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## On the Food Safety Standard and Its Adequacy in WTO/SPS Agreement and Codex/Ractopamine

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### Abstract

Trade barriers should be eliminated or managed because they contradict or weaken the value of trade liberalization. However, any promotions of liberalization without limitations or restraints are doubtful. Considering a matter in this aspect, this essay reviews the SPS Agreement and its Annex A which are both legal documents regarding human health protection and food safety standards under the WTO system. Meanwhile, this essay also inspects maximum residue limits (MRLs) for the amount of the drug—Ractopamine—allowed in the tissues of animal, an international standard made by the Codex, delegated by the SPS Agreement. By reviewing the two documents above, this essay examines whether or not the WTO is excessive or unjust to block trade barriers regarding human health protection and food safety standards. Based on the historical background about the formation pro-

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cess of SPS Agreement and the practice of the Codex's safety standards mentioned in the SPS Agreement's Annex A, this essay does not only point out the flaws in the SPS Agreement, but also rebuts some hypotheses being a part of foundations of international organizations from the Neoliberal Institutionalism perspective.

**Keywords:** Codex Alimentarius Commission (Codex), International Food Safety Standard, Non-Tariff Barriers, Ratopamine, SPS Agreement