

Country (Nepal) Report on Preparation to meet the obligations under WTO Agricultural Sector

(As of Baisakh 13, 2068) April 26, 2011

Action	Implementation Date	Responsible organization	Present Status
1. Establishment and operation of a single Contact Point for Information ("enquiry point") (Article 7 and Annex B:2)	1 January 2004	<u>Department of Food Technology and Quality Control (DFTQC)</u>	<ul style="list-style-type: none"> • DFTQC has been designated as the National SPS enquiry point. • SPS enquiry point has been shifted to newly constructed SPS/Codex building.
2. Acquisition of equipment and training of SPS enquiry point personnel (Article 7 and Annex B:2)	1 January 2005	<u>DFTQC</u>	<ul style="list-style-type: none"> • <u>Refresher training, exposure and other logistics.</u> • Five set of computers acquired. • E-mail account opened (spsnepal@ntc.net.np) • Internet connected. • Website prepared and hosted. (http://www.spsenquiry.gov.np) • One of the staffs from SPS enquiry point was subjected to a 3 days training program on SPS, organized by WTO. • Request for training and other equipments has been forwarded to higher authorities. • Training of 5 technical persons completed at Mahidol University, Thailand. • 2 persons at SPS enquiry point completed an exposure visit (7 days) to SPS related authorities in India (063/64). • Three personnel from SPS Enquiry Point got TOT on Risk Management and Communication • Four Personnel of SPS Enquiry point got TOT training in under STDF-170 programme. (2 in food, 1 in plant and 1 in animal sector) • One person of SPS Enquiry Point got overseas training on Food Inspection and Certification at Thailand under STDF-170 Project.

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3. Approval or Amendments to: Plant Protection Act 1972	Prior to 1 July 2005	Plant protection Directorate/ Legal Section MoAC	Plant Protection Act 2064 (2007) has been enforced by the Legislative - Parliament on August, 2007.
4. Approval or Amendments to: Seed Act 1988	Prior to 1 July 2005	National Seed Board/ Legal Section, MOAC	<ul style="list-style-type: none"> Amendment to Seed Act has been completed. <u>Approval of seed regulation from MOLJ under process.</u>
5. Designation of authority responsible for making notifications to the WTO and ensuring transparency obligations are met on an ongoing basis.	Prior to 1 July 2005	WTO Section of ABPSD, MOAC	<ul style="list-style-type: none"> WTO Section of ABPSD is designated as the National Notification Authority of SPS. Web site prepared and hosted <u>(http://www.moacwto.gov.np)</u> Email: <wtosection@gmail.com)
6. Review of all existing regulations and new amendments to ensure regulations are based on risk assessments and sufficient scientific evidence.	Prior to 1 July 2005	<u>MoAC / Legal Section</u> <u>MoAC</u>	<p><u>Food Safety and Quality Policy:</u></p> <ul style="list-style-type: none"> <u>Draft Food Safety and Quality Policy has been prepared and is in process of finalization.</u> <p><u>Food Act Revision:</u></p> <ul style="list-style-type: none"> <u>The process of discussion and preparation of final draft is under progress with consultation of legal experts.</u> <p><u>Feed Act Revision:</u></p> <p>Revision of Feed Act 2033 is at the final stage of preparation.</p> <ul style="list-style-type: none"> <u>Review and amendment of existing "Slaughter house and meat inspection Act, 2055 ;</u>

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			<ul style="list-style-type: none"> • <u>Veterinary Council Act, 2055;</u> • <u>Animal Health and Livestock Services Act, 2055 are proposed in regular program in the Directorate of Animal Health (AHD), Central Animal Quarantine Office.</u> • <u>Draft of the Proposed New Veterinary Drug Act presented to Department of Livestock Services (DoLS).</u> <p>Food Regulation:</p> <ul style="list-style-type: none"> • Fifth Amendment of Food regulation has been published in Nepal Gazette, authorizing GoN to implement directives. • Directives on Export Import Inspection and Quality Certification System in Nepal for food has been implemented, currently enforced for three food items namely vegetable oil, processed drinking water and milk and milk products.
7. Upgrading of human resources with special emphasis on quarantine management, meat inspection, veterinary investigation and animal disease risk analysis.	Prior to 1 July 2005	Administration Division, MoAC in coordination with Departments DFTQC, DoA, DLS.	<ul style="list-style-type: none"> • <u>Training to other stakeholders (viz. farmer, processor and trader) under progress.</u> • <u>Request for HRD is forwarded to concerned higher authorities.</u> • Enhancement of capacity and capabilities of the Gov and other relevant agencies staff in the Plant Health aspects with the training support from MTF/NEP/060/STF-(STDF-170)Project in collaboration with FAO. • Training provided in (I-VIII modules) viz; Methyl Bromide(MB)

