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## **FOOD SAFETY**

**Topic:** *Food Import and Export Inspection and Certification Systems*  
**Venue:** Food Safety and Inspection Service (FSIS)  
**Contact:** Patrick J. Clerkin, Associate U.S. Manager for Codex, U.S. Codex Office, Food Safety and Inspection Service, Room 4861, South Agriculture Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-3700; Tel: (202) 205-7760; Fax: (202) 720-3157.

On January 13, 1999, the FSIS held a public meeting regarding issues that will be discussed at the Seventh Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) in Melbourne, Australia, February 22-26, 1999. The primary topic that will be discussed is the Committee's Proposed Draft Guidelines for the Judgement of Equivalence

of Sanitary Measures Associated With Food Inspection and Certification Systems. In sum, these proposed guidelines would require an importing nation to accept an exporting nation's food inspection system as "equivalent," even if it differs from the importing nation's system, if the exporting nation "objectively demonstrates . . . that its measures achieve the importing [nation's]

appropriate level of protection.”<sup>1</sup>

At the meeting, FDA officials stressed repeatedly that the focus of the proposed guidelines is only on human health. However, others have criticized the very concept of equivalence determinations. For example, Rod Leonard, Executive Director of Community Nutrition Institute, in his written comments for the meeting, called equivalence determinations “simply bureaucratic guesswork, i.e. no scientific basis has been established for the claim that different inspection and certification systems can meet the same objective.”<sup>2</sup>

Another issue that has been raised with the proposed guidelines is the phrase “appropriate level of protection.” The World Trade Organization’s (WTO) Sanitary and Phytosanitary Agreement (governing food standards) defines that term as, “The level of protection deemed appropriate by a Member establishing a sanitary measure to protect human . . . health.”<sup>3</sup> This definition suggests that a nation has unfettered discretion to set its own level of protection for its citizens. However, the SPS Agreement requires such

determinations to be based on “sound science” (i.e. no precautionary principle) and a risk assessment.

As well, given the relationship between Codex and the World Trade Organization (WTO), the use of this term of art is troubling. WTO rules recognize Codex standards as the maximum level of protection a nation can provide for its citizens.<sup>4</sup> If a nation sets a standard that provides more consumer protection than a Codex standard, it is subject to a WTO challenge as a trade barrier, and that nation must prove the standard is not a trade barrier.

In the context of equivalence determinations, this means that every WTO member-nation’s “appropriate level of protection” must be the level provided by Codex standards, **or lower**. When asked about this issue, FSIS officials stated that the proposed guidelines were not meant to address it. They simply worked from the assumption that every nation’s level of protection was “appropriate.”

**Topic:** *Monsanto’s Bovine Growth Hormone Rejected in Canada, Challenged in U.S.*

**Venue:** Canadian Health Department; U.S. Food and Drug Administration

**Contact:** To see the report of the Canadian Veterinary Medical Association Expert Panel on rBST, visit [www.hc-sc.gc.ca/english/archives/rbst/animals](http://www.hc-sc.gc.ca/english/archives/rbst/animals). To see Health Canada’s report on the gaps in FDA’s analysis of rBST, visit [www.nfu.ca/Gapsreport.html](http://www.nfu.ca/Gapsreport.html). For more information on the petition challenging FDA’s licensing of rBST, contact the Center for Food Safety at the International Center for Technology Assessment, 310 D Street, NE, Washington, DC 20002; or the FDA at Dockets Management Branch, Food and Drug Administration, Department of Health and Human Services, Room 1-23, 12420 Parklawn Drive, Rockville, MD 20857. The original petition was filed on December 15, 1998, and given Docket No. 98P-1194. The supplement was filed on January 15, 1999.

On January 14, 1999, the Canadian Department of Health rejected Monsanto’s

application for the sale of recombinant bovine somatotropin (rBST), a hormone injected into

cows to increase their milk production, in Canada because it poses too many risks to the health of cows.<sup>5</sup> The next day, the Center for Food Safety and two dozen other U.S. public interest groups filed a supplement to their original petition with the U.S. Food and Drug Administration (FDA) demanding the immediate removal of rBST from the U.S. market.<sup>6</sup>

The Health Canada veterinary committee studied rBST for nine years.<sup>7</sup> Although it uncovered no significant risks to human health from milk and dairy products from cows injected with rBST, the committee found that rBST-treated cows had a 25% greater risk of mastitis, a painful udder infection that requires antibiotic treatment; an 18% greater risk of infertility; a 50% greater risk of lameness; and a 20-25% greater chance of being culled from a herd than cows that were not injected with the hormone.<sup>8</sup>

