

Inmaculada Sanfeliu, from the CGC, on South Africa's call for consultations with the WTO against the EU:

"The only thing the South Africans are trying to do is avoid greater evils"

The Citrus Management Committee (CGC), the association that brings together Spain's private citrus exporters, doesn't expect the call for consultations that the South African Government announced it would initiate against the European Union (EU) prior to a potential dispute at the World Trade Organization (WTO) to go very far. This initiative, launched as a veiled threat before a panel at the WTO, is challenging the EU regulation for citrus imports from third countries which aims to prevent the entry of citrus black spot (CBS, or *P. citricarpa*). It is not a new regulation, and under these same conditions, South Africa has topped the ranking of European border rejections due to the presence of the disease for the last three years until 2023, a year in which all records were broken, reaching the highest number of interceptions due to this pest (51).

"The problem is not the regulation, but its repeated non-compliance. The only thing the South Africans are trying to do is avoid greater evils. It is a form of blackmail; a threat to stop the Commission from demanding the use of effective fungicides which they should already be using, or for shipments to the EU to be made exclusively from areas that are free from the disease. It could also simply be a way to delay a possible automatic closure when the problems recur this upcoming season," says CGC President Inmaculada Sanfeliu.

In fact, in the official statement published by Cyril Ramaphosa's executive, few technical reasons are given to justify that this regulation supposedly has a protectionist aim. On the contrary, the statement openly acknowledges a clear commercial competitiveness factor, as is the fact that this country's citrus sector "cannot afford" what this regulation entails. The South African Government thus mentions the costs linked to the use of treatments known to be effective against this disease (strobilurins).

"The fact that they are more expensive is no reason not to treat the crops, or to do so with the cheapest and least effective products, nor, of course, to resort to blackmail by eliminating measures at the source (treatments and inspections),"

says Sanfeliu. The president of the CGC compared this situation with the regulation imposed by the U.S., which prohibits the import of citrus from all areas of South Africa where the presence of CBS has been confirmed. "The EU does allow importation without such restriction, but it does so under the conditions established in the EU regulation. Therefore, the EU is much more permissive with South Africa than the U.S. However, South Africa complies without complaint with the American regulation and frequently questions the EU regulation," she says.

The latest action is comparable to the one launched in July 2022 also by the South African Government. On that occasion, it acted against a specific recent regulation which made the application of cold treatment compulsory in transit; a regulation imposed by the EU on South Africa and other countries affected by the false codling moth (FCM or *Thaumatotibia leucotreta*) quarantine pest. Back then, the reaction of the South African authorities almost immediately followed the request from their sector and the rule's publication in the *DOUE*. In the case at hand, however, the Citrus Growers Association (CGA) of South Africa has been making the demand since, at least, last August, and only now, when the executive is facing the start of the import campaign from the Southern Cone, has it decided to act. Unlike the previous one, the present action before the WTO is not set against any new regulation; it is questioning a regulation already in force for years. This is also not the first time that South Africa has acted in this way. In 2014, due to the European regulation against black spot, it already promoted – or claimed to promote – an identical call for consultations. None has had any impact.

The CGC denies the only two technical arguments mentioned in the aforementioned official statement. On one hand, the disease is cited as an infection that causes "aesthetic imperfections in the fruit affected." However, the scientific community describes this disease as the most dangerous and harmful fungus in citrus, as it causes necrotic damage that can make it unviable to sell the fruit in the fresh market. Such an affliction would be particularly damaging for Spanish citriculture, which is a world leader in the export of fresh citrus. "We already have the highest costs in the world, but they are growing exponentially, with high levels of waste in the warehouses. The arrival of CBS would, therefore, be a disaster for us," says Sanfeliu.

On the other hand, the South African executive also alleges in its statement that "the world's leading scientists have shown that CBS cannot be transmitted through fruit;" a statement that is a half-truth or directly false. There is no doubt that the importation of citrus plant material is the most likely way for the disease to be introduced, but the importation of fruits is still a "possible and moderately probable" route, according to the EFSA (European Food Safety Authority) Plant Health Panel. A risk aggravated by two factors: the high number of interceptions despite the already low sampling percentage in the EU, and the high volume of

citrus imported from South Africa at present, between 850,000 and 950,000 tons, if we are talking about the EU plus the United Kingdom (volumes to which we must add the imports from other countries where CBS is also present).

In Sanfeliu's opinion, South Africa or the CGA's credibility in this area is "questionable". It is worth recalling that, for decades, both argued that CBS could not acclimatize to the Mediterranean. In 2019, however, Tunisia, which has the same Mediterranean climate as Spain, reported its presence.



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