

# WORLD TRADE ORGANIZATION

G/SPS/N/NIC/14  
17 November 2003

(03-6140)

Committee on Sanitary and Phytosanitary Measures

Original: Spanish

## NOTIFICATION

1.	<b>Member to Agreement notifying:</b> <u>NICARAGUA</u> <b>If applicable, name of local government involved:</b>
2.	<b>Agency responsible:</b> Ministry of Agriculture, Livestock and Forestry
3.	<b>Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Agricultural foodstuffs
4.	<b>Regions or countries likely to be affected, to the extent relevant or practicable:</b>
5.	<b>Title, language and number of pages of the notified document:</b> Mandatory Technical Standard on Ecological Farming (71 pages, in Spanish)
6.	<p><b>Description of content:</b> In accordance with Law No. 291 – the Basic Law on Animal and Plant Health – and its regulations, agricultural foodstuffs that have been produced, processed, preserved and marketed without the use of products different to those mentioned in Annexes A, B, C and D, and which also comply with all the requirements set out in this Nicaraguan Mandatory Technical Standard and with existing phytosanitary technical regulations specific to each product, are protected by the name "organic, biological or ecological farming".</p> <p>Other agricultural foodstuffs and inputs that do not comply with the provisions of this Nicaraguan Mandatory Technical Standard are prohibited from using the generic name "ecological", "organic" or "biological" and other names, trademarks, expressions and symbols that could mislead the consumer due to their phonetic or visual likeness to those protected by this Nicaraguan Mandatory Technical Standard, even if used in conjunction with the words "type" ("tipo"), "style" ("estilo"), "flavour" ("gusto") or other similar expressions.</p> <p>The defence of the name "ecological farming", the application of the Nicaraguan Mandatory Technical Standard, the monitoring of compliance with this Standard and the promotion and quality control of the products covered are the responsibility of the Ministry of Agriculture, Livestock and Forestry.</p> <p>It shall not be possible to register or patent any product, activity, trademark or industrial mark which makes use of the term "ecological" or one of its equivalents, in any language, as private property.</p> <p>The production, classification, processing, packaging, marketing, identification and certification of ecological agricultural products, as well as research and extension aspects, shall be subject to the corresponding legislation and to the provisions of this Nicaraguan Mandatory Technical Standard.</p>

<b>7.</b>	<b>Objective and rationale:</b> <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests
<b>8.</b>	<b>International standard, guideline or recommendation:</b> <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> Office International des Epizooties, <input type="checkbox"/> International Plant Protection Convention, <input checked="" type="checkbox"/> None <b>If an international standard, guideline or recommendation exists, give the appropriate reference and briefly identify deviations:</b>
<b>9.</b>	<b>Relevant documents and language(s) in which these are available:</b> NTON 11 011-03 – Nicaraguan Mandatory Technical Standard on Ecological Farming (available in Spanish)
<b>10.</b>	<b>Proposed date of adoption:</b> December 2003
<b>11.</b>	<b>Proposed date of entry into force:</b> January 2004
<b>12.</b>	<b>Final date for comments:</b> <b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> National notification authority, <input checked="" type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: MIFIC, Km 6 carretera a Masaya Tel.: (505) 267 0161 Ext. 1138 Fax: (505) 267 2019 E-mail: <a href="mailto:nsolano@mific.gob.ni">nsolano@mific.gob.ni</a> Website: <a href="http://www.mific.gob.ni/docushare/dscgi/ds.py/View/Collection-174">http://www.mific.gob.ni/docushare/dscgi/ds.py/View/Collection-174</a>
<b>13.</b>	<b>Texts available from:</b> <input checked="" type="checkbox"/> National notification authority, <input checked="" type="checkbox"/> National enquiry point, or address, fax number and E-mail address (if available) of other body: MIFIC, Km 6 carretera a Masaya Tel.: (505) 267 0161 Ext. 1130 Fax: (505) 267 2019 E-mail: <a href="mailto:nsolano@mific.gob.ni">nsolano@mific.gob.ni</a> Website: <a href="http://www.mific.gob.ni/docushare/dscgi/ds.py/View/Collection-174">http://www.mific.gob.ni/docushare/dscgi/ds.py/View/Collection-174</a>