ANIMAL HEALTH

SANITARY AND

PHYTOSANITARY REGULATIONS

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THE WORLD TRADE ORGANISATION AND
THE SPS AGREEMENT

- Inter-governmental organisation which enhances international trade

- It has several agreements, which form the legal foundation for the international trading system

- Of interest to animal health is the Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement)
THE WORLD TRADE ORGANISATION AND THE SPS AGREEMENT

• Sanitary = animal health
• Phytosanitary = plant health

• Sets out the basic rules for food safety and animal and plant health standards

• WTO has 3 sister international standard setting organizations:

1. OIE (World Organisation for Animal Health)
2. Codex Alimentarius Commission
3. IPPC (International Plant Protection Convention)
THE WORLD TRADE ORGANISATION AND THE SPS AGREEMENT

- WTO member countries are obliged to respect the provisions of the agreements

- The Agreement allows countries to set own standards however members may only use measures which result in higher standards if there is scientific justification

- Member countries are encouraged to use international standards, guidelines and recommendations where they exist
What are SPS measures?

*to protect* from

- Human life
  - Risks from toxins, contaminants, food additives, or disease-causing organisms in food and beverages
  - Diseases carried by animals, plants or products thereof
SPS MEASURES

to protect

Animal life, including fish
And fauna

from

risk from toxins
contaminants, food
additives, or disease-
causing organisms in
feedstuffs

the entry, establishment or
spread of pests, diseases,
disease-carrying or disease-
causing organisms
## SPS MEASURES

<table>
<thead>
<tr>
<th>To protect</th>
<th>from</th>
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<tbody>
<tr>
<td>Plant life, including forests and wild flora</td>
<td>the entry, establishment or spread of pests,</td>
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<tr>
<td></td>
<td>diseases, disease-carrying or diseases-causing</td>
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<tr>
<td>Territory of a country</td>
<td>organisms</td>
</tr>
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<td></td>
<td>damage from entry, establishment or spread of</td>
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<td>pests (including weeds)</td>
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SPS MEASURES

Measures include:

• quarantine
• end – product requirements
• processing requirements
• certification
• inspection
• testing
• health – related labelling
### SPS Measures

<table>
<thead>
<tr>
<th>SPS</th>
<th>vs</th>
<th>TBT</th>
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<tbody>
<tr>
<td>• Quarantine to prevent rabies</td>
<td></td>
<td>• Certain dog breeds not allowed</td>
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<tr>
<td>• Pasteurization of milk product</td>
<td></td>
<td>• Labeling of milk carton</td>
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<tr>
<td>• Residues of drugs in meat</td>
<td></td>
<td>• Packaging requirement for meat</td>
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<tr>
<td>• Origin of raw hides and skin</td>
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<td>• Quality of raw hides and skins</td>
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An Agreement on TBT was negotiated to cover technical requirements which are not SPS measures.
PROVISIONS OF THE SPS AGREEMENT

Rights

• Governments have the right to take SPS measures when it is necessary to protect human, animal or plant life and health

Obligations

• They must be able to show that there is a risk to health, based on scientific evidence

• Not disguised restrictions on trade
PROVISIONS OF THE SPS AGREEMENT
PROVISIONS OF THE SPS AGREEMENT

Harmonization

• use internationally agreed standards, guidelines and recommendations

Or, alternatively

• base measures on a risk assessment, i.e. there must be scientific justification
PROVISIONS OF THE SPS AGREEMENT

Risk Assessment

• All measures must be scientifically justified

• Not more trade restrictive than necessary

• May provisionally adopt precautionary measures:
  - when relevant scientific information is insufficient
  - must review within a reasonable period of time
PROVISIONS OF THE SPS AGREEMENT

Transparency

- Notify proposed new or changed regulations - accept comments from trading partners
- Allow reasonable time before enforcing new measures
- Establish an Enquiry Point to respond to all reasonable questions
PROVISIONS OF THE SPS AGREEMENT

...... other key provisions .......

