

## SPS News

Welcome to the third publication of the Sanitary and Phytosanitary (SPS) Newsletter which will report on SPS issues that were addressed at the National SPS Committee during the first quarter of 2014. During this period, the committee convened one meeting and held discussions on various issues as reported on below.

### National SPS Committee

The National SPS Committee was reinstated as a platform to coordinate and address SPS and associated TBT related issues. The mandate of the committee includes discussions on issues affecting market access of agricultural, forestry and fisheries products, implementation of the WTO SPS Agreement and promoting SA's regulatory ability. The committee is constituted of various directorates within the Departments of Agriculture, Forestry and Fisheries (DAFF); Health (DoH); Trade and Industry (the dti); International Relations and Cooperation (DIRCO), the SA Revenue Service (SARS) and the National Regulator for Compulsory Specifications (NRCS). Since its inception in 2012, the committee has had several successful meetings on SPS engagements and developments at International Standard Setting Organisations and within the region.

### Update on market access issues

**Indonesia—Jakarta Port closure affecting the exports of South Africa's horticultural products (Notification No. G/GSPS/N/IDN/48)**

The issue of access to the Jakarta Port for South African (SA) exporters of horticultural products has not been resolved yet. The situation is not improving, with Indonesia continuing to request additional information which had already previously been submitted. It is expected that the newly appointed ambassador to Malaysia will assist in resolving the issue through bilateral engagements on both the technical and diplomatic front. The issue will be raised at the International Co-operation

Committee (ICC) for the Department of Agriculture, Forestry and Fisheries Minister to prioritise a visit to Indonesia in the future.

### Thailand—Exports of South Africa's horticultural products

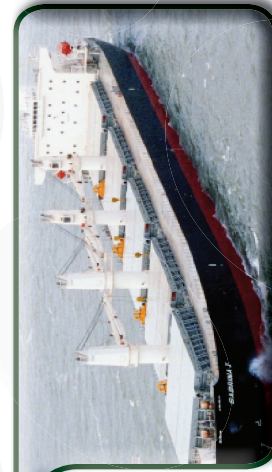
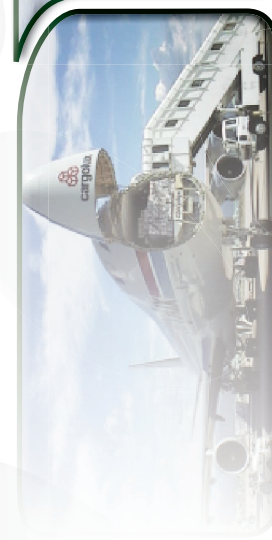
Comments on the draft import conditions for table grapes have been finalised. An invitation for inspectors from Thailand to visit SA had been sent to Thailand and feedback is still awaited. The South African embassy in Bangkok is supporting the communication process.

### Reporting on SPS engagements

#### WTO SPS Committee

- The South African delegation attended meetings of the WTO SPS Committee from 24 to 26 March 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.
- Informal discussions regarding SPS-related private standards focused on the proposed joint definition that was developed by the e-working group and circulated before the meeting 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. As no consensus emerged on the working definition tabled, the Chairperson ruled that the Secretariat will look for work done by other international organisations on private standards, as well as a possible definition. A summary of the work will be provided to members in June 2014 for discussion of the matter collectively or consideration will be given to establishing an e-group to discuss the matter.
- Informal discussions regarding the Fourth Review of the Operation and Implementation of the SPS Agreement were based on the papers/contributions submitted by the WTO members in relation to issues they wished to have considered during the Fourth Review. Papers/contributions have been received from Canada, the European Union, SA and the United States of America as follows:

- > Canada's proposal for the Committee to develop a catalogue of instruments available







Hapag-Lloyd

to WTO Members for the management of SPS issues. Canada is of the view that a comprehensive catalogue of instruments available would assist Members in using the tools.

- > The EU identified transparency as an issue that merits the attention of the SPS Committee. They proposed for the current procedure to be looked at and be amended, if necessary, in order to improve the quality of notifications.
- > SA proposed for the committee to consider the assessment of risk and determination of the appropriate level of sanitary and phytosanitary protection (Article 5.4 of the SPS Agreement), and in particular the following questions: (1) to what extent do Members take into account the objective of minimising negative trade effects when determining the appropriate level of sanitary or phytosanitary protection? (2) Furthermore, which levers are available to Members when Article 5.4 provisions are being disregarded, especially where historical trade data exist?

> The United States put forward a proposal on risk analysis. The WTO SPS committee decided for the workshop on risk analysis to be held in October 2014; the workshop will also address the issue proposed by SA.

• SA followed up on the trade concern raised against the EU with regard to citrus black spot (CBS) expressing concern that after such a long period of time and intensive comments made on the work done by the European Food Safety Authority (EFSA) the EU maintains its position that commercial fruit pose a phytosanitary threat to the EU citrus industry. The EU responded to SA's concern by indicating that the emergency measure was taken owing to the continuing detection of CBS on imports from South Africa.