In the U.S., the FDA approved rBST in 1993, claiming that it posed no significant human or animal health risks.<sup>9</sup> The drug currently is injected into an estimated 15-30% of U.S. dairy cows.<sup>10</sup> However, Health Canada's April 21, 1998, report pointed out several gaps in FDA's analysis of rBST.<sup>11</sup> For example, FDA ignored a rat study, which was done by Monsanto, which showed possible absorption of rBST because Monsanto

characterized the study as "non-pivotal."<sup>12</sup>

In addition, since FDA's approval of the drug, several studies have shown that a biochemical in milk from cows injected with rBST survives digestion.<sup>13</sup> The biochemical, Insulin-like Growth Factor (IGF-1), is believed to be a significant factor in breast, prostate, and colon cancer.<sup>14</sup>

The Center for Food Safety filed its original petition requesting withdrawal of rBST from the U.S. market with the FDA on December 15, 1998, based largely on Health Canada's "Gaps Analysis" report. The January 15, 1999, supplement is based almost entirely on the report of Health Canada's veterinary committee.

After Canada's rejection of rBST, Monsanto officials quickly pointed out that the drug has been approved by the European Union's Committee on Veterinary Medicinal Products (although banned by the EU for societal reasons), the World Health Organization's Joint Expert Committee on Food Additives, and the regulatory agencies of several other nations, as well as the FDA.<sup>15</sup> Trade analysts suggest that the existence of conflicting science and analysis could leave Health Canada's decision vulnerable to a WTO challenge, though the U.S. has not yet threatened such action.

**Topic:** *Guatemalan Raspberries*

**Venue:** Canadian Food Inspection Agency

**Contact:** Greg Borotsik at (613) 225-2342, ext. 3877 or Rene Cardinal at ext. 4640, Canadian Food Inspection Agency, Ottawa, Canada.

After a recent visit to Guatemala, the Canadian Food Inspection Agency (CFIA) has decided to continue its ban on imports of Guatemalan raspberries.<sup>16</sup> Officials from CFIA and Health Canada examined Guatemala's production and inspection

systems and concluded that both needed improvements before the ban would be lifted.<sup>17</sup>

The Canadian health agency first prohibited Guatemalan raspberry imports in September 1998, following several outbreaks

of Cyclosporiasis in Ontario that Health Canada eventually linked to the fruit.<sup>18</sup> Cyclosporiasis is an infection caused by a water-borne parasite (*Cyclospora*) that results in diarrhea, fatigue, abdominal pain, and loss of appetite.<sup>19</sup>

As reported in the September, 1998, edition of *Harmonization Alert*, The U.S. Food and Drug Administration (FDA) also banned imports of Guatemalan raspberries last fall because of Cyclosporiasis outbreaks linked to the fruit. However, the FDA reversed that decision only two weeks later after inspecting several Guatemalan raspberry farms and finding **some** of them in compliance

with Guatemala's "Model Plan of Excellence," which the FDA helped develop. The plan required farms to meet certain conditions, including installing biological filters for the water supply, employing a system of water tests, and checking workers for diarrheal disease.

Some Guatemalan farms met these conditions, and the FDA lifted the ban. However, the fact that Guatemalan farms could not meet Canadian health officials' concerns raises serious questions about the FDA's decision.

## CHEMICALS

**Topic:** *Parkinson's Disease and Environmental Factors*

**Contact:** For more information on Parkinson's Disease, contact the Parkinson's Institute at 1170 Morse Avenue, Sunnyvale, CA 94089; Tel: (408) 734-2800, or toll free at (800) 786-2958; or see their web site at [www.parkinsonsinstitute.org](http://www.parkinsonsinstitute.org).

According to a study published in the January 27, 1999, edition of the *Journal of the American Medical Association*, environmental factors, including exposure to chemicals and tobacco smoke, may cause most cases of Parkinson's disease after age 50 ("typical" PD).<sup>20</sup> PD is a degenerative disease of the brain that causes its victims to gradually lose control of their muscles.<sup>21</sup> Doctors estimate that more than one million people in the U.S. are afflicted with PD.<sup>22</sup>

While doctors do not know the cause of PD, previously they suspected genetic factors. However, several doctors, led by Dr. Caroline M. Tanner of the Parkinson's Institute, studied over 17,000 male twins age 65 and older. They concluded that while genetic factors play a significant role in Parkinson's victims under age 50, they do not in victims over age 50.<sup>23</sup> The doctors

suggested that future research should focus on environmental factors, including exposure to environmental toxins (herbicides and pesticides), as potential causes of typical PD.<sup>24</sup>

On the same day the Parkinson's study was published, the Chemical Manufacturers Association (CMA) announced the third part of a six-year, \$1.2 billion study to analyze the safety of 15,000 chemical and pesticide ingredients.<sup>25</sup> The group claims the purpose of the study is to reduce the "guesswork" in ten areas: exposure assessment, risk assessment, chemical carcinogenesis, endocrine disruption, respiratory toxicity, atmospheric chemistry, ecosystem dynamics, immunotoxicity, neurotoxicity, and epidemiology.<sup>26</sup>

