

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 23 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 Annex, 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: Animal Health
Contact: Director
Department of Veterinary Services
Ministry of Agriculture
Private Bag 0032
Gaborone

Country: Botswana
Languages: English
Telephone: +267 395 0500
Facsimile: +267 390 3744
E-mail:

Measure: Plant Health
Contact: Director
Department of Plant Protection
Ministry of Agriculture
Private Bag 0091
Gaborone

Country: Botswana
Languages: English
Telephone: +267 392 8745/6
Facsimile: +267 392 8762
E-mail:

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

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

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

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

South Africa

Measure: Phytosanitary / plant health
Title/Position: Director: 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

Measure: Sanitary / Animal health
Title/Position: Director: Veterinary Services
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: DVS@nda.agric.za

Measure: Food safety
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: DFSQA@nda.agric.za

Measure: Competent National Authority under the
Cartagena Protocol on Biosafety, & Registrar of the Genetically
Modified Organisms Act

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: DGRM@nda.agric.za

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

Language: English
Telephone: (+27 12) 3196024
Fax: (+27 12) 319 6385
Email: DGRM@nda.agric.za

Swaziland

Measure: Phytosanitary / plant health
Contact Point: 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) 527 4071
Fax: (+268) 527 4070
E-mail: mrs@realnet.co.sz

Measure: Sanitary / Animal health
Contact Point: Director
Address: Director of Veterinary Services
Ministry of Agriculture and Cooperatives
P.O. Box 162
MBABANE

Country: Swaziland
Language: English
Telephone: (+268) 404 2731/9
Fax: (+268) 404 9802
Email:

Measure: Sanitary / Animal health
Contact Point: Senior Public Health
Address: Director of Veterinary Services
Swaziland Meat Industry
P.O. Box 446
MANZINI

Country: Swaziland
Language: English
Telephone: (+268) 518 4033
Fax: (+268) 519 0069
Email: simunyemeats@smi.co.sz

Measure: Sanitary / Animal health
Contact Point: Senior Field Services
Address: Director of Veterinary Services
Ministry of Agriculture and Cooperatives
P.O. Box 162
MBABANE

Country: Swaziland
Language: English
Telephone: (+268) 404 2731/9
Fax: (+268) 404 9802

ANNEX VI

APPENDIX I

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

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: