



**HARMONIZATION ALERT, a publication of Public Citizen, seeks to promote open and accountable policy-making relating to public health, natural resources, consumer safety, and economic justice standards in the era of globalization.**

### **CONTENTS**

<b>Country-of-Origin Labeling Bills .....</b>	<b>1</b>
<b>FSIS Finds Australian Corporate Meat Inspection System Equivalent .....</b>	<b>3</b>
<b>U.S.-EU Mutual Recognition Agreement .....</b>	<b>4</b>
<b>Federal Register Alerts .....</b>	<b>5</b>
<b>Other News .....</b>	<b>12</b>
<b>Meetings/Events .....</b>	<b>14</b>

## **FOOD SAFETY**

**Topic:** *Hearing on Country-of-Origin Labeling Bills*  
**Venue:** U.S. House of Representatives, Committee on Agriculture, Subcommittee on Livestock and Horticulture  
**Contact:** Produce Labeling Bill - Rep. Mary Bono (R.-CA) at (202) 225-5330, or Ray Gilmer of the Florida Fruit & Vegetable Association at (407) 894-1351. Meat Labeling Bill - Rep. Helen Chenoweth (R.-ID) at (202) 225-6611 or ask.helen@mail.house.gov.

As recent trade agreements have led to increased globalization of the food supply, and respected sources - for example, the National Institutes of Health - have connected this trend with growing

health threats, U.S. food supply policymakers have begun to respond. Country-of-origin labeling in imported foods has been one approach.

On April 28, 1999, the House Subcommittee

on Livestock and Horticulture held a public hearing on two bills: one introduced by Rep. Mary Bono (R-CA) which would require supermarkets to label or provide signs for bins of imported produce with their country of origin, and another introduced by Rep. Helen Chenoweth (R-ID) which would require the same for imported meat. At the hearing, the subcommittee members also discussed a recent General Accounting Office (GAO) report, entitled "Fresh Produce - Potential Consequences of Country-of-Origin Labeling."<sup>1</sup> The U.S. Department of Agriculture (USDA) was supposed to have submitted a similar report on country-of-origin labeling for meat, but failed to complete it before the hearing.

Testifying for the bills were: Representatives Chenoweth, Bono, Earl Pomeroy (D-ND), and Rick Hill (R-MT), and George Swan, President of the National Cattleman's Beef Association; Dean Kleckner, President of the American Farm Bureau Federation; A.H. "Chico" Denis, Chairman of the Ranchers Lamb of Texas; and R. Jay Taylor, representing the Florida Fruit & Vegetable Association. Testifying against the bills were: Caren A. Wilcox, Deputy Under Secretary for Food Safety, USDA; Robert E. Robertson, Associate Director for Food and Agriculture Issues, GAO; John McNutt, President of the National Pork Producers Council; Timothy M. Hammonds, President and CEO of the Food Marketing Institute; Patrick Boyle, President and CEO of the American Meat Institute; and Steven C. Anderson, President and CEO of the American Frozen Food Institute.

The sponsors characterized their bills as fulfilling the consumer's right to know. They pointed out that almost all other products are sold with country-of-origin labels. Rep. Chenoweth brought toys, caps, and dog bones to the hearing as examples of products with such labels, and said that consumers know where all the products they buy originate, except the food they eat. Chenoweth also cited a poll showing that 78 percent of consumers - and 86 percent of women, who remain the primary food-purchasers for their families -

favor country-of-origin labeling for meat and produce. Finally, Chenoweth said that 32 other countries, including the 16 countries in the European Union, require such country-of-origin labels on meat.

Rep. Rick Hill (R-MT) noted that U.S. farm producers' share of the money consumers spend on commodities was decreasing, while food processors and retailers' shares were increasing. He stated that country-of-origin labeling is a way to increase purchases of U.S. farm products.

Producers also linked increased sales of U.S. farm products to the consumer's right to know in arguing for the bills. George Swan of the Cattleman's Association referred to a poll showing 91 percent of U.S. consumers would buy U.S. meat instead of imported meat if they were able to tell the difference. He stated that currently imported meat can be labeled as "USDA Choice," which makes consumers believe that the meat was grown and processed in the U.S. He argued that this was misleading and that the USDA label should be reserved for U.S. meat.

R. Jay Taylor of the Florida Fruit & Vegetable Association stated that consumers are the only people in a supermarket who don't know where the produce they eat originates; while current federal regulations require boxes of fresh produce to be labeled with their country of origin, they don't require grocers to label the produce on the supermarket floor. He also noted that Florida has had a law requiring country-of-origin labels on fresh produce for decades and that grocers in Florida comply with the law simply by posting hand-lettered country-of-origin signs next to bins of produce. Mr. Taylor referred to a major outbreak of hepatitis in 1997 linked to Mexican strawberries, noting that frightened consumers stopped buying strawberries altogether, thereby hurting sales of U.S. strawberries. He argued that if country-of-origin labels were required, U.S. consumers could have avoided Mexican strawberries but continued to buy U.S. strawberries.

Remarkably, opponents of the bills, such as Rep. Calvin M. Dooley (D-CA), a member of the subcommittee, claimed that the consumer-right-to-

---

**HARMONIZATION ALERT** is a monthly publication of Public Citizen Foundation. It aims to inform a wide audience of interested parties about international standardization activities. Additional information and materials for many of this publication's listings are available through our harmonization clearing house. If you have information on harmonization-related issues, please contact us so we can share your information with other readers.

**HARMONIZATION ALERT** is available free of charge by mail, list serve, and on Public Citizen's new web site at [www.harmonizationalert.org](http://www.harmonizationalert.org). Please contact Dion Casey at [dcasey@citizen.org](mailto:dcasey@citizen.org), Mary Bottari at [mbottari@citizen.org](mailto:mbottari@citizen.org) or call (202) 546-4996 to subscribe or for clearinghouse requests. Public Citizen's new Harmonization Project is supported by grants from the Ford Foundation, the National Association for Public Interest Law, and the Cummings Foundation.

know argument was inconsistent with U.S. positions in trade disputes with the European Union on beef treated with artificial growth hormones and genetically-modified (GM) crops. The U.S. has adamantly opposed such labeling, arguing that informed consumers would discriminate against hormone-treated beef or GM foods even though there was not sufficient scientific proof that such products are dangerous.

The American Meat Institute (AMI) and the Food Marketing Institute (FMI), which represents grocery retailers, opposed the bills, arguing that the meat-labeling bill alone would cost the industry over \$1 billion per year. The estimated costs of the bills to both the government and industry was a controversial and confusing subject, with estimates ranging from \$60 million to \$1.377 billion. This issue was further muddled because both the meat and produce bills were being discussed at the hearing.

The costs of the produce bill seemed less controversial. According to the FMI, it would require only 2 staff hours per store per week to ensure that imported produce is labeled with its country of origin.

The Florida Department of Agriculture & Consumer Services estimated the state-wide industry costs of complying with the Florida labeling law for produce at \$195,000 each year. *Harmonization Alert* contacted a national whole foods grocery store that voluntarily posts country-of-origin display signs near its fresh produce to determine its costs. A store representative stated that it cost between \$3,500 and \$4,000 to stock 18 stores with enough of the permanent, professionally-printed signs.