These studies have additional relevance given growing risk of chemical exposure U.S. residents could face as a result

of current international trade agreements. For instance, NAFTA and GATT/WTO set pesticide residue level standards using Codex Alimentarius standards. Codex is one of the international food safety standard-setting bodies specifically designated by the WTO and NAFTA for use in resolving international trade disputes. National standards that are based on Codex standards are presumed to be consistent with WTO rules, but those that exceed Codex standards are subject to a WTO challenge.<sup>27</sup>

Many Codex pesticide residue level standards are lower (allow a higher level of pesticide residues on food) than U.S. standards. According to a 1994 report, Codex maintains 1,539 tolerance levels for pesticide residues on food where the U.S. has no tolerance at all.<sup>28</sup> Eight of the active ingredients for which the U.S. maintains no tolerance level, but Codex does, are rated as highly hazardous by the World Health Organization.<sup>29</sup>

## TRANSPORTATION

**Topic:** *Audit of Cross-Border Trucking Under NAFTA*  
**Venue:** U.S. Department of Transportation's Office of Inspector General  
**Contact:** Lawrence Weintrob, Assistant Inspector General for Auditing, at (202) 366-1992, or Patricia J. Thompson, Deputy Assistant Inspector General for Surface Transportation, at (202) 366-0687.

On December 28, 1998, the Department of Transportation's (DOT) Office of Inspector General (OIG) released the results of an audit of the Federal Highway Administration's motor carrier safety program for commercial trucks at U.S. borders. The report concluded that "far too few trucks are being inspected at the U.S.-Mexico border, and that too few inspected trucks comply with U.S. standards."<sup>30</sup>

*Harmonization Alert* is reporting this new OIG audit to update our readers on this on-going, high-profile standards issue. The *Alert* published an article in the September 1998 edition documenting the safety problems with Mexican commercial trucks crossing the border, and Mexico's filing of a challenge under NAFTA in an attempt to force the U.S. to open the border to Mexican trucks. The OIG audit shows that little has been done to address the severe safety problems that have resulted in the border not being opened as

originally proposed in December 1995.

The OIG audit found that the number of trucks crossing the U.S.-Mexico border increased from 2.5 million in 1993, the year NAFTA was passed, to 3.7 million in 1997.<sup>31</sup> However, only 13 Federal, 55 full-time State, and 42 part-time State inspectors work along the entire border, and they inspected only 17,332 Mexican trucks.<sup>32</sup> At one border crossing in El Paso, Texas, where an average of 1,300 trucks cross each day, there is only one inspector, who is able to inspect only 10 to 14 trucks each day.<sup>33</sup>

Of the fraction of Mexican trucks that were inspected, 44 percent were forced out of service due to serious safety violations, compared to a 25 percent out-of-service rate for U.S. trucks.<sup>34</sup> OIG officials noted that although Mexican transportation officials claimed they were making progress in establishing a safety management system and an enforcement program, "in our opinion, this

progress is not sufficient at this time to ensure compliance with U.S. safety regulations.”<sup>35</sup>

The report outlined the differences in the U.S.’s and Mexico’s safety oversight systems: The U.S. restricts drivers’ hours of service to 10 hours a day; requires logbooks; and has vehicle maintenance standards, roadside inspections, and a safety rating system; Mexico’s safety system contains none of these safeguards.<sup>36</sup> The report recommended that, until Mexico implemented an adequate safety oversight system, the U.S. strengthen its border controls by adding more federal inspectors and improving the application process for authority to operate in the U.S. by requesting more information from

Mexican carriers.<sup>37</sup>

Currently, Mexican trucks are allowed to operate only in border “commercial zones,” which typically extend from 3 to 20 miles north of U.S. border cities. However, NAFTA requires all three NAFTA countries to completely open their borders to each others’ commercial trucks by January 1, 2000.<sup>38</sup> The opening of all border states was to have been implemented by December 17, 1995, but was halted because of safety concerns. The status of Mexico’s NAFTA challenge is unknown because of NAFTA’s secretive dispute resolution process. However, Mexican and U.S. officials are continuing to negotiate this issue.

## **AGRICULTURAL AND FOOD STANDARDS**

**Topic:** *Argentine Citrus Fruit*

**Venue:** U.S. Department of Agriculture’s Animal and Plant Health Inspection Service

The Animal and Plant Health Inspection Service (APHIS) is holding two public meetings - one in Orlando, Florida, on February 5, 1999, and the other in Thousand Oaks, California, on February 8, 1999 - to receive comments on its plan to lift import barriers on Argentine citrus fruit. The APHIS plan would permit imports of lemons, grapefruit, and oranges from an area in northwest Argentina.

