

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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: 5/19/2010

GAIN Report Number:

Aruba

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

"Section(s) Updated: Sections I, V, VI, IX, and Appendix I."

Aruba is very receptive to U.S. products. At the present time, Aruba has no food-specific legislation to regulate imported foods. U.S. standards for food and agricultural products are fully accepted. Import licenses are required for select agricultural products. In addition, meat products imported from the United States require a USDA export certificate. Health authorities also require that first-time shipments of perishables be accompanied by a sanitary certificate from the country of origin, after which the requirement is waived as long as the subsequent shipments are from the same supplier. U.S. exports of agricultural products to Aruba generally clear customs quite quickly and without obstacles.

Section I. Food Laws:

Note: This report was prepared by the Caribbean Basin Agricultural Trade Office of the USDA/Foreign Agricultural Service in Miami, Florida, for U.S. exporters of domestic food and agricultural products. While every possible care was taken in preparation of this report, information provided may not be completely accurate, either because policies have changed since its preparation or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers who are normally best equipped to research such matters with local authorities before any goods are 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 THE PRODUCT ENTRY.

SECTION I: FOOD LAWS

Although food legislation is currently under development, Aruba has no food-specific laws at present. However, the Department of Public Health does have Merchandise Regulations related to food products in the context of protecting public health and setting conditions for fair trade. Article 2 of these Merchandise Regulations, which covers food safety issues in broad strokes, prohibits the preparation, sale, storage, transport, and distribution of food products which are unfit for human consumption.

Entities that receive, store and sell imported products must be registered with the Chamber of Commerce, membership in which is a government regulation. The National Decree on Import License Commodities requires that importers obtain an import license from the Department of Economic Affairs, Commerce and Industry for the following agricultural products: rice, tea, coffee, milk (powder and liquid), cooking oil, margarine, sugar, corn flour, potatoes, legumes (peas, beans, etc.), vegetables (fresh & preserved), peanut butter, chicken eggs, meat (preserved, salted, dried, etc.), beef, chicken meat, fish (fresh/preserved). The only restriction that exists for imported food products pertains to chicken eggs. However, as domestic supply is insufficient to cover demand this restriction is normally waived. Health authorities require that first-time shipments of perishables (i.e. seafood, produce, etc.) be accompanied by a sanitary certificate from the country of origin, after which the requirement is waived as long as the subsequent shipments are from the same supplier. All imported meats must comply with USDA sanitary regulations. Any meat products from countries other than the United States that can pass USDA inspection are accepted in Aruba. The Aruba Veterinary Service requires a duly signed original USDA meat and poultry export certificate of wholesomeness for every shipment. The Veterinary Service performs random inspections.

Section II. Labeling Requirements:

Aruba has no labeling regulations. U.S. labels as well as labels from any other country are accepted. No additional information is required.

Section III. Packaging and Container Regulations:

Aruba has no regulations on packaging.

Section IV. Food Additives Regulations:

According to the Health Department, the only additive forbidden is bromide. There are no further

special requirements or restrictions. Authorities do not use the CODEX list.

Section V. Pesticides and Other Contaminants:

All pesticides must be registered with the Bureau of Pharmaceutical Affairs of the Department of Public Health. However, Aruba has no regulations regarding pesticides and other contaminants in food products.

Section VI. Other Regulations and Requirements:

Products are not required to be registered or laboratory tested. Product samples shipped via express mail or parcel post are subject only to import regulations (i.e. customs duty). The addressee is responsible for the duty on sample and mail order shipments. Exporters should ensure that the addressee is informed of and agrees to accept the pending shipment to avoid it being returned at the cost of the exporter. Health authorities monitor ports of entry and the retail/wholesale trade for any products deemed to pose a risk to public or animal health. No import certification documents are required.

Section VII. Other Specific Standards:

Processed meat products with past due dates may be confiscated and destroyed by the Veterinary Service. With the cooperation of the importers, other meats which are spoiled or in an unhealthy state are turned over to authorities and destroyed. There are no quarantine laws for live animals. Health certificates from the state government agency of the exporting country must accompany the animals.

Section VIII. Copyright and/or Trademark Laws:

Aruba is a party to international agreements and treaties for the protection intellectual property, such as the Paris Convention, Nice Agreement, and the Vienna Agreement. Established in 1987, the Bureau of Intellectual Property of Aruba implements the Aruba Trademark Act and is responsible for registering trademarks. Trademark registration is a rather simple procedure and is normally carried out by an agent authorized by the Bureau. Registration is for a 10 year period and is renewable for indeterminate periods of 10 years. Exclusive rights of use of a trademark are obtained through first use. Registration also gives exclusive rights of use but under current law it does not necessarily signify first use. Therefore, the Bureau is developing new legislation which will grant acquisition of exclusive rights of use through registration only. In other words, U.S. suppliers will need to register their trademarks to ensure exclusive rights. This new legislation is expected to take effect in 2011. U.S. suppliers interested in registering trademarks may contact the Bureau for further information or to obtain a listing of authorized trademark agents (See Appendix I).

Section IX. Import Procedures:

Customs clearance is done by the importer or receiving agent who must be registered with Chamber of Commerce in order to do business in Aruba. Import documentation such as invoices and the bill of lading may be in English. However, the Customs declaration, which is normally handled by the importer's receiving agent, must always be in Dutch (the official language in Aruba). After arrival at the port and shipments are approved (unopened), they are forwarded to the importer. Customs officers inspect the shipments on the premises where further documentation is presented. Duty is paid directly to the Department of Customs.

The length of time for the entire customs clearance procedure can vary widely. Perishable goods have priority and usually are cleared within one day. Dry goods can be cleared within 2-3 days. From mid-December to the end of the first week of January, customs handles only perishable goods. Customs declaration offices do not work on holidays, after 4:30 p.m. or on weekends. The customs inspection is efficient and well-managed. The length of time for clearance depends on variable factors, such as, the

number of container ships arriving at the same time, how quickly they can be unloaded and when they are transported to the importer. Containers may not be over 40 feet. This regulation is stipulated by the Aruba Stevedoring Company N.V. (ASTECC).

Disputes regarding tariff classification must be directed to the Commissioner of Customs within one month of the classification. Objections to the decision of the Commissioner of Customs must be directed to the Court of Appeals for Tax Matters.

Appendix I. Government Regulatory Agency Contacts:

FOR IMPORT LICENSING ISSUES, CONTACT:

Department of Economic Affairs, Commerce & Industry
L.G. Smith Boulevard #160
Oranjestad, Aruba
T: 011 (297) 582-1181
F: 011 (297) 583-4494
E-mail: deaci@setarnet.aw

FOR CUSTOMS PROCEDURES AND TARIFFS, CONTACT:

Customs Office
L.G. Smith Boulevard 84-88
Oranjestad, Aruba
Tel: 011 (297) 582-1800, 588-9147
Fax: 011 (297) 583-4367
E-mail: douane@siad.aw

FOR IMPORT REGULATIONS, CONTACT:

Food Control & Hygiene Office
Department of Public Health
Hospitalstraat 4
Oranjestad, Aruba
Tel: 011 (297) 582-3073
Fax: 011 (297) 588-4180

Veterinaire Dienst (Veterinary Service)
Barcadera 1
Aruba
Tel: 011 (297) 585-0400
Fax: 011 (297) 585-1828
Email: vetservice@aruba.gov.aw

FOR PESTICIDE REGISTRATION ISSUES, CONTACT:

Bureau of Pharmaceutical Affairs
Department of Public Health
Bernhardstraat #75
San Nicolas, Aruba
T: 011 (297) 584-1199
F: 011 (297) 584-9143

FOR INTELLECTUAL PROPERTY ISSUES, CONTACT:

Trademarks Division
Aruba Bureau of Intellectual Property
Adriaan Lacle Blvd. 3
Oranjestad, Aruba
T: 011 (297) 583-1200
F: 011 (297) 583-8773
E-mail: opi@aruba.gov.aw
Web: www.opi-aruba.org *

** The above website is provided for the reader's convenience; USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained in this website.*

Appendix II. Other Import Specialist Contacts:

U.S. Consulate General to the Netherlands Antilles and Aruba
P.O. Box 158, J.B. Gorsiraweg 1
Willemstad, Curacao
Tel: 011 (599-9) 461-3066
Fax: 011 (599-9) 461-6489
Email: infocuracao@state.gov

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U.S. Department of Agriculture
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