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			<p>fumigation , Plant health inspection and Quarantine procedures, commodity pest risk analysis, establishment for pest free areas, Pest diagnosis and handling, Phytosanitary certification and Administrative procedures and pest survey, surveillance and monitoring , risk communication and risk management with training support from MTF/NEP/060/STF-(STDF-170)Project in collaboration with FAO.</p> <ul style="list-style-type: none"> • Food Quarantine Lab established at four customs points (Tatopani, Kakadbhitta, Birgunj, Mahendranagar) and most of the staffs are appointed (11 posts fulfilled out of 13). • Manpower has been trained in Animal Quarantine and Veterinary services: Quarantine management officer- 67, Veterinary Investigation Officer (middle level)- 32, Meat Inspector (Officer level) - 92. • All together, under STDF-170 project, animal health-202, plant health-192 and food safety-212 persons were trained in various modules.
8. Declaration of pest or disease-free areas and areas of low pest or disease prevalence (Article 6 and Annex A: 6 and A: 7)	Prior to 1 July 2005	Plant Protection Directorate, Animal Health Directorate, NARC	<ul style="list-style-type: none"> • <u>The PFA program has been initiated from FY 2062/63.</u> <ul style="list-style-type: none"> ○ Rinder pest (RP) and Foot Rot disease officially declared as eradicated ○ <u>Bluetongue, HPAI and BSE: Clinically disease free and surveillance activities are on-going</u> ○ <u>Major animal diseases:</u> <ul style="list-style-type: none"> ○ <u>PPR and Hog cholera</u>

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9. Approval or Amendments to: Plant Protection Regulations 1975	Prior to 1 January 2006	Plant Protection Directorate/ Legal Section MoAC	New Plant Protection Regulations approved by the Government of Nepal (Cabinet level) and enforced from March 2010.
10. Membership in the International Plant Protection Convention (IPPC)	Prior to 1 January 2006	Administration Division MoAC	Nepal has got membership of the IPPC formally since 8 May, 2006.
11. Implementation of Publication and Notification procedures including a process to take comments into account without discrimination (Annex B: 1, 3, 5 and 10)	Prior to 1 January 2006	WTO Section / ABPSD/MOAC	<p><u>Notification is under progress.</u></p> <p><u>Training has been proposed under UNDP Project in the Ministry of Commerce and Supplies</u></p> <ul style="list-style-type: none"> • . Translated into English and notified to all the WTO members.
12. Initial notification of legislation and regulations to WTO	Prior to 1 January 2006	WTO Section / ABPSD/MOAC	<p>Thirty five legal texts of Nepalese language have been translated into English for notification purposes. Websites: www.moacwto.gov.np</p> <p><u>Ongoing process</u></p>
13. Development of SPS guidelines and protocols	Prior to 1 July 2006	DFTQC	<ul style="list-style-type: none"> • <u>Work on the preparation of other SPS and food safety related document is going on.</u> • <u>Drafts of SOP of central veterinary investigation lab and Rabies lab are prepared and forwarded.</u> • • Following 3 guidelines have been developed in 2005 (FY 062/63) for: <ul style="list-style-type: none"> • <i>Food safety guideline</i> • <i>Customs food lab guideline</i> • <i>Fruits/vegetable growers and traders guideline.</i> • Following 4 guidelines have been developed in 2006 (FY 063/64) which has

