

SPS News

Welcome to the fourth publication of the Sanitary and Phytosanitary (SPS) Newsletter which will report on SPS issues that were addressed at the National SPS Committee during the second quarter of 2014. During this period of reporting, the committee convened its second meeting for the year 2014 and held 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)

The issue of access to the Jakarta Port for South African exporters of horticultural products has not been resolved yet. The Executive Officer of the Agricultural Product Standards made several correspondences following the application for the recognition of SA's food safety system. Subsequent requests for further information were received and a response was provided. The Executive Officer of the Agricultural Product Standards received an e-mail from SA's ambassador stating that SA's application has not been accepted, however, no formal response has been received from the Indonesian authorities. An e-mail was received from the DIRCO representative in Jakarta indicating that further information is requested on pesticides. There is currently a dispute which is being lodged by other countries. South Africa will follow-up on developments in order to remain up to date with the proceedings.

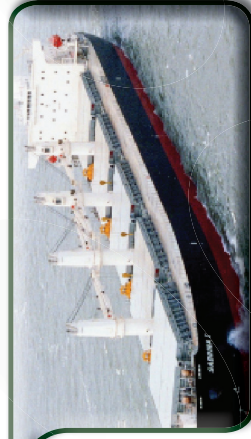
Thailand – Exports of South Africa's horticultural products

There has been no change in status of historic market access for table grapes, apples, pears and stone fruit types. Thailand's phytosanitary authorities are still busy with the Pest Risk Analysis (PRA) and they have not responded to SA's reply yet with regard to table grapes. They have also not responded to SA's draft import requirements for mangosteen fruit from Thailand. A briefing has been provided to the Department



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of Agriculture, Forestry and Fisheries (DAFF) representative in that region and he is monitoring developments. A request for inspectors from Thailand to visit SA had been sent to Thailand, together with a reply for table grapes and a visit is likely to take place during the next table grape season, i.e. December 2014/beginning of 2015. Thailand authorities have looked at SA's request for grapes but still no export is taking place owing to the delays in visits. The bilateral meeting will be held with Thailand delegates during the margins of the July 2014 WTO SPS Committee meeting in Geneva, Switzerland, to follow up on market access issues.

EU—citrus black spot (CBS)

The EU Standing Committee on Plant Health reached the decision on new measures on 27 May 2014 and the new measures will become effective during the end of the first week of July 2014. The measures are stringent and have cost implications for industry and the department. They entail compulsory export registration and approval, requirements of specific inspection sample sizes and laboratory testing of all the fruit types within the sample and symptom expression testing. The department has taken the message with regard to the new measures directly to the role players and the inspections are more stringent. The element of the fifth threshold still applies. If there is a fifth interception within the EU; there will be an investigation on why the phytosanitary certification system is not effective. There has not been a ban on South African citrus. What happened is that in December 2013, after the citrus export season, the EU published an emergency measure through the WTO SPS notification system which would have limited SA's citrus import to citrus produced in CBS-free areas, which is not a ban.

Namibia—export of various products

South African exporters experienced a problem while trading with Namibia on sheep, poultry, pork, dairy products, potatoes and other products. This emanated from measures which Namibia applied in its own market to encourage local buying before it can import. This issue has been discussed for a couple of years and no conclusion has been reached yet. A bilateral meeting was held with Namibia on the 6 June 2014 wherein all the issues were pre-





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sented and Namibia gave short feedback on each element. It was agreed that in the next meeting, Namibia will bring presentations on the different schemes they have that are affecting trade, which they claim to be in line with SACU and with which South Africa does not necessarily agree with. Discussions on all the trade issues will continue to see how SA can get the solution of enhancing trade with Namibia and in the process looking at the value chain along the border.

China—exports of fish and fishery products

The Chinese inspection visit has been confirmed and it will take place from 20 to 26 June 2014 and on the 3 July 2014. Four Chinese delegates will come through and they will be inspecting SA's Fish Processing Establishments (FPEs). A method was proposed to the Chinese for arsenic testing and they are satisfied with such a method.