Currently imports of those fruits from Argentina are restricted because of concerns that diseases, including citrus canker, citrus black spot, and sweet orange scab, will spread to citrus groves in Florida and California. However, APHIS believes that Argentina has made adequate progress in preventing these diseases through field and post-harvest treatments.

Traditionally, APHIS simply prohibited any imports from regions known to

be infested with pests or disease. Under its new plan, however, APHIS would adopt a “systems approach,” in which imports of fruit from an infested region would be permitted if growers can prove that symptoms of the infestation can be adequately suppressed. If the restrictions are lifted, up to 25,000 metric tons of Argentine citrus fruit may be imported into the U.S.

The APHIS plan is opposed by the California agriculture lobby and has been criticized for possibly being linked to market liberalizations in Argentina. Some have suggested the APHIS plan is tied to Argentina’s allowing more U.S. pork exports or improving intellectual property protections. Others have charged that nations whose fruit exports are rejected under the APHIS plan could claim unequal treatment and file a WTO challenge.<sup>39</sup>

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**Topic:** *Wood Articles; Solid Wood Packing*  
**Venue:** Animal and Plant Health Inspection Service (APHIS)  
**ID:** Solicitation of public comment.  
**Deadline:** For comments - March 22, 1999  
**FSTSD#:** 99.0013  
**Contacts:** For more information, fax the FSTSD# to Deborah A. Thompson, Food Safety & Technical Services Division, U.S. Department of Agriculture, Foreign Agricultural Service at (202) 690-0677, or call Carolyn Wilson at (202) 720-2239.

APHIS is soliciting public comment on ways to amend the regulations covering the import of logs, lumber, and other wood articles to lower the threat of solid wood packing material, such as crates and pallets, introducing exotic pests into the U.S. APHIS has traced infestations of exotic pests, including the pine shoot beetle and the Asian longhorned beetle, to imported solid wood packing material. According to APHIS, these pests pose a "serious threat" to U.S. agriculture and forests.

The Asian longhorned beetle favors hardwood trees, including maples, poplars,

elms, willows, evergreens, and fruit trees, and APHIS officials estimate that if left unchecked, these beetles would cause damage exceeding \$41 billion.<sup>40</sup> USDA officials predict that if the beetles begin to infest U.S. forests, the damages could be as high as \$138 billion.<sup>41</sup> The beetles, which face no natural predators in the U.S., cannot be eradicated by pesticides once they have infested a tree. The only way to get rid of them is to uproot affected trees and burn them. APHIS officials already have had to uproot and burn thousands of trees in the Brooklyn, New York, area after discovering an infestation of the beetles.<sup>42</sup>

## **OTHER NEWS**

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**Topic:** *Canada Seeks to Limit NAFTA Investor-State Provisions*

After being hit by two lawsuits under NAFTA's investor-state provisions, the Canadian government is pushing for changes that would limit private corporation's ability to sue governments for regulations that could undermine profits.<sup>43</sup> Using this NAFTA regulatory takings provision, private investors can sue NAFTA governments in NAFTA tribunals for any government action "tantamount to" an "indirect expropriation."

The U.S.-based Ethyl Corporation brought the first reported case against Canada under this provision in 1998, suing the

Canadian government for \$250 million over its ban on imports of MMT, a gasoline additive. The Canadian Parliament, citing scientific evidence that MMT posed health risks and clogged vehicles' catalytic converters, had passed legislation banning the interprovincial trade and import of MMT. However, as it became evident that Canada would lose the NAFTA suit, the Canadian government offered Ethyl a settlement, which included reversing the ban, publishing a statement declaring there was no evidence that MMT poses a health or environmental threat,

and paying Ethyl \$13 million in lost profits and legal fees. Ethyl accepted.

Barely two months later, the Canadian government was sued again under this NAFTA provision, this time by S.D. Myers, a U.S.-based hazardous waste treatment company. S.D. Myers claimed that Canada's 15-month ban in 1995 on the export to the U.S. of PCB waste was an expropriation of its business, with the loss of potential earnings of \$15 million. That case is still pending.

