

# WTO- Technical Barriers and SPS Measures (Max Planck Commentaries on World Trade Law)



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著者:Wolfrum

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In order to ensure that technical regulations and product standards, which vary from country to country, do not create unnecessary obstacles to trade, the Agreement on Technical Barriers to Trade was adopted. It is paralleled by the Agreement on Sanitary and Phytosanitary Measures, which sets out the basic rules on how governments can apply food safety as well as animal and plant health measures without, however, using them as an excuse for protecting domestic producers. Prominent decisions under the WTO Dispute Settlement, as for example in the Beef Hormones Case, have interpreted those provisions. This volume gives a detailed account of the parameters for technical standards and measures seeking to protect health and environment. Included are commentaries on those provisions of GATT 1994, which are equally relevant in this context, namely Articles III, IX and XX. The article-by-article commentaries draw from a considerable body of case law and the work by the TBT and SPS Committee. Attention is given to substantive requirements as well as the necessary standard setting procedures. Apart from a thorough analysis of the relevant and most recent jurisprudence, the commentary seeks to give answers to newly emerging problems, as for example genetically modified (GMO) foods. It is an indispensable tool for practitioners and academics working in this field of WTO law.

作者介绍:

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