

**MINUTES/ACTION PLAN**  
**FIFTH MEETING OF THE SPS SUBCOMMITTEE OF THE ASSOCIATION**  
**AGREEMENT BETWEEN CENTRAL AMERICA AND**  
**THE EUROPEAN UNION.**  
**18-19 JUNE 2019.**  
**Antigua Guatemala, Guatemala CA**  
*[working translation]*

**During the meeting of the Subcommittee, the following topics were addressed:**

**1. Approval of the agenda of the 5<sup>th</sup> meeting of the SPS Sub-Committee of the Agreement of Association between Central America (CA) and the European Union (EU).**

The parties approved the agenda.

**2. Status of implementation of the action plan agreed in 2018.**

**• Presentation by the EU on the measures applied for the control of *Xyella fastidiosa*.**

The European Union reported on the regulatory framework and control measures implemented with respect to the bacterium *Xyella fastidiosa*. Central America thanked for the information provided and expressed interest in continuing the exchange of information regarding this issue.

**Agreement:**

The European Union commits to send to Guatemala, before the finalization of the meeting, the information released, related to the Analysis of Pest Risk and the applicable regulations. Also, it will send the information to be a beneficiary of the projects on control of the *Xyella fastidiosa*. Guatemala will send the information to the other members of the Subcommittee. The presentation made by the European Union and the Documents to which reference was made will also be remitted to the participants.

**• Presentation by the EU on regulations on endocrine disruptors**

The representative of the European Union presented a document related to the regulations on endocrine disruptors, which are related to biocides and pesticides. He reported on the implementation of the scientific criteria to identify the endocrine disruptors; as well as a guide for its implementation published in June 2018. Panama requested information on whether this issue has been discussed in CODEX and in WHO. It was reported that it has been brought to the table, but that CODEX has not reached consensus to start working on this topic. The presentation made by the European Union and the documents referred to they will be sent to the participants.

**Agreement:**

The European Union committed to send to Guatemala, before finalizing the meeting, the information released, particularly that related to the scientific criteria applicable to biocides and pesticides. Guatemala will circulate the information to the other members of the Subcommittee.

**3. Procedure for the authorization of importation of products of animal and vegetal origin (Art. 145-146). Interest of the EU**

**• Update of the matrix of pending requests sent by the EU.** The European Union detailed with each Central American country the current status of pending requests, making the pertinent observations, which were discussed by the interested parties. For some cases it was requested to indicate what the sanitary or phytosanitary requirements are in order to initiate or continue with the trade of certain goods. The European Union requested that the communication be improved to streamline procedures.

**Agreement::**

1. In the case of requests from the European Union that are still in process of analysis by some countries of the Central American region, the status will be provided in a written form.
2. The European Union and each country of the Central American region shall indicate the details of the contact points to channel this type of information in the future.

• **Elimination of attestations 'born and raised' in export certificates from member countries of the EU**

The European Union submitted for the consideration of the countries of Central America the request and rationale to eliminate all attestations 'born and raised' in export health certificates from the countries of the European Union, arguing that the European Union is a single entity, which has harmonised legislation on animal and public health offering the same guarantees in all EU territory. In response, Central America stated that it does not agree with this position regarding the health status of EU Member States as well as the health status of CA countries.

**Agreement:**

The parties agreed to maintain a continuous dialogue on this subject.

• **Import requirements from El Salvador for dairy products containing milk powder.**

El Salvador stated that there is a national law that prohibits marketing of milk, cream and cheese made from milk powder. It also assured that this legislation does not conflict with the Technical Regulations of Central America on pasteurized milk. The European Union required El Salvador to provide the scientific basis that sustains the measure.

**Agreement:**

The European Union will inform in writing about the inconveniences due to said measure. For its part, El Salvador will send technical information related to this issue, including a response to what was requested by the European Union.

• **El Salvador: procedure to import wine.**

The procedure for importing wine to El Salvador was briefly discussed. To have greater clarity on the subject, El Salvador was asked to circulate a document describing the requirements and procedure for importing of wines.

**Agreements:**

El Salvador submitted the document describing the requirements and procedure for import of wines. The European Union will review the document and will send comments to El Salvador.

