South Africa - Republic of

Food and Agricultural Import Regulations and Standards

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Report Highlights:
Sections updated: I, II, IV.

This report has been updated to include information on the National Regulator for Compulsory Specification (NRCS) as the body responsible for standard specifications for both locally manufactured and imported seafood and canned fish products.

The new labeling and advertising of foodstuffs regulations (R146 of 2010) will become effective on March 01, 2012. Also, new GMO labeling regulations came into full effect on April 11, 2011.

Regulations relating to the use of sweeteners in foodstuff are out for public comment:
SOUTH AFRICA: FOOD AND AGRICULTURAL IMPORT REGULATIONS AND STANDARDS (FAIRS)

This report was prepared by the office of Agricultural Affairs of the USDA/Foreign Agricultural Services in Pretoria, South Africa for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped.

FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY’S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.
Section I. Food Laws:

The South African food safety and food control systems are developed and enforced by three government departments: Department of Health (DOH), Department of Agriculture, Forestry and Fisheries (DAFF) and Department of Trade and Industry (DTI).

Regulatory Authorities:

- Department of Agriculture, Forestry and Fisheries: [http://www.daff.gov.za](http://www.daff.gov.za)

The Food Control Division of DOH is responsible for all ready-to-eat food products while DAFF regulates liquor products, agricultural processed products, perishables, flowers and vegetables. The National Regulator for Compulsory Specification (NRCS) of DTI, which took over the role previously held by the South African Bureau of Standards (SABS), enforces and sets standard specifications for both locally produced and imported seafood and canned fish products. When products and services do not meet the minimum standards, NRCS applies sanctions which include stopping sales of non-conforming products, seizure, destruction and prosecution of offenders.

Acts That Govern Food Laws:

The South African legislation governing foodstuffs is administered and enforced through the following acts:


Import Regulations

All agricultural and food products entering South Africa must be accompanied by a phytosanitary or a health certificate issued by the regulatory body in the exporting country. This is required to be submitted for inspection.
along with the import permit to facilitate physical inspection of the goods and customs clearance at the port of entry. It is best to have a reputable importer/distributor in South Africa who can apply for any necessary applications and fill out appropriate paper work. The Office of Agricultural Affairs in Pretoria can recommend several importing companies for food products.

In the case of meat and poultry, imports can only be made from foreign meat establishments which are accredited by DAFF. All federally inspected and approved meat establishments located in the United States are eligible to export to South Africa. There are also forms that importers need to fill out for SARS Customs and these forms can be obtained at: http://www.sars.gov.za/home.asp?pid=4153&tid=60&s=forms&show=1084

Import Procedures by Types of Foods

1. Fresh fruits and vegetables, nuts and spices:
   All imported food and agricultural products are required to comply with South Africa’s food health and phytosanitary laws. Imported fresh fruits and vegetables, nuts and spices are detained at the port of entry for inspection by the Directorate of South African Agricultural Food, Quarantine and Inspection Services (SAAFQIS) of DAFF. SAAFQIS inspects for pests under the Agricultural Pests Act (Act 36 of 1983).

   Under South African import laws, it is the responsibility of the importer to ensure that any product entering the South African territory is in full compliance with health and SPS regulations. The enforcing authorities will inspect the goods and relevant import/export documentation to ensure compliance and decide whether or not the goods may enter the country. In cases where non-compliance is found, the goods may require further treatment prior to entering the country or they may be rejected and order to be destroyed or disposed outside South Africa. For more information see: http://www.nda.agric.za/doaDev/sideMenu/plantHealth/docs/importProcedure.pdf

2. Meat products
   For meat products, the Directorate Veterinary Services administers the Animal Diseases Act, 1984 (Animal Diseases Act, No 35 of 1984). The Import/Export Policy Unit of the Directorate Veterinary Services also administers the sections of the Meat Safety Act, 2000 (Meat Safety Act, No 40 of 2000) and regulations that apply to the importation of meat. The importation of animals and animal products from individual countries is evaluated in accordance with these Acts, international standards and other requirements. For more information on meat import procedures see: http://www.nda.agric.za/vetweb/ImportExport/ImportProcedures/Meat%20info%20doc%20May08.htm

3. Frozen and chilled meat
   These may only be imported from establishments (abattoirs and slaughterhouses) approved by the Director Veterinary Services of South Africa. The veterinary authorities in countries exporting meat to South Africa routinely inspect approved establishments. The Directorate will be notified as soon as a plant no longer complies with the stipulated requirements.