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			<p>to be finalized for implementation, namely:</p> <ul style="list-style-type: none"> • <i>Hygienic practice in small scale milk production and dairy industry</i> • <i>Guideline on hygienic practices for traditional food production.</i> • <i>Standard operating procedures for food inspection.</i> • <i>Meat processing guidelines for trade and industries</i> <p>• Following 2 guidelines have been developed in 2007 (FY 064/65) which has to be finalized for implementation, namely:</p> <ul style="list-style-type: none"> • <i>Hygiene guideline for small and medium scale hotels and restaurants (in Nepali).</i> • <i>Hygiene guideline for vegetable ghee and refined oil industry (in Nepali).</i> <ul style="list-style-type: none"> • Working guidelines for Quarantine Food Lab has been prepared. • Directive on Export Import Inspection and Certification System in Nepal has already been approved and notified by WTO. • Standards on Biologicals, Lab, Hatchery and Poultry Breeding farm prepared and enforced. • SOP of VSDA approved. • Quarantine manuals developed for seed health, planting materials and plant products for the inspection at broader points prior to import and export. •
14. Upgrading and strengthening of quality control unit, laboratory, quarantine system and field veterinary system	Prior to 1 January 2007	DFTQC/ DOA / DLS	<ul style="list-style-type: none"> • Central Food Laboratory have been shifted in newly constructed Laboratory building at DFTQC, Babarmahal, Kathmandu. • Basic laboratory equipments have been procured in FY 062/63. • In 2008 (FY 064/65), some advanced laboratory equipments like GCMS, HPLC, had been purchased.

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			<ul style="list-style-type: none"> • In FY 065/66, some basic laboratory equipments have been purchased. • Laboratory accreditation: <ol style="list-style-type: none"> 1. UNIDO consultant has been provided. 2. Accreditation process has been started for chemical laboratory. 3. Documents like Quality manual, SOPs have been prepared in assistance of consultant. 4. Technical and Quality Manager have been appointed. 5. Training on accreditation system has been provided to personnel of Central Food Laboratory, DFTQC. • <u>There is need of resources and capacities for risk assessment activities for the updating of regulation and implementation of SPS measures.</u> • Human resources of DFTQC/RFTQCO/FQL (15 nos including 2 from SPS EP) got TOT training on food inspection and certification under STDF-170 programme jointly organized by GoN, Ministry of Agriculture and Co-operatives, WTO and UNFAO. • All together 65 personnels of DFTQC/RFTQCO/FQL got training on Food Inspection and Certification (Module II) and 21 personnels in Module IV under STDF-170 project. • All together 70 personnels from Food Industries got training on Assurance of Food Safety and Quality in Food Industries (Mod III) under STDF-170 project. • One person of DFTQC, two persons from RFTQCO got overseas training on Food Inspection and Certification at Thailand under STDF-170 Project.

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			<ul style="list-style-type: none"> • Documentary on SPS (Audio Visual) has been prepared in 2008 (FY 2065/66) • 4 persons of DFTQC got training of trainer on Risk Management and Communication. • Plant Quarantine labs both in central and regional offices, and major check posts upgraded with the additional equipments. • • Pest diagnosis and lab handling training provided to plant protection officers along with Plant Quarantine Officers. • Veterinary Standards and Drugs Administration (VSDA) office set up. • Procurement of some heavy equipment done. • Lab Services: Accreditation of PPR and Rinder pest diagnostic techniques from IOE. • Upgrading diagnostic facilities in central, 5 in region and 1 for avian lab in Chitwan. • Field Veterinary Services: Vet- inspectors are deputed in all districts. • <u>Evaluation of the Vet-service is on-going with budget allocation in regular program.</u>
15. Opening new quarantine check post and development of pre and post quarantine facilities	Prior to 1 January 2007	Plant Quarantine Section / DoA / Animal Quarantine Section / DLS, MoAC	<ul style="list-style-type: none"> • Additional Eight new plant quarantine (PQ) check-posts have been established (5 are in Nepal-India border and 3 are in Nepal-China border) and are functioning well. • At present there are 15 PQ offices, one at TI Airport and 14 are in Land Boarder sides (3 in Nepal-China boarder, 11 are in Nepal-India boarder) to regulate the Agro-forest Trade.

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			<ul style="list-style-type: none"> In animal quarantine office: power conferred by law but required manpower not fulfilled.
16. Harmonization with international standards, guidelines, and recommendations (Article 3)	Prior to 1 January 2007	DFTQC	<p>National Codex Committee has been established.</p> <p><u>Process for the Harmonization of standard on different food products with CODEX is going on.</u></p>
17. Control, inspection and approval procedures for all SPS measures	Prior to 1 January 2007	National SPS Enquiry Point	<p><u>Work is going on</u> for the collection, compilation and reporting of procedures and SPS measures.</p> <ul style="list-style-type: none"> Act and Regulation Directives on export import inspection and certification
18. Review the import of the PIC listed pesticides Methyl Parathion and Monocrotophos	asap	Plant Protection Directorate	<ul style="list-style-type: none"> Review work revealed that Toxic residue level of Methyl Parathion and Monocrotophos in tomato is over than tolerance level. Methyl Parathion and Monocrotophos are already banned to import the PIC (Prior Inform Consent) listed pesticides by notifying in Nepal Gazette since 2007 November (2064/7/13 B.S.) Completed.
19. Streamline and scientifically build land border quarantine procedures (in line of APPPC)		Plant Quarantine Section/ Animal Quarantine Section	<ul style="list-style-type: none"> <u>Draft guidelines for land border animal quarantine procedures are under discussions in DOLS.</u> <u>The existing land boarder quarantine administration to be strengthened.</u> <u>The porous boarder is demanding more check post.</u> <u>Plant Quarantine pests of Apple, Citrus, Potato, Ginger and Garlic going to be approved by National Plant</u>

