

Sanitary and Phytosanitary (SPS) measures are measures adopted by governments to ensure either that food domestically produced or entering into their territory is safe for consumers, or to prevent the spread of pests or diseases among animals and plants. They are regulated by the WTO Agreement on the Application of Sanitary and Phytosanitary Measures ([SPS Agreement](#)), which aims to ensure that these measures are actually introduced to protect human, animal, plant life or health and not for pure protectionist purposes.

The [Annex B](#) to the SPS Agreement mandates WTO members to notify other Members through the WTO Secretariat any new international standard, guideline, recommendation or regulation that may have a significant effect on trade of other Members. Before definitively adopting the measure, the Member who intends to introduce it must allow reasonable time for other Members to make comments in writing, discuss these comments upon request, and take these written comments and the results of these discussions into account.

The WTO has developed a database called [SPS-IMPS](#) allowing the consultation of all SPS measures notified to the Organisation by its members, with the related Specific Trade Concerns (STCs), i.e., the concerns raised by the other WTO members with regard to the introduction of such measures.

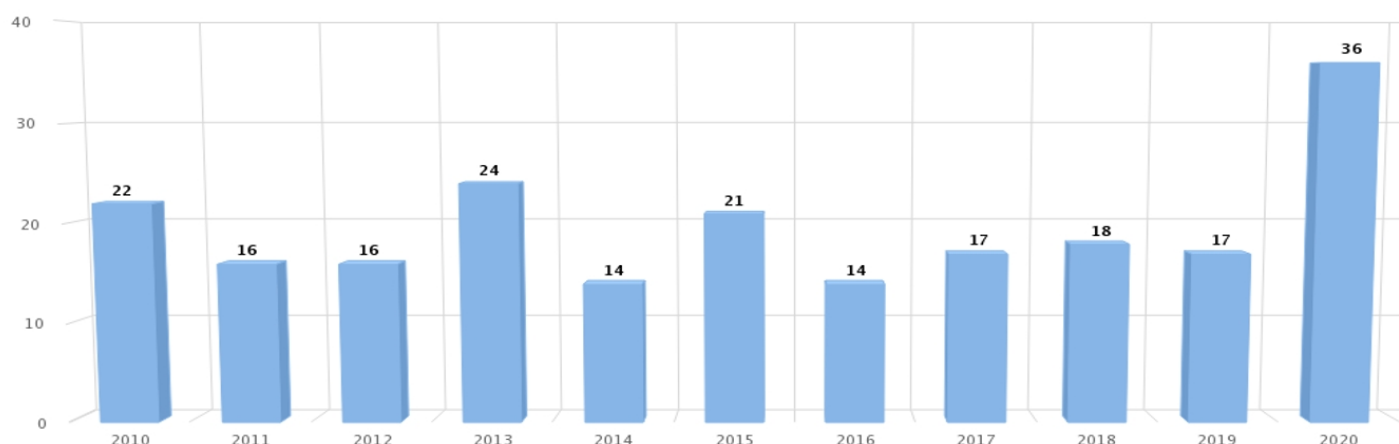
On the other hand, Technical Barriers to Trade (TBT), are technical regulations and standards establishing product requirements, or testing and certification procedures adopted by governments for fulfilment of public policy objectives, such as human health and safety, environmental protection, consumer information, or quality. Like SPS measures, TBTs apply to both domestically produced and imported goods and are regulated by a specific WTO Agreement, the Technical Barriers to Trade Agreement ([TBT Agreement](#)), which aims to ensure that these measures do not create unnecessary obstacles to trade. Article 2.9.2. of the TBT Agreement mandates WTO members to notify other Members through the WTO Secretariat any international standard which is being introduced and any proposed technical regulation that is being adopted, whenever such technical regulation may have a significant effect on trade of other Members. Before definitively adopting the measure, the Member who intends to introduce it must allow reasonable time for other Members to make comments in writing, discuss these comments upon request, and take these written comments and the results of these discussions into account.

The WTO has developed a database called [TBT-IMS](#) which allows users to search all TBT notifications and Specific Trade Concerns (STCs) notified to the Organisation.

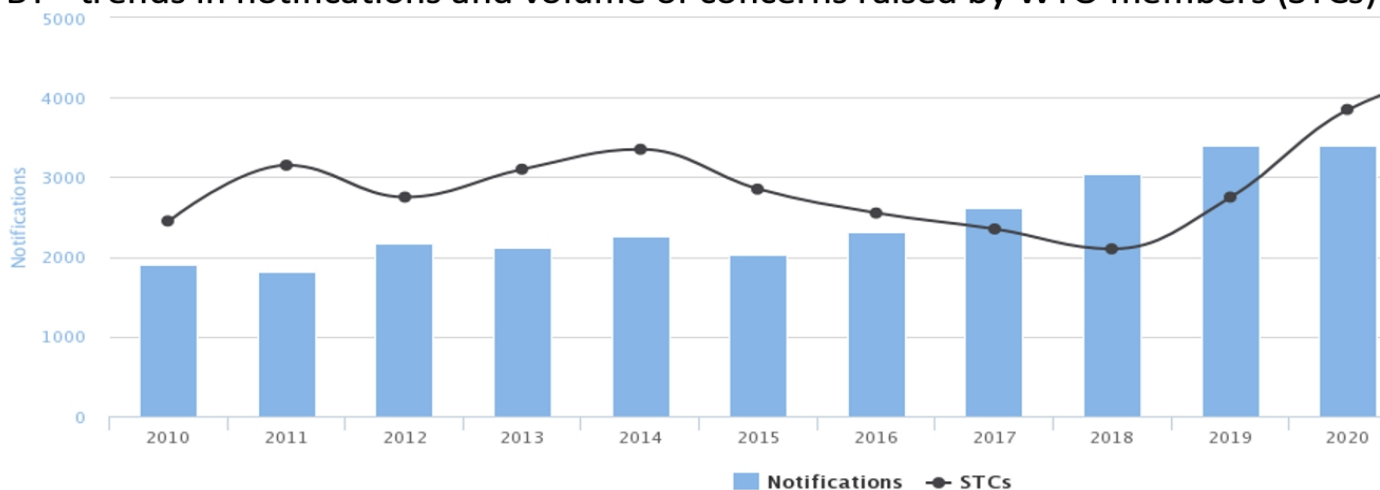
A comparison between information extracted from the two databases shows that in 2021,

although the number of STCs related to SPS measures has decreased - after a peak registered in 2020 – Specific Trade Concerns related to TBT are progressively increasing.

SPS – Volume of concerns raised by WTO members



TBT - trends in notifications and volume of concerns raised by WTO members (STCs)



It is interesting to note that apart from the measures introduced to protect human health or safety, that during the Covid-19 pandemics have registered an exponential increase, consumer information and mandatory information to be included on food labels represent a major matter of concern, especially for African countries, as the number of notifications concerning such kind of TBTs are particularly numerous. Indeed, the frequent concerns submitted to the WTO about new labelling and packaging and requirements introduced by other foreign markets clearly show that African countries perceive consumer information and labeling requirements as a main obstacle for penetration of their products in foreign markets and as a cost for their companies that makes African products uncompetitive on such markets due to the need to spend more efforts in enforcing compliance of their products with such requirements.

