



East African Community



NATIONAL EAC PAN-SPSO SENSITIZATION AND TRAINING WORKSHOP



EAC PAN-SPSO

National Training Workshop For Capacity Building , Drafting Standars
And Developing Science Based Arguments,
UGANDA 27-29 April, 2011
At Imperial Royale Hotel, Kampala

REPORT OF THE SENSITIZATION AND TRAINING WORKSHOP

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1. Background

The East African Community (EAC) conducted a Regional Sensitization and Training workshop in Mombasa, Kenya from 14th – 19th March 2011 on Sanitary and Phytosanitary (SPS) measures; development of scientific methods; and use of science-based arguments in international standards setting meetings. The workshop was supported by the Participation of African Nations in Sanitary and Phytosanitary Standards-setting Organizations (PAN-SPSO) project.

As a follow up on the regional workshop and in line with the PAN-SPSO project objectives and work plan, the EAC conducted a National Sensitization and Training Workshop on SPS issues in Uganda from 27th to 29th April 2011. The programme of the national workshop is hereto attached as **Annex I**.

The National Sensitization and Training Workshop was funded through the EAC PAN-SPSO project. A list of participants who attended the national workshop is hereto attached as **Annex II**.

2. Workshop Objectives

The objectives of the National Sensitization and Training Workshop were to:

- 2.1. Sensitize participants on the PAN-SPSO project and SPS issues;
- 2.2. Strengthen/create National SPS Committees; and
- 2.3. Equip technical staff at national level with knowledge and capacity to effectively participate in SPS standards setting bodies.

3. Opening Session

3.1. Remarks by the Permanent Secretary, Ministry of Tourism, Trade and Industry

In his opening remarks, Eng. Samuel Ssenkungu, the representative of Permanent Secretary, Ministry of Tourism, Trade and Industry noted that the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (The SPS Agreement) is the main international legal framework adopted to ensure that sanitary and phytosanitary standards do not create unnecessary obstacles to international trade. He noted that the SPS Agreement allows WTO Members to adopt SPS measures necessary for the protection of human, animal and plant life or health, provided that such measures do not result in discrimination between WTO Members where identical or similar conditions prevail; and are not applied in a manner which would constitute a disguised restriction to international trade.

Eng. Ssenkungu further noted that the capacity of EAC Partner States to participate in international sanitary and phytosanitary standards setting is greatly influenced by the progress made in the respective Partner State in developing the infrastructure, legal, and institutional framework that are necessary for the development of activities relating to standardization and conformity assessment. In this regard, he stated that EAC Partner States do not appear to have adequate

technical expertise for participation in technical work of International SPS Standards-setting Organizations.

In addition, the representation of the Permanent Secretary emphasized the need to create greater awareness among technical officials, industry and enterprises of the need to carry out basic research and analytical work that is necessary for participation at technical level in international SPS standards setting. He stated that most Partner States in EAC do not have the capacities to influence the outcome of discussions at technical level in international standards-setting bodies because in most cases they do not have capacities to develop and carry out analytical research to enable them to articulate and defend their positions effectively.

Furthermore, he noted that strengthening and or creating National SPS Committees in EAC Partner States will empower the Committees to formulate country positions that can be presented and articulated when participating in the setting of international SPS Standards as well as in the WTO SPS Committee.

3.2. Remarks by the Representative of EAC

Mr. Willy Musinguzi, the EAC Principal Standards Officer outlined the status of SPS framework in the region. He informed participants that the EAC has put in place the following SPS Instruments:

- Harmonized SPS standards, measures and procedures for plants, Vol. I (Phytosanitary);
- Harmonized SPS standards, measures and procedures for mammals, birds and bees, Vol. II (sanitary); and
- Harmonized SPS standards, measures and procedures, Vol. III (fish and fishery products).

In addition, he informed participants that the EAC has developed standard procedures for evaluation of pesticides and standards for labelling of pesticides. He noted that the instruments have been approved by the EAC Sectoral Council of Ministers and were being edited through UNIDO support before they are printed.

Mr. Musinguzi further informed participants that the EAC SPS Protocol was adopted by the 20th Meeting of Council of Ministers in Arusha, Tanzania and was referred to the Sectoral Council on Legal and Judiciary Affairs for legal inputs. He stated that the Protocol aims to improve the human health, animal health and plant health situation and to facilitate trade in all EAC Partner States through harmonization of SPS Measures.

