

SPS News

Welcome to the second publication of the Sanitary and Phytosanitary (SPS) Newsletter which will report on SPS issues that were addressed at the National SPS Committee during the latter half of 2013. During this period the Committee convened two meetings and held robust discussions on various issues as reported on below.

Update on market access issues

Indonesia – Jakarta port closure affecting the exports of South Africa's horticultural products (Notification No. G/SPS/N/IDN/48)

• Access to the Jakarta Port for South African (SA) exporters of horticultural products has not been resolved yet. South Africa submitted an application for the recognition of its food safety system in 2012. Subsequent requests for additional information regarding the application was received from Indonesia and responded to by SA during 2013. Follow-ups regarding progress on SA's application for recognition of its food safety system were facilitated through bilateral meetings with the Indonesian delegation on the margins of the WTO SPS Committee meetings in June and October 2013. South Africa urged Indonesia to speedily conclude on the matter. The outcome of SA's application is still awaited.

• The scope of market access issues relating to Indonesia is broader than SPS matters and includes concerns over import licensing regulations (Notification No. G/SPS/N/IDN/55) which fall within the WTO Licensing Agreement and is being addressed by the Department of Trade and Industry.

Thailand – Exports of South Africa's horticultural products

• Some progress was noted with the receipt of draft import conditions for SA table grapes from the Thailand Plant Health Authority. Comments on the document were expected to be finalised in consultation with the industry for submission. A



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delegation from Thailand will be invited to SA during the upcoming production season in November/December 2013 in anticipation of exports beginning in the following season.

- Market access for apples, pears and stone fruit is still blocked (imports into Thailand).

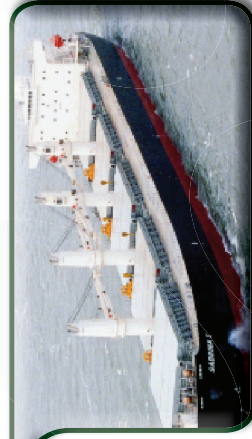
Update on the WTO Trade Facilitation Agreement negotiations

• Feedback was provided by the SA Revenue Service (SARS) on the status of negotiations on the draft WTO Trade Facilitation Agreement. Policy makers from the departments of Agriculture, Forestry and Fisheries; Health; Trade and Industry and other role players were requested to submit inputs prior to the document officially being adopted at the WTO.

Reporting on SPS engagements

WTO SPS Committee

- The SA delegation attended meetings of the WTO SPS Committee in June and October 2013 in Geneva, Switzerland. The official meeting was preceded by informal meetings that included discussions on SPS-related private standards and the ad hoc consultation procedure in terms of Article 12.2 of the SPS Agreement.
- Informal discussions regarding SPS-related private standards focused mainly on the proposed joint definition presented by China and New Zealand. While several countries, including SA, supported the efforts in developing the proposed definition, still no consensus emerged and the meeting agreed to move the process forward by forming an electronic working group. The current working definition proposed by China and New Zealand reads as follows: "An SPS-related private standard is a set of requirements of a non-governmental entity which are related to food safety, animal or plant life or health".
- The draft ad hoc consultation procedure in terms of Article 12.2 of the SPS Agreement was discussed at informal meetings as well as in the October meeting plenary. Despite extensive consultations on the draft procedure (G/SPS/W259/Rev.7) the SPS Committee



was unable to reach consensus on the document owing to an objection by one of the members. The Chairperson requested members opposing the text to produce amendments that they think other members would be able to accept, following which the draft procedure will be placed on the agenda for a decision at the next meeting in March 2014.

- The meeting formally discussed trade concerns. Of relevance to SA was the trade concern raised by Brazil against SA's import restrictions for beef with regard to bovine spongiform encephalopathy (BSE). In response SA expressed its concerns with regard to the delay by Brazil in notifying the OIE of the occurrence of BSE in Brazil, while beef products continued to be imported into SA. SA, however, remained hopeful that following the bilateral discussions with Brazil, the recently proposed health certificates submitted to Brazil for consideration will contribute to the matter being resolved soon.

