



agriculture, land reform
& rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Step by Step Export Manual for Exporters of South African processed fruit, vegetables, nuts, beans and herbal- infused beverages

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List of abbreviations (1 / 2)

AfCFTA	Africa Continent Free Trade Agreement
AIC	Agriculture Input Control
AMU	Arab Maghreb Union
APQA	Agriculture Product Assurance
AU	African Union
AGOA	Africa Growth and Opportunity Act, US Public Law 106-200
APS Act	Agricultural Products Standards Act 119 of 1990
APSS	Agro-Processing Support Scheme
BFAP	Bureau for Food Agricultural Policy
BRC	British Retail Consortium
CAC	Codex Alimentarius Commission
CBI	Centre for the Promotion of Imports from Developing Countries
CCP	Critical Control Points
CEN-SAD	Community of Sahel-Saharan States
CFR	Cost and Freight
CIF	Cost Insurance and Freight
CIP	Carriage Insurance Paid To
COMESA	Common Market for Eastern and Southern Africa
CPT	Carriage Paid To
DAP	Delivered at Place
DDP	Delivery Duty Paid

DFTS	Dried Fruit Technical Services
DALRRD	Department of Agriculture, Land Reform and Rural Development
DAFF	Department of Agriculture, Forestry and Fisheries
DOH	Department of Health
DFIES	Directorate Food Imports and Exports Standards
DFSQA	Directorate Food Safety Quality Assurance
DPU	Delivery at Place Unloaded
dtic	Department of Trade Industry and Competition
EAC	East African Community
EMIA	Export Marketing and Investment Assistance
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EPA	Economic Partnership Agreement
EU	European Union
EU RASFF	EU Rapid Alert System for Food and Feed
EXW	Ex-Warehouse
FAS	Free Alongside Ship
FAO	Food and Agriculture Organisation
FBO	Food Business Operator
FCA	Free Carrier
FDA	Food & Drug Administration in the USA

List of abbreviations (2/2)

FDI	Foreign Direct Investment
GEPP	Global Exporters Passport Programme
GIs	Geographical indicators
GSP	Generalised System of Preferences
HACCP	Hazard Analysis Critical Control Points
HS	Harmonised System
ICC	International Chamber of Commerce
IGAD	Intergovernmental Agencies on Development
INFOSAN	International Food Safety Authorities Network
IPPC	International Plant Protection Convention
ISO	International Standard Association
MRAs	Mutual Recognition Agreement
NAS	National Analytic Services
NEDP	National Exporter Development Programme
NFSCP	National Food Safety Control PI
NRCs	National Regulator for Compulsory Specifications
NPPO	National Plant Protection Officer
NTM	Non-tariff measure
MERCOSUR	Mercado Común del Sur (Southern Common Market)
ORLs	Official Recognised Laboratories
PDO	Protected Designation of Origins

PPECB	Perishable Products Export Control Board
PUC	Production Unit Code
RECs	Regional economic communities
RoOs	Rules of Origin
SARS	South African Revenue Services
SPS	Sanitary and Phytosanitary Measures
SABS	South African Bureau Standards
SACU	South Africa Customs Union
SADC	Southern Africa Development Community
SAFJA	South Africa Fruit Juice Association
SAFVCA	South African Fruit and Vegetable Canners Association
SAFVCEC	South African Fruit and Vegetable Canners Export Council
SAMAC	South African Macadamia Growers Association
SANAS	South African National Accreditation System
SARS	South Africa Revenue Authority
SEDA	Small Enterprises Development Agency
SGS	Société Générale de Surveillance
TRQs	Tariff Rate Quotas
USA	United States of America
WCO	World Customs Organisation
WTO	World Trade Organisation

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Overview

Overview

South Africa and countries that comprise the European Union (EU) are member states of the World Trade Organization (WTO).

Amongst other agreements that these member states are signatories to, they also belong to the WTO Trade Facilitation Agreement (TFA) and WTO Application of Sanitary and Phytosanitary Measures (SPS) Agreement. The TFA is focused on facilitating trade through trade measures that address trade barriers and provide measures to assist countries in achieving an enabling trade environment. The SPS Agreement is focused on assisting members in practising safe trade in food and agricultural products.

Safeguards or measures on the movement of goods and food across borders globally can translate as barriers to trade. Without deliberate, specific interventions to promote compliance amongst producers, these barriers can inhibit access to opportunities found in the international market.

The EU export market has stringent conditions to promote food safety, the environment, and consumers. An intervention such as this step-by-step Export Manual for processed fruit, vegetables, nuts, beans and herbal-infused beverages (“the Export Manual”) will enable South African exporters, producers and freighters to understand various EU legislation, regulations, and requirements on agricultural and agro-processed exports, including consumers found in the EU market and other international markets.

While the South African legislation, regulations, and requirements on agricultural products are largely in harmony with what is prevailing in the international markets, exporters, producers, and freighters must understand that each product is controlled by legislation and regulations specific to it.

Why export to the European Union?

The South African Development Community (SADC)-EU Economic Partnership Agreement (EPA), which South Africa is a member of, offers its members access to the European market under duty and quota-free preferential arrangements. In addition, the EPA fosters competitive growth of domestic industries and expansion of agricultural and agro-processing value chains that are, in turn, complemented by various export incentive schemes put in place by the government of South Africa. South Africa with its multiple industries and a wide array of sectors has the potential to take advantage of the EU market by attracting quality investments to agro-processing and agri-businesses such as SMMEs. The EU is South Africa’s largest trade partner, contributing to almost a quarter of trade in 2020.

It is essential to know that in the short-term trade liberalisation has a differentiated impact on different businesses, with small, medium, and micro-sized enterprises (SMMEs) commonly negatively affected. However, the asymmetrical arrangement between the EU and SADC Member States takes care of the short-term negative effects that can occur. In addition, the EPAs have trade safeguard mechanisms in place to boost resilience and manage economic shocks that can be brought about by trade liberalisation. Under the SADC-EU EPA, trade liberalisation now extends to 98.1% of all tariff lines. The SADC-EU EPA also includes a bilateral protocol between the EU and South Africa on protecting geographical indications (GIs) and trade in wines and spirits.

The South African intense mining, manufacturing, and agricultural base can be explored to expand existing value chains, making it possible for emerging exporters of agricultural products, including products with recognised GI, to compete in EU and other foreign markets easily.

This Export Manual is an update of the 2014 step-by-step Export Manual for exporters of South African fruit, vegetables, and nuts. The revised Export Manual strongly focuses on exporting to the EU market, which has given rise to sophisticated consumers who demand sustainable, inclusive supply chains and transparency.¹ This revised and updated Export Manual now includes beans and herbal-infused beverages.

The desired outcome of this Export Manual is to enhance the response towards opportunities under the EU-SADC EPA that can benefit emerging exporters of processed fruit, vegetables, nuts, beans and herbal-infused beverages, including products with recognised Geographical Indications (GIs).

Purpose of the Export Manual

The Export Manual aims to outline the chronological steps in exporting to international markets while providing information to exporters and importers on compliance with private global standards to achieve accreditation of the different sectors by international bodies. The Export Manual also focuses on the exporting requirements of the European market, including processed food products standards, SPS standards, animal health, and food safety standards.

Furthermore, the revised Export Manual will be a tool to assist SMMEs and women-owned businesses to build body knowledge on trade and effectively contribute to the formulation of trade policy, especially around the export discourse in South Africa. The Export Manual remains a high-level guide pointing exporters to specific authorities when looking for detailed information that may be beyond the scope of this Manual.

The Export Manual has drawn inputs from relevant organisations and shared best practices from experienced exporters already participating in foreign markets.

At the end of each chapter, activities will motivate readers to self-evaluate themselves.

Structure of the Export Manual

Exports facilitate economic growth and provide opportunities for development at the micro level for enterprises or individuals who are seeking to gain access to import and export opportunities.

Venturing into international export markets can be challenging because of the high expectation of compliance with regulations and stringent requirements dictated by the international export markets. Consequently, this Export Manual outlines how to export processed fruit, vegetables, nuts, beans and herbal-infused beverages from South Africa to international markets.

Chapter 1 provides an overview of the general appreciation and linkages between different government organisations and their regulatory requirements in the context of promoting compliance to achieve food safety, quality standards for local consumption in South Africa, and exports to regional and international markets. Chapter 2 identifies how the South African Revenue Services (SARS) facilitates export trade through the various South African regulatory and legislative provisions governing the export of agricultural products to international markets. Preferential Trade Agreements are also covered in Chapter 2, which provides an overview of exporters' different responsibilities regarding registration under specific trade agreements. In addition, exporters are expected to be thoroughly conversant with the trade agreements they intend to export under, and the SARS website links are provided for more detailed information on such exports.

Chapter 3 discusses quality and food safety standards and how the different players in the formulation of food safety standards contribute to transparency and predictability in the trade supply chain. Chapter 4 provides detailed insight into the flow of activities and document compilation from the business contract until the export consignment is ready for loading onto the means of transport to the country of export.

The description of products is communicated through tariff headings. Chapter 5 unpacks the tariff classification of products and alerts the exporter of the inherent risks and consequences of incorrectly classifying goods. Trade Incoterms are detailed in Chapter 6. These form an integral part of invoice terms, and Chapter 6 is designed to help exporters and all involved in international trade to better understand incoterms. In Chapter 7, the exporter is sensitised to different costs emanating from different stages of shipping goods. Different modes of transportation are also covered in Chapter 7, whereas Chapter 8 draws the exporter's attention to the distinction between shipping and forwarding.

Chapter 9 focuses on export finance and outlines different financial instruments and government export incentive schemes to assist exporters. Lastly, Chapter 10 covers market research and tools, and provides exporters with an overview of the various institutions that offer mentoring and coaching services on exports and international trade.

¹ https://www.cbi.eu/sites/default/files/market_information/researches/How%20SMEs%20from%20developing%20economies%20can%20prepare%20their%20export%20business%20for%20%28post%29corona%20trends%20in%20Europe%20-%20Professionalize%20by%20collaboration.pdf

CHAPTER

01

An overview of the export process and procedures

1.1 Defining the Scope of the Export Manual

This Export Manual will assist exporters to appreciate the processes and procedures that are involved when exporting to foreign international markets. While the focus is on the EU market, the Export Manual covers other international markets that are strategic to South African agricultural exports.

The Export Manual is a publication of the Department of Agriculture, Land Reform and Rural Development (DALRRD) in partnership with the EU-funded EPA Support Programme. Compilation of this Export Manual has been achieved through a consultative process that involved various stakeholders, industry bodies and trade promotion agencies that were able to share best practices through experience over the years.

The Export Manual is an update of the 2014 step-by-step Export Manual of exporters of South African processed fruit, vegetables, and nuts. This Export Manual covers the same products as the 2014 Step-by-step Export Manual: however, there has been an addition of beans and herbal-infused beverages (rooibos and honeybush tea) as part of the processed products that can be exported to the EU and other international markets. Beans and dried vegetables have a niche in international markets that can be explored by South African producers and exporters too. It is essential to remember that processed products covered in the Export Manual also include:

- dried fruit,
- canned fruit,
- frozen vegetables and canned vegetables
- Rooibos and rooibos mixtures
- Honeybush and green honeybush

Foreign markets, especially the EU, are characterised by stringent conditions that require utmost compliance. Deviations or compromised adherence to the requirements has disastrous consequences for exporters, such as the prohibition of entry of the exported consignment and cancellations of export orders accompanied by huge costs. As such, this Export Manual serves as a guide to help exporters avoid such pitfalls. Exporters are therefore expected to visit specific institutions for detailed information on the exportation of the products they intend to export.

The summary of steps in Figure 1 gives exporters and exporting enterprises, including SMMEs, a bird's eye view of the processes and linkages that entail the exportation of processed fruit, vegetables, nuts, beans and herbal-infused beverages to the EU and other international markets. The aim of the outline of steps is to assist the exporters and exporting entities to access international export markets through a seamless legal and regulatory process that ensures they overcome trade barriers while food safety of their agri-products is achieved. The rest of the chapter unpacks in detail, the regulations that are employed in the South Africa Food Control System in liaison with SARS and other government departments.

Figure 1: An overview of the process to follow as an exporter





1.2 The South African Food Control System

The South African Food Control System is covered by Step 1 and Step 2 as depicted in Figure 1.

Exporters need to understand the systems in place for compliance with Agricultural Products Standard Act 119 of 1990, Liquor Products Standard Act 60 of 1989 and other subsidiary regulations. Understanding the South Africa Food Control System helps exporters and exporting enterprises, including SMMEs, to know which section to approach for specific information on food safety, quality and standards to avoid costly mistakes inherent in international trade.

The South African Food Control System is coordinated through legislation and regulations by 3 national government Ministries, namely the Department of Agriculture Land Reform and Rural Development (DALRRD), the Department of Health (DoH), and the Department of Trade, Industry and Competition (dtic). Food safety is a shared responsibility of all three national departments.

The three national government ministries responsible for coordinating the South African Food Control System are discussed in further detail in the section below.

1.2.1 The Department of Agriculture, Land Reform and Rural Development

In exporting food and agri-products, DALRRD is the appointed department to ensure that South Africa complies with international agreements such as the WTO SPS Agreement. This is done through liaison with other departments. DALRRD is the National Notification Authority to the WTO and the appointed National Enquiry Point in relation to national agricultural issues that may impact international trade.

Below are the directorates involved in regulating agricultural products operating under DALRRD:

- Directorate: Food Safety and Quality Assurance
- Directorate: Food Import and Export Standards
- Directorate: Plant Production
- Directorate: Agricultural Input Control
- Directorate: Plant Health
- Directorate: Inspection Services

The below-mentioned directorates and the coordinated roles under DALRRD in conjunction with DoH and the dtic, contribute to a globally reputable transparent South African food system that exporters should exploit to venture into international markets.



Directorate: Food Safety and Quality Assurance

- For the purpose of the processed agricultural products for export discussed in this Export Manual the Directorate: Food Safety and Quality Assurance (D:FSQA) is the critical player in the South African Food Control System for the export of processed fruit, vegetables, nuts, beans and herbal- infused beverages. It is one of the paramount authorities responsible for food safety guidelines and standard operating procedures through the administration of Agricultural Products Standard Act (APS Act) 119 of 1990, to manage sanitary and health risks associated with plant based agricultural food products for export.
- Under the auspices of D:FSQA there is the National Analytical Service Laboratories that assists national government's different directorates on the analysis of agricultural products in terms of chemical composition and presence of microbiological contaminants in consignments destined for various regional and international export markets.
- D:FSQA regulates the quality and food safety of agricultural products in terms of the APS Act and Liquor Product Standards Act, 60 of 1989. D:FSQA enforces the norms, systems, and standards to be complied with by exporters and Food Business Operators (FBOs).
- Participation by the D:FSQA in international fora such as Codex Alimentarius Commission; the Organisation of Economic Cooperation and Development; the Food and Agricultural Organisation; and United Nations Economic Commission for Europe enables harmonisation of legislation and procedures with other international best practices. This harmonisation overcomes barriers to trade on behalf of the exporter, who can find it complicated and expensive to comply without the help of the above-mentioned international organisations.

Therefore, it is imperative for potential exporters, including organisations involved in the export supply chain of agricultural food products, to be familiar with the operations of D:FSQA.

For more information pertaining to the export of processed fruit, vegetables, nuts, beans, and herbal-infused beverages, contact:

Mr Billy Makhafola

Director: Food Safety and Quality Assurance

Department of Agriculture, Land Reform and Rural Development

Tel: +27 12 319 7306/7304 | Mobile: 072 198 9278 | E-mail: BillyM@dalrrd.gov.za

Web: www.dalrrd.gov.za/index.php/core-business/agricultural-production/inspection-services/food-safety-quality-assurance



Directorate: Food Import and Export Standards

- The Directorate: Food Import and Export Standards (D:FIES) under DALRRD facilitates the importation and exportation of processed agricultural products through policies, legislation, norms and standards to ensure awareness and management of the inherent risks associated with food safety. DALRRD also works closely with the DoH. Within the DoH, the Directorate on Food administers regulations in terms of the Foodstuff Cosmetics and Disinfectants Act 54 of 1972. It regulates imports and exports by monitoring the residue levels of chemicals, pesticides, and metals in agro-processed food products. The D:FIES also focuses on food safety and capacity building of exporters and farmers to comply with agricultural standards as well as adhere to SPS requirements.
- Adherence to domestic, export, and standards regulations promotes compliance with strict requirements of international trade, such as marking and labelling, as dictated by foreign markets at the same time observing international protocols on the WTO's technical barriers to trade.
- Export standards requirements form an integral part of the quality and safety of food products for export, making it very critical on the part of the exporter to be diligent in the pursuit of compliance required for exporting. Table 1 (on pg 18) covers the mentioned legislation for ease of understanding of the dictates of international markets and additional information found on the website: <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Import-Export-Standards>



Directorate: Plant Production

The Directorate: Plant Production (D:PP) ensures the sustainable propagation of plants through established norms and standards. One of the objectives is to achieve a national reservoir of quality seeds to produce quality vegetables, fruit, grains, and crops. It will help exporters and enterprises in agribusiness to be familiar with best practices as guided by the D:PP so that their products are readily acceptable to international markets because of their quality.

