

**THAILAND's Comments in
The 2011 SPS Measures for the incoming 2012 Report
Submitted to the United States Trade Representatives**

23 September 2011

No.	Claims by the U.S.	Comments from Thailand
1	<p style="text-align: center;">Sanitary and Phytosanitary measure (SPS)</p> <p style="text-align: center;">1.1 Pork</p> <p>- In January 2010, Thailand lifted its ban on U.S. pork and pork products that had been in place based on H1N1- flu concerns. However, U.S. producers have not resumed exporting unprocessed pork products and offals to Thailand, due to Thailand's requirement that exporters agree to a number of burdensome requirements, including the requirement that each producer's facility be inspected by Thai officials. The United States has urged Thailand to agree to a protocol adopting a systems- based approach that analyzes the entire U.S. food safety system relating to pork production, rather than relying on individual plant inspections for all exporting facilities. Thailand also imposes other trade restrictions on imports of U.S. pork and pork products, including a prohibition concerning trace residues of ractopamine in pork.</p>	<p>- According to the Thai law, ractopamine is prohibited for use in animal feed. Under the food law, residue (ractopamine is categorized as residue) must be examined. The Ministry of Public Health and the Ministry of Agriculture do not allow the use of ractopamine. Furthermore, CODEX is still considering whether ractopamine should be allowed or not. If it is allowed, Thailand may review its law in order to be consistent with international organization standards. Thailand insists that the prohibition of ractopamine is treated equally on both imported and domestic products.</p> <p>- For Thailand, the adoption of a system- based approach is negotiable but USDA has yet to answer the questionnaire as a means for both sides to start the negotiations.</p> <p>- However, Thailand would like to confirm that there are three steps for exporters prior to exporting beef and beef products or pork and pork products into Thailand. First, exporters must fill in the questionnaire with adequate evidence. Then, Thai relevant agencies will inspect farms and slaughterhouses in the exporting countries. After that, import permits and requirements will be considered. The US must follow these requirements in order to export beef and products or pork and pork products to Thailand.</p>

	<p align="center">7.2 Beef and Beef Products</p> <p>- Thailand has banned the importation of U.S. beef and beef products due to the detection of a BSE- positive animal in the United States in 2003. Currently, Thailand allows imports of U.S. deboned beef from animals under 30 months of age. The United States continues to engage Thailand to fully open its beef market to U.S. beef and beef products based on science, the OIE guidelines, and the United States' controlled risk status.</p>	<ul style="list-style-type: none"> - Thailand allows imports of U.S. boneless beef derived from cattle ages less than 30 months because the OIE (World Organization for Animal Health) had recommended that those commodities contain no risk of BSE transmission and were safe for trade. - The USDA proposed a draft Health Certificate for importation of beef and beef product from USA dated 20 May 2008 and 26 August 2008. The Thai Department of Livestock Development (DLD), Ministry of Agriculture then submitted an official letter concerning our comments and our proposed Health Certificate on 13 August 2008 and 5 September 2008 to the USDA and the US embassy in Bangkok. However, DLD has still not received any official contact from USDA on this issue. - However, we would like to confirm that there are three steps for exporters prior to exporting beef and beef products or pork and pork products into Thailand. First, exporters must fill in the questionnaire with adequate evidence. Then, Thai relevant agencies will inspect farms and slaughterhouses in the exporting countries. After that, import permit and requirements will be considered. The US must follow these requirements in order to export beef and products or pork and pork products to Thailand. - Safety control of beef and beef products is under the responsibility of Department of Livestock Development (DLD) and Food and Drug Administration (FDA).
	-	
	-	-

Ministry of Commerce
Department of Trade Negotiations
September 2011