SPS trade concerns

Application to the OIE for disease-free status

- Following SA's application to the OIE in 2013 for foot-and-mouth (FMD) disease free status not being favourably considered, additional engagements with the OIE took place regarding the application and an OIE inspection was conducted in SA in November 2013. Based on the outcomes of these processes the application for FMD-free status was revised and re-submitted to the OIE for further consideration early in 2014.

SA / European Union (EU) citrus black spot (CBS) trade concern

- The 2013 SA citrus export season started off very well, however, before the end of the season in October 2013, the 5 interception threshold for CBS imposed by the EU had been exceeded. As agreed SA continued to exchange information and engage the EU bilaterally on each of the CBS interceptions while

simultaneously strengthening its risk management system. In addition a CBS Stakeholders' Forum with members from both government and the citrus industry continued to meet every month in order consider further measures to address the CBS situation.

- The European Food Safety Authority (EFSA) published the draft Pest Risk Analysis (PRA) for CBS for comment. The Department of Agriculture, Forestry and Fisheries (DAFF) and the citrus industry submitted their comments on the EFSA PRA document.
- To further emphasise its concerns regarding the EU's phytosanitary import measures for fresh citrus fruit with regard to CBS, SA lodged a trade concern at the WTO SPS Committee meeting in June 2013, which was supported by Argentina.

Disease and/or pest outbreaks

Bactroera invadens (BI)

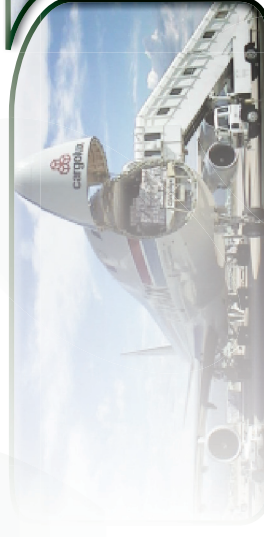
- The surveillance for Bactroera invadens remains ongoing and there have been some additional detection in other provinces which are subject to eradication measures. The BI country status report was submitted to the International Plant Protection Convention during October 2013.
- An official notification on the detection of BI was made by Swaziland. Although the regional BI action plan was not being addressed at SADC level, follow-up communication with Swaziland and Mozambique continues to take place, including sharing of information on surveillance actions.

Regional coordination of SPS matters

SADC

SA continues to participate in regional meetings on SPS related issues as facilitated by the SADC Secretariat. During the period under review representatives from the various SPS technical directorates participated in the following:

- The 4th SADC SPS Coordinating Committee (CC) meeting from 23-26 July 2013 in Pretoria, South Africa.





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- The SADC regional stakeholder's workshop for SPS awareness from 12-13 September 2013 in Pretoria, South Africa.

Tripartite Free Trade Area (TFTA) Agreement negotiations

- During 2013 SA continued to participate in meetings of the TFTA Agreement negotiations. As part of the technical working group on SPS, Technical Barriers to Trade (TBT) and Non-tariff Barriers (NTB), SA made substantial inputs to improve the text for Article 27 of the draft Agreement and the supporting Annex 10 on SPS matters, thereby ensuring alignment with key provisions under the WTO SPS Agreement.

WTO SPS Notifications

- EU – Draft Regulation of the European Parliament and of the Council of official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material and plant protection products (Notification No. G/SPS/NEU/43).
Comments from DAFF and industry have been submitted with regard to the above notification.
- US – Foreign Supplier Verification Programs for Importers of Food for Humans and Animals, Proposed Rule (Notification No. G/SPS/USA/2569)
Comments from DAFF and the industry have been submitted with regard to the above notification
- SA notified the Plant Health (Phytosanitary) Bill (Notification No. G/SPS/NZAF/33).

Upcoming meetings

WTO SPS Committee meeting: 25 to 27 March 2014

For further information, please contact:

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