Opponents of the bills argued that the bills would violate World Trade Organization (WTO) and North American Free Trade Agreement (NAFTA) rules and could result in other nations passing similar legislation, thus jeopardizing U.S. farm exports. However, Ms. Wilcox of the USDA stated that USDA trade experts concluded that the bills may be consistent with the WTO and NAFTA. Mr. Robertson of the GAO said that there were no prohibitions against country-of-origin labeling laws in either agreement. Furthermore, Rep. Chenoweth pointed out that 32 other nations already have similar legislation in place.

**Topic:** *FSIS Finds Australian Corporate Meat Inspection System Equivalent*  
**Venue:** Food Safety and Inspection Service  
**Contact:** Thomas Billy, Administrator, Food Safety and Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, S.W., Room 331E-JLW Building, Washington, D.C. 20250; Phone: (202) 720-7025; Fax: (202) 205-0158.

On June 1, 1999, the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS) announced that it has determined Australia's new Meat Safety Enhancement Program (MSEP) to be equivalent to the U.S. government's system. Consequently, Australian meat processors will be able to export meat to the U.S. without it being inspected by FSIS upon entering the U.S. Under the new program, Australian meat processors' own employees will perform carcass-by-carcass inspections, with the oversight of government inspectors. U.S. law, requires government inspectors to examine each carcass.

WTO rules require national governments to harmonize standards and accept the different standards of foreign nations as equivalent on issues as diverse as automobile standards, food and worker safety, pharmaceutical testing standards, and product labeling.

The MSEP was first introduced in Australia in 1997. The first year it was in place, according to the Australian Department of Health, salmonella

poisonings in Australia increased twenty percent from the previous year, from 5,819 cases to 7,004. In 1998, the number of salmonella poisonings jumped an additional five percent, to 7,892 cases. During the first four months of 1999, almost 3,800 cases have been reported, which projects to over 11,300 cases for the year. This could mean a doubling of the number of salmonella poisonings in the first three years of the company inspection program.

U.S. consumer advocates reacted strongly to the FSIS's decision. Rod Leonard of Community Nutrition Institute said, "Secretary Glickman's move sacrifices American health protections on an altar of 'free' trade ideology and does so amidst the largest, deadliest food poisoning outbreaks with record volumes of contaminated meat already being recalled." Tom Devine, legal director of the Government Accountability Project, warned, "There is no excuse to make guinea pigs out of consumers for this new corporate honor system. Company self-inspection and

food safety are oxymorons, particularly when industry workers can be fired at will for threatening profits by identifying safety problems." The MSEP provides no whistleblower protections for employees who identify food safety violations.

The consumer advocates said that company-inspected meat, if produced in the U.S., would be condemned under the Wholesome Meat Act, which

requires beef and other meat from animals to be examined by federal inspectors for safety. U.S. consumers will have no way to distinguish between Australian imports circumventing government inspection and domestic beef inspected by U.S. government employees. Both products will bear the USDA's seal of approval.

## PHARMACEUTICALS

**Topic:** *U.S.-EU Mutual Recognition Agreement*

**Contact:** Linda Horton - Phone: (301) 827-3344, Fax: (301) 443-6906, E-mail: lhorton@oc.fda.gov; or John Stigi - Phone: (301) 443-0806, Fax: (301) 443-8818, E-mail: JFS@cdrh.fda.gov.

The U.S. Food and Drug Administration (FDA) has drafted a plan for implementing part of the training required under the Mutual Recognition Agreement (MRA) on medical devices. This first - and still only - MRA was signed by the U.S. and European Union (EU) on May 18, 1998. It provides for the training of European Conformity Assessment Bodies (CABs) to take over the FDA's duties in inspecting European medical device manufacturers for good manufacturing practices (GMPs) and certain 510 (k) premarket notification assessment reports prepared to U.S. medical device requirements.

Under the MRA, which went into effect on December 7, 1998, the FDA has agreed to authorize private organizations - the CABs - to perform premarket notifications and quality system evaluations for companies that produce medical devices. The MRA authorizes private organizations to assume the inspection and quality/safety management duties previously handled by the FDA.

The MRA provides for a 3-year transition period, dubbed the "confidence building period" by the FDA and the EU. During that time, the FDA will train European CABs on U.S. inspection, assessment and auditing procedures, and the EU's Commission for European Communities (CEC) will train U.S. CABs on European procedures. Earlier this year the CEC sent to the FDA a list of potential CABs, but the FDA has not completed its review of their qualifications.

The new FDA Implementation Plan, reviewed in the May 21, 1999 edition of FDA Weekly, outlines the procedure for training CABs in quality systems

which covers medical device good design practices and GMPs. The plan requires European CABs to meet certain criteria and attend three FDA training courses. The CABs that meet these requirements then must participate in three inspections with FDA auditors.

In the first - the "Training Inspection" - the CAB inspector will observe an FDA auditor inspect a European manufacturer using FDA guidelines. In the second - the "Modified Performance Audit" - the CAB inspector will examine a European manufacturer using FDA guidelines while an FDA auditor observes and evaluates the inspector and the examination. The FDA auditor also will assist the CAB inspector during the inspection. In the final inspection - the "Full Performance Audit" - the CAB inspector will perform an independent inspection of a European manufacturer using FDA guidelines and prepare a written report. An FDA auditor will observe and evaluate the auditor and the inspection, but will not assist the CAB inspector during the inspection. The FDA's assessment of each auditor and inspection will be sent to the CEC, the CAB, and the CAB inspector.

Each European CAB inspector does not have to complete this training. Rather the European CABs only have to maintain one FDA-trained inspector and develop an internal training program or procedures for certifying that their inspectors meet FDA's requirements. After the transition period, the FDA will determine which EU CABs meet FDA's equivalency requirements. Then the FDA will endorse the European medical device manufacturer inspection reports of these CABs.

U.S. consumer organizations have identified several problems with the MRA. First, the MRA allows European medical device manufacturers to select the CABs that will inspect them and pay them for the inspection. This is a dangerous conflict of interest that did not exist with FDA inspectors. According to Dr. Larry Sasich of Public Citizen’s Health Research Group, “Privatizing inspection is a classic case of asking the fox to guard the henhouse.”

Second, it remains to be seen whether European CABs will be subject to the same Freedom of

Information Act (FOIA) requirements as the FDA. Under FOIA, individuals can request inspection reports of medical device manufacturers from the FDA. Currently it is unknown whether the FDA will release European CABs’ inspection reports and other important

documents. Dr. Sasich warned, “You can’t have a safe process unless it is completely open to the public.”

## FEDERAL REGISTER ALERTS

For more timely notice of these alerts, please visit our website at [www.harmonizationalert.org](http://www.harmonizationalert.org) and sign up for one of our four listserves.

- Topic:** *WTO Challenge of Section 301 of U.S. Trade Law*
- Action:** Request for comments
- Venue:** Office of the U.S. Trade Representative
- FR Cite:** 64 Fed. Reg. 14037 (March 23, 1999)
- Deadline:** Although the USTR will accept any comments received during the course of the proceedings, comments must be submitted by April 10, 1999, to be considered before the USTR’s first written submission to the Dispute Panel.
- Contact:** For more information, Joanna McIntosh, Associate General Counsel, at (202) 395-7203. Submit 15 copies of written comments to Sandy McKinzy, Litigation Assistant, Office of Monitoring and Enforcement, Room 122, Attn: Section 301-310 Dispute, Office of the United States Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508.

At the request of the European Union (EU), a Dispute Settlement Panel has been established under World Trade Organization (WTO) rules to examine sections 301 - 310 of the United States Trade Act of 1974 (“Trade Act”). The EU alleges that these sections of the Trade Act violate the Dispute Settlement Understanding (DSU) of the WTO. The USTR is requesting public comment on the issues raised in this dispute.

Section 301 of the Trade Act authorizes the USTR to investigate alleged unfair trade practices of other nations and impose unilateral sanctions if it determines the allegations to have merit. The EU claims that the law’s authorization of unilateral

sanctions violates Articles 3, 21, 22 and 23 of the DSU.

The USTR file on this proceeding will be accessible to the public at the USTR Reading Room: Room 101, Office of the U.S. Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508. The file will include any public comments received (with business confidential material removed), the U.S. submissions to the Dispute Panel, other parties’ submissions to the Panel, the report of the Panel, and, if applicable, the report of the Appellate Body. To make an appointment to review the file, contact Brenda Webb at (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m. Monday through Friday.

**Topic:** *Codex Guidelines for Vitamin and Mineral Supplements*  
**Action:** Request for public comment  
**Venue:** Food and Drug Administration  
**FR Cite:** 64 Fed. Reg. 17,397 (April 9, 1999)  
**Deadline:** June 8, 1999  
**Contact:** For more information, contact Robert J. Moore, Center for Food Safety and Applied Nutrition (HFS-456), Food and Drug Administration, 200 C Street, S.W., Washington, D.C. 20204, (202) 205-4605. Submit 2 copies of written comments and recommendations to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, room 1061, Rockville, MD 20852. Comments must refer to Docket No. 99N-0391. Received comments may be viewed at FDA's above Rockville address from 9 am to 4 p.m., Monday - Friday.

The Codex Alimentarius Commission, the Rome-based agency empowered by NAFTA and the WTO to enact trade-legal food standards, is now working on standards for vitamin and mineral supplements. The U.S. delegate to the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) is helping prepare a Codex background paper that will be considered by the Committee when it establishes guidelines for vitamin and mineral supplements for purposes of international trade. The U.S. opposes such guidelines, but the Committee has asked the FDA to participate in the development of a background paper. Thus, the FDA is soliciting public comment and recommendations on these guidelines.

Germany originally proposed guidelines for vitamins and minerals at a Committee meeting in October, 1995. That Committee forwarded them to the full Codex, recommending that they be advanced to the next level of consideration. The FDA claims these guidelines would not affect dietary supplements in the U.S., which are regulated by the Federal Food, Drug, and Cosmetic Act and the Dietary Supplement Health and Education Act. However, the U.S. opposed the guidelines because they could affect U.S. exports of dietary supplements to foreign markets. Consequently, the full Codex could not reach consensus on these

guidelines, and they were not advanced. A copy of the proposed guidelines may be downloaded from the Internet at [www.fao.org/es%2A/esn/codex/reports.htm](http://www.fao.org/es%2A/esn/codex/reports.htm).

The Committee decided to write a background paper in order to present the issues that should be considered, understand the rationales behind different approaches, and study the principles justifying each position. The Committee asked the U.S. to contribute to this paper, and the U.S. delegate assented.

The FDA requests that comments address any of seven topics: (1) terminology, such as the use of the terms "dietary supplements" or "food supplements" as compared to "vitamin and mineral supplements;" (2) the purpose and role of vitamin and mineral supplements; (3) the concept of "approved nutrients;" (4) maximum and minimum levels for vitamins and minerals in supplement form; (5) purity and good manufacturing practices; (6) labeling, warning statements, and claims; and (7) packaging and marketing. For each topic, FDA would like to know: (a) Is there a need for the topic?; (b) What are the various perspectives on the topic and what are the difficulties in addressing these perspectives?; and (c) What are the options for making decisions about the topic? FDA also will accept comments on any additional relevant topics.

**Topic:** *USTR Report on U.S. Trade Expansion Priorities*  
**Action:** Notice of public availability  
**Venue:** Office of the U.S. Trade Representative  
**FR Cite:** 64 Fed. Reg. 24439 (May 6, 1999)

**Contact:** Demetrios Marantis, Assistant General Counsel, Office of the U.S. Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508, (202) 395-3581. Copies of the report are available at the Federal Register cited noted above and on the web at [http://frwebgate.access.gpo.gov/cg...1999\\_register&docid=99-11413-filed](http://frwebgate.access.gpo.gov/cg...1999_register&docid=99-11413-filed).

On April 30, 1999, the USTR submitted its report on U.S. trade expansion priorities to the Senate Finance Committee and the House Ways and Means Committee. Each year the USTR is required by Executive Order No. 13116, commonly called "Super 301," to review U.S. trade expansion priorities and identify foreign nation trade practices which, if eliminated, will likely increase U.S. exports most.

According to the report, U.S. trade expansion priorities include launching a new, multilateral round of global trade negotiations at the WTO Ministerial in Seattle this November; ensuring that WTO member nations fully implement existing agreements; enforcing U.S. rights under existing trade agreements and U.S. trade laws; and integrating China and other nations into the global trading system. The report identifies

securing liberalization of services and agricultural trade rules as the primary issues for the WTO Ministerial. In the report, the USTR also claims the U.S. will seek to increase consumer confidence in the WTO by improving the WTO's transparency and openness and attempting to link trade to environmental and labor rules at the Ministerial.

The USTR identifies foreign nation trade practices it believes warrant WTO dispute settlement proceedings, including: France's subsidies for avionics equipment; India's rules on investments in the automotive manufacturing industry; and Korea's import restrictions on beef. The report also points out Canada's restrictions on U.S. wheat and cattle and its ban on split-run magazines as subjects for negotiation.

**Topic:** *ITC Reports: Recent Trends in U.S. Services and Merchandise Trade*  
**Action:** Request for public comment  
**Venue:** U.S. International Trade Commission  
**FR Cite:** 64 Fed. Reg. 24677 (May 7, 1999)  
**Deadline:** August 31, 1999  
**Contact:** Submit written comments to Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436. For information on the Recent Trends report, contact Dennis Luther, Office of Industries, at (202) 205-3497. For information on legal aspects, contact William Gearhart, Office of General Counsel, at (202) 205-3091. General information about the ITC and the most recent versions of the reports can be obtained from its web site at [www.usitc.gov](http://www.usitc.gov).

Each year the ITC publishes two reports - Shifts in U.S. Merchandise Trade, and Recent Trends in U.S. Services Trade. The reports summarize trade in services and merchandise in the aggregate and provide analysis of recent trends and developments, using data

published by the U.S. Department of Commerce, Bureau of Economic Analysis. The Year 2000 reports are scheduled to be published in May, 2000, and will cover cross-border trade and transactions by affiliates based outside the country of their parent firm.

**Topic:** *Locations and Times for USTR Public Hearings*  
**Action:** Public notification  
**Venue:** Office of the U.S. Trade Representative  
**FR Cite:** 64 Fed. Reg. 25525 (May 12, 1999)  
**Contact:** For procedural questions, Glora Blue, Executive Secretary, Trade Policy Staff

Committee, Office of the U.S. Trade Representative, at (202) 395-3475. For all other questions regarding WTO negotiations, contact the USTR's Office of WTO and Multilateral Affairs at (202) 395-6843.

The USTR published a notice in the Federal Register on April 14, 1999 (64 Fed. Reg. 18469), announcing public hearings and inviting public comment on the agenda of the WTO Ministerial Conference, which will be held in Seattle from November 30 to December 3, 1999. The USTR is releasing the locations and times for these public hearings. They are: (1) **Chicago** - June 7 (and 8, if necessary) at the James R. Thompson Center, Room 9-040, 100 West Randolph Street, Chicago, IL 60601; (2)

**Atlanta** - June 10 (and 11, if necessary) at the Richard B. Russell Federal Building, Main Auditorium, 75 Spring Street, Southwest, Atlanta, GA 30303; (3) **Los Angeles** - June 21 (and 22, if necessary) at the Central Library, Los Angeles Public Library, Mark Taper Auditorium, 630 West Fifth Street, Los Angeles, CA 90071; and (4) **Dallas** - June 24 (and 25, if necessary) at the Federal Reserve Bank of Dallas Auditorium, 2200 North Pearl Street, Dallas, TX 75210.

- Topic:** *WTO Dispute Regarding Korea's Government Procurement Policies*
- Action:** Request for public comment
- Venue:** Office of the U.S. Trade Representative
- FR Cite:** 64 Fed. Reg. 27022 (May 18, 1999)
- Deadline:** The USTR will accept any comments received during the course of the dispute settlement proceedings, but comments should be submitted by June 15, 1999, so the USTR will have time to consider them before its first written submission is due to the dispute panel.
- Contact:** For further information, John G. Ellis, Director for Government Procurement Issues, at (202) 395-3063; Mary Latimer, Director for Korean Affairs, at (202) 395-6813; or Stephen Kho, Assistant General Counsel, at (202) 395-3581. Submit 15 copies of written comments to Sandy McKinzy, Litigation Assistant, Office of Monitoring and Enforcement, Room 122, Attn: Korea Airport Procurement Dispute, Office of the U.S. Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508. The USTR will maintain a file on this proceeding accessible to the public in the USTR Reading Room: Room 101, Office of the U.S. Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508. The Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m. Monday through Friday. Individuals may make an appointment to review the file (Docket WTO/D-163, Korea Airport Procurement Dispute) by contacting Brenda Webb at (202) 395-6186.

The U.S. has requested the establishment of a WTO dispute settlement panel to examine the Republic of Korea's government procurement practices in the construction of the Incheon International Airport. The U.S. alleges that the following Korean policies violate the WTO's Government Procurement Agreement (GPA): (1) requiring suppliers to have manufacturing

facilities in Korea before they can participate in the bidding process; (2) requiring foreign companies to partner with or act as subcontractors to Korean companies in order to participate in the bidding process; (3) the lack of bid challenge procedures; and (4) imposing deadlines for the receipt of bids shorter than the 40 days required by GPA. Korea argues that

the entities responsible for the Incheon International Airport procurement are not subject to GPA rules.

USTR invites the public to comment on any of the issues in this dispute.

---

**Topic:** *WTO Dispute Regarding Korea's Measures Affecting Beef Imports*  
**Action:** Request for public comment  
**Venue:** Office of the U.S. Trade Representative  
**FR Cite:** 64 Fed. Reg. 27847 (May 21, 1999)  
**Deadline:** The USTR will accept any comments received during the course of the dispute settlement proceedings, but comments must be submitted by July 15, 1999, to be considered before the USTR's first written submission to the panel is due.  
**Contact:** For further information, James Lyons, Associate General Counsel, Office of the U.S. Trade Representative, at (202) 395-7305; or Mary Latimer, Director for Korea, at (202) 395-6813. Submit 15 copies of written comments to Sandy McKinzy, Litigation Assistant, Office of Monitoring and Enforcement, Room 122, Attn: U.S. - Section 110(5) Dispute, Office of the U.S. Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508. The USTR will maintain a file on this proceeding accessible to the public in the USTR Reading Room: Room 101, Office of the U.S. Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508. The Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m. Monday through Friday. Individuals may make an appointment to review the file (Docket WTO/D-161, Korea - Measures Affecting Imports of Fresh, Chilled, and Frozen Beef Dispute) by contacting Brenda Webb at (202) 395-6186.

The U.S. has requested the establishment of a WTO dispute settlement panel to examine the Republic of Korea's policies affecting imports of fresh, chilled, and frozen beef. Specifically, the U.S. alleges: (1) Korea's retail distribution system discriminates against U.S. beef by imposing sales and other requirements that are not applicable to Korean beef; (2) Korea's imposition of duties exceeds the other duties provided for in Korea's WTO schedule of concessions; (3)

Korea provides excessive domestic support to agricultural producers; and (4) other Korean measures have undermined U.S. access to the Korean beef market. The U.S. claims these practices violate the General Agreement on Tariffs and Trade (GATT), the Agreement on Agriculture, and the Agreement on Import Licensing Procedures. The USTR invites the public to comment on any of the issues in this dispute.

---

**Topic:** *Poultry Imports from Mexico*  
**Action:** Proposed rule  
**Venue:** Animal and Plant Health Inspection Service  
**FR Cite:** 64 Fed. Reg. 27711 (May 21, 1999)  
**Deadline:** Comments must be received by July 20, 1999  
**Contact:** For further information, Dr. Michael David, Senior Staff Veterinarian, National Center for Import and Export, VS, APHIS, 4700 River Road, Unit 39, Riverdale,

MD 20737, at (301) 734-5034. Submit an original and 3 copies of comments to Docket No. 98-034-1, Regulatory Analysis and Development, PPD, APHIS, Suite 3CO3, 4700 River Road, Unit 118, Riverdale, MD 20737-1238. Comments must refer to Docket No. 98-034-1. Received comments will be accessible to the public at the U.S. Department of Agriculture, Room 1141, South Building, 14<sup>th</sup> Street and Independence Avenue, S.W., Washington, D.C., between 8:00 a.m. and 4:30 p.m., Monday through Friday. Individuals wishing to view the comments should call ahead at (202) 690-2817.

The Animal and Plant Health Inspection Service (APHIS) is proposing to relax the restrictions on imports of poultry from the Mexican states of Sinaloa and Sonora. Currently, due to the existence of exotic Newcastle disease in Mexico, poultry products from Sinaloa and Sonora must be cooked, sealed, and packaged to certain specifications before being imported into the U.S. This proposed rule would establish less restrictive conditions for poultry products from Sinaloa and Sonora. APHIS is basing the proposed rule on a risk assessment which indicated that such imports would present a negligible risk of introducing exotic Newcastle disease into the U.S.

poultry industry.

In general, under U.S. law, if a disease occurred anywhere inside a nation's borders, the entire nation was considered to be affected with the disease, and agricultural imports were restricted accordingly. However, under NAFTA and WTO trade rules, APHIS is required to recognize regions, rather than entire nations, and judge the levels of risk before regulating agricultural imports. Thus, APHIS, at the request of the Mexican government, visited Sinaloa and Sonora in February 1999 and determined that the states were free of exotic Newcastle disease and are capable of preventing any recurrence of the disease.

