

**NOTIFICATION**

The following notification is being circulated in accordance with Article 10.6.

<b>1.</b>	<b>Member to Agreement notifying:</b> <u>NICARAGUA</u> <b>If applicable, name of local government involved (Articles 3.2 and 7.2):</b>
<b>2.</b>	<b>Agency responsible:</b> Ministry of Agriculture, Livestock and Forestry <b>Name and address (including telephone and fax numbers and E-mail and Web site addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b>
<b>3.</b>	<b>Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:</b>
<b>4.</b>	<b>Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b>
<b>5.</b>	<b>Title, number of pages and language(s) of the notified document:</b> Mandatory Technical Standard on Ecological Farming. (71 pages, in Spanish)
<b>6.</b>	<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>

<b>6.</b>	<b>Description of content:</b> (cont'd)  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.
<b>7.</b>	<b>Objective and rationale, including the nature of urgent problems where applicable:</b> To protect plants and health.
<b>8.</b>	<b>Relevant documents:</b> NTON 11 011-03 – Nicaraguan Mandatory Technical Standard on Ecological Farming
<b>9.</b>	<b>Proposed date of adoption:</b> December 2003 <b>Proposed date of entry into force:</b> January 2004
<b>10.</b>	<b>Final date for comments:</b> 60 days after publication of this notification.
<b>11.</b>	<b>Texts available from: National enquiry point [X], or address, telephone and fax numbers and E-mail and Web site addresses, if available, of other body:</b>  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>