

FINAL MINUTES
Canada-European Union
Comprehensive Economic and Trade Agreement
Sanitary and Phytosanitary Measures
Second Joint Management Committee
Brussels, Belgium
25-27 February, 2019

No.	AGENDA ITEM
1.	<p>WELCOME AND INTRODUCTION</p> <p>1.1 Opening Remarks</p> <p>Both Parties provided opening remarks and a commitment to productive and collaborative discussions.</p> <p>1.2 Introductions</p> <p>Representatives were present from the Canadian Food Inspection Agency (CFIA), Global Affairs Canada (GAC), EU Member States (FR, DE, NL, RO, UK, BE, IE and IT), DG TRADE, DG AGRI and DG SANTE.</p> <p>1.3 Adoption of the Agenda</p> <p>Agenda was adopted with only minor revisions to the order of specific items.</p>
2.	<p>OPERATION AND IMPLEMENTATION OF THE SPS CHAPTER</p> <p>2.1 Rules of Procedure (RoP)</p> <p>Both Parties agreed that under the current RoP there is sufficient flexibility regarding composition of Party delegations and timing for the agenda and meeting minutes to facilitate the agreed working preferences of the SPS JMC (i.e., agenda 30 days prior to the meeting and minutes produced during or closely following the meeting).</p> <p>2.2 Process for the establishment of the CETA SPS JMC Work Programme</p> <p>Both co-chairs will follow up and ensure progress on the action items identified in the Annex to these minutes.</p> <p>2.3 Follow up of the actions - SPS JMC 2018</p>

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	<p>Both Parties discussed the progress of work on the previous agenda items and where further follow up is required, these items have been incorporated into the action items identified in the Annex to these minutes.</p> <p>2.4 Exchange on CETA SPS Chapter articles, Article 5.11 (disease notification and information exchange).</p> <p>Canada shared information on Agriculture and Agrifood Canada's (AAFC) and the CFIA's newly formed International Affairs Branch.</p> <p>Both Parties stressed the importance of timely disease notification and relevant information exchange.</p>
3.	<p>3. INFORMATION SHARING</p> <p>3.1 Safe Food for Canadians Regulations (SFCR) – Information</p> <p>Canada provided an additional update on the status of SFCR implementation. The EU noted its readiness to respond to the CFIA's request to update the simplified certificate for the export of Canadian pork to the EU with SFCR wording.</p> <p>3.2 Incoming and outgoing audits- Information</p> <p>Both Parties discussed 2019 audit planning progress and Canada agreed to share its 2019-2020 plan of the EU to allow for proper planning.</p> <p>3.3 Update on disease outbreaks</p> <p>Detailed presentation was provided by the EU on African swine fever (ASF), Lumpy skin disease, Peste des petits ruminants (PPR) and avian influenza disease situation, measures in place, relevant EU legislation and international cooperation. Details were provided on the information channels (daily e-mails, weekly reports and interactive map regarding ASF which is available on DG SANTE website). EU presented in detail its ASF regionalisation policy.</p> <p>3.4 EU to provide information on the next steps in the legislative process concerning two regulations:</p> <ul style="list-style-type: none"> - Veterinary Medicinal Regulation - (EU) 2019/6 - High Risk Plant List - Implementing Regulation (EU) 2018/2019 <p>The EU presented a detailed update on the above mentioned Regulations and agreed to continue to share information with technical officials as noted in point 3.1.</p>

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4	<p>ANNEX REVIEW</p> <p>4.1 Process for modification to existing annexes/establishment of new annexes</p> <p>Both Parties presented their respective legal procedures for the development/ modification of the existing annexes/ establishment of new annexes.</p> <p>4.2 Review of annexes</p> <p>- 4.2.1. <i>Annex 5 C Process of recognition of regional conditions: Plant pests</i></p> <p>EU presented in detail its policy, measures in place in the phytosanitary area in particular relevant to plant pests.</p> <p>4.2.2. <i>Annex 5 F: Approval of establishments or facilities</i></p> <p>EU informed about the process ongoing in the Member States in relation to the submission of the list of establishments for export to Canada on processed proteins of non-ruminant origin.</p>
5.	<p>SPECIFIC ISSUE MANAGEMENT</p> <p>Plant</p> <p>5.1 EU Export applications of fresh tomato with vines, stems, and calyces</p> <p>EU asked to find a solution on this matter which may include a pilot project. Canada agreed to discuss the assessment of Italy's systems approach proposal.</p> <p>5.2 Alternatives to use of methyl bromide, ongoing project work</p> <p>EU presented on the status of the upcoming workshop in Ottawa on this subject. The scope of the project was confirmed by both Parties.</p> <p>5.3. Exportations of grapevine plants</p> <p>The EU asked for an updated status on the follow up of the request from France for such export. Canada indicated that an update will be provided as soon as practical.</p> <p>Food Safety</p> <p>5.4 Information on specific Member States measures differ from EU measures</p> <p>Canada registered its concerns regarding the scientific basis for, and trade restrictive nature of, France's ban on cherry imports from countries which permit the use of dimethoate.</p>

