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Report Highlights:

Based on recent changes to regulations, updated internet links, and revised reporting guidelines, all portions of this report have been updated. The FAIRS Country Report summarizes the rules and regulations governing the import of food and agricultural products in South Africa. This report should be read in conjunction with the FAIRS Export Certificate Report to gain a thorough grasp of South African laws, standards, and import requirements.

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This report was prepared by the USDA - Foreign Agricultural Service office in Pretoria, South Africa, for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. Before any goods are shipped, it is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities. FINAL IMPORT APPROVAL IS SUBJECT TO THE IMPORTING COUNTRY’S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Executive Summary

In 2022, the United States exported \$351 million of agricultural products to South Africa, up 14 percent from the previous year. Major products exported by the United States to South Africa included animal feed/fodder, poultry meat, tree nuts, distilled spirits, dairy products, wheat, and beef and beef products. So far in 2023 (January to September), U.S. exports of agricultural products to South Africa are down by 32 percent compared to the same period last year. Major decreases in the animal feed/fodder, tree nuts, poultry, dairy, and wheat categories are contributing to the fall in exports. The country has also faced poor economic growth and a sharp depreciation of the South African rand. South Africa's gross domestic product (GDP) only grew by 2 percent in 2022 and is projected to grow by only 0.3 percent in 2023, and 1 percent in 2024. The country is facing policy uncertainty, deterioration of infrastructure, including a crumbling electric grid, and high food and fuel price inflation.

In 2022, South Africa imported \$7.7 billion in agricultural products, up 6 percent from 2021, indicating a recovery from the Covid-19 pandemic, but imports are forecast to fall by 8 percent in 2023 to \$7.1 billion. Major agricultural products imported by South Africa include palm oil, wheat, rice, mixtures of odoriferous substances and mixtures, sunflower oil, food preparations, and sugar.

On May 21, 2023, the South African Minister of Health issued a Government Notice inviting public comments on a draft regulation relating to the labelling and advertising of food products under the Foodstuffs, Cosmetics and Disinfectants Act (Act No.54 of 1972). The draft regulation emphasizes that no person may manufacture, import, sell, donate, or offer for sale any pre-packed foodstuff, unless the products are labelled in accordance with the regulation. Information on the product's label must be accurate regarding the character, origin, composition, quality, nutritive value, and time and place of manufacture. The regulation also specifies letter sizes on product labels, product description, the declaration of country of origin, and prohibited statements.

SECTION I: FOOD LAWS

Regulatory Environment, Authorities, and Major Food Laws

Three ministries—the Department of Agriculture, Land Reform and Rural Development (DALRRD); the Department of Health (DOH); and the Department of Trade, Industry and Competition (DTIC)—develop and oversee the import laws for food and agricultural products in South Africa. These ministries may also designate autonomous organizations to carry out certain regulatory tasks. Some imported goods may be subject to multiple restrictions under different ministries due to the numerous ministries and agencies involved in regulating agriculture and food products. As a result, it is crucial for American exporters to comprehend all the regulations that apply to their goods, as well as the relevant ministries. Tables 2, 3, and 4 describe the duties and laws that fall within these ministries and affiliated organizations.

Table 1: Major Food Laws, Legislation, and Regulations under DALRRD

Division	Summary
Food Safety and Quality Assurance	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Regulate the quality, standards, and food safety of agricultural products and food producers • Control the production, import, export, and sale of certain alcoholic products • Analyze and monitor pesticide residue for fruits, vegetables, tea, wine, and grains • Appoint and oversee the following assignees to undertake inspections to ensure that the set standards and requirements are maintained: <ul style="list-style-type: none"> • The Perishable Products Export Control Board (PPECB) conducts inspections, certification, and chain management for producers and exporters of perishable food products. • South African Meat Industry Company (SAMIC) oversees classification and marking of meat intended for sale in South Africa. • Product Control for Agriculture (PROKON) inspects potatoes, fruits, and vegetables intended for sale on the local market. • Agency for Food Safety and Quality Assurance is responsible for inspections of plant and retail audits for regulated animal products (poultry meat, eggs, processed meat, and any other meat products for which regulations may be promulgated). • Leaf Services is responsible for inspection, quality assurance, grading and sampling of grains, oilseeds, and grain/oilseed products. • Revocation of appointment as assignees: The Minister of Agriculture, Land Reform and Rural Development has revoked the appointment of Impumelelo Agribusiness Solutions and Nejahmogul Technologies and Agric Services as per the notice issued on September 16, 2022. <p><u>Legislation</u></p> <ul style="list-style-type: none"> • Agricultural Products Standards Act (Act 119 of 1990) • Local and Import Regulations

	<ul style="list-style-type: none"> • Liquor Product Act (Act 60 of 1989)
Plant Health	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Regulate the import and export of plants and plant products • Regulate and enforce phytosanitary measures • Registration and approval of facilities (production units, packhouses, and inspection points) to enable the Agricultural Products Inspection Services (APIS) and PPECB to conduct inspections • Serve as the National Plant Protection Contact Point (NPPCP) <p><u>Legislation</u></p> <ul style="list-style-type: none"> • Plant Health Legislation and Regulations
Plant Production	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Develop and promote national policies, standards, and guidelines to support sustainable production of grain crops, fruits, vegetables, industrial crops, ornamental crops, and indigenous crops • Regulate plant varieties and propagating material • Regulate the importation of listed and unlisted varieties • Registration of premises for seeds, nurseries, and laboratories for seed testing and production • Assess the impact of plant production systems/programs • Render advisory services on crop production matters <p><u>Legislation</u></p> <ul style="list-style-type: none"> • Plant Production Regulations and Policies • Plant Improvement Act (Act 53 of 1976) • Procedures for Registration of Premises • Import of Unlisted Varieties
Animal Health	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Prevent and control of animal diseases • Formulate policies to reduce disease risks in the import and export of animals and animal products • Provide epidemiological and management support services for early warning and monitoring of animal diseases <p><u>Legislation</u></p> <ul style="list-style-type: none"> • Animal Diseases Act (Act 35 of 1984) • Meat Safety Act (Act 40 of 2000) • Animal Identification Act (Act 6 of 2002) • Veterinary and Para-Veterinary Professions Act • Regulations and Guidelines for Importing Animals and Animal Products • Tariffs for Veterinary Permits in 2023-2024

Genetic Resources	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Regulate and provide an integrated management system to support conservation and sustainable use of genetic resources • Develop and implement policies, legislation, strategies, and standards on the management of genetic resources for food and agriculture • Regulate and promote the availability of propagating material of genetic resources for food and agriculture • Provide a risk-mitigating system in support of agricultural biodiversity <p><u>Legislation</u></p> <ul style="list-style-type: none"> • The Plant Breeders' Rights Act, 1976 • Genetically Modified Organisms Act, 1997
Inspection Services	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Risk management inspection/auditing services at official ports of entry points • Provide national plant quarantine and diagnostic services • Animal quarantine and inspection services • Note: Agricultural inspections have been transferred to the new Border Management Agency, which falls under the Department of Home Affairs. <p><u>Legislation</u></p> <ul style="list-style-type: none"> • Regulations Applicable to the Agricultural Products Inspection Services • Proclamation to Transfer Agricultural Inspections Functions to the Border Management Agency
Agriculture Inputs Control	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Regulate the manufacturing, distribution, importation, sale, use, and advertisement of fertilizers, animal feeds, pesticides, and stock remedies, as well as the operation of sterilizing plants and pest control operators <p><u>Legislation</u></p> <ul style="list-style-type: none"> • Policies and Regulations Relating to Agricultural Inputs • Fertilizers, Farm Feeds, Agricultural Remedies, and Stock Remedies Act 36 of 1947

Source: DALRRD

Table 2: Major Food Laws, Legislation, and Regulations under the Department of Health

Division	Summary
Food Control Division	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Develop and publicize food regulations to ensure administration of food legislation • Audit and support Port Health Services and Municipal Health Services • Evaluate risk assessments related to agricultural chemicals and food produced through biotechnology for DALRRD • Act as South Africa’s National Contact Point for the joint FAO/WHO Codex Alimentarius Commission, the International Food Safety Authorities Network (INFOSAN), and the European Union Rapid Alert System for Food and Feed (RASFF) • Coordinate food monitoring programs and issue food safety alerts <p><u>Website Link</u></p> <ul style="list-style-type: none"> • http://www.health.gov.za/food-control/ <p><u>Legislation Link</u></p> <ul style="list-style-type: none"> • Foodstuffs, Disinfectants, and Cosmetics Act (Act 54 of 1972)

