

SPS-TBT MEASURES

from concerns to disputes

Summary

Sanitary and Phytosanitary Measures (SPS) Agreement

<http://spsims.wto.org/>

How many measures have been notified?

Regular = **19,398** Emergency = **2,757**. Addenda = **6,726**. Corrigenda = **576**. Translation supplement = **19**. Recognition of equivalence = **7**.

→ Total (all) = **29,485**. (Regular + emergency = **22,155**)

How many specific trade concerns (STCs) have been raised?

Specific Trade Concerns = **632** = **2.14%** of notified measures.

How many disputes cite the SPS Agreement?

https://www.wto.org/english/tratop_e/dispu_e/dispu_agreements_index_e.htm

25 "full" disputes (non-lapsed etc: 5-year cut-off) cite the SPS Agreement in the request for consultations;
51 total cases if including dormant, settled out of court, or withdrawn

"Full" (non-lapsed etc) disputes = **0.08%** of notified measures; all disputes = **0.17%** of notified measures

"Full" (non-lapsed etc) disputes = **3.96%** of concerns raised in the committee; all disputes = **9.5%** of concerns (>90% never become disputes)

Technical Barriers to Trade (TBT) Agreement

<http://tbtims.wto.org/>

How many measures have been notified?

Regular notifications = **32,136**. Revisions = **495**. Addenda/Corrigenda/Supplements = **11,100**

→ Total = **43,731**

How many specific trade concerns (STCs) have been raised?

Specific Trade Concerns = **701** = **1.6%** of notified measures

How many disputes cite the TBT Agreement?

https://www.wto.org/english/tratop_e/dispu_e/dispu_agreements_index_e.htm

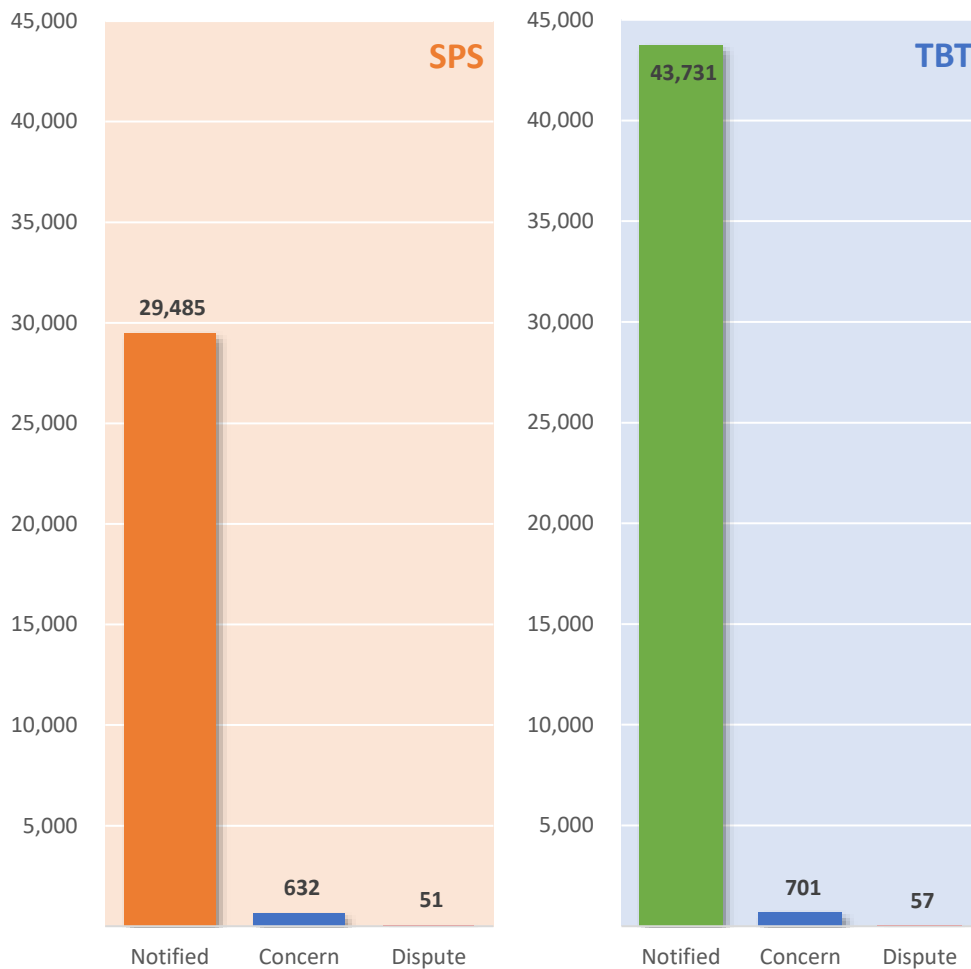
24 "full" disputes (non-lapsed etc: 5-year cut-off) cite the TBT Agreement in the request for consultations;
57 cases if including dormant, settled out of court, or withdrawn

