

No. 50552

**New Zealand
and
Switzerland**

Agreement between New Zealand and the Swiss Confederation on sanitary measures applicable to trade in live animals and animal products (with annexes). Wellington, 17 November 2010

Entry into force: *1 May 2012, in accordance with article 18*

Authentic texts: *English and German*

Registration with the Secretariat of the United Nations: *New Zealand, 21 March 2013*

Only the authentic English and German texts of the Agreement and their translations into French are published herein. 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.

**Nouvelle-Zélande
et
Suisse**

Accord entre la Nouvelle-Zélande et la Confédération suisse sur les mesures sanitaires applicables au commerce d'animaux vivants et de produits animaux (avec annexes). Wellington, 17 novembre 2010

Entrée en vigueur : *1^{er} mai 2012, conformément à l'article 18*

Textes authentiques : *anglais et allemand*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Nouvelle-Zélande, 21 mars 2013*

Seuls les textes authentiques anglais et allemand de l'Accord et leur traduction en français sont publiés ici. Les annexes ne sont pas publiées ici, conformément au paragraphe 2 de l'article 12 du règlement de l'Assemblée générale destiné à mettre en application l'Article 102 de la Charte des Nations Unies, tel qu'amendé, et à la pratique du Secrétariat dans le domaine des publications.

[ENGLISH TEXT – TEXTE ANGLAIS]

Agreement
between
New Zealand
and
the Swiss Confederation
on
Sanitary Measures Applicable to Trade in
Live Animals and Animal Products

New Zealand of the one part, and

The Swiss Confederation hereinafter referred to as 'Switzerland' of the other part,

hereinafter referred to as 'the Parties';

WHEREAS the Parties acknowledge that their regulatory systems and standards provide comparable levels of health protection and that regulatory systems and standards must progressively evolve to reflect prevailing sanitary risks within their respective territories;

WHEREAS the Agreement between Switzerland and the European Community on trade in Agricultural Products (hereinafter referred to as the "Switzerland-EC Agreement") was concluded on 21 June 1999 and the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products (hereinafter referred to as New Zealand-EC Agreement) was signed in Brussels on 17 December 1996;

RECOGNISING the commonality of approach and the benefits of consistency in the application of sanitary measures applicable to trade in live animals and animal products between the Parties and the European Union;

WHEREAS the Parties acknowledge that Annex 11 of the Switzerland-EC Agreement establishes the animal health and zoosanitary measures for trade in live animals, semen, ova, embryos and animal products between Switzerland and the European Union;

WHEREAS the Parties acknowledge that Annex 11 of the Switzerland-EC Agreement specifies the legislation pertaining to the placing on the market of live animals, semen, ova, embryos and animal products and that this legislation provides identical results to European Union legislation;

WHEREAS an additional Agreement between the European Community, Switzerland and the Principality of Liechtenstein was concluded on 27 September 2007 extending to the Principality of Liechtenstein the Agreement between the European Community and the Switzerland on trade in agricultural products;

WHEREAS the Parties acknowledge that the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products establishes the zoosanitary and sanitary measures for the trade in live animals, semen, ova, embryos and animal products between New Zealand and the European Union;

WHEREAS the Parties have determined that the New Zealand-EC Agreement and the Switzerland-EC Agreement should be used to facilitate the sanitary and zoosanitary aspects of bilateral trade in live animals and animal products between Switzerland and New Zealand;

REAFFIRMING their commitment to the rights and obligations established under the Agreement on the Application of Sanitary and Phytosanitary Measures (hereinafter referred to as 'the SPS Agreement') according to Annex 1A of the Agreement establishing the World Trade Organisation, done on 15 April 1994 (hereinafter referred to as 'the WTO Agreement');

DESIRING to facilitate trade in live animals and animal products between Switzerland and New Zealand while safeguarding public and animal health and thereby meeting consumer expectations in relation to the wholesomeness of food products,

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

have agreed as follows:

Article 1

Objective

The objective of this Agreement is to facilitate trade in live animals and animal products between Switzerland and New Zealand by establishing a mechanism for the recognition of equivalence of sanitary measures maintained by the two Parties consistent with the protection of public and animal health, and to improve communication and cooperation on sanitary measures.

Article 2

General Provisions

1. The provisions set out in this Agreement shall apply in respect of trade between Switzerland and New Zealand in live animals and animal products.
2. The jointly determined arrangements for the application of this Agreement by the Parties are set out in the Annexes.

Article 3

Multilateral Obligations

Nothing in this Agreement shall limit the rights or obligations of the Parties pursuant to the WTO Agreement and its Annexes thereto, and in particular the SPS Agreement.

Article 4

Scope

1. The scope of this Agreement shall be limited to the sanitary measures applied by either Party to the live animals and animal products listed in Annex I of this Agreement.
2. 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.

Article 5

Definitions

For the purposes of this Agreement the following definitions shall apply:

- (a) Live animals and animal products: means the live animals and animal products covered by Annex I;
- (b) Sanitary Measures: means sanitary measures as defined in Annex A, paragraph 1, of the SPS Agreement, which fall within the scope of this Agreement;
- (c) Appropriate level of sanitary protection: means the level of protection as defined in Annex A, paragraph 5, of the SPS Agreement;
- (d) Region: means "zones" and "regions" as defined in the Animal Health Code of the World Organization for Animal Health (OIE);
- (e) Sanitary Authorities:
 - (i) For New Zealand - the authorities described in Part A of Annex II;
 - (ii) For Switzerland - the authorities described in Part B of Annex II.