SYNTHESIS REPORT

Assessment of Cross-border trade costs associated with SPS/TBT requirements for Fish and Milk/Milk products along the Kenya-Uganda Busia and Malaba borders

ACRONYMS

COMESA	Common Market for Eastern and Southern Africa
CABI	Center for Agriculture and Biosciences International
CODEX	Codex Alimentarius Commission
DDA	Dairy Development Authority
DFR	Department of Fisheries Resources
DTA	Dairy Traders Association
DVS	Directorate of Veterinary Services
EAC	East African Community
FAO	Food Agriculture Organization
FKDF	Federation of Kenya Dairy Farmers
IPPC	International Plant Protection Convention
IVHC	International Veterinary Health Certificate
JBC	Joint Border Committees
KDB	Kenya Dairy Board
KDPA	Kenya Dairy Processors Association
KEBS	Kenya National Bureau of Standards
MAAIF	Ministry of Agriculture, Animal, Industry and Fisheries
OIE	World Organization for Animal Health
OSBP	One Stop Border Post
REC	Regional Economic Community
SPS	Sanitary and Phytosanitary
STDF	Standards and Trade Development Facility
STR	Simplified Trade Regime
TBT	Technical Barriers to Trade
TFA	Trade Facilitation Agreement
UNBS	Uganda National Bureau of Standards
WTO	World Trade Organization

Executive Summary

Regional integration within The Common Market for Eastern and Southern Africa (COMESA), other regional economic communities and the African continent as a whole, aims to increase intra-regional trade as a driver of economic growth and development. However, sanitary and phytosanitary (SPS) and other technical measures are hindering trade to such an extent that it becomes uneconomical to trade with neighbouring countries. Meeting the requirements of SPS measures certainly incurs a cost to traders. Finding ways to reduce the negative impact on trade from SPS and other technical measures has thus become a focus of trade facilitation efforts, as laid out in the WTO's Trade Facilitation Agreement (TFA).

In 2016, the COMESA Secretariat commenced a project to address this issue. The project was titled "Breaking Barriers, Facilitating Trade" and was funded by the Standards and Trade Development Facility (STDF). One of its three results was increased understanding of the costs and benefits of SPS measures. An assessment of the costs of SPS measures and their implementation was made at the Busia and Malaba borders between Kenya and Uganda in 2017. The focus of the assessment was on the trade in fish and fish products and milk and milk products between the two countries. Findings of the border assessment were presented at a cross-border meeting of relevant stakeholders on the 6th and 7th March 2018 and regulators from both countries were given a platform to explore further opportunities of reducing SPS-related costs.

Dairy farming is a major activity in the north eastern, south western and central parts of Uganda, with the central and western regions accounting for some 50% of the national milk production. Milk is produced mainly by small-scale farmers, typically women, scattered in the rural or peri-urban areas. The dairy sub-sector is the fastest growing subsector in East Africa with Uganda remaining a key exporter of milk and milk products in the region. Ugandan milk producers have made significant inroads into the Kenyan market, where milk consumption among locals is said to be the highest on the continent. Kenyan milk imports from Uganda account for about 80% of Uganda's dairy exports.

Uganda is a landlocked country with many inland fishery resources to be found on five major lakes-Lakes Victoria, Kyoga, Albert, Edward and George. Lake Victoria (the largest lake in Africa and which lies in Tanzania and Uganda and borders Kenya) alone contributes about half of the annual catch traditionally carried out by fishermen, 80% of whom can be categorized as artisanal. Unlike Uganda, Kenya has access to both marine and inland capture fisheries. In 2013 Kenya's fishery and aquaculture production was about 186 700 tons, 83% of which came from inland fisheries, however, Kenya produces much less fish from its marine resources than neighbouring countries.

Both Kenya and Uganda have demonstrated the capability to comply with the most stringent Food safety requirements of the EU and other international markets by implementing preventive risk-based approach fish food safety management throughout the whole chain and moved away from past practices of a reliance on end-product testing.

