

## **ANNEX VI**

### **SANITARY AND PHYTOSANITARY MEASURES**

#### **Article 1 – Objective**

The objective of the present Annex is to facilitate trade, between the Signatory Parties in animals and animal products, plants, and plant products, and any other regulated articles or any other product, deemed to require sanitary and phytosanitary measures, included in the Preferential Trade Agreement between MERCOSUR and SACU, whilst safeguarding human, animal and plant health.

#### **Article 2 – Multilateral Obligations**

The Signatory Parties confirm their rights and obligations established in the Agreement on the Application of Sanitary and Phytosanitary Measures of the World Trade Organization, by virtue of article 22 of the Preferential Trade Agreement between MERCOSUR and SACU.

#### **Article 3 – Transparency**

The Signatory Parties agree to exchange the following information:

- a) Any changes in the sanitary and phytosanitary status, including important epidemiological findings which may affect the Signatory Parties trade;
- b) Result of inspections and verifications within a 60-day term, which may be extended for a similar period in case of appropriate justification;
- c) Result of import controls in case the goods were rejected or considered non-compliant with official requirements, no further than a 48 hour term.

#### **Article 4 – Consultations on Specific Trade Concerns**

1. The Signatory Parties agree to create a consultation mechanism to facilitate the settlement of problems arising from the adoption and application of sanitary or phytosanitary measures, in order to prevent these measures from becoming unjustifiable barriers to trade.

2. The competent official authorities, as defined in Article 5 of this Protocol, shall implement the mechanism established in paragraph 1, as follows:
- a) The exporting Signatory Party affected by a sanitary or phytosanitary measure shall inform the importing Signatory Party of this concern through the form established in Annex 1 and communicate this to the Joint Administration Committee.
  - b) The importing Signatory Party shall respond to the request, in writing, before a thirty-day term specifying whether the measure:
    - Conforms to an international standard, guideline or recommendation, in which case, it should be identified by the importing Party; or
    - Is based on an international standard, guideline or recommendation. In this case, the importing Party shall supply the scientific justification and other information to support the aspects differing from the international standard, guideline or recommendation; or
    - Results in a higher level of protection for the importing Party otherwise than through an international standard, guideline or recommendation. In this case, the importing Party shall supply the scientific justification for such measure, including the description of the risk/risks to be avoided and, if pertinent, the risk assessment; or
    - In the absence of an international standard, guideline or recommendation, the importing Party shall supply a scientific justification for such measure, including the description of the risk/risks to be avoided and, if pertinent, the risk assessment.
  - c) Additional technical consultations may be made, whenever necessary, to analyze and suggest any procedures to overcome difficulties, within a 60-day term.
  - d) In case the exporting Signatory Party finds the mentioned consultations to be satisfactory, a joint report shall be submitted to the Joint Administration Committee. If a satisfactory solution is not reached, each Signatory Party shall pass its report to the Joint Administration Committee.

## **Article 5 – Competent Official Authorities**

For the purpose of implementing the preceding provisions, the competent official authorities are the following:

### **For MERCOSUR**

#### Argentina

Secretaría de Agricultura, Ganadería, Pesca y Alimentos – SAGPyA (Agriculture, Livestock, Fisheries and Food Secretariat)  
Servicio Nacional de Sanidad y Calidad Agroalimentaria – SENASA (Animals, Plants and Food Safety and Quality National Service)  
Administración Nacional de Alimentos, Medicamentos y Tecnología Médica – ANMAT (National Administration of Food, Medicines and Medical Technology)  
Instituto Nacional de Alimentos – INAL (National Food Institute)

#### Brazil

Ministério da Agricultura, Pecuária e Abastecimento – MAPA (Ministry of Agriculture, Livestock and Supply)  
Agência Nacional de Vigilância Sanitária - ANVISA (National Health Surveillance Agency)