"Full" (non-lapsed etc) disputes = **0.05%** of notified measures; all disputes = **0.13%** of notified measures

"Full" (non-lapsed etc) disputes = **3.4%** of concerns raised in the committee; all disputes = **8.1%** of concerns raised in the committee (≈92% never become disputes)

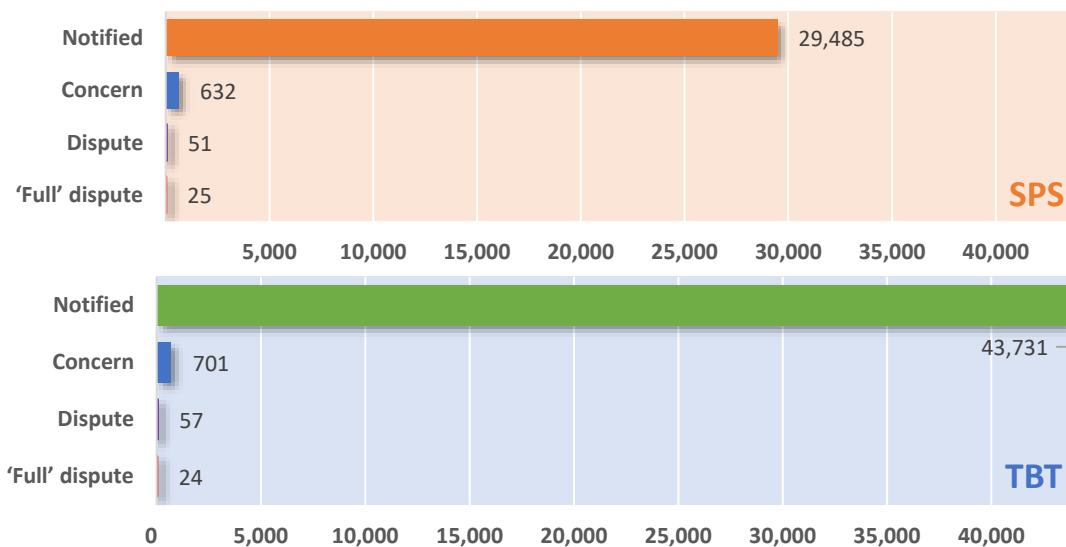
Dispute settlement is not essential for the WTO to work (but it helps)

Less than 0.2% of SPS and TBT measures notified to the WTO end up as disputes. Less than 2% are raised as concerns in the SPS and TBT committees and 90% of those never become disputes.



Non-tariff barriers (SPS and TBT) notified to the WTO, concerns raised, and disputes

January 1, 1995 – November 13, 2021



Source: WTO. Data retrieved November 13, 2021 from <http://spsims.wto.org/> (SPS), <http://tbtims.wto.org/> (TBT); and https://www.wto.org/english/tratop_e/dispu_e/dispu_agreements_index_e.htm?id=A19#selected_agreement (SPS disputes) and https://www.wto.org/english/tratop_e/dispu_e/dispu_agreements_index_e.htm?id=A22#selected_agreement (TBT disputes).

