



Debate on Citrus Black Spot continues

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Justin Chadwick, CEO of the Citrus Growers' Association of Southern Africa, has welcomed a review by "the world's leading authorities on Citrus Black Spot (CBS)" which concluded that "the disease cannot [become established] in the European Union" and that "trade in citrus fruit cannot spread the disease, as the fruit is not a pathway."

Scientists from Brazil, Argentina, the USA, Uruguay, Australia and South Africa collaborated through a specially convened panel to fully assess the findings of the European Food Safety Authority (EFSA) on the risk of CBS transmission through trade. The panel "identified factual errors, omissions and differences" in the 2013 EFSA assessment, leading to "strong overall disagreement with the outcome of the assessment". It identified no fewer than 19 issues "central to appropriately assessing the risk of CBS" transmission. The three major critical points highlighted were that:

- "CBS has never been reported to spread to new areas with fruit (without leaves) as the pathway and accordingly citrus fruit has never been demonstrated to be a pathway for the entry, establishment and spread of CBS."
- "CBS has a wide global distribution, but is only known to occur in summer rainfall citrus production areas and nowhere in the world in areas with a Mediterranean climate."
- "The only recorded mechanism by which CBS has been spread to new areas is through the movement of infected propagation material into areas where both the host is grown and the climate is suitable for establishment."

The panel considered that "a sequence of unlikely events would have to occur for there to be any prospect of imported citrus fruit giving rise to infection of citrus plants in the EU", and that "even if an infection event was to occur... there is no risk of establishment and spread under EU climate conditions."

The expert panel maintained that the EFSA's "analytical methodology is exclusively qualitative and excludes key quantitative research and entire biological events, making it fundamentally flawed". It concluded that the current EU measures against CBS are "inappropriately restrictive", particularly since they affect such a large volume of citrus exports to the EU, while providing "protection to a proportionately very small part of the EU". The proposed EFSA risk reduction options were seen as "disproportionately restrictive", with "more suitable alternatives... available and feasible".

Current EU CBS regulations were not considered to be "scientifically justified or proportionate to the risk". The panel agreed with an earlier pest risk analysis conducted by South Africa and USA, which concluded that "fruit is not a realistic pathway for CBS to enter, establish, spread and have significant economic impact" in the EU.

EU citrus growers, meanwhile, describe current partial restrictions on CBS imports as "indecent and a mockery", maintaining that they endanger the future of the EU citrus industry. They maintain that political concerns are being prioritised over the science in decision-making around CBS controls, and EU citrus producers continue to seek a complete ban on citrus imports from CBS-infected areas.

On 28 November 2013, the EC announced a ban on "most imports of South African citrus fruit... for the rest of this year" as a consequence of concerns over the possible transmission of CBS to the EU as a result of trade in infected citrus fruit. While the timing of the measures was criticised as too late by EU producer organisations, the EC indicated that "the ban could be extended into next year if need be."

Sources

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<http://www.citrusres.com/sites/default/files/documents/CBS%20Expert%20Pa...>

Freshplaza.com, 'EU citrus growers not convinced by CBS research', 8 November 2013

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Editorial comment

While South Africa has taken its CBS dispute with the EU to arbitration under the International Plant Protection Convention (see *Agritrade* article '[South Africa looking for 'parallel dispute resolution processes' in EU c...](#)', 18 May 2013), the delays in hearing the dispute and absence of a binding arbitration mechanism raise concerns over the shortcomings of the current arrangements for dealing with SPS disputes.

The CBS case highlights the need for clearly defined, binding independent arbitration arrangements for SPS disputes. The recent Canada–EU trade agreement appears to recognise the need for better SPS dispute resolution mechanisms (see *Agritrade* article '[SPS dispute resolution and trans-Atlantic trade agreements](#)', 16 December 2013).

This recognition in the Canada–EU agreement needs to be seen against the background of US proposals to subject all SPS and food safety measures to challenge under an investor–state dispute resolution mechanism. The EU's desire to avert such an arrangement may well be encouraging the EC to be more open to other, more comprehensive, forms of SPS dispute settlement mechanisms.

With SPS and food safety disputes increasingly impacting on ACP agro-food exports, this would appear to present opportunities for a concerted ACP initiative to establish a clearly defined, independent and binding ACP–EU SPS dispute resolution mechanism.

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