4. Proceedings of the Sensitization and Training Workshop

The National EAC PAN-SPSO Sensitization and Training Workshop was conducted through presentations, discussions and exercises. The training sessions were conducted by experts on SPS issues.

The EAC Principal Standards Officer outlined an overview of the multilateral trading system in the context of the WTO highlighting the mandate and structure of the WTO.

He also gave an overview of the WTO SPS Agreement highlighting how the Agreement fits into the WTO system.

The EAC Expert on PAN-SPSO project, Dr. William Olaho-Mukani informed participants that the Participation of African Nations in Sanitary and phytosanitary Standards-Setting Organizations (PAN-SPSO) project is funded by the EU from the intra-ACP funds of the 9th EDF with contribution from AU. He stated that the implementation partners of the project are COMESA, EAC, ECCAS, ECOWAS, CEN-SAD, IGAD and SADC and that the implementation period of the project is three years. He informed participants that the project started in May 2008 and will end in June 2011.

The EAC Expert on PAN-SPSO project further informed participants that the overall objective of the project is to contribute to reduction of poverty and enhancement of food security in Africa through greater access for agricultural products from African countries to international markets and the specific objective of the project is to facilitate effective participation of African countries in the activities of the World Organization for Animal Health (OIE), International Plant Protection Convention (IPPC) and Codex Alimentarius Commission (CAC) during the formulation of international standards on food safety, animal and plant health.

In addition, Dr. Olaho-Mukani noted that the beneficiary countries of the PAN-SPSO project are ACP member states of the African Union that are Members of the WTO and also participating in the activities of the OIE, IPPC and CAC. The countries are also Members at any of the eight recognized Regional Economic Communities stated above.

A brief overview of the OIE including training on science based arguments used in the development of OIE standards was conducted by Dr. Samuel Oree. Dr. Oree outlined the history, membership, vision and mission of OIE. He informed participants that Members of OIE have an obligation to fulfill their international commitment to notify to the OIE as laid down in the Chapters 1.1 of the OIE's Terrestrial Animals Code and 1.2.1 of the OIE's Aquatic Animals Code i.e. Notification of Diseases and Epidemiological Information.

An overview of Codex and Codex standards setting processes was given by Dr. Ben Manyindo. Dr. Manyindo noted that Codex has a dual objective of protecting the health of consumers and facilitating fair practices in food trade. He also noted that the scientific basis for Codex is risk management; and risk assessment which is undertaken by FAO/WHO Experts Bodies.

Dr. Robert Karyeija outlined the history of IPPC and explained how IPPC relates to the SPS Agreement noting that IPPC is one of the "three sisters" International Standards-setting Organizations recognized by the SPS Agreement. He highlighted three key principles of IPPC that include sovereign right to regulate; regulating only when necessary; and SPS measures should be consistent with risk, technically justified, and least restrictive, non-discriminatory and transparent.

Dr. Karyeija further stated the key obligations of IPPC that include: to set up and administer a National Plant Protection Organization; to designate an official IPPC contact point; to certify exports and regulate imports; to develop and take into account phytosanitary standards; and to meet basic reporting obligations.

Mr. Stephen Byantwale informed participants that equivalence is a scientific procedure of establishing that SPS measures applied by trading partners, though they may be different, nevertheless achieve the same results in terms of the status of a hazard. He noted that the principle of equivalence is found in Article 4 of the SPS Agreement. Mr. Byantwale further noted that countries apply SPS measures to manage risks, improve the SPS status and facilitate trade and that Science has provided different procedures and processes in management of risks applied depending on the required level of protection.

In addition, Mr. Byantwale noted the following as benefits of equivalence: minimizing trading costs by tailoring SPS measures to local circumstances; maximizing SPS outcomes for a given level of resource input; facilitating trade by achieving the required health protection through less trade restrictive SPS measures; and decreased reliance on relatively costly commodity testing and isolation procedures in bilateral or multilateral agreements.