**Topic:** *Labeling Requirements for Irradiated Food*  
**Action:** Advance notice of proposed rulemaking, extension of comment period  
**Venue:** Food and Drug Administration  
**FR Cite:** 64 Fed. Reg. 27935 (May 24, 1999)  
**Deadline:** Written comments must be submitted by July 19, 1999  
**Contact:** For further information, William J. Trotter, Center for Food Safety and Applied Nutrition (HFS-206), Food and Drug Administration, 200 C Street, S.W., Washington, D.C. 20204, at (202) 418-3088. Submit 2 copies of written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Room 1061, Rockville, MD 20852. Comments must refer to Docket No. 98N-1038. Received comments may be viewed at the Dockets Management office from 9 am to 4 pm, Monday - Friday.

On February 17, 1999, the FDA announced an advanced notice of proposed rulemaking (ANPRM) which would change the labeling requirements for irradiated foods. The FDA has received several

requests to extend the comment period, and so is extending it another 60 days to July 19, 1999. The ANPRM is available at [www.fda.gov/cfs/ndes/98n1038.htm](http://www.fda.gov/cfs/ndes/98n1038.htm)

**Topic:** *WTO Dispute Regarding the U.S. Copyright Act*

- Action:** Request for public comment
- Venue:** Office of the U.S. Trade Representative
- FR Cite:** 64 Fed. Reg. 29077 (May 28, 1999)
- Deadline:** The USTR will accept any comments received during the course of the dispute settlement proceedings, but comments should be submitted by June 21, 1999, so the USTR will have time to consider them before its final written submission is due to the dispute panel.
- Contact:** For further information, Melida N. Hodgson, Associate General Counsel, at (202) 395-3582; or Claude Burcky, Director of Intellectual Property, at (202) 395-6864. Submit 15 copies of written comments to Sandy McKinzy, Litigation Assistant, Office of Monitoring and Enforcement, Room 122, Attn: U.S. - Section 110(5) Dispute, Office of the U.S. Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508. The USTR will maintain a file on this proceeding accessible to the public in the USTR Reading Room: Room 101, Office of the U.S. Trade Representative, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508. The Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m. Monday through Friday. Individuals may make an appointment to review the file (Docket WTO/D-160, United States - Section 110 (5) of the U.S. Copyright Act) by contacting Brenda Webb at (202) 395-6186.

The European Community (EC) has requested the establishment of a WTO dispute settlement panel to examine section 110 (5) of the U.S. Copyright Act. That section provides that the public display of a work on a single apparatus of a kind commonly used in private homes is not a copyright infringement unless a direct charge is made to see or hear the display. For example, under the law, a sports bar does not infringe on sports teams' copyrights for showing games on the bar's TV if the bar does not charge customers to watch the games. Section 110 (5) also provides that an establishment that re-transmits a performance of a

nondramatic musical work (e.g., a song) which is intended to be received by the general public and originates from a licensed radio or TV station is not committing a copyright infringement.

The EC alleges that section 110 (5) violates the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). Specifically, the EC claims it is inconsistent with the TRIPS sections granting authors of literary, artistic, and musical works certain exclusive rights. USTR invites the public to submit written comments on any of the issues in this dispute.

- 
- Topic:** *Irradiation of Meat and Meat Products*
- Action:** Re-opening of comment period
- Venue:** Food Safety and Inspection Service
- FR Cite:** 64 Fed. Reg. 29602 (June 2, 1999)
- Deadline:** Comments must be received by June 17, 1999
- Contact:** For further information, Daniel L. Engeljohn, Ph.D., Director, Regulation Development and Analysis Division, Office of Policy, Program Development and Evaluation, Food Safety and Inspection Service, U.S. Department of Agriculture, at (202) 720-5627. Submit 1 original and 2 copies of written comments to FSIS Docket #97-076P, U.S. Department of Agriculture, Food Safety and Inspection

Service, Room 102, 300 12<sup>th</sup> Street, S.W., Washington, D.C. 20250-3700.

On February 24, 1999 (64 Fed. Reg. 9089), the Food Safety and Inspection Service published a proposed rule for regulating meat and meat products

treated with irradiation. Due to the great interest in the proposal, the FSIS is re-opening the comment period.

---

## OTHER NEWS

---

**Topic:** *New Food Safety Web Site*

The U.S. President's Council on Food Safety has launched a food safety web site for consumers at [www.foodsafety.gov/presidentscouncil](http://www.foodsafety.gov/presidentscouncil). The site provides food recall and foodborne pathogen information; advice on the safe handling of food; transcripts of public meetings held by the Food Safety

Inspection Service (FSIS), the Food and Drug Administration (FDA), and the Environmental Protection Agency (EPA); *Federal Register* notices and public comments from those agencies' dockets; links to FSIS, FDA, and EPA web sites; and a method for consumers to report foodborne illnesses.

---

**Topic:** *USTR Releases Report on Foreign Trade Barriers*

On April 1<sup>st</sup>, the U.S. Trade Representative made public its annual report on foreign trade barriers, *The 1999 National Trade Estimate Report on Foreign Trade Barriers*, or NTE. It is available on the USTR's web site at [www.ustr.gov](http://www.ustr.gov) under the "Reports" heading. The report is a list of trade policies and barriers to U.S. exports the USTR believes violates trade rules. The USTR is required by law to publish the NTE each year and distribute it to members of Congress.

The NTE's most extensive section concerns the European Union, but it includes sections on dozens of countries worldwide. The report identifies numerous food safety and inspection rules and pharmaceutical policies as trade barriers. The list, and similar reports by other nations concerning U.S. policies, have proved to be an early warning system for formal WTO trade challenges.

The USTR also reviews existing trade disputes, for instance complaining that the EU's failure to create a banana import regime consistent with a recent World Trade Organization (WTO) ruling undermines the credibility of the WTO dispute settlement process and damages U.S. exports. In fact, however, the U.S. produces almost no bananas, and the

EU's banana import regime threatens no U.S. jobs.

The USTR also blames the EU's restrictions on U.S. beef grown with hormones and genetically modified organisms (GMOs) for reducing U.S. exports and threatening the science-based risk assessment procedures required by the WTO's Sanitary and Phytosanitary Agreement. Last year, a WTO dispute panel ruled that the EU did not have sufficient scientific evidence to justify its ban on hormone-fed beef. The EU has commissioned several scientific studies to justify the ban, but EU officials have admitted that none of them will be completed before the May 13<sup>th</sup> deadline imposed by the WTO.<sup>2</sup>

Meanwhile, the EU prohibits almost all imports of GMOs and requires products containing approved GMOs to be labeled. The USTR claims that the EU approval process for GMOs is "slow and unpredictable," based on politics rather than science, and threatens hundreds of millions of dollars of U.S. agricultural exports.<sup>3</sup> However, the report fails to note the concerns of environmental and consumer organizations in the U.S., Europe, and developing nations that GMOs pose health, ecological, and environmental risks.

