

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: 12/26/2017

GAIN Report Number: TS1710

Tunisia

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

Approved By:

Morgan Haas

Prepared By:

FAS Tunis

Report Highlights:

The Food and Agricultural Import Regulations and Standards (FAIRS) report provides an overview of the food laws and regulatory environment in Tunisia as it relates to U.S. food and agricultural exports. Sections I, II, III, IV, V, VI, VIII, IX and the Appendix have all been updated.

Section I. General Food Laws:

While the Government of Tunisia (GOT) had prioritized and enacted some reforms to encourage trade in recent years, including streamlining Customs clearance and lowering its applied MFN import duties¹, Tunisia appeared to reverse course in late 2017. In an effort to shore up Tunisia's state budget and conserve its depleting reserves of foreign currency, the GOT installed a number of measures focused on curbing imports and consumption in late 2017. In the recently passed Finance Bill, effective January 1, 2018, two significant changes include increasing the consumption tax on all products as well as import duties on Turkish products specifically. Meanwhile, the Central Bank also installed new measures focused on cutting imports of consumer products while Customs began requiring additional documentation which US exporters were not at liberty to provide – specifically the Customs Export Declaration. Meanwhile, Tunisia's regulatory framework remains relatively non-transparent.

Tunisia's draft Food Law remains pending with no timetable set to resume debate although it could occur as soon as late 2018. The draft Food Law is expected to harmonize Tunisian legislation with EU food directive 178/2002 as well as establish a National Board for Food Safety. At present, the National Agency of the Sanitary and Environmental Control of Products (ANCSEP), under the supervision of the Ministry of Health, is primarily responsible for monitoring and coordinating Tunisia's food controls. ANCSEP also ensures the observance of national and international standards in matters of sanitary and environmental food controls. Nevertheless, Ministries of Agriculture, Trade, Industry, and Finance as well as the Central Bank all play critical roles in setting the rules of trade. Through Ministry of Trade's [Decree #2016-503](#), Tunisia established a National Commission to ensure its compliance with WTO regulations and facilitate trade, which also coincided with Tunisia's third WTO [Trade Policy Review](#).

Currently, Tunisia's primary food laws are as follows:

- [Law # 92-72](#) (completed by [Law # 99-5](#)) concerns the quarantine and phytosanitary requirements applied to unprocessed agricultural products of plant origin,
- [Law # 99-24](#) sets the veterinary and sanitary controls of animals and animal products,
- [Law # 99-42](#) (amended by [Law # 2000-66](#)) sets the procedures for seeds and seedlings production, propagation, import, marketing and protection of the rights relating thereto,
- [Law # 94-86](#) addresses market distribution channels and retail services, and
- [Law # 92-117](#) concerns consumer protections.

Beyond the GOT's existing Laws and underlying Decrees and Orders, Tunisia still generally lacks transparency regarding how measures are interpreted and enforced through internal notes. Public access to Tunisian standards and requirements are also often restricted or published only in hard-copy and not for distribution. At the same time, the implementation of Tunisia's regulations are also not always rigorous, particularly regulations that govern labeling, conditioning, handling, transport, and storage of agricultural and food products.

¹ According to the WTO, in 2016, Tunisia applied an average MFN customs tariff on agricultural products of 32.1%, ranging from 0 to 36%. See Tunisia's [2017 Finance Law](#) for details.

Section II. Food Additives Regulations:

The Ministry of Industry's [Order](#), issued on May 20, 1998, validated Tunisian standard NT 117-01 (1995) governs the use of food additives. The purpose of this standard is to give an exhaustive listing of authorized additives (positive list), their conditions of use as well as their respective identification E-numbers. This standard is largely based on European regulations (directive 94/35/EC on sweeteners for use in foodstuffs, directive 94/36/EC on colors for use in foodstuffs, and directive 95/2/EC on food additives other than colors and sweeteners).

Section III. Pesticides and Other Contaminants:

Registration

Pesticides are regulated by [Law # 92-72](#), completed by [Law # 99-5](#). They must be imported by an approved importer in accordance with the Book of Specifications (*Cahier des Charges*) established by Ministry of Agriculture's [Order](#), dated May 5, 2003. The pesticide must also be registered and officially authorized by the Ministry of Agriculture's official laboratory *Laboratoire de Contrôle et d'Analyse des Pesticides*. The registration procedure takes two years, including one year of experimentation.