During the exercise at the two borders, it was observed that several government departments, authorities, agencies and boards were involved in TBT/SPS inspections at borders suggesting that the one-stop-border post concept has not yet been fully operationalized to reduce duplication of inspection activities on either side of the border.

Kenya and Uganda do not have mutual recognition agreements and therefore do not recognize SPS related inspections of counterpart agencies.
There are EAC harmonized SPS standards for milk (for milk quality marks are accepted) and fish products, however their implementation has not been fully cascaded to the border operations.

Both countries do not charge for border inspections, sampling and testing and the costs of obtaining SPS/TBT certification for both milk and fish are minimal and are harmonized between Kenya and Uganda. Import permit costs for fish charged by the fisheries authorities in Kenya and Uganda are disproportionately high (5% of the consignment value). This could be a contributory factor to the observation made that most small-scale traders opt to use alternative routes or use other means to move the goods to the importing country including by water on the lake leading to a thriving informal trade.

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It was observed during the study that SPS/TBT documents are checked by Customs officials and verified by the regulatory authorities responsible for SPS/TBT matters. While this may not cause substantial delays, it does indicate that improvements are still possible.

There is need to harmonize the operations of regulatory authorities operating along the borders to facilitate trade in line with simplified trade regime (STR) furthermore, inspection, sampling and testing can be undertaken by one agency, or jointly by the two countries, instead of each country undertaking its own processes through multiple agencies as envisaged in the One Stop Border Post (OSBP) implementation.

Fish export/import information is not easily accessible on the MAAIF website.
To enhance information access among traders and other stakeholders, information on SPS/TBT certification requirements and fees plus the anchoring legislations should be provided on an easily accessible platform in simple language to all traders, particularly small scale traders.
The use of automated SPS certification and clearance systems has the potential of reducing waiting time and eliminating duplicative documentation requirements and in order to improve efficiencies at the border without increasing the numbers of personnel inspectors from regulatory authorities should be trained on the developed harmonized risk-based sampling protocol.
While this study did not encounter any major SPS related rejection costs, cases of rejection may rise as officials at the border gain more experience and are better capacitated to carry out their responsibilities. The enhancement of inspection may also come with additional remedial SPS interventions on the consignments before they are allowed to cross over to the country of destination.

1. Introduction

1.1 The Breaking Barriers, Facilitating Trade Project

Regional integration within COMESA, other regional economic communities and the African continent as a whole, aims to increase intra-regional trade as a driver of economic growth and development. The need for regional integration is apparent, as many COMESA countries import far more from outside the bloc than from within, including agricultural products.

There are several possible reasons why this is the case, but one hypothesis is that SPS (Box 1) and other technical measures are hindering trade to such an extent that it becomes uneconomical to trade with neighbouring countries.

Box 1. WTO SPS Agreement's Definition of an SPS Measure

Any measure applied:
(a) to protect animal or plant life or health within the territory of the Member from risks arising from the entry, establishment or spread of pests, diseases, disease-carrying organisms or disease-causing organisms;
(b) to protect human or animal life or health within the territory of the Member from risks arising from additives, contaminants, toxins or disease-causing organisms in foods, beverages or feedstuffs;
(c) to protect human life or health within the territory of the Member from risks arising from diseases carried by animals, plants or products thereof, or from the entry, establishment or spread of pests;
(d) to prevent or limit other damage within the territory of the Member from the entry, establishment or spread of pests.

Sanitary or phytosanitary measures include all relevant laws, decrees, regulations, requirements and procedures including, *inter alia*, end product criteria; processes and production methods; testing, inspection, certification and approval procedures; quarantine treatments including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and packaging and labelling requirements directly related to food safety.

Meeting the requirements of SPS measures certainly incurs a cost to traders, and this is recognised in the WTO SPS Agreement, which the COMESA SPS Regulations reflect. However, to minimise this restriction to trade, the agreements require that the measures are transparent, non-discriminatory, and cause the least disruption to trade necessary to achieve the country's objectives in applying the measures (Box 2).