---

**Topic:** *Canada Claims North Dakota Bill Will Violate NAFTA*

The Canadian government has formally requested NAFTA consultations with the U.S. over a bill, introduced in the North Dakota legislature, requiring all agricultural imports to be certified as free of certain chemicals.<sup>4</sup> Sergio Marchi, Canada's Trade Minister, claimed the proposed legislation would result in a virtual ban on Canada's agricultural and food products because, although Canada's products probably would pass the law's requirements, the costs of complying would be prohibitive.<sup>5</sup>

Marchi said the proposed law would violate NAFTA because it would apply to products imported from foreign nations but not to products imported from other U.S. states.<sup>6</sup> NAFTA requires the U.S., Mexico, and Canada to afford national treatment to each others' imports. In other words, the NAFTA nations may not

pass laws which apply different conditions to imported and domestic products. According to Marchi, "The U.S. administration is responsible for ensuring that the actions of the states conform to NAFTA. We are asking them to help ensure that this legislation is not signed into law."<sup>7</sup>

In the fall of 1998, while U.S. farmers were experiencing severely depressed prices for agricultural products, North Dakota and five other states blocked imports of Canadian meat and grain. U.S. farmers claimed the Canadian Wheat Board was subsidizing Canadian grain, thus allowing Canadian farmers to sell their products at cut rates and depressing U.S. prices. The U.S. blockade was lifted only after Canada agreed to further open its market to U.S. agricultural products.<sup>8</sup>

---

**Topic:** *Two Bills on Food Imports to be Introduced in U.S. Senate*

Senators Susan Collins (R-ME) and Tom Harkin (D-IA) are set to introduce legislation to bolster food import regulation this spring. Sen. Collins' bill would allow FDA to take custody of food imports prior to their release and mark or destroy those that were rejected to prevent them from being reprocessed and shipped to the U.S. again. The bill also would prohibit "port shopping" - importers searching for U.S. ports that are lax on inspecting tainted food shipments.<sup>9</sup> In addition, it would offer grants to local and state health agencies to improve their ability to detect and respond to foodborne illnesses. Finally, Collins' bill would enhance FDA inspectors' authority and increase fines for violations.<sup>10</sup>

Sen. Harkin's bill would enhance USDA's authority over and set safety standards for imported produce. For example, Harkin said it would require

growers and processors to rinse fruits and vegetables thoroughly and maintain a high level of water purity. The bill also would require produce warehouses to prevent rats and birds from contaminating produce while it is in storage.<sup>11</sup>

Since the outbreaks of cyclosporiasis in the U.S. in 1997 and 1998 which were associated with imported Guatemalan raspberries, Congress has become more concerned with imported produce. In fact, the two Senate bills are being proposed while the FDA is conducting a seven-month survey of imported fruits and vegetables at the behest of Congress. Only three weeks into the survey, the FDA has already reported finding microbiological contamination of imported produce.<sup>12</sup> FDA officials reportedly were surprised at these findings so early in the survey, raising questions about how much adulteration the rest of the survey will uncover.<sup>13</sup>

---

**Topic:** *For Sale: Access to Top Trade Officials at WTO Ministerial Meeting*

In a letter to business donors, the Seattle Host Organization (SHO), the private business group in charge of coordinating logistics for the upcoming

World Trade Organization (WTO) Ministerial Meeting, offered access to top trade officials, in addition to other perks, in exchange for donations. The March 15, 1999,

letter stated, "The private sector will meet with senior U.S. Trade officials to discuss priorities for the upcoming Round" at a preparatory meeting in July.<sup>14</sup>

The donor's level of access was linked to the amount of the donation. For example, at the highest level, the "Emerald" level (donation of \$250,000 and above), donors could bring five guests to the Ministerial's opening and closing receptions, five guests to an official Ministerial dinner, and four guests to a business conference, as well as a link from SHO's web site to the donor's web site and the opportunity to display their corporate logo at the conference. At the lowest level, the "Bronze" level (\$5,000 - \$9,999), donors would only get to display their corporate materials at the Ministerial and a mention on SHO's web site.

After Public Citizen obtained and leaked the letter, consumer organizations quickly criticized the host organization of selling access to government officials and complained that public interest groups would be even more marginalized by the Clinton Administration's "privatization" of the hosting of a major multilateral negotiation. Rep. Sander Levin (D-MI) stated, "It's totally inappropriate. No one should

sell access to us. We're available. The government should be available to the public without charge."<sup>15</sup>

SHO officials claim they must raise \$9.5 million to hold the meetings. SHO is co-chaired by Boeing and Microsoft, two corporations with major stakes in the WTO Ministerial negotiations. Boeing has repeatedly complained about the European Union's subsidizing of Airbus Industrie, Boeing's major rival in the airplane market, and the U.S. has threatened to bring a WTO case against the E.U. Microsoft has complained about the pirating of its software in foreign nations, and copyright protection issues are on the Ministerial negotiation schedule. Both Boeing and Microsoft each have donated \$250,000 to SHO.<sup>16</sup>

After the uproar caused by SHO's fund-raising letter, U.S. Trade Representative (USTR) officials sent SHO a letter demanding that it cease such solicitation attempts and that it clear any future solicitation letters with USTR officials first. The letter read, "U.S. Government personnel will not meet with firms or individuals based on whether they have made contributions. . . ."<sup>17</sup> SHO representatives agreed to drop such language from future solicitation attempts.

## MEETINGS/EVENTS

- Event:** *Public Meeting on the Regulatory Requirements for Genetically-Engineered Organisms*
- Date:** May 11, 1999, from 8:30 a.m. to 4:30 p.m., and May 12, 1999, from 8:30 a.m. to 1:00 p.m.
- Deadline:** For registration and to suggest agenda items, April 28, 1999.
- Location:** Conference Center, USDA Center at Riverside, 4700 River Road, Riverdale, MD.
- Contact:** For information about the agenda, contact Dr. Sivramiah Shantharam, Biotechnology and Biological Analysis, PPQ, Animal and Plant Health Inspection Service, 4700 River Road Unit 133, Riverdale, MD 20737-1236, Phone: (301) 734-4882, E-mail: shanthu.shantharam@usda.gov.

The Animal and Plant Health Inspection Service (APHIS) is holding a public meeting to discuss the current and future status of the regulatory requirements regarding the introduction of genetically-engineered (GE) organisms and products into the environment and food system. APHIS regulates the introduction (which includes importation, interstate movement, and release into the environment) of GE organisms and products that it determines to be or has

reason to believe are plant pests. These GE organisms are considered "regulated articles."

Before introducing such a regulated article, an individual must either notify APHIS or obtain a permit from APHIS. An individual may petition APHIS for a determination that a GE organism or product should not be a regulated article. This is called a petition for a determination of "nonregulated status." If the petition is granted, APHIS will no longer regulate the particular

GE organism or product.

The purpose of this meeting is to discuss the requirement for the preparation of notifications, permits, petitions, and requests for extensions of determinations of nonregulated status. Other topics of

discussion include proposals to simplify the existing regulations covering GE organisms and products, and the movement of commodities containing GE organisms in international trade.

- Event:** *Public Meeting and Request for Comments on the Imposition of Sanctions on the EU for its Ban on U.S. Hormone-Fed Beef*
- Date:** April 19, 1999, at 8:00 a.m.
- Location:** Room 100, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508.
- Deadline:** Requests to testify at the public meeting and written testimony are due by noon on April 15, 1999. Written comments are due by noon on April 23, 1999. Rebuttal briefs are due by 5:00 p.m. on April 26, 1999.
- Contact:** For more information, Sybia Harrison, Staff Assistant to the Section 301 Committee, at (202) 395-3419. For questions regarding Section 301 procedures and submissions filed in response to this notice, Demetrios Marantis, Assistant General Counsel, at (202) 395-2581; or Ralph Ives, Deputy Assistant U.S. Trade Representative, at (202) 395-4620. For questions on the EU ban on hormone-fed beef, Joanna McIntosh, Associate General Counsel, at (202) 395-7203.