Source: DOH

Table 3: Major Food Laws, Legislation and Regulations under DTIC

Agency	Summary
The National Regulator for Compulsory Specification (NRCS)	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Enforce and set standard specifications for both locally produced and imported seafood and canned meat and fish products <p><u>Legislation</u></p> <ul style="list-style-type: none"> • National Regulator for Compulsory Specifications Act, 2008 • Compulsory Specifications for Seafood and Canned Fish Products
National Liquor Authority (NLA)	<p><u>Key responsibilities</u></p> <ul style="list-style-type: none"> • Registration and inspection services of manufacturers and distributors of liquor • Inspect premises to ensure compliance with terms of the Liquor Act of 2003 • Develop and enforce national liquor laws, including minimum drinking age • Regulate and register manufacturers and distributors of liquor <p><u>Legislation</u></p> <ul style="list-style-type: none"> • Liquor Act, (Act 59 of 2003) • Regulations on the Registration of Liquor Manufacturers and Distributors
South African	<p><u>Key responsibilities</u></p>

Bureau of Standards (SABS)	<ul style="list-style-type: none"> • Develop, promote, and maintain independent food standards and quality systems • Food product testing • Certification, auditing, and assessment services for food and beverage processes, equipment, accessories, services, and standards • Serve as South Africa`s WTO/TBT point of contact <p>Legislation</p> <ul style="list-style-type: none"> • Standards Act (Act 5 of 2008) • Food and Beverage Standards
Companies and Intellectual Property Commission (CIPC) – Patents, Designs, and Innovation Division	<p>Key responsibilities</p> <ul style="list-style-type: none"> • Registration and enforcement of intellectual property rights (trademarks, patents, designs, and copyrights) <p>Legislation</p> <ul style="list-style-type: none"> • Patent Act, 1978 • Trademarks Act, 1993 • Merchandise Marks Act, 1941 • Designs Act, 1993 • Copyright Act, 1978

Source: DTIC and CIPC

Enforcement of Food Regulations

The three ministries (DALRRD, DOH, and DTIC) oversee and enforce South African food and agricultural import restrictions and standards. Several coordination mechanisms have been set up, such as the Inter-Ministerial Committees, which are comprised of the relevant government figures in charge of carrying out specific rules. However, fragmentation of control, a lack of coordination when enforcing legislation, and capacity limitations to assure compliance continue to be a challenge. Due to these difficulties, rules may not be applied or implemented consistently, which may have an impact on both domestic and imported products. Although South Africa has difficulty enforcing domestic laws, imported agricultural products must adhere to these laws to the letter, as inspections are conducted at the ports of entry.

The DOH's Food Control Division oversees rulemaking and enforcement by local municipalities. However, some communities lack the resources and funding necessary to ensure food standards are effectively enforced, and many small- to medium-sized domestic enterprises operate covertly, while larger companies self-regulate. Food health inspectors at the ports of entry are tasked with enforcing compliance with all food-related laws and regulations for imported products.

Alongside the DOH and DALRRD inspectors, food inspectors from DTIC's National Regulator for Compulsory Specification (NRCS) and the South African Bureau of Standards (SABS) enforce standards for both domestically produced and imported seafood and canned fish products. In accordance with the Foodstuff, Cosmetics, and Disinfectants Act, the NRCS gives health certificates for seafood items that attest to their quality and conformity.

SECTION II: LABELING REQUIREMENTS

Existing Labeling Regulations

The Food Control Division of the Department of Health is primarily responsible for developing and enforcing labeling laws for processed foods and alcoholic beverages. The inclusion of nutritional information tables on labels is not required by the existing labeling regulations. The current labeling laws are listed in Table 5 and must be followed if a label contains nutritional information. The packaging, marking, and container laws created and enforced by DALRRD, which are covered in Section III and stated in Table 7, must also be followed when it comes to labeling regulations for animal products, agronomy/crops, vegetables, fruits, and canned vegetable/fruit goods.

Table 4: *Existing Labeling Regulations*

Name of Regulation	Website Link
Regulations relating to the labeling and advertising of foodstuffs (R146/2010)	Download
Regulations relating to labeling and advertising of foodstuffs: Amendment (R45/2012)	Download
Guidelines relating to the labeling and advertising of foodstuffs (applicable to R146/2010 for compliance purposes)	Download
Regulations relating to the labeling of foodstuffs obtained through certain techniques of genetic modification (R25/2004)	Download
Regulations relating to foodstuffs for infants and young children (R991/2013)	Download
Regulations relating to foodstuffs for infants and young children: extension notice (R433/2014) and amendment (R434/2013)	Download
Regulations relating to health messages on container labels of alcoholic beverages (R764/2007)	Download
Regulations relating to health messages on container labels of alcoholic beverages: amendment (R1208/2008)	Download
Regulations regarding the classification, packing and marking of processed meat products intended for sale in the Republic of South Africa (R1283/2019)	Download

Source: DOH Food Control Division

A detailed list of terminology that is required or prohibited and how specific language and comparative claims may be used on food labels can be found in the guidelines relating to the labeling and advertising of foodstuffs ([View](#)) and regulations relating to the labeling and advertising of foodstuffs ([View](#)).

In South Africa, any time a nutrient, health, or other claim made on the label, there are restrictions and required information declarations that must be followed. For instance, the claim "low in saturated fat" on the label may only be made if the amount of fat in the food is less than 1.5 grams per 100 grams of solids and 0.75 grams per 100 milliliters of liquids and does not account for more than 10 percent of the calories. If they meet all the requirements, absolute descriptors like "high fiber" or "low fat," as well as relative descriptors like "less," "fewer," "reduced," "light," or "more" are acceptable. Notably, comparison statements utilizing the terms "more than," "increased," or other similar expressions are not permitted when referring to nutrients that are physiologically advantageous, such as vitamins, minerals,

bioflavonoids, carotenoids, or other advantageous food components. Inspectors at the ports have the authority to ask businesses for documentation of any claims made, including U.S.-approved health claims linking calcium and osteoporosis, fruits/vegetables and cancer, and sodium and hypertension. Implied claims are not covered by the existing South African regulations, and the inspector at the port of entry may interpret such claims in accordance with the rules regarding deceptive claims.

There are also requirements regarding how the nation of origin must be labeled on food goods. The label should read "product of (name of country)" if all the major components, processing, and labor used to manufacture the food product are from that nation. The words "produced in," "processed in," "manufactured in," or "made in" should appear on the label of any food that has undergone processing that alters its composition in another nation. The phrase "packed in (name of county)" may also be used.

All food goods must list their shelf life on the packaging using phrases like "best before," "use by," and "sell by." There is a list of exclusions to the labeling rule, together with their terms, in the DOH regulations pertaining to the labeling and advertising of foodstuffs ([Exclusions List](#)).

It can be difficult for American food labels to adhere to the current South African food labeling laws. According to South African rules, labels must include the phrase "typical nutritional information," whereas labels in the United States must include the phrase "nutritional facts." While U.S. food labels utilize calories, South African regulations only allow the use of kilojoules (kJ) on food labels. Regulators and importers prefer that the proper labeling be applied before shipment. Notably, when such shipments are stopped at the port of entry, South Africa allows importers to conceal non-compliant labels with stick-on labels. At the ports of entry, non-compliant products are not released unless a corrective measure is taken. Retailers typically do not accept food products with covered labels since it generates unwarranted customer suspicions, and importers have previously claimed that such a process is too expensive. Figure 1 compares the variations between a food label from South Africa and one from the United States.

Halal and organic products are currently not subject to any official rules in South Africa. According to the rules of the Consumer Protection Act, these products must adhere to the most recent labeling requirements set forth by DOH and may not contain any misleading information. DALRRD has prohibited the use of meat-like names when referring to plant-based alternatives. Using terms such as "plant-based meat" or "veggie nuggets" have been prohibited in South Africa. In a [letter](#) addressed to all processors, importers, and retailers of meat analogues, DALRRD clearly states that South Africa's Food Safety Agency will seize any products that do not conform to this regulation.