For more details, please contact D:PP at the addresses:

Director: Plant Production

Department of Agriculture, Land Reform and Rural Development

Private Bag x250, Pretoria 0001, South Africa

Tel: +27 12 319 6072/9 | Fax: +2712 319 6372 | E mail DPP@dalrrd.gov.za

Website: <http://www.dalrrd.gov.za/index.php/core-business/agricultural-production/plant-health/plant-production>

<http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Plant-Production>



Directorate: Agricultural Input Control

The Directorate: Agricultural Input Control (D:AIC) is mandated to monitor agricultural inputs in the production of agricultural products in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947. Exporters and enterprises involved in the production of agro based food must consult D:AIC on updated information on prescribed fertilisers, farm feeds and other agricultural inputs to be used to ensure production of safe food as well as compliance with international requirements of the export market.

The D:AIC can be contacted at the following addresses:

Physical address: Agriculture Place, 20 Steve Biko Street, Arcadia, Pretoria 0001, South Africa

Office hours: 07:30 AM – 16:00 PM

Mailing address: Department of Agriculture, Land Reform and Rural Development, Private Bag X343, Pretoria 0001, South Africa

Tel: +27 12 319 7103/7847 | E mail: AICHelpdesk@dalrrd.gov.za

Website: <http://www.dalrrd.gov.za/index.php/core-business/agricultural-production/inspection-services/agriculture-inputs-control>



Directorate: Plant Health

The Directorate: Plant Health (D:PH) ensures the health of plants by monitoring pests and diseases that attack plants. The objectives of D:PH are in harmony with International Plant Protection Convention (IPPC), which is an international body mandated to secure coordinated, effective plant protection against the introduction and spread of pests of plants and plant products across countries. The National Plant Protection Officer (NPPO) issues phytosanitary certificates on importation after ascertaining the condition of the plant consignment. Plant health is a critical area where exporters and importers alike must comply with prescribed legislation to avoid introduction of pests and diseases in countries through trade.

For information on Phytosanitary Certificates and plant health obligations in the importing country, please contact:

Mr Kgabo Matlala

Scientist Manager: International Standards

Private Bag X14, Gezina 0031, South Africa

Tel: +27 12 319 6091 | Fax: +27 12 319 6101 | E-mail: KgaboMa@dalrrd.gov.za

Website: <http://www.dalrrd.gov.za/index.php/core-business/agricultural-production/plant-health/plant-health>

<http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Plant-Health>



Directorate: Inspection Services

Fruit and vegetables for export fall under surveillance of the Directorate: Inspection Services (D:IS). D:IS is responsible for monitoring arthropods and enforcing compliance with residue limits to achieve food safety as prescribed by national and international standards. Plant quarantine and plant diagnostic services are provided by D:IS. to manage the risks associated with the health of plants. and promote food safety standards

For more information on the activities of D:IS please contact:

Director: Inspection Services

Mr Ernest Phoku

Tel: +27 12 309 8701 | E mail: ErnestP@dalrrd.gov.za | Enquiries: DIS@dalrrd.gov.za

Website: <http://www.dalrrd.gov.za/index.php/core-business/agricultural-production/inspection-services/inspection-services>

<http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Inspection-Services>

1.2.2 The Department of Health



The DoH works closely with DALRRD in ensuring and promoting food safety hence all food premises must be approved and certified by a registered professional Environmental Health Practitioner. The DoH is tasked with many functions and programmes. The food safety function is housed under International Relations and Health Trade and Health Product Regulation programme. The Directorate: Food Control (D:FC) promotes food safety by developing food control policies, norms, and regulations. The D:FC is responsible for enforcing the Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972, which is the principal regulation that controls the sale, manufacture, importation and exportation of foodstuffs, cosmetics, and disinfectants.

The D:FC is also responsible for food safety legislation, food labelling, designing food programmes that assess monitoring and management of food alert updates and food law enforcement. In addition, this Directorate also has the role of being the National Contact Point for the joint Food and Agriculture Organisation – World Health Organisation Codex Alimentarius Commission.

Exporters and entities in the processed food industry will find it helpful to ensure approval of all the food production processes as regulated by the D:FC in the DoH to ensure compliance and issuance of a Certificate of Acceptability by the Environment Health Practitioner.

For more information specific to the product being exported, contact:

Department of Health

Address: Department of Health Directorate: Food Control Private Bag X828, Pretoria 0001, South Africa

Email: Malose.Matlala@health.gov.za or CACPSA@health.gov.za

Tel: +27 12 395 8789 | **Fax:** +27 12 395 8854 | **Fax2email:** +27 86 632 6440

Website: <https://www.health.gov.za/food-control/>

1.2.3 The Department of Trade, Industry and Competition



The Department of Trade, Industry and Competition (dtic) came into existence in 2019 through the amalgamation of the Economic Development Department and the Department of Industry and Commerce. Through the blueprint “Integrated National Export Strategy for 2030”, the dtic outlays the strategies in place to address the promotion of exports in South Africa.

The dtic achieves a trade environment that facilitates seamless trade through engagement in international trade affairs and negotiation of South Africa’s multilateral and bilateral trade relations. This enabled environment makes it relatively easier for exporters to navigate the international trade terrain and overcome technical barriers to trade as well as non-tariff measures that impede trade. The dtic also administers food regulation and control through its National Regulator for Compulsory Specifications (NRCS) agency.

NRCS is mandated to administer compliance with technical regulations and compulsory regulations as dictated by the standards requirements of fishery products and canned meat. The NRCS is also instrumental in the design of WTO technical regulations that inform best practices and safeguard standards in food safety. The dtic is involved in the design of export promotion programmes, national export development programmes and export incentives in the form of financial assistance to qualifying exporters.

It is in view of the foregoing role of the dtic that when exporting the products covered by the Export Manual, exporters will benefit by enlisting for the mentioned programmes to become skilled traders in foreign international markets.

The trade agreements and bilateral protocols harmonise international procedures between the countries involved. A visit to the website of the dtic will give the exporter information on countries with conditions in favour of their export products. Sections on the dtic website, such as the Trade and Investment South Africa (TISA) and Invest South Africa, are sources of information that can assist exporters SMMes and other enterprises on points to consider in the design of the export marketing strategy of the fruit, vegetables, nuts, beans and herbal-infused beverages to international markets.

For more information on international trade and exports, contact:

Department of Trade Industry and Competition

Address: 77 Meintjies Street, Sunnyside, Pretoria 0002, South Africa

Tel: +27 12 394 9500 | **Email:** contactus@thedtic.gov.za

Website: <http://www.thedtic.gov.za/>
<http://www.itac.org.za/>

Exporters can contact the **National Regulatory Compulsory Services** for assistance on technical regulation and information on measuring instruments used in the food and associated industries. (The current regulations are on canned fish and other fish products.)

For more information contact:

Address: SABS Campus, 1 Dr Lategan Road, Groenkloof, Pretoria

Postal: Private Bag X25, Brooklyn 0075, South Africa

Tel: +27 12 482 8700 | **Email:** info@nrccs.org.za

Website: <https://www.nrccs.org.za/business-units/food-and-associated-industries>

The dtic houses **Trade Investment South Africa (TISA)**, an agency that provides information on favourable markets as influenced by the bilateral relationships between countries. Exporters can have valuable information on the country of export through the Deputy Director General:

Tel: +27 12 394 1849 | **Email:** LeratoM@thedti.gov.za

For more information: <http://www.thedti.gov.za/sectors-and-services-2/1-4-2-trade-and-export/market-access/trade-negotiations/>

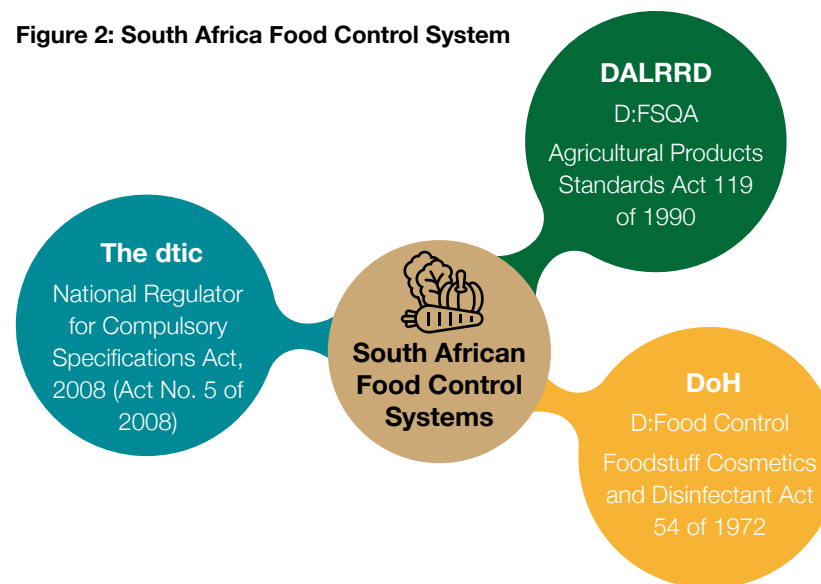
The role of DALRRD, DoH and the dtic have been articulated in Figure 2 for exporters to appreciate how the South African Food System operates. The ambit of different directorates under DALRRD, together with mandated assignees enforce compliance of exporters, exporting enterprises and FBOs (discussed in detail later in the next section), with agricultural and international regulations and protocols to deliver on food safety.

The DoH through the provisions of various legislations and programmes observes international protocols with an emphasis on health and food safety including labelling and advertising in the realm of trade. The dtic ensures the quality and safety of South Africa's food exports through several skilling programmes that empower SMMEs, other enterprises in agro-based activities.

In addition the dtic contributes to legislation and international engagement on interventions like global standards administered by the South Africa Standard Burea (SAB) and the NRCS.

These three National Ministries are all appointed national contact points for the Codex Alimentarius Commission. The complementary roles by these national entities make up the South Africa Food Control System within which all FBOs, enterprises and SMMEs must operate. The next section covers Food Business Operators as part of the South African Food System.

Figure 2: South Africa Food Control System



1.2.4 Food Business Operators

What is a Food Business?

This is an enterprise that exists as either for profit or not-for-profit entity in the business of handling food, food-producing, exporting food or operating in any part of the food supply chain.

What is a Food Business Operator (FBO)?

This a "person or persons responsible for ensuring that the prescribed requirements of the export standards and requirements are met within the food business under his or her control and includes both the management of the food business as well as the person with overall authority on-site or in the specific establishment."²

Registration of Food Business Operators

Any business in the agricultural sector that operates a pack house on or off-farm, commercial cold store, processing plant, container depot, transport operator, exporter, dry storage facility, drying facility, municipal market facility, retailer, grain storage facility on or off-farm, airport terminal/forwarder or seaport terminal must be registered and be granted a Production Unit Code (PUC) that will facilitate tracking or tracing the consignment en-route for export.

² <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Food-Business-Operator-Registration>

FBOs registration falls under the D:FSQA. The FBO Code issued after registration is an alpha-numeric code registered with the Executive Officer by FBOs participating in the export markets, including entities such as pack houses for fruit and vegetables.

The FBO database is administered and maintained by DALRRD through R707 under the Agricultural Product Standards Act 119 that outlines the compliance requirements of FBOs. D:FSQA maintains a database of registered FBOs and Production Unit Codes that can be availed to interested parties upon request.

Registration Process

Regulation 707 of 13 May 2005, subsidiary legislation to the APS Act 119 of 1990 and the Liquor Act 60 of 1989 requires all FBOs to be registered with D:FSQA to export fruit, vegetables, nuts, beans, and herbal-infused beverages to international markets.

To start the registration process, the applicant must have:

- FBO Application form;
- Title Deed;
- ID Copy and Map of the Place to be registered; and
- Log on <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Food-Business-Operator-Registration> to complete the application form

1.2.5 Methods of Inspection

Inspections are part of the tools used by DALRRD to enforce compliance with legislation by FBOs with regards to food safety and eliminate any potential hazards in production processes. These inspections enable South African agricultural processed products to be competitive in international markets as they guarantee the safe consumption of these products. The D: AIC conducts these inspections at plant premises – for example, at manufacturers' and distributors' premises, pest control operators and farms, and sterilising plants.

The inspection procedure will vary depending on what is being inspected and where the inspection is done. These are some of the areas that the inspection covers:

- Checking for any likelihood of cross-contamination during processes
- Labelling, registration
- Checking for good housekeeping
- Checking for the validity of permits
- Validity of import documents

Inspection Procedures

Exporters must know that:

1. Inspectors have the authority in terms of Export Regulations of Processed Products 2015 to open any consignment in containers and draw samples for analysis to ascertain compliance with laid down food safety regulations. The results of the findings are projected for the rest of the consignment.
2. Consignment for inspection must be ready at least 12 hours prior or anytime agreed upon by the Executive Officer prior to inspection.
3. The consignment or the container must be easy to access by the inspector.
4. Marks and labelling must be clear and legible.
5. The following legible documents Consignment Note, Intake Note, Delivery Note and Rail Card / must accompany the consignment that is to be inspected.
6. After inspection, the consignment will be marked passed for export if it meets all the requirements or rejected if the consignment has not complied with the regulations.
7. The inspector will issue a certificate pronouncing the outcome of the inspection.

Exporters pay fees for inspection services, including other services provided by PPECB or other Assignees mandated by DALRRD. Exporters must find out about the fees payable for the particular service they want. Exporters, including all businesses involved in the exportation of regulated agricultural products to international markets, should visit this website to have a general appreciation of inspection services and the products subject to inspections: <https://ppecb.com/services/product-inspection-services/>

Sampling Procedures

Samples are drawn on agricultural products of plant origin destined for export to ascertain compliance with agrochemical residue levels as stipulated by the law of the exporting and importing countries. Standard Operating Sampling procedures vary according to the product that is being analysed. The sampling procedures are regulated by the following legislative provisions:

- Agricultural Products Standard Act 119 of 1990
- Regulation R707 of 13 May 2005 Export Conditions of Consignments of Regulated Products from Local/National Fresh Produce Markets

- Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act, 36 of 1947)
- Foodstuffs, Cosmetics and Disinfectants Act No. 54 of 1972 and import country requirements

DALRRD has given authority to inspectors to draw samples of any product material substance as deemed necessary by him or her to ascertain the grade and quality of the export product.

Please visit the D:FSQA offices for a comprehensive outline of Sampling Procedures.

Food Safety Audits

Audits are used to ensure compliance with various food and safety statutes by FBOs and other international exporters. There are also additional control mechanisms such as monitoring, sampling, analysis, and surveillance. While falling under D: FSQA, these functions are a shared responsibility among different directorates.

Audits are designed to encourage FBOs to comply with legislation and examine their systems for any gaps that may present hazards in the processes of food production. These audits give opportunities to DALRRD or the audit body to identify the gaps and learning opportunities for the FBOs.

FBOs must be aware of the following conditions required by PPECB:³

- A list of registered PUC that supply products for export must be presented to PPECB
- PPECB must have audited the PUC in compliance with R707 of 13 May 2002
- FOB must present a safety compliance certificate for each PUC product for export
- Analytical certificates or reports on products being exported must be presented to PPECB
- Consignments forwarded from other countries are prohibited

Table 1 shows a list of types of FBOs as defined by the operations. The definition through activities of the FBO assist the owners of these business identify the type of their FBO and how it is regulated.

Table 1: List of types of FBOs and defined operations

FBO Type	Definition
Primary production (PUC)	Primary production of agricultural products, including the activities performed pre-farm gate, i.e. fertilization, chemical application, harvesting etc.
On-farm packhouse (PHC (on))	Permanent packing facilities and associated cold storage facilities located on primary production sites/farms involved in the packing of all products of plant origin coming from only that farm, that are not subjected to semi-processing or processing procedures.
Off farm packhouse (PHC (off))	Permanent packing facilities located on primary production sites/farms and associated cold storage facilities involved in the packing of all products of plant origin coming from that farm and from other farm, OR not located on primary production sites/farms involved in the packing of all products of plant origin that are not subjected to semi-processing or processing procedures.
Processing plant (PROCES)	A factory where the plant product is subjected to a process which alters its original state and the product is graded/classified and packed, and in this context means canning of fruit and vegetables, freezing of fruit and vegetables, pasteurization and packing of rooibos and honey bush tea and cleaning, sorting and packing of dried fruit.
Grain storage facilities (GSF)	Facilities involved in the handling, storage and distribution of regulated grains and oilseeds (excluding groundnuts) intended for export. The grain storage facility might have a multiple storage silo's or bins.
Commercial cold storage facilities (CCS)	Commercial cold storage facilities not located on primary production sites/farms involved in the handling, storage and distribution of products.
Container depot (CD)	A place for storage, cleaning, detention, and examination of empty containers.
Drying facilities (DF)	A facility for drying, handling and chemical treatment of dried fruit, rooibos and honey bush tea destined for further processing.
Dry storage facilities (DSF)	Facilities involved in the handling, storage, and distribution of products of plant origin. These include commercial storage facilities and exclude facilities only storing own product. These are collection depots and ambient bulk storage facilities.

³ http://www.nda.agric.za/daDev/sideMenu/foodSafety/doc/EXPORT_CONDITIONS_FROM_LOCAL_MARKETS.pdf

FBO Type	Definition
Exporter (EXPO)	Those FBO's that are responsible for ensuring that the products that they supply to the market meet the requirements of the buyers (importers and/or retailers) as well as the minimum regulatory requirements of the importing and exporting countries. They are also responsible for coordinating the export supply chain from farm to fork.
Seaport terminal (SEA)	Facilities that are concerned with the receiving, stacking, storage and loading of export palletized and containerised perishable cargo, via sea.
Airport Terminal/Forwarder (AIR)	Facilities that are concerned with the receiving, stacking, storage and loading of export palletized and containerized perishable cargo, via air.
Transport operator (TRANS)	Transport companies involved in the transportation of products of plant origin. This refers to transport that is used for example, from the packhouse to the commercial cold storage facility, depots or terminals etc. This excludes on-farm transport (e.g. from the orchard to the packhouse) and the transport of empty containers.

1.2.6 Packing, Marking, Labelling and Sampling Procedures

Once the FBO or other legally recognised entity has been successfully registered, the next step is to familiarise with packing, marking, and labelling and sampling requirements. These are hall marks of food safety and standards that must be strictly observed by FBOs and other exporters as part of regulations to comply with international markets. It is the responsibility of the exporter or FBO to ensure correct labelling and marking, and packing. In instances that require further clarity it is always best to approach D:FSQA. Failure to comply with these regulations disqualifies exports associated with international markets. Sections below provide information to FBOs on packing, marking, labelling and sampling.

Packing Requirements

As an exporter to the EU market, it is crucial to consult the relevant Member State and determine what law applies to packaging, labelling, and marking. The concerns about packaging, labelling and marking are driven by health, safety, and environmental considerations. Exporters must conduct market research that will inform the choice of packaging within the confines of what is prescribed. The EU market has established laws and regulations that inform the selection of packaging. Packaging, labelling, and marking in the EU vary according to the Member States depending on what the Member State classifies as mandatory or voluntary. For more information on packaging, labelling and marking, visit: <https://www.trade.gov/country-commercial-guides/eu-labelingmarking-requirements>.

In South Africa, the DoH and National Regulations of Specifications (NRCs) in the dtic regulate the packaging, labelling, and marking of products. For example, regulations stipulate that only fruit of the same quality, cultivar, and ripeness shall be packed together:

- containers shall be packed firmly to capacity
- pre-packed units shall be new, clean, dry, undamaged and suitable⁴

For detailed information, please follow this link on educational slides: <https://www.cgcsa.co.za/wp-content/uploads/2020/09/DALRRD-APS-Act-PRESENTATION-by-Mr.-T.-Van-Rensburg.pdf>

NB: Notwithstanding the legal requirements on packaging, labelling, and marking, it is also important to enquire from the customers about their inputs on the packaging. Consumer preferences matter and exporters should reach out to consumers to find out how they want the packaging to look. Moreover, there is voluntary compliance on packaging in some countries in the EU. To avoid misunderstanding as an exporter, you may have a written agreement between the exporter and the buyer, whereby the buyer elects what they prefer in writing, and the exporter (seller) commits to the contract. The contract can detail the buyer's preferences in packaging, and the contract can also guide mandatory requirements in line with what is obtained in the market of the Member State. Clarification on voluntary compliance must also be researched vis-à-vis packaging.

For detailed information on packaging in the EU, visit: <https://trade.ec.europa.eu/access-to-markets/en/content/labelling-and-packaging>.

Marking Requirements

The EU has an established set of guidelines governing the labelling and marking of goods, which can be accessed here: <https://www.trade.gov/country-commercial-guides/eu-labelingmarking-requirements>. However, general marking requirements should be captured carefully on the packing list. The customer in the foreign market must set guidelines, which should be captured in the contract.

⁴ <https://www.dalrrd.gov.za/daoDev/sideMenu/Food Import & Export Standard/docs/Regulating and inspection of agricultural products in SA Dr. Mutengwe.ppt>

For example, the number of packages in the packing list should tie up with the total number of physically exported packages. Therefore, in a total of 10 packages, each package should be marked 1/10, which means package number 1 out of 10 packages until you have 10/10. This is very helpful in ensuring that the whole consignment has been delivered. It also helps when the consignment has been targeted for a physical examination by the Customs Administration.

It is also useful in instances where a consignment has been misrouted. In such cases of short shipment the customer and/or clearing agent can easily notice that there are missing packages. Adhering to marking requirements also assist in tracing the origin of the misplaced consignment. DALRRD enforces marking regulations and policies for South African goods and products. For more information visit: <https://www.cgcsa.co.za/wp-content/uploads/2020/09/DALRRD-APS-Act-PRESENTATION-by-Mr.-T.-Van-Rensburg.pdf>

Eco-Labeling

Environment labelling on the packaging is voluntary and verifies that the product in question has been produced in an environmentally safe manner. Eco-labelling distinguishes foods produced by farmers and/or food processors whose operations have been verified by independent organisations to meet specific and transparent environmental or social standards from foods not produced in this manner. This development has become necessary to eliminate counterfeit products and skilful market claims about food products that are detrimental to the health of the unsuspecting consumer. For more information on eco-labelling, please follow the link: https://noharm.org/sites/default/files/lib/downloads/food/Food_Eco-Labels.pdf

1.2.7 Application for Approval To Export Procedure

Once the exporter has complied with conditions of registration, packing marking and labelling as described above, the exporter requires express approval to export through an application

to the Executive Officer or Assignee in the D:FSQA mandated to deal with the export of fruit, vegetables, nuts, beans and herbal-infused beverages.

The application is submitted four days prior to the intended date of export by the exporter to:

The Executive Office: Agricultural Products Standards: Directorate Food Safety and Quality Assurance

Tel: +27 12 319 6023 | Fax: +27 12 319 6055

The following information must be submitted with the application:

- (a) Name and address of the applicant, including details of the exporter/agent
- (b) Specific details of the product that cover the class type and grade. Further clarity can be obtained at D:FSQA (Policy Unit)
- (c) Mass of the containers and the number of containers
- (d) Information on the mode of transport, details of the vessel, ports of discharge for export and the date
- (e) Name and physical address of the importer or destination of the consignment
- (f) Name, and physical address of exporter's premises to facilitate traceability
- (g) Any additional important information as regards details of the consignment. The information must be in English and legible.

In summary, the South African Food Control System is premised on legislation covered and mandated by different bodies that have been captured in Table 2 below. These regulations and policies are fundamental to the National Food Safety Control Plan (NFSCP) that should be adhered to by all players in the export business supply chain.



Table 2: The Legislation involved in regulating agricultural products

Name of Act	Aim / Definition	Department / Directorate	Enforcement	Objectives / Relevant aspects	Relevant food safety aspects covered in the Act
Foodstuffs, Cosmetics and Disinfectant Act 54 of 1972	Addresses the manufacture, sale, and importation of foodstuffs from a safety/public health point of view	Department of Health Directorate: Food Control	<ul style="list-style-type: none"> Local authorities Port Health Services (provinces; Kwa-Zulu Natal, Eastern Cape, Western Cape, Gauteng) Import control managed by provincial authorities on behalf of the NDH 	<ul style="list-style-type: none"> Protect consumers from unsafe food Protect consumers from poor quality food Protect consumers against misleading labels and advertisements Enable consumers to make informed choices in accordance with individual needs Labelling and advertising Procedures (importation / sampling / authorization) Liability / prosecution 	<ul style="list-style-type: none"> Food additives, i.e. preservatives, antioxidants Tolerances for fungus-produced toxins Radioactivity in foodstuffs Irradiated foodstuffs Maximum limits for veterinary medicines and pesticide residues Microbiological and chemical standards Tolerances for certain seeds HACCP and Hygiene related matters Packaging and Labelling Contaminants Law enforcement Fortifications
International Health Regulations Act 28 of 1974	To apply International Health Regulations, as adopted by the World Health Assembly, in the RSA	Department of Health	<ul style="list-style-type: none"> Provincial and local health authorities: sampling and analysis of food; inspection of premises on behalf of National Department Health 	<ul style="list-style-type: none"> Notification of disease outbreaks Clinical diagnosis of disease Notification of infected areas Provision of facilities at ports & airports Designation of sanitary ports / airports Disinfestation, disinfecting, and other sanitary operations Placing suspects under surveillance International transport of cargo, goods, baggage, mail Foodstuffs carried as cargo on any vehicle Vaccination of infected persons 	<ul style="list-style-type: none"> Approval of source of food for consumption on premises of ports, airports, vessels and aircrafts Hygienic handling of such food Focus on specific diseases / plagues, e.g. yellow fever, Bacillus plague, cholera Sanitary operations

Name of Act	Aim / Definition	Department / Directorate	Enforcement	Objectives / Relevant aspects	Relevant food safety aspects covered in the Act
Plant Breeders' Rights Act 15 of 1976	Grant of plant breeders' rights relating to varieties of certain plants, requirements and protection of these rights	Department of Agriculture, Land Reform and Rural Development Directorate: Genetic Resources	<ul style="list-style-type: none"> Registrar / Officer of Plant Breeders' Rights 	<ul style="list-style-type: none"> Grant of plant breeders' rights (Plants must be new, distinct, uniform and stable) Rights of plant breeders Grant of licences 	
Plant Improvement Act 53 of 1976	To provide for the sales, import and export of plants and propagating material to improve or maintain their quality and usefulness	Department of Agriculture, Land Reform and Rural Development Directorate: Plant Production	<ul style="list-style-type: none"> Registrar / Officer of Plant Improvement 	<ul style="list-style-type: none"> Registration of business premises Stating of requirements for sales of plants and plant propagating material Recognition, listing and updating of new varieties Quality control 	<ul style="list-style-type: none"> Cleansing of material
Health Act 63 of 1977	To make provision for measures promoting the health of South Africa's people (replaced the Public Health Act of 1919)	Department of Health Directorate: Food Control	<ul style="list-style-type: none"> Local authorities: Food safety control Provincial Health departments 	<ul style="list-style-type: none"> Responsibilities of various health services and rendering of health services Preventative action to eliminate transmission of infectious diseases by insects, rodent or other vermin Sanitary conditions on premises Cleanliness, from chemical, physical or microbial origin Adequate drainage and sewerage systems, water, washing and sanitary conveniences, sufficient lighting, and ventilation Periodic cleansing of premises, removal of rubbish, waste, and spillage Certificates of acceptability by food handlers Inspections and investigations 	

Name of Act	Aim / Definition	Department / Directorate	Enforcement	Objectives / Relevant aspects	Relevant food safety aspects covered in the Act
Perishable Product Export Control Act 9 of 1983	To provide for control of perishable products intended for export from the South Africa and continued existence of the PPECB	Department of Agriculture, Land Reform and Rural Development	<ul style="list-style-type: none"> • PPECB • Minister of Transport Affairs 	<ul style="list-style-type: none"> • Inspections • Registration of exporters • Control of exports • Determination and collection of levies from exporters • Reports of each financial year 	<ul style="list-style-type: none"> • Handling of perishable produce • Cold chain • Shelf life of produce • Class of produce accommodation
Agricultural Pests Act 36 of 1983	Prevention & combat of agricultural pests Provides for importation of controlled goods such as plants, plant products, exotic animals, insects, pathogens, honey, used apiary equipment	Department of Agriculture, Land Reform and Rural Development Directorate: Plant Health	<ul style="list-style-type: none"> • Executive officers of the Agricultural Pests Act 	<ul style="list-style-type: none"> • Control of importation of goods (in accordance with objectives of the International Plant Protection Convention / IPPC) 	<ul style="list-style-type: none"> • Plants and plant products, exotic animals, insects, pathogens, honey, apiary equipment • Quarantine
Agricultural Product Standards Act 119 of 1990	Provide control over the sale and export of agricultural products, control over the sale of certain imported agricultural products	DALRRD Directorate: Food Safety and Quality Assurance	<ul style="list-style-type: none"> • PPECB: inspections and sampling for exports (uniformity and quality standards, presence of arthropods, and prescribed residue limits) and the former Department of Agriculture, Forestry and Fisheries (DAFF) 	<ul style="list-style-type: none"> • Specifications and regulations for agricultural products, regular revisions • Quality standards of produce • Produce compliance with requirements for produce packing, containers, marking and labelling of containers, and inspections • Specifications for local, import and export products in accordance with arrangements relating to WTO Agreement on Technical Barriers to Trade (meat, dairy products, agronomy products, certain canned products, fruit and vegetables) 	<ul style="list-style-type: none"> • Product standards for local sales, export and import (meat, dairy, agronomy, certain canned foods, fruit, vegetables).

Name of Act	Aim / Definition	Department / Directorate	Enforcement	Objectives / Relevant aspects	Relevant food safety aspects covered in the Act
Standards Act 29 of 1993	To provide for promotion and maintenance of standardization and quality in connection with commodities and rendering of services, and continued existence of SA Bureau of Standards (SABS)	Department of Trade and Industry and Competition	<ul style="list-style-type: none"> SA Bureau of Standards (SABS) 	<ul style="list-style-type: none"> Co-operation of State departments, other bodies and persons Accreditation of laboratories Assessment of quality systems Precision testing of scientific apparatus Examination, testing, analysis of articles, materials and substances Issue standard methods, code of practice or specification as national standard Control of import and export 	<ul style="list-style-type: none"> Accreditation of laboratories Code of practice Analysis / testing of samples Standard methods Certification mark / mark of proof Compulsory standards for production of canned meat (more than 10% meat), canned and frozen marine products
Genetically Modified Organisms Act 15 of 1997	To promote responsible development, production, use and application of GMO as to limit harmful consequences to the environment	Department of Agriculture, Land Reform and Rural Development Directorate: Genetic Resources	<ul style="list-style-type: none"> The Registrar of Genetically Modified Organisms Act 		<ul style="list-style-type: none"> Limitation of harmful consequences to the environment

1.3 DALRRD as the main regulator of the export of processed fruit, vegetables nuts, beans and herbal-infused beverages

This section outlines the regulations administered under DALRRD to facilitate the export of fruit, vegetables, nuts, beans and herbal-infused beverages. The APS Act 119 of 1990 remains the principal legislation supported by subsidiary regulations as determined by the specific product and the destination market.

D:FSQA is the first directorate to be visited by the exporters/FBOs when making enquiries in terms of registration and what they intend to export up to getting a certificate to export. The exporters/FBOs must remember compliance with other government ministries, namely D:FC, the dtic and the division of Customs and Excise under SARS as additional authorities.

Processed Fruit and Vegetables



Regulations for processed fruit and vegetables for export

- APS Act 119 of 1990
- The Standard regarding food hygiene and safety of regulated agricultural food products (R707 of 13 May 2005)
- Standards and requirements regarding control of the export of dried fruit: Government Notice R1983 of 23 August 1991.
- Standard Operating Procedures Checklist
- Consult with D: FC the dtic and Customs and Excise

Exporters, including other businesses, must visit the website for more information on the export of fruit: [http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Export-Standards/Processed-Products>>Canned Vegetables >>Dried Fruit](http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Export-Standards/Processed-Products>>Canned_Vegetables >>Dried_Fruit).

In addition, the following link has details on the requirements of the EU market: <https://www.cbi.eu/market-information/processed-fruit-vegetables-edible-nuts/buyer-requirements>

Groundnuts For Export



Regulations of processed ground nuts for export

- Agricultural Products Standard Act 119 of 1990
- The Standard and Requirements Regarding Control of Export Groundnuts
- The Standard regarding food hygiene and safety of regulated agricultural food products (R707 of 13 May 2005)
- Maintain a Standard Operating Procedures Checklist
- Consult with the D:FC, the dtic and Customs and Excise websites.

Groundnuts are prone attacks by aflatoxin producing fungi, which can be mitigated through careful handling during the pre-harvest to post-harvesting process. Traceability is an important feature of groundnuts to control the ever present risk of aflatoxin. To enhance best practice on groundnuts the exporter can be assisted by publications on the internet, for example: <https://www.opot.co.za/imgs/gap/good-agricultural-practice-guidelines-01-2013.pdf>.

The Perishable Products Export Board Control (PPECB, discussed in more detail in section 1.4) is instrumental in ensuring that international trade rules and standards for groundnuts are met. Please visit link for additional information on groundnuts: <https://ppecb.com/the-ppecb-laboratorys-role-in-the-south-african-groundnut-industry/>.

EU market conditions, including other international markets, have rigorous legislation in place to protect the health of consumers. The following links provide detailed information on the export of nuts to the EU: <https://www.cbi.eu/market-information/processed-fruit-vegetables-edible-nuts/buyer-requirements>.

NB: There are some nuts that are not regulated by DALRRD. Please consult D:FSQA for more information on the nuts that are not controlled by DALRRD.

Processed Beans



Regulations for beans for export

- APS Act 119 of 1990
- Control of the export of grains R1026 of December 2014 (subject to amendments)
- The Standard regarding food hygiene and safety of regulated agricultural food products (R707 of 13 May 2005)
- Standard Operating Procedures Checklist
- Consult with D:FC, the ditc, and Customs and Excise websites

There is a niche in the EU market and other international markets for beans. South African exports of beans have grown in presence in Asian and other African countries (<https://apps.fas.usda.gov/newgainapi/api/Report/DownloadReportByFileName?fileName=The South African Dry>

Bean Industry_Pretoria_South Africa – Republic of_06-10-2021.pdf).