   The listing of an establishment does not necessarily imply that the Directorate will allow the importation of a particular meat or meat product from that country. For example, the listing of an establishment as a red meat plant does not imply that the Directorate will allow the importation of beef, mutton and pork from that plant or country. http://www.nda.agric.za/vetweb/ImportExport/Approved%20establishments/I_Imp_Query.htm

4. List of approved abattoirs
   In order to obtain approval for an additional abattoir or slaughterhouse (in countries already exporting to South
(Africa) the owner or manager of the establishment must contact the veterinary administration in the country where it is situated. The relevant veterinary authorities will then inspect the establishment on behalf of DAFF. If the establishment complies with DAFF’s requirements, the veterinary administration (head office) will send confirmation thereof to the department. Meat may only be produced at the establishment for export to South Africa once the approval has been confirmed in writing to the relevant veterinary administration. 

5. Processed food products

Exporters can export processed foods to South Africa through a buyer/importer and for that there is no product registration required. All that is needed is compliance with health regulations laid out in the listed Acts (below) that govern food safety in South Africa:

- The Foodstuffs, Disinfectants and Cosmetics Act (FDCA) 54 of 1972: Controls the sale, manufacture and importation of foodstuffs from a food safety point of view. For more information on regulations: http://www.doh.gov.za/list.php?pageNum_rsList=1&totalRows_rsList=119&type=Regulations
- Consumer Protection Act, 2008: Regulates labeling of biotech foods and ingredients.
- The Health Act, 1977: Regulates the hygiene of food premises.
- Animal Disease Act, 1984: Regulates the control of animal diseases.
- The South African Department of Health maintains several regulations concerning the use of sweeteners, food additives, and other ingredients. For more information: http://www.doh.gov.za/list.php?pageNum_rsList=1&totalRows_rsList=119&type=Regulations

6. Liquor products

An Import Certificate is required in order to import liquor products both in bulk and bottles (excluding beer) into South Africa. To release a consignment from Customs, the Import Certificate or a copy thereof will be required. Importers can apply for an Import Certificate only once in the lifetime of a product. The same Import Certificate number can be used provided that the composition, content, bottle size and label of that product doesn’t change. To obtain more information go to http://www.daff.gov.za/, click on Divisions – Food Safety and Quality Assurance – Liquor Products (Import Certificate, necessary Forms).

Section II. Labeling Requirements:

In 2010 the DOH published a new labeling and advertising of foodstuffs regulations (R146 of 2010) which will be effective on March 01, 2012. Last year the compliance date was set for March 01, 2011 and upon request by the local industry, the date has been extended to 2012. These regulations provide clear guidance on "do's" and "don'ts" regarding the information provided on the labels and in advertisements of foodstuffs. These regulations apply to both domestic and foreign food products and the following information is mandatory:

Name and address: the name and physical address of either manufacturer, or importer or distributor. The size of the lettering shall not be less than 1mm in height.

Country of origin: Three terms in wording can be used:
a. ‘Product of…’ for when all the main ingredients, processing and labor used to make the product are from one specific country should be used.

b. ‘Produced in …/ processed in …/ manufactured in …/ made in…’ for when food is processed in a second country.

c. ‘Packed in …’ may be used in addition to the statement in letter (b).

d. If the product is produced in a certain country using imported ingredients, the label should be ‘processed in… / manufactured in…’

Instructions for use – where it would be difficult for usage.

Net content – should be in the International System of Units (SI).

Batch identification – the specific batch number should be easily identifiable and traceable.

Date marking: must be clearly indicated and it should be preceded by the following:
‘Use by/ Best Before’. The date may not be removed or altered by anyone. The date must be indicated in the order Day – Month – Year when only numbers are used. In case of imported products where another order is used, the month should be written in words (full or abbreviated) and the year should be written in full.

Nutrient analysis – must be in table form per 100g of products as eaten (or if not, clearly stating per 100g of dry product or per 100 ml for liquids). Per portion nutrient analysis is voluntary, if no nutritional claims are made.

Ingredients - must be listed in order of descending mass (not volume).