Figure 1: Differences between a South African Food Label and United States Food Label

SA Label

U.S. Label

INGREDIENTS
 White rice (75%), Wholegrain brown rice (8%), Flavouring (Milk solids [Whey powder, Buttermilk powder], Salt, Maltodextrin, Sugar, Cheese powder, Tomato, Mushroom, Garlic, Onion, enhancers, Flavouring), Flavour [Sunflower seed, Antioxidant, TBHQ], Anticaking agent, Antioxidant, TBHQ, regulator, Vegetable oil, Sunflower seed, Antioxidant, TBHQ.

VEGETARIAN WITH MILK

ALLERGENS
 Cow's milk.
 Made in a factory which uses soya.

TYPICAL NUTRITIONAL INFORMATION

Average values	Per 100 g	Per 30 g serving
Energy	1711 kJ	513 kJ
Protein	9,2 g	2,8 g
Carbohydrate	74 g	22 g
of which total sugar	2,5 g	0,8 g
Total fat	7,3 g	2,2 g
of which saturated fat	1,1 g	0,3 g
trans fat	0,0 g	0,0 g
monounsaturated	2,1 g	0,6 g
polyunsaturated	4,1 g	1,2 g
Cholesterol	0 mg	0 mg
Dietary fibre*	3,1 g	0,9 g
Total sodium	608 mg	182 mg

* Information for ready to eat product.
 #AOAC 991.43

STORE IN A COOL, DRY PLACE. ONCE OPENED, STORE IN AN AIRTIGHT CONTAINER.

CONSUMER HELPLINE:
 0860 022 002
 www.woolworths.co.za
 Specially popped for Woolworths (Pty) Ltd., 93 Longmarket Street, Cape Town, South Africa
 PRODUCED IN THE REPUBLIC OF SOUTH AFRICA

MILK
 HALAL
 S - 0732
 BAG
 PLASTIC NOT RECYCLED CURRENTLY
 www.woolworths.co.za/8171212
 6 009184 862385
 CTP flexibles

Nutrition Facts
 Serving Size 1/12 package (39g)
 Servings per Container 12

Amount Per Serving	MIX* BAKED** †	†
Calories	160	230 180
Calories from Fat	25	90 40
	% Daily Value††	
Total Fat 3g*, 10g**, 4.5g†	5%	15% 7%
Saturated Fat 1g, 2.5g, 1.5g	5%	13% 8%
Trans Fat 0g, 0g, 0g		
Polyunsaturated Fat 0.5g, 4.5g, 1g		
Monounsaturated Fat 1g, 2.5g, 1.5g		
Cholesterol 0mg, 55mg, 55mg	0%	18% 18%
Sodium 250mg, 270mg, 270mg	10%	11% 11%
Total Carbohydrate 31g, 31g, 32g	10%	10% 11%
Dietary Fiber 0g, 0g, 0g	0%	0% 0%
Sugars 17g, 18g, 18g		
Protein 1g, 3g, 3g		
Vitamin A	0%	0% 0%
Vitamin C	0%	0% 0%
Calcium	8%	8% 8%
Iron	8%	10% 10%

* Amount in 1/12 Mix
 ** Amount in 1/12 baked cake using Basic Recipe
 † Amount in 1/12 baked cake using Lower Fat Recipe
 †† Percent (%) Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower based on your calorie needs.

	Calories: 2,000	2,500
Total Fat	Less than 65g	80g
Saturated Fat	Less than 20g	25g
Cholesterol	Less than 300mg	300mg
Sodium	Less than 2,400mg	2,400mg
Total Carbohydrate	300g	375g
Dietary Fiber	25g	30g

Calories per gram:
 Fat 9 • Carbohydrates 4 • Protein 4

INGREDIENTS
 SUGAR, ENRICHED BLEACHED WHEAT FLOUR (FLOUR, NIACIN, REDUCED IRON, THIAMINE MONONITRATE, RIBOFLAVIN, FOLIC ACID), VEGETABLE OIL, SHORTENING (PARTIALLY HYDROGENATED SOYBEAN OIL, PROPYLENE GLYCOL MONO- AND DIESTERS OF FATS, MONO- AND DIGLYCERIDES, PARTIALLY HYDROGENATED COTTAGESEED OIL, SOY LECITHIN), LEAVENING (SODIUM BICARBONATE, DI-CALCIUM PHOSPHATE, SODIUM ALUMINUM PHOSPHATE, MONOCALCIUM PHOSPHATE), CONTAINS 2% OR LESS OF WHEAT STARCH, SALT, DEXTROSE, EMULSIFIER (PROPYLENE GLYCOL MONO- AND DIESTERS OF FATS AND FATTY ACIDS, MONO- AND DIGLYCERIDES, SOY LECITHIN, CITRIC ACID TO PROTECT FLAVOR), ORANGE OIL, NATURAL FLAVOR, POLYGLYCEROL ESTERS OF FATTY ACIDS, CELLULOSE GUM, XANTHAN GUM, ARTIFICIAL FLAVOR, CITRIC ACID, COLORED WITH YELLOW 5 LAKE, RED 40 LAKE, NATURAL AND ARTIFICIAL FLAVOR.

CONTAINS: WHEAT, SOY
 MANUFACTURED ON EQUIPMENT THAT ALSO PROCESSES TREE NUTS.

DISTRIBUTED BY:
 PINNACLE FOODS GROUP LLC
 CHERRY HILL, NJ 08003-3620 USA

Figure 2 below provides clear guidance on what is acceptable and what is not regarding the information provided on the current labels and in advertisements of foodstuffs. The label also provides an example of what must appear on domestic and imported foodstuffs.

Figure 2: Example of the Requirements on Food Labels



- The following words may no longer appear on any food product: x% fat free, nutritious, healthy, healthful, wholesome, complete nutrition or balanced nutrition or other words implying the same thing. The words 'sugar-free' and 'fat-free' are only allowed if specific conditions are met.
- The phrases “suitable for those with diabetes,” “diabetic friendly,” or words with a similar meaning, may only be used if all criteria stipulated are met e.g., low GI, lower fat, controlled sodium, etc.

Source: <http://www.bdo.co.za/>

Proposed Amendments to Regulations Relating to the Labeling and Advertising of Foods

The DOH published a government notice on May 21, 2023, asking for feedback from the public regarding proposed changes to the rules governing food labeling and advertising of foodstuffs. The submission of comments had an initial deadline of July 21, 2023, which was further extended to September 21, 2023. To download the official notice, [click here and scroll to page 13](#). There was a lot of interest in and debate over the suggested amendment. Post published a July 2023 [GAIN report](#) on the proposed rule revisions. The final regulation is still a work in progress, and no publication deadline has been announced. Post will continue to monitor the situation and provide updates accordingly.

Proposed Amendment to Regulations Relating to Health Messages on Alcoholic Beverages

The DOH [recommended changes](#) to the rules governing health messaging on alcoholic beverage labels on September 4, 2014. The submission of comments was due on December 4, 2014. Currently, the DOH is re-engaging the domestic liquor sector to study the proposed regulations and issues raised by industry after receiving feedback from the industry. Post participated in consultation meetings held by the DOH in 2018 and 2019 to address the issues, and it was decided that business would submit suggestions for the new regulations. Despite stating that the Minister of Health must approve the revised regulations, the DOH gave the impression that, depending on the degree of adjustments needed, they would consider

amending or eliminating the regulation. The regulation's completion and implementation date are still to be determined.

In October 2020, South Africa published a notification removing the rules governing health warnings on alcohol labels (No. 1143). Post published a November 2020 [GAIN report](#) with more information on the change. Given strong opposition from the domestic industry and international stakeholders, including the United States, the repeal of this regulation was anticipated. This repeal offers relief to the local economy and trading partners abroad. Given South Africa's aim to address alcohol addiction and steps to limit the risks connected with alcohol consumption in South Africa, Post anticipates that amended legislation will be introduced once more in the future.

Proposed Regulation Relating to the Mandatory Labeling of Genetically Modified Organisms (GMOs) or Food Containing Genetically Engineered Ingredients

South Africa permits the production of genetically engineered (GE) crops through the [Genetically Modified Organisms Act of 1997](#). For further information on the production of GE crops in South Africa, refer to Post's [South Africa Agricultural Biotechnology Annual](#) GAIN report.