Reporting on SPS engagements

WTO SPS Committee

The South African delegation attended meetings of the WTO SPS Committee from 08 to 10 July 2014 in Geneva, Switzerland. The official meeting was preceded by informal meetings that included discussions on SPS-related private standards and the Fourth Review of the Operation and Implementation of the SPS Agreement.

- Ad hoc consultation: The former chairperson of the SPS committee gave feedback with regard to the matter of ad hoc consultation and the procedure for the use of ad hoc consultations. This is a matter coming from the second review of the agreement that started in 2008. She reported that India asked for clarification on some issues in the proposed procedure during the previous informal meeting. She indicated that after clarification had been given on issues raised by India, some amendments were made to the document. This was discussed in an informal meeting on 8 July 2014. There was no real objection to the pro-

posals by India. The chairperson concluded that the document is open for adoption on an ad referendum basis by 5 September 2014. If no objection is received by 5 September 2014 the document will be regarded as adopted.

- Informal discussions regarding SPS-related private standards: The former chairperson of the committee delivered a report on the informal meeting that took place with regard to private standards. She indicated that the Secretariat has provided a document regarding definitions for private standards used by other international organisations. During the meeting Argentina indicated two more definitions. It was concluded that members should comment on the current definition as proposed by the e-working group, taking into account any elements from the list of definitions provided in an attempt to conclude on a definition. The e-working group will consider the comments and submit an amended draft definition for consideration during the October meeting of the SPS Committee.
- Fourth Review of the Operation and Implementation of the SPS Agreement: An informal meeting of the committee discussed the Fourth Review of the SPS Agreement. The members debated proposals for discussion during the process of the review. Canada and Kenya submitted a combined proposal of a catalogue of all measures available to members to manage SPS matters. A combined proposal was presented by the European Union, Chile, Morocco and Norway on how to improve the quality and completeness of SPS notifications to the committee. The paper contains a number of options and proposals for improvement in the process of increasing transparency. A third proposal for holding a workshop on risk analyses was also discussed. The draft programme included the proposal by South Africa on the implementation of Article 5 of the SPS Agreement regarding risk analysis. Members were requested to submit comments on the proposal of the catalogue that were compiled by Canada and Kenya by 5 September 2014, after which the two countries will submit an updated catalogue by 26 September 2014. Members were requested to provide comments on the proposal for the improvement of the transparency provisions by 26 September 2014; also to comment on the draft programme for the workshop on risk analyses and propose possible speakers by 25 July 2014.
- South Africa made a statement informing members of its freedom status for Peste des Petits Ruminants (PPR).
- The SADC Secretariat took to the floor to report on activities to assist its members to adhere to obligations in terms of SPS. They indicated a number of workshops that have taken place. They also reported that the SPS Annex of the SADC Trade Protocol was updated to ensure that the protocol is in line with the WTO SPS Agreement.



SPS trade concerns

Application to the OIE for disease-free status

- South Africa's FMD-free status with vaccination has been confirmed at the last OIE meeting held in May 2014.
- South Africa received a Certificate of Peste des Petits Ruminants (PPR).

Disease and/or pest outbreaks

Bacteraemia invadens (*B. invadens*)

- *B. invadens* has been associated with the *B. dorsalis* species and taxonomists internationally are closer to reaching a decision on the actual species.
- There is no *B. dorsalis* in SA. However, *B. invadens* was detected in 2010 during the national surveillance programmes. In case it is established that *B. dorsalis* is related to *B. invadens*, there is good news that cold treatments are available internationally for *B. dorsalis* that could be likely accepted by the trading partners to be used against *B. invadens*.
- There has been success in reducing *B. invadens* numbers in some areas but, unfortunately, it has spread.
- There have been detections in the Northern Cape and trading partners for fruit-fly sensitive markets, e.g., the USA have been informed of the current status and the irradiations are ongoing.

- The CABI Compendium listed restricted distribution in South Africa while in Zimbabwe, Mozambique, Namibia and Swaziland the pest is regarded as being present and in Botswana it is regarded as transient, actionable and under surveillance.

