

14 July 2021

(21-5557)

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Committee on Technical Barriers to Trade

Original: Spanish

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	<p>Notifying Member: <u>PERU</u></p> <p>If applicable, name of local government involved (Articles 3.2 and 7.2):</p>
2.	<p>Agency responsible:</p> <p><i>Ministerio de Salud</i> (Ministry of Health) <i>Dirección General de Salud Ambiental e Inocuidad Alimentaria</i>, DIGESA (Directorate-General of Environmental Health and Food Safety) Calle Las Amapolas N° 350 Urb. San Eugenio, Lince - Lima 14, Peru Tel.: (+51-1) 631-440 Email: evillanueva@minsa.gob.pe</p> <p>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</p> <p><i>Ministerio de Comercio Exterior y Turismo</i>, MINCETUR (Ministry of Foreign Trade and Tourism) Calle Uno Oeste N° 50 - Urb. Corpac - Lima 27 - Peru Tel.: (+51-1) 513-6100, Ext. 1223 and 1239 Email: otc@mincetur.gob.pe</p>
3.	<p>Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:</p>
4.	<p>Products covered (HS or CCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Code Description: 11 Products of the milling industry; malt; starches; inulin; wheat gluten. 1212210000 - - Fit for human consumption. 1212991000 - - - Sweet honey leaf (<i>Stevia rebaudiana</i>). 1504 Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified. 1507 Soya-bean oil and its fractions, whether or not refined, but not chemically modified. 1508 Ground-nut oil and its fractions, whether or not refined, but not chemically modified. 1509 Olive oil and its fractions, whether or not refined, but not chemically modified. 1512 Sunflower-seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified. 1513 Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified. 1515 Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified. 1516 Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared. 1517 Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading 15.16. 16 Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates. 1704 Sugar confectionery (including white chocolate), not containing cocoa. 1803 Cocoa paste, whether or not defatted. 1804 Cocoa butter, fat and oil. 1805000000 Cocoa powder, not containing added sugar or other sweetening matter. 1806 Chocolate and other food preparations containing cocoa. 19 Preparations of cereals, flour, starch or milk; pastrycooks' products. 20 Preparations of vegetables, fruit, nuts or</p>

other parts of plants. 21 Miscellaneous edible preparations. 22 Beverages, spirits and vinegar. 2302 Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants. 2501001000 Table salt. PRODUCTS OF THE MILLING INDUSTRY; MALT; STARCHES; INULIN; WHEAT GLUTEN (HS 11). Seaweed and other algae, fresh, chilled, frozen or dried, whether or not ground, fit for human consumption (HS 121221). Other vegetable products (chicory roots, tuber of koyaku etc) (HS 121299). Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified (HS 1504). Soya-bean oil and its fractions, whether or not refined, but not chemically modified (HS 1507). Ground-nut oil and its fractions, whether or not refined, but not chemically modified (HS 1508). Olive oil and its fractions, obtained from olives solely by mechanical or physical means that do not affect the oil, "virgin", whether or not refined, not chemically modified (HS 1509). Sunflower-seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified (HS 1512). Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified (HS 1513). Fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified (excluding soya-bean, ground-nut, olive, palm, sunflower, safflower, cotton-seed, coconut "copra", palm kernel, babassu, rape, colza and mustard oil) (HS 1515). Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared (HS 1516). Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils (excluding fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared, and blends of olive oils and their fractions) (HS 1517). PREPARATIONS OF MEAT, OF FISH OR OF CRUSTACEANS, MOLLUSCS OR OTHER AQUATIC INVERTEBRATES (HS 16). Sugar confectionery (including white chocolate), not containing cocoa (HS 1704). Cocoa paste, whether or not defatted (HS 1803). Cocoa butter, fat and oil (HS 1804). Cocoa powder, not containing added sugar or other sweetening matter (HS 1805). Chocolate and other food preparations containing cocoa (HS 1806). PREPARATION OF CEREALS, FLOUR, STARCH OR MILK; PASTRYCOOKS' PRODUCTS (HS 19). PREPARATIONS OF VEGETABLES, FRUIT, NUTS OR OTHER PARTS OF PLANTS (HS 20). MISCELLANEOUS EDIBLE PREPARATIONS (HS 21). BEVERAGES, SPIRITS AND VINEGAR (HS 22). Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants (HS 3202). Salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution or containing added anti-caking or free-flowing agents; sea water (HS 2501).

