CHAPTER SEVEN

SANITARY AND PHYTOSANITARY MEASURES

Article 7.1: Objectives

1. The Parties affirm their existing rights and obligations with respect to each other under the SPS Agreement.

2. The WTO Agreement exclusively governs the settlement of any formal disputes about the matters referred to in paragraph 1.

Article 7.2: Scope

This Chapter applies to sanitary and phytosanitary measures that may affect trade between the Parties.

Article 7.3: Committee on Sanitary and Phytosanitary Measures

1. Recognizing the benefits of a bilateral program of technical and institutional cooperation, the Parties hereby establish a Committee on sanitary and phytosanitary measures, composed of representatives of each Party who are responsible for sanitary and phytosanitary matters.

2. The Committee provides a forum for discussions and cooperation:

   (a) to enhance the effectiveness of each Party’s sanitary and phytosanitary regulations in a manner which is fully consistent with, and supportive of, relevant WTO rights and obligations, with a view to improving food safety, animal health and plant health; and

   (b) to facilitate discussions on bilateral issues with a view to avoiding disputes between the Parties.
3. The Committee may consider the following:

(a) the design, implementation and review of technical and institutional cooperation programs;

(b) the development of operational guidelines to facilitate implementation of, *inter alia*, mutual recognition and equivalence agreements, and product control, inspection and approval procedures;

(c) the promotion of enhanced transparency of sanitary and phytosanitary measures;

(d) the identification and resolution of problems related to sanitary and phytosanitary matters;

(e) the recognition of pest- or disease-free areas; and

(f) the promotion of bilateral discussions on sanitary and phytosanitary issues under discussion in multilateral and international fora.

4. The Committee should meet annually if the Parties so decide. To the extent possible, the Committee shall meet using any technological means available, such as teleconference or videoconference. The Committee shall report on its activities and work plans to the Coordinators.