

TRADEBEAT

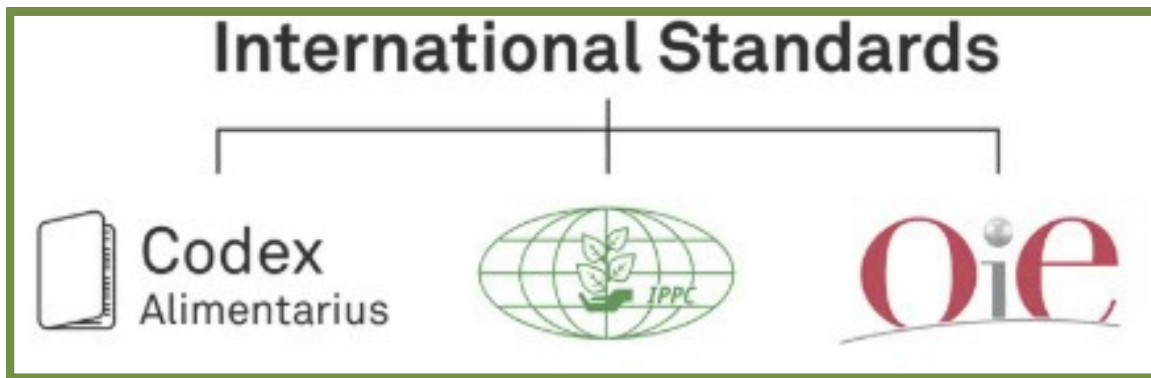
An International & Industry Liaison Branch Publication

WTO AGREEMENT ON SANITARY & PHYTOSANITARY (SPS) MEASURES Part II



IN THIS ISSUE:

- “THE THREE SISTERS”
- RELEVANT BRAS
- ROLE OF CUSTOMS
- FAQs



In this edition, we continue to look at the World Trade Organization's (WTO) Agreement on Sanitary and Phytosanitary (SPS) Measures, and the role of Customs and other Border Regulatory Agencies (BRAs) in administering the Agreement.

The WTO aims to facilitate smoother trade flows, and in the context of SPS, it sets the rules governing the sanitary and phytosanitary aspects of international trade through the **WTO Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures**. These measures aim to protect human, animal, and plant life or health from risks posed by the spread of pests, diseases, or contaminants.

For food products, governments have the right to define product requirements to protect consumer health, and prevent the spread of plant pests and animal diseases. However, it is crucial that food safety issues are not used as a means to protect domestic producers from foreign competition. Trade-restrictive measures must comply with the SPS Agreement, and should not go beyond the extent necessary.

When discussing the SPS Agreement, it is essential to mention the 'three sisters'. These organizations set the international standards that members are encouraged to adopt and use as a benchmark for their national measures.



CODEX Alimentarius:
They set international food safety standards. These standards are adopted by countries, including Jamaica, to ensure that food products are safe for consumers.



International Plant Protection Convention (IPPC):
This is the sole global setting standard for plants. This organization sets standards related to plant health and pest control, ensuring that countries can prevent the spread of plant diseases and pests across borders.

IN CASE YOU MISSED IT:
WTO AGREEMENT ON SANITARY & PHYTOSANITARY (SPS) MEASURES PT. I
[CLICK HERE](#)



Office of International des Epizooties (OIE):
They set international standards for animal health. Jamaica must align with these standards to help prevent animal diseases from entering or leaving the country.

The Jamaica Customs Agency (JCA), is tasked with supporting the Ministry of Agriculture, Fisheries and Mining (MoAFM) in protecting human health and safety, as well as animal and plant health in Jamaica. The Agency works closely with the Plant Quarantine and Produce Inspection Division (PQPID) of the MoAFM, which serves as the contact point with responsibility for SPS measures and for making SPS-related notifications to the WTO. This division handles inquiries from other member states about the technical requirements and SPS related measures for products sold in Jamaica. Other key BRAs related to SPS include: the Veterinary Service Division (VSD) of the MoAFM, the Jamaica Agricultural Commodities Regulatory Authority (JACRA) and the Ministry of Health and Wellness (MOHW).

The collaboration between the MoAFM and the JCA is vital for safeguarding the safety of food items entering and leaving the island, and protecting the local agricultural industry from pests and diseases, while promoting food security.

The role of the Customs Officer is crucial in managing risk, enforcing regulations and ensuring that shipments which are non-compliant with the requirements of the competent authority (MoAFM) are handled according to Standard Operating Procedures.