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	<p>5.5 EU to provide information on EU requirements on hazard-based cut-off and the impact on import tolerances based on Regulation (EU) 2018/605, Regulation (EC) No 1107/2009 and Regulation (EC) No 396/2005.</p> <p>5.5.1 EU and Canada to provide information on their respective policies regarding Pesticides</p> <p>The EU presented in detail the current legislation and planned legislative initiatives on this subject.</p> <p>5.6 Recognition of EU Member State meat inspection systems by Canada</p> <p>Canada presented the possible scenarios of the outcome of the 2019 on-going and planned audits by the CFIA and the process for the reporting of the findings for the EU meat inspection systems. Member States not willing to participate in the audit will not be eligible for export. The outcome of the 2019 audit will not affect the status of the Member States currently authorised for export to Canada.</p> <p>5.7 Export Certificates</p> <p>5.7.1 EU harmonised export certificates for fresh meat (poultry, sheep/goat) and processed meat (beef, pork, poultry, others)</p> <p>5.7.2 Simplified Certificates for Canadian exports of meat and meat products</p> <p>EU and Canada discussed the need to agree on the EU-Canada veterinary certificates and to start this process as soon as possible based on the priority commodities identified by both Parties.</p> <p>5.8 Simplified Certificates for Canadian pork products. The EU to provide an update on the timeline needed to update Annex II of Decision 2005/290 to bring the Annex in line with SFCR requirements</p> <p>5.9 Closure of the EU's 2015 audit of the CFIA's fish inspection activities</p> <p>The EU presented the outstanding issues to be addressed following the audit. Canada explained its changes related to the programme design and asked to better understand the outstanding issues in an effort to bring this to closure.</p> <p>5.10 Timelines for listing of approved Canadian establishments</p> <p>Both Parties presented the current legal basis for the listing of establishments and agreed on</p>

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	<p>the need to continue discussion on this subject, aiming to address Canadian concerns relating to timelines for listing.</p> <p>Animal Health</p> <p>5.11 Recognition of the PCR test on bovine semen for Schmallenberg Virus (SBV)</p> <p>The EU expressed strong concerns on the disease mitigation measures for bovine semen in relation to Schmallenberg virus, as according to the OIE recommendations no trade restrictions should be applicable, and asked Canada to revise the current policy in place. The EU proposed to use the existing test to ensure safe trade as the transmission study was not relevant in this case.</p> <p>Canada considers protecting its SBV free status as highly important as this is an emerging animal disease. Canada has requested a transmission study in order to better understand the risk and this would be required before any policy revision was considered. Results from the panel testing have indicated CFIA's PCR assay is roughly equivalent but not as sensitive as FLI's therefore the need for transmission study.</p> <p>5.12 Revised testing protocols due to epizootic hemorrhagic disease virus (EHDV) in Canada</p> <p>The EU provided an update on the legislative progress and indicated its planned activity to present to Member States for their opinion the decision to recognize Canada as seasonally free from EHDV in the first half of 2019.</p> <p>5.13 EU and Canada to exchange information on the legislative changes in the EU for the removal of Specified Risk Material from bovines at slaughter in EU Member States</p> <p>The EU presented in detail the current legislation related to SRM and Canada asked to consider the latest EU Member States BSE status for the bilateral trade in the relevant commodities. EU will provide information on the current legislation and animal traceability in EU.</p> <p>Canada is willing to negotiate updated import conditions for Member States with negligible risk if assurances of adequate controls are provided. This will be assessed during 2019 Canadian audits in Member States.</p> <p>Audit</p> <p>5.14 Canada to provide an update and findings CFIA's Offshore program.</p> <p>Canada provided an update on the activities of its Offshore program that includes: foreign food safety system audits and assessments, foreign establishment verifications and technical assistance activities.</p>

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6.	<p>OPPORTUNITIES FOR ENHANCED COOPERATION ON SPS INITIATIVES</p> <p>6.1 Antimicrobial resistance</p> <p>Both Parties reiterated their commitment to enhance cooperation on AMR. It was agreed at expert level to consider possible areas of bilateral interest for future cooperation and the way forward. Canada would identify a contact point on AMR.</p>
7.	<p>WORK PROGRAMME FOR 2019-2020</p> <p>This will be covered by action items in the Annex to these minutes.</p>
8.	<p>BREAK TO WRITE AND FINALIZE MEETING REPORT AND ACTION ITEM LIST</p>
9.	<p>CETA SPS JMC MEETING REPORT AND ACTION ITEM ADOPTION</p>
10.	<p>NEXT MEETING</p>
11.	<p>ADJOURNMENT</p>