Maximum Residue Limits

The laboratory of the National Institute for Nutrition of the Ministry of Public Health (Laboratoire de l'Institut National de Nutrition) and the Central Laboratory of the Ministry of Industry (Laboratoire Central) are responsible for pesticide residue analysis in foodstuffs.

Maximum pesticide residues in food are set in Tunisian standard NT 117-03, enacted in 1983. The standard states its equivalence to Codex Alimentarius Standard #100-1981 (Codex CAC/RS 100-1978).

Tunisia has no established veterinary drug MRLs. Article 3 of a Joint Order from [January 4, 1996](#) (amended on [September 7, 2005](#)) includes reference to veterinary drugs allowed for use in feed along with other additives:

- Antibiotics
- Substances with anti-oxygen effects
- Coccidiostatics and medicinal substances
- Colorants, including pigments
- Emulsifying, stabilizing, thickening and jelling matters
- Vitamins and pro-vitamins
- Trace elements
- Conservation elements
- Binding, coagulating and anti-lumping agents
- Growth factors
- Aromatic substances
- Acid regulators

Contaminants

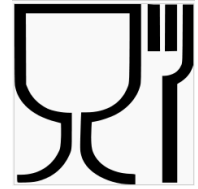
The Ministries of Health, Trade and Agriculture's Joint [Order](#), dated May 13, 2013 (replacing Tunisian standard NT 117-02), sets Tunisia's maximum limits for food contaminants, including for metals, metalloids, and aflatoxins (B1, B2, G1, G2, M1, M2, ochratoxins and histamines). Tunisia's NT 117.03 sets the norm for organochlorine compounds, including PCBs.

Tunisia requires a certificate indicating the amount of dioxin residues for all imports of bulk and processed food items. Tunisia also requires a certificate of non-contamination from radioactivity, which may be issued by the country of origin or by Tunisia's National Center for Radioprotection after testing.

Section IV. Packaging and Container Regulations:

Food Packaging Requirements

[Decree #2003-1718](#), dated August 11, 2003, regulates materials intended to come into contact with foodstuffs and requires packaging bear the food grade international logo (shown to the right). The Decree does not apply to coating materials covering foodstuffs. This requirement entails either clearly stating on the container a short message (mandatory in Arabic and optional in other languages) such as “*material fit for food contact*” or featuring the logo.



come
on the

Container Requirements

Tunisia has implemented ISPM15 regulating Wood Packaging Material in International Trade.

Section V. Labeling Requirements:

General Requirements

Ministry of Trade's [Order](#) (September 3, 2008) regulates the labelling of all pre-packaged foodstuffs intended for retail and food service.

The following components are mandatory on labeling:

- Product name;
- Ingredients, including the full list in descending order of prevalence and allergens clearly labeled;
- Net weight using metric units of volume (*liter, milliliter...*) for liquids and weight (*kilograms, grams...*) for non-liquids. Food items packed in a liquid container must list the net drained weight;
- Date of production and shelf life shall be listed as: day/month/year;
- Date limit for use or date limit for optimum use, as well as any specific conditions of safety and use;
- Name or the trade name and the complete address of the manufacturer or the packager;
- Number of the lot;
- Place of origin; and
- Storage instructions, such as 'keep in a cool place, protect from light or from dampness' must be indicated when necessary, and important use instructions in the case their omission does not allow appropriate use.

