

**ARE MY MEASURES CONSISTENT WITH THE SPS AGREEMENT?
A Checklist for Regulators**

1. Does the regulation impose measures more strict to imported products than to national products?
2. Does the regulation have a stronger impact on products imported from certain countries than from others? If so, could this be considered as simple discrimination, or as a response to different levels of risk?
3. Are there other ways to fulfil the objective of this regulation, imposing less restrictions on international trade?
4. Are there exporting countries to which such regulation applies, which may objectively demonstrate that their own system meets the objectives of this regulation? Have we followed the SPS Committee's guidelines on equivalence (G/SPS/19/Rev.3)?
5. Is this regulation more stringent than the international standards of CODEX, IPPC or OIE?
 - (a) If the regulation is not based on an international standard, can its scientific base be doubtful?
 - (b) Is there scientific evidence suggesting that this regulation is not necessary?
6. Is the level of risk accepted by this regulation different from the level of risk accepted by the regulations regarding other products? Have we followed the SPS Committee's guidelines on consistency (G/SPS/15)?
7. If a region(s) of an exporting country were able to demonstrate that they were free of a pest or disease, does this regulation impose that such information be ignored?
8. Is this a precautionary measure? If so,
 - (a) Is the measure temporary?
 - (b) Is relevant scientific evidence insufficient to assess the health risks?
 - (c) Are we actively seeking to obtain additional evidence in order to complete a risk assessment?
9. Can this measure have a significant effect (positive or negative) on trade?
 - (a) Is it different from the relevant international standard?
 - (b) If so, was the draft regulation notified to the WTO secretariat? (G/SPS/7/Rev.3)
 - (c) If notified, were at least 60 days provided for comments by other countries?
 - (d) Were the comments taken into account in the final regulation?
10. Was the regulation published promptly upon its adoption?