**CA interest:**

• **Guatemala Protocol for the Declaration of Sites and Places of free from Xylella (EU).**

Guatemala made a presentation of the Protocol for the Declaration of Free Sites and places of *Xylella*. The European Union confirmed its knowledge, but additionally indicated that Directive 2015/789 establishes the procedures for the declaration of free countries, free areas and free sites; as Guatemala is interested in exporting *Hederá helix* and *Tillandsia usneoides*. The European Union indicated that the evaluation of the presented protocol would take some months, but could not specify more for this specific case.

**Agreements:**

Guatemala agreed to send the document to the European Commission giving the requirements in writing and the European Union will send the form and the corresponding contact. The European Union committed to send the corresponding information before the end of this meeting.

**Response to the request from Costa Rica for authorization to use honey from production establishments in Guatemala, El Salvador and Nicaragua, for the export of food sauces containing honey as ingredient (note SENASA -DG-1430-2018 of October 26, 2018).**

The European Union indicated that the concerned product is a composite product that contains products of animal and vegetal origin and that the honey used has to come from countries authorized to export this commodity to the EU. Exports would be possible when the European Commission has given its approval.

**Agreement:**

Costa Rica requested that a formal response be sent, in writing, to the note sent to the European Union. The European Union confirmed that it will be remitted as soon as practicable.

**• Response to Costa Rica's request for export requirements of honey from honey bees. (SENASA -DG-1430-2018 of October 26,2018).**

The European Union said that it could not immediately respond to Costa Rica because it does not yet have an opinion requested from a expert, assuring that it will be available very soon. Costa Rica requested the European Union to pay attention to this request which was presented in October 2018.

**Agreement:**

The European Union will respond in writing to the Costa Rican request as soon as feasible

**• Request for requirements for the export of anthills of the species *Atta cephalotes*, *Atta sexdens*, *Atta colombica*, *Acromyrmex echinator*, *Acromyrmex coronatus* and *Acromyrmex volcanus* to the EU (note SENASA - DG-1538-2018 of November 19, 2018).**

Costa Rica stated that it sent a letter in November 2018 requesting the authorization to export anthills to the United Kingdom. The European Union pointed out that Import requirements for these live animals are not completely harmonized in the European Union. They added that the United Kingdom published a brochure that details the requirements to the export of invertebrates, but that, unfortunately, the species requested are not included in the brochure. The EU proposed to contact the authorities of the United Kingdom.

**Agreement:**

Costa Rica requested to receive a written answer. The European Union undertook to forward the request of Costa Rica to the appropriate authorities in the United Kingdom and to help clarifying this question.

**4. Approval of establishments without previous individual inspections: status of current approved establishments and management of new pre-listing requests. (Art.147):**

**• Individual report by country.**

The European Union requested a report by country because of varied experiences for sending the pre-listings; adding that in practice, the European Union would like to find on the website of each country's the list of establishments that are approved to export to each country of the Central American region. Honduras requested that the information on how pre-listing works be expanded. The European Union stated that the pre-listing procedure is detailed in the Annex VII of the Association Agreement. The parties identified cases of difficulties in the functioning of the pre-listing and mechanisms were discussed to optimize its operation. At the same time, the European Union emphasized that internal communication between sanitary and phytosanitary authorities should be improved.

**Agreement:**

1. Honduras undertook to apply the procedure in accordance with Annex VII of the Agreement to the countries of the European Union that comply with the health guarantees established in articles 146 and 147, without prejudice to being able to apply other sanitary measures established in the Agreement. Likewise, it undertook to publish the list of authorized establishments in the SENASA institutional web portal.

2. It was agreed that the member countries of the Agreement will provide the details of the contact points to channel the information; and, if there is some difficulty in the communication, they agree to revert to the Ministries of Economy or Trade of each country.

#### **5. Verifications (Art.148):**

• **Audits to be carried out by the Central American countries in the Member States of the EU**  
Central America stated that no audit to EU Member States has been planned for the year 2019

#### **Agreement:**

The Central American countries do not plan to conduct any audit to the EU during the year 2019

#### • **Audits carried out by the EU in the countries of Central America**

The European Union stated that no audit has been planned for the year 2019. Likewise, EU informed that since 1998, 7 audits were carried out in Panama, 7 in Honduras, 5 in Guatemala, 4 in El Salvador, 10 in Costa Rica and 6 in Nicaragua. Honduras reported that an audit was carried out on fishery products in 2016 on which they had not received a closing-out note.