#### Paraguay

Servicio Nacional de Calidad y Sanidad Vegetal y de Semillas – SENAVE (National Service for Health and Quality Plants and Seeds)  
Ministerio de Agricultura y Ganadería – MAG (Ministry of Agriculture and Livestock)  
Subsecretaría de Estado de Ganadería - SSEG - (Under Secretariat of Livestock)  
Servicio Nacional de Calidad y Salud Animal – SENACSA - (National Service for Quality and Animal Health)

#### Uruguay

Dirección General de Servicios Agrícolas/MGAP DSSA (General Directorate of Plants Inspection Services/ Ministry of Livestock, Agriculture and Fisheries)  
Dirección General de Recursos Acuáticos/MGAP – DINARA (General Directorate of Aquatic Resources/ General Directorate of Livestock/Ministry of Livestock, Agriculture and Fisheries)  
Dirección General de Servicios Ganaderos/MGAP - DSSG (General Directorate of Livestock/Ministry of Livestock, Agriculture and Fisheries)  
Dirección Nacional de Salud/MSP (National Health Office/Ministry of Health)

### **For SACU**

#### Botswana

Measure: Phytosanitary / plant health  
Contact: Mr Molatlhegi Modise  
Title/position: Chief Plant Protection Officer  
Address: Division of Plant Protection  
Private Bag 0091  
GABORONE  
Country: Botswana  
Language: English  
Telephone: (+267) 392 8745/6 or 292 8766

Measure: Sanitary / animal health  
Contact: Director of Animal Health and Production  
Address: Ministry of Agriculture: Room 104  
Private Bag 0032  
GABORONE  
Botswana  
Language: English  
Telephone: (+267) 395 0635  
Fax: (+267) 390 3744 or 318 1383

### Lesotho

Measure: Phytosanitary / plant health  
Contact: Dr. Matla Ranthamane  
Title/position: Director of Agricultural Research  
Address: Department of Agricultural Research  
P.O Box 829  
MASERU, 100  
Lesotho

Language: English  
Telephone: (+266) 22320786 / Mobile: (+266) 58883572  
Fax: (+266) 22310362  
E-Mail: [mmranthamane@yahoo.co.uk](mailto:mmranthamane@yahoo.co.uk)

Measure: Sanitary (animal health and animal products)  
Contact: Dr. Marosi Molomo  
Title/position: Director of Livestock Services  
Address: Department of Livestock Services  
Private Bag A 82  
MASERU, 100  
Lesotho

Language: English  
Telephone: (+266) 22317282 / (+266) 324843 (Direct) / Mobile: (+266) 62000922  
Fax: (+266) 22311500  
E-Mail: [marosimolomo@yahoo.com](mailto:marosimolomo@yahoo.com)

### Namibia

Measure: Phytosanitary / Plant health  
Contact: Director of Law Enforcement  
Address: Ministry of Agriculture, Water and Forestry  
Private Bag 13184  
WINDHOEK  
Namibia

Language: English  
Telephone: (264 61) 208 7461  
Fax: (264 61) 208 7786  
E-Mail: [burgerr@mawrd.gov.na](mailto:burgerr@mawrd.gov.na)

Measure: Animal health  
Contact: Director Veterinary Services  
Address: Ministry of Agriculture, Water and Forestry  
Private Bag 13184  
WINDHOEK  
Namibia

Language: English  
Telephone: (264 61) 208 7513  
Fax: (264 61) 208 7779

E-Mail: [huebschleo@mawrd.gov.na](mailto:huebschleo@mawrd.gov.na)

## South Africa

Measure: Phytosanitary / plant health  
Contact: Ms Alice Baxter  
Title/Position: Directorate Plant Health  
Address: Department of Agriculture  
Private Bag 14  
PRETORIA 0031  
South Africa  
Language: English  
Telephone: (+27 12) 319 6114  
Fax: (+27 12) 319 6580;  
Email: [DPH@nda.agric.za](mailto:DPH@nda.agric.za) or [PA.DPH@nda.agric.za](mailto:PA.DPH@nda.agric.za)