• Equivalence - accept other measures which provide equal safety

• Regionalization - recognize areas free of specific diseases or pests

• Control, Inspection and Approval – only what is reasonable and necessary

• Technical assistance and special treatment - assist developing countries to maintain opportunities for them to export
PROVISIONS OF THE SPS AGREEMENT

Special and differential treatment

• The SPS committee may grant specified, time-limited exceptions from obligations under the SPS Agreement, to developing countries members, taking into account their financial, trade and development needs.

Consultation and dispute settlements

• If there is disagreement between countries, the matter may be referred to the WTO.

• After investigation and seeking specific technical advice, the WTO concludes whether or not a country is violating its obligations under the SPS Agreement.
What determines whether a product or animal can/cannot be imported into South Africa?

Dependent on:

- Commodity
- Country of export (disease status and history of vet auth with SA vet auth)
- Risk assessment, if required
- SA import requirements can/cannot be met
- Negotiated requirements agreed on between veterinary authorities
IMPORTATION OF MEAT

Requirements and procedures


The importation of animals and animal products from individual countries is evaluated in accordance with these Acts, international standards and other requirements.
IMPORTATION OF MEAT

List of Approved Establishments

Frozen and chilled meat may only be imported from establishments (abattoirs and cutting plants) approved by the Director Animal Health of South Africa.

A list of approved establishments can be obtained by contacting Mrs Viviers at tel no. 012 319 7700 (International tel no. +27 12 319 7700) or fax no. 012 329 6892.

The list is also available on http://www.nda.agric.za/vetweb/ → Import → Meat Imports → Approved Establishments OR go directly to http://www.nda.agric.za/vetweb/Import/Data/I_Imp_Query.htm
IMPORTATION OF MEAT

The veterinary authorities in countries exporting meat to South Africa routinely inspect approved establishments. The Directorate will be notified as soon as a plant no longer complies with the stipulated requirements.

The listing of an establishment does not necessarily imply that the Directorate will allow the importation of a particular meat or meat product from that country. For example, the listing of an establishment as a red meat plant does not imply that the Directorate will allow the importation of beef, mutton and pork from that plant or country.
IMPORTATION OF MEAT

Listing of Additional Establishments

In order to obtain approval for an additional abattoir or cutting plant (in countries already exporting to South Africa) the owner or manager of the establishment must contact the veterinary administration in the country where it is situated.

The relevant veterinary authorities will then inspect the establishment on our behalf. If the establishment complies with our requirements, the veterinary administration (head office) will send us confirmation thereof. Meat may only be produced at the establishment for export to South Africa once we have confirmed the approval in writing to the relevant veterinary administration.
IMPORTATION OF MEAT

Veterinary Import Permit

No animal or animal product (including samples) may be imported without obtaining a veterinary import permit from this Directorate. The importer must be in possession of the veterinary import permit before the consignment departs from the country of origin.

Import permits are only issued to companies residing in South Africa or an agent in South Africa appointed by an international company.
IMPORTATION OF MEAT

Import requirements vary according to product and the animal health situation in individual countries. Specimen copies of permits (examples) can be obtained from the permit office (Contact numbers are given below). If you request specimen copies please mention the country of origin and the product you want to import.

It is not advisable to enter into any agreement before you have received a veterinary import permit for a particular product – especially, if you are importing it for the first time.
IMPORTATION OF MEAT

Obtaining an Import Permit

The correct application form is completed. Applications for veterinary import permits will not be processed unless a payment of R110 per permit has been received.

Completed application forms must be returned to:
Postal address:                   Physical address:
The Director Animal Health       The Permit Office, Room G61
Import / Export (Permit Office)   Delpen Building
Private Bag X138                 c/o Annie Botha and Union Avenue
PRETORIA                           Riviera
0001                                 Pretoria
Fax No:012 329 8292                International Fax No:+27 12 329 8292
IMPORTATION OF MEAT

Ship Chandelling and In Transit Consignments

Ship chandelling and in transit movement of animals and animal products are regarded as importation, unless the consignment does not leave international ground and departs within a couple of hours. If the products are in transit through the Republic of South Africa, a copy of the veterinary import permit from the country of final destination must be submitted with the application for a South African veterinary in transit permit.