#### **Agreements:**

The European Union will provide the link pointing to the information related to the audits that are planned and those that have been made since 1998 and that, in the case of Honduras, will provide the information requested as soon as possible.

#### **6. Measures related to animal and plant health (Article 149) • The EU is requested to provide information on the new regulation for the import of propagative material / Changes in EU legislation on plant health. List of high-risk plants, effective on 19 December 2019, onwards. G / SPS / N / EU / 272 / Add3.**

The European Union provided detailed information on regulation 2013/2031 regulation., Costa Rica requested the organisation of a videoconference to clarify the said regulation to the interested actors.

#### **Agreement:**

The parties agreed to hold a videoconference with the participation of interested Central American countries at a date to be defined later.

• **Information from Costa Rica on the recognition by the OIE as a country free of classical swine fever according to Resolution No. 29 of the 86<sup>th</sup> General Session of the World Assembly of Delegates of the OIE, held in Paris in May 2018 ( <http://www.oie.int/en/animal-health-in-the-world / official-disease-status / classical-swine-fever / list-of-csf-free-member-countries /> )**

Costa Rica informed the meeting that since 2018, the OIE at its 86<sup>th</sup> General Session of the World Assembly of Delegates, recognized the Republic of Costa Rica as a country free of Classical Swine Fever. Later, several Central American countries (Guatemala, Nicaragua and Panama) clarified their health status with respect to this disease.

#### **Agreement:**

The parties took note of this information.

• **Importation of laboratory samples for intercomparison (pests and diseases) not present.**

Guatemala expressed interest in knowing the regulations and procedures for the entry of samples with pests in the EU, in order to obtain recommendations and establish its own procedure to allow the importation of this type of samples.

#### **Agreement:**

The European Union will make the pertinent consultations with its authorities phytosanitary measures and the corresponding investigations to send to Guatemala the required information.

• **Import process in the concept of Peripheral Customs but in the quarantine part (non-customs) / Border inspection process, for plant and animal products.**

Guatemala raised a request for technical assistance support for inspections at border entry points to the European Union.

**Agreement:**

The European Union requested Guatemala to submit, in writing, a document that explains in greater depth the request made.

**Establish export protocols for products of animal origin, signed by the competent authorities (ADA-GT)**

Guatemala is interested in agreeing on a Protocol that establishes the requirements for the importation of genetic material of animal origin (semen and embryos). The European Union expressed its consent to work on a Protocol at regional level if there is a common interest of the Central American countries. As alternative, progress could be continued with the Member States of the European Union that have a specific interest.

**Agreement:**

The European Union requested Guatemala to submit, in writing, a document that explains in greater depth the request made.

• **Request training in TRACES for animal health, in the interest of export leathers, fetal serum, bovine gallstones / Possible cooperation TRACES at CA regional level.**

The region expressed its desire to receive technical support in training on TRACES.

**Agreement:**

The parties agreed that the Presidency would prepare a detailed written request .

**7. Transparency and exchange of information (Art 151) EU interest • Problems with Health Registration and Mutual Recognition in CA Current situation / Feedback by Central America countries on process for common recognition of the Product Approval, state of play.**

The European Union consulted on the process of harmonization and recognition of the health records system. Central America explained the harmonization of records and the recognition procedure that applies (except for Panama). In addition, CA clarified that it is an issue of technical barriers to trade.

**Agreement:** The European Union acknowledged the information provided.

**8. Notifications (Art 152).**

The European Union stated that it has made observations to Regulations that are in public consultation through the WTO. However, to date, it has not received any response from the issuing authority of the Regulation.

**Agreement:** The parties agreed to improve their communication regarding the responses received on notifications to WTO.

**9. Cooperation on Animal Welfare (Art 156.2.f).**

The European Union asked the Central American countries about their interest in carrying out cooperation activities in the field of animal welfare. Central America countries expressed their willingness to participate in a regional event about this topic.

**Agreement:**

The Central American region will submit a request to the European Union to organize a regional event on cooperation in animal welfare.

## **10. Regional economic integration (Art 306 and Annex XIX).**

• **Report on the Digital Platform of Central American Trade (PDCC) (Health certificates of Resolution 338 will be issued, in addition it will include import and transit procedures for merchandise in accordance with the definition of the OIE, which contributes to trade facilitation).**

The Central American countries explained the implementation of a Digital Platform of Commerce.

