

**Project Proposal for Implementation as part of
Trade Sector Development Programme (TSDP)**

Final version - 4 February 2011

Title of the project: Harmonizing the Legal, Regulatory and Institutional Frameworks for the Sanitary and Phytosanitary (SPS) Control Management System in Tanzania

Name of the MDA: Ministry of Industry, Trade and Marketing

Responsible person in focal point: Director of Trade Integration

Estimate of total costs: USD 559,932

Duration of the project: 3 Years

Table of Contents

1. Background and Justification of the Project.....	5
1.1 Country information	5
1.2 Impact of SPS measures and benefits of a coordination mechanism	6
1.3 Findings of field survey carried out in July 2010	6
2. Project design	9
3. Project Work Plan - Timeframe of project outputs (three-year project).....	14
4. Costs of project implementation - SPS coordination mechanism	15
Annexes	16
Annex 1: Project Logical Framework	17
Annex 2: Detailed budget.....	21
Annex 3: Detailed description of project activities.....	27
Annex 4: The legal, regulatory and institutional frameworks for the Sanitary and Phytosanitary (SPS) control management system	34

Acronyms and abbreviations

AOA	Agreement on Agriculture
BRC	British Retail Consortium
CA	Competent Authority
CAC	Codex Alimentarius Commission
COMESA	Common Market for Eastern and Southern Africa
CTI	Confederation of Tanzanian Industries
EAC	East African Community
EC	European Council (for Directives)
EC	European Commission (for development support)
EU	European Union
GAP	Good Agricultural Practice
GDP	Gross Domestic Product
HACCP	Hazard Analysis and Critical Control Points
IFOAM	International Federation of Organic Agriculture Movements
IPPC	International Plant Protection Convention
ISO	International Organization for Standardisation
ITC	International Trade Centre
LGA	Local Government Authority
MAFC	Ministry of Agriculture, Food Security and Cooperatives
MDA	Government Ministry, Department, or Agency
MDG	Millennium Development Goal
MHSW	Ministry of Health and Social Welfare
MITM	Ministry of Industry, Trade and Marketing
MLDF	Ministry of Livestock Development and Fisheries
MSE	Micro and Small-scale Enterprise
MTTI	Ministry of Trade, Tourism, and Investment (Zanzibar)
NEP	National Enquiry Point (as foreseen in Annex B of the SPS Agreement)
NGO	Non-Governmental Organisation
NRI	Natural Resources Institute, University of Greenwich, UK
OIE	World Organization for Animal Health
PESA	Private Enterprise Support Activities
REC	Regional Economic Community
SADC	Southern African Development Community
SANAS	South Africa National Accreditation System
SME	Small and Medium-scale Enterprise
SMTQ	Standards, Metrology, Testing and Quality
SPS	(Agreement on the Application of) Sanitary and Phytosanitary Measures (WTO)
STDF	Standards and Trade Development Facility
TAHA	Tanzania Horticultural Association
TBS	Tanzania Bureau of Standards
TBT	(Agreement on) Technical Barriers to Trade (WTO)
TCCIA	Tanzania Chamber of Commerce, Industry and Agriculture
TFDA	Tanzania Food and Drug Authority
TIFPA	Tanzania Industrial Fishing and Processors Association
TIRDO	Tanzania Industrial Research and Development Organization
TPRI	Tropical Pesticides Research Institute
TRA	Tanzania Revenue Authority
TSDP	Trade Sector Development Programme
Tshs	Tanzania Shillings
TTIS	Tanzania Trade Integration Strategy
TWG	Technical Working Group

USA	United States of America
USD	United States Dollar
WTO	World Trade Organization
ZFDB	Zanzibar Food and Drugs Board

Exchange rate (July 2010)

Tanzania Shillings (Tsh) 1,480.00 = USD 1.00

1. Background and Justification of the Project¹

1.1 Country information

The rationale for this proposal (funded by STDF Project Preparation Grant 268) is based on the premise that access to markets and sustained demand for Tanzania's agricultural food products in the world markets lie in building up the trust and confidence of importers in the quality and safety of the country's food supply system.

Agriculture remains the backbone of the Tanzanian economy. According to the Poverty and Human Development Tanzania country report, agriculture, hunting and forestry contributed 24.0% of GDP in 2008, down from 29.6% in 1998². Fishing contributed 1.5% to the GDP in 2008, down from 1.8% in 1998. Meanwhile, the contribution of services to the GDP has expanded from 45.2% to 47.8% during this period of time.

At the same time, agriculture accounts for almost 40% of merchandise exports and employs over 80% of the labour force (Project concept note). Tanzania is heavily dependent on the export of primary traditional cash crops namely: coffee, tea, cotton, cashews, sisal, cloves, and pyrethrum for foreign exchange earnings. In order to diversify its export base, the country is taking measures to expand export of non-traditional agricultural products such as horticultural products, fish and fisheries products, livestock and tourism. Europe is the main destination of most food and agricultural exports from Tanzania.

The Diagnostic Trade Integration Study (DTIS) carried out in 2004 under the Integrated Framework for Technical Assistance (IF) identified priority sectors and recommended a series of actions needed to be taken in order to enhance the export capacity of the country. Tanzania continues to harmonize its national standards with international and regional standards, particularly with those of the EAC. At the same time, whilst the country has the necessary basic framework for SPS control management, the overall level of SPS management remains weak because the country's system of food safety, animal and plant health controls and promotion rests on several fragmented pieces of legislation, involving multiple institutions which do not always work in a coordinated manner. Responsibility for food safety control is shared between different ministries, departments and agencies (MDAs) resulting in duplication of activities, overlaps in mandate, fragmented surveillance and lack of coordination, rendering the system ineffective.

Table 1 provides an overview of the SPS areas, Government Acts and potential collisions of interest (full details are contained in Annex 4, and the report prepared following the survey in July 2010). It is understood that there are other trade related programmes implemented by MDAs (e.g. agricultural trade programme), however none appears to be dealing with a SPS

¹ It should be noted that the project proposal follows the format recommended in: Noyelle, T., Kitakaya, L., and Alpenidze, I. (2009) Programming workshop for Trade Strategic Development Programme, Annex 4 – Format for Project Proposals; MDF Training & Consultancy BV; Dar es Salaam, 8-9 April 2009. Due to the size of the project and information requested by the National SPS Committee, the proposal is longer than the standard recommended proposal size.

² Research and Analysis Working Group, United Republic of Tanzania. 'Poverty and Human Development Report 2009'. Dar es Salaam, Tanzania.

coordination mechanism, which is important if Tanzania is to achieve its export development targets.

1.2 Impact of SPS measures and benefits of a coordination mechanism

The following are examples of how trade can be and has been affected by SPS measures:

- Holding and retesting of milk and milk products from Tanzania and Uganda by Kenyan Authorities;
- Cumbersome testing procedures for food exports and imports into Tanzania;
- EU ban on Nile Perch imports from Lake Victoria during the late 1990s as a result of food safety related measures;
- Import restrictions on poultry products by EAC countries due to the risk of avian influenza;
- US Federal government's ban of all fruit imports from countries known to have invasive fruitfly (*Bactrocera invadens*) host plants.

Whilst the cost of a one-off interception of a consignment in an export market may be relatively small, the impact of some SPS related trade measures can be of the order of several million USD, as the example of the Nile perch ban by the EU has shown. In view of this, the benefits of functioning and effective SPS coordination mechanisms are as follows:

- Improved interaction amongst public and private sector stakeholders with an interest in SPS matters, which, in turn, improves a country's participation in the SPS notification process and participation in International Standard Setting Bodies (ISSBs).
- Improved compliance with international standards related to food safety, animal and plant health.
- Fewer interceptions or outright bans on exported produce destined for major markets (e.g. EU, East Asia, North America).
- Increase of agriculture related exports (including livestock and fisheries products), and creation of employment in related sectors.

1.3 Findings of field survey carried out in July 2010

The field survey for the proposal "Harmonization of the legal, regulatory, and institutional frameworks for the sanitary and phytosanitary (SPS) control management system" has been carried out during the first half of July 2010, involving discussions with stakeholders in Arusha, Zanzibar, and Dar es Salaam. Discussions with stakeholders and a review of key literature have identified the following areas where better coordination is required:

- There are no close links between MITM and technical Ministries regarding SPS matters (e.g. in relation to notifications and how they are dealt with). There is currently insufficient capacity at MITM to deal with SPS matters, and the handling of notifications as well as enquiries often does not follow WTO procedures.

- Private sector stakeholders complain about too many border checks by too many authorities (SPS related and otherwise).
- Insufficient coordination between Zanzibar and URT Government organisations – related to both exports and imports (e.g. in relation to phytosanitary certificates). International Trade is a Union Matter as per the Constitution of the United Republic of Tanzania (First Schedule, item 8); but operation of conformity assessment facilities such as laboratories for certification of exports is not part of the Union Matters. However in the event of a dispute on a policy issue that affects exports from Zanzibar, the Union Government will prevail.
- Private sector involvement – some associations are stronger whilst others require substantial amounts of support to be able to fully participate in SPS coordination mechanism.
- Clarifications are required regarding location of National Enquiry Point(s) as compared to Focal Points and Competent Authorities.
- Sometimes outsiders are confused regarding organisations' responsibilities, e.g.
 - TBS and TFDA (food safety and quality related);
 - MAFC/Plant Health Services and TPRI;
 - TFDA and Commodity Boards (e.g. food safety related);
 - Location of focal point for fisheries in Ministry of Livestock Development and Fisheries.
- Utilisation of laboratory capacity in that there appears to be a lack of coordination.

Table 1 provides an overview of SPS areas, Government Acts and potential collisions of interest. Details on this can be found in Annex 4 as well as the report prepared following the survey in July 2010.

