



EUROPEAN UNION
Permanent Mission
to the World Trade Organization
The Head of Delegation

Geneva, 28 January 2019
D (2019)

NOTE TO
MR. JEAN-LUC DEMARTY, DIRECTOR GENERAL - DG TRADE
MR. LUIS ROMERO REQUENA, DIRECTOR GENERAL – Legal Service

Subject: WTO – Regular DSB meeting, 28 January 2019

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Next regular DSB meeting on February 25, 2019. Deadline for Agenda items on February 14, 2019.

Detail

The EU was represented by [Art. 4.1(b)] and [Art. 4.1(b)]. Most EU Member States were present. A co-ordination meeting with EU Member States took place in advance. The agenda (WT/DSB/W/638) was adopted with the exclusion of item 7, following the United States' appeal of the panel report put for adoption under that agenda item.

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C. European Communities – Measures Affecting the Approval and Marketing of Biotech Products: Status Report by the European Union (WT/DS291/37/Add.129)

The US expressed its well-known concerns over the delays in the EU's approval of biotech products and noted again that at least seventeen EU Member States, as well as certain regions, have submitted requests to opt out of EU approvals despite EFSA's determination on the safety of the products. The US referred again to the 13 November 2018 public statement issued by the EU's Group of Chief Scientific Advisors in response to the 25 July 2018 ECJ ruling. From the public statement, the US retained that "in view of the Court's ruling, it becomes evident that new scientific knowledge and recent technical developments have made the GMO Directive no longer fit for purpose". The US urged the EU to finally bring into compliance the measures at issue.

The EU intervened as per instructions on all issues raised by the US.

The Chair concluded that the DSB took note of the statements and will revert to this matter.

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The Chair informed that the next regular DSB meeting will be held on 25 February 2019. The deadline for inscription of agenda items for the regular DSB meeting is Thursday, 14 February 2019 at 6 pm. The Airgram will be circulated by the Secretariat on Friday, 15 February 2019.

Marc Vanheukelen
Head of Mission

Author: [Art. 4.1(b)]

c.: J-L. Demarty, H. König, I. Garcia Bercero, P. Sandler, M. Martin-Prat, D. Redonnet, [Art. 4.1(b)], L. Rubinacci, [Art. 4.1(b)]

[Art. 4.1(b)]

– **DG TRADE**

P. Velasco Martins - **Cabinet Malmström**

[Art. 4.1(b)] [redacted] – **EEAS**

[Art. 4.1(b)] [redacted] - **DG GROW**

J. Clarke, [Art. 4.1(b)] [redacted] - **DG AGRI**

[Art. 4.1(b)] [redacted] – **DG ENER**

[Art. 4.1(b)] [redacted]

[redacted] – **DG SANTE**

S. Henzler – **DG TAXUD**

[Art. 4.1(b)] **SEC GEN**

L. Romero Requena, [Art. 4.1(b)] [redacted]

[Art. 4.1(b)] [redacted] - **WTO team Legal Service**

[Art. 4.1(b)] [redacted] **Permanent Mission**

of the EU to the WTO

EU DELEGATIONS: [Art. 4.1(b)] (US), [Art. 4.1(b)] (Japan), [Art. 4.1(b)] (South Korea), [Art. 4.1(b)] (Indonesia), [Art. 4.1(b)] (China), [Art. 4.1(b)] (New Zealand), [Art. 4.1(b)] (Brazil), [Art. 4.1(b)] (Turkey) [Art. 4.1(b)]

Enclosures: Statements by Australia, Canada, China, EU, India, Japan, Korea, Mexico, New Zealand, Norway, Singapore, Switzerland, Thailand, and the US.