

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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## Cayman Islands

**Post:** Miami ATO

### **Food and Agriculture Import Regulations and Standards- Narrative**

**Report Categories:**

Food and Agricultural Import Regulations and  
Standards - Narrative

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**Report Highlights:**

In the absence of sanitary product registration requirements, significant labeling standards, and laboratory testing, the Cayman Islands are very receptive toward imported foods. Import permits and sanitary export certificates for plant and plant products, live animals, meats, and fish constitute the major requirements for exporting food and agricultural products to the Cayman Islands.

## **General Information:**

### **Food Laws:**

This report was prepared by the Caribbean Basin Agricultural Trade Office (CBATO) 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.

The Department of Environmental Health is the main regulatory agency dealing with food products, particularly processed food products. The main legislation governing food products is the Public Health Law (2002 revision). The Department of Agriculture is the principal agency responsible for regulating plant and plant products, live animals, meat, fish and seafood. The Department of Agriculture enforces the Plant Importation and Exportation Law of 1983 and the Animals Law (2011 revision). Although the latter allows for regulation of dairy products and eggs, the Department of Agriculture does not in practice regulate these products. Inspection of imported products is conducted mostly at the port of entry by both departments. However, inspection can also take place at the retail and wholesale levels.

In general, the Cayman Islands regulatory environment is quite import-friendly, particularly to the United States. Given its proximity to South Florida, the U.S. gateway to the Caribbean, the Cayman Islands source approximately 90 percent of their imports from the United States. Consequently, Cayman regulatory agencies have considerable trust in their counterpart U.S. regulatory agencies. The general view is that if products are safe for consumption in the United States, they are also safe for consumption in the Cayman Islands.

### **Labeling Requirements:**

Cayman Islands legislation does not contain specific labeling requirements. In general, Cayman authorities follow internationally accepted Codex labeling standards. Authorities do require that products be labeled in English. Products may display multilingual labels as long as one of the languages is English. Authorities also require that product contents and volume be stated on product labels. U.S. labels, including the U.S. nutritional fact panel, are fully acceptable. No additional labeling requirements are placed on U.S. products. There are no special requirements for sample-size products or institutional packed product for the food service sector.

### **Packaging and Container Regulations:**

The Cayman Islands have has no major regulations dealing with food packaging that restrict trade of

U.S. products in any way.

**Food Additive Regulations:**

Neither the Department of Environmental Health nor the Department of Agriculture maintain a positive or negative list of additives for food products. Caymanian authorities tend to follow Codex standards for food additives and they pay particular attention to additives not accepted in the United States

**Pesticides and Other Contaminants:**

While Cayman Islands legislation does not explicitly regulate pesticides and other contaminants, in general, authorities follow Codex maximum residue limits (MRLs). There is no pesticide laboratory in the Cayman Islands. Government and private laboratories conduct limited contaminant testing and thus must refer more extensive testing to specialized laboratories outside the country.

**Other Regulations and Requirements:**

Products are not required to be registered or laboratory tested. Normally, the Department of Environmental Health does not require import permits either, unless it involves a new or unknown product which is deemed to require special attention. The Department of Agriculture does require importers to obtain an import permit for the products that it regulates: plants and plant products, live animals, meats, fish and seafood. Import permits will specify the import conditions, which normally include a phytosanitary export certificate for plants and plant products and a health certificate for live animals, meat products, and aquarium fish. The Department of Agriculture is considering requiring a health certificate for seafood products as well.

**Other Specific Standards:**

None.

**Copyright and/or Trademark Laws:**

Trademark registration is governed by the Patents and Trade Marks Law, 2011 (Law 30 of 2011) and its regulations (2012). A registry of trademarks is maintained in the office of the Registrar of Companies. Rather than a registry of original trademark registration, the Cayman Islands registry serves to extend trademark rights that have been registered in other jurisdictions. In other words, only those rights registered first in jurisdictions prescribed by law may be registered in (extended to) the Cayman Islands. Until early 1998, only United Kingdom (UK) and Madrid Protocol (with UK designation) trademark rights were acceptable for extension to the Cayman Islands. However, since then European Union (EU) trademark rights may also be extended to the Cayman Islands.

Trademark registration in the Cayman Islands is voluntary. For those seeking to register a trademark the process is relatively straightforward. All registrations must be done through an agent who has been duly registered with the Registrar's office. The process usually begins with a search of the registry, which at present can only be conducted at the Registrar's office. The Registrar's office is working to computerize the search process so that it may be conducted on-line in the near future. The fee schedule for registration (which varies based on the number of classes in which the trademark is registered) is available at the Registrar's website (see Appendix I).