The Foodstuffs, Cosmetics, and Disinfectants Act (Act 54 of 1972) controls the sale, manufacture and importation of foodstuffs, cosmetics, and disinfectants to ensure their quality and safety. The DOH accepts the Codex Alimentarius principles and guidelines for food/feed safety requirements of GE products as policy for South Africa. The DOH also published mandatory [GE food labelling regulations](#) in 2004 under the Foodstuffs, Cosmetics, and Disinfectants Act. Regulation 25 states that foodstuffs produced through genetic modification—where they differ significantly from existing foodstuffs in terms of their composition, nutritional value, mode of storage, preparation, or cooking, allergenicity, or genes with human or animal origin—must be labelled.

The Consumer Protection Act (Act 68 of 2008), enforced by DTIC, requires labelling for all GE goods. [Draft amendments](#) to the GE labelling regulations were published in October 2012, triggering serious concerns by the business community in South Africa. As a result, new GE labeling regulations under the Consumer Protection Act have not yet been published, precluding any required GE labeling by stakeholders in the food supply chains of South Africa.

Amendments to Regulations Relating to Foodstuffs for Infants and Young Children

On July 7, 2015, the DOH published [proposed amendments](#) to the regulations relating to foodstuffs for infants and young children, under the Foodstuffs, Cosmetics, and Disinfectants Act (Act 54 of 1972). The key amendments relate to the labeling and distribution of infant and young children's food. The amendment also provides the dates of implementation of the various clauses, which range from 6 to 24 months. The proposed regulation is yet to be finalized or passed for implementation.

SECTION III: PACKAGING AND CONTAINER REGULATIONS

Existing Packaging and Container Regulations

The [Agricultural Products Standards Act \(Act 119 of 1990\)](#) directs the development of packaging and container rules, which is the responsibility of DALRRD. The list of restrictions in Table 5 can be used to find packaging and container regulations for products. These rules outline the criteria for product grading, classification, container marking, labeling, packing, and, if necessary, container sizes.

Table 5: Regulations Relating to the Grading, Classification, Packaging, and Marking of Agricultural and Food Products

Product	Regulation Link
Animal Products (Dairy and imitation dairy products; eggs; edible ices including ice cream, frozen dessert, yoghurt, fruit sorbet; meat; mohair; poultry meat; and processed meat products)	Animal Products
Agronomy Crops (Canola, dry beans, ground nuts, sorghum, corn, corn products, malting barley, popcorn kernels, pulses, rice, wheat and wheat products, sunflower, and soybeans)	Error! Hyperlink reference not valid. Agronomy Crops
Vegetables (Potatoes, tomatoes, onions and shallots, garlic, and other vegetables)	Vegetables
Processed Products (Canned fruit, canned mushrooms, canned pasta, canned vegetables, dehydrated vegetables, dried fruit, fat spreads, vinegar, and table olives)	Processed Products
Deciduous Fruits (Apples, apricots, grapes, pears, peaches and nectarines, and plums and prunes)	Deciduous Fruit
Citrus and Subtropical Fruit (Avocados, bananas, citrus fruits, litchis, and pineapples)	Citrus and Subtropical Fruits
Other Fresh Fruit	Other Fresh Fruit

Source: DALRRD

Packaging Sustainability Measures

Generally, packaging and container rules demand that containers be sturdy enough for regular handling and packing of goods, undamaged, clean, moisture-resistant, and correctly sealed. Additionally, throughout processing or distribution, containers must not impart any flavors, aromas, colors, or other alien qualities to the food. Regulations require that containers be free from any harmful materials, ingredients, or other materials that could contaminate or spoil the food inside. In 2014, South Africa published regulations ([G37818 – GN549](#)) to gradually phase out the use of polychlorinated biphenyl (PCB) materials and PCB-contaminated material. An official document certifying that the material has been fumigated must be included with packaging composed of natural materials and fibers. The South African Bureau of Standards (SABS) has created [packaging specifications](#) for materials like polyvinyl

chloride (PVC). South Africa also recognizes international standards including the FSSC Global Standards and those of the British Retail Consortium (BRC).

South Africa has municipal waste disposal laws and product recycling regulations, but enforcement of these rules has not been a barrier to trade thus far. Waste in South Africa is governed by the [National Environmental Management: Waste Act \(Act 59 of 2008\)](#) and the [National Waste Management Strategy](#). Local municipalities also have bylaws aligned with the Waste Act, [the National Environmental Management Act \(Act 107 of 1998\)](#), and the [Air Quality Act \(Act 39 of 2004\)](#).

SECTION IV: FOOD ADDITIVES REGULATIONS

Existing Food Additive Regulations

Regulations for food additives in South Africa are created and overseen by the DOH Food Control Division, which also acts as the Codex point of contact. The [Foodstuffs, Cosmetics, and Disinfectants Act of 1972](#) serves as the foundation for the development and administration of food additive laws. Table 6 lists the restrictions that apply to additives in South Africa, including the permissible foodstuffs for each additive as well as a positive additive list. These regulations also outline the standards for additive usage, including labeling.

Table 6: *Existing Food Additives Regulations*

Name of Regulation	Website link
Regulations relating to the use of sweeteners in foodstuffs (R733/201)	Download
List of permissible sweeteners referred to in the regulations relating to the use of sweeteners in foodstuffs	Download
Codex General Standards for Food Additives	Download
Regulations – Preservatives and antioxidants: Amendment (R60/2009)	Download
Regulations – Preservatives and antioxidants: (R965/1977)	Download
Regulations relating to food colorants (R1055/1996)	Download
Miscellaneous additives in foodstuffs	Download

Source: DOH Food Control Division

In the absence of a specialized additive law, South Africa typically follows the Codex Alimentarius Commission's General Standard for Food Additives. An exporter may ask DOH for authorization to use an additive if it is not listed on the South African positive list or covered by Codex. The review could be lengthy, as the DOH may ask for proof that the additive is safe for consumption.

Amendments to the Miscellaneous Food Additives Regulations

The [Regulations Pertaining to Miscellaneous Additives](#), which is applicable to both domestic and imported foodstuffs, went into force on November 17, 2017. The Codex recommendations for the maximum number of additives that may be contained in foodstuffs were implemented by this rule. South Africa is open to accept adequate levels created by respected national or international authorities in the absence of such requirements. The DOH also paid special attention to products for babies and young

children. Additionally, the following regulations were repealed, and the subject matter is now covered under the Regulations Pertaining to Miscellaneous Additives in Foodstuffs:

- Regulations Relating to Anti-caking Agents
- Regulations Governing Acids, Bases, and Salts
- Regulations Governing Emulsifiers, Stabilizers, and Thickeners
- Regulations Governing the Use of Certain Food Additives in Wheaten and Rye Products
- Regulations Relating to Baking Powder and Chemical Leavening Substances
- Regulations Relating to Jam, Conserve, Marmalade, and Jelly
- Regulations Governing Certain Substances in Wine, Fermented Beverages, and Spirits

SECTION V: PESTICIDES AND OTHER CONTAMINANTS

Existing Pesticide and Contaminant Regulations

Regulation of pesticides and other contaminants is the responsibility of the DOH and DALRRD. Maximum residue limits (MRLs) for pesticides, metals, and other chemicals are decided upon and approved by the DOH. Additionally, the DOH oversees inspections and is charged with ensuring MRLs are followed for all domestically produced and imported foods. DALRRD oversees pesticide registrations, permits, and usage in agricultural production. Information on permitted MRLs and approved pesticides is available to U.S. exporters on the [DALRRD website](#). South Africa follows Codex standards when there are no regulations covering a particular pesticide and pollutant.

