On May 18, 2017, the South African Ministry of Health invited further comments or inputs on the Draft Regulations relating to maximum levels of metals in foodstuffs. The proposed regulations will affect a wide range of agricultural products, namely, grains, vegetables, fruits, pulses, animal fat and oils, milk, meat (beef, pork, poultry, fish) and other consumer oriented products such wine, salt, dairy products and canned products. Post encourages stakeholders to review the amended draft regulations and submit comments by no later than June 19, 2017.
Background

On September 6, 2016, the South African (SA) Ministry of Health published a government notice (No. 990) inviting the public to comment on the Draft Regulations relating to maximum levels of metals in foodstuffs. The notice can be downloaded on the following link: http://www.health.gov.za/index.php/shortcodes/2015-03-29-10-42-47/2015-04-30-09-10-23/2015-04-30-09-11-35/category/36-documents-for-comment?download=1675:max-levels-of-metals-draft. The deadline for public comments was initially set as December 6, 2016. This draft regulation was also notified to the World Trade Organization (WTO) under notifications G/TBT/N/ZAF/211 and G/SPS/N/ZAF/46.

According to the SA Ministry of Health, following the concerns and public comments received from several WTO members including the United States, the draft regulations had to be further amended and aligned with the latest relevant Codex standards. The summary of the public comments received are attached on Table 1 below. As a result, on May 18, 2017, the SA Ministry of Health sent out an email inviting further comments or inputs on the amended draft regulations. The amended draft regulations are attached on Table 1. The deadline for the submission of further comments or inputs was set as June 19, 2017.

Policy implications

The proposed regulations set maximum levels of the following metals; arsenic, cadmium, lead, mercury and tin. This will affect a wide range of agricultural products, namely, grains, vegetables, fruits, pulses, animal fat and oils, milk, meat (beef, pork, poultry, fish) and other consumer oriented products such as wine, salt, dairy and canned products. The United States food exports to South Africa amounted to about US$340 Million in 2016. Hence, it is important that the proposed regulations are aligned to the relevant Codex standards. Where internationally agreed standards are not available, countries must provide sound scientific justification for establishing the proposed metal levels.

Post encourages stakeholders to review the amended draft regulations and submit comments using the template provided in Table 1 prior to the deadline of June 19, 2017.

The details for the point of contact for the submission of comments are provided below:

Yvonne Tsiane
Directorate Food Control
Department of Health
Cnr. Struben and Andries Streets, Pretoria
Email: Yvonne.Tsiane@health.gov.za
Fax: 012 395 8854

Table 1: Amended draft regulations and summary of comments received.
<table>
<thead>
<tr>
<th>Name of Document</th>
<th>Attachment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amended draft regulations for further comments</td>
<td><img src="attachment.png" alt="Adobe Acrobat Document" /></td>
</tr>
<tr>
<td>Summary of all comments received and SA government responses</td>
<td><img src="attachment.png" alt="Adobe Acrobat Document" /></td>
</tr>
<tr>
<td>Template for the submission of comments</td>
<td><img src="attachment.png" alt="Microsoft Word 97 - 2003 Document" /></td>
</tr>
</tbody>
</table>

Source: SA Department of Health: Food Control Division