Table 1: SPS areas, Government Acts and potential collisions of interest

SPS Areas	Government Acts currently in place	Potential collisions of interest
Plant Health	Plant Protection Act, 1997	Currently, two government bodies have primary responsibilities in performing plant health protection activities, namely Plant Health Services and the Tropical Pesticides Research Institute. As such, the plant health sector is lacking a clear legal and regulatory framework. It is expected that the latter will be in place following the review of the Plant Protection Act (on-going), leading to the establishment of a National Plant Protection Organization (NPPO).
Animal Health	Animal Diseases Act, 2003 Veterinary Act, 2003 Fisheries Act, 2003 Beekeeping Act	Much work has already been done to avoid overlaps and duplication. The major areas to be resolved are the interface between livestock and dairy production and food safety, and provisions for monitoring of pesticide residues and enforcing MRLs. Similar considerations apply to other chemicals used in agriculture, fisheries and food production/processing.
Food Safety	Food, Drugs, and Cosmetics Act, 2003	Although there have been improvements in the coordination of roles and tasks performed by TBS and TFDA, it is important that the new food safety policy (currently in draft form) clearly delineates their respective areas of delegated authority, including the setting of standards (TBS) and their implementation (TFDA). Memoranda of Understanding (MoUs) are required between respective technical Ministries and TFDA, clearly defining their respective areas of delegated authority, including the role of commodity boards (e.g. Dairy Board), and Local Government.
<p>Other areas where harmonisation and coordination are required:</p> <ul style="list-style-type: none"> • Harmonisation of SPS legislation and institutional set-up between URT and Zanzibar Governments is required, including a clear definition of what Union matters are. • Greater role for the private sector in decision making and implementation of SPS matters. This calls for capacity building in the private sector (e.g. strengthening of associations). • Given regional integration and the creation of the East African Common Market, Tanzanian authorities need to harmonise their legislation and institutional set-up in accordance with EAC and SADC requirements. Government Acts need to be reviewed in light of this. 		

2. Project design

2.1 Overall objective of the project: Poverty reduction through increased market access for agri-food exports.

In particular, the project covers elements of the following strategic objectives of the Tanzania Trade Integration Strategy (TTIS):

- Objective 1. GoT Capacity to formulate Trade Sector Development Strategy including mainstreaming of trade in MKUKUTA strengthened.
- Objective 3. Private sector capacity to participate effectively in trade policy and strategy formulation strengthened.
- Objective 4. Trade negotiating capacity in GoT strengthened.
- Objective 5. Strengthened exporters' ability to meet international trade competitiveness standards including SPS standards, other technical standards as well as Intellectual Property Rights and protections (support institutions developed).
- Objective 6. Competitive export supply has been strengthened through direct support to exporters and producers associations.

2.2 Project purpose: Creation of a functioning, resourced and transparent SPS coordination system.

In particular, it is expected that project implementation will lead to:

- Increase in agri-food exports to new and existing markets;
- Fewer interceptions of Tanzanian agri-food products in export markets;
- No export bans imposed on agricultural sub-sectors as a result of SPS related shortcomings;
- SPS is integrated into national economic development plans and processes;

2.3 Outputs of the project. The following project outputs are envisaged:

- Output 1: SPS Desk/information centre established at MITM;
- Output 2: SPS Coordination mechanisms;
 - 2a: National SPS Committee (quarterly meetings);
 - 2b: Technical sub-committees (quarterly meetings);
- Output 3: SPS Policy developed including review of Government Acts;
 - 3a: Decision making workshops;
 - 3b: Preparation of SPS policy (as part of national trade policy);
 - 3c: Review of Government Acts, including consultation meetings;
- Output 4: Strengthened private sector associations;
- Output 5: Creation of one-stop shops;
- Output 6: Raised awareness / communication strategy;
- Output 7: Monitoring and evaluation (M&E).

2.4 Activities to achieve project outputs

- Given that it is seen as neutral, creation of SPS 'Desk' and information centre at MITM, with links to technical ministries/focal points. Three staff would have to be hired or re-deployed by MITM to create the Desk. This Desk would become the National Notification Authority (NNA) and National Enquiry Point (NEP) for SPS matters with close links to technical MDAs, and as such form the hub for SPS coordination in Tanzania. In addition to SPS matters, staff of the SPS 'Desk' are likely to also work on other standards (e.g. TBT, private sector standards). Standard operating procedures for the handling of notifications and related responses have to be developed, as well as databases and website. In particular, as far as notifications and enquiries are concerned, it is recommended to follow Jennings (2009).³
 - Under the Director of Trade Integration, the SPS 'Desk' will be responsible for day-to-day management of the project.
- The National SPS Committee, which has started to operate in August 2009, should continue to meet on a regular basis (i.e. quarterly). It is recommended that its membership be reviewed (e.g. enhanced representation of the private sector, consumer council, and of stakeholders from Zanzibar). Also, its terms of reference should be reviewed once per year.
 - The National SPS Committee will have an advisory function for the project.
- Sub-committees need to be created or strengthened: Plant health; food safety; fisheries and livestock (to some extent these already exist);
- SPS coordination meetings between MITM and Zanzibar Ministry of Trade, Tourism and Investment are required regarding SPS issues (e.g. to clarify what are union matters). Coordination by technical services is to be continued (e.g. on plant health matters).
- Two SPS coordination/decision making workshops are to be organised for both senior technical staff and Government decision makers (on issues where agreement cannot be reached) to drive forward the harmonisation of the legal, regulatory, and institutional frameworks of the Tanzanian SPS system.
- Based on the above, preparation of elements of SPS policy to be integrated into national trade policy. The SPS policy elements should be developed in accordance with requirements of EAC SPS protocol and SADC Protocol on Trade/SPS Annex.
- Relevant Government Acts (several currently under review) are to include reference to SPS coordination mechanisms. More stakeholder consultation may be required before Acts can be passed. To some extent this can be funded by the project, however, additional funds are likely to be required from the MDAs concerned.
- Eight one-stop shops are to be established in public and private sector offices so that entrepreneurs (e.g. traders) and other stakeholders can obtain information and trade related licenses and certificates in one place. On a provisional basis it is suggested that two one-stop shops be established in Dar es Salaam and six outside the capital,

³ Jennings, S. (2009) Procedural Step-by-Step Manual for SPS National Notification Authorities and SPS National Enquiry Points; World Trade Organization, February 2009.

one of which in Zanzibar. It is recommended that the National SPS Committee decides in which locations exactly the one-stop shops are to be placed.

- Support for private sector associations where required, including capacity building measures (e.g. one one-week training p.a. in SPS matters, creation or strengthening of six websites), and facilitation of participation in SPS committees at national and regional level. Details to be decided by the National SPS Committee.
- Design and implementation of communication strategy:
 - Websites at MITM (SPS Desk/information centre), other MDAs and main associations affected by SPS matters. The SPS website to be created and managed by MITM will act as the main website for the SPS coordination system, hosting both SPS National Notification Authority and National Enquiry Point. It is expected that notifications and enquiries obtained through WTO or otherwise will be distributed through the website to the relevant public and private sector stakeholders. Feedback will be obtained through the website's private (i.e. password protected) area. Websites for other MDAs and private sector associations will be created or strengthened in terms of SPS contents. The technical and financial feasibility of establishing a Mirror Server needs to be discussed and decided by the National SPS Committee based on recommendations by Dar es Salaam based web designers and internet service providers. At the same time, alternative solutions (e.g. SMS or fax) need to be considered for stakeholders where the internet is not the most appropriate solution. Standard operating procedures will have to be developed for the handling of both notifications and enquiries (also see above).
 - Databases (e.g. for contacts, laboratory capacities, notifications, standards, procedures) are to be created and maintained at MITM;
 - Awareness raising activities (e.g. through media, training workshops, exposure visits, and production and dissemination of 3,000 hard copies p.a. of summarised material of SPS regulations, trade policies, EAC protocols, etc), to be aimed at a range of target groups including private sector (e.g. traders, general public) and public sector stakeholders (e.g. Parliamentarians, and MDA officials).
- Monitoring and evaluation (M&E) activities to ensure that project targets are met. This includes a mid-term review and end-of-project review, plus on-going monitoring activities. Also, an exit strategy needs to be developed and implemented during the last year of the project.

A three-year project is recommended to implement the above activities. The cost of the project is estimated at USD 559,932. This does not include public and private sector staff costs and office space plus certain types of equipment, which will be covered by relevant MDAs and private sector organisations.

The Trade Sector Development Programme (TSDP), which is being prepared, is the obvious source of funding for the project. As far as financial arrangements and disbursement of funds are concerned, it is expected that Government procurement procedures will be followed.

In order for the aforementioned activities to succeed, it is important that the creation of a SPS coordination mechanism receives backing from the highest levels, including Prime Minister's Office and Permanent Secretaries in the Ministries concerned.

The concrete changes that will follow the implementation of activities towards achievement of project purpose are outlined in the Annexes (i.e. Project Logical Framework, as well as detailed description of project activities).

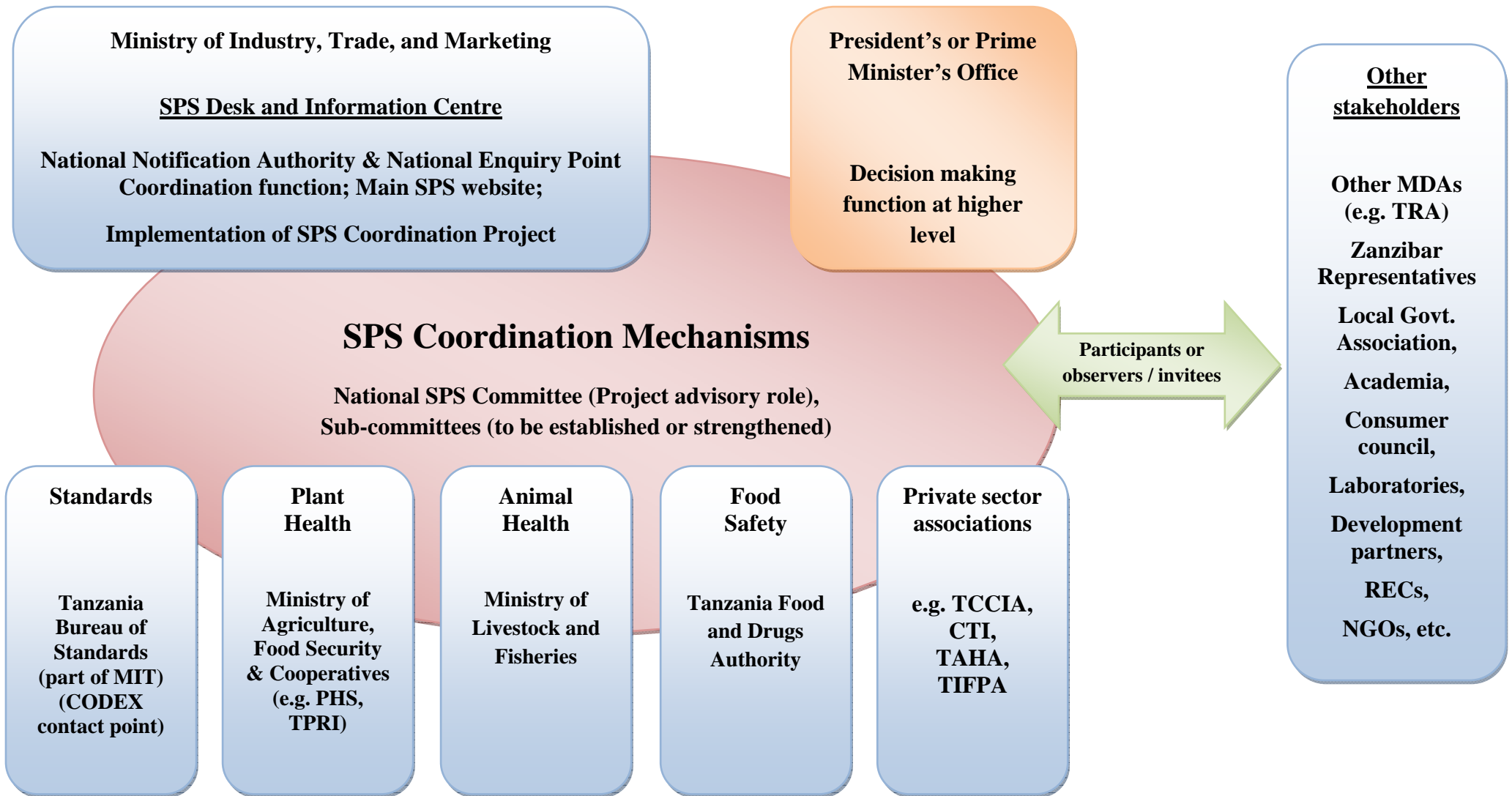
Figure 1 provides an outline of the SPS coordination mechanism envisaged.