Disputes involving **SPS** and **TBT** agreements

https://www.wto.org/english/tratop_e/dispu_e/dispu_agreements_index_e.htm

These are all the disputes citing the [SPS](#) and [TBT](#) agreements. There are two types of count:

- all cases including cases that never became “full” disputes
- those that are actively proceeding at least to a panel ruling, and in many cases to appeal.

Fully-fledged (“full”) disputes exclude those that do not complete the panel stage. They have been withdrawn, a mutually agreed solution is reached before completing the panel stage (“settled out of court”), the authorisation to set up a panel has lapsed, or the case has stayed in the initial “request for consultations” stage for at least five years and can be considered to be “dormant”. They are listed without numbering and the reason for considering them to have lapsed or to be non-active is highlighted.

Sanitary and Phytosanitary Measures (SPS)

> [Click here for the text of this agreement](#)

51 cases cite this agreement in the request for consultations, **25** not lapsed (**36** lapsed)

1. [DS607 European Union \(formerly EC\) – Measures Concerning the Importation of Certain Poultry Meat Preparations from Brazil](#)

Consultations requested: 8 November 2021

Current status: In consultations

2. [DS599 Panama – Measures concerning the importation of certain products from Costa Rica](#)

Consultations requested: 11 January 2021

Current status: Panel established, but not yet composed

3. [DS589 China – Measures Concerning the Importation of Canola Seed from Canada](#)

Consultations requested: 9 September 2019

Current status: In consultations

4. [DS540 United States – Certain Measures Concerning Pangasius Seafood Products from Viet Nam](#)

Consultations requested: 22 February 2018

Current status: In consultations

5. [DS532 Russian Federation – Measures Concerning the Importation and Transit of Certain Ukrainian Products](#)

Consultations requested: 13 October 2017

Current status: In consultations

6. [DS525 Ukraine – Measures relating to Trade in Goods and Services](#)

Consultations requested: 19 May 2017

Current status: In consultations

7. [DS524 Costa Rica – Measures Concerning the Importation of Fresh Avocados from Mexico](#)

Consultations requested: 8 March 2017

Current status: Panel composed

8. [DS506 Indonesia – Measures Concerning the Importation of Bovine Meat](#)

Consultations requested: 4 April 2016

Current status: In consultations

9. [DS495 Korea, Republic of – Import Bans, and Testing and Certification Requirements for Radionuclides](#)

Consultations requested: 21 May 2015

Current status: Report(s) adopted, with recommendation to bring measure(s) into conformity

10. [DS484 Indonesia – Measures Concerning the Importation of Chicken Meat and Chicken Products](#)

Consultations requested: 16 October 2014

Current status: Compliance proceedings ongoing

11. [DS475 Russian Federation – Measures on the Importation of Live Pigs, Pork and Other Pig Products from the European Union](#)

Consultations requested: 8 April 2014

Current status: Compliance proceedings ongoing

[DS448 United States – Measures Affecting the Importation of Fresh Lemons](#)

Consultations requested: 3 September 2012

Current status: **In consultations**

12. [DS447 United States – Measures Affecting the Importation of Animals, Meat and Other Animal Products from Argentina](#)

Consultations requested: 30 August 2012

Current status: Report(s) adopted, with recommendation to bring measure(s) into conformity

13. [DS430 India – Measures Concerning the Importation of Certain Agricultural Products](#)

Consultations requested: 6 March 2012

Current status: Authorization to retaliate requested (including 22.6 arbitration)

14. [DS406 United States – Measures Affecting the Production and Sale of Clove Cigarettes](#)

Consultations requested: 7 April 2010

Current status: Mutually acceptable solution on implementation notified

15. [DS392 United States – Certain Measures Affecting Imports of Poultry from China](#)

