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Honduras

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

Approved By:

Linda Eilks, Agricultural Attaché

Prepared By:

Ana Gomez, Agricultural Specialist

Report Highlights:

This FAIRS report provides updates to sections: Food Laws, Product Registration and Import Procedures.

Section I. Food Laws:

DISCLAIMER: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural

Service in Tegucigalpa, Honduras for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the 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 PRODUCT ENTRY.

The Honduran Government (GOH) agencies which are responsible for food safety matters are the Ministry of Health (MOH) and the Ministry of Agriculture and Livestock (SAG). The Ministry of Health's participation is governed by its health code, which is spelled out in Congressional Decree 65-91 (dated 05/28/91) and Executive Decree 06-2005 (dated 09/21/2005) which is titled "Sanitary Control of Products, Services and Establishments of Sanitary Interest Regulation".

Food safety issues which deal with plant and animal products, pesticides and agricultural chemicals, and veterinary products, are governed by SAG through the Phytosanitary & Zoosanitary Law (Congressional Decree 157-94, which was modified via Decree 344-2005) and its implementing regulations. The Consumer Protection Law and the Municipalities Law also address food safety issues.

In general, food safety legislation is geared toward: a) protecting consumer health as it relates to the consumption of food products; b) avoiding fraud in transactions which deal with food products; and c) protecting Honduras' economic interests in both domestic and international food trade.

The main regulatory agencies regarding food safety are SAG's National Plant and Animal Health Service (SENASA), and the MOH's Sanitary Regulation Directorate (SRD). As a general rule, SENASA is responsible for the inspection of agricultural products that enter Honduras, such as imports of raw materials and the process for consumer ready food products. The SRD is responsible for securing the safety of processed food products sold to the consumer. If guidance is not clear under the national regulation, the SRD applies these regulations in order of precedence:

1. Honduran regulations :
 - a. Health Code
 - b. Sanitary Control of Products, Services and Establishments of Sanitary Interest
 - c. Quality of Bottled Water and Ice for Human Direct or Indirect Human Consumption
 - d. Honey processing
2. Central America Customs Union (CACU) Regulations
3. Codex Alimentarius Regulations
4. The U.S. Federal Code (FDA regulations)
5. Pan-American Health Organization (PAHO) guidelines

As is the case in many countries with limited resources, enforcement of existing laws and regulations is not always consistent. At times, the GOH lacks the basic infrastructure and the necessary human and economic resources to adequately enforce its regulations in the commercialization stage. Entrance inspection of imported food products into

the country is done at major ports and border crossings. However, it is common knowledge that many products enter unchecked, since they go through extra-official channels. This situation forces the SRD to inspect processed food products at wholesale and retail levels. Nevertheless, the GOH is making an effort to strengthen enforcement through increased laboratory testing in terms of both quantity and quality.

The CACU is working on effecting regional regulatory changes. It has identified seven target areas, and has established technical groups to harmonize, unify and implement measures at the regional level. The seven areas are: free movement of goods, tariff harmonization, custom administration, tax harmonization and collection mechanisms, registration, intellectual property rights, and international commercial policy.

SENASA and the SRD normally review proposed CACU regulations related to food products. When SENASA, the SRD, and the Ministry of Industry and Trade (SIC) reach an agreement concerning the proposed change, SIC submits the position to the Central American Council of Ministers of Economic Integration (COMIECO). As a result of this process, the CACU has harmonized the following technical regulations related to food products which are in force in the Central America region:

COMIECO Resolution Number	Content of the Technical Regulation	Date Issued
243-2009*	Approval of the Technical Regulation RTCA 67.04.50.08. Food. Microbiological Criteria for Food Safety.	May 19, 2009
226-2008	Prepared Food and Beverages. Fruit Juices	April 25, 2008
218-2007	Approval of Specific Rule of Origin for Oat Flour	Dec. 11, 2007
216-2007	Prepared Food. Procedure for Granting Sanitary Registration and Enrollment	Dec. 11, 2007
215-2007	Prepared Food and Beverages. Oils and Fats	Dec. 11, 2007
201-2007	Regulations on Wheat Flour	Jul. 27, 2007
176-2006	Approval of Regulations on Registration: Annex 1 – Prepared Food. Procedures for Granting the Health License to Manufacturing Plants and Warehouses. Annex 2 – Prepared Food. Procedures for Granting Sanitary Registration and Certification. Annex 3 – Requirements for the Import of Processed Food for Exhibition and Tasting. Annex 4 - Industry Processed Food and Beverages. Good Manufacturing Practices.	Oct. 5, 2006
175-2006	Sanitary and Phytosanitary Registrations	Oct. 5, 2006
119-2004	Agricultural Inputs – Seeds	Jun.28, 2004

118-2004	Agricultural Inputs - Fertilizers and Pesticides	Jun.28, 2004
117-2004	Sanitary and Phytosanitary Measures	Jun.28, 2004

* In reference to the Technical Regulation RTCA 67.04.50.08. Microbiological Criteria for Food Safety, please note that poultry was excluded from the resolution. Each Central American country will apply its national regulation.

The text of the above mentioned regulations can be found at “COMIECO Resolutions” on the Central America Secretariat of Economic Integration (SIECA) website: <http://www.sieca.org/gt/site/Enlaces>

Section II. Labeling Requirements:

A. General Requirements

Labels must comply with MOH labeling requirements and the Codex Alimentarius guidelines. The SRD carries out local enforcement of labeling regulations. The Central American Technical Regulation for Labeling is pending endorsement by CACU members. In the interim, Honduras will continue to enforce its national Sanitary Control regulation and Codex Alimentarius guidelines. Information on labeling requirements for national and foreign products follows:

- a) **Name of the product**, which is normally specific or generic, must indicate the true nature of the product. The name of the product should not mislead the buyer or consumer.
- b) **Name of the manufacturer** or distributor of the product.
- c) **Country of origin** of the product.
- d) **List of ingredients** or qualitative and quantitative formula. The list should be clearly marked and must be in descending order by initial weight at the time the product was manufactured. The list must specify if water has been added, except in cases when water is part of an ingredient such as brine, syrup or broth. When a product contains preservatives, color, emulsifiers and other type of food additives, the label must specify the generic name or international code, purpose, and concentration of each. When a product contains enriched nutritious substances such as vitamins, mineral salts and proteins, the label should read: “Enriched Food Product” or “Enriched Artificial Food Product,” whichever the case may be. The label should also specify the name and the content per serving or consumption unit.
- e) **Net content**. The content must be specified in units using the International System in the following manner: volume for liquid food products, weight for solid food products, and either weight or volume for semi-solid or viscous food products.
- f) **Lot number**. This number must be engraved or printed in a permanent manner and may be placed on any external surface of the package.
- g) **Expiration date**. The expiration date should be written in this order: day, month and year. The manufacturer must ensure that the expiration date is included. The SRD is not opposed to the bar code being included on labels. However, consumers do not always know how to read and interpret the date in such codes.

The expiration date and lot number should be easy for consumers to read. It should be printed on top of the label in a way that it will not be erased or easily changed. When the product is canned it should be displayed with indelible ink. The SRD monitors retail stores to check that the expiration date and lot number are clearly shown. The manufacturing and/or expiration date can only be displayed with stick-on labels authorized by the SRD.

The following products are excluded from specifying the expiration date: alcoholic beverages containing 10 percent or more of alcohol by volume; bakery products which due to their nature are generally consumed within 24 hours of the time they were produced although it is common practice for bakeries to put an expiration date on products; vinegar; salt; chewing gum; and fresh fruits and vegetables.

h) Complementary Labeling: To comply fully with Honduran labeling requirements, the complementary label can be a “stick-on” but must be applied prior to retail sale. This label must be translated into Spanish with the same information that is given in the foreign language label. The SRD checks to see that the complementary label matches the description in the foreign language.

Labels must be placed prior to customs clearance and at the time of product registration. The SRD is working toward making streamlining its procedures to ensure enforcement of existing regulations.

i) Sanitary Registration Number. The requirements for the Sanitary Registration number and Sanitary License are the same for food, medicine, medical devices, natural products, chemical substances, and food supplements. The steps needed to obtain a Sanitary Registration number are described in Part VI – “Product Registration and Enrollment”.

Additional Labeling Requirements:

In addition to the above, the following labeling requirements indicated by the Codex Alimentarius apply:

1. Labels may be made of paper or any other material that can be attached or permanently printed on the package.
2. All writing on labels has to be clear and legible, and should not fade under normal use.
3. Labels that are attached to a container may have text on the reverse side as long as it is clearly visible through the container.
4. When the product requires refrigeration, it must be labeled accordingly.
5. When the product is easily contaminated and requires refrigeration after opening or must be consumed immediately, the label must state either: "For immediate consumption after opening" or "Refrigerate after opening", whichever the case may be.
6. When the product is artificial, it must be labeled accordingly.
7. All food products which have been treated with radiation (ionizing energy) must have specified on the label (close to the name of the product) the nature of the treatment. When a radiated product is used as an ingredient in another product, it must be specified in the list of ingredients.
8. Products should not be labeled so as to imitate another product.
9. Labels are not permitted on the internal part of a package or container where they would come into contact with the product itself.
10. Required labeling information should not be displayed on strips, bands, lids, tops, covers, caps, or any other part of the package which is used to open the product, unless authorized by the SRD.
11. Labels of products for export may be partially or fully written in the language of the country of destination and may contain the inscription: “For Export.”

Any exceptions to the above requirements, with regard to products donated for humanitarian purposes, must be approved by the SRD.

B. Nutritional Labeling Requirement

Honduras has no requirements regarding nutritional labeling. It uses the Codex Alimentarius as a guideline. The Central American Technical Regulation for Nutritional Labeling is pending endorsement by CACU member countries.

The SRD treats nutrient content claims (e.g., “low in saturated fat”), absolute descriptors (e.g., “high fiber or low fat”), relative descriptors (e.g., “light” or “reduced sugar”), and other implied claims, on a case-by-case basis when complaints are received from the public.

Labels should not indicate that the product has therapeutic, healing, or any other attributes not normally associated with the product. While enforcement of such health claims is often difficult, the SRD takes special care in ensuring that this is the case with products that are widely used by the population and require added ingredients to increase their nutritional value such as the case of sugar, salt and flour. By law, sugar for human consumption needs to have vitamin A added to it (which is done by the Honduras sugar industry). Salt must have iodine, and wheat flour must have iron, folic acid, vitamins B1, B2 and niacin added. The SRD oversees that these products are labeled as such.

The “Recommended Daily Allowance” (RDA) of certain additives may be included on the label. RDA standards may vary from those in the U.S. since Honduras follows those of the Codex Alimentarius.

Section III. Packaging and Container Regulations:

Containers can be of plastic, metal, glass, paperboard or any other materials which comply with requirements to maintain the quality and safety of the product. The packaging materials or containers should not absorb or transfer to the product components which will change the stability or quality of the product, or might cause content loss.

The quality control of the materials in contact with the food products is applied on a case-by- case basis. The controls can be applied in an official laboratory or in an international lab recognized by the Ministry of Health. New or unusual packaging or containers are usually analyzed prior to product registration. Honduras does not require any special packaging or container size. There are no Municipal Waste Disposal Laws or product recycling regulations.

Section IV. Food Additives Regulations:

Honduras uses the Codex Alimentarius and FDA approved food additives. The CACU is in the process of issuing a technical regulation on additives for its member countries. When a product contains preservatives, coloring, emulsifiers and other type of food additives, the label must specify the generic name or international code, purpose, and concentration of each. The SRD accepts as safe the following seven colorings in foods:

Yellow #5	Yellow #6	Red #2	Red #3
Blue #1	Blue #2	Red #40	

Section V. Pesticides and Other Contaminants:

Pesticides and contaminants are regulated by SENASA’s Plant Health Division. Ministerial Decree No.642-98 establishes the requirements for registration, importation, manufacturing, formulation, re-packaging, re-bottling, transportation, storage, sale, use, management and exportation of pesticides and contaminants. The GOH has not set regulations or limits on the amount of pesticides allowed on food. SENASA uses a list of pesticides approved for use in Honduras and applies the tolerance levels for imported food products set forth by Codex. If the Maximum Residue Levels (MRLs) are not covered in Codex, the MRLs from the Environmental Protection Agency (EPA) are used.

Pesticides must be registered with SENASA’s Plant Health Division. An application for pesticide registration must be submitted with documents such as the Certificate of Origin and Certificate of Free Sale issued by a state or federal Agency or Chamber of Commerce. In addition, the following documents are also required: Certificate of Composition,

properties of the product, and toxicological and ecotoxicological studies among others. An application can be obtained by contacting SENASA (an e-mail address is listed in Appendix II of this document).

Section VI. Other Regulations and Requirements:

PRODUCT REGISTRATION AND ENROLLMENT

All processed food products imported into Honduras must be registered with the SRD. The exporter should confirm that the importer complies with two SRD requirements: First, the importer must have a valid Sanitary License. Second, the importer must register the product through a process called Sanitary Registration and Enrollment. The **Sanitary License** applies only to Honduran establishments. Through the license, the SRD authorizes the establishments to manufacture or import and store processed food products, based on their compliance with food safety and hygiene requirements. The **Sanitary Registration Number** is the established procedure through which processed foods are approved to be sold. The **Sanitary Enrollment** is the authorization granted to an importer or distributor of a product previously registered.

Processed products must have the sanitary registration number prior to entering the country. Only food samples to be used for the registration process will be allowed to enter the country without such number. SRD regulations allow up to 30 working days to process a sanitary registration. The importer's representative should regularly check with the SRD to verify the status of the process. This way, the importer will know if a document is missing or if the SRD requires further information.

The label should have an empty space in which the sanitary registration number will be written. This number is valid for five years, during which time the product can be sold with a complementary label. However, when the sanitary registration number expires after five years, the number of the sanitary registration must be printed on the package. The complementary label is not allowed after this time. The SRD monitors retail stores to check if the product displays the expiration date and the sanitary registration number.

Unlabeled containers of food inputs waiting to be processed, labeled, or repacked, do not need sanitary registration numbers. However, the packer or processor has to have a sanitary license issued by the SRD. When the processed or packed food product is to be sold to the consumer, it needs a sanitary registration number. It should also have the expiration date, the name of the manufacturer, the name of the processor or packer and must comply with all procedures relevant to processed food. Raw poultry sold at the retail level must have a sanitary registration number. The label in the boxes with the raw product should display such number.

Request for Sanitary Registration Number

Procedures to obtain sanitary registration number, sanitary enrollment, renewal or acknowledgment of registration, can be carried out by any person or company. It is not necessary to be a lawyer. The following information must be submitted to the SRD to obtain the sanitary registration number:

- **Applicant's information:** Name, Honduran ID or passport number (in the case of Honduras), name of legal representative, Honduran ID or passport number, address, phone, fax, e-mail, and address, phone, fax, and e-mail of the warehouse or distributor.
- **Manufacturer's information:** Name of factory (as shown on license), indication whether it is national or foreign, license number and validity of license for the factory or warehouse, address, phone, fax, and e-mail of factory.
- **Product Information:** Name of product to be registered, product trademark, type of product, net content, sanitary registration number for renewals, and country of origin.
- Copy of sanitary license or operating permit of the factory or warehouse.
- Free Sale Certificate for processed food products imported from third countries. This certificate can be issued

by the appropriate State or Health Authority or Chamber of Commerce of the country of origin.

- Original label of the imported products and domestic products that are already in the market. If the label is not in Spanish, a translation must accompany. As long as the Central America Technical Regulation on Labeling is not in force, the country can apply its own regulation.
- Proof of payment of the laboratory analysis.
- Sample of the product when analysis is done prior to registration. Products are divided in three risk areas:

Category “A” for products in the highest risk. These products are the easiest to contaminate and are consumed by a great number of the population. The category includes the following products: raw, cooked, canned meat and cold cut meats, eggs (powder and liquid), milk (powder and liquid), cheese, cream, butter, yogurt, bottled water, ice and raw, cooked, frozen, pre-cooked seafood.

Category “B” is medium risk, such as flour, sugar, and salt.

Category “C” has the least risk, such as candy.

Sample analysis is conducted only on Category A Products. The registration of products under the B and C categories does not need a sample of the product. A sample is required only in cases when there is an alert or outbreak of a B or C category product.

The CACU member countries agreed to harmonize a procedure to register a product through Sanitary Registration and Sanitary Enrollment. This was done via COMIECO Resolution No. 216-2007. The resolution approves the Central American Technical Regulation RTCA 67.01.31.06 “Processed Food. Procedure to Grant Sanitary Registration and Sanitary Enrollment”. Please note that this regulation is in effect. The importer can find the application form on the SIECA website <http://www.sieca.org/gt/site/Enlaces> under the “Procedure to Provide Licenses”. The format is the same for all the CACU member countries.

CACU members agreed that for the products produced or processed in their countries, when a product is registered in a CACU country, it does not need to be registered in another. Products produced in the U.S are not eligible for the registration exemption. However, the origin of the product is considered to be a CACU country if the product is processed in a CACU country, even if the raw material is not from a CACU member country.

The only procedure that a CACU country has to carry out is to request a “Registration Acknowledgment” which is the same throughout Central America excluding Costa Rica. The acknowledgment lasts the length of time that the product is registered, which is five years. The registration and requirements are part of COMIECO’s resolutions, which are in the SIECA’s website: www.sieca.org

Section VII. Other Specific Standards:

The table that follows shows legislation and regulatory agencies which handle key issues regarding the importation of food products:

Issue	Legislation	Regulatory Agency (Ministry)
1. Consumer Packaging	Health Code & Regs. 1/	Health
2. Weights and Measures	Consumer Protection Law	Industry & Trade

3. Vitamin Enrichment	Health Code & Regs. 1/	Health
4. Novelty Foods	Health Code & Regs. 1/	Health
5. Dietetic or Special Use Foods	Health Code & Regs. 1/	Health
6. Food Sanitation	Health Code & Regs. 1/	Health Agriculture & Livestock
7. Seafood Products	Phyto & Zoosanitary Law 2/ Health Code & Regs. 1/	Agriculture & Livestock Health
8. Animal Quarantine	Phyto & Zoosanitary Law 2/	Agriculture & Livestock
9. Wine/Beer/Alcoholic Beverages	Health Code & Regs. 1/	Health
10. Organic Foods & Health Foods	Health Code & Regs. 1/	Health
11. Product Samples & Mail Order Shipments		Health
12. Meat Products	Phyto & Zoosanitary Law 2/ Health Code & Regs. 1/	Agriculture & Livestock Health

1/ - Health Code (Congressional Decree 65-91) and Implementing Regulations.

2/ - Phytosanitary & Zoosanitary Law (Congressional Decree 157-94 and 344-2005 and Implementing Regulations).

Import procedures to register veterinary products and pet foods include the submission of additional documents such as: request submitted by a veterinarian and a lawyer, provision of the qualitative and quantitative formula, explanation of the methods of analysis, and an authorization from the manufacturing company.

Depending on the circumstances, other GOH agencies may be involved in one way or another with imports of food products (see the list of useful contacts at the end of this report).

Section VIII. Copyright and/or Trademark Laws:

The GOH has taken actions to substantially improve Intellectual Property Rights (IPR). Historically, well-known trademarks were subject to infringement, and protection under local law did not approach international standards. However, in 1993, Honduras passed a comprehensive IPR law. The GOH has since complied with the requirements of this legislation by creating an IPR Office within the Ministry of Industry and Commerce to implement and enforce copyright, trademark, and patent laws.

As a signatory to the Uruguay Round agreements and member of the World Trade Organization (WTO), Honduras has accepted the Trade-Related Aspects of Intellectual Property Rights (TRIPS) standard. In addition, Honduras has signed with the United States, the Central American-Dominican Republic Free Trade Agreement (CAFTA-DR), which contains a chapter on IPR. To be protected under Honduran Law, trademarks must be registered with the Ministry of Industry and Trade. Trademark registrations are valid for 10 years starting from the registration date. "Notorious marks" are protected under the Pan-American Convention (1917) of which Honduras is a member. Illegal registration of a

notorious mark, however, must be contested in court by the original holder.

Section IX. Import Procedures:

Import permits of raw and processed food products, additives, and inputs used in food processing must comply with SENASA requirements. In order to get an import permit, all importers should submit the request with the following documents to SENASA:

- a. Phyto or Zoo Sanitary Certificate
- b. Certificate of Origin
- c. Photocopy of Commercial Invoice

The above mentioned documents and the import request should be clear and show the same amounts, description, origin and point of departure of the products to be brought. This request of the import permit is done when the importer has already complied with the procedures of obtaining the Sanitary Registration number with the Ministry of Health.

The requirements and import permit application forms can be accessed at: <http://www.senasa-sag.gob.hn>. Importers are told that the process will take 72 hours if all the documents are complete. The SENASA import permit is valid for only one shipment. In case that the permit is not used within 30 days of the date issued, the importer requests SENASA to renew the import permit.

The documents required to submit with the import permit and the import process at the port of entry are described below.

a. Phyto or Zoo Sanitary Certificates

SENASA requests that the Phyto or Zoo Sanitary Certificate be issued by the federal government authority that inspects the conditions of the plant where the product has been produced or processed such as: FSIS, APHIS or FDA. A Free Sale Certificate issued by a State or Department of Health authority or Chamber of Commerce is accepted for other types of processed products. SENASA does not accept documents from commercial trading companies.

The above mentioned documents certify the inspections done by federal or state authorities. Under CAFTA-DR, Honduras recognized the United States inspection services as equivalent to the one in Honduras. This equivalence eliminates the requirement of a pre-certification of the U.S. exporters facilities.

The appropriate certificate provided for various categories of products are in the following table:

U.S. Government Agency	Certificate
USDA, Food Safety Inspection Service (FSIS)	Certificate for meat and poultry products

USDA, Animal and Plant Health Inspection Service (APHIS)	Certificate for plants and vegetables
USDA, Animal and Plant Health Inspection Service (APHIS)	Certificate for live animals
USDA, Animal and Plant Health Inspection Service (APHIS)	Certificate for dairy products
U.S. Department of Commerce (NOAA)	Certificate for seafood
Certificate of Free Sale from State or Department of Health where the plant is located	Certificate for canned meat products

Regarding imports of U.S. poultry products, SENASA has requested that USDA add an Additional Declaration (AD) to the phyto-sanitary certificates. The AD should indicate that "All fresh/frozen poultry meat, including mechanically deboned meat (MDM), comes from an area free of high or low pathogenic Avian Influenza". APHIS provides updates to SENASA concerning outbreaks by state as well as their current status. However, SENASA has emphasized that it is the importers' as well as the exporters' responsibility to stay abreast of outbreaks so they can assure SENASA of the health status of the area of origination.

In addition, imports of cooked poultry products and mechanically deboned meat (MDM) must come with an FSIS Certificate (Form 9060-5) which includes also the AD indicating that "All fresh/frozen poultry meat, including mechanically deboned meat (MDM), comes from an area free of high or low pathogenic Avian Influenza".

In the case of imports of animal products, SENASA's Food Safety department (DIA) has a registry of Honduran import establishments which they have inspected (and have made eligible for the importation of these products). The Honduran establishments must comply with the good agricultural and manufacturing practices to keep the imported product safe.

b. Certificate of Origin

There are two types of Certificate of Origin. The first one is the document that SENASA requires in all imports of raw and processed animal or plant products. This certificate of origin is from the place where the product was produced or manufactured. SENASA reports that often importers are confused about "origin" and "point of shipping". This might cause error in the documents presented for the import permit.

The second type is the CAFTA-DR Certificate of Origin required by the Customs Tax Division (DEI). The main purpose of the document is to certificate that the product originated in the United States. The certificate provides access to the CAFTA-DR preferential tariff agreed under the treaty. There is not a special form for this certificate. The producer, exporter or importer could provide the certificate with all the required information. A sample of this certificate can be found at www.sic.gob.hn/formularios.

c. Photocopy of Commercial Invoice

SENASA requires that this document shows the same amounts, description, origin and point of departure.

Import Process at Port of Entry

SAG has delegated the responsibility of all quarantine inspections and treatment of agricultural imports to the Regional International Organization for Plant and Animal Health (OIRSA). OIRSA's Plant and Animal Protection Service (SEPA) offices are located at the borders, ports and airports. They follow SENASA's instructions to enforce the import requirements of raw animal and plant products and processed foods imports.

SEPA and Customs inspectors are involved in clearing imports of these products. SEPA requires at the port of entry the documents indicated by SENASA in the import permit such as: the original import permit approved by SENASA and the original Phyto, Zoo Sanitary or Export Certificate which the product brings. SEPA requires also copy of any other document that the import permit indicates such as the Certificate of Origin and Commercial Invoice. Please note that SEPA reviews that the origin of the product, is the same in the documents and in the label of the product entering the country. This is required by SENASA since often importers are confused about "origin" and "point of shipping".

Prior to granting customs clearance, the SEPA inspector reviews all the documents provided and conducts an inspection of the product. The customs clearance is granted within a short period of time. Depending on the work load at the port, this time period can range from a few hours to a couple of days.

Shipments of food products that were not registered with SENASA prior to importation are normally detained at the port of entry where product sampling is conducted. The samples are later subjected to laboratory analysis to ascertain the physical, chemical and biological characteristics of the product. If the laboratory analysis indicates that the product does not meet acceptable standards, the product may be confiscated and later destroyed, re-exported, or tagged for animal consumption depending on its condition and characteristics as determined by the authorities. An appeals system exists for disputed product rejections. The legal department within SENASA addresses these appeals.

TARIFFS

Honduras did not negotiate any Tariff Rate Quotas (TRQs) when it became a member of the World Trade Organization (WTO). Under the Central America-Dominican Republic Free Trade Agreement (CAFTA-DR), Honduras eliminated its tariffs on nearly all agricultural products. For most sensitive products, TRQs permit some immediate zero-duty access for specified quantities during a 15 to 20 years phase-out period. The table below shows the CAFTA-DR TRQ and phase-out periods:

CAFTA-DR Tariff-Rate Quotas 2010

Product	2010 TRQ (MT)	TARIFF (In-quota) Percent	TARIFF (Out-of-quota) Percent	Phase-Out Period (Years)	Phase-Out Period Ends (Year)
White corn	25,300	0	5 to 45	0	0
Yellow corn	226,796	0	5 to 45	15	2020
Rice, rough	99,000	0	45	18	2023

Rice, milled	10,625	0	45	18	2023
Pork meat	2,750	0	15	15	2020
Beef meat*	-	0	5 to 15	15	2020
Chicken Leg Quarters	1,603	0	164	18	2023
Milk powder	365	0	5 to 15	20	2025
Cheese	498	0	15	20	2025
Butter	122	0	15	20	2025
Ice cream	122	0	15	20	2025
Other Dairy Products	170	0	15	20	2025

*Immediate access for prime beef and choice cuts

The tariffs on grain require further explanation. There are limitations on imports of corn and rice in order to protect local production. Imports of these two products during harvest time are not allowed. In addition, there is a combination price band mechanism and absorption agreement for corn, grain sorghum, and corn meal. Under the price band mechanism, duties can vary from 5 to 45 percent, depending on the import price. The tariff is calculated every 15 days using international prices. The cost of freight and insurance are added to that price.

Under a five-year agreement which is renewable each year, the tariff for these products drops to one percent when end users purchase a predetermined amount of corn and sorghum from farmers. Thus, industry is able to import three quintales (1 quintal=100 kilograms) for each quintal bought from domestic production. Otherwise, the price band remains in effect. The reduction can only take place during non-harvest season (March through August) and only end users who have signed the above-mentioned agreement may apply for this preferential treatment. According to this agreement, this mechanism guarantees a market for the producers of corn and sorghum, makes transparent market information, and eliminates commercial intermediaries.

Rice farmers and millers have also reached a similar absorption agreement. However, in the case of rice, duties have been fixed at one percent for rough rice and 45 percent for milled rice for signatories of the agreement. For everyone else, the duty is 45 percent across the board on all rice products.

Appendix I. Government Regulatory Agency Contacts:

APPENDIX I. GOVERNMENT REGULATORY AGENCY CONTACTS

1. Ministry of Agriculture and Livestock (SAG)

Name: Dr. Edmundo Omar Toro
Title: Director General
Servicio Nacional de Sanidad Agropecuaria (SENASA),
Secretaría de Agricultura y Ganadería
Address: Blvd. Miraflores, Avenida La FAO, Tegucigalpa, Honduras
Tel/Fax: (504) 231-0786
E-mail: etoro@senasa-sag.gob.hn
www.senasa-sag.gob.hn

2. Ministry of Health:

Name: Dr. Henry Andrade
Title: Director General
Dirección de Regulación Sanitaria
Secretaría de Salud
Address: Barrio el Centro, Edificio Principal
Tegucigalpa, Honduras
Tel.: (504) 237-7659
Tel./Fax: (504) 237-2726
E-mail: normativorshn@yahoo.com
www.dgrs.gob.hn

Appendix II. Other Import Specialist Contacts:

Name: Dr. Ranfis Bolivar Mercado
Title: Sub-Director de Salud Animal
Servicio Nacional de Sanidad Agropecuaria (SENASA),
Secretaría de Agricultura y Ganadería
Address: Blvd. Miraflores, Avenida La FAO, Tegucigalpa, Honduras
Tel/Fax: (504) 231-0786
E-mail: rbolivar@senasa-sag.gob.hn
www.senasa-sag.gob.hn

Name: Ing. Orly García
Title: Sub-Director de Salud Vegetal
Servicio Nacional de Sanidad Agropecuaria (SENASA)
Secretaría de Agricultura y Ganadería
Address: Blvd. Miraflores, Ave. La FAO, Tegucigalpa, Honduras
Phone: (504) 235-8425
Fax: (504) 231-0786
E-mail: ogarcia@senasa-sag.gob.hn
www.senasa-sag.gob.hn

Name: Dr. Juan Ramón Velazquez
Title: Coordinator Food Safety Unit
Servicio Nacional de Sanidad Agropecuaria (SENASA)
Secretaría de Agricultura y Ganadería
Address: Blvd. Miraflores, Ave. La FAO, Tegucigalpa, Honduras
Phone: (504) 235-8425
Fax: (504) 231-0786
E-mail: jvelasquez@senasa-sag.gob.hn
www.senasa-sag.gob.hn

Name: Lic. Raúl Fernando Ardón
Title: Jefe Sección de Administración de Tratados
Institution: Dirección Ejecutiva de Ingresos (DEI)
Address: Colonia Palmira, Ave. Juan Lindo
Edificio Gabriel A. Mejía

Tel./Fax: Tegucigalpa, Honduras
(504) 238-1514
(504) 236-6590
E-mail: rardon@dei.gob.hn

POST INFORMATION

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

Office of Agricultural Affairs, U.S. Embassy
Avenida La Paz, Tegucigalpa, Honduras
Phone: (504) 238-5114, ext. 4354, 4544
Fax: (504) 236-8342
E-mail: AgTegucigalpa@fas.usda.gov

Office of Agricultural Affairs, U.S. Embassy
Avenida Reforma 7-01 Zona 10
Guatemala, Ciudad 01010
Phone: (502) 2332-4030
Fax: (502) 2331-8293
E-mail: AgGuatemala@fas.usda.gov

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