Farmers, including emerging farmers, can try exploit the niche in the market by taking advantage of the EU-SADC EPA to venture in the export of beans to the EU market.

NB: Beans come in various types and forms. Export control of beans is determined by the type and form of beans being considered for export. With the increasing uptake of plant-based diets, the EU market has a ready market for canned beans. The exporters must research the kind of beans preferred by the target market. The following website has valuable information on the EU market and canned beans: <https://www.cbi.eu/market-information/processed-fruit-vegetables-edible-nuts/canned-beans/market-potential?affiliate=void%280%29>

Herbal-infused beverages



Regulations for herbal-infused beverages

- APS Act 119 of 1990
- Control of the export of processed products R423 of May 2015 (subject to amendments)
- The Standard regarding food hygiene and safety of regulated agricultural food products (R707 of 13 May 2005)
- Standard Operating Procedure Checklist
- Exporters can also get more information on rooibos on

this document: <https://sarooibos.co.za/wp/wp-content/uploads/2016/01/ROOIBOS-20142.pdf>

- Consult with the D:FC, the ditc, and Customs and Excise websites

Herbal infused beverages achieved geographical indicator (GI) status (GIs are discussed extensively in section 1.6) in the EU, enabling easy market penetration. This is very helpful to exporters as it lowers entry barriers in the business of herbal-infused beverages as well as exporting the product.

Dried Vegetable Industry



Heading: Regulations for dried vegetables

As a niche market for SMMEs and emerging producers exist in South Africa in the dried vegetable industry. This is an area that

can be exploited relatively easily as the RoOs of wholly obtained products are not that cumbersome. Box 1 provides an overview of the opportunities in the dried vegetable industry.

Box 1: The Dried Vegetable Industry in South Africa

In August 2022 *South Africa's Dried Vegetables* exports accounted up to ZAR2.03M and imports accounted up to ZAR27.2M, resulting in a negative trade balance of ZAR25.2M. Between August 2021 and August 2022 the exports of South Africa's Dried Vegetables have decreased by ZAR-333k (-14.1%) from ZAR2.36M to ZAR2.03M, while imports decreased by ZAR-1.3M (-4.56%) from ZAR28.5M to ZAR27.2M.⁵

Between 2019 and 2020, the main export destinations of South Africa's dried vegetables were Zimbabwe, Hong Kong, and Lesotho. The fastest declining markets for the same period were the following countries Angola, Switzerland, and Netherlands.⁶ There is probably need for further research for the latter development otherwise it can offer an opportunity. China, the United States, and Germany remain fierce competitors of South Africa in the exportation of dried vegetables for the period between 2019 and 2020. The dried vegetable market appears lucrative, and the processes involved in the production of dried vegetables for export carries a niche market worth exploring because of the numerous value chains located within the processes of dried vegetables.

SMMEs, women-owned enterprises and emerging exporters may consider analysing the value chains in the dried vegetables industry as it presents low hanging fruit owing to the high incident of waste in the supply chain that can be turned into an advantage. Movement of dried vegetables across borders is also relatively cheaper due to significantly reduced transport costs that lend a competitive landed cost of the finished product. The nutritional value of the dried vegetables remains preserved while shelf life is elongated too.

The need for in-depth capacity building on the seemingly straight forward processes cannot be overemphasised. Production systems matter whether for simple markets or sophisticated. Chapter 10 contains a list of organisations where exporters may visit to enquire on training on the various processes of agricultural products. EU benchmarking on food safety is both stringent and extremely demanding on exporters. However, attaining these standards enables easier access into other similar markets such as Japan and China.

Please visit this link for more information and opportunities in the Dried Vegetable Industry:
<https://www.agri4africa.com/dried-fruit-and-vegetables-products-of-the-future/>

⁵ <https://oec.world/en/profile/bilateral-product/dried-vegetables/reporter/zaf>

⁶ <https://oec.world/en/profile/bilateral-product/dried-vegetables/reporter/zaf>

Summary

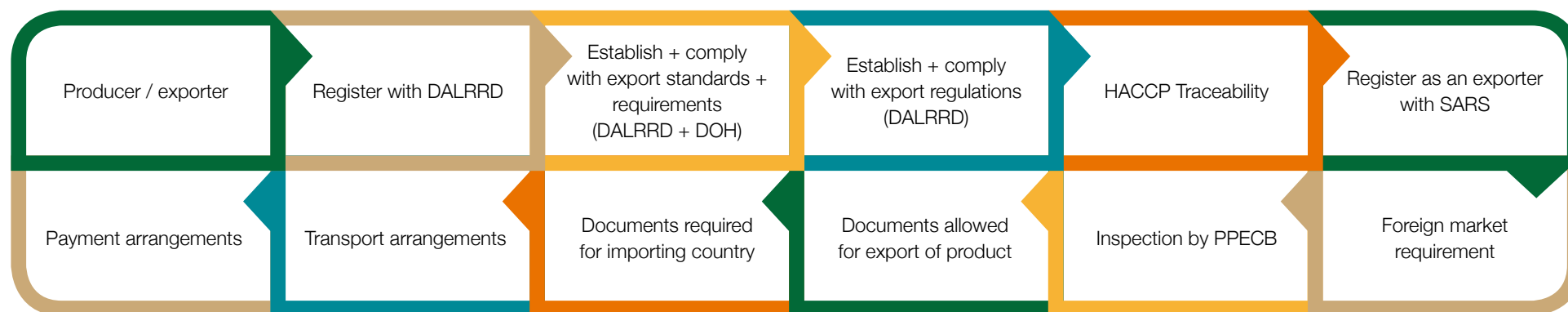
Figure 3, together with the information below, provides an overview of the export procedures and processes for fruit, vegetable, nuts, beans and herbal-infused beverages:

1. Register for the necessary Food of Business Operator (FBO) codes with the D: FSQA
2. Consult the DoH D: FC on food safety requirements the ditc and Customs and Excise
3. Consult the Export Standards and Requirements for the product concerned
 - a. Minimum/Maximum quality requirements for the grades concerned
 - b. Prescribed packing and marking requirements
4. Consult the Export Regulations on the specific the product concerned, for the following information:
 - a. Prohibition applicable
 - b. Application for approval of export
 - c. Presentation for inspection
 - d. Procedure at inspection
 - e. Approvals and rejections
 - f. Appeals
5. Check the import requirements of the foreign market
6. Arrange for inspection of the consignment concerned with the appointed assignee, namely the PPECB
7. Exporters should remember that for certain products, analysis of samples is required.
8. If the consignment is approved for export, an export certificate is issued by the PPECB

For detailed information on export regulations and general information, please visit the following websites:

- <http://www.dalrrd.gov.za/index.php/core-business/agricultural-production/inspection-services/food-safety-quality-assurance>
- <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance>
- <https://www.health.gov.za/food-control/> for an explicit requirement of each processed product
- <http://www.thedtic.gov.za/sectors-and-services-2/1-4-2-trade-and-export/>
- <https://www.sars.gov.za/customs-and-excise/>

Figure 3: Exportation Outline of Processed Food Products in South Africa



1.4 Role of Perishable Product Export Control Board (PPECB) as the Designated Assignee of DALRRD

The Perishable Products Export Control Act No 9 of 1983 is mandated to regulate the exportation of agricultural products. It is important for exporters and those involved in the export supply chain to have a thorough knowledge of how PPECB facilitates the exportation of perishable agricultural products. Below is a condensed outline of what PPECB does and why:

- The PPECB is recognised by international markets as a reputable entity within the export industry.
- It acts as a third country that is mandated to enforce the regulations of the importing country
- Almost any certification done by PPECB facilitates the seamless exportation of the certified products into the global markets through enhanced credibility achieved by PPECB.
- The PPECB is the designated assignee under DALRRD and has the authority to carry out onsite inspections to ensure compliance with regulations and systems that promote food safety.
- Registration with PPECB is done electronically online after compliance with what appears on the checklist obtainable from the PPECB website: <https://ppecb.com/wp-content/uploads/2016/07/VGM-Assessment-Application-Procedure.pdf>

PPECB is the mandated Assignee of D:FSQA. The PPECB works with National Plant Protection Organisation of South Africa that control pests and diseases on plants. Figure 4 below outlines the complimenting legislation towards food safety certification by PPECB.

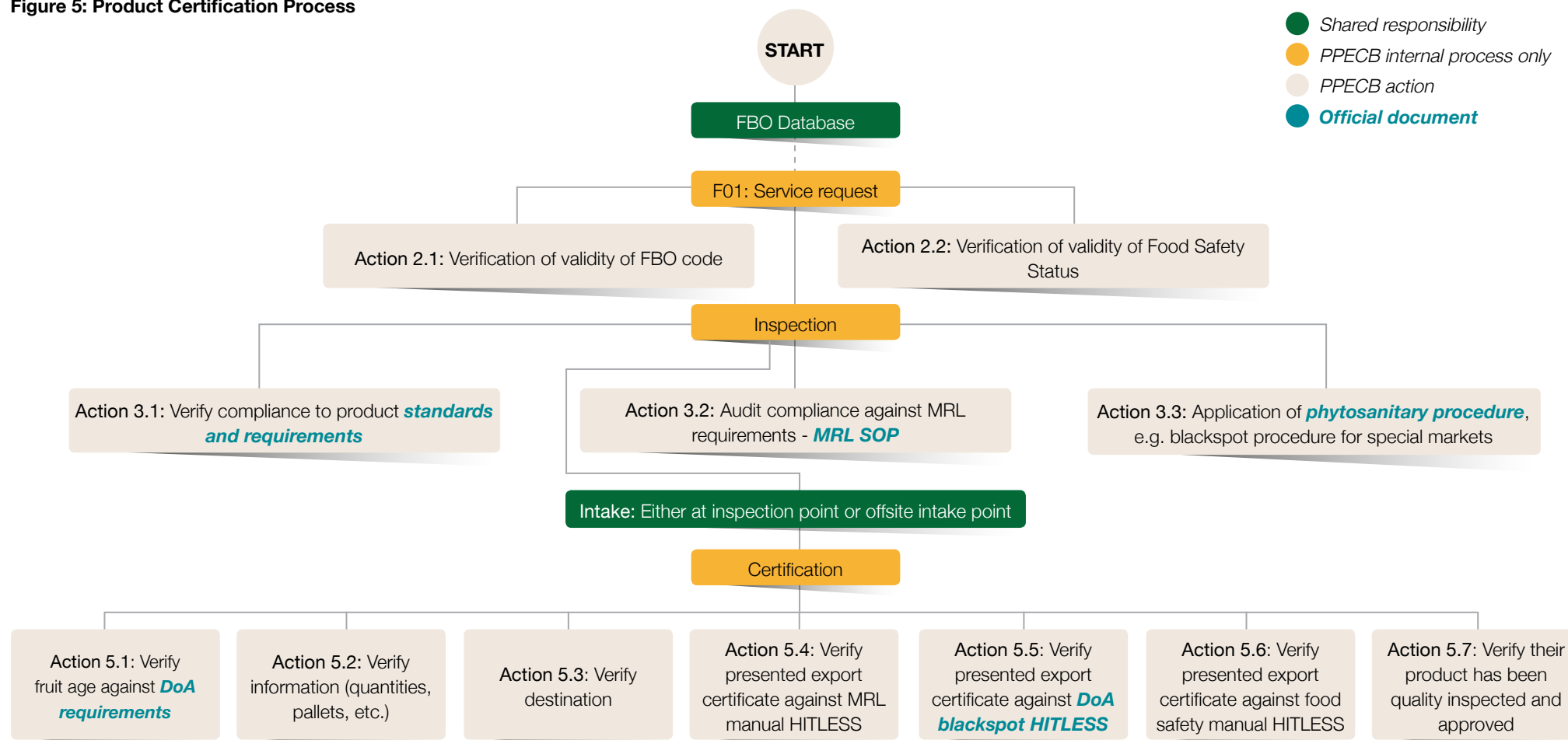
Figure 4: PPECB Certification of Regulated Agricultural Products



PPECB Certification Process of Regulated Agricultural Products for export

Figure 5 below is a presentation of the process of certification as conducted by PPECB. Exporters will find it necessary to understand the operations of PPECB to ensure a seamless certification process for their products. Inspections are a hallmark of PPECB operations as they enable exportation into the EU market relatively easier.

Figure 5: Product Certification Process



Courtesy: DALRRD

In summary, the PPECB through legislation and subsidiary regulations such as Regulation 707 of 13 May has been able to assist exporters with compliance whilst achieving very high standards for South African agricultural processed and fresh products for export. Exporters and FBOs must be familiar with how PPECB operates for to enable their activities to be in sync with international standards.

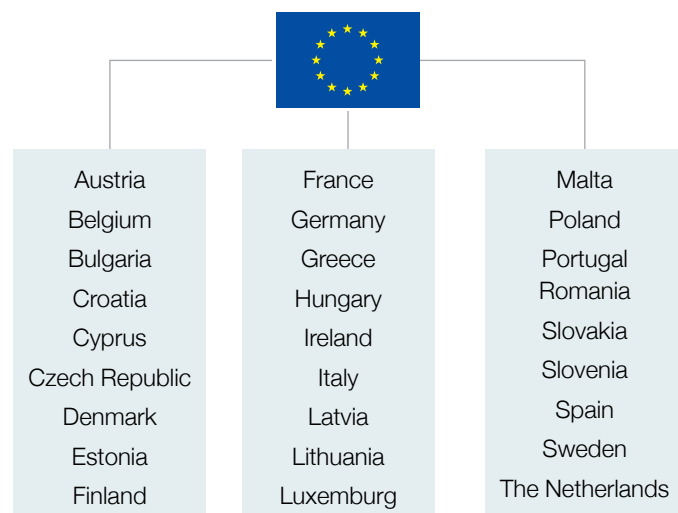
The following link provides a form for completion to contact PPECB on information related to Food Safety Requirements: <https://ppecb.com/get-in-touch/?itb=food-safety-services>

1.5 The European Union as a Customs Union and Economic Partner

The EPA is a trade agreement between the EU and South Africa, which promotes trade between South Africa and the EU member states. Exporters must understand this market and the laws that are applicable in that market so as to exploit relevant opportunities fully. The EU comprises 27 member states that function as a single market (Figure 6). This single market is a customs union with common tariffs among its member states, regulated by a single trade policy. The

customs procedures are common for all the Member States, e.g., permits and tariffs are applied once on first entry with subsequent free movements of the products across borders of the Member States. There are no origin rules among the EU Member States. More on rules of origin (RoOs) is covered in Chapter 4. Under the EPA, SADC signatories enjoy free access to the EU market, duty-free and quota free on everything except military arms.

Figure 6: EU Member Countries



1.6 Geographical Indications

A significant advantage presented by the EU market is the GI status of identified South African products. The EU-SADC EPA recognises and protects identified products from South Africa that have GI status; specifically, Protocol 3 of the EU/SADC EPA provides for the mutual recognition and protection of GIs nominated for protection by South Africa and the EU. GIs enable exporters to maintain the same name used in the country of origin of the product. The advantage presented by these arrangements is that it makes it easier to market these goods competitively in the EU market due to the recognised GIs that confer familiarity to consumers.

The following products from the EU are protected under the GI Protocol: various kinds of cheese, vinegar, meat products, fresh fruit and vegetables, and cereals.

South Africa currently has three products recognised with GI protection under the EPA: rooibos tea, honeybush tea (which are technically herbal infusions) and Karoo lamb.

In addition, the EU Commission has approved the registration of herbal-infused beverages (specifically rooibos) under Protected Designation of Origins (PDO)⁷. Obtaining a PDO status requires that all stages of production of a product, including processing (if relevant), takes place within the defined territory. Achievement of GI and PDO status in Europe makes it easier for SMMEs, with the right guidance, to consider it as an export venture business.

In view of the foregoing discussed in this section, the exporter should visit D:FSQA and read on the information in the mentioned links to have a thorough understanding of how to export to international markets. Readers can visit the following website for more information on GIs:

- <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Geographical-indications>
- GIs: <https://sadc-epa-outreach.com/images/files/sadc-eu-epa-geographical-indications-paper-november-2017.pdf>

1.7 What to consider when designing a European market entry strategy?

The EU single market consists of 400 million consumers spread across different member states. There is ready access to the market with many opportunities. The exporter must be mindful that the single market is comprised of 27 different nationalities. This means that in designing the market entry strategy, there should be considerations around the different cultures that these Member States will present. In coming up with an effective market strategy, it is also crucial to consider the comparative and competitive advantages that are being offered by that market.

Globally, customers have become sophisticated consumers with unique preferences bordering on organic production and sustainability in line with the Sustainable Development Goals. As mentioned earlier, export of GI status of identified South African products presents a formidable strategy to penetrate the EU Market.

⁷ <https://www.foodchainid.com/certification/pdo-pgi-tsg/#:~:text=In%20other%20words%2C%20to%20receive,and%20thus%20acquire%20unique%20properties.>

Activities: How does DALRRD promote exports in South Africa?