May 13, 1999, was the deadline for the European Union to comply with the World Trade Organization Dispute Settlement Body's (DSB) decision invalidating the EU's ban on imports of U.S. beef treated with growth-promoting hormones. The DSB held that the EU did not have sufficient scientific information to support its ban.

In response, the EU commissioned 17 scientific studies and risk assessments of the hormones at issue. However, EU officials have admitted that all of the studies will not be completed by the deadline, and may not be done until early 2000. The EU Scientific Committee on Veterinary Matters Related to Public Health completed one such study. The scientists concluded that one of the six artificial hormones found in U.S. meat, 17 beta oestradiol, may cause cancer. The U.S. Trade Representative (USTR) is seeking public comment on the action it should take if the EU fails to revoke its ban by May 13<sup>th</sup>.

The USTR has proposed labeling all U.S. beef exports to the EU as "USDA approved," but the EU wants all U.S. beef treated with hormones to be labeled with the phrase "Contains Hormones," or something similar. The U.S. opposes such labels, arguing they will lead European consumers to believe U.S. beef is not as safe as European beef. The U.S. has threatened to impose 100% tariffs on up to \$900 million - the amount the U.S. claims the EU ban is costing its beef exporters - worth of EU imports if the EU does not remove its ban by May 13<sup>th</sup>.

However, under WTO rules, before imposing any sanctions, the U.S. must request permission from the DSB. The USTR plans on submitting this request sometime before June 12, 1999. The request will include a list of selected EU products on which the U.S. will impose sanctions. Thus, the USTR also seeks public comment on which EU products the 100% tariffs should be imposed.

- Event:** *Public Hearings on the Agenda for World Trade Organization and Free Trade Area of the Americas Negotiations*
- Dates:** May 19 - 21, 1999, in Washington, D.C.; June 7 - 8, 1999, in Chicago, IL; June 10

- 11, 1999, in Atlanta, GA; June 21 - 22, 1999, in Los Angeles, CA; and June 24 - 25, 1999, in Dallas, TX.

**Location:** Exact times and locations will be announced at a later date.

**Deadline:** Persons wishing to testify orally at the hearings must provide written notification by May 5, 1999, to Gloria Blue, Executive Secretary, Trade Policy Staff Committee, Office of the U.S. Trade Representative, Room 122, 600 17<sup>th</sup> Street, N.W., Washington, D.C. 20508.

**Contact:** For procedural questions, contact Ms. Blue at (202) 395-3475. For questions concerning the WTO negotiations, contact USTR's Office of WTO and Multilateral Affairs at (202) 395-6843. For questions on the FTAA Negotiations, contact USTR's Office of Western Hemisphere Affairs at (202) 395-6135.

The Office of the U.S. Trade Representative (USTR) is holding public hearings to solicit public comment on the agenda for the on-going Free Trade Area of the Americas (FTAA) negotiations and the World Trade Organization (WTO) Third Ministerial Conference, which will be held in Seattle, Washington, from November 30 - December 3, 1999. Comments may address issues including whether the WTO agreement has succeeded or failed in addressing U.S.

interests, what U.S. priorities for future negotiations should be, methods for facilitating the participation of least developed countries in the WTO, methods for increasing consultations with non-governmental organizations, approaches for linking trade agreements with labor and environmental issues, and whether the U.S. should follow the WTO model in the FTAA negotiations.

**Event:** *Public Comment Period on the Makeup of the Scientific Panel Reviewing GMOs*

**Deadline:** May 31, 1999

**Contact:** To view the panel's membership list and panel members' biographies, and to submit comments, visit [www4.nas.edu/webcr.nsf/CommitteeDisplay/BANR-O-99-02-A?OpenDocument](http://www4.nas.edu/webcr.nsf/CommitteeDisplay/BANR-O-99-02-A?OpenDocument).

The National Academy of Sciences (NAS) is forming a scientific committee to study the risks and benefits of crops genetically modified (GM) with pesticide genes. These genes enable a plant to produce its own pesticide, meaning farmers do not have to spray pesticides on their crops, or use fewer pesticides.

However, some scientists are concerned about the health effects of eating pesticide-producing plants. Consumers cannot simply wash pesticide residues off of plants that produce pesticides internally. As well, environmentalists are concerned about the poisonous trait jumping to organically-grown crops and weeds and insect pests becoming immune to the poisons.

The study will last 8 months. Its stated purpose is to assess the scientific basis for regulating the approval and use of GM plants. However, the

committee will not address the philosophical or social issues that currently plague the controversial use of genetic engineering in agriculture and related areas such as labeling and international trade in GM foods.

The NAS is requesting public comment solely on the makeup of the scientific committee. The panel's membership has been criticized by consumer groups, such as the Pesticide Action Network North America (PANNA), as being heavily weighted in favor of the biotechnology industry. PANNA argues that the committee should contain more representatives from environmental, organic farming, consumer, and ecological organizations. PANNA also wants the NAS to force committee members to publicly disclose any ties or conflicts of interest with biotechnology corporations.

---

**Event:** *46<sup>th</sup> Session of the Executive Committee of the Codex Alimentarius Commission*

**Dates:** June 24 - 25, 1999

**Location:** Food and Agricultural Organization (FAO) Headquarters, Rome, Italy

**Contact:** Participation is limited to the elected Members of the Executive Committee. **This meeting is closed to the public.** However, for more information on the agenda of this meeting, visit the Codex web site at <http://ftp.fao.org/waicent/faoinfo/ECONOMIC/esn/codex/agend.htm>. The provisional agenda includes principles of risk analysis, a report on the financial situation of the Joint FAO/WHO (World Health Organization) Food Standards Program for 1998/99 and 2000/01, and review of criteria for new work.

---

**Event:** *23<sup>rd</sup> Session of the Codex Alimentarius Commission*

**Dates:** June 28 - July 3, 1999

**Location:** Plenary Hall, FAO Headquarters, Rome, Italy

**Contact:** Participation is limited to the official delegations from member nations of the WTO. **This meeting is closed to the public.** However, for more information on this meeting's agenda, visit the Codex web site at the above address. The provisional agenda includes principles of risk analysis, matters arising from reports of Codex Committees, consideration of proposals to elaborate new standards, consumers' involvement in the work of Codex, and consideration of amendments to the Codex Procedural Manual.

---

**Event:** *Public Meeting on Agenda Items for Codex Meetings*

**Venue:** Food Safety and Inspection Service

**Date:** June 2, 1999, from 9:00 a.m. to 12:30 p.m.

**Location:** Room 107A, Jamie L. Whitten Building, 12<sup>th</sup> Street and Jefferson Drive, S.W., Washington, D.C.

**Contact:** F. Edward Scarbrough, Ph.D., U.S. Manager for Codex Alimentarius, Room 4861, South Building, U.S. Department of Agriculture, 14<sup>th</sup> and Independence Avenue, S.W., Washington, D.C. 20250, at (202) 205-7760. Submit 1 original and 2 copies of written comments to FSIS Docket Clerk, Docket #99-03ON, U.S. Department of Agriculture, Food Safety and Inspection Service, Room 102, Cotton Annex, 300 12<sup>th</sup> Street, S.W., Washington, D.C. 20250-3700. All comments will be available for public inspection in the Docket Clerk's office between 8:30 a.m. and 4:30 p.m., Monday through Friday.