Table 7: Existing Pesticides and Veterinary Drugs MRLs Regulations

Name of Regulation	Website Link
Regulations governing the maximum limits for pesticide residues that may be present in foodstuffs (R46/2012, R548/2010, R1047/2006 & R246/1994)	Download
Regulations governing the maximum limits for veterinary medicine and stock remedy residues that may be present in foodstuffs (2017)	Download

Source: DOH Food Control Division

Table 8: Existing Contaminants Regulations

Name of Regulation	Website Link
Regulations governing the tolerance for certain seeds	Download
Regulations relating to maximum levels of metals in foodstuffs	Download
Regulations governing tolerance for fungus-produced toxins in foodstuffs	Download
Regulations relating to objects packed in foodstuffs intended for children	Download
Regulations relating to maximum levels for melamine in foodstuffs	Download
Regulations relating to marine biotoxins	Download
Regulations governing certain solvents in foodstuffs	Download
Regulations relating to edible fats and oils	Download
Regulations governing radio activity in foodstuffs	Download

Source: DOH Food Control Division

Plant Health Bill

Importation of controlled goods is regulated by the Agricultural Pest Act (Act 36 of 1983), as amended. An import permit is required by this act and regulation R111 of 1984. On December 2, 2016, DALRRD published a proposed [Plant Health Bill](#), the purpose of which would be to support phytosanitary measures to prevent the introduction, establishment, and spread of regulated pests in South Africa and regulate the movement of plants, plant products, and other regulated articles. An [explanatory notice of the bill](#) was also published in 2017. If passed, the bill also would also give effect to international agreements on phytosanitary matters that South Africa has ratified, becoming binding when the plant health law enters into force. Currently, there is no timeline for the passage of this bill.

Fruit Quality Inspection and Cold Chain Management

Fruit quality certifications and cold chain management services for producers and exporters are conducted by the Perishable Products Export Control Board (PPECB), which is a state-owned entity. PPECB performs cold chain services under the authority of the [Perishable Products Export Control Act \(PPEC Act\) of 1983](#). The board also performs inspection and food safety services for certain agricultural products under the [Agricultural Product Standards \(APS Act\) of 1990](#).

Regulations Governing Pesticide Maximum Residue Limits for Foodstuffs

The DOH published a government notice on April 7, 2017, seeking public feedback on changes to the rules defining the maximum limits for pesticide residues that may be present in foods. The restriction of specific chemicals, the grouping of goods and their corresponding MRLs, the addition and revision of numerous MRLs, and the addition and deletion of specific definitions are among the regulation's major changes. The [final amendments](#) were published on February 10, 2020.

SECTION VI: OTHER REQUIREMENTS, REGULATIONS, AND REGISTRATION MEASURES

Facility Registration

According to the [Meat Safety Act \(Act 40 of 2000\)](#), imports of animals and animal products may only come from deboning plants and abattoirs that have been certified. Prior to export, U.S. facilities must be registered and certified with the USDA's Food Safety and Inspection Service (FSIS). Details and procedures for facility registration are available on the [FSIS website](#). U.S. facilities are listed in the approved South African database once registered with FSIS, and the products from these facilities would be eligible for import licenses subject to the necessary requirements. The list of deboning factories and permitted abattoirs, as well as the registration procedure and forms, can be downloaded from the [DALRRD website](#). The expense and making sure that the facility is registered falls on the U.S. exporter or facility owner. A facility must register only once, and during that time it may be subject to audits and inspections.

Links to the steps and information for registering plant and plant-product facilities as described by DALRRD are provided in Table 9. Certificates issued by USDA's Animal and Plant Health Inspection

Service (APHIS) are accepted in South Africa. The [APHIS website](#) provides information on facility registration, cost, procedures, and export requirements for American exporters and facilities.

Table 9: Facility and Product Registration Requirements in South Africa

Facility or Product	Website link
Premises for nurseries	Download
Premises for Seed Production	Download
Premises for Laboratories	Download

Source: DALRRD

Product Registration

South Africa allows the importation of GE crops and processed products with GE ingredients that have been approved by South African regulators for food and feed purposes (approval for cultivation is not required to import). Since 2001, 106 GE events have received [commodity clearance](#) in South Africa. Commodity clearance means that South Africa allows the importation of these events for the use as food and/or feed. Typically, this means seeds that will not be planted, but rather processed in a way that will leave them non-viable. A complete food safety assessment is required, but an environmental assessment is not necessary. Currently, commodity clearance approvals cover seven crops, including corn, soybeans, canola, cotton, rice, wheat, and rapeseed.

BY contrast, under the [Genetically Modified Organisms Act](#), only approved GE events are allowed into South Africa for planting. According to South Africa’s GE regulations, “import permits are issued for the import of GE consignments, irrespective of the crop and country, provided the exporting country has approved the same or less number and type of events as South Africa.” The South African regulatory procedure for approving GE events sometimes takes longer than in supplier countries. Differences in the speed of authorizations lead to situations where products are approved for commercial use outside South Africa but not within South Africa. These asynchronous approvals can pose significant risks to trade since South Africa applies only one percent tolerance for the unintentional presence of GE events in food and feed. Stakeholders in the South African grain and oilseeds industry continue to monitor asynchronous GE approvals to ensure trade is not unnecessarily interrupted. As a result of this effort to establish synchronous approvals, the United States was able to export 53,000 MT of soybeans to South Africa in 2021.

Plant and propagating material must be registered to receive a “plant breeders right” permit, valid for either 25 years (for vines and trees) or 20 years (all other cases) according to the [Plant Breeders Right Act](#). An agent residing in South Africa shall submit the application for a plant breeders right permit on behalf of the international intellectual property owner. The following [website](#) provides information on the application procedure, forms, fees, and contact information.

Prior to importation, production, or sale in South Africa, all pet food must be registered. Only people who reside in South Africa or businesses that are legally incorporated there may register pet foods. The importer or distributor in South Africa might take care of this. [DALRRD’s website](#) provides more information about the registration process. The regulations governing farm feed, including pet food, are [available here](#).

Inspections and Testing

Agricultural inspections will be one of many government duties that will be transferred to the new Border Management Agency (BMA), which will take over Home Affairs' existing responsibility for border management. Frontline agricultural inspectors are anticipated to be officially transferred to the new agency, as well. DALRRD will continue to create inspection guidelines. Please see Post's [GAIN report](#) for further details on BMA and the transfer of inspection duties.

Following inspection of the imported commodities, and if the shipment meets the import requirements, the BMA inspectors will release the products. Once the consignment has been released by the inspectors, the importer/agent must take the import documents to the South African Revenue Service (SARS) for final release. If the shipment does not meet the import requirements, risk management measures will be recommended. The shipment may be treated and cleared to enter South Africa or rejected and refused entry. If the shipment has been rejected, the importer together with the exporter, may decide whether the product should be destroyed, returned to the country of origin, or re-routed to another country. Note that a shipment re-routed to another country must meet import requirements for that country.

Basic Certification and Documentation that Must Accompany Shipments

All exports entering South Africa must also be supported by the following fundamental documents in addition to the import licenses, certificates, and sanitary and phytosanitary licenses listed in the FAIRS Export Certificate Report:

- Commercial invoice that shows the price charged to the importer in addition to the cost of placing goods on board of the ship for export
- Bill of entry documentation that provides the correct physical addresses of the supplier and storage facilities, quantities, grades, and HS codes of commodities
- Bill of lading
- Insurance documents
- Other special documentation and certifications that may be required by the importer, e.g., laboratory results/certificates from approved/accredited establishments or organic certifications if the product claims to be organic

SECTION VII: OTHER SPECIFIC STANDARDS/LAWS

Other Specific Standards

Table 10 below provides information about other laws, regulations, or ordinances governing imported foods not covered in other sections of this report.