CHAPTER

02

Registration as an exporter with the South African Revenue Services (SARS)

Any foreign exporter (e.g., individual, or juristic person) who wishes to export goods from South Africa must register as an exporter and nominate a registered agent located in South Africa before such foreign exporter will be registered to export goods from South Africa.⁸

The SARS Customs Division plays the role of trade facilitation through the enforcement of various controls and regulations that promote seamless trade. SARS enforces these regulations on behalf of other government departments (e.g. DALRRD) in exporting fruit, vegetables, nuts, beans, and herbal-infused beverages. Registration with SARS is one of the first steps to undertake as an exporter to international/foreign markets.



2.1 How to register as an exporter with SARS

Exporters must complete Forms A185 and DA185, which are lodged with the Customs & Excise Office, where the exporter will be allocated a code. The following documents must accompany the application:

- Utility Bills with identification information
- Certified Copy of Identity Card
- Certificate of Incorporation
- Company Registration

Under SARS registration, exporters are streamlined into different categories of foreign, local, and exporters under preferential trade agreements. For more detailed information, visit the SARS website.⁹

2.2 Preferential Trade Agreements

South Africa has many trade agreements that are administered by Customs & Excise. These agreements enable products manufactured or wholly produced in South Africa to be exported to foreign markets under preferential treatment upon production of documents that support this status designation, such as the certificate of origin. The certificate of origin is discussed in more detail later in the Export Manual. Preferential treatment of products means these products

are imported into the foreign country either duty-free or at reduced rates of duty on qualification and compliance with the laid down under the RoOs.

Examples of some Preferential Trade Agreements that South Africa has entered into include the MERCOSUR-SACU Preferential Trade Agreement, the African Continental Free Trade Area (AfCFTA) Agreement, SACU Trade Agreement (AfCFTA) and the EU-SADC EPA.

The following countries form the EU-SADC EPA:

- South Africa
- Lesotho
- Botswana
- Namibia
- Eswatini
- Mozambique

Although the agreement is reciprocal, the EU-SADC EPA is asymmetrical. This means that the EU-SADC EPA affords SADC signatories free market access to the EU and provides greater levels of market access for SADC countries' exports to the EU compared to the EU imports coming into the region. There are also safeguard mechanisms to guard against the inherent injury to the domestic markets of the developing country that may be caused by the EU-SADC EPA.

⁸ <https://www.sars.gov.za/customs-and-excise/registration-licensing-and-accreditation/exporters/>

⁹ <https://www.sars.gov.za/customs-and-excise/registration-licensing-and-accreditation/exporters/>

The EUR1 is the certificate of origin that facilitates the exportation of products into the EU. For an exporter's products to enjoy preferential treatment, the exporting entity must register under that agreement and ensure the manufacturing or production of the products comply with laid down RoOs and other trade export regulations associated with the products or goods in question.

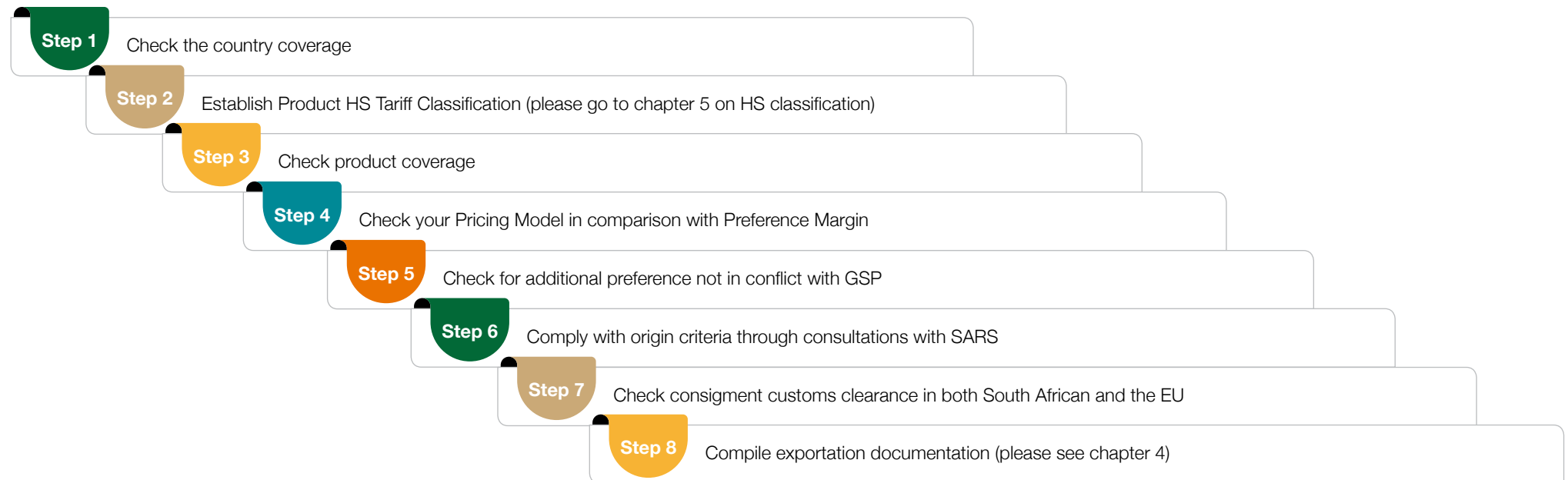
2.3 Generalised System of Preference (GSP)

The Generalised System of Preference (GSP) is a trade preference program that provides non-reciprocal, duty-free treatment enabling many of the world's developing countries to diversify and achieve economic growth through trade.¹⁰

The following countries grant GSP: USA, EU countries, Canada, Australia including Iceland, Japan, Kazakhstan, New Zealand, Norway, the Russian Federation, Switzerland, Turkey, and the United Kingdom.

This preferential trade system is based on zero tariffs for qualifying goods exported by developing countries, including South Africa. Conditions are attached to the eligibility of the products or goods to be exported under GSP. Figure 7 outlines the process to be followed when clearing under GSP. For more information on goods that are eligible for clearance under the GSP, please visit: <https://unctad.org/topic/trade-agreements/generalized-system-of-preferences>, the SARS website¹¹ and the nearest Customs and Excise Offices.

Figure 7: GSP Checklist for the EU



Download publication for more information on GSP with the EU using the following link: <https://unctad.org/publications-search?f%5B0%5D=product%3A498>

¹⁰ <https://www.cbp.gov/trade/priority-issues/trade-agreements/special-trade-legislation/generalized-system-preferences> - :~:text=GSP is the large

¹¹ <https://www.sars.gov.za/customs-and-excise/registration-licensing-and-accreditation/exporters/>

2.4 EU Tariff Rates Quotas

Tariff rate quotas (TRQs) are reduced rates of duty on allocated quantities of identified products under the EU-SADC EPA Agreement. These tariff quotas are based on allocated volumes of selected goods under the EU-SADC EPA. TRQs present opportunities to exporters to export products under preference.

The following products qualify under TRQs:

- Skimmed milk powder
- Butter
- Strawberries
- Sugar
- White crystalline powder
- Citrus jams
- Canned fruit
- Frozen orange juice
- Apple juice and pineapple juice
- Active yeast
- Wine
- Ethanol
- Certain Cut flowers and Dry Flowers

Currently, opportunities are under-utilised for:¹²

- Canned fruit
- Active yeast
- Ethanol
- Citrus jams
- Strawberries
- Butter
- Skimmed milk powder and other related dairy products

Visit the following sites for more detailed information on TRQs: [http://www.old.dalrrd.gov.za/doaDev/sideMenu/Marketing/Gazette Notices/2023 EU Gazette.pdf](http://www.old.dalrrd.gov.za/doaDev/sideMenu/Marketing/Gazette%20Notices/2023%20EU%20Gazette.pdf) and https://trade.ec.europa.eu/doclib/docs/2018/july/tradoc_157154.pdf

2.5 Africa Continent Free Trade Agreement (AfCFTA)

The AfCFTA signed in March 2018 hinges on promoting intra-African trade and creating regional and continental value chains to stimulate growth amongst African economies. Trading under the AfCFTA commenced on 1 January 2021. Its main objective is to deliver on accelerated industrialisation of Africa, stimulate economic growth across the continent, and support improved intra-African trade relations by creating regional value chains. In terms of intra-African trade, the AfCFTA liberalises 90% of tariff lines on general goods, while 7% will be liberalised for sensitive goods, and 3% of tariff lines will be exempt from liberalisation over a period of 10 years.

The AfCFTA has provisions to promote SMMEs to ensure they receive capacity building and be part of the mainstream economies in their countries to enable their participation in a market of almost 1.3 billion consumers. The AfCFTA Secretariat has identified the Agricultural Sector, Pharmaceutical Sector and Automotive Sector as the key entry points to ensure the accelerated industrialisation of Africa through value addition inherent in the value chains that will create numerous jobs in the process of economic growth.

The Continental Simplified Trade Regime envisaged under the AfCFTA will assist women in cross border trade and SMMEs to trade goods under AfCFTA preferential treatment without producing a formal certificate of origin. It is hoped that the Simplified Trade Regime will enhance and improve cross-border trade and encourage the formalisation of businesses amongst small-scale traders across the continent.

There are also Continent to Continent initiatives to bolster economic growth for Africa. Initiatives like the EU-Africa Business Forum¹³ outfit have proposed different Working Groups, such as the Sustainable Agri-Food Systems Working Group. The following crops have been proposed for trade between EU and Africa:

- rice
- maize
- soy
- cereals
- fruit
- vegetables
- livestock
- dairy
- poultry

2.6 E-Exports

Technology has played a huge factor in the rise of small parcels trade. Globally, SMMEs have been attracted to the use of the internet to gain entry into international markets, thereby establishing e-businesses. While the same export controls and regulations are still applicable, e-exporting readily presents certain advantages over traditional exporting. The introduction of blockchain technology in trade facilitation may see more and more SMMEs taking up e-exporting. It is important to search internet on jurisdiction policies of the chosen foreign markets destination when considering e-exporting.

¹² <https://www.tralac.org/blog/article/15251-update-on-the-preferential-tariff-rate-quota-utilisation-under-the-eu-sadc-epa.html>

¹³ https://www.euafrika-businessforum.com/sites/default/files/joint_business_decalation_annexes_7th_eu-africa_business_forum.pdf

Activities: What are the benefits of AfCFTA?



CHAPTER

03

Quality and Food Safety Standards Requirements for export approval of processed fruit, vegetables, nuts, beans, and herbal-infused beverages

3.1 Quality and Food Safety Standards

Agricultural food imports and exports are controlled by various directorates in conjunction with international organisations that promote food safety, quality and standards – all of which have already been discussed in Chapter 1. The seamless export of processed fruit, vegetables, nuts, beans, and herbal-infused beverages into international market is made possible by the harmonised trade landscape achieved through globally binding agreements on standards.

Exporters must note that food standards cut across all provisions that guarantee public health, nutrition, environmental sustainability, economic growth and employment. The trade landscape is characterised by ever changing consumer preferences. It is these standards on quality and safety assurance in the exported products that the consumers look for. Standards make food production processes transparent and traceable hence the need to ensure compliance at all levels.

Being a member of a reputable standard organisation and having the production processes of your enterprise recognised by such organisations through certification and accreditation enhances the image of both the enterprise and products. Exporters must seek to be members of such organisations.

Below are renowned organisations that formulate policies on standards:

The South African Bureau of Standards (SABS) was established in 1945 to promote product quality. The SABS has promoted competitiveness in South African industries and contributed to the growth of transparency in trade. Registration with SABS enhances the credibility of the products at both national and international levels. The SABS under the dtic serves as the Entry Point to alert exporters on notifications on trade-related issues that deal with standards and technical regulations. Visit <http://www.thedtic.gov.za/sectors-and-services-2/industrial-development/technical-barriers-to-trade/>

Codex Alimentarius is the internationally recognised standard associated with food safety. Although the Codex Alimentarius is not mandatory, many international markets (including the EU) rely on these standards to develop the policies and regulations related to food safety.¹⁴ Renowned and reputable standard associations have modelled their regulations along the Codex Alimentarius.

United States of America Food and Drug Administration (USFDA): All suppliers of food products are required to register with the USFDA. Confectionery, dairy products, eggs and egg products, meats, fruits, nuts, and vegetables are the food products that the USFDA subjects to laboratory tests to ensure food safety. D:FSQA has detailed information on the treatment of food exports to the USA.¹⁵

Japanese External Trade Organisation: This is an authority in Japan that regulates importation of food products into Japan. It has its maximum residue limits for agricultural chemicals, feed additives and veterinary drugs in food promulgated through the Food Sanitation Act of 1959 to promote quality and food safety.

The British Retail Consortium (BRC) for Global Standards is an internationally recognised UK organisation. The BRC Global Standard for Food Safety is one of the most popular certification standards and has been adopted by food manufacturers all around the world, especially by those organizations supplying British retailers¹⁶. The BRC Retail Consortium for Global Standards is anchored on the HACCP System that aims to prevent potential food safety danger at every stage of food production up to consumption by the customer. The HACCP formulation plan is linked to the BRC quality management system. Certification by the BRC for Global Standards enhances confidence in the brand of the certified products.

GLOBALG.A.P. is an internationally recognised standard that has become a brand promoting environmentally responsible, sustainable good farm practices through a collection of ideas from producers, retailers, and other stakeholders in the food industry. GLOBALG.A.P. certification calls for the need to foster and adopt responsible ways of farming. GLOBALG.A.P. offers programmes in the following sectors: crops, livestock, aquaculture, and offers more than 40 standards for compliance amongst producers and exporters. GLOBALG.A.P.'s Integrated Farm Assurance Standard is the most widely used standard monitoring and regulating fruit, vegetables, aquaculture, floriculture and livestock. To obtain GLOBALG.A.P. certification, there are 5 basic steps to be followed: Please visit this link for more information https://www.globalgap.org/uk_en/what-we-do/globalg.a.p.-certification/five-steps-to-get-certified/index.html

The International Standard Association (ISO) is a membership-based organisation established in 1947 that works with experts from various disciplines like industry, government, academia, civil society, and not-for-profit organisations) to come up with a set of acceptable rules and benchmarks around safety, compatibility, and quality. The WTO is one of the critical partners of ISO as the organisation promotes transparent global trade within countries

¹⁴ <http://www.iberglobal.com/files/2018-2/exporting-to-europe-introduction-manual.pdf>

¹⁵ 2014 Step-by-Step Export Manual

¹⁶ <https://brcfodsafety.com/the-british-retail-consortium/>

through common standards among the trading countries. The ISO, therefore, is a means to overcome trade barriers that can make international trade very unpredictable and costly too. It is important to note that the ISO does not certify organisations nor issue certification; it only issues international standards.

The beneficiaries of ISO Certification are Industries, Authorities and Consumers.

3.1.1 Accreditation and Certification

Accredited competent bodies are mandated by international bodies to certify or give written assurance that a service, product, or process has complied with a particular established standard, legislation, or policy to maximise the safe use of the service, product, or process. The South African National Accreditation System (SANAS) is recognised by the Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act (No. 19 of 2006) as the sole national accreditation body for providing an internationally recognised, effective accreditation and good laboratory practice compliance monitoring system for South Africa.¹⁷

Through several Mutual Recognition Agreements (MRAs), SANAS is a key player in trade facilitation that helps global acceptance of South African certification and inspection bodies. This facilitates smooth trade because of the confidence inferred by the accreditation. These MRAs ensure easy entry of compliant products into export foreign markets because of the accreditation body that is internationally recognised. MRAs grant SANAS the mandate to reject importation or exportation of products conducted by an organisation that has been accredited by an unrecognised standard association. Please visit website for further information.

The South Africa National Accreditation System website has a list of accredited organisations for the benefit of exporters. For more information visit the website: <https://www.sanas.co.za/pages/index.aspx?page=international-regional-recognition>

It is important to be aware of other private standards authorities that complement existing authorities in promoting quality. Although these standards are private and voluntary, they play a big role in influencing consumers who look for their labelling on imported agri-foods.

Private standards organisations have relatively stricter requirements on the design of food safety and quality benchmarks in destination export countries. Compliance with standards by exporters is critical as any deviation may result in the export order and subsequent orders being cancelled and all exports from that country being banned.

3.2 Hazard Analysis Critical Control Point System

The Hazard Analysis Critical Control Point System (HACCP) is an international management system that identifies critical points in all food production and manufacturing stages. As an exporter of food products, it is critical to ensure that your organisation is certified with the Food ISO Standard 22000 because it assures customers of the continuous maintenance of high standards in the organisation.

Below are the Principles of the HACCP:

Principle 01

Hazard Analysis

Principle 02

Determine the critical control points

Principle 03

Establish critical limits

Principle 04

Establish monitoring procedures

Principle 05

Establish corrective actions

Principle 06

Establish verification procedures

Principle 07

Establish record-keeping and documentation procedures



¹⁷ <https://www.sanas.co.za/pages/index.aspx?page=international-regional-recognition>

In addition to the HACCP as a control measure, other countries (like the USA) engage the Principle of Equivalence established by the Food Safety and Inspection Services, Department of Health and Human Sciences and the USFDA. Equivalence processes establish the equivalence to the US standards in countries exporting to the USA to facilitate trade and promote compliance with safety policies on imported food.

