



# SA-USA Agricultural Trade Relationship

## African Growth and Opportunity Act (AGOA)

### Sanitary and Phytosanitary Aspects



**Agricultural Production Biosecurity and Natural Resource Management (APBNRM) Branch**

**Presenter : Mr D Serage**

**28 October 2023**

**Deputy Director General: APBNRM**



**agriculture, land reform  
& rural development**

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



**STAY  
SAFE**

**VACCINATE TO SAVE SOUTH AFRICA**

TOGETHER WE CAN BEAT CORONAVIRUS

# Presentation Outline

- ❑ Two main work programs (citrus and deciduous)
- ❑ Main permit markets fresh fruit
- ❑ USA Market access requirements
- ❑ Challenges to SA's agriculture trade with USA
- ❑ Conclusion



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



STAY  
SAFE

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

# Introduction: International Context

## South Africa is a signatory member of:

- The WTO Agreement on the Application of Sanitary & Phytosanitary Measures (WTO-SPS Agreement) and
- The International Plant Protection Convention (IPPC).

## The South African phytosanitary regulatory system is based on science:

- Scientific justification
- International standards (e. g. ISPMs of IPPC, as recognized in the WTO-SPS Agreement)

**Therefore, South Africa is committed to adhere to phytosanitary import requirements of the importing country**



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



STAY  
SAFE

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

# Fresh produce to the USA with specific work plans

## ❑ Phytosanitary treatments against quarantine pests

✓ Citrus from CBS free areas - cold treatment.

✓ Apples and Pears-cold treatment



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



STAY  
SAFE

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

# Negotiated permit products

- Litchi - irradiation
- Stone fruit- cold treatment
- Persimmons- irradiation
- Table grapes- irradiation



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



**STAY  
SAFE**

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

# Products still under negotiation

- Avocado - fresh fruit
- Mango - fresh fruit
- Sweet Onions - fresh
- Pomegranates - fresh fruit
- Figs - fresh fruit
- Kumquats - fresh fruit

**This include –Expansion of Citrus export from CBS areas**

- Maize seed is also under negotiation



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



**STAY  
SAFE**

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

# General requirements of workplans to the USDA

- ❑ USA requires an official letter from SA-DALRRD for market access for specific products (e.g. Avocado, Mango, etc) and will conduct a pest risk analysis (PRA).
- ❑ USA will do a PRA on one commodity at a time, based on a priority list SA provided.
- ❑ USA and SA will exchange pest information to mitigate the risk of certain pests.
- ❑ USA and SA have an annual technical plant health bilateral meeting to discuss the outstanding market access issues and new proposals for both countries



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



STAY  
SAFE

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

# General requirements continues ...

- ❑ USA requires public comments in the USA based on the pest risk before the workplan is finalized.
- ❑ Upon the finalization, on-site verification is conducted by USA experts in South Africa.
- ❑ USA and SA compile the final workplan/Import requirements which is signed by both parties.
- ❑ USA requires that all facilities intending for export (e.g. production units, packing facilities, etc.) be registered, inspected and approved by DALRRD.
- ❑ USA will conduct annual, pre-clearance inspection, before products such as, Deciduous fruit and Citrus are shipped from SA. All expenses are incurred by the growers associations.
- ❑ USA will certify SA facilities used for irradiation of products before they grant approval.





# Many other products can be exported on a permit system

- Blueberries
- Pineapples
- Flower bulbs
- Macadamia nuts
- Cut flowers
- Wine etc.



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



**STAY  
SAFE**

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

Visit: <https://acir.aphis.usda.gov/s/> for more info



### Plants for Planting and Propagation

*Imported material of plants and vegetative parts that are for or capable of propagation, including buds, corms, cuttings, layers, pollen, scions, seeds, tissue, tubers, and like structures*



### Plants and Plant Products Not for Propagation

*Fruits, vegetables, seeds, cut flowers, or handicrafts not for propagation, including products that are fresh, cooked, dried, cut, frozen, and other similar processed states*



### Wood Products and Byproducts

*Logs, lumber, cross ties, firewood, wood chips, mulch, wood packaging material, cork and other similar articles*



### Pest Organisms

*Fungi, insects (including butterflies, bees and moths), regulated organisms used in pet trade (or smuggled), annelids (earthworms), parasitic plants, bacteria, noxious weeds and more. See also nonregulated organisms.*



