

Voluntary Report – Voluntary - Public Distribution

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Report Number: SF2024-0019

Report Name: New Requirements Expected for Kosher Halal and Organic Food Products

Country: South Africa - Republic of

Post: Pretoria

Report Category: FAIRS Export Certificate Report, FAIRS Country Report, FAIRS Subject Report, Food and Agricultural Import Regulations and Standards - Certification, Food and Agricultural Import Regulations and Standards - Narrative, Special Certification - Organic/Kosher/Halal

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Report Highlights:

The South African Department of Agriculture is in the process of finalizing requirements related to “control management systems,” which may include additional requirements of documentation to support label claims for imported food products. The aim of the regulations is to require producers of both domestic and imported food to substantiate the control management system under which they claim their products were produced.

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Requirements

A framework will be developed that will contain protocols of the control management system, which is defined within the draft regulation as “means of production that may be claimed through the use of a name, word, expression, reference, particulars, or indication in any manner, either by itself or in conjunction with any other verbal, written, printed, illustrated or visual material”. These control management systems include kosher, halal, organic, and may include other systems in the future should additional management control systems be registered in terms of the framework. The specific requirements for exported product that makes claim under one of these defined management control systems remain unclear. In conversation with FAS/Pretoria, officials indicated that products that fall under a certain control management system may be required to submit a letter from the exporting country’s certifying authority that explains the control management system used in the country of origin.

The regulations will apply to a registered management control system in connection with the sale and export of certain agricultural products.

The below language from the draft regulations appears to apply to imported products:

“No person shall use a management control system in connection with the sale and export of agricultural products:

- Unless a claim of a method of production in respect of imported agricultural products is accompanied by relevant attestations.
- A claim associated with a method of production may be indicated as part or close to the product name of an agricultural product benefitting from such a registered management control system, as well as in the labelling, presentation, and advertising relating to that agricultural product; provided that the following conditions are met: Imported agricultural products bearing any claim to a method of production shall be permitted entry into the Republic of South Africa, on conditions that requisite attestations accompany a consignment of such agricultural products.”

Next Steps

The South African Department of Agriculture is currently reviewing feedback received during the domestic comment period, which closed on June 21, 2024. Revised draft regulations are expected to be circulated for a second round of review after the comments have been incorporated. FAS/Pretoria requested that the measure be notified to the World Trade Organization, but the Department of Agriculture relayed that there are no plans to notify the measure.

The regulations are currently expected to come into force on May 24, 2025, though the timeline is flexible to accommodate stakeholder input.

Attachments:

[Draft Regulations relating to the management control system in respect of the sale and export of a certain agricultural product.pdf](#)