- 5. Title, number of pages and language(s) of the notified document:** *Proyecto de Decreto Supremo que modifica el Reglamento sobre Vigilancia y Control Sanitario de Alimentos y Bebidas, aprobado por Decreto Supremo N° 007-98-SA, y aprueba los servicios prestados en exclusividad a cargo de la Dirección General de Salud Ambiental e Inocuidad Alimentaria del Ministerio de Salud* (Draft Supreme Decree amending the Regulations on sanitary surveillance and control of food and beverages, adopted by Supreme Decree No. 007-98-SA, and approving the services provided exclusively by the Directorate-General of Environmental Health and Food Safety in the Ministry of Health) (27 pages, in Spanish)

- 6. Description of content:** The notified draft Supreme Decree provides for the amendment of Articles 58-A, 58-B, 63, 104, 105, 106, 108, 109, 114 and 119-A of the Regulations on sanitary surveillance and control of food and beverages, adopted by Supreme Decree No. 007-98-SA, and the incorporation of Articles 105-A, Article 117(i) and (j) and Title VIII-A into the Regulations. The draft Supreme Decree classifies the procedures conducted by the Directorate-General of Environmental Health and Food Safety (DIGESA) into administrative procedures and services provided on an exclusive basis, and describes the purpose of each of them, indicating the time frame and the requirements for each. The notified draft Supreme Decree provides for the amendment of Articles 58-A, 58-B, 63, 104, 105, 106, 108, 109, 114 and 119-A of the Regulations on sanitary surveillance and control of food and beverages, adopted by Supreme Decree No. 007-98-SA, and the incorporation of Articles 105-A, Article 117(i) and (j) and Title VIII-A into the Regulations. The draft Supreme Decree classifies the procedures conducted by the Directorate-General of Environmental Health and Food Safety (DIGESA) into administrative procedures and

	services provided on an exclusive basis, and describes the purpose of each of them, indicating the time frame and the requirements for each.
7. Objective and rationale, including the nature of urgent problems where applicable:	Reducing trade barriers and facilitating trade
8. Relevant documents:	<ul style="list-style-type: none"> - Ley N° 26842, <i>Ley General de Salud</i>, and amendments thereto. - Decreto Legislativo N° 1062, <i>que aprueba la Ley de Inocuidad de los Alimentos</i>. - Decreto Legislativo N° 1161, <i>Ley de Organización y Funciones del Ministerio de Salud</i>, and amendment thereto. - Decreto Supremo N° 008-2017-SA, <i>Reglamento de Organización y Funciones del Ministerio de Salud</i>, and amendments thereto. - Decreto Supremo N° 007-98-SA, <i>Reglamento sobre Vigilancia y Control Sanitario de Alimentos y Bebidas</i>, and amendments thereto. - Decreto Supremo N° 034-2008-AG, <i>que aprueba el Reglamento del Decreto Legislativo N° 1062, Ley de Inocuidad de los Alimentos</i>.
9. Proposed date of adoption	180 days from publication
Proposed date of entry into force:	180 days from publication
10. Final date for comments:	60 days from notification
11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:	<p>Ministerio de Comercio Exterior y Turismo (MINCETUR) Calle Uno Oeste N° 50 - Urb. Corpac - Lima 27 - Peru Tel.: (+51-1) 513-6100, Ext. 1223 and 1239 Email: otc@mincetur.gob.pe</p> <p>Ministerio de Salud Dirección General de Salud Ambiental e Inocuidad Alimentaria (DIGESA) Calle Las Amapolas N° 350 Urb. San Eugenio, Lince - Lima 14, Peru Tel.: (+51-1) 631-440 Email: evillanueva@minsa.gob.pe</p> <p>https://www.gob.pe/institucion/minsa/normas-legales/1987277-784-2021-minsa http://extranet.comunidadandina.org/sirt/public/index.aspx http://consultasonlinea.mincetur.gob.pe/notificaciones/Publico/FrmBuscador.aspx https://members.wto.org/crnattachments/2021/TBT/PER/21_4689_00_s.pdf</p>