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



STAY  
SAFE

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

# Animals and animal products export

- ❑ From the animal side, there are no major products exported to the USA except a few low risk products and products that require treatment upon arrival in the US like trophies
- ❑ Live horses are are locked down in quarantine upon arrival and as such exports are not taking place



# Animals and animal products export *cont*

- ❑ Live cats and dogs exports do take
- ❑ There is an indication that there are exports of huge quantities of ice cream, but indications are that this is a non-dairy ice cream
- ❑ There are discussions on issues of market access for US products into South Africa



# Import and Exporter requirements

- Regulation in respect to importation agricultural products**
  - ✓ **AGOA** [ <http://www.old.dalrrd.gov.za/Branches/Economic-Development-Trade-Marketing/International-Trade/Trade-Agreements> ]
  - ✓ **Veterinary and public health regulations** [ <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Veterinary-Public-Health> ]
  - ✓ **SA Food Safety and Quality info** [ <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance> ]
  - ✓ **Animal diseases regulations** [ <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Animal-Health> ]
  - ✓ **Plant health requirements** [ <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Plant-Health> ]
  - ✓ **Import permits** [ <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Import-Export-Standards> ]
  
- Exportation of agricultural products**
  - ✓ **AGOA info** [ <http://www.old.dalrrd.gov.za/Branches/Economic-Development-Trade-Marketing/International-Trade/Trade-Agreements> ]
  - ✓ **SA food safety and quality export matters** [ same page above ]
  - ✓ **SA animal health export matters** [ Same page above ]
  - ✓ **USA import regulatory link** [ <http://www.agoa.info/> ]
  - ✓ **SA Phyto E-cert link** [ <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Inspection-Services/Useful-Links> ]
  - ✓ **PPECB link** [ <https://ppecb.com/> ]



agriculture, land reform  
& rural development

Department:  
Agriculture, Land Reform and Rural Development  
REPUBLIC OF SOUTH AFRICA



**STAY  
SAFE**

VACCINATE TO SAVE SOUTH AFRICA

TOGETHER WE CAN BEAT CORONAVIRUS

# USA Market access requirements SPS/TBT compliance

Key area	Requirements	Possible requirements
<b>Agricultural products destined for USA market (Exports)</b>	<ul style="list-style-type: none"> <li>It is the prerogative of the USA to set the import conditions (<i>see the import conditions on AGOA website</i>)</li> <li>SA conduct inspections and issue relevant certificates guided by import requirements</li> </ul>	<ul style="list-style-type: none"> <li>Food safety and quality</li> <li>Animal health standards</li> <li>Plant health standards</li> <li>Labelling and markings</li> <li>Inspections at designated ports of entry, grant entry, rejection or confiscation</li> </ul>
<b>For agricultural products from USA to South Africa (Imports)</b>	<ul style="list-style-type: none"> <li>It is the prerogative of the South African government to set the import requirements (<i>see the import conditions on website</i>)</li> <li>USA conducts inspections and issue relevant inspections guided by the SA import requirements</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Food safety and quality</li> <li><input type="checkbox"/> Animal health standards</li> <li><input type="checkbox"/> Plant health standards</li> <li><input type="checkbox"/> Labelling and markings</li> <li><input type="checkbox"/> Inspections at designated ports of entry, grant entry, rejection or confiscation</li> <li><input type="checkbox"/> Use of E-cert system for issuance of phytosanitary certificate</li> </ul>

N.B: Other products will require the establishment of pest risk analysis or diseases surveillance reports for activation of the import or export protocol.