3.2.1 Quality Food Safety Standards Compliance

The Food Control Directorate is responsible for the development and compilation of policies and legislations that monitor food safety-related matters as an intervention to safeguard the safety and health of consumers. The Food Control Directorate is the National Contact Point for the joint FAO/WHO Codex Alimentarius Commission (CAC), International Food Safety Authorities Network (INFOSAN) and the EU Rapid Alert System for Food and Feed (RASFF). Through audits and support to provinces, the Food Control Directorate promotes compliance with legislation and enhances food safety and standards.

3.3 Traceability Requirements



EU Regulation (EC) 178/2002 defines traceability as:

The ability to trace and follow a food, feed, food-producing animal or substance intended to be, or expected to be incorporated into a food or feed, through all stages of production, processing and distribution.

The perishable nature of food demands an audit trail through traceability as a critical component of maintaining food safety standards. Proper food production and handling require rigorous

¹⁸ https://food.ec.europa.eu/system/files/2020-05/f2f_action-plan_2020_strategy-info_en.pdf

¹⁹ https://www.wto.org/english/res_e/publications_e/blockchainrev18_e.htm

²⁰ 2014 Export Manual

²¹ <https://www.compcom.co.za/wp-content/uploads/2019/10/CC-201903-Mtombeni-S.-Bove-D.-Thibane-T.-Makgabo-B-An-analysis-of-the-barriers-to-entry-and-expansion-limiting-and-preventing-access-to-markets-for-emerging-farmer.pdf>

²² <https://www.compcom.co.za/wp-content/uploads/2019/10/CC-201903-Mtombeni-S.-Bove-D.-Thibane-T.-Makgabo-B-An-analysis-of-the-barriers-to-entry-and-expansion-limiting-and-preventing-access-to-markets-for-emerging-farmer.pdf>

systems to be implemented and high compliance requirements to eliminate risks inherent in food production. These systems also promote the quality and maintenance of high-safety food standards. Due to increased trade in food commodities, the supply chain has become complex and fragmented as the number of players in the supply chain rises.

Traceability is very critical in each production stage of all food products. It is a prominent feature in quality control and demands strict adherence to HACCP. The concept Farm to Fork,¹⁸ enables tracing the origins of the food from the point where it is being served back to the farm where it was cultivated.

Countries are also adopting and considering blockchain technology to achieve transparency in the audit trail, immutability, and traceability of agricultural processed products. Blockchain, as an intervention on traceability, is poised to positively impact international trade as a key player in trade facilitation. SMMEs and entrepreneurs will find it easier to comply with NTMs associated with standards through blockchain technology.¹⁹ Traceability is a key component of standards as it assures the customers or consumers of the high standards that were followed in the production of food. Investment into blockchain technology by the government and other agencies will enable compliance with traceability regulations in agricultural processes in a competitive manner that is far less costly. Moreover, today's consumers associate their product preferences with brands. Traceability contributes to the enterprise's branding efforts around the products' compliance with prescribed traceability requirements becomes part of the market promotion of the products. PPECB has the guidelines and information on traceability compliance on this website: <https://ppecb.com/audit-procedure/>.

Further information on traceability and other food safety issues can be obtained from the International Standards Organization (ISO), which has produced a 'family' of food safety standards, please see www.iso.org/iso/home/standards/management-standards/iso22000.htm for further information.²⁰

3.3.1 Mitigating Costs Associated with Compliance

SMMEs and emerging producers relatively face a high incidence of costs to comply with agricultural technical standards required by markets at local, regional as well as international levels. According to research, 'Suppliers have to pay listing fees of between R4,500 and

R45,000 a year for a single product" carried by a supermarket.²¹ Commercial farmers are at an advantage in comparison with emerging farmers because of the economies of scale that enable them to mitigate these huge costs through the volumes they push in the supply chain.²² These compliance costs raise barriers to entry into agricultural value chains for emerging producers. However, emerging producers can mitigate costs by forming cooperatives to achieve economies

of scale as a strategy to overcome entry barriers into agricultural chains.

For more information on quality and food safety requirements visit: <http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/International-Standards-Organizations>

Activities: Why are standards and traceability important to you as an exporter?



CHAPTER

04

Documents required to export processed fruit, vegetables, nuts, beans and herbal-infused beverages

4.1 Importance of Export Documents

Documents for export-bound products constantly change due to amendments in legislation and procedures that are a hallmark of international trade. Delays in the clearance of the consignment caused by document errors can result in huge storage costs, huge demurrage charges, penalties, and cancellation of export orders. The export documentation requirements for foreign markets must be strictly adhered to. Processed fruit, vegetables, nuts, beans and herbal-infused beverages are strictly regulated by DALRRD and the designated assignee PPECB and the DoH. The permits, export certificates, addendum and licences are issued by these institutions.

The purpose of this chapter is for exporters to have a general knowledge of the documents that are required over and above documents prescribed by D:FSQA in order to facilitate the exportation of agricultural products out of South Africa. These documents support the declaration that is presented to the Customs Division of SARS. Furthermore, these documents facilitate the entry of the goods into the country of export and are the subject matter of scrutiny for authenticity and compliance with domestic laws and international trade. These documents are also a source of important statistics critical for important national policy formulation.

Exporters FBOs and SMMES must know the function of the documents as well as check the validity of permits and certificates in relation to the declaration submitted to Customs. Customs brokers or Customs Clearing agents are usually helpful in this regard as they assist in the compilation of these documents for submission to SARS.

Foreign Exchange

Exports are responsible for the significant inflows of foreign currency in any country. The export invoice document provides information on the foreign currency proceeds. Through its Financial Surveillance Department, the South African Reserve Bank monitors all export foreign exchange proceeds as declared on the SARS Customs Declaration Form. Exporters need to make correct declarations supported by authentic documents, as it assists the government in assessing the export revenues generated by exported products. For more information on the treatment of export revenue proceeds visit:

- [https://www.resbank.co.za/content/dam/sarb/what-we-do/financial-surveillance/financial-surveillance-documents/Exchange Control Regulations, 1961.pdf](https://www.resbank.co.za/content/dam/sarb/what-we-do/financial-surveillance/financial-surveillance-documents/Exchange%20Control%20Regulations,%201961.pdf)
- <https://www.resbank.co.za/en/home/what-we-do/financial-surveillance>

Additional information on treatment of export revenue is available from the bank at:

SARB, 370 Helen Joseph Street, Pretoria 0002 | P O Box 427, Pretoria 0001, South Africa | Tel: +27 86 112 7272

4.2 Flow of Export Documents

Export documents are important as they facilitate trade, support the customs declaration in its entirety, support production processes undertaken, provide an audit trail, and lend transparency around the whole supply chain. Exporters must complete these documents truthfully and keep them filed for future reference as prescribed by the law. The process below provides an overview of the step-by-step process required to ensure that export documents are correctly completed prior to the transportation of a consignment.

Step by step overview for export documents



1. Contract: there should be a contract between the exporter and the overseas buyer. The distribution agent can legally represent the exporter through an agreement. The contract should be clear to both parties covering the overall details of the sale, quantity packaging, period, and incoterms. The contract outlines the terms of the invoice, export order, mode of transport, and payment methods.



2. Proforma Invoice: the exporter raises the proforma invoice and sends it to the buyer, who will use the proforma invoice to check the requirements in their country, such as tariffs, preferences etc.



3. Export Order: The buyer issues the export order to the seller (exporter) after being satisfied with the proforma invoice. The export order is timed, specifying the period when the order should be delivered.



4. Commercial Invoice: This is a binding document outlining the name of the importer, the payment terms of the invoice, incoterms, specified discounts and other details as guided by the contract. The commercial invoice replaces the proforma invoice.



5. Thereafter, the customer/Importer draws an irrevocable Letter of Credit to facilitate payment of the order through their commercial bank based on the commercial invoice. The exporter receives the Letter of Credit, confirms, and commits to deliver the consignment, and the exporter embarks on producing or preparing the export order



6. The exporter then engages a shipper to proceed to book the identified modes of transport while the exporter makes necessary arrangements for consignment or cargo to be inspected.



7. Permits: The exporter assembles all the permits and licences. Examples of permits include Certificate to Export and Addendum processed by PPECB

- Phytosanitary Certificate processed by the National Plant Protection Officer (NPPO) under the Directorate: Inspection Services. The NPPO inspects plants to determine any diseases or pests according to the Agricultural Pest Act, 1983 (Act No. 36 of 1983). After ensuring compliance, a phytosanitary certificate is issued to allow the export/importation or order destruction if the plant is infected. The following link has more information: <http://www.oid.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Import-Export-Standards/Links> >><http://www.ippc.int/> in addition, visit the Directorate: Plant Health and Directorate: Inspection Services on phytosanitary certification.
- Quality Assurance Certificate processed under FSQA
- Pre-Shipment Inspection Report processed by PPECB



8. Free Sale certificate: This certificate is used internationally. In South Africa it is issued by D:FSQA. This document certifies that the goods are freely marketed in South Africa and have been exported after compliance with all other regulations.



9. Value and Origin documents: The EU has a threshold for Customs Value Declarations. The threshold has been put at 150 euros for low-value consignments.²³



10. Invoice declaration: this form is used by Customs to confirm the value of the goods. Invoice declarations can be used for consignments of up to 6000 EURO. For more information, refer to the following website: <https://trade.ec.europa.eu/access-to-markets/en/home> and https://taxation-customs.ec.europa.eu/customs-4/calculation-customs-duties/customs-valuation_en



11. Insurance of cargo: After compilation of all the above documents, the exporter may need to ensure the consignment and insurance coverage is taken out for the cargo being exported.



12. Transportation of Cargo from factory to country of export: Transportation documents are largely binding, and authorities only work with original documents, not copies. With exports to overseas markets, the transport is usually multi-modal: The following are the common documents as determined by the mode of transport.

- Bill of Lading issued by shippers
- Airwaybill issued by Airlines
- Road Consignment Notes issued by Road Freighters
- Rail Advice Notes issued by the National Railway line

Once all the paperwork is ready, the exporter will complete SARS Form SAD 500. The paperwork will be checked and verified by SARS. After the SARS has processed the documents, the consignment will be placed on board the means of transport for export to the foreign market.

For more information on Customs documentation in South Africa visit: <https://www.sars.gov.za/wp-content/uploads/Ops/Policies/SC-CF-30-Invoice-Requirements-for-Customs-External-Policy.pdf>

4.3 Certificates and rules of origin for the EU and AfCFTA

4.3.1 Certificates of Origin

The certificate of origin is a document that declares the nationality or origin of the consignment. There are two kinds of origin: preferential RoOs and non-preferential RoOs. SARS issues the preferential certificate of origin only after registration for clearance under preference. The non-preferential certificate of origin is issued by the Chambers of Commerce.

Customs defines the four basic principles of rules of origin as being:

- The first is wholly produced. In the case of these rules, products are regarded as originating in a specific territory if all the materials used in producing the product are from that territory or if the product is wholly obtained. For example, wheat flour made exclusively from wheat grown in a country and milled in that country would be considered wholly produced.
- The second is the principle of value added in manufacturing a product. If this principle is applied, the product is normally considered to have originated in a specific country if a specified percentage referred to as local content of the product value has been reached during the process of manufacture.

²³ Certificate of Origin is covered separately in section 4.3 below.

- Minimal Operations such as packing, labelling or assemble cannot confer origin status as a principle.
- The de minimis principle allows for a prescribed percentage of non-originating to be part of the final product without affecting the origin status of the product.

SADC-EU EPA RoOs mean that products originating in South Africa destined for the EU will be imported into the EU under reduced or nil duties upon production of the certificate of origin (EUR1). There are 2 categories of origin criterion:

Wholly obtained

- Wholly obtained products are primarily for agricultural products like fruit, vegetables, nuts, beans and herbal-infused beverages including livestock, poultry, eggs etc. These products naturally occur in the country of origin.

Sufficiently worked or processed

- Sufficiently worked or processed are divided into 4 categories:
 - Value added
 - Non-Originating Material
 - Specific Processes
 - Change in Tariff Heading

The prescribed certificate of origin is only issued to an exporter registered with SARS. Each preferential agreement has a prescribed form and procedure, which, upon completion and compliance, enables the exporter to be granted the certificate of origin. The exporter must visit the nearest SARS Office (Customs & Excise) for detailed information on the issuance of certificates of origin.

The certificate of origin enables the exported products to be competitive in the foreign market, and exporters benefit from the certificate of origin because of these waived duties.

Acquiring a certificate of origin requires exporters to be able to distinguish the above processes. This can be achieved with the assistance of a trade expert. For more information on RoOs visit: <https://www.wcoomd.org/-/media/wco/public/global/pdf/topics/origin/overview/origin-handbook/rules-of-origin-handbook.pdf>

4.3.2 Rules of Origin for fruit, vegetables, nuts, beans and herbal-infused beverages exported to the EU

The RoOs determine which products can benefit from the trade preferences. The SADC EPA has formulated a way to make it much easier for SADC countries to benefit from reduced EU customs duty rates for their textiles products using imported fabric. This will benefit the textile industry in countries such as South Africa or Lesotho.²⁴ This principle is also extended to processed products such as those covered by this Export Manual.

Under the EU RoOs, products are considered to be wholly obtained in the partner country when the process has exclusively occurred in the partner country without any material from outside that country being incorporated in the process. Please visit website: https://taxation-customs.ec.europa.eu/customs-4/international-affairs/origin-goods_en for additional information

Cumulation of origin is in force within the EU Member States. Products sufficiently transformed must be considered under the cumulation concept, which has three categories: bilateral cumulation, diagonal cumulation and full cumulation. For more information, please refer to: https://taxation-customs.ec.europa.eu/customs-4/international-affairs/origin-goods/general-aspects-preferential-origin/common-provisions_en

4.3.3 Rules of Origin under the AfCFTA

The AfCFTA is built upon the existing eight regional economic communities (RECs) as recognised by the African Union:

- Arab Maghreb Union (AMU)
- Common Market for Eastern and Southern Africa (COMESA)
- Community of Sahel Saharan States (SEN-SAD)
- East African Countries (EAC)
- Economic Community of Central African States (ECCAS)
- Economic Community of West African States (ECOWAS)
- Intergovernmental Authority on Development (IGAD)
- Southern Africa Development Community (SADC)

The AfCFTA RoOs have been negotiated along the same lines as the RoOs obtaining in the existing RECs. What this means is that the RECs can continue to use the existing RoOs under the AfCFTA but have the option to apply the AfCFTA RoOs too. This may be applicable to State Parties which are not in the same Regional Economic Community.

²⁴ <https://trade.ec.europa.eu/access-to-markets/en/content/epa-sadc-southern-african-development-community#:~:text=The%20EU%2DSADC%20Economic%20Partnership,states%20can%20benefit%20your%20trade.>

Please download the Manual on AfCFTA Rules of Origin at the following link:<https://au.int/en/documents/20221012/african-continental-free-trade-area-rules-origin-manual>

Cumulation under the AfCFTA has been defined as raw materials or semi-finished goods originating in any of the State Parties and undergoing working or processing in another State Party, shall be deemed to have originated in the State Party where the final processing or

manufacturing takes place.²⁵ The AfCFTA has adopted the cumulation of origin within the defined parameters, similar to the EU, for the purposes of facilitating the growth of value chains among the AfCFTA Member States without compromising the RoOs already in place. This relaxation of the RoOs is meant to facilitate trade among State Parties.

Activities: Which goods fall under the wholly obtained criterion?



²⁵ <https://au-afcfta.org/wp-content/uploads/2022/01/Annex-2-to-the-CFTA-Agreement.pdf>

CHAPTER

05

**Harmonised System,
Tariffs and value addition**

5.1 What is the Harmonised Commodity and Description System?

Harmonised Commodity and Description System (HS Code) Nomenclature is a World Customs Organisation (WCO) compilation of harmonised descriptions of internationally traded products through codes that have been universally accepted. Countries adopt the HS Code through an Act of Parliament. It covers internationally traded goods and is universally used in tariff classification. The HS Code is a legal instrument that goes beyond trade facilitation extending its use by:

- Statistical agencies in data compilation and analysis
- Governments in analysing trends in international trade
- Clarifying description of goods on commercial invoices
- Assisting the application process of permits on restricted or controlled goods
- Indicating duty rates for use by SARS (Customs & Excise Division) and importing country
- Regulation of sectors of the economy through assessing injury to the domestic market

The fast-paced international trade environment demands periodic updates of the Harmonised System to capture new products in the Harmonised System. The updates are every five years; the current version is the HS2022 Version after HS2017. At the national level, HS Codes are amended through Statutory Instruments in conjunction with WCO.

5.2 Common External Tariff

Tariff classification of goods demands specific expertise. The Southern African Customs Union (SACU) common external tariff comprises 6 digits harmonised globally and applied in international trade. The common external tariff consists of the description of the products referred to as headings in the Harmonised System. At a national level, more digits can be added. These can be increased up to 8 or 10 as dictated by the demands of regional trade. It is important to note that amendments to the HS Codes are done with the consultation of WCO.