Box 2. Requirements of SPS measures (as in the WTO SPS Agreement)

They must be:

1. Consistent with international standards set by the three international standards-setting bodies-the Codex Alimentarius Commission, the International Organization for Animal Health and the International Plant Protection Convention (IPPC)
2. Based on scientific principles and evidence
3. Harmonized internationally to the extent possible
4. Transparent
5. Only as restrictive as absolutely necessary to achieve the appropriate level of protection required
6. Non-discriminatory
7. Appropriate to the conditions in the importing and exporting countries

Finding ways to reduce the negative impact on trade from SPS and other technical measures has thus become a focus of trade facilitation efforts, as laid out in the WTO's Trade Facilitation Agreement (TFA) which came into force in 2017. While stating that nothing in the agreement

diminishes the rights and obligations of countries under the SPS Agreement, the TFA emphasises that ways should be found of reducing the cost of SPS and other border measures, as long as the measures still provide the appropriate level of protection.
In 2016 The Common Market for Eastern and Southern Africa (COMESA) Secretariat commenced a project to address this issue. The project was titled "Breaking Barriers, Facilitating Trade" and was funded by the Standards and Trade Development Facility (STDF), with the overall goal of increasing intra-COMESA trade in agri-food products for improved food security.
The specific objective of the project was to reduce trading costs associated with SPS measures for selected commodities on selected trade routes in COMESA, to be achieved through three results/outputs.

1. Increased understanding of the costs and benefits of SPS measures. Under this output the project examined the costs of SPS measures for selected commodities at selected borders. The aim was to identify where implementation of SPS measures could be improved, to reduce their costs and hindrance to trade.
2. Improved understanding and formulation of SPS measures. SPS measures are designed to provide the "appropriate level of protection" against identified risks. A basis for this is thus an assessment of the risks, and selection of the appropriate risk management methods. The project aimed to ensure that the SPS measures required in relation to the selected trade routes and commodities were scientifically justifiable.
3. Simplified and coordinated implementation of SPS measures. For the selected case studies, the project aimed to improve the efficiency with which SPS measures are applied at the border, such as through involving staff of the relevant agencies in the implementation of the one-stop border posts and single window operations.

1.2 Methodology

This report is a synthesis of the work undertaken in Kenya and Uganda, which focussed on trade between the two countries in milk and milk products as well as and fish and fish products. This report is based on information from the following project outputs and activities, but also draws from related work and documents as appropriate.

Border assessment.

An assessment of the costs of SPS measures and their implementation was made at the Busia and Malaba borders in 2017. Full details of the study and the methods are in the report titled **"Assessment of Cross-border Trade Costs Associated with SPS/TBT Requirements for Fish and Milk along the Kenya-Uganda Border"**. The methodology involved the administration of questionnaires at the border. The questionnaire was developed by consultants, and refined through interviews with relevant stakeholders including traders of milk and milk products and fish and fish products, transporters, clearing agents and border point regulatory officers. The questionnaire consisted of a Template and Guidelines for assessing SPS procedure/processes behind the border and at the border, and the related trading costs. The questionnaire was administered on selected individual stakeholders and aimed to determine the actual SPS related costs incurred by the trader from the point of export until it reached the importer. Key informants on SPS related costs and procedures at the borders

were the traders themselves as well as clearing agents who were familiar with processes at the border. As far as possible the views of traders and clearing agents on the costs at the border were solicited.

A total of 61 consignments, representing 85.9% of all milk consignments were sampled at Busia border post. The rest of the samples (14.1%) were drawn at the Malaba border. Only 14.1% of the milk consignments were exports from Kenya to Uganda while the remaining 85.9% were exports from Uganda to Kenya. Only processed milk products, UHT, Milk powder and ice cream, were observed going through the Busia border during this exercise. Milk exporters were identified using records of milk exports through the Busia and Malaba borders. The majority (94.3%) of the consignments were traded by males, and a mere 5.7% by female traders.