Descriptive words: the following words may no longer appear on any food product:
- X percent fat free
- Nutritious
- Healthy
- Healthful
- Wholesome
- Complete nutrition
- Balanced nutrition
- The words ‘Sugar free’ and ‘Fat free’ are only allowed, if specific conditions as stipulated in the food labeling regulations are met.

For more information on the regulation visit:

GMO labeling regulations
In 2010 the Minister of Trade and Industries published the highly anticipated regulations with respect to the Consumer Protection Act. According to the act, all food containing more than five percent of GMOs whether the product was made in South Africa or elsewhere needs to carry the declaration which states, ‘contains at least 5
percent genetically modified organisms’ in ‘a conspicuous and easily legible manner and size’. If it is impossible or not feasible to test goods for the presence of GMOs, the product must be labeled ‘may contain GMO ingredients’. Those products that contain less that 5 percent of GMOs may be labeled ‘genetically modified content is below 5 percent.’ The Act came into full effect on April 11, 2011. For more information on GMO labeling visit: http://www.nccsa.org.za/index.php/The-Act/The-Act/Consumer-Protection-Act.html#

Section III. Packaging and Container Regulations:

For all goods, temperature in transit and at the destination point must be taken into consideration when using gels and dry ice. Chilled goods should be packed either in an insulated container with gel-packs/blue ice or in heavy cardboard boxes with gel-packs. Goods should never be packed with wet ice. Frozen goods, as with chilled, should be tightly packed with gel-packs and/or dry ice. Dry goods should be packed tightly to avoid internal damage. Carton labels should be marked to indicate either dry/chilled/frozen content. The shipments should be marked with colored labels, and all boxes should contain the following: Supplier name, address, destination, total number of cartons shipped, and a copy of pro-forma / commercial invoices.

Section IV. Food Additives Regulations:


In February 2008, Government Gazette no. R125 published an amendment to the regulation related to the use of sweeteners for public comments. The amendment adds sugar “Isomaltulose” to the list of ingredients, and the following words should appear below this term and should be in parenthesis “source of glucose & fructose”.

On April 28, 2006, a government gazette no. 28759 published a draft of the regulation of preservations antioxidants under the FCD Act of 1972 for public comments. The new rule establishes the maximum level of the antioxidant, Dimethylcicarbamate, at 250 mg/litre for black currant juice, soft drinks, pineapple juice, and sacramental wine from unfermented grape juice.

Food additives used as oxidants, sweeteners, colorants, curing agents, flavor enhancers, flavorants or preservatives, in a given foodstuff must appear on the label. The label on any pre-packed food additive or blend of food additives must comply with all labeling requirements and bear the words “for use in foodstuffs”, or “for use in food” or “blend of food additives”. The common chemical name of the product should be used on the labels. The names ‘food colorant’ or ‘food coloring’ or ‘food color’ and common chemical name and color index number should appear in the label. If an additive is sulfur dioxide, the maximum and minimum percentages should be specified. The date of maximum durability for food additives with the shelf-life not exceeding 18 months should have words as ‘use before X’, where X represents the latest recommended date of use.

Regulations relating to Trans - fat in foodstuffs had been amended, see http://www.doh.gov.za/docs/regulations/2011/reg127.pdf

Regulation relating to mixture of food additives containing nitrite/ nitrate and other substances has been updated, see http://www.doh.gov.za/docs/regulations/1975/reg0219.pdf

Section V. Pesticides and Other Contaminants:

DOH is the main food control regulatory body and it approves the Maximum Residue Limits (MRLs) for pesticides and for other chemicals and metals that may be present in foodstuffs for both exports and imports. DAFF gives guidance for usage of pesticides. Analysis for pesticide MRL is the responsibility of DOH inspection services from the port to the laboratories.
Section VI. Other Regulations and Requirements:

Testing
The Port Health Authority may detain goods at customs or issue an extended health detention to assist the food industry and other associated industries to take samples and conduct one or more of the following tests: sensory, microbiological and chemical. The sample is divided and packed separately into three sealed and labeled containers to indicate its nature and to identify it as from the original sample. One of the packages is given to the person responsible for the commodity, and the other package is sent for testing, while the third package remains with the inspector. For further analysis, the sample is derived from the remaining two packages. The same procedure also applies to perishables.

