



Ref.: C.L.8.1994

The Director-General of the World Health Organization presents his compliments and has the honour to transmit a note concerning the Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, agreed ad referendum by the members of the General Agreement on Tariffs and Trade (GATT) on 15 December 1993. The formal signing of the Final Act took place on 15 April 1994.

The Final Act of the Multilateral Trade Negotiations - The Uruguay Round - launched by GATT in 1986, comprises almost 30 agreements, two of which have a direct impact on health issues, and hence are of direct interest to ministries of health.

The Agreement on Technical Barriers to Trade (TBT) modifies the GATT agreement which has existed since 1980 and makes it applicable to all GATT member countries; the Agreement on Sanitary and Phytosanitary Measures (SPS) subjects such measures to more detailed rules. The basic provisions of this latter Agreement are that any measures which may affect international trade must not be stricter than necessary for the protection of human, animal or plant health, must be based on scientific principles, and must not be maintained without sufficient scientific evidence.

International consensus regarding what is necessary and what is not necessary for the protection of human health in relation to food safety is reflected in the standards, guidelines and other recommendations adopted by the FAO/WHO Codex Alimentarius Commission. Stricter standards do not necessarily offer better health protection but may be used as non-tariff barriers to trade. Therefore, with regard to food safety, the Agreement on Sanitary and Phytosanitary Measures refers to the standards, guidelines and recommendations established by the Codex Alimentarius Commission relating to food additives, veterinary drug and pesticide residues, contaminants, methods of analysing and sampling and codes and guidelines of hygienic practice. Codex standards, guidelines and recommendations relating to these issues, while remaining recommendations of international organizations which Member States may or may not choose to put into public health practice, have now assumed a completely new dimension as the reference or "measuring stick" of national requirements.

In future, GATT members could be required to furnish justification for food import restrictions based on national regulations that are stricter than Codex standards, guidelines and recommendations. Consequently, it will be prudent for the health sector to participate even more actively in the work of the Codex Alimentarius Commission and its subsidiary bodies, both at the national and international levels. The World Health Organization, in turn, will play an even more important role, as it is the parent of Codex which provides reassurance that foods produced according to Codex codes of hygienic practice and complying with its standards are safe and nutritious and offer adequate health protection.

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The Director-General recalls to Member States that a text on the Relationship between the Codex Alimentarius Commission and the General Agreement on Tariffs and Trade was submitted to the Forty-sixth World Health Assembly in May 1993 as a component of document A46/25. The full texts of ... the Agreement on Technical Barriers to Trade and of the Agreement on Sanitary ... and Phytosanitary Measures are attached to this circular letter.

GENEVA, 26 April 1994