ANNEX

Action items

Action item
<p>INFORMATION SHARING</p> <p>3.1 Safe Food for Canadians Regulations (SFCR) – Information</p> <p><i>Canada will arrange bilateral meetings to address issues of bilateral interest which include Canada's export library, Canada's Automated Import Reference System (AIRS), animal and plant health, residue MRLs, import licencing procedures etc.</i></p> <p><i>Both parties agreed to arrange bilateral calls between the co-chairs and international programmes lead of CFIA to update on areas of mutual interest including legislative developments (including on veterinary medicinal products legislation) at any time when it is deemed to be necessary.</i></p>
<p>3.3 Update on disease outbreaks</p> <p><i>EU agreed to respond in a timely fashion to Canada's request to evaluate the proposed wording for ASF regionalisation in the relevant export certificates to the EU. And the EU agreed to set up a call to present the interactive tool to technical officials.</i></p> <p><i>Both parties agreed for ad hoc cooperation on this subject to facilitate timely acknowledgement of reciprocity in relation to regionalisation. EU to review Canada's proposal for ASF regionalisation. EU commits to consider all available options to address timely recognition of regionalisation decisions.</i></p>
<p>ANNEX REVIEW</p> <p>4.1 Process for modification to existing annexes/establishment of new annexes</p> <p><i>Canada will provide additional clarification related to the legal procedure for the modification of annexes and possible changes following a decision of the SPS-JMC meeting.</i></p>
<p>4.2 Review of annexes</p> <p>- 4.2.1. Annex 5 C Process of recognition of regional conditions: Plant pests</p> <p><i>Both Parties engage to discuss on the recognition of pest free areas in the EU and Canada.</i></p> <p><i>Canada agreed to send draft text proposal for EU's consideration.</i></p> <p><i>Canada to further explore on the regionalisation recognition options for Longhorn beetle in the context of the North American Perimeter Approach.</i></p>
<p>SPECIFIC ISSUE MANAGEMENT</p> <p>Plant</p> <p>5.1 EU Export applications of fresh tomato with vines, stems, and calyces</p> <p><i>Bilateral call involving relevant Member States will be arranged soon after the JMC where relevant Canadian experts will clarify their assessment and respond to questions. Both parties agreed to report on this discussion to the co-chairs.</i></p>

5.2 Alternatives to use of methyl bromide, ongoing project work

EU funded workshop on alternatives to the methyl bromide is taking place on 19-20/3/2019 in Ottawa. Parties agreed to follow-up on the outcome of the workshop with concrete results and steps to move forward.

5.3. Exportations of grapevine plants

Action: France will provide the necessary information to Canada. This will be followed up by bilateral contacts with reporting back to the SPS-JMC co-chairs.

Food Safety

5.4 Information on specific Member States measures differ from EU measures

EU will keep Canada updated on the progress of the EFSA risk assessment.

5.5 EU to provide information on EU requirements on hazard-based cut-off and the impact on import tolerances based on Regulation (EU) 2018/605, Regulation (EC) No 1107/2009 and Regulation (EC) No 396/2005.

5.5.1 EU and Canada to provide information on their respective policies regarding Pesticides

The EU will provide explanatory note when it is available about the procedure on the hazard-based cut-off and the impact on import tolerances.

Bilateral call will be arranged soon after the JMC where Canada will update on their policy related to pesticides. Canada will provide recent presentation on this topic and both sides will be ready to respond to the possible questions which will be communicated beforehand.

5.6 Recognition of EU Member State meat inspection systems in EU

Action: EU will confirm in writing the willingness of all Member States to be audited and Canada will as soon as possible inform of the MS to be audited in June. EU is ready, on request, to provide an overview of Directorate F role on inspections in the EU Member States.

5.7 Export Certificates

5.7.1 EU harmonised export certificates for fresh meat (poultry, sheep/goat) and processed meat (beef, pork, poultry, others)

5.7.2 Simplified Certificates for Canadian exports of meat and meat products

EU will provide the priority list of the EU harmonised certificates to be agreed.

Bilateral meeting will take place in a timely fashion to discuss the way forward on the certificate negotiation of agreed priority items, simplified certificates for Canadian side (ASF zoning and Safe Food for Canadian Regulations wording) and harmonised certificates for the EU side (poultry as first priority).

Canada will proceed to work bilaterally only with Hungary to agree on an export certificate for rabbit meat.

5.8 Simplified Certificates for Canadian pork products. The EU to provide an update on the timeline needed to update Annex II of Decision 2005/290 to bring the Annex in line with SFCR requirements

Action: covered by 5.7

5.9 Closure of the EU's 2015 audit of the CFIA's fish inspection activities

EU will provide the list of outstanding items to be provided by Canada. Following the receipt of this information from Canada and assessment by the EU, a video call will be arranged between technical officials in an effort to bring this to closure.

5.10 Timelines for listing of approved Canadian establishments

EU to respond to the Canadian request linked to the listing of Canadian establishments outlining possible options to address this issue.

Animal Health

5.11 Recognition of the PCR test on bovine semen for Schmallenberg Virus (SBV)

Bilateral call will be arranged to further discuss it at expert level.

Audit

5.14 Canada to provide an update and findings CFIA's Offshore program.

Canada will inform EU in advance if offshore verification will take place.