

"Humour keeps us alive. Humour and food. Don't forget food. You can go a week without laughing" Joss Whedon

TRADE IN PERISHABLE PRODUCTS

South Africa is a signatory to the International Plant Protection convention (IPPC) as are all World Trade Organisation (WTO) members – including the European Union (EU). The IPPC is very important to countries trading in perishable products – for importers it is important in that it seeks to prevent the introduction of new pests (note pests is defined as both pests and diseases) in terms of the acceptable level of protection; while for exporters it ensures that trade can continue using least trade restrictive risk mitigation measures. There are responsibilities on both the importing and exporting countries.

A lot has been written and debated regarding citrus exports from South Africa to the EU. Domestic producers in the EU have every right to ensure that they are protected under the IPPC. However, there are certain issues that arise from the present entry requirements. To be listed as a quarantine pest, the pest must pose a risk and the trade must be a pathway for the pest to enter the EU. In the case of citrus black spot (CBS), most countries, notably including USA, accept that fruit without leaves is not a pathway for introduction and spread of CBS. It is incumbent on the EU to ensure that their pest risk assessment (PRA) is correct; unfortunately, the PRA that was prepared in 2016 has been found wanting on a number of points. CBS should be removed as a quarantine pest for fruit without leaves.

It is also a responsibility of the importing country to correctly identify pests associated with imported fresh produce. Unfortunately, South Africa has experienced multiple incidents of pests being incorrectly identified during the 2023 season and the consequences of these incorrect identifications are enormous. The implicated consignments have to be diverted to alternative markets, with massive cost implications and impact on reputation as a reliable supplier. In addition, the production unit may be disqualified from further export to the EU, and all consignments with fruit from that production unit need to be removed from the EU market – once again at enormous cost. The EU Commission then tally up these incorrect notifications of non-compliance and use this total to require South Africa to impose additional measures and make risk management systems more restrictive. During 2023 EU member states incorrectly identified pests from a pest free area, and even a pest that does not occur in South Africa. Being a responsible exporter, South Africa immediately did surveys on the implicated farms – as expected the pest was not present.

There are no consequences for the EU or the member states that incorrectly identified the pests – there are huge consequences for the South African citrus industry and the implicated exporters.

When advised about the incorrect interceptions one would expect the European Commission to act responsibly by investigating and responding with explanations to South Africa. One would have expected the reaction to be one of concern – if member states are incorrectly identifying pests associated with South African imports, they could well be doing the same with produce from around the world thereby putting domestic plants at risk. It was surprising that the European Commission saw the South African notification as an irritation. Fresh produce producers in Europe should ask questions about the reliability of member states' identification of pests as they could be at risk themselves.

South Africa is not the first country to question the reliability of member states' pest identifications – in 2021 and 2022 the USA successfully challenged the EU on incorrect identification of CBS on US grapefruit – the EU reversed these notifications. There are also reports of other countries questioning the reliability of EU member states' pest identifications.