

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. R. 6665

26 September 2025

PLANT HEALTH (PHYTOSANITARY) ACT, 2024 (ACT NO. 35 OF 2024)

**INVITATION FOR PUBLIC COMMENTS
DRAFT EXPORT REGULATIONS**


I, John Steenhuisen, Minister of Agriculture, acting under section 30, read with sections 14, 15, 16 and 23 of the Plant Health (Phytosanitary) Act, 2024 (Act No. 35 of 2024) hereby invite all interested Institutions, organisations and individuals to submit written comments and inputs on the proposed export regulations

Comments must be submitted within 30 days from the date of publication of this notice to:

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MR J STEENHUISEN, MP
MINISTER OF AGRICULTURE
DATE: 02-05-25

DEFINITIONS AND INTERPRETATIONS

1. In these regulations any word or phrase to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates-

“Consignment in transit” means a consignment which passes through a country without being imported, and that may be subjected to phytosanitary measures;

“delegated officer” means the person delegated in terms of section 6(1)(a) of the Act;

“ePhyto” (Electronic Phytosanitary Certificate) means a digital platform or electronic phytosanitary certificate that allows an exporter to apply for a phytosanitary certificate online;

“Food Business Operator (FBO)” means the person or persons responsible for ensuring that the prescribed requirements of these regulation are met within the food business under his or her control and include both the management of the business as well as the person with overall authority on site or in the specific establishment;

“Food Business Operator code” means an alpha-numeric code which needs to be uniquely identified and has been registered with the executive officer of the Act by each responsible person (FBO) producing or handling in any way products of plant origin destined for the export market, for examples farms, fields, processing facilities, storage units, transportation, etc;

“import permit” means an official document authorizing importation of a commodity in accordance with specified phytosanitary import requirements; and

“Republic” means a Republic of South Africa.

EXPORT OF PLANTS, PLANT PRODUCTS AND OTHER REGULATED ARTICLES

Requirements for export

2. A person intending to export plants, plant products and other regulated articles from the Republic in terms of section 14(1) of the Act, where applicable, shall-

- (a) register with NPPOZA on the export database;
- (b) have a prescribed phytosanitary certificate;
- (c) comply with the phytosanitary import requirements of the importing country (phytosanitary protocols, work plans, directives, permit) and other related requirements;
- (d) have a Food Business Operator code or relevant registered code;
- (e) do so through the point of exit prescribed in Table 1; and
- (f) be liable to pay the prescribed fees stipulated in Annexure A.

Application for a phytosanitary certificate

3. A person intending to export plants, plant products and other regulated articles from the Republic shall-

- (a) apply for a phytosanitary certificate (ePhyto) through an electronic certification (eCert) online platform;
- (b) upload a valid import permit obtained from the importing country;
- (c) upload an inspection report on the online system;
- (d) upload all the required supporting documents as determined by the importing country; and
- (e) make payment in terms of prescribed fees payable.

Point of Exit

4. (1) A person intending to export plants, plant products and other regulated articles from the Republic on the authority of phytosanitary certificate and/or relevant documentation must do so through a point of exit specified in Table 1, except where the executive officer has determined an alternative point of exit in terms of section 14 (1) (c) of the Act.

Presentation of consignment for inspection

5. (1) A person intending to export plants, plant products and other regulated articles from the Republic shall-

- (a) present the consignment and required documentation at the point of exit or approved facility to the executive officer/ delegated person/ juristic person or authorised person for inspection; in terms of section 14 (1) (e) of the Act, and
- (b) not remove the consignment before the executive officer/ delegated officer/ juristic person or authorised person has authorized such removal in writing.

(2) The executive officer/ delegated officer/ juristic person or authorised person shall undertake an inspection and may take samples for laboratory analysis where necessary of the consignment intended for export to verify compliance with the phytosanitary import requirements of the importing country.

(3) The executive officer/ delegated officer/ juristic person or authorised person shall approve the export of the consignment if the consignment meets the phytosanitary import requirements of the importing country.

(4) In case where consignment do not comply with the phytosanitary import requirements of the importing country, the consignment can be subjected to phytosanitary measures such as treatment, rejection, destruction or returned, depending on the level of phytosanitary risk identified.

