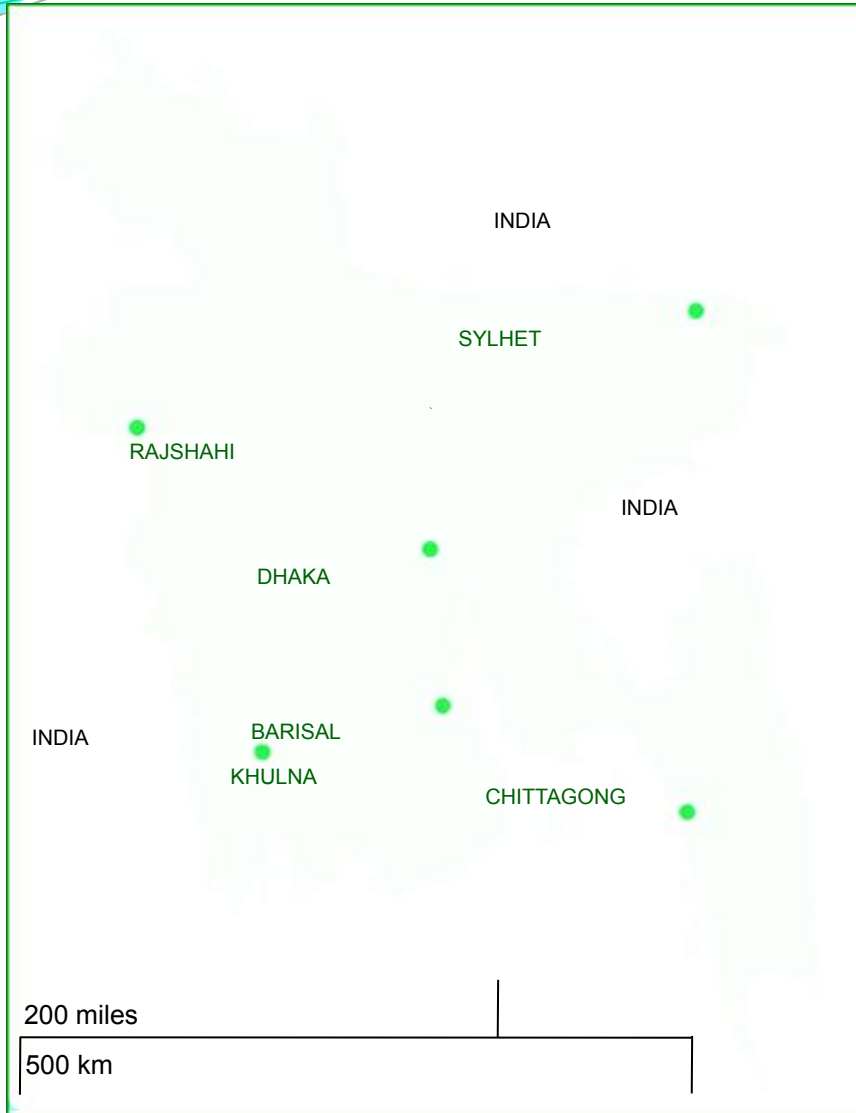




SPS and TBT issues: Perspective Bangladesh

**Mafruha Sultana
Joint Secretary
Ministry of Commerce
Government of the People's republic of
Bangladesh**

Bangladesh at a Glance



- **Official Name** : People's Republic of Bangladesh
- **Population** : 153.6 million (2012/13 est.)
- **Area** : 147,570 km²
- **Time Zone** : GMT+6 Hours
- **GDP total** : USD 114.00 blns (FY 2012-13)
- **GDP Per Capita** : USD 923 (FY 2012-13)
- **Total Exports** : USD 27.03 bln (FY2012-13)
- **Total Imports** : USD 34.0 bln (FY2012-13)
- **Total FDI** : USD 1.136 bln (2012)
- **Forex Reserve** : USD 15.0 bln (2013)
- **Currency** : BDT 78.0 /US\$ (Sept, 2013)
- **Revenue to GDP** : 13.5%
- **Share to GDP** : Service- 50%,



Success Stories of Bangladesh

- Sustained GDP growth of more than 5% for two decades
- Second largest exporter of apparels after China
- Ranks 39th in women empowerment
- Included in the list of 'Next Eleven' after BRIC- Goldman sach's report in 2005
- Ranks 6th in the Global Top Providers' list of ICT software- Desk Online Job Report,2010

SPS Agreement of the WTO

- WTO has many Agreements – one of the Agreements is Agreement on Application of SPS (Sanitary & Phyto-sanitary) Measures (SPS Agreement)
- “Sanitary measures” are related to life or health of humans or animals
- “Phyto-sanitary measures” are related to life or health of plants
- The overall objective of the SPS Agreement is to establish a discipline in imposing and administering SPS measures

SPS Measures

- According to the SPS agreement every WTO member has rights to impose SPS measures for protecting human, animal and plant health & life, and also environment
- SPS measures can be of various forms, like
 - Products to come from disease-free area
 - Inspection of products
 - Specific treatment or processing of products
 - Setting of allowable maximum levels of pesticide residue or permitted use of only certain additives in food