Table 10: *Other Specific Standards*

Name of Regulation	Ministry	Website
<u>Fortification and other Nutritional Issues</u>		
Regulations relating to trans fats in foodstuffs	DOH	Download

Regulations relating to the reduction of sodium	DOH	Download
Regulations relating to food-grade salt	DOH	Download
Regulations relating to the fortification of certain foodstuffs	DOH	Download
<u>HACCP</u>		
Regulations relating to the application of the Hazard Analysis and Critical Control Point System (HACCP System)	DOH	Download
<u>Hygiene</u>		
Guidelines for monitoring irradiated foodstuffs in South Africa	DOH	Download
Regulations relating to irradiated foodstuffs	DOH	Download
Regulations governing hygiene requirements for food premises and the transport of food	DOH	Download
Regulations relating to milking sheds and the transport of milk	DOH	Download
Regulations regarding processed foodstuffs	DOH	Download
Regulations relating to perishable foodstuffs	DOH	Download
<u>Microbiological Standards</u>		
<ul style="list-style-type: none"> Regulations governing microbiological standards for foodstuffs 	DOH	Download
<ul style="list-style-type: none"> Regulations relating to milk and dairy products 	DOH	Download
<u>Prohibitions</u>		
<ul style="list-style-type: none"> Regulations prohibiting guar gum as a foodstuff 	DOH	Download
<ul style="list-style-type: none"> Regulations relating to the prohibition of polycarbonate infant feeding bottles containing bisphenol A 	DOH	Download
<u>Veterinary Procedural Notices</u>		
<ul style="list-style-type: none"> Notice for buffalo disease risk management in South Africa 	DALRRD	Download
<ul style="list-style-type: none"> Other veterinary procedural notices 	DALRRD	Visit Website

Source: DOH Food Control Division; DALRRD

Wine, Beer, and Other Alcoholic Beverages

DALRRD, DOH, and DTIC all play a part in enforcing laws controlling alcoholic beverages in South Africa. Under the [Liquor Products Act of 1989](#), DALRRD regulates the import and export of liquor products, including wine, by issuing certificates and ensuring that the quality standards are met. Import certificates are required for all alcoholic beverage products, and applications can be submitted through [DALRRD's website](#).

Large-scale manufacture and distribution of alcoholic drinks are governed by the [National Liquor Act of 2003](#), which DTIC uses to determine national liquor standards, including the minimum drinking age. All such firms must register with the National Liquor Authority. The DOH regulates the labeling and advertising of liquor products in accordance with regulations governing those activities.

Seafood and Canned Meat Products

The National Regulator for Compulsory Specifications (NRCS) [Food and Associated Industries Division](#) regulates canned meat and meat products, canned fish, frozen fish, frozen marine mollusks,

frozen rock lobsters, frozen shrimp/prawns, langoustines, crabs, smoked snoek, and live abalone. The division creates the rules and specifications for quality and composition, packaging and labeling, processing facilities, and those handling and processing the aforementioned food products.

Plant-Based Meat/Dairy Alternatives

Dairy substitutes and imitations are governed by the [Regulation R1510](#) Relating to the Classification, Packing and Marking of Dairy Products and Imitation Dairy Products Intended for Sale in South Africa. Plant-based meat substitutes must adhere to the [Consumer Protection Act \(Act 68 of 2008\)](#) and [Regulations Relating to the Labeling and Advertising of Foodstuffs \(R.146/2010\)](#), despite the fact that there are no laws in South Africa specifically governing them. The regulations address vegetarian and vegan claims and other labeling requirements that products, including plant-based meat and dairy alternatives, must abide by.

DALRRD forbids the use of names that sound like meat when referring to plant-based substitutes. For instance, it is now illegal to refer to foods as "plant-based meat" or "veggie nuggets" in South Africa because those foods do not fall under the description of "processed meat" by [regulation R1283](#). In a [letter to all manufacturers, importers, and sellers of meat substitutes](#), DALRRD stated that the Food Safety Agency of South Africa will immediately confiscate any goods that are in violation of the regulation.

Organic Food Certification and Regulations

Government certification programs for organic goods do not exist in South Africa. Regarding the management and sale of organic products, only draft legislation and standards exist now. Private certifying agencies check and certify organic farms and products largely for export markets and to satisfy individual requirements established by domestic retailers. Because of this, South African certifying bodies are market-driven and adhere to agreed-upon export market certification standards or best practices, such as the USDA National Organic Program, European Union Organic Regulations, Japan Agricultural Standards, Korean Organic Standard, Bio Suisse, Codex Alimentarius Guidelines, and IFOAM Basic Standards. Six private certification organizations are in operation in South Africa: Bio-Org, BDIH - Natural Beauty Standard, BCS, Lindros Whole Earth Consultants, SGS South Africa (Pty) Ltd, and Urban Harvest Edible Gardens.

The organic food industry is not governed by any specific national policy or law in South Africa. However, in September 2017, the South African Organic Sector Organization (SAOSO) established a [domestic voluntary Standard for Organic Production and Processing](#) on organic production and processing in South Africa in the absence of official government rules. SAOSO is the most well-known and active organization in the South African organic industry, and the group based their voluntary standard on the International Federation of Organic Agriculture Movements (IFOAM). However, neither the government of South Africa nor any foreign certification organizations accept the SAOSO standard as a necessary organic standard in South Africa.

The production, processing, and labeling of organic products must adhere to the basic food rules set forth by the DOH Food Control Division and DALRRD, even though there are no laws in existence expressly for organic foods in South Africa. Therefore, the [rules relating to food labeling and promotion](#)

applies to both imported and domestic organic items. Additionally, organic products must adhere to the many DALRRD rules outlined in the [Agricultural Product Standards \(APS Act\) of 1990](#) regarding quality, safety, grading, packing, and marking.

Product Samples and Mail Order Shipments

The same registration, certification, testing, and inspection requirements that apply to regular shipments do not apply to samples of most products. To avoid paying import taxes, the importer might need to register with the South African Revenue Service. Post advises American exporters to get in touch with the FAS Office in Pretoria to find out if their goods are exempt from having to go through the same procedures.

Proposed Regulatory Requirements for Imported Fish and Fishery Products and Canned Meat Products

The [National Regulator for Compulsory Specifications Act of 2008](#) regulates imported fish and fishery products, as well as canned meat products. On October 20, 2017, DTIC announced [proposed administrative regulatory standards](#) for these products. The proposed regulatory requirements cover the management of consignments, treatment of non-compliances, product application for approval, and health assurances for imported fish and fishery goods and canned meat products regulated under the NRCS. This regulation is on hold, as some clauses are still being incorporated into the compulsory specifications.

Proposed Regulations Relating to Health Messages on Alcoholic Beverage Labels

DOH published regulations regarding health warnings on alcoholic beverage labels in December 2017. However, DOH withdraw this regulation in 2020 ([See Post's GAIN report](#)). Both domestic and foreign players, particularly the American alcoholic beverage sector, had voiced strong opposition to the regulation. The main concerns about the regulation included the lack of clarity regarding the definition of a container, challenges to complying with the regulation, increased costs for manufacturers, uncertainty regarding how DOH would enforce compliance, and a lack of evidence regarding the efficacy of changing health labels to reduce alcohol abuse.

Post is monitoring the situation, and although the regulatory status has not changed as of this writing, they may do so after this report has been published. Therefore, before exporting to South Africa, it would be prudent to verify with Post or your local connections whether anything has changed or been modified.

SECTION VIII: TRADEMARKS, BRAND NAMES, AND INTELLECTUAL PROPERTY RIGHTS

Intellectual Property Regulations and Procedures

The registration and upkeep of specific intellectual property (IP) rights (including trademarks, patents, designs, and copyright) are handled by DTIC's Companies and Intellectual Property Commission (CIPC): Patents, Designs, and Innovation Division. Several laws and regulations protect IP rights and

give the registered owner the ability to have those rights upheld in court. In South Africa, any challenge to IP rights may be pursued through an independent judiciary. [The Patents Act of 1978](#) allows for the registration of patents, which have a 20-year lifespan. For definitions, examples, and procedures for registering patents, visit the [CIPC website](#). Trademarks can be registered under the [Trademarks Act of 1993](#), are granted for 10 years, and may be renewed for an additional 10 years. To view definitions, examples, and processes for registering trademarks, visit the [CIPC website](#). New designs may be registered under the [Designs Act of 1993](#), which grants aesthetic designs for one period of 15 years, and to functional designs for one period of 10 years. The [CIPC website](#) offers definitions, examples, and procedures for design registrations. The [Merchandise Marks Act](#) establishes rules for the marking of goods, coverings included in or sold with goods, and the use of specific words and symbols in commercial contexts. The CIPC offers thorough [procedures for enforcing your IP rights](#) under the act.

Other laws and regulations relevant to the IP rights of U.S. exporters of agricultural products include the [Plant Breeders Right Act](#), [Genetically Modified Organisms Act](#), and regulations governing geographical indications (discussed below).

Geographical Indications

The Southern Africa Development Community (SADC) and the EU signed an Economic Partnership Agreement (EPA) in October 2016. The EPA includes an agreement to protect certain geographical indications (GIs) for agricultural products, including beer names. Botswana, Lesotho, Mozambique, Namibia, Eswatini, and South Africa are among the SADC nations included in the pact. The links in Table 11 below lead to descriptions of the geographical indication names of the beverages and agricultural goods in the EPA, as well as the rules of use that apply to each.

