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3. The Committee on Agricultural Trade shall meet at such times as the Parties mutually decide. Meetings shall take place in such locations and through such means as the Parties mutually decide. During the first five years after entry into force of this Agreement, the Committee shall meet no less than once a year.

Article 2.28: Agricultural Safeguards

Originating agricultural goods from any Party shall not be subject to any duties applied pursuant to any special safeguard taken under the WTO Agreement on Agriculture.

Article 2.29: Trade of Products of Modern Biotechnology

1. The Parties confirm the importance of transparency, cooperation and exchanging information related to the trade of products of modern biotechnology.

2. Nothing in this Article shall prevent a Party from adopting measures in accordance with its rights and obligations under the WTO Agreements or other provisions of this Agreement.

3. Nothing in this Article shall require a Party to adopt or modify its laws, regulations, and policies for the control of products of modern biotechnology within its territory.

4. When available and subject to its laws, regulations and policies, each Party shall make available publicly:

- (a) any documentation requirements for completing an application for the authorization of a product of modern biotechnology;
- (b) a summary of any risk or safety assessment that has led to the authorization of a product of modern biotechnology; and
- (c) a list or lists of the products of modern biotechnology that have been authorized in its territory.

5. Each Party shall identify contact point(s) for the sharing of information on issues related to low level presence (LLP)¹³ occurrences.

¹³ For purposes of this Article, LLP occurrence means the inadvertent low level presence in a shipment of plants or plant products, except for a plant or plant product that is a medicine or medical product, of rDNA plant material that is authorized for use in at least one country, but not in the importing country, and if authorized for food use, a food

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6. In order to address an LLP occurrence, and with a view to preventing a future LLP occurrence, at the request of an importing Party, an exporting Party shall, where available and subject to its laws, regulations and policies:

- (a) provide a summary of the risk or safety assessment or assessments, if any, that the exporting party conducted in connection with an authorization of a specific plant product of modern biotechnology;
- (b) provide, if known to the exporting Party, contact information for any entity within its territory that received authorization for the plant product of modern biotechnology and whom the Party believes is likely to possess:
 - (i) any existing, validated methods for the detection of the plant product of modern biotechnology found at a low level in a shipment;
 - (ii) any reference sample necessary for the detection of the LLP occurrence; and
 - (iii) relevant information that can be used by the importing Party to conduct a risk or safety assessment or, if a food safety assessment is appropriate, relevant information for a food safety assessment in accordance with Annex 3 of the *Codex Guideline for the conduct of Food Safety Assessment of Foods Derived from Recombinant-DNA Plants* (CAC/GL 45-2003);and
- (c) encourage the entity to share information referred to in 2(b) with the importing Party.

7. In the event of an LLP occurrence, the importing Party shall, subject to its laws, regulations and policies:

- (a) inform the importer or the importer's agent of the LLP occurrence and of any additional information which the importer will be required to submit to allow the importing Party to make a decision on the disposition of the shipment in which the LLP occurrence has been found;
- (b) when available, provide to the exporting Party a summary of any risk or safety assessment that the importing Party has conducted in connection with the LLP occurrence;

safety assessment has been based on the Codex Guideline for the Conduct of a Food Safety Assessment of Food Derived from rDNA plants.

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- (c) ensure that the measures¹⁴ applied to address the LLP occurrence are appropriate to achieve compliance with its domestic laws, regulations and policies.
8. To reduce the likelihood of trade disruptions from LLP occurrences:
- (a) each exporting party shall consistent with its domestic laws, regulations, and policies endeavor to encourage technology developers to submit applications to Parties for authorization of plants and plant products of modern biotechnology; and
 - (b) a Party authorizing plant and plant products derived from modern biotechnology shall endeavor to:
 - (i) allow year-round submission and review of applications for authorization of plants and plant products of modern biotechnology; and
 - (ii) increase communications among and between the Parties regarding new authorizations of plants and plant products of modern biotechnology so as to improve global information exchange.
9. The Parties hereby establish a working group on products of modern biotechnology under the Committee on Agricultural Trade (Working Group) for information exchange and cooperation on trade-related matters associated with products of modern biotechnology. The Working Group shall be comprised of representatives of all Parties that, in writing, inform the Committee on Agricultural Trade that they will participate in the Working Group and name one or more representatives to the Working Group.
10. The Working Group shall provide a forum to:
- (a) exchange, subject to a Party's laws, regulations and policies, information on issues, including on existing and proposed domestic laws, regulations and policies related to the trade of products of modern biotechnology; and
 - (b) further enhance cooperation among two or more Parties, where there is mutual interest related to the trade of products of modern biotechnology.
11. The Working Group may meet in person, or by any other means as mutually determined by the Parties who have named representatives to the Working Group.

¹⁴ For purposes of this paragraph, "measures" does not include penalties.