As the first line of contact at the border, Customs Officers in collaboration with MoAFM should:

- Enforce laws and regulations related to the import and export of agricultural products.
- Ensure all imported goods meet local and international standards with the assistance from various BRAs.
- Conduct thorough inspection of incoming and outgoing agricultural products to check for pests, diseases and compliance with regulations.
- Ensure that importers/agents provide necessary documentation, including phytosanitary and sanitary certificates to facilitate clearance of the goods.
- Continue providing information to importers and the public about regulations regarding food safety and pest control.

For the JCA, applying the SPS Agreement is a complex but necessary task. It involves collaboration among various public bodies and the administration of its provisions in a transparent and non-discriminatory manner. To achieve this objective, the JCA collaborates with the following BRAs.

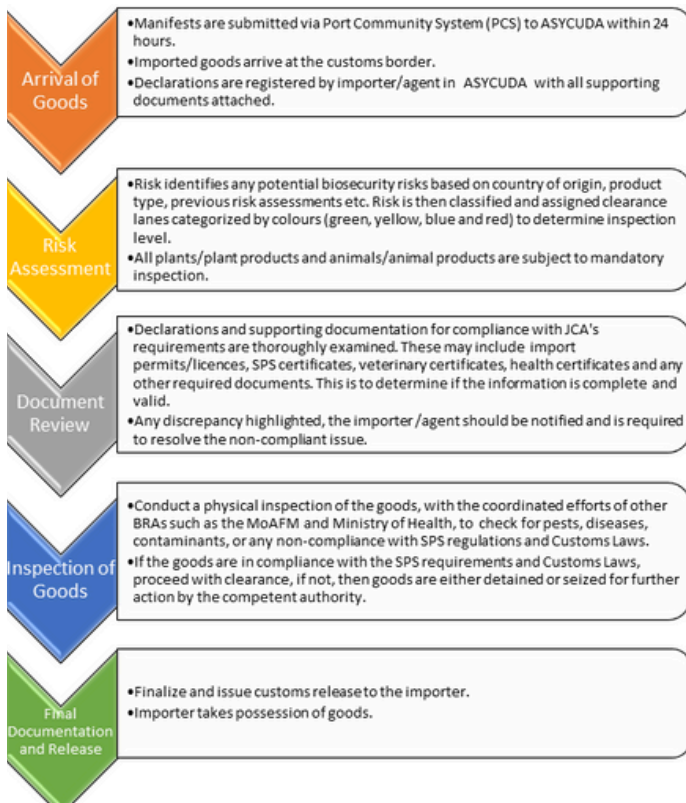


Figure 1. The Role of Customs Officers in the SPS Process

Plant Quarantine and Produce Inspection Branch Services
MOVING TO
JSWIFT
Trade of Plant and Plant Products are moving JSWIFTLY

The Jamaica Single Window for Trade (JSWIFT) is a one stop shop electronic system which allows importers and exporters to apply for licence, permits, certificates and other international documents.

PQPIB-JSWIFT SERVICES

The following key services for PQPIB will be made available through JSWIFT using a phased approach in the order of priority as below:

PHASE 1: IMPORT

- Import Permit
- Pest Risk Analysis (PRA)

PHASE 2: EXPORT

- Export Permit (Export Certification)
- Packing House Certification
- Packing House Usage

For more information or queries contact:
Email: info@jswift.gov.jm
Visit us at www.jswift.gov.jm

PHASE 1 SERVICES

KEY CHANGES AND BENEFITS

IMPORT PERMIT

- New registration which gives access to all border agencies
- Upfront payment of fees
- Online payment of inspection
- Plant products aligned to approved country of origin and laden

PEST RISK ANALYSIS

- Automation of the risk assessment process for new imports
- Facility to attach documents

JSWIFT USE FOR IMPORT PERMITS EFFECTIVE MARCH 1, 2021

PLANT QUARANTINE & PRODUCE INSPECTION DIVISION (PQPID)

Plant Quarantine Produce Inspection Division (PQPID) serves as Jamaica's first line of defense against exotic pests and diseases. Its primary goal is to prevent the introduction and spread of pests and diseases that could damage local agriculture and the environment. This division is governed by the Agricultural Produce Act, 2004 and the Plants (Quarantine) Act, 1994. These legislations provide for the effective control of the importation of plants, plant products and articles that pose a threat of introducing any harmful plant pests to Jamaica, as well as outline the actions to be taken should such pests be discovered on the island.

MINISTRY OF AGRICULTURE JAMAICA
PLANT QUARANTINE / PRODUCE INSPECTION BRANCH
IMPORT PERMIT

FORM 2.01
PHYTOSANITARY IMPORT PERMIT No. _____
ISSUE DATE 2022-04-20
APPROVED DATE 2022-04-20
VALIDITY 2022-07-19
ENTRY POINT MONTEGO BAY

The importation of the commodities indicated below, is authorized under the terms and conditions specified in this Phytosanitary Import Permit.