RE-EXPORT OF PLANTS, PLANT PRODUCTS AND OTHER REGULATED ARTICLES

6. Requirements for a phytosanitary certificate for re-export

A person intending to re-export plants, plant products and other regulated articles from the Republic, where applicable, shall-

- (a) have a prescribed phytosanitary certificate;
- (b) comply with the phytosanitary import requirements of the importing country (phytosanitary protocols, work plans, directives, permit) and other related requirements;

- (c) do so through the point of exit prescribed in Table 1;
- (d) be liable to pay the prescribed fees stipulated in Annexure A.

Application for a phytosanitary certificate for re-export

7. (1) A person intending to import consignment into the Republic for further export to another country shall –

- (a) apply for phytosanitary certificate for re-export (ePhyto for re-export) through an electronic certification (eCert) online platform;
 - (b) upload proof of payment in accordance with fees payable as prescribed in Annexure A;
 - (c) upload all required documents including phytosanitary certificate from the country of origin, import permit of the country of destination and any other relevant document;
- (2) The consignment intended for re-export shall not mix (cartons and pallets) of re-export consignments with local consignment destined for export, where applicable.
- (3) The consignment intended for re-export shall be presented to the executive officer/ delegated person/ juristic person or authorized person for inspections in terms of section 15(1)(c) of the Act.

In-transit consignment

8. (1) A person intending to import consignment for in transit shall apply for an in-transit permit from the executive officer or delegated person.
- (2) In-transit consignment carrying certain regulated articles shall be permitted to pass through the Republic only upon written permission or issuance of in-transit permit by the executive officer or delegated person, in terms of section 16 (1) of the Act.
- (3) In-transit consignment will only be allowed to go through the point of exit prescribed in Table 1.
- (4) Phytosanitary measures shall not apply to a consignment in transit through the Republic on conditions that the consignment-

- (a) has been packed in a manner that it does not pose any risk of the introduction and spread of regulated pests that might be present in the consignment;
 - (b) where applicable, is accompanied by the phytosanitary certificate and documents of the country of origin.
- (5) Phytosanitary measures shall apply to a consignment in transit through the Republic on condition that the consignment-
- (a) have been tempered with, for exposure to external environment or any potential risk of pest contamination and phytosanitary certificate shall be required;
 - (b) split up, combined with other consignment or repackaged and phytosanitary certificate for re-export shall be required.
- (6) In-transit consignment shall be stored in a registered in-bond facility, where applicable.
- (7) No person shall distribute or introduce in-transit consignment within the Republic.
- (8) In-transit consignment shall be monitored to ensure that the consignment transit or pass through the Republic to the intended destination.

Payment of fees

- 12.(1) Costs of any application or other document which is submitted or furnished in terms of these regulations, as well as on or of anything pertaining thereof, shall be paid by such person thereof as prescribed in Annexure A.
- (2) Any amount which is payable in terms of these regulations shall be paid as prescribed in Annexure A.

TABLE 1
POINT OF EXIT

1. The harbours of -	Cape Town, Durban, East London, Port Elizabeth, Ngqura, and Richards Bay.
2. The International airports-	Cape Town International Airport, King Shaka International Airport, Kruger Mpumalanga International Airport, Lanseria International Airport, O.R. Tambo (Johannesburg) International Airport and Chief Dawid Stuurman (George) International Airport.
3. The border control points at-	Beitbridge, Caledonspoort, Ficksburg bridge, Golela, Grobler's Bridge, Jeppes Reef, Kopfontein, Kosi Bay, Lebombo, Mahamba, Mananga, Maseru Bridge, Nakop, Nerston, Oshoek, Qacha's Nek, Ramatlabama, Skilpadshek, Van Rooyen's Hek and Vioolsdrift.

ANNEXURE A
FEES PAYABLE

NATURE OF SERVICE	TARIFF
1	2
1. Export Control Phytosanitary certification in terms of the International Plant Protection Convention but not prescribed by legislation:	
1.1 Application fee for Orchard, PUC, PHC, fruit varieties and cold treatment facilities storage for special markets	R 155.00 non-refundable fee for processing of the application per market per PUC
1.1.1 Orchard inspection for special markets	R 310.00 per 30 minutes or part thereof including travelling
1.1.2 Phytosanitary evaluation and certificate for pre- clearance programmes for special markets excluding EU	R 310.00 per 30 minutes or part thereof including travelling
1.1.3 EU port inspection	R 310.00 per 30 minutes or part thereof including travelling
1.1.4 Temperature sensor calibration by Department of Agriculture (DoA)	R 310.00 per 30 minutes or part thereof including travelling
1.1.5 Container loading with Department of Agriculture inspector	R 310.00 per 30 minutes or part thereof including travelling
1.2 Outside the station of the Directorate of Inspection Services (DIS)	
(a) Field inspections, inspections and sampling of plants, plant products and seed:	