2.5 Institutional context

As for the institutional context of this project, the following is recommended:

- MITM through the Department of Trade Integration will be the main Implementing Agency of this project. It can sub-contract the implementation of certain activities to other agencies where it does not have the requisite capacity.
- The TTIS Coordination Team (CT) will provide the overall coordination for the implementation of this component of the TSDP as it is doing for other components.
- The TTIS Technical Team (TITC) will assist in the implementation by providing general guidelines to ensure that the project is implemented in a manner that delivers the expected outcomes.
- The TTIS National Steering Committee (TINSC) at the highest decision making level in the project hierarchy will provide the strategic guidance for the implementation, monitoring and evaluation of the Component.
- The National SPS Committee will provide advisory services to the Implementing Agency.

Figure 1: Outline of SPS Coordination mechanism



3. Project Work Plan - Timeframe of project outputs (three-year project)

Implementation of outputs and key activities	Year 1				Year 2				Year 3				Y4
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Output 1: SPS Desk/information centre at MITM (continuous)	■	■	■	■	■	■	■	■	■	■	■	■	
1a: Staff (3) appointed and office infrastructure created	■	■											
1b: Operating procedures, databases, and websites created and in place			■	■									
Output 2: SPS Coordination mechanisms in place													
2a: National SPS Committee (quarterly meetings)	■	■	■	■	■	■	■	■	■	■	■	■	
2b: Technical sub-committees (quarterly meetings)	■	■	■	■	■	■	■	■	■	■	■	■	
Output 3: SPS Policy developed including review of Gvt Acts													
3a: Decision making workshops			■										
3b: Preparation of national SPS policy (as part of wider trade policy)				■	■								
3c: Review of Government Acts, including consultation meetings				■	■	■	■						
Output 4: Strengthening of private sector associations (continuous)	■	■	■	■	■	■	■	■	■	■	■	■	
Output 5: Creation of one-stop shops			■	■	■								
Output 6: Raised awareness / communication strategy			■	■	■	■	■	■	■	■	■		
6a: Communication strategy prepared			■										
6b: Media campaigns (e.g. radio, TV, newspapers) (approximate timing)				■	■		■	■			■	■	
6c: Preparation and dissemination of SPS and trade related documents				■	■		■	■			■	■	
Output 7: Monitoring, and evaluation reviews							■						■

4. Costs of project implementation - SPS coordination mechanism

Outputs	Total cost (USD)	Year 1 (USD)	Year 2 (USD)	Year 3 (USD)	Source of funding
Output 1: SPS Desk/information centre established at MITM	62,600	51,600	5,500	5,500	Staff and office costs (not included in budget) to be covered by MITM; the remainder covered by project.
Output 2: SPS Coordination mechanisms					
2a: National SPS Committee (quarterly meetings)	8,397	8,397			To be covered for the first year by project, then to be covered by Gvt budget.
2b: Technical sub-committees (quarterly meetings)	8,000	8,000			To be covered for the first year by project, then to be covered by Gvt budget.
Output 3: SPS Policy developed including review of Gvt Acts					
3a: Decision making workshops	16,976	16,976			Project
3b: Preparation of national SPS policy (as part of wider trade policy)	15,872	15,872			Staff costs covered by respective MDAs; workshop and consultant covered by project.
3c: Review of Government Acts, including consultation meetings	59,900	59,900			Costs will be shared with respective MDAs, which have also access to separate funds
Output 4: Strengthened private sector associations	94,587	31,529	31,529	31,529	Project and private sector companies
Output 5: Creation of one-stop shops	36,000	18,000	18,000		Project
Output 6: Raised awareness / communication strategy	207,600	87,600	60,000	60,000	Project
Output 7: Monitoring and evaluation	50,000	10,000	20,000	20,000	Project
Total	559,932	307,874	135,029	117,029	

NB. (a) For full cost details see Annex 2.

(b) The costs indicated only reflect costs to be covered by the project. Other costs are to be covered by the public and private sectors, as indicated.

Annexes

Annex 1: Project Logical Framework

Annex 2: Detailed budget

Annex 3: Detailed description of project activities

Annex 4: The legal, regulatory and institutional frameworks for the Sanitary and Phytosanitary (SPS) control management system

Annex 1: Project Logical Framework

Logframe: Harmonization of the Legal, Regulatory and Institutional Frameworks for the Sanitary and Phytosanitary (SPS) Control Management System in Tanzania

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Risks and Assumptions
Goal			
Poverty reduction through increased market access for agri-food exports	Increased employment in food and agricultural sector, in particular amongst smallholders;	Poverty statistics; GDP and trade statistics from Government and multilateral organizations	Enabling external economic environment
Purpose			
Creation of a functioning, resourced and transparent SPS coordination system	<p>Increase in agri-food exports to new and existing markets;</p> <p>Fewer interceptions of Tanzanian agri-food products in export markets;</p> <p>No export bans imposed on agricultural sub-sectors as a result of SPS related shortcomings;</p> <p>SPS is integrated into national economic development plans and processes;</p>	<p>National Development Plan;</p> <p>Participation in regional and international (e.g. WTO) SPS systems</p>	<p>Global economic conditions are conducive to increased agri-food exports;</p> <p>Central Government takes a pro-active role in support of a national SPS coordination mechanism</p>
Outputs			
<ol style="list-style-type: none"> 1. SPS 'Desk' / information centre created at MITM, with overall NEP & NNA function 2. SPS Coordination committees in place at national and technical level 	<p>3 staff appointed; and relevant 'infrastructure' in place within 6 months of start of project. Data bases, website, and operating procedures prepared by end of Y1.</p> <p>Improved flow of information (quality and quantity) between relevant MDAs, as a result of coordination committees; by end of Y1 of project.</p>	<p>MITM annual reports; website; training reports.</p> <p>Government reports, and meeting minutes</p>	<p>Approval by senior MITM management is important to secure staff and office space. The PS needs to be fully on board. The same applies to other Ministries, regarding their commitment to a national SPS coordination mechanism.</p> <p>SPS stakeholders (different MDAs as well as public and private sector participants) are</p>

3. SPS policy developed, including reviews of Government Acts	SPS policy incorporated into wider trade policy; and at least 3 Government Acts reviewed by end of Y2 of project.	Promulgation of trade policy, and reviewed Government Acts	willing to collaborate in support of a national SPS coordination mechanism
4. Private sector strengthened	Active private sector participation in committees, workshops and review of Gvt Acts. Within 6 months of project start	Workshop reports; committee meeting minutes; media reports	
5. One-stop shops created	8 one-stop shops established within 18 months after start of project.	Trained staff and infrastructure in place at one-stop shops	
6. Raised awareness of SPS matters amongst public and private sector stakeholders	At the end of project, at least 50% of surveyed public and private sector stakeholders have good understanding of SPS matters	Follow-up survey on SPS awareness (to be budgeted separately, as part of project evaluation).	
7. M&E project output, following TSDP procedures	1 mid-term review 1 end-of-project review Quarterly monitoring activities	Reports available	

Activities

Activities	Objectively Verifiable Indicators	Means of Verification	Important Assumptions
1.1 MITM hires or re-deploys 3 staff;	Staff in place within 6 months of project start	Staff records	
1.2 Creation of office environment, including computers	Physical infrastructure in place within 6 months	Quarterly reports	
1.3 Training in DSM and Geneva	Increased knowledge on SPS matters by MITM staff	Monitoring visits;	
1.4 Preparation of operating procedures for the handling of SPS notifications and	Operating procedures prepared and available by end of Y1	Training reports and material;	
	Databases prepared, and website is online and easily accessible to stakeholders by	Manual of standard operating procedures;	
		Project monitoring and evaluation visits and reports	

enquiries	end of Y1		
1.5 Creation and maintenance of data bases			
1.6 Creation and maintenance of website			
2.1 Strengthening of already existing national SPS committee;	Quarterly meetings, indicating progress on agreements and coordination	Committee meeting minutes	
2.2 Creation or strengthening of technical sub-committees;		Project monitoring and evaluation visits and reports	
3.1 Decision making workshops organized for technical staff and Government decision makers	2 decision making workshops organized by end of 3 rd quarter;	Workshop reports, indicating SPS related decisions;	Government decision makers take active interest in SPS matters, and make decisions if senior technical MDA staff cannot reach an agreement;
3.2 SPS policy developed and incorporated into wider trade policy	SPS policy developed and incorporated into wider trade policy	SPS policy available;	It is assumed that there is an opportunity to include elements of an SPS policy into a wider trade policy during the lifetime of the project.
3.3 Review of Government Acts	At least 3 Government Acts reviewed by end of Y2	Reviewed Gvt Acts available and promulgated;	
		Project monitoring and evaluation visits and reports.	
4.1 Coordination and training workshops;	One workshop (one week) p.a. for 25 participants;	Workshop reports available	
4.2 Website creation and maintenance	6 websites (2 p.a.) created or improved	Websites accessible to stakeholders (online)	
4.3 Participation in EAC level meetings	Participation of at least 3 persons in one EAC meeting per annum	Minutes of committee meetings	
4.4 Participation in SPS coordination committee meetings (see above 2.1 and 2.2)	At least 4 private sector stakeholders participate in each quarterly meeting of national SPS coordination committee and technical sub-committees	Project monitoring and evaluation visits and reports	
5.1 Identification of institutional location of one-stop shops (mix of	8 one-stop shops created; 2 in DSM. 5 at provincial level, and 1 in Zanzibar; by end of	Infrastructure in place with trained staff;	