The labeling shall comply with the following:

- Labels appended on pre-packaged foodstuffs shall not describe or present the product in a deceptive or untruthful way;
- Pre-packaged food shall not be sold without labeling;
- The sale and distribution of pre-packaged food is prohibited following the expiry date on the label;
- Only products not having exceeded the midpoint of their shelf-life may be imported into Tunisia;
- Indications on the label shall use indelible ink or by molding or engraving.
- The labels shall be fixed in a way that they cannot be detached from the container;
- Arabic language is required on the label.
- Required information for labelling must be easily understandable, in clear view, legible, and indelible. It must by no means be hidden, warped, or separated by other indications or pictures.
- For foodstuffs processed by ionizing radiation, the label shall bear either the expression: "*processed by ionizing radiation*" or "*processed by ionization*" immediately next to the product name. The use of the international symbol of food irradiation (shown to the right) indicated in the regulations in force is optional, but when it is used, it must appear immediately close to the product name;



- For irradiated product used as an ingredient in another product, it must be mentioned in the ingredients list, and when a product is prepared from an ingredient processed by irradiation, the product label must bear an expression indicating the applied processing;
- For pre-packaged food product containing pork, pork fat or beef fat, it must be clearly mentioned by their specific names on the label;
- For foodstuffs containing genetically-engineered materials, this must be clearly mentioned on the label;
- For product containing alcohol, the label must clearly bear the expression "*product containing alcohol*";
- For mail-order sales, the catalogues, booklets, leaflets or advertisements which make the consumer know the products supplied for sale and allow him to place directly his order shall comply with the same provisions;
- For goods having a shelf-life of three months or more, the mention of the month and the year is sufficient.
- For non-perishable goods, a time limit for optimum use must be indicated using one of the following sentences: '*to be consumed preferably before.../to be consumed preferably before end of.../ to be consumed preferably within a period of...*'
- The use of a sticker to rectify or correct required information is prohibited; [Note: in practice, stickers are used by importers/retailers to include required information, e.g., Arabic]

Other Specific Labeling Requirements

Nutritional Labeling

The Ministry of Trade's [Order](#), dated September 3, 2008, is partially inspired by the European Union regulations of 2006 on the use of nutrition and health claims for foods. The Order sets forth the rules for health or nutritional claims (such as "low fat" and "helps lower cholesterol") on foodstuffs based on nutrient profiles by means of positive lists of authorized claims that can be made on food. Health claims are prohibited on food intended for babies and children. Nutritional labeling of vitamins, minerals, and other nutrients is mandatory when a producer is making health or dietary claims on the label. This provision applies to fortified products and to food items intended for a particular use (e.g. infant formula). Otherwise, nutrition information is voluntary.

If the nutritional content is declared on the label, it is mandatory to display the energetic value, protein, carbohydrates (food fibers excluded), and lipids, and the quantity of any other nutritional element subject to a nutritional claim. The quantity of protein shall be calculated according to the following formula: $Protein = total\ nitrogen\ (kjeldhal) \times 6.25$. The quantity of energy must be calculated using the following coefficients:

Carbohydrates	4 Kcal/g-17KJ
Polyalcohol	2.4 Kcal/g-10KJ/g
Protein	4 Kcal/g-17KJ
Lipid	9 Kcal/g-37KJ
Alcohol (ethanol)	7 Kcal/g-29KJ
Organic acid	3 Kcal/g/13KJ

Environmental Labeling:

Tunisia has an environmental labeling requirement that applies for pre-packaged food items made entirely or partially of plastic, canned food made of white iron metal and aluminum cans with capacity greater than 100 milliliter. So far this requirement is only enforced for bottled water and soft drinks. [Decree #97-1102](#), dated on June 2, 1997, and amended by [Decree #2001-843](#), dated on April 10, 2001, mandates a national system managed by the National Agency for Environmental Protection (ANPE), to collect and recycle used packaging. The manufacturer or the importer has four options to comply with this regulation:

- Retrieve and recycle used packaging
- Entrust the implementation of this obligation to an approved company on a contractual basis
- Enroll in the state-owned recycling system, which gives the right to print the Eco-leaf logo (shown to the right) on the product's label.
- Re-use the package or use it in another industrial process.



Food Quality Label

Ministry of Industry and Technology's [Decree #2010-2525](#) regulates the use quality label called "*Food Quality Label Tunisia*," which may be awarded to processed foodstuffs with a higher, specific, or traditional quality attributes. date, only Tunisian products have been approved to use the quality label.



of a
To

Section VI. Other Specific Standards:

List B of Ministry of Industry's [Order](#) (April 16, 2013) canceled several mandatory product specifications, including but not limited to citrus, apples, table grapes, almonds, hazelnuts, dried fruit, common wheat, and durum wheat.

Animals and Animal Products

[Law #2005-95](#) serves as the legal basis for Tunisia's production, processing, and marketing of dairy, livestock, and poultry and products thereof.

Dairy Products

In 2012, the United States and Tunisia agreed to a [sanitary certificate](#) to facilitate the trade of U.S. dairy products.

The Ministries of Industry and Trade regulate milk powder imports through a quota allocation system according to a Book of Specifications. Quotas are allocated on the basis of the annual requests presented by the end-users (cheese and yoghurt processors).

Livestock Genetics

In 2017, the United States and Tunisia agreed to [sanitary certificates](#) to facilitate the trade of U.S. bovine semen, breeding cattle, sheep and goats.

Plants and Plant Products

Ministry of Agriculture's [Order](#), dated February 19, 2016, requires an original phytosanitary certificate conforming to the model established by the International Plant Protection Convention (IPPC) to accompany all shipments of plants or plant parts into Tunisia. The certificate shall be issued no more than 14 days before export. If the exporting country is not the country of origin, shipments shall be accompanied by a re-export certificate conforming to the model established by the IPPC and the phytosanitary certificate issued by the country of origin if it is available, otherwise the exporting country must mention the country of origin on its certificate. The phytosanitary certificate must specify that plants are free of certain diseases, as listed in Ministry of Agriculture's [Order](#), dated May 31, 2012, and it shall include an additional statement attesting that the plants or the plant parts comply with the requirements in Article #4 of the Order dated February 19, 2016.

Ministry of Agriculture's [Order](#), dated June 26, 2015, provides a list of banned plant products, including includes **citrus** and **dates** from all countries, **apples** and **pears** from all countries with Fire blight (*Erwinia amylovora*), and **alfalfa** from all countries with Bayoud (*Fusarium oxysporum* fsp. *albedinis*).

Seeds and Seedlings

The phytosanitary conditions for the imports of seeds and seedlings as well as the Book of Specifications for seed production, storage, and packaging are detailed in the following decrees:

- [Decree #2000-101](#) (January 18, 2000);
- [Decree #2002-621](#) (March 19, 2002);
- [Decree #2004-2179](#) (September 14, 2004), which amends Decree #2000-101;
- [Decree #2007-1104](#) (May 2, 2007), which amends Decrees #2000-101 and #2002-621;
- [Decree #2017-991](#) (August 15, 2017), which amends Decree #2000-101.

Wheat and Barley

The Ministry of Agriculture outlines the requirements for importing wheat in [Decree #2012-621](#). Under the supervision of the Ministry of Agriculture, Tunisia's Office of Cereals (OCT) maintains an effective import monopoly on durum wheat, common wheat, and barley. Imports by private entities are only permitted under a re-export program. Import requirements also accompany tenders in a Book of Specifications, which stipulates that U.S. wheat contracts shall correlate with USDA/FGIS standards.

Corn

The Ministries of Agriculture, Finance, and Trade's Joint Order of [January 11, 1997](#) sets the technical and phytosanitary requirements to import corn.

Soybean Meal

The Ministries of Trade and Agriculture's Joint Order of [January 11, 1997](#) sets the import requirements for soybean meal.

Feed and Feed Ingredients

The Ministries of Agriculture, Public Health, and Trade's Joint Orders from [July 29, 1999](#) and [September 12, 2001](#) regulate feed production, marketing, labeling, and quality controls. To import ingredients for compound feed production, importers are required to maintain a register showing:

- Name and quantities of imported ingredients
- Name and address of supplier
- Date of production of ingredients
- Name and address of buyers
- Quantities and numbers of lots of ingredients sold or in stock
- Analysis certificates giving contents of noxious elements

Section VII. Facility and Product Registration requirements:

Tunisia has no additional facility or product registration requirements other than those listed in other sections of this report.

Section VIII. Other Certifications and Testing Requirements

Free-Import Regime / Import Licenses

[Law #94-41](#) (March 7, 1994) largely allows importers to operate under a free-import regime without first requiring prior authorization via an import license. Products not under the free-import regime require an import authorization granted by the Ministry of Trade that generally lasts for one year. To obtain this license, a number of documents are required, such as the commercial contract (or other equivalent documents), as well as information about the contracting parties, the products, their origin and where they come from. However, Tunisia has exceptions for companies operating under re-export programs or in free trade zones. [Decree #94-1742](#) (August 29, 1994), established the list of products excluded from the free-import regime, and [Decree #94-1743](#) (August 29, 1994), established the modalities for importers operating under the free-import regime.

Technical Controls

[Decree #94-1744](#) (August 29, 1994), updated by [Decree #2010-1684](#), concerns technical inspection procedures for imported products entering Tunisia under the free-import regime. Ministry of Economy's [Order](#) (August 30, 1994), amended by Ministry of Trade's [Order](#) (September 15, 2005), defines the list of products subject to one of three categories of technical control measures:

- *List A: Products Imported under Systemic Technical Control* – Such products are subject to a conformity assessment against established technical regulations for each shipment which may require additional sampling and laboratory analysis regardless of whether the product has or has not been already tested in the past. This list includes many consumer-oriented agricultural products.
- *List B: Products under the Certification Regime* – Such products may be cleared by Customs as long as they are accompanied by a certificate issued by the country of origin which states that the goods are in compliance with international standards. Agricultural products are not among products subject to the *Certification Regime*.
- *List C: Products under the Cahiers de Charges* – Such products are subject to conformity with conditions defined by a GOT-sanctioned Book of Specifications. Conditions often include conditions regarding the importer's eligibility in terms of storage capacity, funding availability, production data disclosure, etc. This list includes many bulk and intermediate agricultural products.

Section IX. Import Procedures:

In February 2017, Tunisia ratified the WTO's Trade Facilitation Agreement and should notify its implementing category (A, B, or C) in the near future.

The customs clearance process for a product imported under the free-import regime takes less than 12 days on average and is composed of two essential steps:

- 1) **Declaration:** Import declarations may be completed online with the Tunisian customs office and consists of an application form along with documents cited below.
 - Request an '**Autorisation de Mise à la Consommation**' (AMC) and/or an '**Autorisation Provisoire d'Enlèvement**' (APE), bearing the signature of the importer, in accordance with the model of the single bundle enacted by Ministry of Trade's [Order](#) of November 14, 2000. Note: The APE is a provisional document used in absence of the AMC to expedite customs clearance; however, importers must refrain from distributing or further processing the imported good until the AMC is delivered by the Ministry of Trade, Directorate of Quality and Consumer Protection. The AME provides authorization for the importer to sell the product in the marketplace.
 - **Commercial Invoice:** Since October 2006, customs clearance requires domiciliation of the commercial invoice with an approved financial intermediary (i.e. commercial bank). Tunisia's Central Bank prohibits the flow of currency out of Tunisia as payment for imports before documents are presented to the issuing bank confirming that the merchandise has entered the country.
 - **Certificate of Origin,**
 - **Packing List,**
 - **Bill of Lading,**
 - **Technical Notice** describing the composition of product, the number of lot, the date of production and the validity period, safety requirements, rules of storage, compliance certificate, and analyses...
 - Other document (s) at the discretion of the Authorities

The time required to file an import declaration is estimated at 45 minutes.

- 2) **Custom Control:** All products that arrive for entry are systematically sorted by Customs' information system "SINDA (Système d'information douanier automatisé)" according to certain criteria, including the type of the product and the importer. The products are then inspected accordingly to the procedures described in **Section VIII** in order to receive the AMC (Autorisation de Mise à la Consommation).

This operation can take up to 20 days depending on the product.

Customs fees are assessed at about 3%.

Section X. Copyright and/or Trademark Laws:

[Law #94-36](#) protects copyrights and established the Tunisian Institution for the Protection of Copyright (Organisme Tunisien de Protection des Droits d'auteur). According to Article 18, the copyright shall be valid during the author's lifetime and must continue for fifty calendar years after the author's death. The law established monetary sanctions for violations or infringements.

[Law # 2001-36](#) (completed by [Law # 2007-50](#)) protects trademarks and brand names. Registration with the National Institute for Standardization and Industrial Property (INNORPI) is required to obtain protection and is normally issued upon filling an application for registration. A trademark registration is valid for fifteen years from the date on which the application for registration is filled. It may be renewed indefinitely for similar periods of time. Tunisia does not require use of a trademark as a condition for maintaining registration.

Ministry of Finance's [Order](#), dated January 11, 2016, outlines Customs procedures to stop trade of goods suspected of violating copyright and/or trademark laws.

Tunisia is a member of WIPO (World Intellectual Property Organization) and has signed most WIPO agreements. Tunisia is also a WTO member and thereby a signatory to the TRIPS agreement.

Appendix I. Government Regulatory Agency Contacts:

Ministry of Agriculture, Environment and Hydraulic Resources

Directorate General for Veterinary Services (DGSV)

30, rue Alain Savary, 1002, Tunis, Tunisia
Phone: +216 71 786 833
E-mail: mag@ministeres.tn

Directorate General for Agricultural Production (DGPA)

Ministry of Agriculture, Environment and Hydraulic Resources
30, rue Alain Savary, 1002, Tunis, Tunisia
Phone: +216 71 786 833
E-mail: mag@ministeres.tn

Directorate General for Crop Protection and Quality of Agricultural Products (DGPCQPA)

Ministry of Agriculture, Environment and Hydraulic Resources
30, rue Alain Savary, 1002, Tunis, Tunisia
Phone: +216 71 786 833
E-mail: mag@ministeres.tn

Cereal Board of Tunisia (OCT)

65, Rue de la Syrie 1002 -Belvédère- Tunis
Phone: +216 71 800 040
E-mail: octmail@gnet.tn
Web: <http://www.oc.agrinet.tn/index.php/fr/>

Ministry of Commerce

Directorate of Quality and Consumer Protection (DQPC)

37, av. Keireddine Pacha, 1002 Tunis
Phone: +216 71 890-070 / 890 337
E-mail: mcmr@ministeres.tn

Trade Board of Tunisia

65, Rue de la Syrie 1002 -Belvédère- Tunis
Phone: +216 71 800-040

Ministry of Industry

National Institute for Standardization and Industrial Property (INNORPI)

BP 23 - 1012 Tunis Belvédère
Tel: +216 71 785 922
Fax: +216 71 781 563
E-mail: inorpi@email.ati.tn
Web: http://www.innorpi.tn/Fra/accueil_46_4

Packaging Technical Centre (PACKTEC)

Cité El Khadra, par la rue Alain SAVARY. BP 64 .1003 Tunis.
Tel: +216 71 772 755
Fax: +216 71 773 300
E-mail: Packtec@packtec-tunisia.com
Web: <http://www.packtec.tn/>

Ministry of Public Health

National Agency of Sanitary and Environmental Control of Products (ANCSEP)

2 rue Ibn Nadim Monplaisir Ville Tunis
Phone: +216 71 966-687
E-mail: ancsep@ancsep.com.tn
Web: <http://www.ancsep.rns.tn/>

Tunisian Institution for the Protection of Copyright

37 Rue Mikhail Nouaima, 1005 El Omrane Tunis
Tunisie
Tel: + 216 71 840 668
Fax: + 216 71 847 125
Email: otpd@planet.tn

Ministry of Finance

Directorate General for Customs Services

5 rue ichbilia, Tunis, Tunisie
Tel: +216 71 353 685
Fax: +216 71 353 257
Web: <http://www.douane.gov.tn/>

Other Agencies

Tunisian Central Bank

25, Rue Hédi Nouira – Tunis
Tel: +216 71 122-000
Fax : +216 71 340-615
Web: www.bct.gov.tn

Ministry of Culture

Appendix II. Other Import Specialist Contacts:

U.S. Department of Agriculture

Office of Agricultural Affairs

U.S. Embassy Tunis

Morocco and Tunisia

E-mail: AgTunis@fas.usda.gov

Phone: +216-71-107-486

Fax: +216-71-107-101

Animal and Plant Health Inspection Service

U.S. Embassy Cairo

North Africa and Middle East

Phone: +20-2-2797-2238

Fax: +20-2-2792-4812
