organisms to the fumes of a chemical at a lethal strength in an enclosed space for a given period of time: Fumigant is a chemical, which at a required temperature and pressure can exist in the gaseous state in sufficient concentration to be lethal to a given pest organism.

Example: *Use of acetic acid is mandatory as post harvest fumigant to destroy fungal spores on peaches, nectarines, apricots, and cherries; methyl bromide for fumigating cut flowers and many other commodities.*

A59 Treatment for elimination of plant and animal pests and disease-causing organisms in the final product, n.e.s.

A6 Other requirements on production or post-production processes

Requirement on other (post-) production processes not classified above: It also excludes those specific measures under ***A2: Tolerance limits for residues and restricted use of substances*** (or its sub-categories):

A61 Plant growth processes

Requirements on how a plant should be grown in terms of conditions related to temperature, light, spacing between plants, water, oxygen, mineral nutrients, etc.:

Example: *Seeding rate and row spacing of soybean plants are specified to reduce the risk of frogeye leaf spots*

A62 Animal raising or catching processes

Requirements on how an animal should be raised or caught because of SPS concerns:

Example: *Cattle should not be fed with feeds containing offal of cows suspected of BSE;*

A63 Food and feed processing

Requirements on how food or feed production should take place in order to satisfy sanitary conditions on the final products:

Example: *New equipment or machinery for handling or processing feed in or around an establishment producing animal feed shall not contain polychlorinated biphenils (PCBs).*

A64 Storage and transport conditions

Requirements on certain conditions under which food and feed, plants and animal should be stored and/or transported:

Example: *Certain foodstuffs should be stored in a dry place, or below certain temperature.*

A69 Other requirements on production or post-production processes, n.e.s

A8 Conformity assessment related to SPS

Requirement for verification that a given SPS condition has been met: it could be achieved by one or combined forms of inspection and approval procedure, including

procedures for sampling, testing and inspection, evaluation, verification and assurance of conformity, accreditation and approval etc.:

A81 Product registration requirement

Product registration requirement in the importing country

Example: *Requirements and guidelines for the registration of pesticide and its compounds, for minor crops/minor use and the maximum residue limit. The measure may include provisions describing types of pest control products that are exempt from registration and procedures detailing the registration process, including provisions relating to distribution, import, sampling and detention.*

A82 Testing requirement

A requirement for products to be tested against a given regulation, such as MRL: It includes sampling requirement.

Example: *A test on a sample of orange imports is required to check against the maximum residue level of pesticides*

A83 Certification requirement

Certification of conformity with a given regulation: required by the importing country but may be issued in the exporting or the importing country

Example: *Certificate of conformity for materials in contact with food (containers, papers, plastics, etc.) is required.*

A84 Inspection requirement

Requirement for product inspection in the importing country: may be performed by public or private entities. It is similar to testing, but it does not include laboratory testing.

Example: *Animals or plant parts must be inspected before entry is allowed.*

A85 Traceability requirements

Disclosure requirement of information that allows following a product through the stages of production, processing and distribution:

A851 Origin of materials and parts

Disclosure of information on the origin of materials and parts used in the final product:

Example: *For vegetables, disclosure of information on the location of the farm, name of the farmer, fertilisers used, may be required*

A852 Processing history

Disclosure of information on all stages of production: may include their locations, processing methods and/or equipment and materials used

Example: *For meat products, disclosure of information on their slaughter house, as well as food processing factory may be required.*

A853 Distribution and location of products after delivery

Disclosure of information on when and how the goods have been distributed from the time of their delivery to distributors until they reach the final consumer

Example: *For rice, disclosure of information on the location of its temporary storage facility may be required.*

A859 Traceability requirements, n.e.s.

A86 Quarantine requirement

Requirement to detain or isolate animals, plants or their products on arrival at a port or place for a given period in order to prevent the spread of infectious or contagious disease, or contamination:

Example: *Live dogs must be quarantined for two weeks before entry into the territory is authorised. Plants need to be quarantined to terminate or restrict the spread of harmful organisms.*

A89 Conformity assessment related to SPS n.e.s.

A9 SPS measures n.e.s.