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Report Name: Food and Agricultural Import Regulations and Standards **Export Certificate Report**

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Report Highlights:

This report focuses on specific Spanish certification requirements that differ from or are in addition to EU-harmonized certification. Compared to 2021, this report contains new country-specific certificates as well as updated links to relevant information sources and contacts. This report should be read in conjunction with the EU FAIRS Export Certificate report prepared by the FAS Office in the U.S. Mission to the European Commission (USEU).

Disclaimer: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service for Spain and Portugal 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 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 confirm requirements with local authorities, before any goods are shipped.

FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

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Executive Summary

As an EU member since 1986, Spain applies EU harmonized regulations on import certificates for plant or animal products whether or not they are intended for human consumption. However, in the absence of an EU-harmonized certificate, Spain may **require certain specific health certificates and occasionally the lack of specific details in the governing regulation also provides significant leeway for border inspectors to interpret.**

Competent authorities on certificates vary depending on the type of products. While the Ministry of Health (MOH) is responsible for all products intended for human consumption, the Ministry of Agriculture, Fisheries and Food (MAPA) is responsible for agricultural products for purposes other than human consumption.

There are a number of Border Inspections Points (BIP) in Spain that carry out <u>plant health inspection</u> (MAPA) and veterinary inspection for <u>animal products not intended for human consumption</u> (MAPA), and for products <u>intended</u> for human consumption (MOH)¹.

Contact details of the EU BIPs, listed by countries, are available in the link.

Section I. List of All Export Certificates Required by Spain (Matrix):

Please consult the latest <u>EU FAIRS Export Certificate report</u> for the Export Certificates required for EU harmonized products.

The import of live animals and products of animal origin, for purposes other than food (including live animals, reproductive material such as semen, ovules and embryos and other products of animal origin, and Used Cooking Oil) are subject to specific Spanish certification requirements.

All models of Import Certificates that are not harmonized at the EU level can be found in the <u>Ministry's</u> <u>website</u>. Forms can be obtained also in the following links (certificates are bilingual):

¹ A list of products intended for human consumption subject to sanitary control can be found in the <u>link</u> (Spanish language only).

Product(s)	Title of Certificate	Attestation required on Certificate	Purpose	Requesting Ministry		
ANIMALS						
ANNELIDS FOR FISHING BAIT	Health Certificate	Certify animals' health condition and that measures have been put in place to avoid subsequent contamination.	Animal Heath	Ministry of Agriculture, Fisheries and Food		
BRINE ANS SHRIMP AND THEIR EGGS WITH ORNAMENTAL PURPOSES	Health Certificate	Certify animals' health condition.	Animal Heath	Ministry of Agriculture, Fisheries and Food		
<u>RODENTS TO</u> EXPERIMENTATION	Health Certificate	Certify animals' health condition, establishment animal health status, and establishment registration.	Animal Heath	Ministry of Agriculture, Fisheries and Food		
LAGOMORPHS TO EXPERIMENTATION	Health Certificate	Certify animals' health condition, establishment registration.	Animal Heath	Ministry of Agriculture, Fisheries and Food		
NO LISTED AQUATIC ANIMALS INTENDED FOR ORNAMENTAL CLOSED FACILITIES ²	Health Certificate	Certify animals' health condition, establishment registration.	Animal Heath	Ministry of Agriculture, Fisheries and Food		
		GENETIC MATERIAL	4			
<u>REPTILES EGGS</u>	Health Certificate	Certify donor health condition, establishment registration and that measures have been put in place to avoid subsequent contamination.	Animal Heath	Ministry of Agriculture, Fisheries and Food		
<u>FELINE AND</u> <u>CANINE SEMEN,</u> <u>OOCYTES AND</u> <u>EMBRIOS³</u>	Health Certificate	Certify donor health condition, establishment registration, chain of custody of the product and documentary checks.	Animal Heath	Ministry of Agriculture, Fisheries and Food		
SEMEN AND EMBYOS OF RODENTS FOR EXPERIMENTATION	Health Certificate	Certify that the product was collected and stored in an approved facility, the donors were clinically healthy and, if the case they were used, diluents, additives, or extenders, present no animal health risk.	Animal Heath	Ministry of Agriculture, Fisheries and Food		

² Information on aquatic animals destined to ornamental closed facilities is available in the <u>link</u> (Spanish language only).

³ Information on feline and canine sperm is available in the <u>link</u> (Spanish language only).