Table 11: *List of Geographical Indications and Applicable Rules*

Product	Link
Fruits, vegetables, and cereals	Fruits, vegetables, and cereals
Cheese	Cheese Section 1 and Section 2
Meat products	Meat products
Olive oil	Olive oil
Fishery Products	Fishery products
Beer	Beer list Ceske pivo Ceskobudejovicke pivo Bayerisches Bier Bremer Bier Munchener Bier
Other products	Other products

Source: DTIC

SECTION IX: IMPORT PROCEDURES

Import Application Forms and Procedures

DALRRD regulates the procedures, application forms, and the legal framework governing the import of agricultural goods into South Africa for [plant](#) and [animal](#) products, including GE products, unlisted plant varieties, and veterinary import licenses.

All alcoholic beverages imported and marketed for sale in South Africa must have an import license. The inspection, sampling, and issue of import permits for alcoholic beverages fall within the purview of DALRRD. The liquor import certificate that was issued may be utilized again if the product's label, bottle size, composition, and other characteristics remain the same. Application forms as well as all necessary procedures can be found on [DALRRD's website](#).

Figure 3 outlines the basic procedures for importing agricultural products into South Africa. Detailed procedures, forms, and the respective authorities/agencies dealing with specific products can be downloaded from the links provided above and in Post's FAIRS Export Certificate Report.

Exporter Registration with the South African Revenue Services

Individuals must [register with the South African Revenue Service](#) (SARS) to import into or export from South Africa. Post advises exporters select a regional registered agent to represent them. SARS also publishes the South African [customs schedule](#). The SARS customs branch offices at the ports of entry make tariff determinations, but an importer or customs broker may apply for a tariff determination in accordance with the [Customs Duty Act of 2014](#). The application must be accompanied by all clearance documents, product samples, and any explanatory manufacturer/supplier literature. The request will be sent to the SARS Tariff Division in Pretoria, where a decision will be made, and a final response will be sent to the applicant via the customs branch office.

Figure 3: Basic Procedures for Importing Food and Agricultural Products into South Africa

STEP 1: MARKET ACCESS ASSESSMENT - The U.S. exporter should assess and determine whether their agricultural or food product is permitted to enter South Africa. Some products require market access and facility registrations prior to being exported. U.S. agencies such as APHIS, FSIS, and FAS Pretoria may be able to provide helpful information to U.S. exporters.

STEP 2: FIND SOUTH AFRICA-BASED IMPORTER – The U.S. exporter should find a South Africa-based importer interested in buying their products. FAS Pretoria may be able to assist U.S. exporters by connecting them to reputable importers and distributors. Trade shows are also a helpful resource for finding buyers.

STEP 3: APPLY FOR IMPORT PERMIT – The importer must apply for an import permit from DALRRD. The South African importer and U.S. exporter must be registered with the South African Revenue Service (SARS) for customs and tax purposes. The importer must also be registered with the Companies and Intellectual Property Commission (CIPC).

STEP 4: APPLY FOR PHYTOSANITARY OR HEALTH CERTIFICATE – The U.S. exporter should apply for any necessary phytosanitary permits and obtain the necessary documents or proof of compliance as stipulated by the import permit (e.g., meat imports are

only permitted from accredited and registered foreign meat plants/facilities). Agencies involved in this step may include DALRRD, APHIS, FSIS, and the U.S. Food and Drug Administration.

STEP 5: SHIPMENT AND TRANSPORTATION OF PRODUCTS – *The U.S. exporter and South African importer should ensure that all products comply with the shipment or transportation requirements stipulated on the import permit/health certificate or according to agreed treatment protocols agreed between the U.S. and South Africa. The required documentation must be in order prior to the shipment departing the United States.*

STEP 6: PORT INSPECTIONS – *Once the products arrive in South Africa, they are inspected by officials at the port of entry to ensure that they comply with the conditions stipulated on the import permit and health certificate and with relevant regulations governing classification, grading, marking, and packaging. DOH may also inspect the products to ensure compliance with food safety and labelling regulations.*

STEP 7: CUSTOMS CLEARANCE – *SARS inspects the shipment to ensure that it complies with the correct HS code declaration, check that the shipment has all the correct documentations, and that the relevant customs duties and taxes are paid. Normally, the South African importer will handle all the customs processes and queries.*

STEP 8: RELEASE OR DETAINMENT OF SHIPMENT – *Once DALRRD, DOH, and SARS are satisfied that all import requirements are met by the shipment, it is released. However, should there be compliance issues, communication is sent to the relevant importer or agency handling the shipment. FAS Pretoria may be able to assist U.S. exporters whose shipments have been detained.*

Sources: DALRRD, DOH, SARS, APHIS, FSIS, and FDA

SECTION X: TRADE FACILITATION

South Africa uses the global e-Phyto hub created by the International Plant Protection Convention. The National Plant Protection Organization of South Africa (NPPOZA) under DALRRD is responsible for e-Phyto certificates in South Africa and further details may be obtained on their [website](#).

South Africa provides advanced rulings for all the commodities on HS code classification, tariff determinations, customs value, and labelling compliance. Applicants must apply for a tariff determination through their customs broker/clearing agent to the customs branch office at the intended port of entry where the goods are to be cleared or have already been cleared for importation. The application must conform to the terms of the [Customs Duty Act of 2014](#) and the World Customs Organization’s explanatory notes. The application must be supported by manufacturer’s/supplier’s literature, all clearing documents, and a sample of the products if available. The application will be forwarded to the SARS Tariff Division in Pretoria for a determination to be made and ultimate reply to the applicant via the customs branch office. Details on applying for advance rulings and tariff determinations may be found [here](#). While advance rulings are helpful in expediting the clearance of products at the ports, the final release of the products is subject to the approval of inspectors and customs officials at the port of entry who may detain shipments for other specific reasons.

The importer or trader in South Africa is responsible for all costs at the port of entry, including customs duties, applicable taxes, storage, and ad hoc costs relating to disposal, removal, or rerouting of

shipments, including costs incurred by the South African government or agencies to monitor the action taken. Under normal circumstances, average release times range from three to five days depending on demurrage free time from the date the vessel completes discharge, as well as the type of port of entry and the level of congestion. Product release times at airports are typically between one to three days. It is estimated that about 90 percent of cargo is generally cleared within four days, and only less than 10 percent of cargo is moved to bonded warehouses where the average stay is estimated at around seven to eight days. Free storage for transshipments is seven days, which explains the higher average release times for these shipments.

Meat products and consumer-oriented products face the most delays. Meat products may face delays due to issues relating to certificates (e.g., authentication of certificates, errors on dates, etc.) or SPS-related problems (e.g., microbial issues/bacterial contamination, noncompliant packaging and labelling, or faulty temperature controls during transit). Consumer-oriented products usually face delays due to incorrect HS code declarations or noncompliant labelling.

In October 2021, SARS adapted to the [Customs and Excise Act](#) of 1964 to bring it in line with the World Customs Organization's Harmonized System. The processing system does not accept declarations containing deleted commodity codes. To confirm the codes for the goods that are being imported, traders are advised to visit the [WCO website](#) and the [SARS website](#).