Certification
The Food and Associated industries division of NRCS regulates frozen and canned fish and fishery products, smoked snoek and canned meat. The division conducts surveillance inspections on locally produced and imported products. Both local and imported goods are monitored and samples of food products are taken in accredited surveillance facilities and submitting these for testing in accredited testing laboratories. Part of the physical inspections is to check the label and labeling of the products as well as the composition of products in some instances. See:

Special Documentation/Conformity Assessment Requirements
Seafood shipments should be accompanied by bills of entry documentation that provide the following information, correct physical addresses, storage facilities, and correct quantities of commodities. A list of codes should indicate various codes and different grades and quantities of each in the consignment. These regulations are regulated under NRCS.

Section VII. Other Specific Standards:

- For regulations relating to the fortification of foodstuffs see:

- For regulations governing microbiological standards for foodstuffs and related matters see:

- For regulations relating to milk and dairy products see:

- Vitamin-Enrichment Requirements see:


Section VIII. Copyright and/or Trademark Laws:

Property rights, including intellectual property, are protected under a variety of laws and regulations. South
Africa has an independent judiciary under which any threat to property rights may be enforced without political interference. Patents may be registered under the Patents Act of 1978 and are granted for 20 years. Trademarks can be registered under the Trademarks Act of 1993, are granted for ten years and may be renewed for an additional ten years. New designs may be registered under the Designs Act of 1967, which grants copyrights for five years. Literary, musical and artistic works, cinematographic films and sound recordings are eligible for copyrights under the Copyright Act of 1978. This act is based on the provisions of the Berne Convention as modified in Paris in 1971 and was amended in 1992 to include computer software. The Patents, Trademarks, Designs, and Copyrights Registrar of the Department of Trade and Industry administer these acts.

Additional information on South African rules and registration procedures for patents, trademarks, and copyrights can be obtained from:
Department of Trade and Industry
Trademarks, Patents, Design and Copyright
Private Bag X 429, Pretoria, 0001
International Tel: +27 (12) 394 9500
International Fax: +27 (12) 394 9501
www.cipro.gov.za

Section IX. Import Procedures:

Documentation
There are numerous documentary requirements depending on the product. The importer and exporter should always conduct a thorough investigation into the documentary requirements before shipping consignments. For more info visit: http://www.sars.gov.za/home.asp?pid=3585#import

These forms can be accessed at: http://www.sars.gov.za/home.asp?pid=4153&tid=60&s=forms&show=1084

Summary: basic procedures for importing food and agricultural products
Determine whether your agriculture products can enter South Africa. Only acceptable countries (as determined by the relevant regulatory body) may export food and agriculture products to South Africa (e.g., select bovine parts from a number of countries are banned in South Africa).

It is best to have a reputable importer/distributor in South Africa who can apply for any necessary applications and fill out appropriate paperwork. The office of Agricultural Affairs in Pretoria can recommend several different importing companies for most food products.

In the case of meat and poultry, imports can only be made from foreign meat establishments (i.e., abattoirs/ slaughterhouses), which are accredited by the Department of Agriculture. All U.S. federally inspected and approved meat establishments located in the United States are eligible to export to South Africa.

Import licenses/permits must be obtained from the relevant regulatory body for the goods to be imported to South Africa before the products are shipped from the exporting countries. Veterinary Quarantine Certificates and Import Permits must be obtained prior to importation.

All agricultural and food products entering South Africa must be accompanied by a phytosanitary or health certificate issued by the regulatory body in the exporting country. This is required to be submitted for inspection along with the import permit to facilitate physical inspection of the goods and customs clearance at the port of entry.


Import permits are valid for one year for the following: seeds (maximum 10 genera, or 2 species of 5 genera); rooted plants (maximum 10 genera); various other planting materials (max. 8 Genera); fruits and vegetables (10
Genera/types; cut flowers (10 types); 10 types/genera of timber (only those not published in R1013); bio-control agents/research organisms (10 species/host species) and growing media.