(i) Within official office hours: where official transport is used	R 310.00 per 30 minutes or part thereof including travelling
Weekdays from 16:00 – 20:00/ 06:00 – 07:30 and Saturdays from 06:00 – 20:00	R 450.00 for 30 minutes or portion thereof including travelling
Weekdays and Saturdays from 20:00 – 06:00, Sundays and public holidays	R 580.00 for 30 minutes or portion thereof including travelling
(b) Issuing of a phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin:	
(i) Application for issuing phytosanitary certificate. This is applicable for all submitted application before processing	R 200.00 per application (Regardless of whether the certificate will be issued or rejected)
(ii) Issuing of an approved phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin	R 240.00 per approved certificate
(c) Issuing of a replacement phytosanitary certificate or replacement phytosanitary certificate of re-exportation or a certificate of origin:	
(i) Application for issuing phytosanitary certificate. This is applicable for all submitted application before processing	R 400.00 per application
(ii) Issuing of a replacement phytosanitary certificate or replacement phytosanitary certificate of re-exportation or a certificate of origin	R 480.00 per approved certificate
1.3 On the station of the Directorate Inspection Services (D:IS)	
(a) Phytosanitary examinations/ inspection and sampling of plants, plant products and seed:	

(i) Within official office hours (official hours at respective ports of entry may be effectively extended beyond 07:30 – 16:00, as these ports are in accordance with a cabinet decision)	R 310.00 for 30 minutes
(ii) Outside official office hours	
Weekdays from 16:00 – 20:00/ 06:00 – 07:30 and Saturdays from 06:00 – 20:00	R 450.00 for 30 minutes
Weekdays and Saturdays from 20:00 – 06:00, Sundays and public holidays	R 580.00 for 30 minutes or portion thereof
(b) Issuing of a phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of confirmation for the export of processed plants, plant products and seed:	
(i) Application for issuing phytosanitary certificate. This is applicable for all submitted application before processing	R 200.00 per application (Regardless of whether the certificate will be issued or rejected)
(ii) Issuing of an approved phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin	R 240.00 per approved certificate
(iii) On non-commercial and single items (gifts)	R 110.00 per certificate
1.4 Issuing of a validated copy or the re-issuing of a phytosanitary certificate or a phytosanitary certificate of re-exportation or a certificate of confirmation for the export of processed plant products	
(i) Application for issuing phytosanitary certificate. This is applicable for all submitted application before processing	R 200.00 per application (Regardless of whether the certificate will be issued or rejected)
(ii) Issuing of an approved phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin	R 240.00 per approved certificate

1.5 International standard for regulating wood packaging material (ISPM 15)	
(a) Application to register as a treatment provider:	R 580.00 per application
(i) Re-inspection after suspension	R 310.00 for 30 minutes or portion thereof including travelling
(b) Laboratory tests:	
(i) Test for occurrence of bacteria	R 362.00 per isolation
(ii) Test for occurrence of fungi	R 257.00 per isolation
(iii) Test for occurrence of nematodes	R 176.00 per extraction
(iv) Test for occurrence of insects or mites	R 188.00 per sample
(v) Morphological identifications of insects, mites, nematodes or fungi	R 362.00 per identification
(vi) Biochemical tests for the identification of bacteria	R 303.00 per test
(vii) BIOLOG tests for the identification of bacteria	R 381.00 per test plate
(viii) PCR tests for the identification and/or detection of bacteria, fungi, nematodes, insects, mites, viruses and phytoplasmas	R 673.00 per sample for the first test plus R121.00 for every additional test
(ix) Sequencing for the identification of bacteria fungi, nematodes, insects, phytoplasmas	R 507.00 per sample
(x) ELISA tests for identification and/or detection of viruses	R 184.00 per test
(xi) Herbaceous indexing for the detection of viruses	R 323.00 per sample
(c) Issuing of a phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of confirmation for the export of processed plant products:	
(i) Application for issuing phytosanitary certificate. This is applicable for all submitted application before processing	R 200.00 per application (Regardless of whether the certificate will be issued or rejected)
(ii) Issuing of an approved phytosanitary certificate or phytosanitary certificate of re-exportation or a certificate of origin	R 240.00 per approved certificate

This amendment will come into operation on 01 April 2025