A total of 40 fish consignments were drawn from 4 companies with the bulk of the sampled fish consignments (97.5%) going through the Malaba border post being exports from Uganda into Kenya. 95% of the fish consignments were made up of fresh fish, the rest being dry salted fish and smoked fish. About 67% of the traders were male and the rest female traders.

*Border assessment validation workshop***.**

Findings of the border assessment were presented at a cross-border meeting of relevant stakeholders on the 6th and 7th March 2018. A detailed report of the cross-border meeting can be found in a report titled **"Cross Border Meeting on Trade Facilitation Breaking Barriers, Facilitating Trade Project"**. During the workshop stakeholders were given the opportunity to comment on the preliminary findings and conclusions, and to raise other issues that they felt had not been adequately addressed. Regulators from the two countries also discussed the opportunities for reducing costs.

2. Background Information

2.1 Milk

In Uganda, dairy farming is a major activity in the north eastern, south western and central parts of the country, with the central and western regions accounting for some 50% of the national milk production. Milk is produced mainly by small-scale farmers, typically women, scattered in the rural or peri-urban areas.

Milk Production in East Africa

Work done by the European Centre for Development Policy Management (ec*dpm)*[1] in 2015, shows that the dairy sub-sector is the fastest growing subsector in East Africa. Furthermore, East Africa accounts for about 68% of Africa's milk output, with Uganda remaining a key exporter of milk and milk products in the region.

Ugandan milk producers have made significant inroads into the Kenyan market, where milk consumption among locals, while still below the level recommended by the World Health Organization (WHO), is said to be the highest on the continent.

[1] The European Centre for Development Policy Management.

The Inclusive Dairy Enterprise project in Uganda attributes much of the increase in milk production in Uganda and exports to Kenya from Uganda to the use of the extended grazing system by Ugandan dairy farmers resulting in lower production costs, while their Kenyan counterparts use the zero grazing system. Kenyan milk imports account for about 80% of Uganda's dairy exports.

Competent Authorities for milk and milk products:

1. In Uganda the Dairy Development Authority (DDA), a statutory body under the Ministry of Agriculture, Animal Industry and Fisheries (MAAIF) is responsible for the regulation of the dairy industry. The DDA registers and licenses milk coolers, milk collection centres, milk processors and traders, exporters and milk transportation tankers;
2. The Department of Animal Industry inspects premises and related processes, and certifies milk and milk product imports and exports and
3. The Uganda Bureau of Standards (UNBS) in collaboration with MAAIF and DDA develops standards and enforces compliance. UNBS is also responsible for inspection and quality control of milk processing as well as the issuing of Quality Certificates and permits-an arrangement that calls for good cooperation and collaboration among the three agencies.

In Kenya, while the Department of Veterinary Services (DVS) focuses on sanitary inspection, the Kenya Dairy Board (KDB) is a statutory organization mandated to regulate, develop and promote the Kenyan dairy industry. In this respect, the Board undertakes the following activities in the Kenyan dairy industry:

1. Inspection and licensing of milk handling premises, the processes and equipment
2. Organization and support to stakeholders' groups such as Federation of Kenya Dairy Farmers (FKDF), the Kenya Dairy Processors Association (KDPA) and the Dairy Traders Association (DTA)
3. Capacity building of stakeholders on milk quality, food safety standards, traceability and value addition
4. Development and review of dairy standards – the Board chairs the Dairy Technical committee at the Kenya Bureau of Standards and it has also contributed to the review and harmonization of dairy standards in the EAC. A Kenyan dairy standard on Good Manufacturing Practices (GMP) has also been developed through this process.

