

# SA negotiates settlement to clear citrus blocked in EU ports of entry

The South African government has managed to negotiate a settlement that will see the clearing of citrus containers stuck in ports of entry in the European Union (EU).



Source: tawatchai07 via [Freepik](#)

The settlement follows new measures introduced by the EU to regulate risk associated with False Codling Moth (FCM) on citrus fruit.

The new measures include amended additional phytosanitary declarations for grapefruit and soft citrus and a revised cold treatment regime for oranges.

The Department of Agriculture, Land Reform and Rural Development (DALRRD) said the measures were published on 21 June 2022 and were set to come into force by 24 June 2022.

“This implied that consignments arriving in Europe from 14 July onwards needed to comply with the new measures.

"Taking the shortest sailing time to the EU, it meant that consignments that left South Africa on 24 June 2022, three days from the publication, should have been certified on the new measures," the department said.



## Government lodges WTO dispute to address EU measures affecting citrus imports from SA

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The DALRRD said it explained to the European Commission (EC) in a meeting and through written communication that the date was unreasonable.

"At the time of the publication of the new measures, there were consignments that were certified and had already left for the EU, as well as some that were in the process of being exported.

"The DALRRD assertions were that changing the inspection and certification system within three days were unrealistic," the department said.

It said that a reasonable date relating to compliance with the new measures would have been for consignments leaving South Africa on 9 July 2022, considering the required adjustments of systems and communication to the different regulatory sites, which were required at least three weeks from publication.

However, the department said, the EC insisted on 14 July 2022 as an implementation date, and as anticipated, the department started receiving queries from exporters after the implementation date regarding rejection of consignments in the EU ports.

"The EU authorities needed phytosanitary certificates compliant with the new FCM measures. The DALRRD segmented the cases into just documentation regarding grapefruit and soft citrus, and cold treatment compliance on oranges.

"The impasse was subsequently addressed through replacing phytosanitary certificates with the correct additional declarations, starting from 22 July 2022. The orange cases were still an issue, until the industry in a meeting on 25 July 2022 presented to the DALRRD possible equivalent measures regarding treatment applied on these consignments under South Africa's Systems Approach for FCM," the department said.

The DALRRD committed to negotiate with the EU through the relevant National Plant Protection Organisations (NPPOs), that they should consider these equivalent measures.

The department said the first official letter was sent to the Netherlands NPPO on 27 July 2022 and a positive response was received on 28 July 2022.

Based on this agreement, the department said an arrangement was agreed to that replacement phytosanitary certificates will be issued for oranges with equivalent cold treatment declaration.

"Issuance of replacement phytosanitary certificates for oranges started on Monday, 1 August 2022. In a meeting with industry on 3 August 2022, the DALRRD agreed to include other ports of entry after receiving yet another positive response from Italy on equivalent cold treatment declaration.

"The ports that were presented by industry where South African oranges were rejected included ports in Denmark, France, Germany, Italy, Netherlands, Portugal, Spain and Sweden. Over 2 000 containers, at an estimated valued at R500m, were affected by this blockage," the department said.

With information being submitted by the industry, the department said it has so far re-certified orange consignments

blocked in the Netherlands and Italian ports.

"We are receiving confirmation that the containers are being cleared.

"Furthermore, the DALRRD held a meeting with the EC on 5 August 2022 regarding handling the non-compliant consignment at the ports of the EU and agreed on the interim measures, namely that the EU acceded to the DALRRD's application to complete the cooling period in the EU.

"The interim measures provide that the consignments be treated at the cold treatment facilities in the EU and the department to notify other EU member states," the department said.

To date, the department said it managed to clear more than 300 of 509 containers and is processing clearance of the remaining containers.

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