A presentation on developing an export oriented meat industry in Uganda was made by Dr. Moses Kulabako. Dr. Kulabako informed participants that the Government of Uganda established a relationship with Nortura Beef Association of Norway through the first Norwegian Private Sector delegation that visited Uganda in 2004. The visit was organized by the Norwegian Confederation of Enterprise. During the visit, Uganda requested for support for developing a meat export industry.

Dr. Kulabako further informed participants that a feasibility study was carried out by Nortura in cooperation with the Ministry of Agriculture, Animal Industry and Fisheries; and Uganda Beef Producers Association. He noted that the study concluded that the development of an export-oriented meat industry in Uganda with the vision of exporting to the European market was feasible.

Dr. Kulabako also outlined the objectives of the Uganda Meat Export Development Programme as follows: to establish disease control zones (DCZs); organize livestock production in the DCZs; develop animal health and meat hygiene services; and establishing the Uganda Meat Export Company. He also stated the following challenges to the programme: diseases; legislations; organizational structures; and trade issues such as TBTs and infrastructure.

When training participants on the principles of negotiation, Dr. Manyindo defined negotiation as a process of discussing an issue between two or more parties with competing interests with an aim of coming to an agreement. He stated that the objectives of negotiations are: to achieve a win-win solution which benefits both parties; to enable each of the parties to walk away afterwards feeling that he or she has gained; to create a long-term relationship between the parties; to resolve a conflict; and to achieve business objectives.

In addition, Dr. Manyindo outlined the types of negotiations including soft negotiation; hard bargaining; and principled negotiating. He further enumerated three Basic principles of negotiation as follows: relate to people as mature adults; develop double vision i.e. every issue has two sides; focus on needs and desires, not on stated positions; and remembering to finalize all agreements.

In his presentation on the current national structure on SPS, Mr. George Opiyo informed participants that there exists the National TBT/SPS Committee that was established in 2004. He stated that the Committee is institutional and multi-sectoral with the Secretariat at UNBS that also chairs the Committee while Private Sector Foundation Uganda is the Vice Chair.

Mr. Opiyo outlined the terms of reference of the National TBT/SPS Committee and informed participants that the Committee has representation from agencies responsible for the implementation and administration of the TBT and SPS Agreements as well as the private sector that is represented through Sector Associations. He further stated that the Committee has challenges including: *inter alia*: inadequate fund for operating the Secretariat of the Committee; lack of feedback (comments) on proposed TBT regulations, conformity assessment procedures, and SPS measures notified to WTO; low awareness on TBT and SPS; and lack of scientific data and technical information for participation in TBT and SPS meetings at regional and international levels.

When training participants on risk analysis, Associate Professor George Nasinyama outlined the principles of risk analysis and took participants through import and export risk assessment. He noted that the biggest potential barrier to trade in the free trade markets that exist today are animal and plant restrictions since importation of animal and animal products; and plant and plant products always involves a degree of disease risks, pest infestation risk or consumer health risk for the importing country.

Professor Nasinyama also took participants through three approaches to food safety. These include: application of HACCP and risk analysis; governments undertaking quantitative risk assessments for specific microbiological hazards in food, to develop new food safety measures at national level; and risk analysis used in a systematic and transparent manner.

Professor Nasinyama informed participants that Article 5 of the SPS Agreement contains provisions on risk assessment and how to determine the appropriate level of sanitary or phytosanitary protection.

5. Recommendations

During the discussions that took place at the National EAC PAN-SPSO Sensitization and Training Workshop, participants noted that a number of challenges still exist in SPS management and compliance with SPS requirements in export markets as well as fulfilling obligations under the SPS Agreement.

Taking into consideration issues raised in the discussions that took, participants made the following recommendations to the Government of Uganda, EAC/Donors, and the private sector.

5.1. Recommendations to the Government of Uganda

5.1.1. H. E. the President be requested to convene a Cabinet retreat to sensitize Ministers on SPS issues.

5.1.2. Awareness and sensitization be conducted for all actors involved in animal, crop and food production along the value chain at all levels starting

at national level with Parliamentarians, local governments, religious leaders and traditional leaders.