COUNTRY OF LADEN Thailand
DESCRIPTION OF OPERATORS _____
IMPORTER NAME _____ EXPORTER NAME Orchitec Lab Co
ADDRESS _____ ADDRESS Soi Bang Toei 4
Bang Toei Sam Phran,
Nakhon Pathom, 73210
Thailand

PHONE _____ PHONE _____
FAX _____ FAX _____
e-mail _____ e-mail _____

#	COMMON NAME	SCIENTIFIC NAME	TARIFF CODE	ORIGIN COUNTRY	QUANTITY (UNITS)	TOTAL WEIGHT
1	Orchid - Phalaenopsis	PHALAENOPSIS SP.	0602909010	TH	50.0 Box	50 KGM
2	Orchid - Dendrobium	DENDROBIUM SP.	0602909010	TH	100.0 Box	100 KGM
3	Orchid - Vanda	VANDA SP.	0602909010	TH	50.0 Box	100 KGM

SPECIAL CONDITIONS:



MINISTRY OF HEALTH & WELLNESS

The legislative authority that supports this ministry is the Food and Drugs Act and Regulations, 1975. This legislation requires items such as food, specified cosmetics, medical devices, pharmaceuticals and human remains to acquire licenses or permits prior to their importation/exportation. It regulates various sectors and protects Jamaican consumers from any health hazards from imported items.

THE VETERINARY SERVICES DIVISION (VSD)

This division of the MoAFM is responsible for promoting food safety and the facilitation of international trade in animals and animal products. This is achieved through the conduct of a permit regime, conducting appropriate inspections, and issuing health certifications. The legislative authorities supporting the VSD include the Animals (Diseases and Importation) Act 1961, Aquaculture Inland and Marine Products and By-Products (Inspection and Licensing) Act 1999, and Meat and Meat-By-Products (Inspection and Export) Act 1999. Regulated animal products include food items (raw or processed meat, poultry, eggs, dairy, fish and fishery products), taxidermy items (head, horn, tail), feathers and other animal related products (pet food, feed and feed supplements, veterinary medicinal products) and germplasm (semen, embryo, egg).



JAMAICA AGRICULTURAL COMMODITIES REGULATORY AUTHORITY (JACRA)

This organization is responsible for the regulation, promotion, standardization and development of the agricultural commodities industry, which includes *cocoa, coffee, coconut and spices (nutmeg, pimento, ginger and turmeric)*. The legislation that gives authority to this organization is the Jamaica Agricultural Commodities Regulatory Authority Act, 2017.

Basically, the JCA and other BRAs play a vital role in administering the SPS Agreement. Their responsibilities include enforcing sanitary and phytosanitary measures to protect human, animal and plant health from risks associated with imported goods. By collaborating with other national and international agencies, they help maintain the integrity of Jamaica's borders and safeguard public health and the environment.

PESTICIDES CONTROL AUTHORITY

This regulatory body is responsible for overseeing the registration, control and safe use of pesticides in the country. The JCA works closely with them to ensure that pesticides used in Jamaica are safe and effective, thereby protecting the public's health, agricultural productivity and environmental integrity. When pesticides are imported, they must comply with the Jamaican and international standards for pesticide levels. The JCA inspects shipments and verifies that the goods comply with the relevant regulations from the PCA, especially in relation to pesticide residues and product labeling. For example, if a shipment of imported fruits or vegetables are found to have residues above the acceptable limits set by the PCA, the goods are refused entry or destroyed.



FREQUENTLY ASKED QUESTIONS

1. What types of imported/ exported goods are most affected by SPS regulations?

Answer: In general, goods that harbour diseases, pests, or pathogens, especially those that affect agriculture, livestock, and public health are most likely to be subject to SPS regulations. These include fruits, vegetables, seeds plants, meat, dairy, seafood, processed food items and animal feed.

2. How can I ensure compliance with SPS regulations when importing goods to Jamaica?

Answer: To ensure compliance, contact the relevant BRA:

- Obtain the necessary import permits and certifications.
- Ensure that products meet Jamaican standards for food safety, plant health and animal health.
- Be prepared for inspections from the BRAs
- Familiarize yourself with the specific SPS measures for the type of goods your are importing.
- Keep accurate records for all import transactions.