2.2 Fish and Fishery Products

Fish and fishery products trade in East Africa

Uganda is a landlocked country with many inland fishery resources to be found on five major lakes-Lakes Victoria, Kyoga, Albert, Edward and George. Lake Victoria (the largest lake in Africa and which lies in Tanzania and Uganda and borders Kenya) alone contributes about half of the annual catch traditionally carried out by fishermen, 80% of whom can be categorized as artisanal. While harvesting for all species is carried out by artisanal fishers, the distribution into the market of export quality and non-export quality fish follows separate routes to the final consumer once the harvest reaches the landing sites.

Between 1991 and 2013 officially recorded fish exports from Uganda grew from US$1million, reaching record highs of some US$148million in 2005.Exports have been declining since then

with the annual value of exports amounting to US$126million in 2013(FAO,2017). In 2010, Uganda exported some 17000 tons of fishery products to the European Union (Eurostat)-a significant drop from the 28000 tons exported to the EU in 2005. Furthermore, due to unsustainable fishing practices, between 2005 and 2011 the total catch from Lake Victoria fell from 238,533tons to 183,824 tons rising to 517,312 tons in 2013; following the introduction of stricter licensing and equipment requirements to address previous unsustainable practices in the industry. Over 1.5 million people still depend on the subsector for their livelihoods and the industry remains a large foreign exchange earner for the country. Overexploitation of the capture fisheries together with the pollution of the Lake Victoria waters remain the biggest risk to the expansion of the fish industry.

Fish is a highly perishable product which in the absence of proper controls can lead to food poisoning and spoilage. The food safety concerns typically associated with fish could be as a result of improper handling during processing, marketing, storage or distribution, contamination from the environment as a result of human or industrial activity near water sources where they live or even the chemical composition of the species.
These hazards may be chemical (due for example to the improper use of pesticides or the presence of heavy metals resulting from industrial activity), biological (due to contamination with pathogenic bacteria, viruses or natural toxins) or physical (as a result of the presence in or on the fish of a foreign body). These hazards can occur at any point between the point of harvesting the fishing and the consumer.

Importing countries' health and quality standards are an important factor in international and regional trade. In the past, importing country trade measures, particularly SPS measures have had a negative impact on Uganda's fish trade but over the years, Government and the industry have embarked on a programme of strengthening the competitiveness of the fish industry by improving overall sanitary and phytosanitary standards. Government has also worked closely with fish processing firms to build the capacity of the Competent Authorities responsible for the quality and safety of fish products placed on the market.

As a result of these investments, Uganda has been able to respond to the concerns of the EU (and other trading partners) with regard to Uganda's fish exports meeting SPS requirements as demonstrated by the very positive report of the Food and Veterinary Office (FVO) of the EU in 2011.

Unlike Uganda which is landlocked, Kenya has access to both marine and inland capture fisheries. In 2013 Kenya's fishery and aquaculture production was about 186 700 tons, 83% of which came from inland fisheries. At the time, over 120,000 people were dependent on fishing and fish farming activities. About 48300 of these people were involved in inland waters, 13100 in coastal water fishing and over 60000 in fish farming, making Kenya one of the fastest growing producers of farmed fish on the continent. Kenya produces much less fish from its marine resources than neighbouring countries. produces much less fish from its marine resources than neighbouring countries. Fishing for tuna is largely carried out by foreign owned vessels which are capable of distant-water fishing and these operate inside the Exclusive Economic Zone.

Uganda-Competent Authorities for fish and fishery products

Uganda's Department of Fisheries Resources (DFR) is responsible for the inspection of premises, processing facilities, landing sites, fish and transportation trucks to determine

adherence to safety and quality. The initial certification of fish begins at the landing sites where inspection is undertaken and local fish health certificates issued. Analysis of fish and fisheries products is the responsibility of:

- Uganda National Bureau of Standards (UNBS)
- Uganda Fisheries Laboratory
- Chemiphar Laboratory (Chemistry and Microbiology)
- Government Analytical Laboratory (Chemistry)

Kenya-competent authorities for fish and fishery products:

- The State Department of Fisheries which is responsible for regulation of the fish trade and the issuing export certificates for fish and fishery products. The Department is developing a residue monitoring plan and is setting measures in place for the approval of exports of farmed fish. The Department is also in the process of finalizing and publishing a manual on operating procedures for the sector;
- The Kenya Bureau of Standards (KEBS) for quality assurance and
- The Department of Veterinary Services which is responsible for the inspection of animals, animal products and animal farming inputs.