### **Agreement:**

The European Union will request more information about the Platform from the Subcommittee dealing with market access.

## **11. Cooperation and technical assistance / (Art.62.3 and Art.154)**

• **Request from Costa Rica to receive cooperation and assistance for beef export to the EU, Inspection of bovine meat and the establishments concerned.**

Costa Rica reported its intention to export beef to the European Union. The European Union briefly described the requirements that must be met. Nicaragua also expressed its interest in exporting meat to the European Union.

### **Agreement:**

Costa Rica and Nicaragua agreed to send communications to the European Union to formalize the requests. The European Union will send the latest version of the questionnaire for the importation of bovine meat.

• **Modification of the regulations 523/2019 - 529/2018 Directives 625 and 2031 COMMISSION IMPLEMENTING REGULATION (EU) 2018/523 of 28 March 2018 amending Regulation (EU) No. 37/2010 /**

The Central American countries expressed their desire to have a regional videoconference to clarify the requirements to export mango to the EU.

### **Agreement:**

The parties agreed to carry out the requested videoconference at a date to be defined later

## **12. Specific commercial concerns (Article 156.2)**

• **Coordination in international forums / coordination in international for a (Art 140. b)**

The European Union expressed its concern about the criticisms received by Central American countries in international forums such as the SPS Committee of the WTO and the CODEX Alimentarius Commission. The European Union also recalled that at the end of June 2019, the election of the Director-General of FAO will be carried out and, since there is only one European candidate, it asks for the support of the Central American countries.

### **Agreement:**

The Central American countries are aware of the above and took note of the request

• **Antimicrobial Resistance (AMR), grounds for cooperation / (Art 140.a)**

The European Union stressed the importance of global cooperation on antimicrobial resistance and proposed to the Central American countries to join the cooperation activities in that field.

### **Agreement:**

Central America shared the concern about antimicrobial resistance and showed willingness to carry out cooperation activities with the European Union in that matter.

• **Policy for the revision of the MRLs by the EU. Transition periods for the application of new MRLs. Modification of the MRLs of buprofezin, imazalil, mancozeb and non-authorization of chlorothalonil.**

The Central American countries delivered a written declaration which underlines their important commercial concerns with regard to the policy of revision of the maximum residue limits in the European Union. The representatives of the European Union committed to transmit it to the relevant instances.

**Agreement:**

The European Union will send the text of the declaration delivered to the instances relevant. Central America will send the declaration in electronic format to the European Union. The parties agree to maintain a continuous dialogue on the topic.

**• Regulatory process for Ocratoxin-A in cocoa products.**

The European Union gave a presentation on the process of Regulation of Ocratoxin-A and indicated that it foresees by the end of 2019 a review of the Risk Analysis for cocoa products. The European Union informed that there was currently no maximum level of Ocratoxin-A for cocoa. Central America indicated the relevance of this topic which should be promoted at the level of Codex Alimentarius for the sake of trade facilitation, provided that the European Union decides to initiate the establishment of maximum levels for Ocratoxin-A.

**Agreement:**

The parties agreed to maintain a continuous dialogue on the subject.

**• Situation status of the African Swine Fever, strategy for its control in the EU.**

The European Union presented its current epidemiological situation and information about the control of African Swine Fever. Also, the European Union informed that it applies the principle of regionalization, in accordance with the international standard indicated by the OIE.

**Agreement:**

The parties acknowledged and appreciated the information.

**13. Other matters.**

**• Update the contact list**

Delegates from different countries updated their personal information and electronic addresses.

**Agreement:**

The updated list of contacts will be included as an annex.

**14. Next SPS Subcommittee.**

The European Union proposed that, two months before the date of the next Subcommittee meeting, a videoconference will be held to discuss the points that will be on the agenda of the sixth meeting of the Subcommittee.

**Agreements:**

The parties expressed their agreement that the sixth meeting of the Sub-Committee takes place in 2020. In addition, they agree to hold a video conference two months before the referred meeting.

**15. Drafting of minutes and agreed actions.**

At the end of the meeting, the delegates of the parties reviewed and amended the draft minutes, which they signed as an expression of their support.

Signed in the City of Antigua Guatemala, on the nineteenth day of the month of June two thousand nineteen.