Product(s)	Title of Certificate	Attestation required on Certificate		
SEMEN FROM CETACEOUS	Health Certificate	Certify that the product has been obtained from clinically healthy animals in a Zoological Institution controlled by the Official Veterinary Service	Animal Heath	Ministry of Agriculture, Fisheries and Food
<u>CERVIDAE SEMEN</u> ⁴	Health Certificate	Donor health condition, establishment registration, chain of custody of the product and documentary checks.		Ministry of Agriculture, Fisheries and Food
		OTHER PRODUCTS		
<u>REPTILE SKINS</u>	Health Certificate	Certify that the product has been obtained from animals with the appropriate health status as described.	Animal Heath	Ministry of Agriculture, Fisheries and Food
NON-UNGULATES AND NON-BIRDS WILD GAME TROPHIES	Health Certificate	Certify that the product has been treated as appropriate, and measures have been put in place to avoid subsequent contamination.	Animal Heath	Ministry of Agriculture, Fisheries and Food
USED KITCHEN OIL INTENDED TO BIODIESEL PRODUCTION	Declaration	Declare that the used cooking oil is intended to be imported for biofuel production, that the consignment has not been mixed with other products and that it will be transported directly to the plant of destination in sealed containers and will be kept completely independent from other uses.	Use, authenticity, and chain of custody	Ministry of Agriculture, Fisheries and Food
FISHING BAITS ⁵	Declaration	Declare that the product is imported exclusively to be used as fishing bait and transported directly to the establishment of destination in closed containers to prevent any leakage of product.	Use and chain of custody	Ministry of Agriculture, Fisheries and Food
POLLEN FOR FEEDING OF BEES AND BUMBLES BEES	Health Certificate	Certify that product comes from an area where the listed diseases are officially notifiable and the area is not subject to any restrictions, the prohibition periods are observed, the product has been under minus 12 Celsius decrees at least 24 hours and treated by the methods described.	Animal Heath	Ministry of Agriculture, Fisheries and Food

 ⁴ Information on cervidae semen import requirements is available in the <u>link</u> (Spanish language only).
⁵ Information on fishing bait requirements is available in the <u>link</u> (Spanish language only).

Product(s)	Title of Certificate	Attestation required on Certificate	Purpose	Requesting Ministry
INSECT EGGS OR BRINE SHRIMP CYST NON-VIABLE, INTENDED FOR THE FEEDING TO INSECTS ⁶	Declaration	The product is imported exclusively to be used for feeding to insects and will be transported directly to the establishment of destination in closed containers to prevent any leakage of product.	Traceability and chain of custody	Ministry of Agriculture, Fisheries and Food
BIOLOGICAL CONTROL ORGANISMS (BCO) ⁷	Declaration	Declare that the imported product is intended to be used according to <u>Royal Decree 951/2014</u> and transported directly to the establishment of destination in closed containers to prevent any leakage of product.	Plant Heath	Ministry of Agriculture, Fisheries and Food

Source: MAPA (Ministry of Agriculture, Fisheries and Food)

The above listed Veterinary Certificates, requested by the MAPA (Ministry of Agriculture, Fisheries and Food) require the signature of an Official Veterinarian.

Section II. Purpose of Specific Export Certificate(s)

Except for specific requirements identified in this report, imports of food and agricultural products into Spain are not subject to special certification other than that of the European Union. EU legislation calls for many health and supervisory requirements that are meant to guarantee that imports meet the standards of production in Member States.

Spain, as an EU Member State, follows all rules and regulations that govern food legislation, including certification, within the European Union. While certification requirements are developed at the EU level, Spanish authorities are responsible for the enforcement of the regulations. When EU-wide legislation is incomplete, not harmonized, or absent, Spain might require certain specific health certificates as identified in the **Section I** Table.

With respect to enforcement of import requirements, Spain is among the most vigilant of EU Member States. Frequently, purely administrative mistakes such as minor typographic mistakes can often be fixed with a new certificate. Therefore, exporters must assume a zero- tolerance policy for mistakes that affect the identity and traceability of the shipment (e.g., wrong establishment number). In accordance with <u>Commission Implementing Regulation (EU) 2020/2235</u>, the certificate must be issued before the corresponding consignment leaves the control of the competent authority of the country of dispatch. <u>Spain's Authorities do not tolerate health certificates issued after the ship date.</u>

⁶ Information on insect eggs or non-viable brine shrimp cyst import requirements is available in the <u>link</u> (Spanish language only).

⁷ Information on BCO import requirements is available in the <u>link</u>.

