

South Africa

Standards Overview

The South African Bureau of Standards (SABS) is a specialized South African statutory agency responsible for the promotion and maintenance of standardization and quality relating to commodities and the rendering of services. Its tasks include:

- Publishing national standards,
- Testing and certifying products and services to standards,
- Developing technical regulations (compulsory specifications),
- Monitoring and enforcing of legal metrology legislation,
- Promoting design excellence, and
- Providing training on aspects of standardization.

SABS is accredited nationally by the South African Accreditation System (SANAS), and is recognized internationally by Netherlands-based Raad voor Accreditatie (RvA). SABS belongs to both the International Organization of Standardization (ISO) and the International Electrotechnical Commission (IEC). Accordingly, it issues pharmaceutical and industrial standards that conform to those of the ISO.

All SABS standards are in the process of being renamed as South African National Standards (SANS). SABS follows the standards of the ISO, the IEC and the European Committee for Standardization (CEN), and does not automatically recognize the standards of the United States. British Industry Standards and the Deutsche Industrienorm are favored in the SABS systems for historic and technical reasons. Products sourced from these countries enjoy quasi-automatic accreditation.

U.S. standards are not incorporated as standard in South Africa and are hence reviewed on a case-by-case basis by the South African Standards Authorities. In practice, U.S. companies have been able to comply with South African standards when importing goods into South Africa. Based on a survey of U.S. firms already established in South Africa, the standards maintained by SABS have not been a major trade-inhibiting factor; the automotive sector is one exception that is receiving more attention.

Manufacturers have the option of paying SABS to test and approve their products. This option is rarely exercised. Though SABS has the right to terminate the sale of products if it receives enough complaints, there have been very few cases of this happening.

The standards issued by the SABS are in accordance with the Environmental Conservation Act and are enforced on all imports and exports. All foreign companies establishing themselves in South Africa need to have their Environmental Management System (EMS) certified. This certification needs to be updated every year in order to ensure that the company is observing South African standards.

The Directorate of Plant Health and Quality within the National Department of Agriculture (<http://www.nda.agric.za>) is responsible for setting standards for certain agricultural and agricultural-related products. These standards cover aspects such as composition, quality, packaging, marketing, and labeling as well as physical, physiological, chemical, and microbiological analyses. The Standards Act 29 of 1993 gave SABS the power to be involved in the regulations governing consumer protection. There are voluntary and compulsory standards. At the end of 2007, only 53 of SABS's approximately 5,000 standards were actually mandatory. However, depending on the laws, other standards may be considered compulsory as well (i.e., electricity standards) and it may create uncertainty for businesses.

With regard to consumer protection, reports indicate that SABS is taking a tougher line on companies that violate mandatory standards. This comes in the wake of the amended Consumer Protection Act of September 2008 that once into effect in October 2010 will change many aspects of business in South Africa by introducing new legislation concerning manufacturers and service providers. This legal framework aims to protect the consumer through controls on product liability, sales and marketing practices and fairness in consumer contracts among other issues.

Standards Organizations

List of South African Standards Organizations:

- South African Bureau of Standards (SABS) – the South African government agency responsible for standards. Website: <http://www.sabs.co.za>
- Council for Scientific and Industrial Research (CSIR) – research organization aiming to promote economic growth in southern Africa. Website: <http://www.csir.co.za>
- Engineering Council of South Africa (ECSA) – statutory body focused on promoting high standards of engineering work. Website: <http://www.ecsa.co.za>
- National Department of Agriculture (NDA) – government agency responsible for setting standards for certain agricultural and agricultural-related products. Website: <http://www.nda.agric.za>
- Department of Health – government organization that aims at increasing the quality of medical care in South Africa. Website: <http://www.doh.gov.za>
- SADC Stan – SADC Cooperation in Standardization. The Southern African Development Community (SADC) constitutes fourteen member states, and has the goal of harmonizing member countries' standards and technical regulations. It is reliant on the capacity of primarily the SABS for its operations. Website: <http://www.sadcstan.co.za>

NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL: <http://www.nist.gov/notifyus/>

Standards - Conformity Assessment

The following is a list of the major South African organizations involved in conformity assessment:

- SABS – South African Bureau of Standards, a Government agency regulating standards. Website: <http://www.sabs.co.za>
- Human Science Research Council (HSRC) – works with non-governmental organizations (NGOs), international development agencies, and the Government on large-scale, social-scientific projects. HSRC is also involved in the homologation of academic standards. Website: <http://www.hsrc.ac.za>
- Medicines Control Council (MCC) – the organization that regulates medicine in South Africa. Website: <http://www.mccza.com>

Standards - Product Certification

Important points concerning product certification:

- Electrical products need to receive Electromagnetic Interference (EMI) certification.
- A mutual recognition agreement (MRA) exists between the Engineering Council of South Africa (ECSA) and the Accreditation Board for Engineering and the Accreditation Board for Engineering and Technology, Inc. (ABET) in the United States.
- All medicines must be certified by the Medicines Control Council (MCC) Website: <http://www.mccza.com/>
- Electro-medical products, such as x-ray devices, need certification from the Radiation Control Council, a directorate of the Department of Health Website: <http://www.doh.gov.za/index.html>

Standards - Accreditation

The following is a list of organizations involved in accreditation in South Africa:

- South African National Accreditation System (SANAS) – Organization that awards official recognition to laboratories, certification bodies, inspection bodies, proficiency testing scheme providers, and good laboratory practice (GLP) test facilities that possess the capability to carry out certain tasks. Electronic equipment must be tested at labs accredited by SANAS. Website: <http://www.sanas.co.za>
- International Laboratory Accreditation Cooperation (ILAC) – International body that determines whether laboratories are able to perform specific tasks. Website: <http://www.ilac.org>
- International Accreditation Forum (IAF) – Accreditation organization whose members are required to maintain high standards when accrediting companies. Website: <http://www.iaf.nu>

Standards - Publication of Technical Regulations

The SABS is the statutory repository of all relevant standards. These can be obtained in electronic format from the SABS:

https://www.sabs.co.za:/Business_Units/Standards_SA/index.aspx?Services_LeftLinks_StandardsS A1:MenuLink1=6

All proposed and final technical regulations are published in the *Government Gazette*.