- SA's status will be updated on the International Phytosanitary Portal.

FMD

- SA has been declared FMD free and the national status is under control.

Eucalyptus pest

- The work is still ongoing to exactly identify the eucalyptus sap sucking insect.

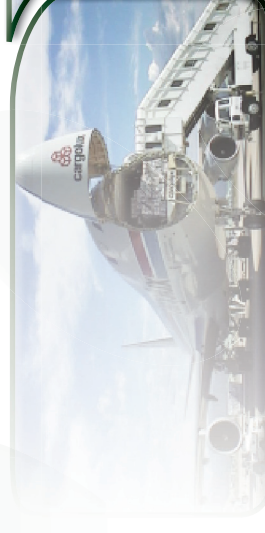
Regional coordination of SPS matters

SADC

- The SADC SPS Coordinating Committee meeting was held in Botswana from 24 to 26 June 2014. The meeting discussed the implementation of SPS measures in the context of safe intra-regional and international trade facilitation. The Standard and Trade Development Facility (STDF) study report was considered and adopted. The STDF study was conducted to explore options for increased participation of SADC Member States in the Geneva WTO SPS committee meetings. The underlying assumption was that the absence of participation in the Geneva meetings was a critical limiting constraint in the countries' progression. The SADC SPS Coordinating Committee meeting was preceded by the meetings of the Plant Protection Committee and the Food Safety Technical Committee.
- The Ministers of Trade's meeting will be held on 29 June 2014 wherein the SPS Annex will be finally agreed on by the ministers. DAFF has already informed the dti that they agree with the document.

Tripartite Free Trade Area (TFTA) agreement negotiations

- The Articles and Annexes on SPS and TBT have been concluded and have been adopted by the Tripartite Trade Negotiating Forum in Namibia.
- Articles on Custom Cooperation and Trade Remedies are still under discussion.
- Technical meetings on Rules of Origin and Custom and Trade Remedies have been postponed until further notice.
- The remaining Article on Trade Remedies and Dispute Settlement will also touch on the SPS. During future deliberation, attention should be devoted to the effect of the remaining Articles towards the SPS Article.
- Tripartite negotiations are postponed indefinitely; it is not known when these will start again.





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WTO SPS notifications

- DAFF submitted comment to the EU with regard to notification that set proposed maximum residue levels (MRLs) for guazatine. In terms of the notified proposed change, MRLs for guazatine on citrus are lowered from 5 mg/kg to 0.05 mg/kg. The comment submitted requested the EU not to implement the proposed MRL of 0.05 mg/kg before the assessment of the submission by the RMS is finalised. The comment was prepared in collaboration with the industry.
- DAFF submitted the notification of emergency measures following the recent outbreaks of Porcine Epidemic Diarrhoea virus (PEDv) notified by means of the OIE. South Africa has stopped the import of the following products:
 - > Live pigs
 - > Pig semen and embryos
 - > Porcine plasma containing products.
- The prohibited imports will, in terms of the notified emergency measures, be considered subject to new veterinary health certificate requirements, negotiated with individual trade partners.
- The Russian Federation introduced temporary emergency restrictions owing to detection of the Porcine Epidemic Diarrhoea (PED) in Canada, Japan, Republic of Korea, Mexico, South Africa and the United States of America. This measure applies on import of:
 - > breeding and production pigs
 - > pig blood products that were not heat treated and used for production of feed for production animals.
- SA made a follow-up on the Russian Federation's notification because South Africa is free from PED and so far it has been removed from the notified measure.



Announcements

- Dr Modisane has been elected as the Vice-President of the OIE Council.

Upcoming meetings

- A Ghana study tour to SA to visit national quality infrastructure and other relevant government departments.
 - > 4 to 8 August 2014
- New Zealand and South Africa Trilateral Workshop: Food Safety Systems for Export
 - > 2 to 3 September 2014
- WTO SPS Committee meetings:
 - > 08 to 10 July 2014
 - > 14 to 16 October 2014

For further information, please contact:

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