Both Kenya and Uganda have demonstrated the capability to comply with the most stringent Food safety requirements of the EU and other international markets by implementing preventive risk-based approach fish food safety management throughout the whole chain and moved away from past practices of a reliance on end-product testing.

3. Key Findings and Conclusions

3.1 Key Findings

- Several government departments, authorities, agencies and boards were involved in TBT/SPS regulations at borders. Their roles focussed on inspections, assessments and tests to ascertain conformity with the standards set as per SPS/TBT requirements. Kenya and Uganda do not have mutual recognition agreements and therefore do not recognize SPS related inspections of counterpart agencies. The operationalization of one-stop-border post provides an excellent opportunity to reduce duplication of inspections by the agencies on either side of the border. To a large extent, certification requirements and procedures are harmonized between the countries.

- The inspections as currently undertaken suggest that the processes at the border are relatively simple, since most of the technical requirements are implemented at the production, packaging and pre-transportation facilities. There are EAC harmonized SPS standards for milk (for milk quality marks are accepted) and fish products, however their implementation has not been fully cascaded to the border operations. In most cases only an "organoleptic" test was done - a quick visual inspection to confirm that the product has a normal appearance and smell. Sampling was also done as part of monitoring for compliance with set standards and other requirements by the specific agencies at the borders. In addition, because of absence of mutual recognition agreements between Kenya and Uganda, inspections, tests and other forms of verifications were done on both sides of the borders. One would therefore conclude that the inspections and sampling were not based on risk. Both countries do not charge for border inspections, sampling and testing.

- The cost of obtaining SPS/TBT certification for both milk and fish are minimal except for the import permit by regulators, and the available data indicate that these costs are largely harmonized between Kenya and Uganda. However, import permits costs for fish charged by the fisheries authorities in Kenya and Uganda are disproportionately high (5% of the consignment value). This could be a contributory factor on why most small-scale traders opt to look for alternative routes or use other means to move the goods to the importing country including by water on the lake, hence the thriving informal trade.

- The average time during inspections associated with document checks ranged between 8 minutes and 1 hour depending either on waiting for staff of the regulatory agency to perform document checks or involvement of multiple agencies for document checks. There were no charges for document verification. At the Busia and Malaba border posts between Kenya and Uganda, the SPS/TBT documents are checked by Customs and verified by the SPS/TBT regulatory authorities. While this may not cause substantial delay, it does indicate that improvements are still possible. Although the border posts operate 24 hours, some TBT/SPS agencies do not operate on a 24-hour basis because of inadequate staffing as one of the major reasons cited. Improved interagency collaboration, as well as cross-border collaboration, could contribute to improving this situation even without deployment of additional staff.

- Time taken to obtain SPS/TBT certification was varied for different SPS/TBT certification. There are a several aspects to the process of obtaining certificates, which all contribute to the time taken and therefore cost to the trader. This includes whether documents are manually or electronically processed with the latter being faster; centralized certification offices; waiting time at the regulator's office for service; duplication of inspections due to lack of formal or institutionalized collaboration between agencies either within or across

the border; and, absence of systematic rules for determining inspection or sampling frequency, although several agencies reported using international standards.