Consultations requested: 17 April 2009

Current status: Report(s) adopted, no further action required

[DS391 Korea, Republic of – Measures Affecting the Importation of Bovine Meat and Meat Products from Canada](#)

Consultations requested: 9 April 2009

Current status: Settled or terminated (withdrawn, mutually agreed solution)

[DS389 European Union \(formerly EC\) – Certain Measures Affecting Poultry Meat and Poultry Meat Products from the United States](#)

Consultations requested: 16 January 2009

Current status: Panel established, but not yet composed

16. [DS386 United States – Certain Country of Origin Labelling Requirements](#)

Consultations requested: 17 December 2008

Current status: Authorization to retaliate granted

17. [DS384 United States – Certain Country of Origin Labelling \(Cool\) Requirements](#)

Consultations requested: 1 December 2008

Current status: Authorization to retaliate granted

18. [DS367 Australia – Measures Affecting the Importation of Apples from New Zealand](#)

Consultations requested: 31 August 2007

Current status: Implementation notified by respondent

[DS297 Croatia – Measures Affecting Imports of Live Animals and Meat Products](#)

Consultations requested: 9 July 2003

Current status: Settled or terminated (withdrawn, mutually agreed solution)

[DS293 European Union \(formerly EC\) – Measures Affecting the Approval and Marketing of Biotech Products](#)

Consultations requested: 14 May 2003

Current status: Settled or terminated (withdrawn, mutually agreed solution)

[DS292 European Union \(formerly EC\) – Measures Affecting the Approval and Marketing of Biotech Products](#)

Consultations requested: 13 May 2003

Current status: Settled or terminated (withdrawn, mutually agreed solution)

19. [DS291 European Union \(formerly EC\) – Measures Affecting the Approval and Marketing of Biotech Products](#)

Consultations requested: 13 May 2003

Current status: Authorization to retaliate requested (including 22.6 arbitration)

[DS287 Australia – Quarantine Regime for Imports](#)

Consultations requested: 3 April 2003

Current status: Settled or terminated (withdrawn, mutually agreed solution)

[DS284 Mexico – Certain Measures Preventing the Importation of Black Beans from Nicaragua](#)

Consultations requested: 17 March 2003

Current status: Settled or terminated (withdrawn, mutually agreed solution)

[DS279 India – Import Restrictions Maintained Under the Export and Import Policy 2002-2007](#)

Consultations requested: 23 December 2002

Current status: In consultations

[DS271 Australia – Certain Measures Affecting the Importation of Fresh Pineapple](#)

Consultations requested: 18 October 2002

Current status: In consultations

[DS270 Australia – Certain Measures Affecting the Importation of Fresh Fruit and Vegetables](#)

Consultations requested: 18 October 2002

Current status: Panel established, but not yet composed

[DS256 Turkey – Import Ban on Pet Food from Hungary](#)

Consultations requested: 3 May 2002

Current status: In consultations

20. [DS245 Japan – Measures Affecting the Importation of Apples](#)

Consultations requested: 1 March 2002

Current status: Mutually acceptable solution on implementation notified

[DS237 Turkey – Certain Import Procedures for Fresh Fruit](#)

Consultations requested: 31 August 2001

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS205 Egypt – Import Prohibition on Canned Tuna with Soybean Oil

Consultations requested: 22 September 2000

Current status: **In consultations**

DS203 Mexico – Measures Affecting Trade in Live Swine

Consultations requested: 10 July 2000

Current status: **In consultations**

DS144 United States – Certain Measures Affecting the Import of Cattle, Swine and Grain from Canada

Consultations requested: 25 September 1998

Current status: **In consultations**

DS137 European Union (formerly EC) – Measures Affecting Imports of Wood of Conifers from Canada