Requirements of the Agreement

- SPS measures
 - Can not be applied discriminately
 - Can not be aimed at creating obstacles to trade
 - Can be only up to the extent necessary for protecting human, animal and plant health & life
- SPS measures must be
 - Justified by scientific principles & evidences, or
 - Based on international standards

SPS Regime in Bangladesh

- A lot of legislations and organizations are involved
- Main legislations for food safety, animal health and plant health are:
 - The Pure Food Ordinance, 1959
 - The Bangladesh Standards and Testing Institution (Amendment) Act, 2003
 - The Iodine Deficiency Disorders Preventions Act, 2005
 - The Fish Protection and Conservation Act, 1950
 - The Fish and Fish Product (Inspection and Quality Control) Ordinance, 1983



Legislations.....

- The Animal Slaughter (Restriction) and Meat Inspection Act, 2005
- The Pesticide Ordinance, 1971
- The Marine Fisheries Ordinance, 1983
- The Animal Disease Act, 2005
- The Animal and Animal Products Quarantine Act, 2005
- The Destructive Insects and Pests Rules (Plant Quarantine), 1966
- The Agriculture Product Act, 1964

Organizations involved

Public Sector Organizations

- Ministry of Health and Family welfare and attached Departments
- Ministry of Agriculture and attached Departments
- Ministry of Fisheries and Livestock and attached Departments
- Ministry of Environment and Forest
- Ministry of Commerce and attached Departments
- BSTI (Bangladesh Standardization and Testing Institutions) under the Ministry of Industries
- Different laboratories under different Ministries

Leading Trade Bodies

- FBCCI (Federation of Bangladesh Chambers of Commerce & Industries) – Apex trade body
- Various Chambers of Commerce
- Specialized Associations
 - Bangladesh Frozen Food Exporters' Association
 - Bangladesh Agro-Processors' Association
 - Bangladesh Fresh Vegetables Exporters' Association

SPS Measures on Imports

- Bangladesh maintains few SPS measures on imported products
- In case of imports of food items-
 - certificate, declaring the safety of food for human consumption, is required
 - radiation test before shipment is required
- In case of imports of plants, plant products and animals, quarantine procedures need to be followed

SPS Measures on Exports

- Bangladesh exports frozen foods and agro-products to that are subject to SPS measures
- The Fish Inspection and Quality Control Wing of Department of Fisheries
 - introduced HACCP in fish processing industries
 - Carries out regular inspection of hygiene and sanitation of processing plant premises to verify HACCAP related records
 - Certify the export consignments
- Exports of plant and plant products are also certified by the Quarantine Department of Agriculture Directorate

SPS Measures on Exports

- Frozen food sector is trying to maintain all the requirements of export markets, like EU and USA
- Importers want our fish/shrimp to be
 - safe for consumption
 - free from :
 - Pathogenic bacteria
 - Prohibited antibiotics (nitro furans & chloromphenical)
 - Other hazardous chemicals (like Pesticides, Hormones)
- It is a great challenge to maintain the hygiene and sanitary requirements at all level, from the growers to exporters

Agreement on TBT

- Agreement on TBT (Technical Barriers to Trade) has been introduced to establish a discipline for dealing with TBT issues
- Objectives :
 - Prevent creation of unnecessary technical barriers to trade
 - Establish rules for technical regulations, standards & conformity assessment
 - Take international standards, guides or recommendations as far as possible into consideration
 - Ensure transparency

Agreement on TBT...

- Agreement on TBT acknowledges each country's rights to regulate:
 - quality of products
 - protection of human life, health, animal or plant life
 - protection of the environment
 - prevention of deceptive practices
 - protection of legitimate, essential security interests
- Requires that standards not to creating unnecessary obstacles to trade

Unnecessary obstacles

- When a regulation is more restrictive than necessary to achieve a policy objective
- When it does not fulfil legitimate objective
- When the objective can be achieved through alternative measures with less trade-restrictive affects
- When a stricter or more time-consuming procedures of compliance are adopted
- When the conformity assessment (like lab) facilities are not suitably located

Avoiding unnecessary obstacles

- Measures and procedures basing on scientific principles and evidences
- Harmonizing measures by using existing international standards and procedures
- Participation in the development of international standards
- No more information than necessary is demanded
- Testing facilities are conveniently located



Challenges

Most of the barriers or obstacles resulting from SPS and TBT measures are due to lack of:

- appropriate knowledge on the issues
- knowledge and awareness about trading partners' requirements
- simplification, standardisation and harmonisation of SPS procedures
- capability to comply
- expertise
- appropriate laboratory and testing facilities

Priorities for Bangladesh

- Building awareness among all the relevant stakeholders about the rules and regulations on SPS and TBT
- Enhancing overall compliant capability
- Developing and improving legal and institutional infrastructure, laboratory and testing facilities
- Enhancing coordination among the relevant organizations and stakeholders

Priorities for Bangladesh

- Creating adequate human resource and expertise on SPS and TBT issues
- Developing a mechanism for maintaining update information
- Increasing and diversifying exports by complying with SPS and TBT measures



Thank You