ORGANISATION	CONTACTS	SERVICES
PPECB	<a href="https://ppecb.com/contact/">https://ppecb.com/contact/</a>	Product testing, inspection certificate and inspections for perishable products
DALRRD Directorate: Marketing	<a href="http://www.old.dalrrd.gov.za/Branches/Economic-Development-Trade-Marketing/Marketing">http://www.old.dalrrd.gov.za/Branches/Economic-Development-Trade-Marketing/Marketing</a>	Service on tariffs and import permits
DALRRD Directorate International Trade and Promotions/AGOA Desk	<a href="http://www.old.dalrrd.gov.za/Branches/Economic-Development-Trade-Marketing/International-Trade/Trade-Agreements">http://www.old.dalrrd.gov.za/Branches/Economic-Development-Trade-Marketing/International-Trade/Trade-Agreements</a>	Advisory on issues pertaining to the agreement
DALRRD Directorate: Plant Health	<a href="http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Plant-Health">http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Plant-Health</a>  <b>Ms Juliet Moeti Tel: 012 319 6178</b> <a href="mailto:JulietM@Dalrrd.gov.za">JulietM@Dalrrd.gov.za</a> <b>and</b> <b>Mr Patrick Magadani Tel 012 319 6235</b> <a href="mailto:PatrickMag@Dalrrd.gov.za">PatrickMag@Dalrrd.gov.za</a>	Information on pest risk analysis (PRA) Phytosanitary Import-export protocols Revision of import requirements
DALRRD Directorate: Food Import and Export Standards	<a href="mailto:JeremiahMA@dalrrd.gov.za">JeremiahMA@dalrrd.gov.za</a> <a href="mailto:PlantHealthPermits@Dalrrd.gov.za">PlantHealthPermits@Dalrrd.gov.za</a> <a href="mailto:VetPermits@Dalrrd.gov.za">VetPermits@Dalrrd.gov.za</a>	Phytosanitary Import Permits, Veterinary Import Permits and SPS notifications
DALRRD Directorate: Inspection Services	<a href="http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Inspection-Services">http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Inspection-Services</a> <b>Mr Gilbert Mediroe, Tel 012 309 87 40</b> <a href="mailto:GilbertM@Dalrrd.gov.za">GilbertM@Dalrrd.gov.za</a>	Issuing of phytosanitary certificates On farm and packhouse inspections ISPM 15 inspections and related aspects
Directorate: Animal Health and VPH	<a href="http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Animal-Health">http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Animal-Health</a>	Advisory on animal health issues (directives in respect to animal health disease outbreaks, revision of import requirements etc
Border Management Agency and DOH	<a href="https://bma.gov.za/contact-us/">https://bma.gov.za/contact-us/</a>	Inspections at the designated port of entry

# Challenges

Product	Problem	Outstanding
<b>SA Citrus</b>	Citrus from Citrus blackspot (CBS) areas in SA not allowed to export to the USA	Approval from USA to allow exports from all Provinces in SA. However, all the technical matters are agreed upon. The approval is depended on USA's governmental rule.
<b>SA Avocado</b>	Market access request from SA not finalized after 19 years	USA published the comments of pest risk assessments and SA responded on 08 June 2023. Currently SA is waiting for the proposed mitigation measures from USA.
<b>SA Mango</b>	Market access request from SA	USA provided feedback on risk mitigation measures on 09 May 2023 and SA responded on 06 July 2023. Currently waiting for the feedback from USA.
<b>SA Litchi</b>	Expensive use of irradiation in the USA. SA requested the approval to use cold treatment and irradiation in SA.	Waiting for the USA to provide feedback. Follow-up made on 30 January 2023. During virtual technical plant health bilateral meeting held on 08 August 2023, USA agreed to provide feedback once done with PRA for cold treatment on litchi.
<b>SA Corn seed for planting</b>	Market access request to USA is not yet granted, due to the pest of concern that needs management measures	USA will notify SA once the notice is officially published in the Federal Register.
<b>SA Irradiation facility recertification</b>	USA prohibit the HEPRO Irradiation Treatment.	SA submitted the required information to the USA for approval in May 2023.





# Conclusion

- ❑ Each country has the right to protect its territory against the introduction of foreign pests and diseases to protect human, animal or plant life or health.
- ❑ Sanitary and phytosanitary (SPS) measures must be based on scientific principles and not be arbitrary or unjustifiably discriminatory in nature.
- ❑ Negotiations of an SPS export conditions can be a protracted process.
- ❑ Full compliance to the importing country's phytosanitary measures requires government and its agencies' oversight.
- ❑ Any existing export work programme or export permit system can be amended if the importing country:
  - ❖ identifies a new sanitary or phytosanitary risk (such as an outbreak of disease) or
  - ❖ poor compliance to existing export work programme or export permit conditions.
- ❑ AGOA provisions do not supersede or substitute SPS requirements.



# Thank You!

ADTM Contacts	APBNRM
<p><b>Mr Xolani Nqaba</b> Directorate: International Trade Email: <a href="mailto:XolaniN@Dalrrd.gov.za">XolaniN@Dalrrd.gov.za</a> Tel 012 319 8020 Cell: 072 198 7240</p>	<p><b>Mr. Mpho Sekgala</b> Directorate: Food Import and Export Standards Email: <a href="mailto:MphoS@Dalrrd.gov.za">MphoS@Dalrrd.gov.za</a> Tel 012 319 6295 Cell: 083 962 5807</p>