For additional information on EU-Harmonized Certification Requirements, please consult the <u>EU</u> <u>FAIRS Export Certificate report</u>. This report has information on the U.S. competent authority that is authorized to issue the food and agricultural import certificates required by the EU. This report can also be accessed through the <u>FAS website</u>. An overview of legally required certificates in the EU and references to the U.S. authority issuing these certificates is available at in the <u>USEU website</u>.

For more information on food standards and regulations, please consult the <u>FAIRS Country Report for</u> the <u>EU</u>.

Special Import Permits

Samples without Commercial value to Spain

For sanitary reasons, food products imported into the EU, even if they are not intended for commercial sale, must meet certain requirements on food hygiene and animal health.

<u>Commission Delegated Regulation (EU) 2019/2122</u> provides details on the exemptions of official controls at the border for animal origin goods that can enter the EU outside of regular commercial channels. On May 15, 2020, Spain's Ministry of Health implemented a procedure to authorize the import of samples of food products for human consumption without commercial value. The protocol to introduce samples with no commercial value is available in the <u>link</u> (Spanish language only). A summary of the requirements depending on the type of sample can be consulted in the table below:

Type of Sampl	e	Official Control	3 rd Country Authorized	Authorized Establishment	Zoosanitary Requirement	Hygiene Requirement	Certificate	
	Products of animal origin							
Non-intended for consumption or market	Biological Samples – SANDACH	NO	NO	NO	NO	-	NO	
	Biological samples no- SANDACH	NO	NO	NO	NO	-	YES	
	Commercial Samples	YES	YES	NO	YES	-	YES	
	Samples or Exhibition Materials	YES	YES	NO	NO	-	Commercial Document	
Intended for c market	onsumption or	YES	YES	YES	YES	YES	YES	
Products of non-animal origin								
Non-intended market	for consumption or	NO	NO	NO	-	NO	NO	
Intended for c market	onsumption or	YES	NO	NO	-	YES	NO	

Imports of biological material

The import of biological material must be approved by the Ministry of Agriculture, Fisheries and Food (MAPA) or the Ministry of Health depending on the nature of the potential risk. In those cases where the biological material could potentially pose a threat to human health, the MOH will be responsible for the import approval. In those cases where the potential risk would affect animal health, the Ministry of Agriculture (MAPA) will oversee the import.

- For imports under MAPA's oversight, only an import permit is required. On February 2012, MAPA reviewed the procedure to authorize the import of biological material of animal origin for research purposes. More detailed information can be found in the <u>link</u> (information only available in Spanish language) as well as the relevant <u>form</u> to request the import permit to the competent authority (Sub Directorate General for Sanitary Agreements and Border Control). The request must be made prior to the arrival of the goods to the Border Inspection Post (BIP). Otherwise, they may be retained until the end of the process. The importing researcher must complete the import of biological material for research form and present it to the competent authority.
- According to <u>Royal Decree 65/2006</u>, imports of non-commercial biological material under MOH rule require an import authorization. The importer/exporters may request the authorization to the following email address <u>mbiologicas@mscbs.es</u>. More detailed information can be found in the <u>link</u> (information only available in Spanish) as well as the relevant forms necessary to request the import authorization to the competent authorities (Dirección General de Salud Pública, Calidad e Innovación).

Imports of products intended for animal feed

In addition to fulfilling EU requirements, to import products of plant or animal origin intended for animal feed, the importer must be registered in the MAPA's <u>database</u>.

Imports of planting seeds to Spain

To import planting seeds to Spain, a request must be submitted by the local importer to Spain's Plant Varieties Authorities. The request can be submitted electronically in the Ministry's website or sending an authorization form to <u>bzn-importasemillas@mapa.es</u>. Forms for are available in the Ministry of Agriculture, Fisheries and Food website.

- Annex I Form is intended for imports of horticultural plant seeds or seeds for trials.
- Annex II Form is intended for imports of agricultural plants seeds.

Contact Information for Spain's Plant Varieties Authorities:

Ministry of Agriculture, Fisheries and Food

Ministerio de Agricultura, Pesca y Alimentación Planting Seeds and Nursery Products (import requirements, seed registration and certification, and commercial seed catalogs) Oficina Española de Variedades Vegetales C/ Almagro 33, 7a 28010 Madrid Tel.: +34-91-347-6659 Fax: +34-91-347-6703 <u>Website</u> Email: <u>oevv@mapa.es; bzn-importasemillas@mapa.es</u>

Imports of non-harmonized live animals

To import non-harmonized live animals (including zoo animals, circus animals, animal exhibitions or shows, or exotic live animals to be sold as pets), interested parties should submit a request using the official <u>form</u> (page 3). The request should be addressed to the Sub-Directorate General for Sanitary Agreements and Border Control and sent via email to <u>importacionanimal@mapa.es</u>.