To subscribe to the printed (hard copy) of the *Government Gazette*, please contact:

The Government Printing Works E-mail: jpe@print.pwv.gov.za Tel: +27 (0)12 334 4737/4734; Fax: +27 (0)12 323 0009

Access to the Government Gazette is available online through a fee-based service provided by Sabinet Online Ltd. For additional information, visit www.sabinet.co.za.

Standards - Labeling and Marking

Important points on labeling/marketing:

- Labeling/marketing for industrial and pharmaceutical imports must be provided in English.
- South Africa follows the Harmonized System (HS) and belongs to the Southern African Customs Union (SACU), an organization that permits goods to be exchanged practically unhindered among the member states: South Africa, the principal administrator and revenue collector; Lesotho; Swaziland; Botswana and Namibia.
- The South African Government has regulations mandating the labeling of genetically modified (GM) food products under certain circumstances, including when allergens or human/animal proteins are present and when a GM food product differs significantly from a non-GM equivalent.
 - o The new rules also required validation of enhanced-characteristic (for example, “more nutritious”) claims for GM food products. The regulations did not address labeling claims that products are GM-free.
 - o Biotechnology advocates are concerned about this omission, noting it could lead to fraudulent claims.

o Trade organizations seem satisfied with the regulations, which follow internationally recognized, scientific guidelines (under the Codex Alimentarius Commission (Codex) (www.codexalimentarius.net). South Africa's Codex representative comes from the Directorate of Food Control.

For more information, see: <http://www.doh.gov.za/department/foodcontrol/docs/explain.html>

Please also refer to the Labeling and Marking Section above in the main body of Chapter 5.

Standards - Contacts

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Website: <http://www.sabs.co.za/>

Department of Agriculture

National Department of Agriculture (NDA)

Postal Address: Private Bag X250, Pretoria 0001

Street Address: Agricultural Building, 20 Beatrix Street,

Arcadia, Pretoria

Tel: +27 (0)12-319-6001; Fax: +27 (0)12-325-7394

Website: <http://www.nda.agric.za/>

Trade Agreements

- There is duty-free trade between South Africa and the other four countries (Botswana, Lesotho, Namibia, and Swaziland) that comprise the Southern African Customs Union (SACU).
- The Southern African Development Community (SADC) Free Trade Agreement should allow duty-free trade among the 14 countries of the region when it comes into full effect.
- The European Union-South African Trade and Development Cooperation Agreement that came into effect in 2000, has as a progressive Free Trade Agreement (FTA) become a corner stone of the regional trading landscape and has in some cases been the model that some trading partners (including the US and PR China) wish to replicate in their trade regime with South Africa.
- South Africa has also negotiated agreements with the European Free Trade Association and Mercosur.

The South African Reserve Bank approves currency exchanges.

The Department of Trade and Industry (DTI) is empowered to regulate, prohibit or ration imports to South Africa in the national interests, but most goods may be imported into South Africa without any restrictions.

As a matter of government policy, the South African Government is aiming to open its market further in order to increase trade and to develop more competitive domestic industries. However, in 2006, the South African Government made exceptions to this approach in order to protect the labor-intensive garment industry.

Web Resources

ATA Carnets

Website: <http://www.atacarnet.com/ata-carnet-info.htm>

Bureau of Industry and Security, U.S. Department of Commerce

Website: <http://www.bis.doc.gov>

Codex Alimentarius Commission (Codex)

Website: <http://www.codexalimentarius.net>

Council for Scientific and Industrial Research

Website: <http://www.csir.co.za>

Department of Health

Website: <http://www.doh.gov.za>

Department of Trade and Industry

Website: www.thedti.gov.za

Directorate of Plant Health and Quality/National Department of Agriculture

Website: <http://www.nda.agric.za>

Engineering Council of South Africa
Website: <http://www.ecsa.co.za>
Human Science Research Council
Website: <http://www.hsrc.ac.za>
International Accreditation Forum
Website: <http://www.iaf.nu>
International Laboratory Accreditation Cooperation
Website: <http://www.ilac.org>
International Trade Administration Commission of South Africa
Website: www.itac.org.za
Medicines Control Council
Website: <http://www.mccza.com>
National Department of Agriculture
Website: <http://www.nda.agric.za>
Office of the U.S. Trade Representative
Website: <http://www.ustr.gov>
Sabinet Online Ltd
Website: <http://www.sabinet.co.za>
South African National Accreditation System
Website: <http://www.sanas.co.za>
South African Revenue Services
Website: <http://www.sars.gov.za>
The South African Bureau of Standards
Website: <http://www.sabs.co.za>
U.S. Commercial Service South Africa
Website: <http://buyusa.gov/southafrica/en>