Consultations requested: 17 June 1998

Current status: **In consultations**

21. DS135 European Union (formerly EC) – Measures Affecting Asbestos and Products Containing Asbestos

Consultations requested: 28 May 1998

Current status: Report(s) adopted, no further action required

DS134 European Union (formerly EC) – Restrictions on Certain Import Duties on Rice

Consultations requested: 27 May 1998

Current status: **In consultations**

DS133 Slovak Republic – Measures Concerning the Importation of Dairy Products and the Transit of Cattle

Consultations requested: 7 May 1998

Current status: **In consultations**

DS100 United States – Measures Affecting Imports of Poultry Products

Consultations requested: 18 August 1997

Current status: **In consultations**

DS96 India – Quantitative Restrictions on Imports of Agricultural, Textile and Industrial Products

Consultations requested: 18 July 1997

Current status: **Settled or terminated (withdrawn, mutually agreed solution)**

22. [DS76 Japan – Measures Affecting Agricultural Products](#)

Consultations requested: 7 April 1997

Current status: Mutually acceptable solution on implementation notified

23. [DS48 European Union \(formerly EC\) – Measures Concerning Meat and Meat Products \(Hormones\)](#)

Consultations requested: 28 July 1996

Current status: Mutually acceptable solution on implementation notified

[DS41 Korea, Republic of – Measures concerning Inspection of Agricultural Products](#)

Consultations requested: 24 May 1996

Current status: **In consultations**

24. [DS26 European Union \(formerly EC\) – Measures Concerning Meat and Meat Products \(Hormones\)](#)

Consultations requested: 26 January 1996

Current status: Mutually acceptable solution on implementation notified

[DS21 Australia – Measures Affecting the Importation of Salmonids](#)

Consultations requested: 20 November 1995

Current status: **Settled or terminated (withdrawn, mutually agreed solution)**

[DS20 Korea, Republic of – Measures concerning Bottled Water](#)

Consultations requested: 8 November 1995

Current status: **Settled or terminated (withdrawn, mutually agreed solution)**

25. [DS18 Australia – Measures Affecting Importation of Salmon](#)

Consultations requested: 5 October 1995

Current status: Mutually acceptable solution on implementation notified

[DS5 Korea, Republic of – Measures Concerning the Shelf-Life of Products](#)

Consultations requested: 3 May 1995

Current status: **Settled or terminated (withdrawn, mutually agreed solution)**

[DS3 Korea, Republic of – Measures Concerning the Testing and Inspection of Agricultural Products](#)

Consultations requested: 4 April 1995

Current status: **In consultations**

Technical Barriers to Trade (TBT)

> [Click here for the text of this agreement](#)

57 cases cite this agreement in the request for consultations, **24** not lapsed (**33** lapsed)

1. [DS600 – Certain measures concerning palm oil and oil palm crop-based biofuels](#)

Consultations requested: 15 January 2021

Current status: In consultations

2. [DS597 United States – Origin Marking Requirement](#)

Consultations requested: 30 October 2020

Current status: In consultations

3. [DS593 European Union \(formerly EC\) – Certain measures concerning palm oil and oil palm crop-based biofuels](#)

Consultations requested: 9 December 2019

Current status: In consultations

4. [DS532 Russian Federation – Measures Concerning the Importation and Transit of Certain Ukrainian Products](#)

Consultations requested: 13 October 2017

Current status: In consultations

5. [DS525 Ukraine – Measures relating to Trade in Goods and Services](#)

Consultations requested: 19 May 2017

Current status: In consultations

[DS506 Indonesia – Measures Concerning the Importation of Bovine Meat](#)

Consultations requested: 4 April 2016

Current status: **In consultations**

6. [DS499 Russian Federation – Measures affecting the importation of railway equipment and parts thereof](#)

Consultations requested: 21 October 2015

Current status: Panel report under appeal

7. [DS484 Indonesia – Measures Concerning the Importation of Chicken Meat and Chicken Products](#)

Consultations requested: 16 October 2014

Current status: Compliance proceedings ongoing

8. [DS467 Australia – Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging](#)