The Spanish competent authorities study the requests individually and assess potential risks. Certificates exist (see **Section I** above) for the most traded animals. In the absence of a specific certificate, if the import of the animals is deemed appropriate, authorities issue an import license. Please note that authorities could also require additional documentation such as an international animal health certificate. More information is available in this <u>link</u> (Information only available in Spanish language).

Responsible Authorities for Health and Veterinary Certificates:

While the Ministry of Health provides information on imports of products intended for human consumption, the Ministry of Agriculture, Fisheries and Food (MAPA) is responsible for live-animal imports and agricultural products for purposes other than human consumption.

Contact Information:

Ministry of Health

Ministerio de Sanidad Dirección General de Salud Pública, Calidad e Innovación Subdirección General de Sanidad Exterior Paseo del Prado, 18 and 20 28014 Madrid Tel.: +34-91-360-1343 <u>Website link</u> E-mail: <u>saniext@mscbs.es</u>; <u>areacim@mscbs.es</u>

Ministry of Agriculture, Fisheries and Food

Ministerio de Agricultura, Pesca y Alimentación Dirección General de la Sanidad de la Producción Agraria Sub directorate General for Sanitary Agreements and Border Control Almagro, 33. 5ª planta 28071 Madrid Tel.: +34-91-347-8241 Fax: +34-91-347-6969 Website: <u>Plant Products /Animal Products</u> Email: <u>sgacuerdos@mapa.es</u>

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

See Section II. For additional information, please consult the EU FAIRS Export Certificate report.

Section IV. Government Certificate's Legal Entry Requirements

See Section II. For additional information, please consult the EU FAIRS Export Certificate report.

Section V. Other Certification/Accreditation Requirements

Composite Products - Products Subject/Not Subject to Veterinary Certification

<u>Regulation (EU) 2019/625</u> defines composite products as foodstuffs intended for human consumption that contain processed products of animal origin and ingredients of plant origin. Composite products include a wide variety of products, including cheesecakes, high protein food supplements, pizza, and lasagnas. U.S. exports of "composite products" continue to be restricted due to burdensome certification requirements. While the U.S. is eligible to ship hormone-free meat, dairy products, egg products, and fishery products separately, it is often not possible to ship the composite products that combine these eligible ingredients.

Exporters should be aware that in parallel with the aforementioned changes to the composite product certificate that was triggered by an update of the EU's Animal Health Law, the EU also made changes to the categories of composite products that require U.S. Government-issued health certificates. The new system laid out in <u>Regulation (EU) 2020/2235</u> is not based on the percentage of ingredients of animal product in the final product. Certificates signed after January 15, 2022, will need to be aligned with <u>Regulation (EU) 2020/2235</u>. The regulation establishes three categories of composite products: (1) non-shelf stable composite products, (2) shelf stable composite products. All processed products of animal origin must be sourced from EU-approved establishments. The EU continues to require composite product swith a meat ingredient. For shelf stable products not containing meat, certificates signed by the U.S. Government are not required. For these products, the representative of the importer must declare that the goods meet the relevant EU requirements, using the "Private Attestation" model form.

For additional information regarding Composite products, please check GAIN Report: <u>Update on</u> <u>Changing EU Import Conditions for Composite Products</u>.

See Section II. For additional information, please consult the EU FAIRS Export Certificate report.

Appendix I. Electronic Copy or Outline of Each Export Certificate

See Section II. For additional information, please consult the EU FAIRS Export Certificate report.

Appendix II. Other Key Contacts

USDA's Foreign Agricultural Service Office for Spain and Portugal, located in Madrid, can also assist U.S. exporters in obtaining specific national legislation on all food product directives. You may contact us at the following address:

Foreign Agricultural Service

Office of Agricultural Affairs United States Embassy Madrid C/ Serrano, 75 – Box 20 28006 Madrid Spain Tel.: +34-91-587-2555 Fax: +34-91-587-2556 Email: <u>AgMadrid@fas.usda.gov</u> <u>Website link</u>

European Union - Delegation of the European Union to the United States

2300 M Street NW, Washington, DC 20037 Tel.: (202) 862-9500 Fax: (202) 429-1766

United States Mission to the European Union

Office of Agricultural Affairs 27 Boulevard du Regent 1000 Brussels Belgium Tel.: +32-2-508 2760 Fax: +32-2-511 0918 E-mail: AgUSEUBrussels@fas.usda.gov Website link

Attachments:

No Attachments