<p>private and public sector locations)</p> <p>5.2 Training of staff</p> <p>5.3 Installation of computers and software</p> <p>5.4 Equipment of one-stop shops with relevant material (hard and soft copies)</p>	<p>Q2 of Y2</p> <p>3 staff trained per one-stop shop</p> <p>Installation of 1 computer plus software per one-stop shop</p>	<p>Project monitoring and evaluation visits and reports</p>	
<p>6.1 Design of communication strategy</p> <p>6.2 Awareness raising activities (e.g. radio, TV, or newspapers)</p> <p>6.3 Preparation, printing and dissemination of easy-to-understand documents of Gvt legislation and regulations, as well as EAC protocols</p> <p>6.4 Creation of databases (see above 1.5)</p> <p>6.5 Creation of websites (see above 1.6 and 4.2)</p>	<p>Communication strategy designed by 3rd quarter of Y1</p> <p>One awareness raising campaign carried out in each year of the project</p> <p>Three rounds of preparation and dissemination of documents; one round per annum; 3,000 documents per round</p> <p>See above</p>	<p>Communication strategy available</p> <p>Reports and outputs of awareness raising activities (e.g. radio or TV programmes; newspaper articles)</p> <p>Documents available</p> <p>Project monitoring and evaluation visits and reports</p>	
<p>7.1 Monitoring and evaluation activities, according to TSDP guidelines</p>	<p>Mid-term review;</p> <p>End-of-project review</p> <p>Quarterly project reports</p>	<p>Two review reports</p> <p>Quarterly project reports</p>	

Annex 2: Detailed budget

HARMONIZING THE LEGAL, REGULATORY AND INSTITUTIONAL FRAMEWORKS FOR THE SANITARY AND PHYTOSANITARY (SPS) CONTROL MANAGEMENT SYSTEM IN TANZANIA

Budget: (three-year project)	Version: 04/02/11	Exchange rate:	1,480	Tsh/USD
		DSA (national) rate:	85,000	Tsh
			57.43	USD

Outputs and related activities	People/			Unit costs			
	Units	Days	Years	(USD)	Total (USD)	Year 1 (USD)	Year 2 (USD)

Output 1:

Establishment of SPS 'Desk' at Ministry of Industry, Trade and Marketing (MITM)

Hiring or re-deployment of 3 staff focusing on SPS matters	3		3					
Office space for three staff and equipment								
Attendance of SPS Committee meetings at WTO/Geneva	1		3	3,500	10,500	3,500	3,500	3,500
WTO national seminars on SPS matters in Tanzania; two per annum; to be covered by WTO					-			
Training in data management systems (national consultant, fees)	1	20	1	350	7,000	7,000		
Training in data management systems (nat. consultant; travel and DSA)	1				3,000	3,000		
Computers and software	3							

Project proposal - SPS Coordination System in Tanzania – Final version 04-02-2011

				1,500	4,500	4,500		
Prep. of op. procedures (e.g. for NNA, NEP) (nat. consultant, fees)	1	20	1	350	7,000	7,000		
Prep. of op. procedures (national consultant, travel and DSA)	1				3,000	3,000		
Preparation of operating procedures (intl. consultant, fees)	1	20	1	600	12,000	12,000		
Prep. of op. procedures (intl. consultant, travel and DSA)	1				5,600	5,600		
Website creation and maintenance (national consultant)	1			10,000	10,000	6,000	2,000	2,000
Sub-total					62,600	51,600	5,500	5,500

Output 2:

a) National SPS Committee (funded for one year by project, then to be covered by Gvt budget)

(a) Quarterly meetings in DSM (allowances for food etc for DSM based staff)	15	4	1	15	900	900		
(a) Quarterly meetings in DSM (DSAs for staff based outside DSM)	10	4	1	57.43	2,297	2,297		
Transport	1	4	1	1,000	4,000	4,000		
Coordination	1	4	1	300	1,200	1,200		
Sub-total					8,397	8,397	-	-

b) Technical sub-committees to be established or strengthened (funded for one year by project, then Gvt)

(a) National Plant Protection Advisory Committee	1	4	1	500	2,000	2,000		
(b) Livestock Trade Committee	1	4	1	500	2,000	2,000		
(c) Fisheries Committee	1	4	1	500	2,000	2,000		

Project proposal - SPS Coordination System in Tanzania – Final version 04-02-2011

(d) National Food Safety Committee	1	4	1	500	2,000	2,000		
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Sub-total					8,000	8,000	-	-
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Output 3:

a) Decision making workshops (e.g. in Bagamoyo)

(a) Larger workshop - Senior technical officers (DSA costs)	30	5	1	57.43	8,615	8,615		
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Travel	1		1	2,000	2,000	2,000		
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Workshop coordination/facilitation	1		1	3,000	3,000	3,000		
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(b) Smaller workshop - Senior decision makers (DSA costs)	15	1	1	57.43	861	861		
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Travel	1		1	1,000	1,000	1,000		
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Workshop coordination/facilitation	1		1	1,500	1,500	1,500		
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Sub-total					16,976	16,976	-	-
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b) Preparation of national SPS policy (as part of wider trade policy)

(a) One-week workshop (DSA) for 10 key public and private sector representatives	10	5	1	57.43	2,872	2,872		
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Travel	1		1	1,000	1,000	1,000		
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(b) International consultant, fees	1	20	1	600	12,000	12,000		
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International consultant, travel and DSA	1			5,600	5,600	5,600		
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					15,872	15,872	-	-
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c) Review of Government Acts (e.g. Acts related to Plant protection; Animal diseases; Fisheries; Beekeeping; Food, drugs and cosmetics) including review by legal experts (e.g. FAO plus local consultant) and consultation meetings outside DSM

National consultant, fees	1	30	1	350	10,500	10,500		
National consultant, travel and DSA	1				4,000	4,000		
International consultant (e.g. FAO legal expert), fees	1	30	1	600	18,000	18,000		
International consultant, travel and DSA	1				7,400	7,400		
Consultation meetings outside DSM by Ministry staff	4			5,000	20,000	20,000		
Sub-total					59,900	59,900	-	-

Output 4

Public-Private sector cooperation and co-ordination, including strengthening of the private sector

(a) Coordination and training workshops (DSA; one week p.a.)	25	5	3	57.43	21,537	7,179	7,179	7,179
Travel	1		3	2,000	6,000	2,000	2,000	2,000
Workshop coordination	1		3	3,000	9,000	3,000	3,000	3,000
(b) Website creation and maintenance (six websites)	6			8,000	48,000	16,000	16,000	16,000
(c) Participation in EAC and SADC level meetings (DSA)	3	3	3	150	4,050	1,350	1,350	1,350
Travel	1		3	2,000	6,000	2,000	2,000	2,000
(d) Participation in SPS coord committee (see below)								
Sub-total					94,587	31,529	31,529	31,529

Output 5

Creation of one-stop shops (8 units) in public and private sector offices

Training of staff (3 per unit)	24		1,000	24,000	12,000	12,000		
Computers and software (8)	8		1,500	12,000	6,000	6,000		
Sub-total				36,000	18,000	18,000		-

Output 6

Design and implementation of a SPS communication strategy (including awareness raising)

Design of communication strategy, national consultant, fees	1	20	1	350	7,000	7,000		
Design of communication strategy, national consultant, travel and DSA	1				3,000	3,000		
Design of communication strategy, international consultant, fees	1	20	1	600	12,000	12,000		
Design of communication strategy, intl consultant, travel and DSA	1				5,600	5,600		
Awareness raising activities (through TV, radio, press, billboards)	1		3	20,000	60,000	20,000	20,000	20,000
Printing and dissemination of easy-to-understand documents (3,000 p.a.)	1		3	30,000	90,000	30,000	30,000	30,000
Preparation of materials for awareness raising activities and easy-to-understand documents, national consultants						-	-	-
Preparation of materials and documents, national consultant, fees	1	20	3	350	21,000	7,000	7,000	7,000
Prep of materials and documents, national consultant, travel and DSA	1		3	3,000	9,000	3,000	3,000	3,000
Creation and maintenance of websites (see above)								
Creation of databases (see above)								
Sub-total					207,600	87,600	60,000	60,000

Output 7

Project Monitoring and Evaluation (M&E) activities

50,000 10,000 20,000 20,000

Grand Total

559,932 307,874 135,029 117,029

Annex 3: Detailed description of project activities

The following sections outline the elements of an enhanced SPS management coordination. In order for the suggested activities to succeed, it is important that the creation of a SPS coordination mechanism receives backing from the highest levels, including Prime Minister's Office and Permanent Secretaries in the Ministries concerned.

1. Creation of SPS Desk/information centre at MITM

Given that MITM is seen as 'neutral' by other SPS stakeholders, and given that it is the National Notification Authority and the principal coordinator of SPS issues in Tanzania, it is recommended that a SPS 'Desk' cum information centre be established at MITM. The Desk should consist of three officials whose main tasks are related to SPS matters, although they are also likely to work on other issues as the need arises (e.g. TBT, private sector standards). It is envisaged that the Desk will become the main National Enquiry Point for SPS matters, with the option of passing on specific enquiries to the respective Competent Authorities, as and when required.

As for the three officials required for the SPS Desk, this requires re-deployment or hiring of new MITM staff.