According to Sergio Marchi, Canada's trade minister, the Canadian government wants to define the grounds for expropriation suits narrowly to ensure the ability of NAFTA governments to pass legitimate health, safety, and environmental regulations.<sup>44</sup> Canadian officials claim both the U.S. and Mexican

governments support restricting the investor-state provision.<sup>45</sup> However, the U.S. reportedly does not wish to narrow this provision too much. Under NAFTA rules, the three governments can issue a clarification of the original provision, and NAFTA tribunals would be required to defer to that interpretation.<sup>46</sup>

The U.S. government was recently sued under the investor-state provision by the Canadian-based Loewen Group Inc. for \$725 million over a 1995 Mississippi state court judgment against Loewen.<sup>47</sup> A jury found the corporation liable for fraud and awarded the plaintiffs \$500 million.<sup>48</sup> Loewen alleges the Mississippi courts denied it due process of law and seeks to hold the U.S. government accountable.<sup>49</sup>

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**Topic:** *U.S., Canada Harmonize Commercial Driver Requirements*  
**Contact:** David Longo, U.S. Department of Transportation, Office of Public Affairs, at (202) 366-0456. To see the DOT news release, visit its Public Affairs Web Site at [www.dot.gov/briefing.htm](http://www.dot.gov/briefing.htm).

In an attempt to further cross-border trucking under NAFTA, the U.S. and Canada have determined that the medical fitness requirements for commercial drivers in the U.S. Federal Motor Carrier Safety Regulations and the Canadian National Safety Code are equivalent.<sup>50</sup> The agreement will take effect March 30, 1999.<sup>51</sup>

Under the terms of the agreement, the U.S. and Canada will recognize the Canadian commercial driver's license (CDL) as evidence of a driver's medical fitness. Canadian drivers thus will no longer have to obtain a certificate from a U.S. medical examiner. However, Canadian drivers who are insulin-using diabetics, hearing-impaired,

or epileptic will not be allowed to drive commercial vehicles in the U.S. because U.S. regulations prohibit it.<sup>52</sup>

Until the U.S. merges its medical fitness determinations with its licensing process, U.S. commercial drivers must continue to show their CDL and proof of medical fitness at the Canadian border. The two countries will adopt an international licensing code, which will be displayed on each commercial driver's license and driving record, to identify drivers who are not qualified to drive outside their nation's borders. The two countries will agree upon this code by April 1, 2000, and implement it by April 1, 2002.<sup>53</sup>

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**Topic:** *Information Sources for Pesticide Residues on Food*

The Environmental Protection Agency (EPA) released a new brochure and web site, promoting them as new tools to inform citizens about the risks of pesticide residues on food and ways to reduce their exposure to such pesticide residues. The EPA is distributing copies of the brochure, entitled *Pesticides and Food*, to over 40,000 grocery stores. Citizens may also obtain free copies of the brochure by calling 1-800-490-9198.

*Harmonization Alert* obtained a copy of the brochure from the EPA. It contains little information. For instance, it notes that children **may** be more vulnerable to health problems associated with pesticides, and it offers a few common sense methods, like washing and peeling fruits and vegetables, to reduce exposure to pesticides. It devotes two sentences to organic foods, enough to say that a grocer may provide more information and that there currently are no national standards on organic farming.

The web site purportedly contains more detailed information on how the EPA

regulates pesticides, the limits for pesticide residues on certain foods, organic farming, and the health problems associated with pesticides. It is located at [www.epa.gov/pesticides/food](http://www.epa.gov/pesticides/food).<sup>54</sup> For general pesticide information, call the EPA's National Pesticide Telecommunications Network at 1-800-858-7378.

For more government information about pesticide residues on food, contact Charles Franklin, Communication Services Branch, Office of Pesticide Programs, at (703) 305-5017, or Denise Kearns, EPA press officer, at (202) 260-4376. For further information on other food safety topics, see the Food and Drug Administration's (FDA) web site at [www.cfsan.fda.gov](http://www.cfsan.fda.gov), or call the FDA's Food Information Line at 1-800-332-4010; also see the U.S. Department of Agriculture's (USDA) web site at [www.usda.gov](http://www.usda.gov), or call the USDA's Meat and Poultry Hotline at 1-800-535-4555, or the USDA's National Organic Program at (202) 720-3252.

## UPCOMING MEETINGS/EVENTS

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**Event:** *Senate Finance Committee Hearings on U.S. Trade Policy in the Era of Globalization*

**Dates:** January 26-28, 1999

**Location:** Senate Offices, Washington, D.C.

**Contact:** For more information, visit the Senate Finance Committee web site at [www.senate.gov/~finance/fin-hlst.htm](http://www.senate.gov/~finance/fin-hlst.htm)

**Speakers:** January 26: Charlene Barshefsky, U.S. Trade Representative; William M. Daley, Secretary of Commerce; Robert E. Rubin, Secretary of the Treasury; and Lawrence H. Summers, Deputy Secretary of the Treasury  
January 27: Gary G. Benanav, Chairman and CEO, New York Life International; Calman J. Cohen, President, Emergency Committee for American Trade; Dean

Kleckner, President, American Farm Bureau Federation; Franklin D. Raines, Chairman and CEO, Fannie Mae; George Becker, President, United Steelworkers Union; Peter Kelley, President and CEO, LTV Steel Co.; and Richard K. Riederer, President and CEO, Weitron Steel Corp.