- Despite the fact that fish export and import requirements are presented in great detail (indicating the number of steps, the procedure at each step, the relevant regulation, the location of the office and the cost if any for each border post at http://www.kilimo.go.ke/?page_id=2256) on the website of Kenya's Ministry of Agriculture, Livestock, Fisheries and Irrigation, traders were generally not conversant with the export/ import trade requirements. They relied on agents and were at risk of potential exploitation. As a result, many traders opted to engage the agents who were considered "informed" and able to engage through the procedures at a relatively faster rate. Fish export/import information is not easily accessible on the MAAIF website. It is possible to register as an exporter, an importer, a fishing vessel, for an industrial fish and fishery product licence and various other licences and permits online.

- On the other hand, the existence of a Trade Information Desk at the border was not known to many traders and therefore its potential as source of information on SPS/TBT requirements especially to small scale traders has not been fully realized. The joint border committees (JBC) which should have filled this void were also found not to be effective.

- While this study did not encounter any major SPS related rejection costs, it is expected that cases of rejection may rise when the two borders enhance their inspections. The enhancement of inspection may also come with additional remedial SPS interventions on the consignments before they are allowed to cross over to the country of destination.

4. Recommendations

In light of foregoing, it is recommended as follows:

- There is need to harmonize the operations of regulatory authorities operating along the borders to facilitate trade in line with simplified trade regime (STR). Inspection, sampling and testing can be undertaken by one agency, or jointly by the two countries, rather than each country undertaking its own processes through multiple agencies as envisaged in the One Stop Border Post (OSBP) implementation.

- Certification processes should be automated. This calls for more investment in IT infrastructure and training of traders, agents and other stakeholders on the use of available electronic platforms. Where several regulatory authorities are involved in issuance of SPS/TBT certificates, licenses and permits, they should be electronically linked with appropriate alert systems to facilitate online document approval.

- To enhance information access among traders and other stakeholders, information on SPS/TBT certification requirements and fees plus the anchoring legislations should be provided on an easily accessible platform to traders, especially the small-scale ones. The information should be available on the regulators' websites and should be updated regularly. Utilization of automated SPS certification and clearance systems has the potential of reducing waiting time and eliminating duplicative documentation requirements. Such automations should be well marketed to the traders through sensitization and

provision of relevant information. Incentives such as fee waivers may be explored to attract more use of the electronic system.

- Harmonized risk-based sampling protocols should be developed and stakeholders sensitized about them. All inspectors from regulatory authorities should be trained on the developed harmonized risk-based sampling protocol. Fundamental information in the sampling protocol should be made available at border points should be made accessible to the trader as a way of ensuring transparency in the process. It will also enable the trader to take into consideration the sample requirements when packing the consignment so that the quantity to be delivered to the importer is not compromised. Joint sampling and testing (using one sample and one designated laboratory) to be discussed as a possible solution.

- The SPS/TBT certification offices should be decentralized to the borders and fully operationalized. This should go hand in hand with the development of the e-certification process.

- To prevent delays associated with overnight stay at the border, the staff capacity under the SPS Regulatory Authorities should be strengthened or modalities put in place to facilitate over-night shifts in a 24 hours operational system.

- JBC should meet regularly and should focus on streamlining border operations. Joint sampling and testing (using one sample and one designated laboratory) to be discussed as a possible solution. The lead agency to escalate this issue as an operational bottleneck through official channels. COMESA should use the recommendations from the JBC meeting to push relevant governments and ministries and state corporations to make exceptions for joint sampling and testing as a way of streamlining border operations

- As part of their immediate actions after training, the JBC should organize regular meetings to address trade flow challenges for commodities including milk and milk products. The deliberations should be escalated to relevant ministries and government departments including the EAC for action, and the meetings should serve as training opportunities for new officers on relevant procedures developed by say the EAC on trade facilitation. The JBC should include standard review in their meeting agendas with a view to reviewing standards and measures that hinder trade and do not add value.

- The SPS/TBT certification offices should be decentralized to the borders and fully operationalized. This should go hand in hand with the development of the e-certification process.

- To prevent delays associated with overnight stay at the border, the staff capacity under the SPS Regulatory Authorities should be strengthened or modalities put in place to facilitate over-night shifts in a 24 hours operational system.

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