Tariff classification is done within a set of legally binding rules. In the EU, the HS code is also known as the product code. It is the responsibility of the importer to classify the products correctly. The product code should have a similar code to the export documents processed by SARS, especially the common external tariff.

5.3 Types of Tariffs

There are about 3 types of duties, namely (a) Specific Rate of duty, (b) Ad valorem Rate of Duty and (c) Combination Rate of Duty. The exporter should contact the country of import regarding the duties that are expected on the consignment that is being exported. Under preferential treatment of goods, tariff rates are reduced on producing the certificate of origin. Information on duty rates in the EU market can be accessed at this link <https://trade.ec.europa.eu/access-to-markets/en/home>

5.4 Value Addition

Value addition in agriculture through expanded value chains is a means to increase economic rent for established commercial agricultural entities and emerging producers while creating jobs within the economy. Emerging farmers need to appreciate the whole agricultural supply chain and identify entry points for value addition to become part of the supply chain. Through this appreciation, small-scale farmers start to think of themselves as players in the supply chain and embark on value addition activities that benefit the whole circle.



The US Agency for International Development defines a supply chain as the:

...full range of activities that are required to bring a product or service from its conception to its end use, including all the market channels available to all firms.

Therefore, the economic spillovers from value addition comprise increased economic rent or income and increased economic activity characterised by increased employment opportunities.

In the context of tariff classification, value addition or transformation of a product may result in creating an entirely new product with a different product classification code. The origin of the product may also change depending on the transformation processes and location where value addition occurred. Exporters are encouraged to converse with RoOs, especially the sufficiently worked or processed category. In the event of a new tariff heading, the exporter must ensure the product is registered for clearance under preference by following the processes involved in application for preference.

Activities: How does the Harmonised System help exporters?





CHAPTER

06

Trade Incoterms®

Trade Incoterms are rules that lend transparency and credibility to commercial transactions between two or more transacting parties. The term INCOTERM is an acronym that means international commercial terms. Trade Incoterms are a trademark of the International Chamber of Commerce (ICC). The ICC is an internationally recognised authority responsible of designing these international transacting standards as demanded by the international trade landscape.

Incoterms 2020 replaced Incoterms 2010 with effect from the 1st of January 2020. For an exporter, prior research on trade incoterms should prelude the export contract that will result in an export order. Inadequate research on incoterms may result in the choice of a wrong incoterm that may have a disastrous ripple effect in the whole supply chain of the export order.



6.1 What are Trade Incoterms?

Trade Incoterms are international transacting standards that can be engaged at both domestic and international level. The use of incoterms is not confined to customs only but can extend to various aspects of business transactions. Using incoterms eliminates ambiguity and achieves clarity in responsibilities and expectations of the transacting parties.

The comprehensive list of incoterms shared in the Export Manual will assist exporters and importers in the right choice of an incoterm as determined by their understanding of the incoterm, the consignment in question, point of loading facilities, and payment. It will help exporters to engage experts who will assist in the correct interpretation of the trade incoterms vis-à-vis the products.

6.1.1 Negotiating Trade Incoterms

Incoterms identify the point of transfer of cost and risk from seller to buyer concerning the goods that are being sold between two parties. Exporters must know how to negotiate favourable incoterms. However, it is always advisable to engage a trade lawyer, an authorised economic operator, a customs broker, or any reputable expert in the field. Notwithstanding the expertise required, exporters must be familiar with what incoterms cover as well as what they do not cover. In addition, incoterms do not address issues of wrongly supplied goods, nor do they redress the delay of the delivery of goods or products.²⁶

When specified in a commercial invoice, incoterms help to initiate communication between the buyer and seller around the documents required, the loading /delivery facilities, departure and expected arrival time. This communication is however not binding as it is dialogue between parties. Once the information is on a document like the invoice waybill or consignment it becomes binding.

6.2 Choosing Trade Incoterms: What determines the choice of an incoterm?

There are several factors that influence the choice of an incoterm. The choice of an incoterm should be done through the advice of an expert. However, it is also desirable for the exporter to have an overview of how the incoterm is chosen. These are some of the elements to consider when choosing incoterms as an exporter:

- The exporter must be aware of the obligations and implications as the seller.
- The exporter must be aware of the point where risks and costs are transferred to the buyer
- State of preparedness is required once risks and costs are assumed

²⁶ <https://www.herald.co.zw/importance-of-incoterms-on-commercial-invoices/>

6.2.1 List of Incoterms 2020 and what they depict

Figure 8: Incoterms 2020 Rules

INCOTERMS® 2020 RULES CHART OF RESPONSIBILITIES AND TRANSFER OF RISK											
	Any Transit Mode		Sea/Inland Waterway Transport				Any Transport Mode				
	EXW	FCA	FAS	FOB	CFR	CIF	CPT	CIP	DAP	DPU	DDP
	Ex Works	Free Carrier	Free Alongside Ship	Free On Board	Cost & Freight	Cost Insurance & Freight	Carriage Paid To	Carriage Insurance Paid To	Delivered at Place	Delivered at Place Unloaded	Delivered Duty Paid
Transfer of Risk	At Buyer's Disposal	On Buyer's Transport	Alongside Ship	On Board Vessel	On Board Vessel	On Board Vessel	At Carrier	At Carrier	At Named Place	At Named Place Unloaded	At Named Place
Charges/Fees											
Packaging	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller
Loading Charges	Buyer	Seller*	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller
Delivery to Port/Place	Buyer	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller
Export Duty, Taxes & Security Clearance	Buyer	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller
Origin Terminal Charges	Buyer	Buyer	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller
Loading on Carriage	Buyer	Buyer	Buyer	Seller	Seller	Seller	Seller	Seller	Seller	Seller	Seller
Carriage Charges	Buyer	Buyer	Buyer	Buyer	Seller	Seller	Seller	Seller	Seller	Seller	Seller
Insurance						Seller		Seller			
Destination Terminal Charges	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer**	Buyer**	Seller	Seller	Seller
Delivery to Destination	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Seller	Seller	Seller
Import Duty, Taxes & Security Clearance	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Buyer	Seller

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This chart is designed to provide a basic level of understanding of Incoterms® 2020 Rules published by the International Chamber of Commerce (ICC). For a more detailed explanation, visit the ICC website.

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* Seller is responsible if term is FCA at seller's facility.

** If seller incurs costs under its contract of carriage, seller cannot recover the costs from the buyer without buyer's agreement.

Courtesy of Shipping Solutions

The above chart illustrates what the incoterms abbreviations stand for and the point of risk transfer. It is advisable that exporters take note of the information below:

Incoterms 2020 for any transport mode or modes of transport:

EXW	Ex Works	DAP	Delivered at Place
FCA	Free Carrier	DPU	Delivered at Place Unloaded
CPT	Carriage Paid To	DDP	Delivered Duty Paid
CIP	Carriage and Insurance Paid To		

Incoterms 2020 for sea, inland and waterway transport:

FAS	Free Alongside Ship	CFR	Cost and Freight
FOB	Free on Board	CIF	Cost Insurance and Freight

A notable departure from the Incoterms 2010 is DAT-Delivery at Terminal, which has been renamed DPU (Delivery at Place Unloaded) in Incoterms 2020. DPU can be considered in an agreement by both seller and buyer for consignments such as those associated with the construction industry. The consignment may be delivered to the construction site instead of the terminal.

DPU Incoterm is also used on consolidated consignments. The seller bears the risk and costs up to delivery and is responsible for unloading and delivering the goods to the multiple buyers who make up the consolidated consignment. If the goods require special handling, the seller ensures special handling equipment is sought. In a situation where the seller cannot provide the services, an alternative incoterm such as Delivery at Place will be the next option.

For detailed illustrations on incoterms, visit <https://iccwbo.org/business-solutions/incoterms-rules/incoterms-2020/>

6.2.2 On which export documents does the selected incoterm appear?

The incoterm must appear on all the documents, especially the carrier documents and the commercial invoice. The commercial invoice should always capture the incoterms or what is generally referred to as the terms of the invoice. The terms of the invoice should be similar to what appears on carrier documents. Therefore, the carrier documents and the commercial invoice are one of the most crucial sets of documents in relation to a consignment. For in-depth information about the commercial invoice and incoterms visit: <https://www.fedex.com/en-gb/shipping-channel/customs-clearance/commercial-invoice.html>

6.2.3 Duty and Risk implications of a choice of incoterm:

When goods are shipped there are inherent risks as the shipment moves from point A to point B. It is important to distinguish responsibilities between the seller and the buyer and at which point. It is the incoterms that can identify these responsibilities and risks transfer from each party. Table 3 below identifies incoterms and their meaning.

Table 3 – Incoterms Descriptions

Incoterm	Full Term	Description
Incoterms 2020 for any transport mode or modes of transport		
EXW	Ex-Warehouse	The risk or liability for the goods transfers from the seller to the buyer when the goods are made available at the named place.
FCA	Free Carrier	The seller must load the goods on the buyer's transport, at which point the risk for the goods transfers to the buyer.
CPT	Carriage Paid To	The seller is responsible for the transportation costs associated with delivering goods to the named place of destination, which is always on the buyer's side.
CIP	Carriage and Insurance Paid To	The seller is responsible for delivering goods to the first carrier or another person stipulated by the seller at a named place of shipment, at which point risk transfers to the buyer. The seller is responsible for the transportation costs and insurance associated with delivering goods at least to the named place of destination, which is always on the buyer's side.
DAP	Delivery at Place	The seller is responsible for all charges and risks in transit until the goods reach their named destination on the buyer's side, at which point the risk transfers to the buyer.
DPU	Delivery at Place Unloaded	The seller is responsible for clearing the goods for export and bears all risks and costs associated with delivering the goods and unloading them at the named port or place of destination. The buyer is responsible for all costs and risks from this point forward, including clearing the goods for import at the named country of destination.
DDP	Delivery Duty Paid	DDP puts the maximum risk and responsibility on the seller. It requires the seller take responsibility for clearing the goods for export including the E-filing, bear all risks and costs associated with delivering the goods, unload goods at the terminal at the named port or place of destination, clear the goods for import clearance and payment, and bring the goods to the place of destination. Risk transfers to the buyer at the destination, so it should be stated clearly and precisely.
Incoterms 2020 for sea , inland and waterway transport		
FAS	Free Alongside Ship	The seller has fulfilled its obligation when the goods are made available alongside the vessel (for example, a quay or barge) nominated by the buyer at the named port of shipment. The buyer is responsible for loading the goods on their transport and everything else necessary to get the goods to the final destination.
FOB	Free on Board	The seller has fulfilled its obligation when the goods are loaded on the vessel nominated by the buyer at the named port of shipment. With FOB, the seller is responsible for loading the goods on the transport, while the buyer is responsible for everything else necessary to get the goods to the final destination.
CFR	Cost and Freight	The seller has fulfilled its obligation when the goods are delivered and loaded on the vessel they've nominated at the named port of shipment. The risk or liability for the goods transfers from the seller to the buyer as soon as the goods are loaded on board the vessel before carriage takes place, and the buyer bears costs from that point forward.
CIF	Cost Insurance & Freight	The seller is responsible for loading properly packaged goods on board the vessel they've nominated, cost of carriage to the named port of destination on the buyer's side, and insurance to that point. CIF is one of only two Incoterms 2020 rules that identify which of the parties must purchase insurance.

Source: Shipping Solutions

CHAPTER

07

Cost Breakdown of Shipments

The international environment introduces exporters to logistic scenarios and payment challenges that are not part of their domestic environment. Furthermore, in international trade, the whole chain of exporting/shipping goods or products comprises sub-costs to arrive at what is termed the landed cost of the product.

Landed costs comprise production costs and include ancillary charges that are incidental to moving the goods to the export country. Landed cost help the exporter assess the price competitiveness in the export market.



Many exporters make the mistake of using the price they sell the product for in the local market and adding additional export-related costs. The first step should be to re-investigate production costs and deduct any costs that do not form part of the export process. There is a myriad of costs associated solely with the movement of cargo over and above the production of goods for international markets.

It is important to understand the different services and the implied costs of services at every stage of the consignment journey. The chosen incoterm has a bearing on the landed cost.

7.1 Types of Bill of Lading

The Bill of Lading is a non-negotiable instrument used by shippers and airlines to move cargo across international borders. This document bears all the details of the owner of the goods, details of the destination, description and weight of the goods. The Bill of Lading is used to track the movement of goods and must be presented to the shipper for the release of the goods after it is stamped by customs.

There are two types of Bills of Lading: the House Bill of Lading and the Master Bill of Lading. The House Bill of Lading is the evidence of a contract between the owner of the goods and the carrier, while the Master Bill of Lading is proof that the goods have been delivered to the declared destination. The exporter must always keep the original documents of the Bill of Lading until payment is fulfilled. The original Bill of Lading authorises the owner of the goods to take delivery once the consignment arrives at the agreed point.

7.2 Shipping and Forwarding

Moving international consignments can involve more than one kind of transport mode. An exporter's choice of transportation mode is influenced by the size and weight of the consignment,

the urgency of the consignment, the limitations or restrictions about the cargo, and the nature of the consignment – amongst a host of all other considerations. There are advantages and disadvantages to each transportation mode.

Shipping and Forwarding services are now referred to as freight forwarding. The exporter must learn how to distinguish these functions. Shippers are responsible for moving consignments by sea up to the port as indicated by the incoterms on the shipping documents. The shipper is not responsible for getting the goods to the destination.

The forwarder is responsible for the management of the consignment while enroute. The incoterms will identify whose responsibility it is to appoint the freight forwarder. Freight costs and forwarding costs are distinct. Freight costs comprise shipping costs, including ancillary charges associated with the movement of goods to the country of export. Freight costs may include insurance as determined by the incoterm, for example, CIF (Cost Insurance and Freight). The exporter must pay attention to these costs, although the terms on the invoice are always an invaluable guide.

For more information please consult: <https://www.marineinsight.com/maritime-law/what-is-bill-of-lading-in-shipping/>

7.3 Obligations of the various parties involved in transporting goods

7.3.1 Obligations of the Shipping Company

The shipper draws the Bill of Lading, a non-negotiable instrument sent to the buyer of the goods and used in all the stages of the movement of the goods. In terms of responsibilities, the shipper organises and arranges for the following:

- The cargo to be shipped
- Compiles all the documentation that has gone through Customs
- Books the cargo space
- Identifies the best route for transportation and
- Monitors the movement of cargo up to the port

7.3.2 Obligations of the Air Transporter

Airliners draw the Airwaybill that identifies the owner of the cargo. The Airwaybill is a non-negotiable instrument indicating the details of the route and incoterms as they appear on the invoice. The transporter must ensure the documents have gone through Customs for the authority to load.

7.3.3 Obligations of the Road Transporter

Road transporters draw road consignment notes indicating the description of the load and the consignee once they get all the relevant documents from the exporter. The road transporter

is responsible for the timely delivery of the consignment, notwithstanding delays beyond the transporter's control. Any delay that has yet to be occasioned by the transporter attracts demurrages payable by the goods' owner. This mode of transport is commonly used in exporting to neighbouring countries, namely Zambia, Zimbabwe, and Malawi. Other countries also serviced by road are Namibia, Angola, the Democratic Republic of the Congo, Botswana, Lesotho, some parts of Mozambique and Tanzania.

7.3.4 Obligations of the Rail Transporter

For South Africa, Transnet's Freight Rail division offers rail services. It maintains an extensive rail network across South Africa that connects with other rail networks in the sub-Saharan African region. SARS grants authority to load, and the rail transporter will not load without the prescribed documentation required by law.

For more information, visit <https://www.sars.gov.za/wp-content/uploads/Legal/SecLegis/Legal-LSec-CE-RA-Customs-and-Excise-Rules-1995-as-amended.pdf> >>Exports by rail section.

Table 4: Summary of Costs Associated with Export Shipments

Cargo Dues	Port levy payable for use of port facilities.
Terminal handling charges	Collected by terminal authorities at each port against handling equipment and maintenance.
Container Rate 'Box Rate' (FCL Shipment)	A 'box rate' is charged for an FCL, regardless of its contents. Ocean freight rates are normally quoted based on 'full liner terms' (FLT); that is, the loading and off-loading costs are included in the freight rate. Rates are quoted in US dollars and converted into rands at the bank's selling rate on a date nominated by the shipping line.
Surcharges	These are additional fees that can be applied by shipping lines to absorb increases in costs. Examples: BAF (Bunker Adjustment Factor); CAF (Currency Adjustment Factor); Port Congestion; ISPS (International Security Port Surcharge), etc.
Less than Container Load (LCL)	LCL shipments, bulk and break- bulk cargo are charged on the basis of 1000 kg/1 m ³ .

Activities: What do you understand about a Bill of Lading?





CHAPTER

08

Shipping and Forwarding

8.1 The distinction between a Shipping Agent and a Clearing Agent

It is common to mix the role of a shipping agent and that of a clearing agent, as their designated roles and responsibilities tend to blur in daily operational realities. However, there is a difference in their respective roles and responsibilities. Shippers are responsible for moving consignments by sea up to the port as indicated by the incoterms on the shipping documents. The shipper is not responsible for getting the goods to the destination.