January 28: Tom Harkin, Senator, Iowa; Alexis Harman, Secretary of Labor; Carol M. Browner, Administrator, Environmental Protection Agency; Abraham Katz, President, U.S. Council for International Business; William H. Lash III, Professor, George Mason University Law School; and John Sweeney, President, AFL-CIO.

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**Event:** *Public Comment Period*  
**Subject:** Upcoming negotiations for a Mutual Recognition Agreement for telecommunications among nations of the Organization of American States.  
**Deadline:** February 16, 1999  
**Contact:** U.S. Trade Representative at (202) 395-9586

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**Event:** *Public Comment Period*  
**Subject:** Which nations should be named under the "Super 301" trade law for intellectual property rights violations.  
**Deadline:** February 16, 1999  
**Contact:** U.S. Trade Representative at (202) 395-6864.

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**Event:** *Food and Drug Administration Workshop on FDA-Regulated Imports*  
**Date:** February 23, 1999  
**Location:** New Orleans, Louisiana  
**Contact:** Jacqueline Markey at (717) 757-2888  
**Deadline:** For registration - February 16, 1999

Speakers at the workshop include representatives of FDA's Office of Regulatory Affairs, FDA Centers, state officials, and U.S. Customs. They will cover such topics as general import requirements, regulatory

issues, and the interaction between FDA and Customs. The workshop is open to the public, and FDA has allotted time for public comments and questions.

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**Event:** *Public Hearing on the U.S. International Trade Commission's (ITC) Investigation to Assess the Economic Effects on the U.S. of China's Accession to the WTO*

**Date:** 9:30 a.m., February 23 (and 24 if necessary), 1999

**Location:** ITC Building, 500 E Street, SW, Washington, D.C.

**Deadlines:** For requests to appear at the public hearing - noon, February 12, 1999. For written comments - March 9, 1999.

**Contact:** For more information, the Office of the Secretary, U.S. ITC, at (202) 205-1806, or the ITC's web site at [www.usitc.gov](http://www.usitc.gov). Submit comments to Secretary, United States International Trade Commission, 500 E Street, SW, Washington, D.C. 20436. Submit one original and 14 copies of your written comments. All written submissions, except for confidential business information, will be available for public inspection.

On December 21, 1998, the U.S. Trade Representative (USTR) asked the ITC to investigate and assess the economic effects on the U.S. of China's accession to the World Trade Organization (WTO). The ITC will investigate the effects on the U.S. of the possible reduction and/or elimination of China's tariff and non-tariff measures that would result if China accedes to the WTO and

complies with WTO rules; the possible changes in U.S. trade, foreign investment, domestic economy, and consumer prices; and other issues. The ITC will submit its confidential report to the USTR by June 1, 1999.

In connection with this investigation, the ITC is holding a hearing to solicit public comment on these issues.<sup>55</sup>

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**Event:** *Joint Public Advisory Committee (JPAC) of the Commission for Environmental Cooperation's (CEC) Regular Session*

**Dates:** March 25-26, 1999

**Location:** Seville Hotel, Mexico City, Mexico

**Contact:** Manon Pepin by e-mail at [mpepin@ccentl.org](mailto:mpepin@ccentl.org) or by fax at (514) 350-4314; or Sara Hernandez at the CEC Liaison Office in Mexico City by fax at (525) 659-5023. All JPAC and CEC official publications can be found on the CEC web site at [www.cec.org](http://www.cec.org).

The CEC is the environmental agency created by a side agreement to NAFTA. It consists of a Council of government officials (Canadian Environmental Minister Christine Stewart; Mexican Secretary of the Environment, Natural Resources and Fisheries Julia Carabias; and U.S. Environmental Protection Agency Administrator Carol M. Browner), a Secretariat, and the JPAC. The JPAC has 15 members, five from each of the three NAFTA countries, appointed by their

governments. Its purpose is to provide the Council with advice on environmental matters covered by the North American Agreement on Environmental Cooperation (NAAEC).

At the meeting, the public may participate in a round table discussion on the CEC's 1999-2001 Program Plan. This discussion, along with the results of JPAC's deliberations and its interactions with the public, will form the basis for the JPAC's Annual Report to the Council.

Following this discussion, the public may attend the JPAC Regular Session, but only as observers. The JPAC will discuss the Revised Guidelines for Citizen Submissions on Enforcement Matters under Articles 14 and 15, the next Annual Council Session, and the JPAC Program. Also, presentations will be given on Green Goods and Services Markets

and Strategic Directions for the Conservation of Biodiversity Issues. At the end of each session, observers may make comments.

Those who are unable to attend this meeting can send written comments on these or any other issues covered by the NAAEC. To submit comments, contact Manon Pepin as noted above.

