

Chapter 5
Sanitary and Phytosanitary Measures

Article 86
Scope of Application

This Chapter shall apply to all sanitary and phytosanitary (hereinafter referred to as "SPS") measures of the Parties under the Agreement on the Application of Sanitary and Phytosanitary Measures in Annex 1A to the WTO Agreement (hereinafter referred to as "SPS Agreement"), that may, directly or indirectly, affect trade in goods between the Parties.

Article 87
Reaffirmation of Rights and Obligations

The Parties reaffirm their rights and obligations relating to SPS measures under the SPS Agreement.

Article 88
Enquiry Points

Each Party shall designate an enquiry point which is able to answer all reasonable enquiries from the other Party regarding SPS measures and, if appropriate, to provide the relevant information.

Article 89
Sub-Committee on SPS Measures

1. For the purposes of the effective implementation and operation of this Chapter, the Parties hereby establish a Sub-Committee on SPS Measures (hereinafter referred to in this Article as "the Sub-Committee").

2. The functions of the Sub-Committee shall be:

- (a) reviewing the implementation and operation of this Chapter;

- (b) exchanging information on such matters as occurrences of SPS incidents in the Parties, and change or introduction of SPS-related regulations and standards of the Parties, which may, directly or indirectly, affect trade in goods between the Parties in order to improve mutual understanding of each Party's SPS measures including their administrative procedures;
- (c) notifying either Party of information on potential SPS risks recognized by the other Party;
- (d) undertaking science-based technical consultations to identify and address specific issues between the Parties that may arise from the application of SPS measures;
- (e) consulting on cooperative efforts between the Parties in international fora in relation to SPS measures;
- (f) discussing technical cooperation between the Parties on SPS measures including capacity building, technical assistance and exchange of experts subject to the availability of appropriated funds and the applicable laws and regulations of each Party; and
- (g) other functions assigned by the Commission.

3. The Sub-Committee shall be composed of government officials of the Parties with necessary expertise relevant to the issues to be discussed.

4. The Sub-Committee shall hold meetings at such times and venues or by means, as may be agreed by the Parties.

5. For the purposes of this Article, the Sub-Committee shall be coordinated by:

- (a) in the case of Japan, the Ministry of Foreign Affairs, or its successor; and
- (b) in the case of Peru, the Ministry of Foreign Trade and Tourism, or its successor.