

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY  
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT  
POLICY

Required Report - public distribution

**Date:** 10/7/2009

**GAIN Report Number:** 9012

## **Guatemala**

### **Food and Agricultural Import Regulations and Standards - Certification**

#### **FAIRS Export Certificate Report**

**Approved By:**

Robert Hoff, Agricultural Counselor

**Prepared By:**

Karla Tay, Agricultural Specialist

**Report Highlights:**

This report provides a detailed explanation of the export certificates that Government of Guatemala requires for U.S. food and agricultural products to be imported. It contains links to official sites where specific inquiries can be made and responded to (for example, microbiological criteria or standards that must be complied with). It also provides a matrix of certificates required for certain processed products, which have requirements from both the Ministry of Agriculture and the Ministry of Health.

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

The Norms and Regulations Unit of the Ministry of Agriculture (MAGA-UNR) is the official entity that reviews all export

certificates and issue import licenses. All food products, fresh or processed, must have in place all their export certificates to receive the approval of MAGA-UNR's. If the product is processed, an additional registration procedure must be followed to acquire a permanent registration number (please refer to Guatemala FAIRS report GT9011). To receive the license, the following import documents (ORIGINALS) will be required for any animal or vegetable product for food consumption:

- Certificate of Origin: issued by the official entity, sealed and signed.
- Sanitary and/or Phytosanitary Certificate: the Sanitary certificate is equivalent to the Animal Health Certificate and the Phytosanitary Certificate is equivalent to the Plant Health Certificate. These plant or animal health certificates are issued by the official entity, sealed and signed by inspectors of the official list. APHIS will provide plant health certificates and animal health certificates while FSIS will issue meat export certificates (both for animal health purposes as well as for food safety purposes). If the product is for re-export, the country of origin certificate (sanitary or phytosanitary) should also be included and the U.S. re-export certificate (sanitary or phytosanitary) must clearly indicate the country of origin of the animal product or plant material.
- Commercial Invoice (exporter, recipient, date, invoice #, product description, unit price, net and total weight, type of exchange, CIF and FOB value).
- Bill of Lading
- Free Sale Certificate: issued by the official entity from its origin and must indicate that the product is suitable for human consumption, if applicable). At present, Government of Guatemala (GOG) is considering elimination of the Free Sale Certificate for Animal Products, as the FSIS certificate satisfies the food safety purpose of the free sales certificate. It is not official, however.
- Certificate of Analysis: laboratory analysis

Copies of these documents must be sent to your Guatemalan representative to advance the import license process. If food products are to be exported, the law requires a legal representative in Guatemala, who needs to have:

- Copy of the Sanitary License that accredits the company as an official importer;
- Copy of the Certificate of Sanitary Registration of the exporting company, issued by official authority;
- Copy of Eligibility Certificate of the country to export to Guatemala, if applicable (all plants under federal inspection are eligible as exporters)

The law requires inspections at the point of entry and at the wholesale and retail levels for the wholesomeness of the product. Natural foods, non-processed foods, raw materials and food additives do not require registration. For plant material imports not intended for human consumption, only the first four documents are needed; i.e. there is no need for a free sales certificate.

The Ministry of Economy published Ministerial Agreement No. 0573-2006 on October 17, 2006, which eliminates the need for a phytosanitary certificate as a requirement for both imports and exports, an agreement in line with Resolution (175-2006) issued by the Central American Economic Integration Committee (COMIECO). This applies to the following products and by-products of vegetable origin:

- vegetable fats and oils and their products (crude or refined)
- prepared or preserved vegetables, fruits or nuts
- dried vegetables, fruits or nuts

- coffee, tea, mate and species
- cereals and vegetable products
- raw materials used primarily in dyeing or tanning
- prepared foods
- miscellaneous edible preparations
- beverages, spirits and vinegar

Whether a product is eligible to enter will depend upon a risk assessment of the exporting country taking into account the presence or absence of certain diseases in Guatemala. All fresh or processed animal products are considered high risk. Plants under this high-risk category include: fresh or dehydrated medicinal plants; ethnic, fresh and dried fruits; grains and flours; ethnic and fresh vegetables; fruit and vegetable pulp either frozen or specially treated. For fresh vegetable products, considered in the high-risk category (please refer to Guatemala FAIRS report GT9011), a phytosanitary certificate needs to be included in addition of the Free Sales Certificate.

Guatemala’s import requirements for the Sanitary and/or Phytosanitary Certificates are very strict. Export Certificate requirements are based on sanitary concerns in accordance with the exporting country’s SPS status. However, Guatemala has granted some concessions to the United States, since it is Guatemala’s main trade partner and due to good government-to-government communications. In March 2006, Guatemala recognized the U.S. food safety inspection system as equivalent. Therefore, for U.S. meats and products, the FSIS Certificate of Wholesomeness is considered valid for Sanitary, Microbiological, and Free Sales purposes. Analytical certificates still need to be presented for all frozen and processed products to expedite registration. U.S. exports often require an “attestation” of the corresponding certificates. Following is a table describing in detail attestations required in Guatemala for some products. The complete list of microbiological and analytical requirements for exports certificates can be found at: [http://portal.mspas.gob.gt/indice\\_de\\_alimentos.html](http://portal.mspas.gob.gt/indice_de_alimentos.html), as well as corresponding laws, regulations and agreements. It is important to note that in June 2009, harmonized microbiological standards were established for Central America (please review previous link).

| <b>U.S. Origin or State</b> | <b>Product (s)</b> | <b>Title of Certificate</b> | <b>Attestation Required on Certificate</b>  | <b>Purpose</b> | <b>Requesting Ministry</b> |
|-----------------------------|--------------------|-----------------------------|---|----------------|----------------------------|
| <b>FLOURS AND OTHERS</b>    |                    |                             |   |                |                            |
| U.S., GEORGIA               | Wheat Flour        | Phytosanitary Certificate   | Shipment is free of:<br>Cryptolestes ferrugineus,<br>Cryptolestes pusillus, Liposcelis bostrychophila         | Quarantine     | Agriculture – OIRSA        |
|                             |                    | Microbiological Certificate | Total bacterial count<br>Feces coliforms (E. coli)<br>Molds and yeasts counts<br>Salmonella sp.               | Health         | Health - Food Control      |
|                             |                    | Certificate of Analysis     | Moisture<br>Gluten<br>Histological elements<br>Minerals (iron, calcium, potassium bromate) if bakery intended |                |                            |

|      |                  |   |  |                          |  |
|------|------------------|---|--|--------------------------|--|
|      |                  |   | Folic acid, Niacin, Vitamins B1 and B2   |                          |  |
| U.S. | Rice Flour       | Phytosanitary Certificate   | Shipment is free of: Ahasverus advena, Carpophilus hemipterus, Corcyra cephalonica, Cryptolestes ferrugineus, Cryptolestes pusillus, Liposcelis bostrychophila, Stegobium paniceum, Tribolium confusum, Trogoderma variabile   | Quarantine               | Agriculture - OIRSA                                    |
| U.S. | Oat Flour        | Phytosanitary Certificate<br><br>Microbiological Certificate<br><br>Certificate of Analysis | Shipment is free of: Ahasverus advena, Carpophilus hemipterus, Corcyra cephalonica, Cryptolestes ferrugineus, Cryptolestes pusillus, Liposcelis bostrychophila, Stegobium paniceum, Tribolium confusum, Trogoderma variabile<br><br>Total bacterial count<br><br>Moisture<br>Artificial dyes   | Quarantine<br><br>Health | Agriculture - OIRSA<br><br>Health - Ministry of Health |
| U.S. | Corn Flour       | Phytosanitary Certificate<br><br>Microbiological Certificate<br><br>Certificate of Analysis | Shipment is free of: Ahasverus advena, Carpophilus hemipterus, Corcyra cephalonica, Cryptolestes ferrugineus, Cryptolestes pusillus, Liposcelis bostrychophila, Stegobium paniceum, Tribolium confusum, Trogoderma variabile<br><br>Total bacterial count<br>Feces coliforms (E. coli)<br>Molds and yeasts counts<br>Salmonella sp.<br><br>Moisture<br>Histological elements<br>Minerals (iron, calcium, potassium bromate) if bakery intended<br>Folic acid, Niacin, Vitamins B1 and B2 | Quarantine<br><br>Health | Agriculture - OIRSA<br><br>Health - Ministry of Health |
| U.S. | Corn Semolina    | Phytosanitary Certificate   | Shipment is free of: Ahasverus advena, Carpophilus hemipterus, Corcyra cephalonica, Cryptolestes ferrugineus, Cryptolestes pusillus, Liposcelis bostrychophila, Stegobium paniceum, Tribolium confusum, Trogoderma variabile   | Quarantine               | Agriculture - OIRSA                                    |
| U.S. | "Lupul" extract  | Phytosanitary Certificate   | NONE   | Quarantine               | Agriculture - OIRSA                                    |
| U.S. | Edible mushrooms | Phytosanitary Certificate   | NONE - except for species name   | Quarantine               | Agriculture - OIRSA                                    |

|      |  |  |  |                         |                       |
|------|--|--|--|-------------------------|-----------------------|
| U.S. | Dressings and mayonnaise, with milk and egg contents | Certificate of Analysis<br><br>Certificate of Analysis                 | Molds and yeast count (for dressings)<br>Salmonella sp.<br>Staphylococcus aureus<br><br>Cholesterol levels (in mayonnaise)<br>Antioxidants<br>Artificial dyes  | Health                  | Health – Food Control |
| U.S. | Beef and products                                    | FSIS Form 9060-5, Meat and Poultry Export Certificate of Wholesomeness | <i>The beef and beef products were derived from animals that were born and raised in the United States or were legally imported in accordance with U.S. import regulations.</i><br><br><i>The beef and beef products were not derived from the following specified risk materials: the brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column (excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae, and the wings of the sacrum) and dorsal root ganglia of cattle 30 months of age and older, and the tonsils and distal ileum of the small intestine of any cattle regardless of age.</i><br><br><i>The feeding of ruminants with ruminant origin meat-and-bone meal and greaves is prohibited in the United States.</i><br><br><i>The cattle from which the beef and beef products were obtained were not subjected to a stunning process with a device injecting compressed air or gas into the cranial cavity, or to a pithing process.</i> | Animal and Human Health | Agriculture           |
| U.S. | Fresh poultry products                               | FSIS Form 9060-5, Meat and Poultry Export Certificate of Wholesomeness | <i>"The birds from which the meat was derived originated from farms located in a zone free of Newcastle disease and avian influenza as defined by OIE"</i>   | Animal health           | Agriculture           |
| U.S. | Cooked meat products (smoked)                        | FSIS Certificate   | Staphylococcus aureus  | Health                  | Health – Food Control |

|      |                                 |                             |   |        |                       |
|------|---------------------------------|-----------------------------|---|--------|-----------------------|
|      | meats and others)               | Certificate of Analysis     | Nitrites and nitrates<br>Starch or others<br>Artificial dyes                              |        |                       |
| U.S. | Raw meat products (just packed) | FSIS Certificate            | E coli O 157 H-7<br>Staphylococcus aureus<br><br>Nitrites and nitrates<br>Artificial dyes | Health | Health – Food Control |
| U.S. | Canned meat                     | FSIS Certificate            | Commercial Sterility  | Health | Health – Food Control |
| U.S. | Sugar                           | Certificate of Analysis     | Enriched with Vitamin "A" (IU)<br>Sac arose content                                       | Health | Health – Food Control |
| U.S. | Salt                            | Certificate of Analysis     | Iodine content (ppm)<br>Moisture<br>Sodium chloride<br>Ash                                | Health | Health – Food Control |
| U.S. | Dehydrated and liquid eggs      | Microbiological Certificate | Total coliforms (in liquid)<br>Staphylococcus aureus<br>Salmonella sp.                    | Health | Health – Food Control |
| U.S. | Dehydrated milk                 | Certificate of Analysis     | Fatty acids profile<br>Moisture<br>Protein  | Health | Health – Food Control |
|      |                                 | Certificate of              | Feces coliforms (E. coli)   |        |                       |

|      |   |  |  |        |                          |
|------|---|--|--|--------|--------------------------|
|      |   | Analysis   | Staphylococcus aureus<br>Salmonella sp.  |        |                          |
| U.S. | Fluid milk<br>(pasteurized<br>and UHT)              | Certificate of<br>Analysis<br><br>Certificate of<br>Analysis | Fatty acids profile<br>Artificial dyes (if flavored)<br>Protein<br><br>Feces coliforms (E. coli)<br>Staphylococcus aureus<br>Salmonella sp.<br>Listeria monocytogenes<br>(pasteurized milk)                      | Health | Health –<br>Food Control |
| U.S. | Fresh Cheeses                                       | Certificate of<br>Analysis<br><br>Certificate of<br>Analysis | Fatty acids profile<br>Artificial dyes (if applicable)<br>Protein<br><br>Total coliforms (pasteurized<br>only)<br>Feces coliforms (E. coli)<br>Staphylococcus aureus<br>Salmonella sp.<br>Listeria monocytogenes | Health | Health –<br>Food Control |
| U.S. | Cream, butter,<br>and custards                      | Certificate of<br>Analysis<br><br>Certificate of<br>Analysis | Fatty acids profile<br>Thickeners<br><br>Feces coliforms (E. coli)<br>Staphylococcus aureus<br>Salmonella sp.  | Health | Health –<br>Food Control |
| U.S. | Ready-to-eat<br>products                            | Certificate of<br>Analysis                                   | Salmonella sp.<br>Feces coliforms (E. coli)<br>Staphylococcus aureus   | Health | Health –<br>Food Control |
| U.S. | Bottled water                                       | Certificate of<br>Analysis<br><br>Certificate of<br>Analysis | Iron<br>Salts<br><br>Total bacterial count<br>Total coliforms<br>Feces coliforms (E. coli)   | Health | Health –<br>Food Control |
| U.S. | Fish and<br>crustaceans<br>raw and<br>frozen packed | Certificate of<br>Analysis<br><br>Certificate of<br>Analysis | Preservants<br>Organoleptic<br><br>Feces coliforms (E. coli)<br>Staphylococcus aureus<br>Salmonella sp.  | Health | Health –<br>Food Control |
| U.S. | Fish and  | Free Sales   | Preservants  | Health | Health –                 |

|  |  |  |   |  |              |
|--|--|--|---|--|--------------|
|  | crustaceans, precooked, cooked, salted, and smoked | Certificate<br><br>Certificate of Analysis | Organoleptics<br><br>Feces coliforms (E. coli)<br>Staphylococcus aureus<br>Salmonella sp. |  | Food Control |
|--|--|--|---|--|--------------|

## Section II. Purpose of Specific Export Certificate(s)

- Certificate of Origin.** Under CAFTA-DR, this certificate complies with customs requirements in order to receive preferential tariffs. A CAFTA-DR Certificate of Origin format can be found at: [http://dace.mineco.gob.gt/mineco/cafta/doctos\\_cafta/Certificado%20de%20Origen%20DR-CAFTA%20.pdf](http://dace.mineco.gob.gt/mineco/cafta/doctos_cafta/Certificado%20de%20Origen%20DR-CAFTA%20.pdf). Under CAFTA-DR, a set of rules of origin has been included to promote trade among partners. The products will be granted the total preferential tariff if it is certified to be original from any of the trading partners within the CAFTA-DR agreement. If the origin of the product is variable (meaning the raw material was imported from a non CAFTA-DR country and processed in the U.S., for example, and re-exported), different tariffs will be applied accordingly. It is important to fill in all of the requested fields or the certificate will not be considered valid. The period for which this certificate is valid is also critical. Some exporters provide for very tight dates on the certificate (which can be filled by either the exporter or importer), and if the product arrives after the specified dates on the certificate, it is not considered eligible for the preferential tariff.
- Sanitary and/or Phytosanitary Certificate.** The Sanitary and/or Phytosanitary Certificate is required by Ministries of Agriculture and Health to protect an importing country from bringing pests or diseases either in animal or vegetable materials, that the country is free of or has been quarantined for. Therefore, if the product is not of U.S. origin, the U.S. certificate must be a re-export one that clearly indicates the origin of the product, and an original or copy of the country of origin Sanitary or Phytosanitary certificate must also be included. Guatemala used to have in place, before 2007, the requirement of a phytosanitary certificate even for processed food products, where the risk of transmitting a plant disease or pest was highly unlikely. Under new World Trade Organization (WTO) guidelines, a country's regulations and requirements for commerce must have scientific basis. Therefore, Guatemala, as many other Latin countries, has been going through a process of reviewing those requirements that lack of scientific basis and is fine tuning its requirements and attestations. Some products, like flours, extracts, or mushrooms, for example, should not need a phytosanitary certificate, but these products still have to come with this specific certificate and with the attestations shown in table in Section I. Exporters are greatly encouraged to ask their commercial partners or FAS-Guatemala to confirm the status of those requirements to avoid surprises at the port of entry. The Government of Guatemala (GOG) is making a concerted effort to have those requirements updated and without modifications unless previously communicating them officially to the WTO.
- Free Sale Certificate.** This certificate is issued by the official entity from origin and must indicate that the product is suitable for human consumption, if applicable. This certificate backs up the exporter as it indicates that the exporting company is complying with the country's regulations regarding wholesomeness, food quality, and food safety standards, in general. Except for meat products, FDA issues certificates of free sales.
- Certificate of Analysis.** This certificate proves that the product meets international or country standards regarding composition, quality, and food safety parameters. This certificate ALWAYS needs to be presented with the export product. Ministry of Health might deny the entry of a product that complies with all the documentation, but lacks the Certificate of Analysis. The Certificate of Analysis requires the chemical and microbiological analysis for many food products for food safety issues. Microbiological contaminants that are usually analyzed in food products, in general, are: feces coli forms, Escherichia coli, Vibrio cholerae, Salmonella sp., protozoan eggs and larvae, fungi and yeast. The chemical residues of main concern are: pesticide residues and mycotoxins (aflatoxins, ocratoxins, deoxinivalenes). This analysis can be part of the quality control system of the company. Parameters for the chemical and microbiological analysis are based on CODEX standards. Most U.S. standards comply with CODEX regulations far beyond the minimum required standards. One must be sure, however, to include the Certificate of Analysis, when needed, and confirm that it corresponds to the production period or export lot number of the product.

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

Each Export Certificate may have a series of specific attestations that are required, according to the “risk-analysis” of the importing country. Attestations on the Sanitary and Phytosanitary Certificates are established by the Ministry of Agriculture. Attestations required on the Certificate of Analysis are set by the Ministry of Health. Each Ministry is responsible for authorizing the entry of a food product if it complies with its requirements. Compliance with one of the two ministries does not imply an import authorization. ALL paperwork and certificates need to be presented to clear Customs.

For high-risk category products, like meat, the Ministry of Agriculture has notified USDA of the country’s requirements. Those requirements and attestations can be found at:

<http://www.fsis.usda.gov/> . A copy of those requirements for poultry and beef products can be found in Appendix I of this report.

### **Section IV. Government Certificate’s Legal Entry Requirements**

All original documents listed above need to accompany the product at the time of entry. The import license costs US\$ 12.20 (Q 100.00) and is valid for 30 days. If the product has not left the U.S. port, for any reason, and the 30 days have gone by since the license was issued, a revalidation can be obtained for US\$ 9.15 (Q 75.00), for an extra 30 days. The U.S. Certificates will be valid for 30 days. The certificate is unique for each shipment and does not apply to multiple shipments, though it applies for a consolidated shipment of different products for which the export certificate is valid.

Import procedures are readily available on-line at: <http://portal.maga.gob.gt/vudi-web/>. This effort is not 100% in place yet, and therefore some products have come into the country without some of the requirements. Strict measures are being set and the exporter is greatly encouraged to fulfill all the requirements to avoid problems at port. The paperwork will first receive the approval of the Food Safety Department within MAGA-UNR, and if approved, will continue the process at the Phytosanitary or Sanitary Departments. If neglected, the submitted application will have a technical explanation of the problem and the shipment can be inspected and an evaluation diagnosis may be requested to reconsider the import of the product.

If the product enters another country before reaching the final destination, a Sanitary and/or Phytosanitary Certification from this intermediate country will have to be attached. Sanitary and Phytosanitary documents are the ones prone to problems due to: authenticity, identification and signature of inspectors, illegible seals, manufacture, alterations (no scratching is permitted), lack of corresponding attestations referred to diseases of diagnostic tests and state or federal formats.

### **Section V. Other Certification/Accreditation Requirements**

None.

### **Appendix I. Electronic Copy or Outline of Each Export Certificate**

FSIS Meat Export Certificate  
APHIS: Animal products  
Export Requirements for Guatemala

.....  
GT-26 (Aug 10, 2009)

Asterisks (\*) indicate the most recent revision to these requirements. To search, click on your browser's "Edit" menu, then click on "Find (on this page)". Enter "\*" in the "Find What" field, then click "Find" or "Find Next" until all asterisks have been identified.

Eligible/Ineligible Products

A. Eligible

1. Poultry and poultry products.
2. Red meat and red meat products, including beef and beef products, beef trim, and tallow.

B. Ineligible

1. Uncooked/raw poultry and poultry meat products from Meeker County, Minnesota, derived from birds slaughtered on or after August 4, 2009.\*

Documentation Requirements

A. Red meat and red meat products - Obtain FSIS Form 9060-5--Meat and Poultry Certificate of Wholesomeness.

B. Beef and beef products - Obtain FSIS Form 9060-5, Meat and Poultry Export Certificate of Wholesomeness. The following statements must be included in the "Remarks" section of FSIS Form 9060-5 or on an FSIS [letterhead certificate](#):

1. The beef and beef products were derived from animals that were born and raised in the United States or were legally imported in accordance with U.S. import regulations.
2. The beef and beef products were not derived from the following specified risk materials: the brain, skull, eyes, trigeminal ganglia, spinal cord, vertebral column (excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae, and the wings of the sacrum) and dorsal root ganglia of cattle 30 months of age and older, and the tonsils and distal ileum of the small intestine of any cattle regardless of age.
3. The feeding of ruminants with ruminant origin meat-and-bone meal and greaves is prohibited in the United States.
4. The cattle from which the beef and beef products were obtained were not subjected to a stunning process with a device injecting compressed air or gas into the cranial cavity, or to a pithing process.

C. Beef tallow for human consumption - Obtain FSIS Form 9060-5, Meat and Poultry Export Certificate of Wholesomeness. The following statement must be provided in the Remarks section:

"That the maximum content of insoluble impurities of the tallow does not exceed 0.15 percent of its weight."

D. Poultry and Poultry products - Obtain FSIS Form 9060-5, Meat and Poultry Export Certificate of Wholesomeness.

The following statement must be typed in the "Remarks" section of FSIS Form 9060-5:

"The birds from which the meat was derived originated from farms located in a zone free of Newcastle disease and avian influenza as defined by OIE.

Other Requirements

Signature on certificates - All required forms and supplementary statements must be signed

by a veterinarian (name, degree, DVM or equivalent, and the District Number must be indicated following the signature).

#### Plants Eligible to Export

All Federally inspected establishments are eligible to export to Guatemala.

GT-26 (Aug 10, 2009)