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**Event:** *Symposium: Tropical Biodiversity Conservation and Globalization*

**Date:** March 29, 1999, from 2 to 6 p.m.

**Location:** Vandenberg Auditorium, Michigan Union, University of Michigan, Ann Arbor

**Contact:** For more information, Darci Andresen at [darcia@umich.edu](mailto:darcia@umich.edu), Mary Cox at [mccox@umich.edu](mailto:mccox@umich.edu), or Sergio Knaebel at [sknaebel@umich.edu](mailto:sknaebel@umich.edu), all Masters Students, School of Natural Resources and Environment; or Liz DeMattia, Ph.D. Student, Department of Biology, at [mede@umich.edu](mailto:mede@umich.edu). For registration information, contact Jesse Buff, Registration Coordinator, at [jbuff@umich.edu](mailto:jbuff@umich.edu).

**Speakers:** Include David Kaimowitz, Ph.D., Principal Scientist, Center for International Forestry Research in Indonesia; Gary S. Hartshorn, Ph.D., Assistant Professor of the Practice of Tropical Ecology, Duke University School of Environment, and Director, Organization of Tropical Studies; and Bruce Rich, Ph.D., Program Manager, International Program, Environmental Defense Fund.

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**Event:** *Public Comment Period*

**Venue:** Free Trade Area of the Americas (FTAA) Government Committee on Civil Society (GCCS)

**Contact:** Send comments to: Chairman of the Committee of Government Representatives on Civil Society Participation, c/o Tripartite Committee (Ref. Civil Society), United Nations Economic Commission for Latin America and the Caribbean (ECLAC), 1825 K Street, NW, Suite 1120, Washington, D.C. 20006; Fax (202) 296-0826; E-mail: [eclac@tmn.com](mailto:eclac@tmn.com). Comments must identify the person and/or organization, with their address, that is presenting the point of view; contain an executive summary of not more than two pages; and be written in one of the official FTAA languages - English, Spanish, French, or Portuguese.

**Subject:** The GCCS is soliciting public comment from representatives of civil society, including labor, environmental, consumer interest, academic, and business groups, on issues related to the FTAA process.

**Deadline:** March 31, 1999

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**Event:** *Commission for Environmental Cooperation's Annual Session*  
**Dates:** June 27-29, 1999  
**Location:** Banff, Alberta  
**Contact:** Manon Pepin by e-mail at mpepin@ccemtl.org or by fax at (514) 350-4314; or Sara Hernandez at the CEC Liaison Office in Mexico by fax at (525) 659-5023.

The CEC is the environmental agency created by a side agreement to NAFTA. It consists of a Council of government officials (Canadian Environmental Minister Christine Stewart; Mexican Secretary of the Environment, Natural Resources and Fisheries Julia Carabias; and U.S. Environmental Protection Agency Administrator Carol M. Browner), a Secretariat, and the Joint Public

Advisory Committee (JPAC).

The three ministers will meet privately to review the CEC's work in the five years since NAFTA was passed and identify priorities for the next several years. While the ministers meet, there will be a corresponding public session where members of the public may discuss the work, or lack thereof, accomplished by the CEC.

**Event:** *International Invitational Workshop - Markets, Rights, and Equity: Rethinking Food and Agricultural Standards in a Shrinking World*  
**Dates:** October 31 - November 3, 1999  
**Location:** Kellogg Hotel and Conference Center, Michigan State University, East Lansing, Michigan 48824  
**Contact:** For more information, the Institute for Food and Agricultural Standards, 422 Berkey Hall, Michigan State University, East Lansing, MI 48824; Tel.: (517) 432-2214; Fax: (517) 432-2856; E-mail: ifas@pilot.msu.edu; Web site: [www.msu.edu/user/ifas](http://www.msu.edu/user/ifas).

Michigan State University's Institute for Food and Agricultural Standards invites representatives of standards-setting organizations, consumer and environmental groups, food processors, producers, suppliers, academics, and others concerned with and affected by food and agricultural standards to this workshop. Participants will discuss such issues as determinants and impacts of change in food and agricultural standards, and policy

options for improving standards setting and implementation. From these discussions, the workshop's hosts hope to produce a pamphlet recommending actionable policy changes for improving the global food and agricultural standards system, as well as papers documenting what is now known about food and agricultural standards and outlining future research issues.

## NOTES

1. Codex Committee on Food Import and Export Inspection and Certification Systems, "Proposed Draft Guidelines for the Judgement of Equivalence of Sanitary Measures Associated With Food Inspection and Certification

Systems,” Jan. 13, 1999, at 1.

2. Rodney E. Leonard, “Comments on Agenda for U.S. Position on Draft Guidelines for Development of Equivalence Agreements,” Jan. 11, 1999, at 2.