Measure: Animal health  
Contact: Dr. Mpho Maja  
Title/Position: Director: Animal Health  
Address: Department of Agriculture  
Private Bag X138  
PRETORIA 0001  
South Africa  
Language: English  
Telephone: (+27 12) 379 7456  
Fax: (+27 12) 329 7218  
E-mail: [mphom@nda.agric.za](mailto:mphom@nda.agric.za) or [SMAH@nda.agric.za](mailto:SMAH@nda.agric.za)

Measure: Food safety  
Contact: Ms J.M.Rathebe  
Title/Position: Director: Food Safety and Quality Assurance  
Address: Department of Agriculture  
Private Bag X343  
PRETORIA 000  
South Africa  
Language: English  
Telephone: (+27 12) 319 7304  
Fax: (+27 12) 319 6764  
E-mail: [SMFSQA@nda.agric.za](mailto:SMFSQA@nda.agric.za)

Measure: Competent National Authority under the  
Cartagena Protocol on Biosafety, & Registrar of the Genetically  
Modified Organisms Act  
Contact: Dr Julian Jaftha  
Title/Position: Director: Genetic Resources Management  
Address: Department of Agriculture  
Private Bag X973  
PRETORIA 0001  
Language: English  
Telephone: (+27 12) 319 6024  
Fax: (+27 12) 319 6385  
E-mail: [smgrm@nda.agric.za](mailto:smgrm@nda.agric.za) or [michellev@nda.agric.za](mailto:michellev@nda.agric.za)

Measure: Plant Breeders' Rights Act  
Contact: Ms Michelle Vosges  
Title/Position: Registrar: Plant Breeders' Rights Act  
Address: Department of Agriculture  
Private Bag X973  
PRETORIA 0001  
South Africa

Language: English  
Telephone: (+27 12) 3196253  
Fax: (+27 12) 319 6385  
Email: [michellev@nda.agric.za](mailto:michellev@nda.agric.za)

## Swaziland

Measure: Phytosanitary / plant health  
Contact: Mr. George Similo Mavimbela  
Title/Position: Research Officer  
Address: Agricultural Research Division (ARD)  
Ministry of Agriculture and Co-operatives  
Malkerns Research Station  
P.O. Box 4  
MALKERNS  
Country: Swaziland  
Language: English  
Telephone: (+268) 5283038 / 5283220  
Fax: (+268) 5283360  
E-mail: [mrs@realnet.co.sz](mailto:mrs@realnet.co.sz) or [Seemelo@yahoo.com](mailto:Seemelo@yahoo.com)

Measure: Sanitary / Animal health  
Contact: Dr Roland Xolani Dlamini  
Title/Position: Regional Veterinary Officer  
Address: Directorate of Veterinary Services  
Ministry of Agriculture and Cooperatives  
P.O. Box 4192  
MANZINI  
Country: Swaziland  
Language: English  
Telephone: (+268) 5052270 / (+268) 505 2113  
Fax: (+268) 505 6443  
Email: [roland@africaonline.co.sz](mailto:roland@africaonline.co.sz)

**ANNEX 1**

**FORM FOR CONSULTATIONS ON SPECIFIC TRADE CONCERNS  
REGARDING SANITARY AND PHYTOSANITARY MEASURES**

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Measure under consultation causing concerns: \_\_\_\_\_

Country, which applies the measure: \_\_\_\_\_

Responsible institution for application of the measure: \_\_\_\_\_

WTO Notification Number, whenever if applicable: \_\_\_\_\_

Consulting country: \_\_\_\_\_

Consultation date: \_\_\_\_\_

Responsible Institution for consultation: \_\_\_\_\_

Division name: \_\_\_\_\_

Name of Responsible Official: \_\_\_\_\_

Title of Responsible Official: \_\_\_\_\_

Telephone, fax, e-mail and mailing address: \_\_\_\_\_

Product(s) affected by the measure: \_\_\_\_\_

Sub-tariff item(s): \_\_\_\_\_

Product(s) description (specify): \_\_\_\_\_

Is there any relevant international standard? Yes \_\_\_\_\_ No \_\_\_\_\_

In case this does exist, give the number and title of the specific international  
standard(s), guideline(s) or recommendation(s): \_\_\_\_\_

Objective or reason for consultation: \_\_\_\_\_