3. I would like to take with me my turkey and ham for my Christmas vacation, is this allowed?

Answer: Jamaica has specific requirements regarding the importation of meat products. The importation of meats whether processed or not is restricted and will require a permit from the Veterinary Services Division (VSD) before importation. [Click here for more info.](#)

4. Can red peas (red kidney beans) be imported without a permit?

Answer: No. The importation of red peas (red kidney beans) is subject to SPS regulations set by the Plant Quarantine and Produce Inspection Division (PQPID), which is part of the Ministry of Agriculture and Fisheries.

5. What happens if a shipment of fruits or vegetables fails inspection or does not meet the SPS requirements?

Answer: The shipment is not certified/ approved for export or import. In the case of export, a rejection notification form detailing the reason for non-certification is issued to the exporter by MoAFM. In the case of import, the shipment is either treated and/or destroyed or re-exported, and a non-compliance report is generated and given to the importer.

6. How can Jamaican exporters prepare for SPS requirements in international trade?

Answer: Our exporters must ensure that their products meet the SPS requirements of their target markets. This may include obtaining certifications from relevant authorities, conducting quality control and following international standards. Exporters should also stay updated on the latest changes in international regulations to avoid trade disruptions. They may also consult the designated contact point for SPS (PQPID).

7. What is the process of obtaining a phytosanitary certificate from the PQPID for both imports and exports?

Answer: The PQPID only issues phytosanitary certificates (PC) based on the import requirements of Jamaica's trading partners.

- The export process involves acquiring an export market to which the company or individual intend to export plant and plant products.
- Acquire a packing facility. This facility **MUST** be inspected and certified by the PQPID prior to packing for export.
- Make an appointment using the prescribed form for the Packing House Inspection. This form can be acquired from the PQPID by contacting or visiting the office. Once the packing facility meets the requirements and is approved, a packing house certification letter is issued.
- Contact PQPID prior to export expressing intent to export plant and plant products.
- A Plant Quarantine / Produce Inspector must inspect all shipments at the Export Complexes or Approved packing facilities prior to export.
- Once the consignment is inspected and certified, if a PC is required by the country of destination, a PC is issued to the export/agent.

For imports, the PC is issued by the exporting country in compliance with the Import Permit issued by the Plant Quarantine/Produce Inspection Branch.

8. Can you provide guidance on specific SPS requirements for exporting mangoes?

Answer: Currently, Jamaica does not export mangoes to the European Union, however we export mangoes to the UK, USA and Canada. The export of mangoes to the USA is done under an Irradiation Programme between Jamaica and USA. These mangoes are supplied by registered exporters from farms certified by PQPID. The mangoes must be treated on arrival to the designated port prior to entering the market.

9. How does Jamaica ensure that export shipments of fruits and vegetables meet the import regulations of different countries?

Answer: The PQPID has a Senior Plant Quarantine/ Enquiry Point Officer that receives the importing requirements from the different trading partners through the ePing SPS & TBT Platform. This is a WTO platform that member countries use to notify any changes or new requirements for the imports of plants, plant products and other items into their markets.

DID YOU KNOW?

For the exportation of mangoes to the USA, exporters will be required to engage the Plant Quarantine Produce Inspection Branch for special instructions. Kindly note that mangoes from Jamaica must be irradiated or undergo hot water treatment before they are allowed into the U.S. market. Kindly work with your overseas buyer to arrange for and undertake the irradiation process in the USA.



The International and Industry Liaison Branch (IILB) is committed to raising awareness on topics relating to the International Trade, as well as issues concerning the Caribbean Community which may affect our internal and external stakeholders. Our quarterly Newsletter seeks to highlight global trade topics and their importance to Customs Administration worldwide, specifically as it relates to the Jamaica Customs Agency. As we realize our vision to becoming a modern customs administration delivering excellent service, we recognize the importance of knowledge transfer in delivering our objectives and use this forum as one way of contributing the vision of Jamaica Customs Agency (JCA). The IILB is located at JCA's Head Office and our officers are available to respond to your trade-related queries.

Contact us at: iilu@jca.gov.jm

For a deeper understanding of the Sanitary and Phytosanitary (SPS) regulations and procedures related to the importation of goods, into Jamaica, there are several key references and sources of useful information:

1. The Plant Quarantine Produce Inspection Head Office: 193 Old Hope Road, Kingston
Kingston Export Complex
2. Norman Manley Airport
(876) 924-8906 / (876) 924-8865
pqkingston@moa.gov.jm
3. Montego Bay Export Complex
Sangster International Airport
(876) 940-4146 / (876) 427-5070
4. Useful websites:
 - pqmobay@moa.gov.jm
 - <https://www.ippc.int/>
 - <https://www.oie.int/>
 - <https://www.moa.gov.jm/>