Consultations requested: 20 September 2013

Current status: Report(s) adopted, no further action required

[DS463 Russian Federation – Recycling Fee on Motor Vehicles](#)

Consultations requested: 24 July 2013

Current status: **In consultations**

[DS459 European Union \(formerly EC\) – Certain Measures on the Importation and Marketing of Biodiesel and Measures Supporting the Biodiesel Industry](#)

Consultations requested: 15 May 2013

Current status: **In consultations**

9. [DS458 Australia – Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging](#)

Consultations requested: 3 May 2013

Current status: Report(s) adopted, no further action required

[DS446 Argentina – Measures Affecting the Importation of Goods](#)

Consultations requested: 24 August 2012

Current status: **In consultations**

10. [DS441 Australia – Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging](#)

Consultations requested: 18 July 2012

Current status: Panel report under appeal

11. [DS435 Australia – Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging](#)

Consultations requested: 4 April 2012

Current status: Panel report under appeal

[DS434 Australia – Certain Measures Concerning Trademarks and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging](#)

Consultations requested: 13 March 2012

Current status: **Authority for panel lapsed**

12. [DS406 United States – Measures Affecting the Production and Sale of Clove Cigarettes](#)

Consultations requested: 7 April 2010

Current status: Mutually acceptable solution on implementation notified

13. [DS401 European Union \(formerly EC\) – Measures Prohibiting the Importation and Marketing of Seal Products](#)

Consultations requested: 5 November 2009

Current status: Report(s) adopted, with recommendation to bring measure(s) into conformity

14. [DS400 European Union \(formerly EC\) – Measures Prohibiting the Importation and Marketing of Seal Products](#)

Consultations requested: 2 November 2009

Current status: Report(s) adopted, with recommendation to bring measure(s) into conformity

[DS389 European Union \(formerly EC\) – Certain Measures Affecting Poultry Meat and Poultry Meat Products from the United States](#)

Consultations requested: 16 January 2009

Current status: Panel established, but not yet composed

15. [DS386 United States – Certain Country of Origin Labelling Requirements](#)

Consultations requested: 17 December 2008

Current status: Authorization to retaliate granted

16. [DS384 United States – Certain Country of Origin Labelling \(Cool\) Requirements](#)

Consultations requested: 1 December 2008

Current status: Authorization to retaliate granted

17. [DS381 United States – Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products](#)

Consultations requested: 24 October 2008

Current status: Authorization to retaliate granted

[DS369 European Union \(formerly EC\) – Certain Measures Prohibiting the Importation and Marketing of Seal Products](#)

Consultations requested: 25 September 2007

Current status: Settled or terminated (withdrawn, mutually agreed solution)

[DS293 European Union \(formerly EC\) – Measures Affecting the Approval and Marketing of Biotech Products](#)

Consultations requested: 14 May 2003

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS292 European Union (formerly EC) – Measures Affecting the Approval and Marketing of Biotech Products

Consultations requested: 13 May 2003

Current status: Settled or terminated (withdrawn, mutually agreed solution)

18. DS291 European Union (formerly EC) – Measures Affecting the Approval and Marketing of Biotech Products

Consultations requested: 13 May 2003

Current status: Authorization to retaliate requested (including 22.6 arbitration)

19. DS290 European Union (formerly EC) – Protection of Trademarks and Geographical Indications for Agricultural Products and Foodstuffs

Consultations requested: 17 April 2003

Current status: Implementation notified by respondent

DS279 India – Import Restrictions Maintained Under the Export and Import Policy 2002-2007

Consultations requested: 23 December 2002

Current status: In consultations

DS263 European Union (formerly EC) – Measures Affecting Imports of Wine

Consultations requested: 4 September 2002

Current status: In consultations

DS233 Argentina – Measures Affecting the Import of Pharmaceutical Products

Consultations requested: 25 May 2001

Current status: In consultations

DS232 Mexico – Measures Affecting the Import of Matches

Consultations requested: 17 May 2001

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS231 European Union (formerly EC) – Trade Description of Sardines

