

GUIDELINES FOR REACHING A JUDGEMENT OF EQUIVALENCE OF SANITARY MEASURES

General Comments:

The text provides both useful and practical guidance on how to apply the concept of equivalence in the area of animal health. The United States supports and encourages the OIE that the focus of equivalence be on measures, rather than looking at equivalence at a systems or infrastructure level. Caution must be taken with some of the text. For example, while program design and implementation as well as specific technical requirements can be classified as sanitary measures, infrastructure (like legislation, regulations, organization of veterinary authorities) is not necessarily a *measure per se*. Equivalent determinations need to be based on a risk assessment process. Care must be ensured not to view equivalence as an alternative to risk assessment.

While the OIE, the Codex and the IPPC should continue to promote dialogue and exchange information on this and other topics to ensure, wherever possible, the common use of terms and concepts, the OIE should not necessarily have to mimic exactly what the other standard setting bodies adopt. Animal health standards will often differ from plant health and food safety standards, including standards on the application of equivalence.

Specifically, the United States requests that the OIE ensure that the definitions used in the document on equivalence be consistent with those used in the SPS Agreement, or in the OIE's Animal Health Code, as appropriate. In addition, the United States also requests the OIE remove its references to "Level of Protection" (LOP) as distinct from Appropriate Level of Protection (ALOP).

The OIE must continue to ensure that any standards and guidelines on equivalence be clear, understandable and practical.