

No. 47286

**European Community
and
United States of America**

Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products (with annexes). Brussels, 20 July 1999

Entry into force: *1 August 1999 by notification, in accordance with article 16*

Authentic text: *English*

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The texts of the annexes are not published herein, in accordance with article 12 (2) of the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the publication practice of the Secretariat.

**Communauté européenne
et
États-Unis d'Amérique**

Accord entre la Communauté européenne et les États-Unis d'Amérique relatif aux mesures sanitaires de protection de la santé publique et animale applicables au commerce d'animaux vivants et de produits animaux (avec annexes). Bruxelles, 20 juillet 1999

Entrée en vigueur : *1^{er} août 1999 par notification, conformément à l'article 16*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Conseil de l'Union européenne, 17 mars 2010*

Les textes des annexes ne sont pas publiés ici, conformément aux dispositions de l'article 12, paragraphe 2, des réglementations de l'Assemblée générale, en application de l'Article 102 de la Charte des Nations Unies, tel qu'amendé, et de la pratique dans le domaine des publications du Secrétariat.

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
BETWEEN THE EUROPEAN COMMUNITY AND
THE UNITED STATES OF AMERICA
ON SANITARY MEASURES TO PROTECT PUBLIC
AND ANIMAL HEALTH IN TRADE
IN LIVE ANIMALS AND ANIMAL PRODUCTS**

THE EUROPEAN COMMUNITY

of the one part, and

THE GOVERNMENT OF THE UNITED STATES OF AMERICA

of the other part,

DESIRING to safeguard public and animal health and to facilitate trade in animals and animal products between the European Community (hereinafter referred to as "the Community") and the United States of America (hereinafter referred to as "the U.S.");

RESOLVED to take the fullest account of the risk of spread of animal diseases and the measures put in place to control and eradicate such diseases, and in particular to avoid disruptions to trade;

REAFFIRMING their commitment to the rights and obligations established under the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures (hereinafter referred to as the "SPS Agreement");

WHEREAS the Parties acknowledge that their systems of sanitary measures are intended to address similar objectives of providing comparable health assurances;

NOTING that the recognition by an importing country of the sanitary measures applied by an exporting country can permit greater efficiency in the utilization of inspection and verification resources;

HAVE DECIDED to conclude this Agreement and to this end have designated respectively as their plenipotentiaries:

THE EUROPEAN COMMUNITY

Kalevi HEMILÄ

Minister for Agriculture and Forestry of the Republic of Finland

President-in-Office of the Council of the European Union

Franz FISCHLER

Member of the Commission of the European Communities

THE GOVERNMENT OF THE UNITED STATES OF AMERICA

Richard L. MORNINGSTAR

Ambassador,

Head of the Mission of the United States of America to the European Union

WHO HAVE AGREED AS FOLLOWS:

ARTICLE 1

OBJECTIVE

The objective of this agreement is to facilitate trade in live animals and animal products between the Community and the U.S. by establishing a mechanism for the recognition of equivalence of sanitary measures maintained by a Party consistent with the protection of public and animal health, and to improve communication and cooperation on sanitary measures.

ARTICLE 2

MULTILATERAL OBLIGATIONS

Nothing in this Agreement shall limit the rights or obligations of the Parties under the Agreement establishing the World Trade Organisation and its Annexes, in particular the SPS Agreement.

ARTICLE 3

SCOPE

1. This Agreement shall initially be limited to the sanitary measures applied by either Party to the live animals and animal products listed in Annex I, except as provided for in paragraph 2.
2. Unless otherwise specified under the provisions set out in the Annexes to this Agreement, this Agreement shall not apply to sanitary measures related to food additives, processing aids, flavours, colour additives, sanitary stamps, irradiation (ionisation), contaminants (including pesticides, chemical residues, mycotoxins, natural toxins, physical contaminants and animal drug residues), chemicals originating from the migration of substances from packaging materials; labelling of foodstuffs (including nutritional labelling); feed additives, animal feedingstuffs, medicated feeds and premixes.
3. The Parties may agree to modify this Agreement in the future to extend the scope to other sanitary or phytosanitary measures affecting trade between the Parties.