Consultations requested: 20 March 2001

Current status: Mutually acceptable solution on implementation notified

DS210 Belgium – Administration of Measures Establishing Customs Duties for Rice

Consultations requested: 12 October 2000

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS203 Mexico – Measures Affecting Trade in Live Swine

Consultations requested: 10 July 2000

Current status: **In consultations**

DS151 United States – Measures Affecting Textiles and Apparel Products (II)

Consultations requested: 19 November 1998

Current status: **Settled or terminated (withdrawn, mutually agreed solution)**

DS144 United States – Certain Measures Affecting the Import of Cattle, Swine and Grain from Canada

Consultations requested: 25 September 1998

Current status: **In consultations**

DS137 European Union (formerly EC) – Measures Affecting Imports of Wood of Conifers from Canada

Consultations requested: 17 June 1998

Current status: **In consultations**

20. DS135 European Union (formerly EC) – Measures Affecting Asbestos and Products Containing Asbestos

Consultations requested: 28 May 1998

Current status: Report(s) adopted, no further action required

DS134 European Union (formerly EC) – Restrictions on Certain Import Duties on Rice

Consultations requested: 27 May 1998

Current status: **In consultations**

DS100 United States – Measures Affecting Imports of Poultry Products

Consultations requested: 18 August 1997

Current status: **In consultations**

DS85 United States – Measures Affecting Textiles and Apparel Products

Consultations requested: 22 May 1997

Current status: **Settled or terminated (withdrawn, mutually agreed solution)**

DS77 Argentina – Measures Affecting Textiles, Clothing and Footwear

Consultations requested: 23 April 1997

Current status: **Authority for panel lapsed**

DS72 European Union (formerly EC) – Measures Affecting Butter Products

Consultations requested: 24 March 1997

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS61 United States – Import Prohibition of Certain Shrimp and Shrimp Products

Consultations requested: 25 October 1996

Current status: In consultations

21. DS56 Argentina – Measures Affecting Imports of Footwear, Textiles, Apparel and other Items

Consultations requested: 4 October 1996

Current status: Implementation notified by respondent

22. DS48 European Union (formerly EC) – Measures Concerning Meat and Meat Products (Hormones)

Consultations requested: 28 July 1996

Current status: Mutually acceptable solution on implementation notified

DS41 Korea, Republic of – Measures concerning Inspection of Agricultural Products

Consultations requested: 24 May 1996

Current status: In consultations

DS26 European Union (formerly EC) – Measures Concerning Meat and Meat Products (Hormones)

Consultations requested: 26 January 1996

Current status: Mutually acceptable solution on implementation notified

DS20 Korea, Republic of – Measures concerning Bottled Water

Consultations requested: 8 November 1995

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS14 European Union (formerly EC) – Trade Description of Scallops

Consultations requested: 24 July 1995

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS12 European Union (formerly EC) – Trade Description of Scallops

Consultations requested: 18 July 1995

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS7 European Union (formerly EC) – Trade Description of Scallops

Consultations requested: 19 May 1995

Current status: Settled or terminated (withdrawn, mutually agreed solution)

DS5 Korea, Republic of – Measures Concerning the Shelf-Life of Products

Consultations requested: 3 May 1995

Current status: Settled or terminated (withdrawn, mutually agreed solution)

23. DS4 United States – Standards for Reformulated and Conventional Gasoline

Consultations requested: 10 April 1995

Current status: Implementation notified by respondent

DS3 Korea, Republic of – Measures Concerning the Testing and Inspection of Agricultural Products

Consultations requested: 4 April 1995

Current status: In consultations

24. DS2 United States – Standards for Reformulated and Conventional Gasoline

Consultations requested: 24 January 1995

Current status: Implementation notified by respondent