- 5.1.3. Government to develop a technical regulatory framework to guide the development of regulations in line with the WTO SPS and TBT requirements.
- 5.1.4. The Government of Uganda should strengthened the infrastructure for SPS management including laboratories and equipment; modern processing and marketing facilities; human resource; inspection and surveillance infrastructure; capacity to do research and carry out risk analysis to generate data/information for effective participation in TBT and SPS negotiations at regional and international levels; and regulatory framework.
- 5.1.5. The Government should also strengthen the capacity of the three Line Ministries i.e. Ministry of Health; Ministry of Tourism, Trade and Industry; and Ministry of Agriculture, Animal Industry and Fisheries to effectively address SPS related activities.
- 5.1.6. Through the National Codex Committee, a database of experts on SPS and TBT be built.
- 5.1.7. Given the demands in terms of capacity and resources to provide a scientific basis for decision making in the areas of risk analysis and cost benefit studies, there is need to: build capacity in the region in risk and cost benefit analysis; and collect relevant data to generate country specific food composition table for informing policy and decision.
- 5.1.8. SPS be private sector led and development partners and government to provide technical and financial support to the private sector.
- 5.1.9. The Government should provide sufficient funding to SPS institutions and put in place a coordination mechanism to enable researchers to conduct SPS related research.
- 5.1.10. Streamline, strengthen and restructure the National TBT/SPS Committee to make it more effective to deliver on its mandate, and also ensure that the Animal Health, Plant Health and Food Safety sub-committees are established and strengthened.
- 5.1.11. Government prioritizes SPS and TBT in national and regional programmes so that they can attract the required funding.
- 5.1.12. The Lead agencies for SPS implementation should ensure that consumers are sensitised and made aware of SPS measures to guide them in making informed choices.
- 5.1.13. Enact new and review existing legislations to strengthened SPS issues at National level and promote harmonization of SPS related legislations and policies within the Partner States of EAC.

5.2. Recommendations to EAC, AU and Donors

- 5.2.1. Noting that there are only two centres for coordination of SPS issues, one in Nairobi for OIE and another in Yaounde in Cameroon for IPPC. It was recommended that AU establishes the third centre to take care of food safety issues. Uganda offered to host this centre.
- 5.2.2. EAC Partner States should prioritize food agent combinations for risk analysis; and carry out a cost benefit assessment to identify priority areas to focus on risk analysis.
- 5.2.3. Build capacity of farmers and the private sector to enable enterprises to understand and participate effectively in the implementation of SPS measures.

5.3. Recommendations to the private sector

- 5.3.1. Private Sector Foundation of Uganda should take up issues of SPS and ensure that they are effectively implemented by the private sector.
- 5.3.2. Uganda National Farmers Federation should create awareness among the farmers on the importance of SPS implementation and its benefits.

6. Annexes

6.1. Annex I: Workshop Programme

TIME	TOPIC	FACILITATOR	CONTACTS	SECTOR
DAY 1				
8.30 - 900	Registration	Mr. George Opiyo/Mr. Maurice Musuga	UNBS	Standards
900 - 915	Opening Remarks by PS MTTI	PS MTTI	MTTI	Trade
915 - 945	Background of PAN-SPSO Project and workshop objectives	Dr. William Olaho-Mukani EAC Expert on PAN –SPSO project	EAC/IBAR	
945-1015	Overview of WTO SPS Agreement and its structures	Mr. Willy Musinguzi EAC Resource person	EAC	
1015- 1030	Status of SPS framework at EAC	Mr. Willy Musinguzi EAC Resource person	EAC	
1030 - 1100	HEALTH BREAK	Hotel		
1100 - 1145	OIE in brief and Standards setting and science based arguments	Dr Samwel Oree	MAAIF	Agriculture
1145- 1230	Codex in brief and Standards setting and science based arguments	Dr Ben Manyindo	UNBS	Standards
1230 - 1315	IPPC in brief and Standards setting and science based arguments	Dr Robert Karyeija	MAAIF	Agriculture
1315 - 1400	LUNCH BREAK	Hotel		
1400-1430	Discussions	Dr. Friday Agaba	NDA	Health
1430 - 1500	Equivalence & Mutual Recognition	Mr. Stephen Byantwale	MAAIF	Agriculture
1500-1600	Exercise on Equivalence	Mr. Stephen Byantwale	MAAIF	Agriculture
1600-1630	Video Documentary – Trading Safely	Ms Eva Ekanya	PSFU	Private sector
1630 - 1730	Discusssions	Mr. Augustine Mwendya	UNFFE	Private sector
DAY 2				
900 – 9.30	Uganda Meat Export Development Programme	Dr Benon Kyokwijuka	MAAIF	Agriculture

