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Required Report - public distribution

Date: 1/12/2016

GAIN Report Number:

Venezuela

Food and Agricultural Import Regulations and Standards - Certification

FAIRS Export Certificate Report

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Report Highlights:

This report identifies the different export certification requirements currently in place by product. The Government of the Bolivarian Republic of Venezuela (GBRV) is responsible, through its different Ministries, for issuing import permits, import licenses and conducting processed food product registrations. Post updates only minor changes in this report.

Author Defined:

DISCLAIMER: This report was prepared by the Office of the Agricultural Affairs of the USDA/Foreign Agricultural Service in Caracas, Bolivarian Republic of Venezuela for U.S. exporters of domestic food and agricultural products. While all possible care was taken in the preparation of this report, information provided may not be complete either because policies change with little or no notification, or because clear and consistent information about new policies was not available. In addition, due to the current critical food supply situation in Venezuela, it has been reported that import requirements and certifications can be waived for shipments on a case-by-case basis. It is highly recommended that U.S. exporters verify the full set of import requirements and registration requisites with their foreign customers, who are normally best equipped to research such matters with local authorities, before any product is shipped. **FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

Section I. List of All Export Certificates Required By Government (Matrix):

This report is intended for U.S. exporters and focuses on documentation required for products entering Venezuela.

Summary:

According to current animal and plant health and food safety standards and regulations, the GBRV requires three basic export certificates depending on the product to be imported. These documents are sanitary and/or phytosanitary health certificates and food health certificates from the country of origin (certificate of free sale in the case of the US). The Venezuelan importer is responsible for submitting these documents to the appropriate Customs and government inspection authorities when a shipment arrives at the port of entry. Failure to present the required documents will lead to delays in releasing the shipment for entry into the country and in some cases rejection of the shipment altogether. There were no changes to Venezuelan regulations for export certification in the past year, but exporters should be aware that obtaining the necessary import permits and import approvals for Venezuelan buyers have become more tedious and complicated, especially regarding requests for foreign exchange, specifically U.S. dollars.

Imports of food and agricultural products are subject to a list of import requirements provided in the Venezuelan Harmonized Tariff Schedule (Spanish: *Arancel de Aduanas*), by a product's tariff schedule (Spanish: *regimen legal*). These requirements include among others, sanitary import permits, import licenses, and product registration certification.

There are multiple government Ministries responsible for the issuance of the required import documents. The Ministry of Agriculture and Lands (MAT) issues animal and plant health import permits; the Ministry of Food (MINAL) issues import licenses based on need for imports and the Ministry of Health (MINSALUD) issues food registration certification for all domestic and imported processed food products. Food products not registered in the country of origin cannot be registered in Venezuela. The import permit outlines which export certificates are needed and what they should say. In addition to the import permits and licenses, Venezuelan importers must also submit a report

contesting to the need for imports, for which the government will provide a certificate of no-production. Then, the importer must request from the government U.S. dollars at the official rate or what is known as AAD or Authorization for the Acquisition of Exchange throughout the government agency CENCOEX. The process from the time the no-production certificate is requested to the time the exporter receives payment, takes on average 4-5 months for products eligible for preferential processing. It can take up to nine months or longer if the product is not on the preferential product list. The table below shows the required export certificate by product type.

Table: 1. U.S. Export Certificates Required by Product Categories

Product(s)	Title of Certificate	Attestation Required on Certificate	Purpose	Requesting Ministry
All Processed foods and beverages	Country of Origin and/or Free Sale Certificate	The products exported are produced and marketed in the United States in general conformity with US requirements	Food safety/ Fulfill health requirements according to local sanitary authorities.	MINSALUD and INSAI (Ministry of Health and Ministry of Agriculture)
Plants and plant products	Phytosanitary Export Certificate	Fulfill health requirements according to import permit and sanitary inspection.	Plant health and food safety	INSAI (regulatory agency of the Ministry of Agriculture)
Animals and animal products	Health Certificate/ Sanitary Certificate	Fulfill health requirements according to import permit and sanitary inspection.	Animal health and food safety	INSAI (regulatory agency of the Ministry of Agriculture)
Meat Products	Meat Inspection Certificate	Export Certificate of Wholesomeness for meat	Food safety/ Animal Health Protection	MINSALUD and INSAI (Ministry of Health and Ministry of Agriculture)

Source: Office of Agricultural Affairs (OAA), U.S. Embassy Caracas

1. Animal Products and Unprocessed Plant Products

The MAT Venezuelan Agricultural Health Service (INSAI) is the primary animal and plant health regulatory agency within the GBRV and is responsible for quality control and inspection of everything related to the manufacture, processing, importation, exportation, storage, distribution, and marketing of food, biological products, medications and animal feed, as well as for the laboratories that control the quality of these products. INSAI has responsibilities equivalent to those of the U.S. Department of Agriculture’s Animal and Plant Health Inspection Service and the Food Safety Inspection Service, as well as the U.S. Food and Drug Administration.

INSAI is in charge of issuing phytosanitary or sanitary import permits for imported products and sub-products of plant or animal origin, and animals and plant breeding material. The following guidelines are provided by INSAI:

- Prior to importing animal products and/or unprocessed plant products, importers should request and obtain a sanitary health import permit from INSAI.
- Required sanitary/phytosanitary (SPS) statements (treatment and other conditions) for each type

of product are decided by INSAI on a case-by-case basis.

- Required SPS statements are written on the import permit issued by INSAI.
- The “remarks” section of the export certificate on the FSIS or APHIS letterhead certificate should include the required SPS statements requested in the import permit, and should be written both in English and Spanish.
- An APHIS veterinarian or equivalent FSIS official must sign the export certificate.
- No product should be loaded in a vessel before the import permit is received and the sanitary statements required are written and verified on the USDA export certificate.
- INSAI’s import permits have a non-renewable period of validity of between 60 and 90 days, depending on the product.
- Sanitary import permits are issued for animal products and livestock-farming inputs (valid for 60 days).
- Phytosanitary import permits are issued for plant products (valid for 90 days).
- Import permits are only valid for one shipment.
- Every shipment must be accompanied by an import permit and its corresponding APHIS or FSIS export certificate.

2. Processed Animal Products

An FSIS certificate must accompany each shipment of meat and poultry and/or products. Below are the certificate requirements of the GBRV currently included in the FSIS export library. Venezuelan importers are required to have an import permit before importing meat and poultry products. All FSIS inspected meat and poultry plants are eligible to export to Venezuela.

Eligible/Ineligible Products

A. Eligible:

1. Pork.
2. Cooked poultry products.
3. Natural pork casings.

B. Ineligible:

1. Ruminant meat and ruminant meat products.

Plants Eligible to Export:

All U.S. government inspected meat and poultry plants are eligible to export to Venezuela.

Information on documentation requirements at:

<http://www.fsis.usda.gov/wps/portal/fsis/topics/international-affairs/exporting-products/export-library-requirements-by-country/Venezuela>

3. Processed Food Products

All domestic and imported processed food products must be registered with MINSALUD before being sold to Venezuelan consumers. With the exception of special cases, determined ad hoc by MINSALUD, such as GBRV sales to the military, all new-to-market foreign food products must be

submitted for registration before being imported. MINSALUD, through its Sanitary Control Service (Spanish: Servicio Autónomo de Contraloría Sanitaria) and its Food Hygiene Division (Spanish: División de Higiene de los Alimentos), implements food safety regulations and standards.

The registration of processed food products is valid for five years. After five years, a new application should be made to MINSALUD for renewing the registration. *(Although Venezuelan law does not prohibit foreign exporters registering food products, a local consultant or agent may prove to be the best resource to complete the food registration process.)* There are no exporter documents required to prove or certify that a product is registered with MINSALUD.

Required documents for Registering Imported Food Products in Venezuela:

The fulfilling of the following procedures and requirements is the responsibility of the importer. However, to fully comply with the product registration requirement, the exporter may have to provide documents or assist in obtaining documents and certifications from the manufacturer.

1. Complete the form (SIE-5-197) from the Sanitary Food Registry Division of (Spanish: Registro Sanitario de Alimentos, RSA) MINSALUD and attach a stamp duty.
2. Certificate of Free Sale and Consumption in force, issued by the competent authorities of the country of origin. This should be apostilled or sealed by a Public Notary in the country of origin.
3. Notarized Power of Attorney from the Manufacturer to the Importer.
4. Certificate of the Physicochemical and Microbiological Analysis from the country of origin issued by the official laboratory.
5. Authorization from the Importer to the representative or advisor to do the Sanitary Registration (Notarized Power of Attorney).
6. Three (3) Originals Labels of the product as it is sold in the country of origin.
7. Proposed Draft labels.
8. Copy of the Importer Mercantile Registry (Company Registry).
9. A control sample of the product.
10. Physicochemical and microbiological analyses of the product made in Venezuela, as specified by the Venezuelan COVENIN norms. The food products listed below should go to the labs of "Instituto Nacional de Higiene Rafael Rangel" or to other official laboratories:

Meat products, wheat flour, fish products, dairy products (except ice-cream), poultry products and their derivatives, corn flour, food supplements of vitamins and minerals, dietary supplements, food products that declare nutrition properties, special dietary, infant formula, natural products qualifying to be registered within RSA, fortified foods, liquors, and those which are outside the above list can go to

private laboratories accredited by SENCAMER.

NOTE: In order to register a product, all documents issued abroad must be authenticated by the Venezuelan Consular officials accredited in the country of origin and are valid for one (1) year, counted from the date of issuance, and if written in a language other than Spanish, must be translated into Spanish by a certified interpreter.

Free Sale Certificate

Venezuela requires a “sanitary/health export certificate” for processed or semi-processed food products issued by competent authorities in the country of origin. The certificate must state that the food is for human consumption, processing, or for use as an input in food for human consumption in the country of origin, with a period of validity of 12 months from the date of application.

Since the Venezuelan Harmonized Tariff Schedule does not mention “Free Sales Certificates” but “Sanitary Export Certificates” (Spanish: Permiso Sanitario de Exportación) the Venezuelan custom authorities are stricter with these documents. Venezuela does not accept sanitary/health export certificates issued by local or state authorities. Product must be accompanied by documentation supported by FDA and/or USDA-APHIS, depending on the product. The Certificate of Free Sale and Consumption issued by competent authorities in the country of origin **must always be “apostilled” or stamped by a Public Notary** as per The Hague Convention on Foreign Public Documents.

In case that the Certificate of Free Sale does not satisfy the certification requirements of the Venezuelan Custom Authorities (SENIAT) they may ask for additional information or testing. If this is the case, after a scientific evaluation, the Venezuelan APHIS equivalent, INSAI, will decide whether or not to accept the Free Sale Certificate. INSAI has the authority to recommend the acceptance of the Certificate, however there is a long history of accepting “Free Sale Certificates” from third countries, based on common sense and its scientific knowledge.

Sometimes there may be situations where customs officials may not accept certain semi-processed and processed food products that are normally exempt from “sanitary certificates” issued by third countries. In these cases it is necessary to obtain an explanatory letter from USDA stating that the said product was processed or manufactured to the extent that there is negligible risk of harboring quarantine plant pests.

4. Wood Packing Material

All wood packaging materials arriving into Venezuela must carry the agreed international seals certifying that the wood has been treated as recommended by the International Plant Protection Convention ‘s Guidelines for Regulating Wood Packaging Material in International Trade, effective August 1, 2005.

Section II. Purpose of Specific Export Certificate(s)

1. Country of Origin/Free Sale Certificate

The MINSALUD Food Hygiene Division requires a Health Certificate from the Country of Origin (Spanish: Certificado Sanitario del país de Origen) to ensure that the food or beverage imported into Venezuela is also commercialized in the country of origin. In other countries they are also known by other names, such as: Certificate of Free Sale.

2. Phytosanitary Health Certificate

The MAT animal and plant health agency, INSAI, requires a Phytosanitary Certificate (Spanish: Certificado Fitosanitario) to ensure that import requirements mitigate the risks of plant pest and diseases entering Venezuela. Certificates must be issued by a relevant competent authority of the exporting country.

3. Sanitary Import Certificate – Export Certificate

INSAI requires a Sanitary Import Certificate (Spanish: Permiso Sanitario de Importación) to prevent the importation of animals, or their by-products, with sanitary problems in order to protect domestic animal health and to ensure food safety. The sanitary certificate, provided by the competent sanitary authority of the exporting country, must comply with local import requirements.

Section III. Specific Attestations Required on Export Certificate(s)

Specific SPS statements (treatment and other conditions) are required for each type of product and are determined by INSAI's authorities on a case-by-case basis. Such SPS statements are provided by INSAI authorities when an application for an import permit is submitted by an importer.

Section IV. Government Export Certificate's Legal Entry Requirements

- Original SPS certificates from the country of origin need to accompany the product at the time of entry.
- SPS certificates from the country of origin are only accepted for one shipment and one specified port of entry.
- The Venezuelan Government does not accept "Suppliers or Manufacturers Export Declaration" as proof of compliance.
- For processed food products no specific certificate from the exporting country is required at the time of entering Venezuelan ports, if the product has been already registered within MINSALUD.
- The Venezuelan Government does not accept sanitary export certificates by US state-level authorities.

Section V. Other Certification/Accreditation Requirements

The Venezuelan Government provides information about import requirements through its Harmonized Tariff Schedule (Spanish: Arancel de Aduanas). The Legal Regime varies from product to product. The following table lists the different import requirements:

Table: 2. Import Requirements

Legal Regime	Description
Note 1	Prohibited Import
Note 2	Imports reserved to the Government
Note 3	Permit from the Ministry of Health
Note 4	Permit from the Ministry of Science, Technology & Innovation
Note 5	Sanitary Certificate from the Country of Origin
Note 6	Sanitary Permit from the Ministry of Agriculture and Lands
Note 7	Permit from the Ministry of Defense
Note 8	Import License administered through the Ministry of Food
Note 9	Import License administered through the Ministry of Commerce
Note 10	Permit from the Ministry for the Environment
Note 11	Permit from the Ministry of Petroleum and Mining
Note 12	Sanitary Registry issued by the Ministry of Health
Note 13	Sanitary Registry issued by the Ministry of Agriculture and Lands
Note 14	Permit from the Ministry of Food
Note 15	Permit from the Ministry of Industries
Note 16	Import License administered by the Ministry of Science, Technology & Innovation
Note 17	Permit from the Ministry of Electric Power

Source: SENIAT/ Extraordinary Official Gazette No. 6.097 March 25, 2013

Import Licenses for Basic Agricultural Products

Under its World Trade Organization (WTO) commitments, Venezuela is entitled to administer tariff rate quotas for up to 62 HS code headings. The tariff rate quotas are administered through an import license regime. MINAL is responsible for issuing import licenses, but approval is subject to the concurrence of the “Inter Ministerial Commission,” which consists of the following ministries: Ministry of Finance (MINFINANZAS), Ministry of Commerce (MINCOMERCIO), MAT, MINAL, and MINSALUD.

The latest guidelines and requirements for applying for an import license were published in the Official Gazette No. 38,452 from June 06, 2006, although the GBRV has made more recent changes.

The validity of import licenses for a certain group of food products considered essential, defined by the government, is valid for six-month to one-year periods. Products that benefit from an extended import license are milk and cream, cheese, sorghum, soybean oil, palm oil, and coconut oil. Import licenses are valid for three to four months, for non-essential products.

The basic guidelines are:

- Import licenses are valid for four, six or twelve month periods, and can only be renewed if, on expiry, they have not been used for reasons outside the importer’s control.
- When applying for a license, local importers are required to submit a monthly list of actual imports, sharing information on volumes and values, together with the invoice of the most recent import and the volume and value of the merchandise in question.
- The importer must indicate the amount of the allocated quota that remains unused.

- Local importers are required to obtain a certificate that the import in question is not domestically produced (Spanish: Certificado de NO-Producción) and/or a certificate indicating that the import is a product that is not sufficiently produced domestically (Spanish: Certificado de Insuficiencia) from MINCOMERCIO, prior to obtaining import licenses.

Table 3. List of products that are subject to import licenses

Yellow corn	Sorghum
Soya beans	Palm nuts and kernels
Soya bean oil	Other oils
Palm oil	Sunflower seed oil
Coconut oil	Other vegetable fats and oils
Soya bean cake	Animal and vegetable fats
Degras, yellow grease	Milk and cream, not concentrated
Milk in powder, not exceeding 1.5% fat	Whole milk 26%
Cheese	Sugar cane

Source: SENIAT – Venezuelan HS Schedule / Note 2.

For those products where the licensing system has not yet been implemented such as beef, pork and poultry, the GBRV restricts the issuance of SPS permits.

APPENDIX I

A. Services and Agencies under MINSALUD

Servicio Autónomo de Contraloría Sanitaria

Dirección de Higiene de

Edificio Sur, Piso 3, Of. 313

Centro Simón Bolívar, Caracas

Tel: (58-212) 408-0502 / 408-0474 / 408-0482

Fax: (58-212) 483-1533

Web-page: <http://www.sacs.gob.ve/site/>

Instituto Nacional de Higiene Rafael Rangel

Gerencia de Control y Registro de Alimentos

Ciudad Universitaria UCV, Los Chaguaramos, Caracas

Tel: (58-212) 219-1670 / 219-1663

Web-page: <http://www.inhrr.gob.ve>

B. Services and Agencies under the MAT

Main Office

Av. Urdaneta, Esquina de Platanal a Candilito, Edificio MAT

La Candelaria

Caracas 1010, Venezuela

Tel: (58-212) 509-0188/0121/0111

Tel: (58-243) 672-6880

Fax: (58-212) 574-2432

Web-page: <http://www.mat.gob.ve>

INSAI

Ave. Francisco de Miranda con 3ra Ave. Los Palos Grandes,
Parque Cristal, Torre Oeste, piso 2, oficina 2-3

Caracas, Venezuela

Tel. (58-416) 618-7796/ (58-416) 643-6288

E-mail: presidencianuevoinsai@gmail.com

And/or direcciongeneralinsai@gmail.com

Web-page: <http://www.insai.gob.ve>

C. MINAL

Main Office

Av. Andrés Bello, Edif. Las Fundaciones

Caracas 1010, Venezuela

Tel: (58-212) 507-2649/ 507-2647 / 395-7474

E-mail: minpalexportaciones@minpal.gob.ve

Web-page: <http://www.minpal.gob.ve>

D. IMPORT LICENSES

MINAL issues import licenses (Spanish: Licencias de Importación) to importers for basic agricultural products considered as essential by the GBRV. Under its WTO commitments, Venezuela is entitled to administer tariff rate quotas for up to 62 HS code headings. The tariff rate quotas are administered through an import license regime. Given Venezuela's critical food supply issues, it is not enforcing the TRQ agreement. Import licenses are valid for one year, and can only be renewed if, upon expiration, they have not been used for reasons outside the importer's control. The following is the list of products that are subject to import licenses:

List of Products that Require Import Licenses

HS CODE	PRODUCT
1005	Yellow corn
1007	Sorghum
1201	Soya beans
1207	Palm nuts and kernels
1507	Soya bean oil
1510	Other oils
1511	Palm oil
1512	Sunflower seed oil
1513	Coconut oil
1515	Other vegetable fats and oils
1518	Animal and vegetable fats
1522	Yellow grease
1701	Sugar cane

2304	Soya bean cake
0401	Milk and cream, not concentrated
0402.10	Milk in powder, not exceeding 1.5% fat
0402.21	Whole milk 26%
0406	Cheese

Source: Venezuelan HS Schedule

E. Contact Information USDA/ FAS Caracas Office

OAA

American Embassy Caracas

Calle F c/c Suapure, Colinas de Valle Arriba

Caracas 1070, Venezuela

Tel: (58-212) 907-8333

Fax: (58-212) 907-8542

Email: AgCaracas@fas.usda.gov

Web-page: <http://caracas.usembassy.gov/about-us/agricultural.html>