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			<p><u>Quarantine Committee and then will be notified to all the WTO members.</u></p> <ul style="list-style-type: none"> • <u>National Standards for Phytosanitary Measures (NSPMs) based on International Standards for Phytosanitary Measures (ISPMs) to be prepared from the current fiscal year (2010). Most essentials 16 NSPMs proposed to the MOAC for preparation.</u> • Plant Quarantine Procedures (Export Import Operational Manual) has been prepared and distributed. • Uniform, identity card and PQ logo developed for the boarder check points, PQ inspectors to perform their duty efficiently. • Authority provided to NPQ Program to use IPPC (International Plant Protection Convention) logo in wood packaging materials after MB (Methyl Bromide) fumigation treatment. • Fumigation chambers (two), one at TIA and one at Birgunj Dry Port. Likewise, one post entry quarantine facility in NPQP premises to be built this year (until June 2011) with the financial assistance of World Bank.
20. Full implementation of the WTO Agreement on Sanitary and Phytosanitary Measures	Prior to 1 January 2007	GoN	<ul style="list-style-type: none"> • Authority provided to NPQ Program to use IPPC (International Plant Protection Convention) logo in wood packaging materials after MB (Methyl Bromide) fumigation treatment. • Plant Quarantine pests of Apple, Citrus, Potato, Ginger and Garlic going to be approved by National Plant Quarantine Committee and

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			<p>then will be notified to all the WTO members.</p> <p>•Fumigation chambers (two), one at Central Horticulture Centre, Kritipur and one at Birgunj Dry Port. Likewise, one post entry quarantine facility in NPQP premises to be built until June 2011 with the financial assistance of PACT/World Bank.</p>
Trade – Related Intellectual Property Rights (TRIPS)			
21. Approval of Plant Variety Protection Act	No later than 1 January 2006	Seed Quality Control Center, National Seed Board, NARC, Legal Section/ MoAC	Draft of the Act has been sent to the Cabinet for prior Approval. The implementation date for the least developed countries for protection of trade marks, copyrights, patents and other IP under the WTO agreements has been extended to 1 st July, 2013 by the decision reached by member governments on 29 November, 2005 just prior r to 6th Ministerial Meeting in Hongkong.
22. Inclusion of law on the protection of Geographical Indication		DOA/ DLS/ Legal Section of MoAC	Included in the Draft of Industrial Property Protection Bill.

Part B: For our benefits (Note: The list is non-exhaustive)

Action	Implementation Date	Responsible Organization	Present Status
1. Develop alternative for agriculture development fee (ODC)	2005	MoAC	
2. Ratification of international treaty on plant genetic resources for food and agriculture.		Planning division/ MoAC	Sent to the Cabinet for approval
3. Strengthening the annual program to increase		All Departments	The annual programs have been tied up with

international competitiveness.		planning division/ MoAC	competitiveness creation.
4. Guiding local governments for modification of the developed agricultural program.		All Departments planning division/ MoAC	Preparation of annual program budget guidelines is in progress
5. Development of appropriate technology		NARC, NARDF	Under progress
6. Revision of curriculum of IAAS, HICAST and other Related Institutions to match the context of WTO.		Coordination by planning Division/ MoAC	<u>Need to include Central Campus of Technology.</u>
7. Develop policy, laboratory and human resource for regulating the genetically modified organisms and their products.		Seed quality control center, DLS, DoA, MoAC	
8. Develop quarantine procedure in the line of OIE.		Animal quarantine / DLS	Animal quarantine procedures has been prepared in the line of OIE and it is in the process of getting approval (As no. 19 of the action plan above)