Standard operating procedures will have to be developed for the handling of SPS matters (e.g. management of notifications and enquiries; communication links to technical ministries). In particular, as far as notifications and enquiries are concerned, it is recommended to follow Jennings (2009).⁴

The establishment of the SPS Desk will also involve the creation of a dedicated SPS website. The SPS website will contain different sections, including open-access information for the general public (e.g. Government Acts; SPS background information and protocols), and password protected sections which contain information that is of confidential nature (e.g. status of consignments; notifications affecting individual companies).

Whilst day-by-day management of the project is to be handled by the SPS 'Desk' under the Director of Trade Integration at MITM, the National SPS Committee will have an advisory role for the project.

2. SPS Coordination committees in place at national and technical level

2a. National SPS Committee

The first meeting of the National SPS Committee was held in August 2009, and the second meeting in April 2010. According to stakeholders interviewed during the field survey, the start of

⁴ Jennings, S. (2009) Procedural Step-by-Step Manual for SPS National Notification Authorities and SPS National Enquiry Points; World Trade Organization, February 2009.

the Committee has been successful. Future challenges that have been indicated include, keeping the momentum of the committee, including the organisation of quarterly meetings and related budgetary provisions. The latter are required in that several committee members are based outside Dar es Salaam.

Given that the first two meetings of the SPS Committee have been successful, some of the following issues have already been resolved:

Location of the Committee. There seems to be consensus that MITM is best placed to house the Secretariat of the National SPS Committee, in particular in that it is considered 'neutral'. The fact that the MITM is the focal point for WTO matters and also the National Notification Authority (NNA) lends support to the argument that MITM should house the Secretariat.

Composition. By and large the membership of the Committee is comprehensive in that the private sector as well as the main MDAs dealing with SPS issues are represented. Nevertheless membership or representation of the following needs to be considered: Office of the Prime Minister; Zanzibar MDAs (preferably two, e.g. MTTI and ZFDB), Consumer Council of Tanzania, MHSW, MNRT, and a representative from commodity boards (this can be on a rotating basis).

Chairmanship. The current chairman of the National SPS Committee is an internationally renowned authority on SPS matters and no doubt is the ideal person to chair the Committee until it is firmly established. He was nominated by the Permanent Secretary of the MITM. In the longer-term it is recommended that the Committee decides whether the chair should remain with one person or whether it should rotate amongst the principal authorities concerned by SPS issues.

Frequency of meetings. As the Terms of Reference (ToR) of the National SPS Committee state, meetings should take place on a quarterly basis, and ad hoc meetings may be held when necessary. During the survey, stakeholders have expressed that they prefer a standing committee rather than ad-hoc meetings. Standing committees are more in a position to take strategic decisions.

Terms of Reference. As indicated the National SPS Committee has ToR outlining its roles and responsibilities (Annex 6). It is recommended that the ToR be reviewed on an annual basis. For example, enlargement of the committee should be considered, as outlined above.

Funding. Stakeholders raised the importance of budgeting for the National SPS Committee as part of the national Government budget. Relying on project funds might jeopardise the sustainability of the committee. As a result, it is recommended that the project funds the running of the SPS committee during the first year of the project, and that its running will be covered by the Government budget in subsequent years.

Participation in EAC and SADC Committees. As indicated above, both the Draft EAC Sanitary and Phytosanitary (SPS) Protocol, and the SADC Protocol on Trade/SPS Annex stipulate that the two RECs, of which Tanzania is a member, will establish Sanitary and Phytosanitary Coordination Committees comprising of representatives of each National Committee on SPS

Measures. In addition, there are regional task forces dealing with specific technical matters (e.g. Rift Valley fever).

2b. Technical sub-committees

It is recommended that the technical committees dealing with specific SPS matters continue to operate. In particular, the National Plant Protection Advisory Committee (NPPAC) and the National Food Safety Committee (NFSC; secretariat provided by TFDA) are already in place and, for the time being, require little modification except that membership should be reviewed in view of incorporating more private sector stakeholders. As for committees under the MLDF these may have to be modified (i.e. fisheries evaluation committee) or created (e.g. technical sub-committee on livestock trade). In addition, links need to be maintained with TBS, which is the focal point for Codex Alimentarius Commission in Tanzania, and which manages about 30 standard setting committees.

3. SPS policy developed, including reviews of Government Acts

3a. Decision making workshops

During the course of the field survey, stakeholders have indicated that decisions related to SPS coordination mechanisms should not be imposed on them but decisions should be reached as part of a consultation process. In this context, it was suggested that decision making workshops should be convened for (a) senior technical representatives of the public and private sectors concerned, and (b) Government decision makers (e.g. Permanent Secretaries of relevant ministries; Office of the Prime Minister). Whilst (a) can last up to one week at a location such as Bagamayo or Morogoro, (b) may only last one day in view of senior decision makers' time constraints.

It is expected that during the first workshop, senior technical officials would agree on a more effective SPS system (covering legal, regulatory, and institutional frameworks), which would then – at a later stage - be reflected in their respective Government Acts.

The second decision making workshop is envisaged for senior Government officials, where the latter would be briefed on the outcome of the first workshop and asked to take decisions on areas where no agreement could be reached.

Where one ministry houses or is affiliated with more than one MDA dealing with SPS matters, it will be necessary that preliminary discussions and decisions need to take place within those ministries. In particular, this applies to the plant health sector, which lacks a clearly defined legal and regulatory framework (i.e. both PHS and TPRI are dealing with the matter). Also, the location of the focal point for fisheries matters within the MLDF needs to be considered, in that there may be scope for having two focal points within that Ministry (i.e. one for livestock/veterinary services and one for fisheries).

It is deemed important that at least four representatives from Zanzibar participate in these workshops (i.e. representing trade, food safety, plant and animal health). In particular, it needs

to be clarified and agreed what are Union matters in the SPS context and what can be dealt with by the authorities belonging to the Government of Zanzibar. The result should be a harmonised SPS framework for Tanzania Mainland and Zanzibar.

3b. Preparation of SPS policy elements

At present, SPS related elements in the national trade policy are of a rather general nature. Based on the agreements reached during the course of the aforementioned decision making workshops, it is recommended that elements of a coherent SPS policy be developed, which will be integrated into the national trade policy. The trade policy and its SPS elements should be in accordance with international treaties and obligations, including the WTO SPS Agreement and the EAC SPS protocol (currently in draft form), and the SADC Protocol on Trade/SPS Annex. The resulting policy would clearly highlight the key priority SPS areas where interventions are needed (e.g. location and functioning of NNA and NEP; review of Government Acts; coordination mechanisms between public and private sector stakeholders).

At the stakeholder workshop at MITM (July 2010) it was discussed to what extent a separate SPS policy should be designed or whether it should form part of a wider trade policy. The latter option was favoured, also given that it will provide for better integration with other policy issues.

The fact that a National Food Safety Policy is being drafted provides an opportunity to ensure that the policy includes coordination mechanisms and that the responsibilities of TFDA are clearly demarcated from other MDAs (e.g. TBS). In addition, wherever other Government policies are going to be reviewed and developed in the near future (e.g. National Fisheries Policy) SPS related elements should draw on the aforementioned agreements and national trade/SPS policy elements.

3c. Review of Government Acts

At the same time, it is important that relevant Government Acts, several of which are currently under review⁵, include reference to SPS coordination mechanisms and the relevant authorities' obligation to contribute to this process.

It has been indicated that the review and passing of Government Acts requires consultation with other sectors of the society, which has financial consequences. It is therefore necessary to decide on funding sources for this consultation process.

Also, Government Acts need to be reviewed in light of developments at EAC and SADC level. This includes harmonisation of SPS related legislation and regulations.

Once Government Acts have been reviewed, related regulations then have to be adapted accordingly.

⁵ E.g. Plant Protection Act of 1997, Fisheries Act of 2003; it is understood that the Standards Act has been reviewed in 2009.

4. Public-private sector co-operation and co-ordination

An efficient SPS control management system is necessary to ensure the safety and quality of domestically-produced, imported and exported food for national consumers and international markets as appropriate. Investing in the provision of food control systems is seen as important in supporting trade development, particularly for exports, by building the confidence of overseas importers and consumers on the safety of the country's food products.

However, to deliver the returns on investment in enhancing trade requires an SPS control system that is fit for purpose and undertakes a broad range of risk-based decisions and actions through a continuous process of planning, organizing, monitoring, coordinating and communicating, in an integrated way. A key stakeholder is the private sector, both individual companies and sectoral associations.

Private agribusinesses involved in primary production, input distribution, marketing and agri-processing are seen as the key drivers for trade and economic growth. The Tanzania Government's Agricultural Sector Development Strategy has stated that the Government will focus on developing policies and designing regulatory frameworks which encourage and enable the private sector to play a more significant role in wealth creation. It is therefore important that the management of the regulatory systems creates an enabling environment which stimulates trade and development, both nationally and internationally. It is increasingly important to understand if the current SPS system is evolving and meeting the needs of the private sector and consumers not only in relation to the organizational and legal framework but in the actual delivery of statutory service.

In the increasingly competitive trading environment it is essential not to jeopardize the viability of businesses, particularly SMEs, with unnecessary and costly regulations, but to put in place regulatory and inspection systems that are fit for purpose. To achieve this requires the creation of relationships, linkages, information flows and co-ordination between government and non-government actors in food control management.

As a consequence, the private sector should have a greater role in decision making in the management of the food control systems in a number of areas including legislation and standards, costs and frequencies of inspection, business registration, training, and use of government and donor support funds. At the same time, more support to the private sector is required if it is going to have an effective 'voice' and influence in the development and support of the Tanzanian SPS coordination system.

The support required for private sector associations includes capacity building measures (e.g. one one-week training p.a. in SPS matters, creation or strengthening of six websites), and facilitation of participation in SPS committees at national and regional level. It is recommended that the National SPS Coordination Committee advises on the details of this.

5. Creation of one-stop shops

One-stop shops should be created, where private sector stakeholders can obtain SPS related information, licenses and certificates. These one-stop shops should not be confused with one-office border stops, which are being piloted (i.e. cargos are being inspected by TRA and technical departments all in one go).

More planning is required as to the exact location of these one-stop shops. For example, in addition to Dar es Salaam, the one-stop shops should also be established at provincial level, in particular where exports originate. One-stop shops can be located with the public sector (e.g. Competent Authority such as Fisheries Division), or with trade associations such as TAHA or TCCIA. The latter is already mandated by MITM for the issuing of certificates of origin.

As part of this project, the creation of 8 one-stop shops is envisaged on a provisional basis (i.e. 2 in Dar es Salaam, 5 at provincial level in mainland Tanzania, and 1 in Zanzibar). It is recommended that the National SPS Committee advises on the exact locations where the one-stop shops will be placed.

6. Design and implementation of a SPS communication strategy

During the course of the field survey it has been frequently mentioned that more awareness raising activities are required to inform stakeholders of the importance of SPS matters. The stakeholders include the general public (e.g. consumers), but also Parliamentarians, Government officials and the private sector including their respective associations. As a result, the following activities can be envisaged:

- Awareness raising activities (e.g. through media, training workshops, exposure visits), including the broadcasting of STDF material. It was also raised that often official documents (e.g. Government Acts, or EAC Protocols) are difficult to understand and should be summarised in a simplified form. Contents, style, format and language (e.g. Kiswahili or English) of these summaries need to be decided. It is envisaged that 3,000 documents will be printed and distributed per annum as part of the awareness raising component of the project.
- Databases (e.g. contact lists indicating 'who is who'; notifications, standards, procedures, laboratory capacity) to be created and maintained by SPS 'Desk' at MITM, but also accessible by competent authorities and one-stop shops.
- Websites at MITM, focal points, and main associations. The MITM website will act as the main website for the SPS coordination system, hosting both SPS National Notification Authority and National Enquiry Point (NEP). The MITM website will require a content management system. With this in place both public and private areas can be assigned, with the private area password protected and only accessible by those with the relevant credentials (i.e. in particular members of the SPS Coordination Committee). It is expected that notifications and enquiries obtained through WTO or otherwise will be distributed through the website to the relevant public and private sector stakeholders. Feedback will be obtained through the website's private (i.e. password protected) area.

Standard operating procedures will be developed for the handling of notifications and enquiries, as well as data stored by the SPS 'Desk'. In addition to the MITM website, other websites will be created or strengthened in terms of SPS contents – i.e. in particular those of the MDAs dealing with SPS matters (food safety, animal health and plant health), and the main private sector associations (e.g. CTI, TCCIA, TAHA, TIFPA). The technical and financial feasibility of a Mirror Server to be hosted by MITM needs to be discussed with local web designers and internet service providers. At the same time, it needs to be borne in mind that internet based solutions may not be appropriate in all circumstances. In these cases it is recommended that other means of communication be considered for alerting public and private stakeholders involved in the SPS system of notifications and enquiries (e.g. SMS text messages, fax).

7. Monitoring and evaluation (M&E) activities

Monitoring and evaluation (M&E) activities are required to ensure that project targets are met. This includes a mid-term review and end-of-project review, plus on-going monitoring activities. Also, for sustainability reasons, an exit strategy needs to be developed and implemented during the last year of the project. It is recommended that the National SPS Committee advises on the details of this.

Annex 4: The legal, regulatory and institutional frameworks for the Sanitary and Phytosanitary (SPS) control management system

Annex 4 provides an overview of institutions dealing with SPS matters, and their legal and regulatory background as well as their role in the current SPS system in place in Tanzania. An overview of MDAs is followed by the private sector and the role of Regional Economic Communities (RECs). The findings draw on the survey carried out in July 2010. Full details of the latter are contained in the report prepared for that mission, which was funded by STDF in the form of a Project Preparation Grant (PPG).

1. Ministry of Industry, Trade, and Marketing (MITM)

The Ministry of Industry, Trade and Marketing (MITM) holds a leading role in formulating, implementing and coordinating the country's trade related policies. The private sector and NGOs provide inputs into trade policy formulation through trade associations such as the Confederation of Tanzania Industries (CTI) and Tanzania Chamber of Commerce, Industry and Agriculture (TCCIA).

The Diagnostic Trade Integration Study (DTIS) carried out in 2004 identified priority sectors and recommended a series of actions to be taken in order to enhance the export capacity of the country. As part of the process of implementing the DTIS recommendations, the country has formulated the Tanzania Trade Integration Strategy (TTIS) which, amongst other things, has the following purposes:

- to provide a single framework for strengthening the ownership of the trade sector development agenda and all current and future Aid-for-Trade interventions by the Government;
- to provide a mapping of current development needs and priorities within the trade sector;
- to identify the role of current and planned bilateral development assistance and areas for possible intervention by donors through the Enhanced Integrated Framework (EIF).

The Tanzania Trade Integration Strategy (TTIS) 2009 – 2013 Framework Programme is aimed at turning trade sector development into a true driver for economic development and poverty reduction. It is implemented through several ongoing and planned projects and programmes, with funding being provided both directly through the exchequer and as indirect funding of various bilateral and multilateral Development Partners.

The Trade Sector Development Programme (TSDP), which is under preparation, is based on the TTIS. It has five strategic objectives, the following of which (Objective 5) is most relevant to SPS coordination mechanisms in that it states "Strengthening of exporters' ability to meet international trade competitiveness standards including SPS standards, other technical standards, as well as intellectual property rights and protections."

The TSDP is expected to be financed by a multi-donor Basket Fund, to become operational in the Financial Year 2011/2012.

2. Tanzania Bureau of Standards

The Tanzanian Bureau of Standards (TBS) is a parastatal organization under MITM, which was established under the National Standards Act (Act No 3 of 1975, amended by Act No1 of 1977, and reviewed in 2009). It covers a wide range of functions, including:

- To Formulate and promulgate Tanzanian standards;
- Implementation of promulgated standards through third party Certification Schemes;
- To improve the quality of industrial products both for export and local consumption through various certification schemes;
- To promote standardization and quality assurance services in industry and commerce;
- To undertake the testing of product samples drawn by TBS inspectors;
- To undertake calibration of industrial and commercial measuring equipment and instruments.

TBS coordinates 30 technical committees, which draft national standards in various areas, with representatives from relating government agencies, universities, and the industry. Most standards are adapted or adopted from the Codex or the International Standards Organization (ISO). TBS operates a total of 7 laboratories. Four of the laboratories are certified to ISO 17025 by the South African National Accreditation Service (SANAS). For the others the certification is under preparation.

TBS currently houses the National Enquiry Points (NEP) for SPS and TBT. However, whilst its role regarding TBT is clear to the majority of stakeholders, its role regarding SPS is less clear. For example, domestic or foreign stakeholders who have enquiries about SPS matters tend to directly contact those services who they perceive to be contact points (e.g. Plant Health Services or the Fisheries Division of MLDF). As for food safety, the situation appears to be unclear to outside stakeholders as to the exact responsibilities of TBS and TFDA (plus local government) – i.e. the former makes the standards available whilst the latter implements them. TBS represents the focal point for Codex Alimentarius Commission in Tanzania, and is indicated as the SPS National Enquiry Point on the SPS Information Management System (SPS-IMS) run by the WTO. A TBS leaflet and a section on its website indicate that it is the National Enquiry Point for TBT, whilst a similar statement for SPS is missing.

In the view of the above, de facto Tanzania currently has the following Enquiry Points regarding SPS matters:

- Plant Health Services at MAFC;

- Fisheries Division and Veterinary Services (both belonging to MLDF); and
- TBS and TFDA for food safety matters.

3. Ministry of Agriculture, Food Security and Cooperatives

Tanzania is a signatory to IPPC (1997), which requires a designated National Plant Protection Organisation. However, at the moment there is no legally defined regulatory authority designated to undertake plant health protection activities. The principal authority is the National Plant Protection Advisory Committee (NPPAC) which advises the Minister responsible for agriculture. Currently, two government bodies have primary responsibilities in performing plant health protection activities, namely Plant Health Services and the Tropical Pesticides Research Institute. As such, the plant health sector is lacking a clear legal and regulatory framework.

Plant Health Services

Plant Health Services belong to the Ministry of Agriculture, Food Security and Co-operatives (MAFC). It has been designated as the enquiry point for all SPS issues on plant matters (responsibility having moved from TBS on November 2004). PHS will channel enquiries and information on to other organisations where necessary.

The Plant Health Service has the four areas of work along the lines of subcommittees falling under the aforementioned NPPAC.

- (a) Plant Quarantine and Phytosanitary Services (PQPS);
- (b) Outbreak Pest Control;
- (c) Pesticides Management;
- (d) Biological Control Agents;

According to Orchard et al (2006), the main roles of PHS include:

- Plant import and export control: inspections and the issuance of import permits for food/plant product imports; phytosanitary certificates for exported products; plant quarantine services;
- Promotion of post-harvest pest management techniques and enforcement of produce inspection legislation;
- Biological control of plant pests and advisory services;
- Management of pest outbreaks, such as quelea, locusts, armyworms and rodents;
- Promotion of integrated pest management and other training, awareness-building and surveillance activities related to plant health;

- Pesticide registration and control - de facto TPRI manages the processes.

Plant health inspectors work with a range of other authorities including customs, TBS, TFDA, and the private sector. TPRI has plant health inspectors working under plant health legislation.

Issues raised:

- Review of the National Plant Protection Act requires consultation, however there is a shortage of funds to undertake proper consultation.
- PHS is the National Enquiry Point for plant health matters, but there is lack of office space and some constraints concerning communication.
- At present there is no National Plant Protection Organisation (NPPO). This needs to be reconciled with the Zanzibar Plant Protection Division to have one single NPPO.
- PHS have laboratory facilities (e.g. at harbour), but these are not well established.

Tropical Pesticides Research Institute

The Tropical Pesticides Research Institute (TPRI) became operational in the mid-1940s working on the application of synthetic insecticides that were being introduced into the market. The TPRI Act 1979 provides the Institute's legal status as a Statutory Body or Government Agency. The introduction of the Plant Protection Act (PPA) 1997, which became operational in 2001, repealed some of the powers of TPRI (Orchard et al, 2006).

The institute's SPS related programmes and activities include:

- Pesticides registration and control programme
 - Pesticides formulation analytical services
 - Inspectorate services
 - Pesticides registration.
- Post-entry plant quarantine station (PEPQS)
 - Research on Pest Risk Analysis (PRA)
 - Screening for pests and diseases
 - Inspection and monitoring
 - Phytosanitary certification and plants import permits.

Source: TPRI information leaflet.

Over the years, the Institute has expanded its activities to include pest biology and ecology, biological diversity, plants and insect taxonomy, inventory and conservation of plant genetic resources, and genetically modified plants (Orchard et al, 2006).

TPRI undertakes Pesticides Registration and Control (PRC) services on behalf of the MAFC. As such, TPRI monitors the imports of pesticides, issuing the permits for importation of every consignment. They register, and keep a list of, the importers and retailers of agrochemicals.

In general, pesticide management practices in Tanzania are constrained by inadequate legislation, training and funds. Pesticide use is monitored by TPRI, but only on large farms cultivating produce for export. However, there is a growing public awareness of the health implications of pesticides. This provides an opportunity to strengthen legislation and educate the public on safe use and handling of pesticides for attaining self regulation.

TPRI provides Plant Quarantine Services on behalf of the Plant Health Services to prevent movement of quarantine pests in and outside the country. This requirement conforms to the International Plant Protection Conventions (IPPC), and PEPQS has been instrumental in facilitating export of crops and import of agricultural produce and germplasm. Because TPRI is a statutory body/government agency, it would normally provide these services under delegated authority. TPRI's Plant Health Inspectors can be designated as Inspectors under the PPA 1997 by the Minister.

TPRI, as an Agency of MAFC, is the post-entry quarantine station and undertakes phytosanitary activities as specified in the Plant Protection Act 1997 which came into force in 2001.

Key issues and challenges related to TPRI:

- It was indicated that the institute needs updated, accredited laboratory facilities (e.g. to better fulfill its role as plant quarantine station);
- General SPS awareness is low (e.g. amongst public and private sector stakeholders, including exporters);
- Some responsibilities of TPRI and Plant Health Services under MAFC are not clearly defined. It is understood that the Plant Protection Act of 1997 is under review and it is expected that the new Act will clearly define institutional responsibilities and competencies (regarding the issuance of phytosanitary certificates amongst other things).

4. Ministry of Livestock Development and Fisheries

Veterinary Services

The legislation pertaining to livestock control systems is based on the Veterinary Act 2003, which regulates the veterinary profession. There is statutory provision for a Competent Authority with the Director, Veterinary Services, as the officer with principal authority. The

intention and scope of the Act are in line with international responsibilities (OIE) and internal sources of authority.

The processing and sale of products of animal origin and hygiene in slaughterhouses under the Animal Diseases Act 2003 overlaps with provisions of the TFDA. This overlap has already been the subject of discussion between MLDF and TFDA by means of a joint task force.

Surveillance, inspection and enforcement. There is a core of professionals at the Headquarters of the Ministry of Livestock Development and Fisheries, overseeing programmes in various ministry units and associated inspection and surveillance. Equally, there is core of professional staff at the level of the LGAs, extending up to village level. However, there is a lack of capacity for surveillance at both national and LGA level, which has to contend with the zoonoses that are known to be present in Tanzania (Orchard et al, 2006).

Fisheries Division

In Tanzania, fish inspection and quality assurance is the responsibility of the Fisheries Division of the Ministry of Livestock Development and Fisheries. In meeting the challenges of removing the ban on exports of Nile perch to the EU around 2000, Tanzania has put in place a sound legislative and institutional base. The Fisheries Division (FD) is the National Competent Authority in charge of fish quality matters and was designated as the National Competent Authority with respect to fish export. In its capacity as the fish inspection body the FD is responsible for the health control of fish and fishery products. Its officers/inspectors carry out impromptu inspection of factory premises, processing lines, landing sites etc., to ascertain whether the respective safety and quality requirements are met and whether advice on remedial measures if any is needed. It is also the authority that issues health certificates for exported consignments.

The Fisheries Division under the Ministry of Livestock Development and Fisheries is principally responsible for fish and fishery products safety and quality assurance as provided for by the Fisheries Act of 2003.

The Fisheries Division is primarily mandated to ensure that two main objectives are met under the National Policy on the Fish and Fishery Products namely:

- enhancement of production of protein and post harvest losses reduction;
- improvement in quality and safety so as to ensure high values.

Duties and responsibilities:

- To undertake laboratory analysis of fishery products for export;
- Inspection of products and issuance of health certificates;
- Inspection of fish processing plants and fishing vessels;

- Enforcement of FAO CODES, Codex Alimentarius, OIE Aquatic Code and EU Council Directive 91/403/EEC on HACCP;
- Enforcement of FAO CODES, Codex Alimentarius and EU Food Law Reg. 178/2002, EU Reg. 852/2004 -Hygiene rules for food, EU Reg. 853/2004 - Specific hygiene rules for food of animal origin, EU Reg. 854/2004 - Specific rules for the official controls on products of animal origin intended for human consumption, EU Reg. 882/2004 -on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, EU Dir. 2002/99- on animal health (In force since 1 January 2005).

Issues raised at MLDF

- As for legislation and policies, the Fisheries Act of 2003 is currently under review. Fisheries regulations of 2005 have been reviewed and superseded by the 2009 version. The Fisheries Policy of 1997 is under review.
- The review of policy and Fisheries Act also needs to be seen in light of harmonization requirements within the East African Community. It was indicated that support is required for the harmonization of legislation and guidelines.
- Although the Fisheries Division has relatively good laboratory facilities (SANAS accredited for micro-biology parameters), updating of skills is required.
- Whilst there is a Fisheries Evaluation Committee, this is primarily involved with technical matters (e.g. monitoring of inspections) and less so on the policy side. The existing committee would either have to be modified in order to enable it to deal with technical SPS policy matters, or a new sub-committee would have to be established.
- MLDF does not have a technical sub-committee on livestock trade, as yet, although it was indicated that this would be useful.
- Awareness raising amongst private sector stakeholders (e.g. livestock traders) is important.
- A website would be useful for exchange of information amongst Ministries (e.g. as far as export licenses or sanitary certificates are concerned).

5. Tanzania Food and Drugs Authority

Tanzania Food and Drugs Authority (TFDA) under the Ministry of Health and Social Welfare became operational in 2003 and is the regulatory body to protect consumer health (food, drugs, cosmetics, medical devices), including for exported goods. Until recently the main function of TFDA was to register products and premises. In 2008 TFDA opened a well-equipped laboratory in their new premises to ascertain the quality, safety and effectiveness of food, drugs, herbal

drugs, cosmetics and medical devices manufactured or imported into Tanzania. International accreditation of the laboratory is under preparation.

TFDA was established as a semi-autonomous body under the Tanzania Food, Drugs and Cosmetics Act No. 1 of 2003, after repealing the Pharmaceutical and Poisons Act No. 9 of 1978 (which established the Pharmacy Board) and Food {Control of Quality} Act No. 10 of 1978 (which established the National Food Control Commission).

Amongst other things, TFDA's main functions include:

- register drugs, herbal drugs, cosmetic, herbal drug, food, food supplements and medical devices, applicable to both locally manufactured and imported products; once the Authority has satisfied itself of the safety, quality and effectiveness or performance of the product; it approves the product by giving a certificate of registration or marketing authorization;
- verify compliance to standard requirements and Good Manufacturing Practices (GMP) or Hazard Analysis Critical Control Point (HACCP) principles for manufacturing premises and register premises;
- inspect food, drugs, herbal drugs, cosmetics and medical devices at the manufacturing site, distribution channels and ports of entry including collection of samples for laboratory quality checks to ensure products which are or to be introduced into the market meet the standards of quality, safety and effectiveness. TFDA undertakes inspection at National, Zonal, Regional and District levels;
- for high risk foods it requires certain premises, e.g. handling of fish, meat and dairy, to demonstrate HACCP plans and certifies compliance;
- control import and export of food, drugs, herbal drugs, cosmetics and medical devices in order to ensure their safety, quality and effectiveness;
- undertake directly (or sub-contract) the analysis of food and/or food products to ensure safety for human consumption as part of the post-marketing product risk assessment programme;

TFDA related issues:

- TFDA is closely involved in the preparation of the National Food Safety Policy, which exists in draft form.
- Given that TFDA is a relatively new organization dealing with food safety matters, it is not surprising that there were initial overlaps with other organizations also dealing with food safety (e.g. TBS; Commodity boards such as the Dairy Board). Although it was possible to reduce some of the overlaps, it is expected that the new food safety policy will delineate more clearly MDA's responsibilities.

- TFDA provides the secretariat to the National Food Safety Committee (NFSC), which is operational since 2009, and chaired by the Chief Medical Officer. The NFSC includes members from different MDAs dealing with food safety matters although the private sector does not seem to be strongly represented. The fact that TBS sits on the NFSC and that TFDA sits on standard setting committees coordinated by TBS has helped to improve communication between the two organizations.
- TFDA has a well equipped quality control laboratory which is working towards ISO/IEC 17025 accreditation through SANAS.
- It has been pointed out that the TFDA legal and regulatory framework does not provide for TFDA to deal with food intended for export markets. Hence an amendment of the law establishing TFDA may be required.

6. Government of Zanzibar

With a share of 23% of GDP in 2005, agriculture (including livestock, forestry, and fisheries) is the second most important sector of the Zanzibar economy after services (51% of GDP in 2005) (The Revolutionary Government of Zanzibar, 2007). The fact that due to fruit fly Zanzibar is currently not in a position to export mangoes (e.g. to the Middle East) represents an example of SPS related trade constraints and the ensuing loss of income for producers and other stakeholders.

The Plant Protection Division belongs to the Zanzibar Ministry of Agriculture, Livestock and Environment. Whilst there appears to be little coordination with other technical services in Zanzibar (e.g. animal health or food safety related), there is close coordination between the Plant Protection Division of Zanzibar and the Plant Health Services of MAFC on Tanzania mainland.

Nonetheless there appear to be issues to be clarified over what are Union matters and what are matters to be dealt with by the Government of Zanzibar. For example, in the recent past a consignment of exported fruit has been intercepted in an overseas market with a phytosanitary certificate issued by the Zanzibar Plant Protection Division, which is currently not recognized as an issuer of phytosanitary certificates for exports.

International Trade is a Union Matter as per the Constitution of the United Republic of Tanzania (First Schedule, item 8); but operation of conformity assessment facilities such as laboratories for certification of exports is not part of the Union Matters. However in the event of a dispute on a policy issue that affects exports from Zanzibar, the Union Government will prevail.

Plant quarantine officers indicated that they lack some of the equipment, infrastructure (e.g. an accredited laboratory) and up-to-date skills to undertake their tasks. The lack of interaction and coordination with other Government services (e.g. Animal health inspectors, customs officers, police) is another challenge they are facing. Also, there is little or no information in advance on

cargos arriving in the port. As a result, cargos are often offloaded without coordination. The majority of cargos come from Tanzania mainland, followed by a few cargos from Kenya.