• SA reported to the committee that we have again been granted foot-and-mouth disease (FMD) free zonal area status from the World Organization for Animal Health (OIE). SA further requested any WTO member who has implemented restric-

tions against its import of cloven-hoofed animals and products coming from the recognised free zone into their markets to with immediate effect, lift these restrictions.

### SPS trade concerns

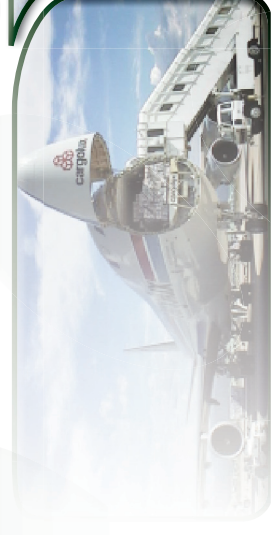
#### Application to the OIE for disease-free status

- SA's FMD status has been reinstated from the OIE and SA will now be able to trade with cloven-hoofed animals and animal products as a zone free from FMD where vaccination is not practised. DAFF will work with the provinces to ensure that both proactive and reactive measures are being put in place to address the required conditions attached to the FMD status.
- The OIE will visit SA around December 2014 in order to ensure that SA is still on track with actions to be implemented to comply with the requirements.
- The application for African horse sickness (AHS) is currently on hold as per agreement between DAFF and the industry.

### Disease and/or pest outbreaks

#### Bacteraea invadens (BI)

- BI is considered present in the Vhembe district of Limpopo and under official control, and the status has been legislated in the relevant amendment Control Measures (R. 110 of 6 June 2014). There have been new detections in Mpumalanga, North West, Gauteng and KwaZulu-Natal and phytosanitary actions are being conducted to eradicate the pest.
- The BI status report was submitted to the International Plant Protection Convention (IPPC) and trading partners in December 2013.
- The eradication of BI was successful in some areas such as the Mopani district of Limpopo, Ehlanzeni in Mpumalanga and Bojanala in North West.
- BI is under official control as listed in legislation and the movement of host material is controlled from infested areas to non-infested areas.
- There is a need to improve on communication on pest/disease issues to the general public.





# Hapag-Lloyd

## FMD

- There is an outbreak of FMD in Mpumalanga and it has been notified to the OIE. A meeting was held with Mpumalanga to discuss issues with regard to the control of FMD.
- The Limpopo outbreaks have been closed and it was notified to the OIE.

## AHS

- South Africa is an African horse sickness endemic area, except for areas in the Cape Metropolitan in the Western Cape. The disease-free status of the Western Cape was suspended in 2011.
- There will be a DAFF/industry workshop to address AHS control measures, pending the OIE application and Food and Veterinary Office (FVO) mission in May 2013.

## Eucalyptus pest

A sap-sucking insect affecting Eucalyptus was detected in Pretoria. The detected insect has been identified to genus level and the species is still being identified. The previous detection of a sap-sucking insect was in 2012 and within less than a year it spread throughout the entire country, having a significant effect on Eucalyptus. The monitoring programme is on-going.

## Regional coordination of SPS matters

### SADC

The SADC SPS Coordinating Committee meeting was held in Botswana from 29 to 31 January 2014. The meeting discussed the implementation of SPS measures, procedures and processes in the context of safe trade.

## Tripartite Free Trade Area (TFTA) Agreement Negotiations

The SPS Annex has been finalised by the technical working group and has been adopted by the Tripartite Trade Negotiating Forum (TTNF). The outstanding issue is on dispute settlement, which will be addressed at Technical Working Group on Trade Remedies.

## WTO SPS Notifications

- Comments from DAFF and the industry have been submitted in January 2014 to the US with regard to the notification of Foreign Supplier Verification Programs for Importers of Food for Humans and Animals.
- In December 2013 SA notified the Plant Health (Phytosanitary) Bill in terms of the WTO SPS transparency provisions. The proposed new phytosanitary legislation will replace the current Agricultural Pests Act, 1983 (Act No. 36 of 1983) (APA) and its associated Regulations when promulgated after completion of the required national processes.
- In December 2013 SA notified the amendment regulation over the sale of poultry meat through the WTO TBT transparency provision. The purpose of the amendment to the existing regulations is to provide for the injection (treatment) of poultry with brine-based mixtures, to set the levels of injection, and to provide for labelling and consumer information.

## Upcoming meetings

- WTO SPS Committee meetings:  
08 to 10 July 2014 and 14 to 16 October 2014

## For further information, please contact:

Department of Agriculture, Forestry and Fisheries  
Directorate Food Import and Export Standards  
Tel.: +27 12 319 6095  
Web.: [www.daff.gov.za](http://www.daff.gov.za)