Table 12: South African Import Protocols for Plant Products

Protocol	Link
Phytosanitary import requirements for importation of apples from USA, PNW	Download
List of Registered facilities that have been inspected and approved by the NPPO of Zimbabwe for the export of stone fruit	Download
Phytosanitary work plan for the importation of Persea spp. (Hass, Pinkerton and Fuerte varieties of avocado) fresh fruit from Kenya	Download
Protocol for importation of dates from China	Download
Phytosanitary import requirements for importation of apples from China	Download
Phytosanitary import requirements for importation of apples from Netherlands	Download
Phytosanitary import requirements for importation of litchi from Mozambique	Download
Phytosanitary import requirements for importation of litchi Madagascar	Download
Phytosanitary import requirements for importation of papaya from Mozambique	Download
Phytosanitary import requirements for importation of pears from China	Download
Phytosanitary import requirements for importation of stone fruit from Spain	Download
Phytosanitary import requirements for importation of mango from Brazil	Download
Phytosanitary import requirements for importation of mango from Egypt	Download
Phytosanitary import requirements for importation of mango from Mozambique	Download
Phytosanitary import requirements for importation of mango from Peru	Download
Phytosanitary import requirements for importation of mango from India	Download

Source: DALRRD

APPENDIX I: GOVERNMENT REGULATORY AGENCY CONTACTS

Table 13: *Department of Agriculture, Land Reform, and Rural Development (DALRRD) Contacts*

Responsibility	Contacts
Import and Export Permits- Animals and Animal Products	Head Permit Office: Ms. Amanda Steyn Tel: +27 12 319 7632/ 7461/ 7503 / 7414 E-mail: AmandaS@dalrrd.gov.za
Import Permits- Plant and Plant Products	Ms. Nokuthula Cele Tel: +27 12-319-6313 E-mail: ThuleN@dalrrd.gov.za Ms Christina Makgoba Tel: +27 12-319-6102 E-mail: ChristinaMa@dalrrd.gov.za Central E-mail: Planthealthpermits@dalrrd.gov.za
Import regulations for Animals and Animal Products	Ms. Lerato Diale Tel: + 27 12 319 7559 Fax: + 27 12 329 6892 E-mail: LeratoDi@dalrrd.gov.za
Import regulations for plants, and plant products	Division: Policy Norms and Standards Tel: +27 12 319 6164/ 6116 Fax: +27 12 319 6025 E-mail: MaandaR@dalrrd.gov.za CharlesN@dalrrd.gov.za
List of approved foreign abattoirs & slaughterhouses; applications and certificates for facilities and compartments.	Ms. Tsholofelo Malatsi Tel: + 27 12 319 7546 Fax: +27 12 329 7699 E-mail: TsholofeloM@dalrrd.gov.za
Airport/ Port/ Border Inspections	City Deep – Inland Port Dr A Ikatekit-Okonera Tel: +27 11 613 1636 Cell: +27 83 661 6809 Email: ikatekitO@dalrrd.gov.za Durban: Meat & Meat Products Dr. D. Naidu Tel: +27 31 368 8564 Cell: +27 83 775 5171 E-mail: DaveN@dalrrd.gov.za MelanieA@dalrrd.gov.za

	Durban: Animal Quarantine & Animal Products
	Dr. S. Soni Tel: +27 31 368 8503 E-mail: SharonS@dalrrd.gov.za
Airport/ Port/ Border Inspections	Kempton Park
	Dr. Ian McDonald Tel: +27 11 973 2827 Cell: +27 76 519 1977 E-mail: IanM@dalrrd.gov.za
	Port Elizabeth
	Dr. I. Burnand Tel: +27 41 585 8907 Cell: +27 82 829 8512 E-mail: ianB@dalrrd.gov.za
	Dr. C. Darke Tel: +27 41 585 8907 Cell: +27 82 925 1436 E-mail: ChrisD@dalrrd.gov.za

Table 14: Department of Health (DOH) Food Control Division Contacts

Responsibility	Contacts
Director: Food Control	Penny Campbell Tel: +27 12 395 8799/8800 Cell: +27 72 373 6441 E-mail: Penny.Campbell@health.gov.za
Deputy Manager: Biological Safety, Food Hygiene, HACCP, Microbiological Matters, Irradiation, Emergency Matters (EU RASFF)	Ms. SY Parring Tel: +27 012 395 8785 E-mail: Shirley.Parring@health.gov.za
Senior Biological Scientist: Contaminants	Ms. Juliet Masuku Tel: +27 12 395 9359 Cell: +27 63 680 2766 E-mail: Juliet.Masuku@health.gov.za
Manager: Regulatory Nutrition and Interagency Matters, Codex Contact Point/Office	Malose Daniel Matlala Tel: +27 12 395 8789 Cell: +27 79 693 3632 E-mail: Malose.Matlala@health.gov.za cacpsa@health.gov.za
Deputy Manager: Genetic Modification (GM); Pesticides, MRLs	Aluwani Madzivhandila Tel: +27 12 395 9359 Cell: +27 63 680 2565 E-mail: Aluwani.Madzivhandila@health.gov.za

Deputy Manager: Additives, Contaminants, Food Contact Materials, Packaged Water & Soft Drink Regulations	Yvonne Tšiane Tel: +27 12 395 8779 Cell: +27 63 680 2976 E-mail: Yvonne.Tsiane@health.gov.za
Senior Biological Scientist: Nutrition Labeling, General Labeling, and Regulatory Nutrition	Ms. A.A. Godzwana Tel: +27 12 395 8174 Cell: +27 63 680 2623 E-mail: Anna.Godzwana@health.gov.za
Food and Allergy Consulting and Testing Services (FACTS)	Mrs. Gabrielle Stevens Tel: +27 21 882 9883 Cell: +27 72 159 4872 E-mail: gabrielle@factssa.com Gabrielle Jackson (Stellenbosch) Tel: +27 21 882 9883 Website: www.factssa.com
Port Health Services and Inspectors at Various Ports of Entry	Contact details for port health services can be downloaded from the DOH website .

Table 15: *Liquor Labeling Contacts*

Responsibility	Contacts
Directorate: Mental Health & Substance Abuse	Dr. Kgalabi Ngako Tel: +27 12 395 8016 Cell: +27 82 462 4079 E-mail: Kgalabi.Ngako@health.gov.za Tebogo D. Tladi Tel: +27 12 395 8016 E-mail: Tebogo.Tladi@health.gov.za

Table 16: *Department of Trade, Industry and Competition (DTIC) Food Control Division Contacts*

Responsibility	Contacts
Companies and Intellectual Property Commission (CIPC)	Ms. Fleurette F Coetzee <i>Patents, Designs, and Innovation Division</i> <i>Senior Manager: Trademarks</i> Tel: +27 12 394 5109 Fax: + 27 12 394 6109 E-mail: fcoetzee@cipc.co.za
National Regulator for Compulsory Specifications (NRCS)	Maphuti Kutu <i>Technical Specialist: Food & Agro-processing</i> <i>Division: Regulatory Research and Development</i> Tel: +27 12 482 8930 Cell: +27 82 584 6086

	<p>E-mail: maphuti.kutu@nrcc.org.za Website: https://www.nrcc.org.za/</p> <p>Ms. Ntomboxolo Meisie Katz <i>General Manager</i> <i>Food and Associated Industries</i> Tel: +27 21 526 3400 Cell: +27 84 974 3164 Fax: +27 21 526 3451 E-mail: meisie.katz@nrcc.org.za 14 B Railway Road, Montague Gardens, Cape Town, South Africa</p> <p>Mr. Aldrid Prins <i>Operations Manager</i> Tel: +27 21 526 3406 Cell: +27 83 228 4453 E-mail: aldrid.prins@nrcc.org.za 14B Railway Road, Montague Gardens, Cape Town, South Africa</p>
South African Bureau of Standards (SABS)	<p>WTO/TBT Enquiry Point Economic Impact & IP Department Tel: +27 12 428 6229 E-mail: wto@sabs.co.za Website: https://www.sabs.co.za/</p>
National Liquor Authority (NLA)	<p>Ms. Nkoe Ramphele Tel: +27 12 394 5573 E-mail: NRamphele@thedti.gov.za contactus@thedtic.gov.za</p>
South African Revenue Service (SARS)	<p>Norah Lethuka <i>Accreditation & Licensing: Manager</i> <i>Relationship Management</i> Tel: +27 11 862 5284 Cell: +27 76 658 8819 E-mail: nlethuka@sars.gov.za</p>

APPENDIX II: OTHER IMPORT SPECIALIST CONTACTS

Office of Agricultural Affairs

USDA Foreign Agricultural Service (USDA/FAS)

U.S. Embassy Pretoria

877 Pretorius Street, P.O. Box 9536

Pretoria, South Africa 0001

Tel: +27 12 431 4057

E-mail: AgPretoria@usda.gov

Website: www.usdasouthernafrica.org

USDA Animal and Plant Health Inspection Service (APHIS)

U.S. Embassy Pretoria

877 Pretorius Street, P.O. Box 9536

Tel: +27 12 431 4740

Website: <http://www.aphis.usda.gov>

Attachments:

No Attachments