The Food Safety and Inspection Service is holding a public meeting to provide information and

receive public comments on agenda items to be discussed at the Forty-sixth Session of the Codex Executive Committee, which will be held in Rome, Italy, from June 24-25, 1999, and the Twenty-third Session of the Codex Alimentarius Commission, which will be held in Rome, Italy, from June 28-July 3, 1999. Agenda items that will be discussed at the public

meeting on June 2, 1999, include: (1) consumers' involvement in the commission's work; (2) principles of risk analysis; (3) amendments to the Codex procedural manual; (4) consideration of draft standards and related texts; and (5) consideration of proposals to elaborate new standards.

---

**Event:** *Public Meeting on Bt Crop Resistance Management*  
**Venue:** Environmental Protection Agency and U.S. Department of Agriculture  
**Date:** June 18, 1999, from 8:00 a.m. to 5:30 p.m.  
**Location:** Holiday Inn, Chicago-O'Hare International Airport, 5440 River Road, Rosemont, Illinois, (847) 671-6350  
**Contact:** Sharlene R. Matten, Biopesticides and Pollution Prevention Division (7511C), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460; Phone - (703) 605-0514; Fax - (703) 308-7026; E-mail - matten.sharlene@epa.gov. Submit written comments to Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, by July 23, 1999. Comments must refer to docket control number OPP-00601. The official file for this notice will be available for public inspection in Room 119, Crystal Mall 2, 1921 Jefferson Davis Highway, Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday. The Public Information and Records Integrity Branch phone number is (703) 305-5805.

The Environmental Protection Agency (EPA) and the U.S. Department of Agriculture (USDA) are holding a public workshop on *Bacillus thuringiensis* (Bt) crops, with the focus on Bt corn, to discuss specific insect resistance management issues. The workshop will begin with comments from EPA and USDA officials. Then four panels will discuss Refuge Design and Deployment, Grower Education, Monitoring and Remedial Action, and Compliance Issues. Panelists have been selected from industry, academia, conventional and organic growers, the USDA, the National Corn Growers Association, and

public interest groups. Following each panel's presentation will be a 30 to 60 minute discussion period.

Bt is a natural toxin used by both organic and conventional farmers. In the last few years, farmers have begun planting crops genetically engineered to produce the Bt toxin. EPA and USDA officials are holding this workshop because of the possibility that widespread planting of Bt transgenic crops may lead to insect resistance to the Bt toxin. Organic farmers are concerned that if insect pests become resistant to Bt, they will have no other method of pest control.

---

**Event:** *USDA Regional Public Listening Sessions*  
**Venue:** U.S. Department of Agriculture  
**Dates:** June 4 - July 23, 1999

**Locations:** Various

**Contacts:** Various. In order to speak at the listening sessions, individuals must register with their State Departments of Agricultural for each regional session. Written comments will be accepted from individuals unable to attend the sessions. Written comments should be submitted to U.S. Department of Agriculture, Trade Policy Comments, Mail Stop 9920, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9920 by July 26, 1999. For more information, contact Marlene Phillips, Foreign Agricultural Service Outreach Office, at (202) 720-0103 or phillipsms@fas.usda.gov; or visit the FAS web site at www.fas.usda.gov, under the "Upcoming Events" heading.

The U.S. Department of Agriculture is soliciting public input for the agenda for negotiations at the World Trade Organization Ministerial Conference, to be held in Seattle November 30 - December 3, 1999. Issues to be discussed include market access, export subsidies, tariff reductions, labor and environmental problems, and biotechnology. The dates, locations, and contact persons for each of the public listening sessions follow:

- |  |   |
|--|---|
| <p>(1) <b>June 4</b> - Winter Haven, Florida - Will Bussey, Florida Department of Food and Agriculture, at busseyw@doacs.state.fl.us or (850) 488-302.</p> <p>(2) <b>June 7</b> - St. Paul, Minnesota - Darla Riley, Minnesota Department of Agriculture, at (651) 282-5140.</p> <p>(3) <b>June 16</b> - Memphis, Tennessee - Eric Maupin, Tennessee Department of Agriculture, at (615) 837-5160.</p> <p>(4) <b>June 24</b> - Indianapolis, Indiana - Julia Wickard, Indianapolis Department of</p> | <p>Agriculture, at (317) 232-8778.</p> <p>(5) <b>June 29</b> - Sacramento, California - Marjorie Beazer, California Department of Food and Agriculture, at (916) 654-0462 or mbeazer@cdfa.ca.gov.</p> <p>(6) <b>June 30</b> - Pullman, Washington - Lisa Schumaker, Washington Department of Agriculture, at (360) 902-1926.</p> <p>(7) <b>July 8</b> - Austin, Texas - Dawn DeBerry, Texas Department of Agriculture, at (512) 475-1615.</p> <p>(8) <b>July 12</b> - Des Moines, Iowa - Joan Kiernan, Iowa Department of Agriculture, at (515) 281-5323.</p> <p>(9) <b>July 19</b> - Burlington, Vermont - Theresa Doyle at (802) 828-2430.</p> <p>(10) <b>July 23</b> - Bozeman, Montana - Montana Department of Agriculture (406) 444-3144.</p> <p>(11) <b>July 23</b> - Newark, Delaware - Brenda Minor, Delaware Department of Agriculture, at (302) 739-4811.</p> |
|--|---|

## NOTES

1. GAO/RCED-99-112, April 1999.
2. See De Bony, Elizabeth, "EU Ready to Ban US Beef Imports," *Journal of Commerce*, Apr. 22, 1999.
3. U.S. Trade Representative, *The 1999 National Trade Estimate Report on Foreign Trade Barriers*, Apr. 1, 1999, at 111.
4. See "Canada Seeks NAFTA Talks Over North Dakota Rule on Food Chemicals," *World Food Chemical News*, Apr. 14, 1999, at 12.
5. See *id.*

6. *See id.*

7. *See id.*

8. *See* Palmer, Doug, "Under Agreement, Canada Will Further Ease Way for US Agricultural Products," *Journal of Commerce*, Dec. 7, 1998.

9. *See* Murphy, Joan, "U.S. Senator Outlines Priorities for Soon-to-Be-Released Import Legislation," *World Food Chemical News*, Mar. 31, 1999, at 15.

10. *See id.*, at 16.

11. *See* "U.S. Senate Bill Would Set Standards for Fruit, Vegetable Safety," *World Food Chemical News*, Mar. 31, 1999, at 20.

12. *See* Murphy, Joan, "FDA Survey of Imported Produce Already Finding Microbiological Contamination," *World Food Chemical News*, Mar. 31, 1999, at 16.

13. *See id.*

14. "USTR Cracks Down on WTO Ministerial Fundraising Tactics," *Inside U.S. Trade*, Apr. 16, 1999, at 12.

15. Hitt, Greg, "Fund Raising for Seattle WTO Meeting Raises Concerns," *Wall St. J.*, May 17, 1999, at A28.

16. *See id.*

17. "USTR Cracks Down. . .," *supra* note 14, at 13.