

Poultry case in South Africa: state of play

CDG poultry and eggs - 13 February 2024



EU poultry export in RSA

- EU exports of animal products in RSA: 2.5% of all agri-food products (51 million EUR) in 2022; 4.077 tons for poultry;
- EU poultry export under the EU-SADC EPA: full market access.
- Gap of poultry exports vs difficult local conditions for RSA

Quick reminder: WTO law on anti-dumping duties

- Article 32 of EU-SADC EPA: WTO law applies;
- Nature of the problem and legal basis in WTO;
- The WTO system: Anti-dumping agreement;
- Anti-dumping actions: conditions;
- Investigations;
- Procedural rules.

RSA Anti-dumping measures on EU poultry: origin and issue

- AD measures concerning imports of frozen chicken, inter alia, from **Germany** and the **Netherlands** – definitive measures imposed on 27 February 2015 and last extended on 24 August 2021 (now affected by HPAI);.
- AD measures concerning imports of frozen chicken, inter alia, from **Denmark, Spain, Ireland and Poland** - definitive measures imposed on 1 August 2022, and suspended until August 2023 and as of then re-instated. New investigation of ITAC (October 2023);
- Outside the EU: Brazil and (partly) the US;
- For EU anti-dumping duties: hearing before ITAC: 7 December 2023.

RSA Anti-dumping measures on EU poultry: the position of the Commission

- Duties unjustified and shortcomings in investigations;
- Highly Pathogenic Avian Influenza (HPAI) & local production;
- Situation of August 2022 still prevail today;
- Other factors affect domestic industry;
- Our requests:
 - Suspension/termination; or
 - Non-discriminatory rebate/suspension of anti-dumping duties; or at least
 - Alternative less restrictive measures: price undertaking and minimum import price.

ITAC response

- ITAC published Notice on 29 January 2024;
- 30% rebate for all exporters (not on anti-dumping duties);
- Only for domestic consumption;
- Rebates to be previously authorised by ITAC in every case.

Thank you!



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