**From:** Deon Joubert [mailto:deonj@cga.co.za]
**Sent:** Monday, 07 February 2022 14:35
**Subject:** FW: Averting a disaster

Dear Madam/Sir,

As you know the EU SCOPAFF, Plant Health Section, is due to endorse tomorrow, 8 February, a draft amendment of Implementing Regulation (EU) 2019/2072 regarding the import requirements of Thaumatotibia leucotreta (FCM) on citrus from 3rd countries amongst other South Africa.

This draft amendment to this Regulation includes a mandatory requirement that all oranges from 3rd countries in Africa and Israel be subjected to cold treatment for minimum 16 days at a temperature between 0 and -1 degrees C.

**This new requirement will have a deleterious impact on the more than 100 year citrus trade between Europe and South Africa (the most important source of citrus for the EU during the European summer, with a value of over EUR 1 billion).**

In particular, **it will prevent the import of all organic and non-chemically treated oranges, as well as several important cultivars that do not tolerate this temperature.** This will cause **important gaps in the availability of excellent quality oranges to EU consumers** through the European summer, which has relied on this supply the past decades. **The produce that enjoys the biggest demand from EU consumers – organic and non-chemically treated – will be completely unavailable.** This, at a time of particularly strong EU demand, as consumers appreciate the benefits of Vitamin C for their immune system and general health.

**This proposed new requirement is not justified on plant health grounds:**

* Cold treatment is already part of the South African Risk Management System for FCM.   But **different cold treatment (time-temeprature) components are applied based on the objective risk assesment in the systems approach that results from dilligent and comprehensive weekly monitoring of any FCM presence during pre harvest citrus orchards in South Africa.** The adapatability of the system based on objective risk assessment (prevalence of the pest in the area, type of cultivar, other risk mitigation measures etc) is its strength and critical to any systems approach as it allows interventions which are environmentally friendly, non chemical, thus sustainable and biological acceptable. Introducing a blanket, one-size-fits-all cold treatment requirement invalidates the benefits achieved pre harvest on minimal chemical intervention and the whole idea of a systems approach.
* **The FCM risk from South Africa to the EU has not increased** since FCM was declared an EU quarantine pest 3 years ago. The record over the past three years has been 14, 19 and 15 interceptions (NONCs). This is not an upward trend. There are, in addition, major question marks about whether a number of EU interceptions were alive as required to be a NONC.  The photographic evidence of black [dead] larvae combined with evidence of correct application of the agreed scientificly required cold treatments in 2021 with its proven efficacy, resulted in experienced and world regocnised FCM experts to conclude that these FCM larvae were indeed dead when inspected.  SA concluded that 6 **out of the 15 interceptions probably related to dead larvae and should not have been classified as official NONCs.  This contrast starkly with excellent and comprehensive EU border inspection done and reporting made regarding FCM at northern EU member states.**
* The risk is not particularly high from oranges. Based on the EU’s own data, oranges accounted for 15, 12 and 8 of the above NONCs over the past three years [2019 to 2021] **I.e. clearly in decline.**
* By comparison, if **FCM interceptions were a priority to the EU, the NONC’s from cut flowers and other horticultural products imported from other 3rd countries varied between 51 and 129 individually over the same past 3 years!**
* As stated above, cold treatement is already part of the South African FCM risk management system. **This amongst other has already been further strengthened in November 2021**, and the changes (including elimination of the two less strict cold regime options) have been communicated to the EU to demonstrate South Africa’s commitment to ongoing and improved risk mitgation.
* **Other available time-temperature protocols, enshrined in the EU FCM risk management system and in the draft recognised IPPC ISMP standards have proven similar efficacy as the protocol that the EU intends to impose [the evidence of these efficacies were jointly published in CRI scientific literature during 2016, subjected to peer-review and is currentlly recognised as the world authority position on cold treatment for FCM – and the basis for the IPPC’s ISMP draft on FCM]. At least the least trade restrictive temperature cold protocols should be available, if maditory cold treatment is at all, required.  Not the curent mooted regime.**

**The proposed measure is therefore contrary to the WTO SPS principle that the least trade-restrictive measure available should be applied.** There is simply no good reason to effectively ban the import of some orange cultivars, of organic oranges and of non-chemically trated oranges from South Africa when the this measure is not scientifically justified and other equally effective measures are available (and indeed already applied).

South Africa has successfully traded citrus fruit with the EU for over 100 years. South African growers are extremely well aware of the importance of protecting production from pests and fully recogtnise the right of European growers to be afforded such protection.

South African growers spend an estimated ZAR 3.4 billion annually to ensure the highest levels of compliance with EU plant health regulations on FCM and CBS. This major investment is what enables the operation of probably the most sophisticared world risk management systems on plant health [in the words of EU officials].  It thus makes no sense to undermine it all with an unncesessary and disporportionate one-size-fits-all manditory cold treatment requirement, which nullifies the progressive, environmently friendly and sustainable RMS on FCM which South Africa manages and maintains.

**We respectfully urge you to oppose this draft amendment of Implementing Regulation (EU) 2019/2072 and call on you to ask the European Commission to commission more proportionate, effective and, above all, readily available alternatives, following further consultation with South Africa.**

Groetnis/Kind regards

**DEON JOUBERT**

SPECIAL CGA ENVOY: MARKET ACCESS & EU MATTERS

Work Tel: +27 21 914 7174

Facsimile 0866116352

Mobile +27 83 675 3785

deonj@cga.co.za

Skype deon.joubertsa