**Appendix I. Government Regulatory Agency Contacts:**

**Import and Export - Animals and Animal Products** (updated - 2010-03-26)

**Permit Office**

Head of Permit Office: Mrs. Ina Labuschagne

Email address: inaL@daff.gov.za

Tel: +27 12 319 7514

Other Tel: +27 12 319 7632 / -7503 / -7414

Fax numbers for permit applications:

+27 12 329 8292 / +27 12 319 7491 / +27 12 319 7644

For list of approved foreign abattoirs & slaughterhouses for importation; applications and certificates for ZA facilities and compartments. Contact: Mrs. Elmarie Viviers

Email address: ElmarieV@daff.gov.za

Tel + 27 (0)12 319 7700

Fax +27 (0)12 329 6892 (NO permit applications will be accepted at this fax)

**Inspection of Imported Consignments at Airports and Harbours:**

**Cape Town Harbour**

Dr. N Naude

Email address: NiekN@daff.gov.za & KarenSa@daff.gov.za

Tel: 021 421 0270

Fax: 021 421 9985

Cell: 083 261 8502

**Cape Town Quarantine**

Dr J Hovers

Email address: JanH@daff.gov.za

Tel: 021 551 2050

Fax: 021 551 1378

**City Deep**

Dr. A Ikatekit-Okonera

IkatekitO@daff.gov.za

Tel: 011 613 1636

Fax: 011 613 3672

Cell: 083 661 6809

**Durban: Meat & Meat Products**

Dr D Naidu

Email address: DaveN@daff.gov.za & MelanieA@daff.gov.za

Tel: 031 337 4346

Fax: 031 337 4602

Cell: 083 775 5171

**Durban: Animal Quarantine & Animal Products Excluding Meat & Meat Products**

Mr. T.S. Sithole

Email address: SamS@daff.gov.za & MarciaRa@daff.gov.za
Tel: 031-368 6011/2  
Fax: 031-337 7469  

**Kempton Park**  
Mr. K. Limba  
Email address: KhayalethuL@daff.gov.za  
Tel: 011 973 2827  
Fax: 011 973 2828  
Cell: 076 519 1977  

**Port Elizabeth**  
Dr. I Burnand  
Email address: IanB@daff.gov.za  
Dr. C. Darke  
Email address: ChrisD@daff.gov.za  
Tel: 041 585 8907  
Fax: 041 585 4953  

**Kempton Park Quarantine Station**  
Mudfish drive no. 3  
Bonaero Park  
Extension 3  
Tel. No. (011) 973-2827  

**Durban quarantine Station**  
18 Stanger Street  
Durban  
Tel. No. (031) 337-4346  

**Milnerton quarantine station**  
Bosmandam Road  
Sanddrift  
Milnerton  
Tel. No. (021) 551-2050  

**Quarantine Offices at Ports of Entry:**  
Johannesburg  
Tel +27 (0) 11 973 2827 or Fax +27 (0) 11 973 2828  
Durban  
Tel +27 (0) 31 368 6011 or Fax +27 (0) 31 337 7469  
Cape Town  
Tel +27 (0) 21 551 2050 or Fax +27 (0) 21 551 1378  

**Food Control: Food Safety**  
Department of Health  
Tel: +27 12 395 8000  
E-mail: pretoa@health.gov.za  

**Codex Point of Contact**  
Department of Health  
Tel: +27 12 395 8789
Fax: +27 12 395 8854
E-mail: CACPSA@health.gov.za

Copyright/Trademark Laws
Department of Trade and Industry
Tel: +27 12 394 9500

NRCS, National Regulator for Compulsory Specifications
Private Bag X25,
Head Office:
Brooklyn 0011
Tel: +27 (0) 12 428 5000
Fax: +27 (0) 12 428 5199
http://www.nrcs.org.za/content.asp?subID=54

Port Health Services
Airports and Seaports
Tel: +27-12-319 6524/ +27 82 456 3204
Fax: +27-12-319-6746
Contact person: Mr. E. Phoku

Land borders
Tel: +27-12-319 6313/ +27 82 481 8670
Fax: +27-12- 319 -6397
Contact Person: Mr. A. van Schoor

Appendix II. Other Import Specialist Contacts:

Other Import Specialist Contacts:

Office of Agricultural Affairs (FAS/USDA)
U.S. Embassy Pretoria
877 Pretorius Street
P.O. Box 9536
Pretoria, South Africa 0001
Tel: (+27) 12-431-4057
Fax: (+27) 12-342-2264
E-mail: agPretoria@usda.gov

Animal and Plant Health Inspection Service (APHIS)
http://www.aphis.usda.gov/
Tel: (+27) 12-431-4711

More on harbors and internal offices: