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GAIN Report

Global Agricultural Information Network

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Guatemala

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

On November 6, 2015, the Guatemalan Ministry of Health and Social Assistance published Ministerial Decree 196-2015, which eliminated the extraordinary requirement of Guatemalan consulate verification on the Certificate of Free Sale for processed food products registration.

Section I. Food Laws:

Guatemalan food laws comprise a series of government and ministerial decrees that establish frameworks and regulations to protect human, animal, and plant health. As a rule of thumb, fresh, refrigerated, or frozen food products that have not been processed are under the authority of the Ministry of Agriculture, Livestock, and Food Security (MAGA). Processed food products are under the authority of the Ministry of Public Health and Social Assistance (MSPAS). There are some food products that fall under the authority of both ministries (seeds used as ingredients, flours, and animal origin processed food).

(<http://portal.mspas.gob.gt/index.php/en/servicios/regulacion-y-control-de-alimentos-menu-servicios.html>).

(http://portal2.maga.gob.gt/unr_normativas/normativas.php).

MASPA's Division of Registration and Control of Medicines and Foods, here after is referred to as Food Control, is the main authority for processed food products legally imported or manufactured in Guatemala. Food Control, under the authority of Ministerial Decree 969-99 is responsible for upholding food product norms set by the Guatemalan Ministry of Economy's National Quality System. Under the National Quality System, the Commission of Standards (COGUANOR) is responsible for proposing standards for the food and industry sectors. Prior to December 17, 2005 proposed standards were mandatory, and afterwards proposed standards became voluntary. Voluntary standards can turn mandatory if MAGA or MSPAS considers them applicable within an existing or new regulation.

(<http://coguanor.gob.gt/index.php?id=23>).

Standards for both local and imported products are exactly the same, except for public markets and other food serving locations that just require a sanitary license. Any producer, processor, packer, or distributor must operate under a sanitary license issued by Food Control.

Importers must be registered (with an active sanitary license of operation) and imported products registered as well, both primary as well as end processed food products.

As a result of the Central American harmonization efforts, the Central American Secretariat of Economic Integration (SIECA) was established. SIECA is the technical and administrative unit that guides and coordinates the economic integration agenda, in which technical regulations are analyzed and resolved. Central American Technical Regulations, CATR (RTCA in Spanish) have been issued and published for processed food products, and include:

- a. General labeling
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=657>
- b. Nutritional labeling
- c. Additives
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=651>
- d. Sanitary licenses and Product registration,
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=737>
- e. Liquor labeling
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=348>
8,
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=349>

- f. 1
Microbiological criteria
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1498>
- g. Fruit nectars
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3208>
- h. Cheeses
<http://www.sieca.int/PortalData/Documentos/2B6FB7AA-77AD-4B6C-84C6-4E08C00418DE.pdf>

The RTCAs apply to all Central American countries. For more information, please visit:

[http://www.sieca.int/Documentos/DocumentoMatriz.aspx?ClasificacionId=2&q=.](http://www.sieca.int/Documentos/DocumentoMatriz.aspx?ClasificacionId=2&q=)

The Vice ministry of Agriculture, Norms and Regulations (VISAR) of the Ministry of Agriculture, Livestock and Food Security (MAGA) is the authority that issues import permit for all fresh food products and feed (in addition to some processed ones: flours, seeds used as ingredients, and processed animal food products), and agricultural inputs. Regulations are available on-line at:

http://portal2.maga.gob.gt/unr_normativas/normativas.php, and

<http://www.sieca.int/Documentos/DocumentoMatriz.aspx?ClasificacionId=2&q=ANIMAL>.

VISAR has five units responsible for issuing import permits: Plant Health, Animal Health, Food Safety, Genetic Resources, and Fisheries and Aquaculture.

Government Decree 36-98 is the law governing plant and animal health. The Plant Health Unit is responsible for verifying that the agricultural product complies with the country's phytosanitary requirements. Please confirm that the attestations in the sanitary and phytosanitary certificates comply with GOG requirements, consulting the "vudi" system, <http://portal.maga.gob.gt/vudi-web/>. If the certificate cannot attest for required pests, it could be considered invalid and the shipment not receives an import permit or worse, its entry could be forbidden, even if the shipment has arrived at a Guatemalan port. Please ask the importer to double check if the "vudi" requirements have been updated or are in accordance with hard copies of specific requirements available at the "ventanilla unica."

Government Decree 90-97 rules food safety in Guatemala. The Food Safety Unit of MAGA is responsible to verify that all food products comply with food safety norms and regulations, according to Ministerial Decree 969-99. Government Decree 72-2003 establishes regulations for the production, transportation, importation, and exportation of non-processed food products. The law does not provide microbiological criteria, but the Food Safety Unit abides by Codex or FDA food safety standards.

Under CAFTA-DR the U.S. meat (beef and pork) and poultry inspection system was recognized as equivalent by MAGA. The FSIS certificate of wholesomeness (FSIS 9060-5) is accepted by the GOG as either a Certificate of Free Sale or Sanitary Certificate, according to the specific case of a meat processed product or fresh meat product. For meat products, being processed or non-processed, MAGA will always issue the import permit and will require the FSIS 9060-5 form.

MAGA accepts the Official Export Inspection Certificate from the Feed and Grain Inspection Service (FGIS) as valid for food safety purposes of grains and products under FGIS/GIPSA mandate.

In order to receive an import permit from GOG, all imported foods of animal or vegetable origin, processed or non-processed, must comply with the following requirements:

a) Certificate of Origin for Sanitary Purposes:

- i. Plant health certificate (phytosanitary certificate) issued by APHIS if it is a plant product (including wood – green or treated);
- ii. Sanitary certificate issued by APHIS for live animals;
- iii. Sanitary certificate issued by the Food Safety Inspection Service (FSIS) of the U.S. Department of Agriculture (USDA), if it is meat product, either fresh or processed;
- i. Grading and Export Certificate issued by the Agricultural Marketing Service (AMS/ USDA) for dairy products;
- ii. Export Certification for Seafood (NOAA-Department of Commerce)

b) Certificate of Free Sales if it is a processed food product, either primary (animal origin) or end use, which is not a meat product

d) Commercial invoice

e) Bill of lading

f) Certificate of Origin for customs and tariff purposes: The Dominican Republican - Central American Free Trade Agreement (CAFTA-DR) certificate of origin fulfills customs requirements so that preferential tariffs can be applied.

g) Re-Export Certificate if the product is re-exported from the country, but please note that it still requires the original sanitary or phytosanitary certificate.

The CAFTA-DR Certificate of Origin (please read attachment Cert Origin Sample.pdf), http://dace.mineco.gob.gt/mineco/cafta/doctos_cafta/Certificado%20de%20Origen%20DR-CAFTA%20.pdf, must accompany the shipment in order to benefit from its preferences. Both the Ministry of Economy (MINECO) and the Superintendence of Tax Administration (SAT) are responsible for the administration and implementation of the free trade agreement.

For rules regarding how to fill out correctly the CAFTA-DR Certificate of Origin, please refer to the Directorate of Administration of Foreign Commerce (DACE) of the Ministry of Economy, <http://portaldace.mineco.gob.gt/reglas-de-origen-para-guatemala>, or read the attachment "Instructivo Cert Origen.xls" (Spanish only). Ultimately, it will be DACE which decides if the Certificate of Origin is valid or not, though SAT will enforce the corresponding duty payment.

Section II. Food Additives Regulations:

Under the Central America Customs Union, RTCA 67.04.54:10, regulates additives. This rule provides a positive additive list, which basically specifies upper levels of approved additives and extends to a wide range of products according to category

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=651>.

The rule provides descriptions of the food products and common manufacturing considerations. Tolerances for additives are presented in a table format. All flavorings approved by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) from Codex Alimentarius, the Food and Drug Administration (FDA), the Federal Emergency Management Agency (FEMA) and the European Union are automatically approved for the Central American region.

Section II. Labeling Requirements:

Labeling of processed food products is required for both domestic and imported food products.

The Central American Technical Rule RTCA 67.04.60:10 regulates general labeling,

(<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=657>). The rule allows for complimentary labels in Spanish, which can be stick-on labels, for labels in another language. Complimentary labels must provide the following information written in Spanish:

- Product definition/description (including health declarations)
- Name of the product (this should be the official name as noted on the U.S. Certificate of Free Sale)
- Physical characteristics, including ingredients (this has to be a qualitative composition, which was indicated in the back of the registration form). If this information is in English, please translate literally.
- Net weight/volume
- List of ingredients (including allergens) and additives and the percentage of total for each
- Name, address and telephone number of the Guatemalan distributor
- Food Control registration number (D.G.S.S.-D.R.C.A. _____-Sanitary license obtained at a Center of Sanitation); the original license has to be presented. Approximate cost for each product: Q. 1,650.00 (Q=quetzal, the national currency).
- Country of origin
- Lot production identification
- Expiration date
- If applicable “Keep Frozen” or “Form of Preparation”

Other Specific Labeling requirement(s)

The Central American Technical Rule RTCA 67.01.60:10 regulates nutritional labeling

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=655> which is in accordance with FDA regulation. This rule also provides guidelines for health claims.

Central America has ruled the use of milk term through RTCA 67.04.65:12,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=3&DocumentoId=3347>,

which prohibits the use of the term “milk” on products that are not dairy products; with the exception of coconut milk. Other products with labels such as “soy milk”, “almond milk”, etc., have been prohibited for their commercialization in Guatemala. U.S. exporters must label such products as “drinks” or “beverages”. Pasteurization has also been ruled via RTCA 67.04.66:12,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=4939> and milk terms are provided.

Beer, wine, and other liquors require specific labels per RTCA 67.01.05:11 and RTCA 67.01.06:11,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3488>,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3491>.

The specifications and labeling for oil and fats are ruled by RTCA 67.04.40:07,
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1968>.

Fruit nectars and their labeling are ruled by RTCA 67.04.48:08,
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3208>.

Cheeses are ruled under RTCA 67.04.70:14, <http://www.sieca.int/PortalData/Documentos/2B6FB7AA-77AD-4B6C-84C6-4E08C00418DE.pdf>

Section III. Packaging and Container Regulations:

Imported sample-size products, under current law, must comply with existing labeling laws. Bulk-packed food products do not require labeling, unless they are to be sold at the retail level as individual units. Shelf-life requirements specify that the "use-by" date be printed on the package. There have been problems with distributors importing goods with the "use-by" date removed or already expired. The law regarding the "use-by" date is: expiration date or best "use-by" date. U.S. exporters are strongly encouraged not to ship product with a nearby expiration date. This problem has led to poor relationships for more than one U.S. company. In addition, there have been situations where products came stamped with the manufactured date, and entry was rejected as the customs agent assumed that the product had expired. If stamping a manufactured date is already part of a company's procedure, it is best to also add an expiration date to avoid problems.

The expiration date must be declared, at least, with date and month for products with less than three months of shelf life and month and year for products with more than three months of shelf life. Dates are to be expressed numerically, except for the month that which can be also expressed with letters.

Section IV. Food Additives Regulations:

Under the Central America Customs Union, RTCA 67.04.54:10, regulates additives. This rule provides a positive additive list, which basically specifies upper levels of approved additives and extends to a wide range of products according to category
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=651> .

The rule provides descriptions of the food products and common manufacturing considerations. Tolerances for additives are presented in a table format. All flavorings approved by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) from Codex Alimentarius, the Food and Drug Administration (FDA), the Federal Emergency Management Agency (FEMA) and the European Union are automatically approved for the Central American region.

Section V. Pesticides and Other Contaminants:

The Plant and Animal Health Units of VISAR regulate pesticides and veterinary drugs. There are no Guatemalan standards for tolerance levels of pesticides in food products. The Government of Guatemala uses the tolerance-level standards developed by the Codex Alimentarius. Plant Health maintains a list of pesticides that are not permitted in Guatemala. This list is based on standards set by the Environmental Protection Agency (EPA), Codex Alimentarius and the Food and Agriculture Organization (FAO), among others.

The RTCA 67.04.50:08 rules for maximum residue limits of microbiological contaminants in both non-processed and processed food products,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1498>

The rule is first enforced during registration of animal origin processed food products and later through the surveillance program of the Food Control Unit.

Section VI. Other Regulations and Requirements:

RTCA 67.01.30:06 rules facility inspection and issuing of a sanitary license of operation for processed food products

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1978>.

Only local facilities are inspected and U.S. export facilities or warehouses do not require a sanitary license issued by Food Control. Importers in Guatemala are the ones subject to inspection and sanitary license issuing. To be granted a sanitary license, importers need to have Good Manufacturing Practices (GMPs) in place, per RTCA 67.01.33:06 guideline,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1981>.

RTCA 67.01.31:07 rules the registry and commercialization of processed food products,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=737>.

All packaged food products that are sold at the retail level must be registered with Food Control. Registration of U.S. origin products, for commercialization purposes, is normally carried out by a Guatemalan importer, who has been granted a sanitary license of operation. If a U.S. company wishes to register its products under their company's name, a warehouse must be established, so that a sanitary license can be issued. As mentioned previously, several Guatemalan importers can commercialize the same product, as long as each registers the product.

Product registration is required for all primary (animal origin) processed and final processed food products in Guatemala. Food Control is responsible for all registrations. Regulations and registration procedures and requirements can be consulted on-line at: <http://portal.mspas.gob.gt/index.php/en/nuevo-o-renovacion-del-registro-sanitario.html>.

The GOG requires registration of primary processed food products, under the same procedure that applies for registration of end processed food products; additives do not need to be registered. The GOG has in place a mechanism known as "sanitary inscription for registered products", which allows for an extension option of already existing registries, under different companies. For example, if company 1 registers brand "x" presentation of product, and the registration number 1520-1 is assigned; company 2 can register the same brand "x" under the 1520-2 registration number. This mechanism allows for: a) title of ownership of the registered product, but not over the brand, allowing for different importers/distributors to commercialize the same product (exclusive distribution is left in the hands of commercial interests and not for regulatory purposes), b) title of ownership of the registration and sole responsibility for the registration.

For example, if, for any reason registration number 1520-1 has any specific issue (labeling, license status of the importer, food safety or other), only company 1 is affected but not company

2. Besides the title of the ownership component, the "sanitary inscription for registries" also expedites

the registration process, especially in the case of animal products, since the extension is granted immediately, given the fact that the first registration number has already passed the laboratory analysis. The registration, in this case 1520, is valid for five years, independent of when the extension was granted, and all extensions of this registration must be renewed every five years.

Food Control issues a sanitary registration number after a laboratory test has been performed on animal products. This registration number is valid for five years and in the case of animal products, takes six weeks to be issued. For the other processed products, it takes approximately 7-10 days to obtain the registration number and laboratory tests will take place within routine surveillance, scheduled annually according to product category. If products do not comply with labeling standards or food safety parameters, importers will be notified as necessary. Non-animal products do not require a phyto- or sanitary certificate; a Certificate of Free Sale applies in this case. The Certificate of Free Sale is required for registration and export purposes, and can be a federal or state document. The objective of the Certificate of Free Sale is to verify that the product is fit for human consumption in the country where it is processed. For registration purposes, the sample must come with the following documentation: a) Certificate of Free Sale, b) Bill of Lading, and c) Invoice (with any negligible quantity), specifying it is a sample only.

The consularization of the Certificate of Free Sale is no longer a requirement for registration of processed food products, per Ministerial Decree 196-2015. For commercial routine paperwork, a Certificate of Free Sale is issued for one year and a copy of it must accompany every shipment as long as it is valid.

Samples must be sent prior to attempting an export of primary processed or end processed food products, in order to obtain a sanitary registration number. Those samples must include the composition of ingredients and the proposed commercialization package, including proposed labeling. The Sample Law outlined in Article 37 of Ministerial Decree 969-99 strictly prohibits the importation of samples except for the sole purpose of registering the product. However, RTCA 67.01.32:06, <http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1980> rules the importation of samples for the purpose of exhibition, special events and promotion. In order to enter these samples, the importer must fill out corresponding requesting form accompanied by a Certificate of Free Sale. For exhibitions, special events and market promotions, Food Control will allow the import of 25-50 kilograms per product, tax-free. The samples must have a label clearly indicating “sales prohibited”.

Sample size for registration purposes should be two units of 200 g or ml each, as a minimum, when the products weigh above 5 Kg. If the sample weighs more than 5 Kg, two samples are enough. The classification of the risk category of the products to be registered is basically A, for animal products (high-risk) and B for the rest. The list of products within high risk category can be found at: [http://portal.mspas.gob.gt/files/Descargas/Servicios/NuevoRenovacion%20RegistroSanitario/Disposicion%20001-2011%20Clasificacion%20Alto%20y%20Bajo%20Riesgo%20\(2\).pdf](http://portal.mspas.gob.gt/files/Descargas/Servicios/NuevoRenovacion%20RegistroSanitario/Disposicion%20001-2011%20Clasificacion%20Alto%20y%20Bajo%20Riesgo%20(2).pdf)

In addition to the laboratory analysis done to the product at the time of registration, for animal products, the law requires inspections at the point of entry, wholesale and retail levels for the wholesomeness of the product. Non-processed foods and food additives do not require registration. There is no environmental legislation that affects the importation of food products.

The cost of registration and analysis of a product is about US\$215, independent of its category, and independent of registering it for the first time or requesting an extension of an already existing registration.

The Certificate of Free Sale can include a list of products to be registered, as long as all the products in that list are registered simultaneously. For example, if 20 products are to be registered at the same time, Food Control allows for one original certificate and 19 copies to accompany the rest of the products, since one complete file is kept per registered product.

The requirements to register food products are as follows:

- Application for registration of food products
- Certificate of Free Sale
- Receipt of payment for laboratory analysis (US\$ 215.00)
- Provision of the applicable amount of samples
- Example of label design as it will appear on the product
- Translation of documents by an attorney's translator
- Product inscription by the importer

The Government of Guatemala (GOG) published RTCA 67.04.50:08 establishing food safety tolerances for microbiological contamination. This ruling establishes the maximum level of food borne pathogens permitted in processed and non-processed food agricultural products. The following website has further information:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1498>

Compliance with the microbiological criteria spelled out in the RTCA started being enforced on November 19, 2009. Compliance with the microbiological parameters continues to be determined during the registration process or during surveillance using laboratory analysis. Most plants in the U.S. already have systems in place to measure microbiological profiles as part of their Hazard and Critical Control Points (HACCP) programs. It is recommended to send the most recent report with the sample that will be used for registration purposes to expedite the process.

Inspection at the warehouse or site of origin will be required to approve import permits of non-processed seafood and fish products by Guatemalan government officials from the Ministry of Agriculture. If the products are not U.S. origin, inspection will be required at the country of origin, according to Inspection Manual UNR-1-2001, http://visar.maga.gob.gt/visar/ia/norm_hidro/41-2001.pdf, and corresponding regulations, http://visar.maga.gob.gt/?page_id=1333. Please visit the next website to verify that the company is authorized to export seafood products to Guatemala: <http://visar.maga.gob.gt/visar/ia/exph/hidros13agost.pdf>. If MAGA demands inspection of the exporting facility or warehouse, the U.S. exporter or Guatemalan importer will have to pay for the direct and indirect (travel expenses) inspection costs, as Ministerial Decree 382-2014 mandates, http://portal2.maga.gob.gt/unr_normativas/pdfs/AM382-2014.pdf.

Section VII. Other Specific Standards:

Products labeled as “diet supplements”, “homeopathic”, “and prophylactic” or “phyto-therapeutic” must be registered as medicinal product. All products that apply for registration must be tested by the Health National Laboratory (LNS), which is the Ministry of Health’s only laboratory. Product samples must be

provided at time of registration.

RTCA 67.01.15:07 rules fortified wheat flour, providing specifications and approved additives for wheat flour,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1970>.

RTCA 67.01.32:06 rules import requirements for tasting and exhibition purposes,

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1980>.

Section VIII. Copyright and/or Trademark Laws:

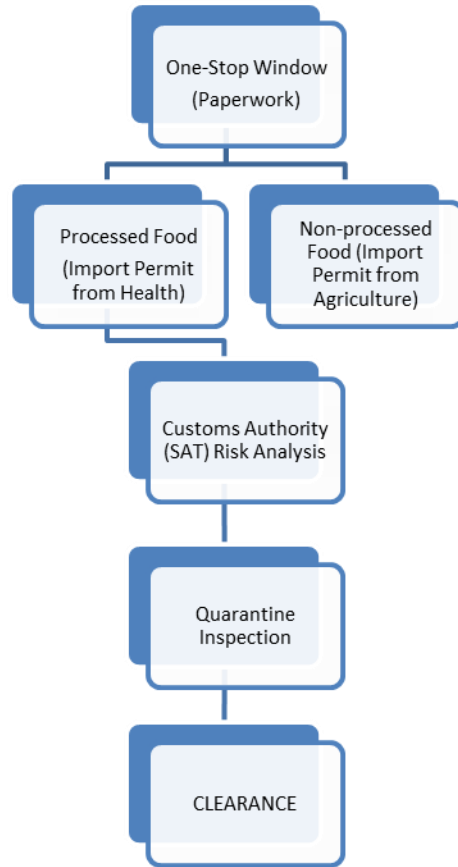
Guatemalan law includes the Intellectual Property Bill, which specifies that the brand or trademark must be registered in Guatemala. Trademarks and brand names should be registered at the Industrial Property Registry (Registro de la Propiedad Industrial) at the Ministry of Economy, <https://www.rpi.gob.gt/>.

The law protects known brands, so if they are already registered elsewhere, the parent company is given priority to register it in Guatemala. All product registrations can be contested in the Guatemalan court system; however, this process can be time consuming and costly. Guatemala, as a member of the World Trade Organization (WTO), has accepted the new Trade-Related Aspects of Intellectual Property Rights (TRIPS). Both Ministries of Agriculture and Health are respectful of TRIPS. The Ministry of Agriculture provides for registration of agricultural inputs, such as seeds and agrochemicals.

On December 1, 2013, Guatemala implemented the free trade agreement (FTA) with the European Union, known as the Association Agreement. As part of this FTA, the EU has requested recognition for geographical indications (GI). Those GIs that get registered will be protected against commercialization of products with the same compound name or generic name, if such products have not been previously commercialized in Guatemala. For a list of approved GIs, please visit

<https://www.rpi.gob.gt/eRPIconsulta/>.

Section IX. Import Procedures:



Source: FAS/Guatemala, 2015

1. The procedure will start at the “ventanilla unica” (“one-stop window”). The documents required are: phytosanitary - sanitary certificate or corresponding export certificate, commercial invoice, bill of lading, certificate of free sale, packing list, and certificate of origin (applied for re-export products).

These may be copies, but in order to clear customs, the originals will be needed. An application form with the above mentioned forms must be submitted along with a fee of Q100, about US\$ 12.50, in order to receive an import permit. It is best to drop off applications before 10:00 am; if the shipment is perishable, the license will be ready for pick-up after 2:00 pm. For all regular shipments the license will be issued within 24 hours. This time frame usually holds if there are no problems with the documentation.

2. For processed foods and all products of animal origin, the “ventanilla unica” will require that the application be signed and stamped by Food Control. This is done to verify that the product has a Sanitary Registration number. In addition, Food Control will also require a Free Sale Certificate in order to process the request. These certificates are generally issued by state health or agricultural departments, and certify for wholesomeness. The application and certificates are received in the offices of Food Control (5a. Avenida 13-27, Zona 9, Guatemala City), and issued in the Food Control Unit Office (zone 15); office hours from 07:30 a.m. to 3:00 p.m. from Monday to Friday.

3. Food Control and the “ventanilla unica” from MAGA will authorize the import permit. At the same time, Customs Authority (SAT) will analyze the Declaration of Import Goods electronically submitted

by the importer, and will define the risk category of the product, for customs purposes (importers history, valuation, origin and applicable taxes, etc.). It is important that all quantities in all of the documents match. If not, clearing customs will be a major problem. Do not add boxes to a container once the documentation has been totaled, and always make sure that the totals on the phytosanitary or sanitary certificate equal the exact amount on the invoice. If there is any discrepancy, the container will be held and clearance will be extremely difficult.

U.S. exporters must always take into account that a tariff-rate quota (TRQ) system still applies to various commodities, with a 5 to 20 year phase-out period under CAFTA-DR. If you wish to look out for a particular product category, you can visit <http://portaldace.mineco.gob.gt/node/73>.

Please visit the Foreign Commerce Administration Directorate (DACE) at the Ministry of Economy web site for detailed information on TRQ administration for Guatemala:

(<http://portaldace.mineco.gob.gt/contingentes>).

4. Once at port of entry, the product will be inspected by the Inter-Regional Organization for Plant and Animal Health (OIRSA). This is a regional inspection entity in Central America that has been delegated the responsibility of quarantine actions at custom borders by the Ministries of Agriculture of the region. Whether the imported product comes by air, land or sea, inspectors from OIRSA will be on site to assure that the paper work is in order. Then, inspectors perform a visual inspection of the imported products in order to authorize release from customs. In order to clear OIRSA, the original documents must be presented.

After the import certificate has been issued, this document is provided with all the above-mentioned documents to the customs official. The importer then pays the duties to SAT.

Duty payment is done in the form of a deposit at either of the two banks that are approved, and the deposit slip becomes the proof of payment. After all this has been done, the shipment will be released. This final procedure is done at port of entry. There is still a possibility of a red or green light at the exit gate of the container. If a red light is received, there will be an additional review of both documentation and contents of the container. OIRSA might decide to take samples for quarantine pests, especially in the case of raw agricultural products and coarse grains. After the laboratory diagnosis is reported, fumigation might be required. It is recommended to request an "in transit fumigation certificate", to reduce the chances of OIRSA spraying shipments with methyl bromide. If a green light is received, the container is allowed to leave the yard.

Appendix I. Government Regulatory Agency Contacts:

Name: Bernardo Molina

Title: Director

Institution: Food Control Unit/Ministry of Health (MSPAS)

Address: 3 Calle final, 2-10 Zona 15. Valles de Vista Hermosa. Guatemala

Telefax: (502) 2369-8784 / 6

Website: <http://portal.mspas.gob.gt/index.php/en/servicios/regulacion-y-control-de-alimentos-menu-servicios.html>

Name: Guillermo Ortiz

Title: Plant Health Director

Institution: Norms and Regulations Unit/Ministry of Agriculture (MAGA)
Address: 7 Avenida 3-67 Zona 13, Guatemala City, Guatemala
Telephone: (502) 2413-7389
Website: http://visar.maga.gob.gt/?page_id=56

Name: Alex Salazar
Title: Food Safety Director
Institution: Norms and Regulations Unit/Ministry of Agriculture (MAGA)
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Website: <http://portaldace.mineco.gob.gt/>
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Website: <http://portal.sat.gob.gt/sitio/index.php/institucion/organizacion/25-organizaci/743-funcionarios-superiores.html>

Appendix II. Other Import Specialist Contacts:

If you have any questions regarding this report or need assistance exporting to Guatemala, please contact the U.S. Agricultural Affairs Office at the following address.

Office of Agricultural Affairs, U.S. Embassy

Avenida Reforma 7-01 Zona 10

Guatemala, Ciudad 01010

Tel: (502) 2332-4030

Fax: (502) 2331-8293

Email: AgGuatemala@fas.usda.gov

For further information on exporting U.S. agricultural products to Guatemala and other countries, please visit the Foreign Agriculture Service home page: www.fas.usda.gov.