TIME	TOPIC	FACILITATOR	CONTACTS	SECTOR
	(UMEDP) and SPS challenges			
930 - 1030	Principles of Negotiation	Dr Ben Manyindo	UNBS	Standards
1030-1100	HEALTH BREAK	Hotel		
1100 - 1230	Exercises on Principles of Negotiation			
1230 - 1300	Discussions	Dr. Nicholas Kauta	MAAIF	Agriculture
1300 - 1400	LUNCH BREAK	Hotel		
1400 - 1430	Cost Benefit Analysis as tool for attracting resources within the SPS area	Mr. Deo Kamweya	MTTI	Trade
1430 - 1500	Exercises/Role Play	Mr. Deo Kamweya	MTTI	Trade
1500 - 1630	Discussions and Recommendations	Mr. Moses Mafabi	MEACA	EAC Affairs
1630 - 1700	Presentation on current national structure on SPS and discussion on the way forward	Mr. George Opiyo	UNBS	
DAY 3				
0900-930	Risk Analysis	Prof George Nasinyama	MAK	University
930-1030	Risk analysis case studies/exercises	Prof George Nasinyama	MAK	University
1030-1100	HEALTH BREAK	Hotel		
1100-1300	Plenary discussion: <ul style="list-style-type: none"> • Future linkages at regional level • Participation of experts in international standardization setting organizations (IPPC, OIE and Codex) • Proposed work plan/activities 			
1300-1330	Presentation of the recommendations	Rapporteur		
	Workshop Evaluation			
	Closing	Executive Director, PSFU		
	LUNCH BREAK	Hotel		

6.2. Annex II: List of Participants

#	Name	Institution	Telephone/mobile	Email address
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18.	Mr. Francis Olal	OP	078-9-851667	
19.	Mr. Richard Semwogerere	MAAIF	078-2-989678	
20.	Ms Eva Katusiime	KARO KARUNGI	078-2-731896 077-2-402877	
21.	Mr. Moses Sebunya	UNBS	077-2-459195	moses.sebunya@unbs.go.ug
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23.	Mr. Amos Rohongore	Uganda Dairy Processors Association.	077-2-402877	amosruhongore@yahoo.com

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6.3. Annex III: Workshop Evaluation

The organizers of the workshop designed and administered a workshop evaluation questionnaire at the end of the workshop. The organizers invited forty (40) participants and 36 of the invitees attended the workshop indicating a 90% turn-up. Of the 36 participants who attended the workshop, only 26 filled and returned the workshop evaluation questionnaire.

While 42.3% and 34.6% of the respondents stated that the facilities and how the workshop was organized were excellent and very good respectively, about 23.1% of them rated that the facilities and how workshop was organized were good.

57.7% of the participants who filled the questionnaire indicated that the objectives of the sensitization and training workshop were addressed in a very good way while about 27% of the respondents indicated that the objectives were addressed in a good way.

52% of the participants who responded stated that the topics; Codex and standards settings; and principles of negotiations were addressed in a very good way where as 24% and 40% of the respondents indicated that WTO SPS and principles of negotiations were addressed in an excellent way. 24% of the respondents indicated that Codex and standards setting was addressed in a good way.

Half of the participants who filled the evaluation questionnaire indicated that the Status of EAC SPS framework; and OIE and standards setting were addressed in a very good way with 23.1% and 26.9% stating that the Status of EAC SPS framework; and OIE and standards setting were addressed in a good way.

45.8% of the participants indicated that IPPC and standards setting was addressed in a very good way while $\frac{1}{4}$ of the respondents indicated that the topic was addressed in an excellent way.

48% of the respondents who attended the workshop indicated that equivalence and mutual recognition was addressed in a good way with 36% indicating that the subject was addressed in a very good way.

42.3% and 25% of the respondents rated the WTO Video on SPS as excellent and very good respectively. 53.9% and 34.6 % of the respondents indicated that the topic risk analysis was addressed in an excellent and very good way respectively with only 11.5% of the respondents stating that the topic was addressed in good way.