Although there is coordination between the Zanzibar Ministry of Trade, Tourism, and Investment (MTTI) with the Ministry of Industry, Trade, and Marketing (MITM), in practice participation in coordination meetings is often constrained for logistical reasons. At present, it appears the Zanzibar MTTI has little dealings with SPS matters. It was pointed out that to some extent the Zanzibar Food and Drugs Board (under Ministry of Health) is already coordinating SPS matters in that it includes senior members of all the relevant ministries.

Zanzibar does not have its own standards board, although it is expected that the Zanzibar Bureau of Standards Act, which is currently in draft form, will be passed later in 2010. There is a Zanzibar Business Information centre, which belongs to MTTI and which has received support from ITC in the past. Although it needs strengthening, it was indicated that it could potentially be used as Zanzibar SPS enquiry point and for the dissemination of notifications.

The Zanzibar Food, Drugs and Cosmetics Act 2006 led to the creation of the Zanzibar Food and Drugs Board in 2007, which already ensures high level collaboration between officials dealing with animal health, plant health, and food safety matters. For example, the ZFDC Board controls the import of pre-packaged food, whilst fresh food is controlled by the Ministry of Agriculture. As for challenges it was indicated, that the Board has not enough technical staff (e.g. food scientists) and equipment (e.g. express kits for testing of cargos on boats). The Zanzibar Food and Drugs Board has a new laboratory, although it is not yet accredited and samples have to be sent overseas (e.g. Singapore) if an accredited laboratory is required.

7. Private sector

Tanzania Horticultural Association (TAHA)

The Tanzania Horticultural Association (TAHA) was registered in 2004 and is the representative of the horticulture and floriculture industry in Tanzania. TAHA was established as a membership association to promote the production and export of cut roses, vegetables, flower cuttings, fruits and seeds and serves as the primary catalyst for action and for growth in the horticultural sector. TAHA's mission is "to promote the horticulture sector in Tanzania to become more profitable, sustainable, and participate more effectively in the development of the country.", whilst its vision is to create "a vibrant, prosperous and sustainable horticultural production in Tanzania."

According to the TAHA website, the association has created critical momentum unifying the industry to work in close concert with Government ministries and agencies, national and international banks and, international donor organizations in order to realize a consolidated air freight cargo service, to expand international trade and marketing opportunities, to support international investment opportunities and assure program success with targeted training programs. In this context, TAHA activities include:

- Lobbying and advocacy

- Information dissemination
- Technical support to TAHA Members

In view of the above, TAHA is involved in a number of initiatives, such as:

- Tanzania Air Freight Project;
- Smallholder Horticultural Outgrowers Promotion;
- Promoting Investment Through Enhancing Plant Breeders Rights Legislation;
- Industry Driven Training Project for the Export Horticulture;
- Market Oriented Strategy for Pesticide Regulation and Control;
- Implementation of a small project funded by STDF and monitored by ITC on the establishment of a Horticulture Development Council.

Part of TAHA activities are funded through membership fees and part are funded through donor projects (about two thirds) funded by the Government of the Netherlands, USAID, or the MITM coordinated Tanzania Trade Integration Strategy.

Issues and challenges faced by TAHA members include:

- Uncoordinated inspections at the border (e.g. by MAFC/Plant Health Services; TBS; TRA.), which require harmonisation. Also, border openings between neighbouring countries (e.g. Tanzania and Kenya) are not coordinated.
- There are no accredited laboratories for plant health in Tanzania, as a result of which samples have been sent to the Netherlands.
- There are not enough inspectors, and those who are in place lack facilities.
- Government services have difficulties to understand private sector standards such as GlobalGAP.
- Examples of SPS related bans or notifications which exporters face or have faced include the ban of exporting mangos to the Middle East, and interceptions due to MRLs.

As for SPS coordination, the TAHA CEO is a member of the National SPS Committee, which has started to operate in August 2009. Given that Ministries tended to 'do their own things' it is acknowledged that this is a step in the right direction. Overall, TAHA appear to be well connected with the Government and donor network, coordinating their activities with relevant authorities.

Tanzania Industrial Fishing and Processors Association (TIFPA)

The Tanzania Industrial Fishing and Processors Association (TIFPA) provides a link between the industry and the regulatory authorities. As such, their main activities include coordination, lobbying, and advocacy. TIFPA works closely with the Fisheries Division and is informed by the latter if Tanzanian fish exports are intercepted in overseas markets. In mid-2010, TIFPA has 15 members (i.e. 4 processors of marine fish and seafood, and 11 processors on Lake Victoria who mostly process and export Nile Perch).

At present TIFPA members appear more worried about falling stock levels and related shortages of raw material supply. As a result, TIFPA members are participating in a scheme of self-regulation whereby inspectors can visit processing facilities and measure the size of fish being processed. Resulting reports are being sent to the Association and the Competent Authority (Fisheries Division). If processors are caught processing under-size fish this may lead to a temporary export ban for the company concerned or withdrawal of the license if the offence is repeated.

Although the TIFPA Executive Secretary participates in some SPS related coordination meetings, this appears to be partial. This may be partly related to communication. For example, a TIFPA representative has participated in the first meeting of the National SPS coordination committee but not in the second one.

Overall, it appears TIFPA requires capacity building, for example in areas related to information gathering and dissemination.

Tanzania Chamber of Commerce, Industry and Agriculture (TCCIA)

TCCIA is one of two business associations in Tanzania. Whilst the Confederation of Tanzanian Industries (CTI) represents the larger-scale industrial sector, the Tanzania Chamber of Commerce, Industry and Agriculture (TCCIA) is more representative of the SME sector. TCCIA was established in 1988 with the support of the Tanzanian Government to strengthen the private sector. The establishment of TCCIA was an important step in moving on from a centralized, planned economy towards a more open, mixed economy giving full scope to privately owned enterprises and farms.

TCCIA has opened regional offices in all 21 regions of mainland Tanzania and over 90 district centres, which are autonomous in their operational activities. Assistance by SIDA (Swedish International Development Agency) has played a vital role in the establishment of the regional and district Chambers especially in providing training, office equipment and mobilization/sensitization of the business community.

These autonomous TCCIA Chambers in 21 regions of the country link the private sector to the Government with a view of promoting the development of private enterprise. By linking issues central to business, the Chamber serves an arena where dialogue with the government serves to promote sustained growth and development of the private sector.

Activities and services of TCCIA include the following:

- Dialogue, advocacy and lobbying;
- Business information services;
- Business partner match-making;
- Trade exhibitions/business delegations;
- Training and workshops;
- Provision of linkages to various local and international bodies;
- Business consultancy;
- Secretarial and internet services in its regional and district branches;
- Sector specific surveys and database creation;
- Certificates of Origin.

In the context of this study, the last point is of particular interest in that TCCIA have been mandated by the MITM as the sole issuer of certificates of origin for products originating from Tanzania. It issues seven types of certificates: ICC, EAC, SADC, SACU-MMTZ, EUR1, GSP AGO and SPT (China) (Source: TCCIA information leaflet).

8. Tanzania's membership in RECs

Tanzania is a member of both the East African Community (EAC) and Southern African Development Community (SADC), but not COMESA (Common Market for Eastern and Southern Africa).

The East African Community (EAC) is the regional intergovernmental organization of five Partner States: the United Republic of Tanzania, the Republic of Uganda, the Republic of Kenya, the Republic of Rwanda and the Republic of Burundi. The EAC Headquarters is located in Arusha, Tanzania. The EAC countries established a Customs Union in 2005 and are working to strengthen the Common Market which came into force on 1 July 2010. Medium to long-term goals of the EAC include a Monetary Union by 2012 and ultimately a Political Federation of the East African States.

Harmonized East African Community (EAC) SPS measures are being developed in pursuance of Articles 105 to 108 of the EAC Treaty for the Establishment of the East African Community and Article 38 (1) (c) of the Protocol on the Establishment of the East African Community Customs Union which are consistent with World Trade Organization Agreement on Application of Sanitary and Phytosanitary Measures (WTO-SPS Agreement), International Plant Protection

Convention (IPPC), Codex Alimentarius Commission (CAC), World Organization for Animal Health (OIE), and other relevant agreements.

As a result, a Draft EAC Sanitary and phytosanitary (SPS) Protocol has been prepared and approved by the Council of Ministers in May 2010. It is expected to be ratified later in 2010. Amongst other things, the objectives of this Protocol are to:

- establish a framework of rules and disciplines to guide the development, adoption, enforcement and harmonisation of sanitary and phytosanitary measures within the Community and to further implement the principles and provisions of the WTO SPS agreement.
- establish a framework for operation and implementation for the Community Harmonized Sanitary and Phytosanitary measures within the Community.

As part of the institutional arrangement of the Protocol (Article 19), it is envisaged that the Partner States establish a steering committee to be known as the EAC Sanitary and Phytosanitary (SPS) Committee and national SPS committees to provide administration of SPS measures and other related matters. The EAC SPS Committee shall comprise of:

- a) four sanitary and phytosanitary experts from each Partner State and drawn from government institutions responsible for plant health, animal health, fisheries, food safety
- b) one expert from the Ministry responsible for trade from each Partner State ;
- c) one Sanitary and Phytosanitary Measures expert from the Secretariat who shall be the Secretary.

The Committee may co-opt other persons, depending on the need, who shall be ex-official members. Also, it is expected that Partner States form a national SPS committee or its equivalent made up of national sanitary and phytosanitary experts.

As indicated above, Tanzania is also a member of SADC. The SADC Protocol on Trade, which entered into force in 2008, has an SPS Annex. Article 14 of the latter outlines that SADC Member States will establish a SADC Sanitary and Phytosanitary Coordinating Committee comprising of representatives of each National Committee on Sanitary and Phytosanitary Measures.

Appendix A of the SADC Protocol on Trade/SPS Annex outlines requirements related to transparency of sanitary and phytosanitary regulations (e.g. publications of regulations, enquiry points, and notification procedures).

The fact that Tanzania belongs to two RECs (i.e. EAC and SADC) poses a challenge in that the country is expected to fully engage in both. For example, limited resources may make it difficult for the country to attend all meetings of the respective SPS Coordination Committees.

In addition, it should be noted that there are ongoing discussions about further integration between COMESA, EAC and SADC. A Tripartite Summit was held in Kampala on 20 October 2008. The Secretariats of SADC, COMESA and EAC are working jointly to prepare legal documents necessary to establish a single Free Trade Area (FTA).

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