3. CCFICS, *supra* note 1, at 3.

4. *See* Leonard, *supra* note 2, at 2.

5. *See* “Canadian Health Department rejects rBST, cites ‘too many health risks for cows,’” *World Food Chemical News*, Jan. 20, 1999, at 1.

6. *See* “Center for Food Safety, public interest groups file legal challenge with FDA to remove bovine growth hormone from market,” *World Food Chemical News*, Jan. 20, 1999, at 11.

7. *See id.*

8. *See* “Canadian Health Department. . .,” *supra* note 5, at 12, 1.

9. *See* “Center for Food Safety. . .,” *supra* note 6, at 11.

10. *See id.*

11. *See* “rBST (Nurtalac) ‘Gaps Analysis’ Report,” rBST Internal Review Team, Health Protection Branch, Health Canada, Apr. 21, 1998.

12. *See* Petition Seeking the Withdrawal of the New Animal Drug Application Approval for Posilac - Recombinant Bovine Growth Hormone (rBGH), Docket No. 98P-1194, Dec. 15, 1998, at 15.

13. *See id.*, at 12-13.

14. *See id.*, at 14.

15. *See* “Canadian Health Department. . .,” *supra* note 5, at 13.

16. *See* Canadian Food Inspection Agency, News Release, “CFIA Extends Restriction of Guatemalan Raspberries,” Jan. 25, 1999.

17. *See id.*

18. *See* CFIA, News Release, “CFIA Restricts Entry of Guatemalan Raspberries,” Sep. 24, 1998.

19. *See id.*

20. *See* “JAMA: Parkinson’s disease is caused by environmental factors, not genetics,” *Food Chemical News Daily*, Jan. 27, 1999.

21. *See id.*

22. *See* [www.parkinsonsinstitute.org/parkinsons.html#1](http://www.parkinsonsinstitute.org/parkinsons.html#1).

23. *See* Dr. Caroline M. Tanner, *et al*, “Parkinson Disease in Twins: An Etiologic Study,” *The Journal of the American Medical Association*, Jan. 27, 1999.
24. *See id.* Interview with Parkinsons Institute official 2/1/99.
25. *See* “CMA details third component of six-year, \$1.2 billion science initiative,” *Food Chemical News Daily*, Jan. 27, 1999.
26. *See id.*
27. *See* Center for Science in the Public Interest, “International Harmonization of Food Safety and Labeling Standards,” June, 1997, at 5.
28. *See* Public Citizen and Environmental Working Group, “Trading Away U.S. Food Safety,” April, 1994, at 66.
29. *See id.*
30. *See* Office of Inspector General, “Audit Report: Motor Carrier Safety Program for Commercial Trucks at U.S. Borders,” Dec. 28, 1998, report # TR-1999-034, at 1.
31. *See id.*, at iii.
32. *See id.*, at iv.
33. *See id.*, at i.
34. *See id.*, at iv.
35. *See id.*
36. *See id.*, at v.
37. *See id.*, at vi-vii.
38. *See id.*, at ii.
39. All of the above information was taken from Kevin G. Hall, “US looks to ease ban on fruit imports,” *Journal of Commerce*, Feb. 5, 1999.
40. *See* Baldwin, Tom, “Bug Casts Giant Shadow,” *Journal of Commerce*, Sep. 28, 1998.
41. *See* Baldwin, Tom & Bangsberg, PT, “USDA Acts Ahead of Pallet Ban,” *Journal of Commerce*, Nov. 17, 1998.
42. *See* 63 Fed. Reg. At 50,101.
43. *See* Alden, Edward, “Canada seeks tighter Nafta rules to limit compensation,” *Financial Times*, Jan. 22, 1999.
44. *See id.*
45. *See id.*

46. *See id.*

47. *See* Carlisle, Tamsin, “Canada’s Loewen Group, Founder Seek \$725 Million From the U.S.,” *Wall Street Journal*, Jan. 13, 1999, at B8.

48. *See* Bussey, Jane, “NAFTA Suit Could Cost U.S. Taxpayers,” *Miami Herald*, Nov. 25, 1998.

49. *See* Carlisle, *supra* note 47, at B8.

50. *See* U.S. Department of Transportation, News Release, “U.S., Canada Reach Agreement on Commercial Driver Conditions,” Jan. 29, 1999.

51. *See id.*

52. *See id.*

53. *See id.*

54. *See* EPA’s Office of Pesticide Programs, News Release, “New EPA Brochure and Website Expand Public’s Right-to-Know About Pesticide Use on Food,” Feb. 12, 1999.

55. *See* U.S. ITC, Office of External Relations, News Release, “ITC Launches Factfinding Investigation to Assess the Economic Effects on the United States of China’s Accession to the WTO,” Jan. 25, 1999.