



## South Africa looking for 'parallel dispute resolution processes' in EU citrus dispute

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In April, the South African Department of Agriculture (DAFF) issued a statement underlining its concern over EU phytosanitary import measures for fruit affected by Citrus Black Spot (CBS). In the statement, the Department was careful to recognise "the necessity to comply with the relevant import conditions as determined by the EU legislation" and noted that South Africa has consistently taken measures to strengthen its phytosanitary systems in line with EU FVO recommendations. However, it stated that it views the EU measures announced in October 2012 as "more stringent than can be technically justified for protecting the health of potential hosts of the relevant pathogen in EU member states" (for more details, see *Agritrade* article '[Tightening of Citrus Black Spot controls could pose challenges](#)', 28 April 2013).

According to the statement, in October 2012 South Africa received EU notification announcing that "the EU will be imposing a threshold of not more than five interceptions for CBS in one trading season." This is taken to mean that "after the occurrence of five interceptions in the current export season, the EU will initiate processes to institute stricter measures, which could include a ban on further imports of citrus fruit from South Africa."

In the light of lack of progress in bilateral discussions with the EC, the South African authorities are considering initiating "other parallel dispute resolution processes".

### Sources

South African Department of Agriculture, Forestry and Fisheries, 'Phytosanitary import measures of the European Union for fresh citrus fruit in respect of citrus black spot', 11 April 2013  
<http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=35668&...>

### Editorial comment

The decision of the South African authorities to explore "other parallel dispute resolution processes" is potentially of interest across the ACP. Recent developments in the fruit and vegetable sector have increased ACP concerns over the EU's application of food safety and sanitary and phytosanitary (SPS) controls that are not considered warranted by the current state of scientific knowledge.

The outcome of any South African initiative is therefore likely to be eagerly awaited.

More broadly, the ACP may need to explore collective mechanisms for dialogue and arbitration over the EU's application of SPS and food safety standards. The pending dialogue between the EU and the USA on standards applied in the fruit and vegetable sector could take on particular significance in this regard and should be closely monitored by ACP fruit and vegetable exporters' associations (see *Agritrade* article '[Standards discussions in EU-US trade negotiations carry global implications](#)', 4 May 2013). This is particularly the case if mechanisms are to be set in place between the EU and US for science-based arbitration in SPS and food safety disputes.

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