Veterinary Health Certificate

A veterinary health certificate, which is in compliance with the conditions stipulated by the South African veterinary import permit, must be obtained from the veterinary authorities in the country of origin before the product is shipped. Imports via third countries are generally not accepted.
IMPORTATION OF MEAT

Ports of Entry

The veterinary import permit and the veterinary health certificate must be presented to the relevant authorities at the port of entry. Only original documents will be accepted. Meat must be inspected at one of following inspection sites stipulated on the import permit:

Durban: tel no 031 337 4346/7
Cape Town: tel no 021 551 2050
City Deep Abattoir (only from neighbouring countries): tel no 011 6131636
Port Elizabeth (special permission): tel no 041 585 8907
IMPORTATION OF MEAT

Importation from countries not exporting to South Africa at present

An application to import meat from countries not exporting to South Africa at present (or to import a particular product for the first time from a country exporting other animal products to the RSA) is evaluated in terms of the relevant legislation, international standards and other requirements.

South Africa is an active member of an international network of veterinary administrations. Disease reports are received from the Office International des Epizooties / World Animal Health Organisation (OIE) and by direct contact with the veterinary Administrations in the exporting countries.
IMPORTATION OF MEAT

Trade is based on a series of requirements, which the importing country considers appropriate to prevent the entry of diseases. The regulating authority in the importing country always requires someone independent of commercial involvement in the exporting country to act as its agent to ensure that its import requirements are appropriate for the trade and that they are complied with when an export takes place.

The Directorate of Animal Health specifies that this must be its equivalent government agency. In some circumstances it may be considered sufficient for the process to be audited by the government body. The draft conditions of trade are drawn up by the Directorate Animal Health and represent the Directorate’s perceptions of the exporting country’s animal health status.
IMPORTATION OF MEAT

The conditions usually reflect the concerns of our agricultural Industries and our own livestock disease status. Because the Industries perceptions are not always well-founded, considerable negotiations takes place to try to reduce the requirements to the lowest level compatible with the maintenance of adequate agricultural security.

The animal disease situation in a country is first evaluated using OIE reports and other information available internationally. Depending on the outcome it is decided whether further consideration should be given to the importation of a product from a certain country. If the outcome is favourable the next step is usually to send a questionnaire to the veterinary administration.
IMPORTATION OF MEAT

After the response to the questionnaire has been received and evaluated, we will decide whether an inspection visit to evaluate the animal disease situation, veterinary control and surveillance programs should be planned and budgeted for. The inspection of establishments can be done during the same visit, but will usually only be considered if the animal health situation appears to be favourable.

Inspection visits are planned and budgeted for, each financial year (starting 1 April). It is usually very difficult to deviate from this schedule. Before planning an inspection visit our Directorate requires the following from the Chief Veterinary Officer of the prospective exporting country:
1. An official invitation
2. A day-by-day itinerary.
3. Confirmation that the establishments (abattoirs, cutting plants, etc) have been inspected and, in their opinion, comply with our requirements [Meat Safety Act, 2000 (Act 40 of 2000) and the regulations promulgated thereunder]

A major part of the risk analysis aims to confirm the reliability of statements made by the veterinary authority in the exporting country and by the industry organisations in that country.
IMPORTATION OF MEAT

This requires a detailed knowledge of controls and procedures in the country of origin. These include:
- The legislative controls on import and export of animals and animal products.
- The state veterinary service.
- The laboratory service coverage (both private and state).
- The veterinary practitioner base and its interactions with the state services.
- The industry, its use of veterinarians and its interactions with the state veterinary service.
- Systems of disease notifications and exotic disease response procedures.
IMPORTATION OF MEAT

Knowledge of these factors allows an assessment to be made of the degree of disease surveillance in place in the exporting country.

The requirements include inter alia that the exporting country must be free of certain diseases. All statements must be supported by documented surveillance information. The requirements on the veterinary health certificate vary according to the conditions in individual countries and are only agreed upon once the procedure described above has been completed.
IMPORTATION OF MEAT

Enquiries can be directed to:

The Director Veterinary Services
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Pretoria

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E-mail Julie-AnnC@daff.gov.za

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