A clearing agent or customs broker is responsible for customs clearing the consignments, whether for export or import. The clearing agent is engaged by the exporter or seller of the goods in the exporting country, while the buyer in the foreign market appoints their registered agent to do the customs clearing. The clearing agent uses documents such as permits and certificates for the export and submits the documents to the Customs Division upon registration of the SAD 500 at SARS.

Duties of a Shipping/Forwarding Agent: For more information refer to section 7.2 and visit: <https://www.marineinsight.com/maritime-law/what-is-bill-of-lading-in-shipping/>.

8.2 Duties of a Clearing Agent

- They take instructions from the exporter who is the principal, based on the export documentation relating to the cargo.
- They examine the documents for validity and relevance and advise the exporter accordingly.
- They check the correctness of all documents, including the permits. It is the responsibility of the exporter to get all the necessary permits, arrange inspections and get the certification.
- The clearing agent coordinates all the logistics, including carrier documents, to create a file of the documents that will support registration with SARS.
- The agent is responsible for monitoring the customs clearance of the documents until the Release Order is issued from SARS, signifying that the goods/consignment has been authorised for export.

8.3 Attributes to consider when choosing service providers for the export

- They must be a registered reputable entity qualified by their own customers and not their marketing section.
- They must be competent and have a thorough knowledge of the industry
- There should have automated systems
- They must be represented in most seaports and entry points



Activities: How do you expect your clearing agent to assist you?





CHAPTER

09

Export Credit and Risk Management



When banks are extremely risk averse, SMMEs are likely to be more affected than larger ones.

WTO ITC Export Financing

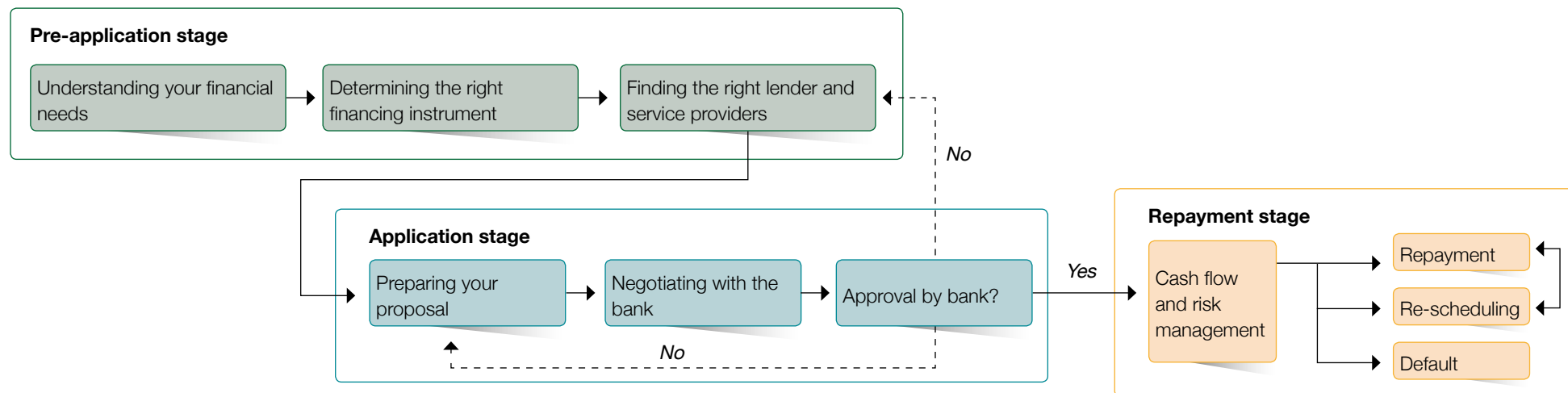
Generally, most SMMEs, women-owned businesses and entrepreneurs struggle to finance their business activities compared to established entities. This is because they are perceived to be at higher risk by commercial banks and other similar financial institutions. DALRRD offers opportunities to these entities to scale up their business growth and participate in value chains linked to international markets. However, the lack of financial capacity impedes their effective uptake and participation in these value chains in international trade.

The SADC-EU EPA and the AfCFTA both have protocols that focus on capacity building for SMMEs as a strategy to participate in export development. Exporters need to familiarise themselves with these provisions to leverage on them to address the financial gaps. This

also extends to acquiring financial literacy and knowledge of finance vehicles that can finance SMMEs other than traditional institutions.

Financial literacy is an important step to be undertaken as an exporter and to improve an entity or individual's participation in export markets. The purpose of this section is to provide the exporter with an understanding of the different financing processes related to shipment as well as the different types of financing instruments on offer to entities that participate in import-export business activities. The diagram Figure 9 below lays out the process to follow when analysing the financial obligations of the enterprise.

Figure 9: Stages of the Financing Process



Source: WTO ITC-Export Financing

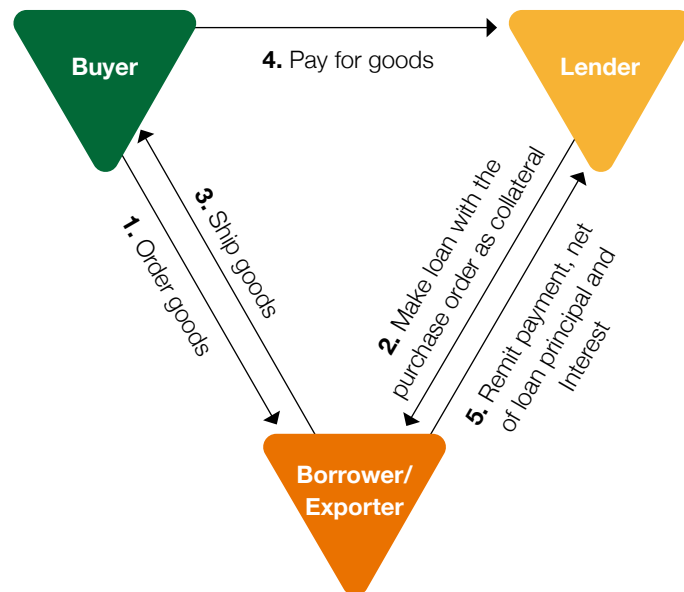
Appreciation of the above processes can help an exporter understand their business's financial position in relation to its capital needs. The finance needs can be paddocked into pre-shipment financing, post-shipment financing, long-term financing and short-term financing.

9.1 Financing processes related to shipment

9.1.1 Pre-Shipment Finance

Pre-shipment finance or credit assists in providing business with working capital on the onset of the receipt of the export order. Financial institutions can assist with finance through a sound business proposal backed by adequate collateral, such as an Export Order. Figure 10 below shows how the bank can use the export order as collateral to lend the exporter capital.

Figure 10: Process of Pre-shipment Finance



Source: WTO ITC-Export Financing

9.1.2 Post-Shipment Finance

Once the business has commenced operations, an exporter must analyse all the operational costs and assess inventories and overheads against proceeds received from the initial order. Correct assessment will assist in raising capital adequate to bridge the gap until the business self-finances.

9.1.3 Short Term Finance

This type of finance focuses on the daily operation of the business, such as the purchase of raw materials, wages, and payment of utility bills.

9.2 Letter of Credit

Trust is a desired attribute between trading parties in international trade. The buyer needs assurance that the goods, per the Export Order, will be delivered upon payment. In contrast, the exporter needs the same commitment that payment for the goods will be secured upon delivery of the goods to the buyer. It is the Letter of Credit that can allay the mistrust between the trading partners. The Letter of Credit is a negotiable instrument that guarantees the payment of goods in international trade. Depending on the contract, it can be non-negotiable or irrevocable.

The buyer obtains a Letter of Credit through their bank in the importing country. The bank issues the Letter of Credit upon the application process that is supported with acceptable collateral from the buyer. In addition, the bank requires export documents like the packing list, certificate of origin and the Bill of Lading. The exporter is named the beneficiary, and the exporter's details are captured on the Letter of Credit. The bank guarantees to pay the exporter in full even if the buyer fails to honour the agreed obligations.

9.2.1 Discounting of Bills of Exchange/Drafts

When payment is by a letter of credit, a bill of exchange is often stipulated and required to be drawn on the nominated negotiating bank. Once this bank accepts the bill, it becomes liable under it. An exporter holding such an accepted bill of exchange can use it to raise finance by 'selling' it to a bank on a discounted basis. A significant advantage of discounting a bill of exchange is that an exporter receives payment in South African Rands as soon as they negotiate the bill, thus free of any further risk of exchange loss. However, before adopting this finance method, exporters should discuss this option with the foreign or international branch/division of their banks.

9.3 Kinds of financial schemes available to exporters

9.3.1 Export Credit Guarantee Schemes

These are semi-autonomous financial instruments that hedge the risk inherent in international trade by offering different services like risk profiling of the export market, providing insurance cover in the event of the unforeseen and acting as guarantors of SMMEs when they approach banks for financial assistance. Exporters must approach the dtic or visit the link below for more information on Export Credit Guarantee Schemes. Visit <http://www.thedtic.gov.za/financial-and-non-financial-support/incentives/agro-processing-support-scheme/> for more information on Export Credit Guarantee Schemes.

9.3.2 Small Enterprise Development Agency

The Small Enterprise Development Agency (SEDA) is part of the Department of Small Business Development's portfolio of agencies. It is focused on assisting SMMEs with business skills development, training and capacity building, and several other initiatives. Specifically, SEDA offers the following services: business registration (close corporations, cooperatives, patents); business planning and management; marketing research and planning; facilitating access to finance; assistance with access to markets; trade exhibitions; technology access such as product testing, development, and certifications; business training. For more information on SEDA, visit www.seda.org.za.

9.3.3 Export Incentive Schemes

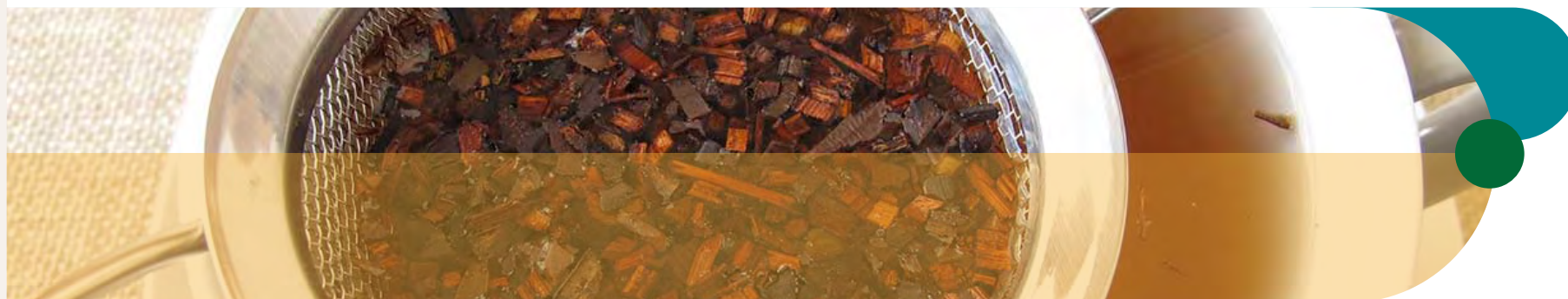
Agro-Processing Support Scheme (APSS)

The APSS aims to stimulate investment by South African agro processing / beneficiation (agri-business) enterprises. The investment should demonstrate that it will achieve some of the following: increased capacity, employment creation, modernised machinery and equipment, competitiveness and productivity improvement and broadening participation. The APSS provides financial assistance in the food and beverage process of value addition, such as cleaning, sorting, grading, waxing, controlled ripening, labelling, packing & packaging, ripening, refrigeration, cold storage facilities, canning, freezing, freeze drying, wood carving, extrusion, synthesising, polymerisation.

For more information, please consult the dtic website at: http://www.thedtic.gov.za/wp-content/uploads/APSS-Guidelines_Amendments.pdf.

Export Marketing & Investment Assistance Scheme

This institute assists exporters in looking for foreign markets through research and helps South Africa to attract foreign direct investment. For more information, visit <http://www.thedtic.gov.za/sectors-and-services-2/1-4-2-trade-and-export/export-marketing-and-investment-assistance-emia/>.



Activities: Briefly outline the stages of assessing your business costs.



CHAPTER

10

**Information Sources for
Market Research and
Market Analytical Tools**

As a South African exporter, it is vital to conduct market research through various lenses that can be summarised as competitive, comparative, and economies of scale and consider opportunities for diversification. These strategies apply to all markets.

10.1 Market research information sources on processed fruit, vegetables, nuts, beans and herbal-infused beverages

DALRRD, in conjunction with Technical, Food, Health, and Safety Standards:

- PPECB
- DoH: Department of Food Control
- D:FSQA
- D:IS
- the dtic

South African Revenue Services: Customs and Excise Division:

<https://www.sars.gov.za/contact-us/customs/>

All telephone calls to Customs Centre on 0800 00 7277

Clearing/Customs Brokers and Freight Forwarders provide information on HS Codes as guided by SARS (Customs & Excise) Regulations:

<https://www.sars.gov.za/customs-and-excise/import-export-and-transit/exports/>

Export Promotion Agencies identify markets and assist exporters:

<http://www.theDTIC.gov.za/sectors-and-services-2/1-4-2-trade-and-export/export-development-and-promotion/export-promotion> for detailed information.

National Export Advisory Council provides various interventions, including capacity building:

<http://www.thedtic.gov.za/sectors-and-services-2/1-4-2-trade-and-export/export-development-and-promotion/export-organisations/>

South African Export Councils provide export capacity building:

<http://www.thedtic.gov.za/sectors-and-services-2/1-4-2-trade-and-export/export-development-and-promotion/export-organisations/>.

10.2 An overview of various National Development Programmes for Exporters

10.2.1 National Exporter Development Programmes (NEDP)

The NEDP is an architect of the dtic that targets SMMEs exporters to be well-resourced, efficient, and effective exporters. This programme promotes export development in South Africa by assisting enterprises to be export-ready through interventions such as capacity building in leadership, promoting collaborations among stakeholders and creating an enabling environment.

For more information, visit: <http://www.thedtic.gov.za/sectors-and-services-2/1-4-2-trade-and-export/export-development-and-promotion/national-exporter-development-programme-nedp/>

10.2.2 Global Exporters Passport Programme (GEPP)

This is part of NEDP primarily focused on capacity building on SMMEs to be export ready and competitive for participation in global markets. This department within the dtic has numerous export courses, all designed to give the potential exporter skills to navigate the international trade terrain. The courses are intended to provide knowledge on the export cycle, including various linkages to the export cycle, such as logistics. These wide-ranging courses also teach exporters how to enter export markets through market research.

For more information on the courses visit: <http://www.thedtic.gov.za/sectors-and-services-2/1-4-2-trade-and-export/export-development-and-promotion/national-exporter-development-programme-nedp/>.

10.3 EU Market Research Information Sources

10.3.1 CBI Services

The CBI – the Centre for the Promotion of Imports from Developing Countries – is probably the most comprehensive information source for companies wishing to export products to EU countries. All information is free of charge and covers general manuals on exporting, exhibiting at foreign trade fairs, and similar issues, as well as specific reports on individual product groups. For more information visit: <https://www.cbi.eu/market-information>.

10.3.2 Other organisations of relevance

SIPPO

Swiss Supports exporting companies and Business Support Organisations in accessing international export markets through study tours, and trade missions. For information visit: <https://www.sippo.co.za/>

The EU-Africa Business Forum

For information visit: https://www.euafrica-businessforum.com/sites/default/files/joint_business_decalaration_annexes_7th_eu-africa_business_forum.pdf

10.4 Market Research Tools

Dried Fruit Technical Services

<https://za.locale.online/dried-fruit-technical-services-1258902400.html>

South African Fruit and Vegetable Canners Association (SAFVCA)

<http://www.safvca.cn/index.html>);

South African Fruit and Vegetable Canners' Export Council

<https://bbs.fobshanghai.com/company/1c5b6d3h16016l7.html>

South African Fruit Juice Association (SAFJA)

<https://southafrica.co.za/south-african-fruit-juice-association.html>

Agricultural Research Council (ARC)

<https://www.arc.agric.za/Pages/Home.aspx>

SA Olive Industry Association

<https://www.saolive.co.za/>

South African Macadamia Growers' Association (SAMAC)

<https://southafrica.co.za/macadamias-south-africa.html>

Grain SA

<https://www.grainsa.co.za/>

The Bureau for Food and Agricultural Policy (BFAP)

<https://landportal.org/fr/organization/bureau-food-and-agricultural-policy>

Perishable Products Export Control Board (PPECB)

<https://ppecb.com/>

SA Agri Academy

<https://www.agriacademy.co.za/> (website is under construction)

SGS - Swiss-based Société Générale de Surveillance

<https://www.sgs.ch/en>

HACCP Academy

<http://www.haccpacademy.co.za/>

Small Enterprise Development Agency

<http://www.seda.org.za/>

Western Cape Investment and Trade Promotion Agency

<https://www.wesgro.co.za/corporate/home>

Logtrain International

<https://www.trainingmaterial.co.za/logtrain-international/>

Chambers of Commerce and Industry

<https://sacci.org.za/>

School of Shipping

<https://schoolofshipping.co.za/>



Annexure – List of stakeholders consulted

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EU-SADC EPA
Support Programme



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