Upon presentation of a completed trademark application by the registered agent and payment of the prescribed fees, the extension of trademark rights is usually granted. It is required that all recordings

made on the registry be published in the Gazette, which in turn becomes proof of the recording. The protection and rights of all trademark extensions normally date back to when the original right was granted in the UK or the EU, and remain in force as long as the original UK or EU registrations remain in effect. Payment of an annual fee to the Registrar's office, as specified in the Registrar's on-line fee schedule, is required to maintain the rights and protection of the registration. Trademark registrations in the Cayman Islands may also be renewed at any time if the rights have been renewed in the U.K. or the EU.

### **Section IX. Import Procedures:**

The following import documentation is normally required to clear customs:

- a. commercial invoice;
- b. airway bill or bill of lading;
- c. import permit issued by the Department of Agriculture (for animals, birds, aquarium fish and animal & plant products);
- d. phytosanitary or health certificate where required; and
- e. customs declaration

Customs clearance is normally handled by a Customs broker. Upon presentation of the import documentation specified above, the shipment is reviewed and if accepted it is entered into the Customs Department electronic system. The system is expected to be fully automated by mid 2012.

Customs clearance is expeditious and usually does not exceed 12 hours in most cases. Perishable goods have priority and are usually cleared the day of arrival. Dry, consolidated shipments that are allowed to be moved to the importer's premises are usually cleared within 3 days. Sample shipments are normally handled in the same manner as other shipments, with the exception that no duties are charged (provided the number of samples is small and not intended for commercial sale).

Duties are paid directly to the Customs Department. Duty rates can be found in the First Schedule of the Customs Tariff Law (2010 Revision), which is available on-line at the Customs Department website specified in Appendix I. It is important to note that in April 2012 the Cayman Islands adopted the Harmonized System nomenclature for classifying goods. Implementation of the Harmonized System is expected to take place in the latter half of 2012. For disputed or rejected product, appeals need to be made in writing directly to the Customs Department.

### **Appendix I. Government Regulatory Agency Contacts:**

FOR GENERAL FOOD IMPORT REGULATIONS, CONTACT:

Department of Environmental Health  
Ministry of District Administration, Planning, Agriculture & Housing  
Cayman Islands Environmental Centre  
580 North Sound Road  
George Town, Grand Cayman

Mailing Address: Box 1820, Grand Cayman KY1-1109, Cayman Islands  
Tel: 1 (345) 949-6696  
Fax: 1 (345) 949-4503  
E-mail: [dehcomplaintsandrequests@gov.ky](mailto:dehcomplaintsandrequests@gov.ky); [dehcustomerservice@gov.ky](mailto:dehcustomerservice@gov.ky)  
Website\*: [www.deh.gov.ky](http://www.deh.gov.ky)

FOR REGULATIONS RELATED TO MEAT & ANIMAL PRODUCTS, PLANT AND PLANT PRODUCTS, AND SEAFOOD, CONTACT:

Department of Agriculture  
Ministry of District Administration, Planning, Agriculture & Housing  
181 Lottery Road  
Bodden Town, Grand Cayman  
Mailing Address: Box 459, Grand Cayman KY1-1106, Cayman Islands  
Tel: 1 (345) 947-6501  
Fax: 1 (345) 947-2634  
Email: [ciagriculture@gov.ky](mailto:ciagriculture@gov.ky)

FOR CUSTOMS PROCEDURES AND TARIFFS, CONTACT:

Cayman Islands Customs Department  
Ministry of Finance, Tourism & Development  
42 Owen Roberts Drive (2nd floor)  
George Town, Grand Cayman  
Mailing Address: P.O. Box 898 Grand Cayman KY1-1103, Cayman Islands  
Tel: 1 (345) 949-4579  
Fax: 1 (345) 945-1573  
Website\*: [www.customs.gov.ky](http://www.customs.gov.ky)

FOR INTELLECTUAL PROPERTY ISSUES, CONTACT:

Registrar of Companies  
Ministry of Finance, Tourism & Development  
Ground Floor, Citrus Grove Building, Goring Avenue  
George Town, Grand Cayman  
Mailing Address: P.O. Box 123, Grand Cayman KY1-9000, Cayman Islands  
Tel: 1 (345) 946-7922  
Fax: 1 (345) 949-0969  
E-mail: [cigenreg@gov.ky](mailto:cigenreg@gov.ky)  
Website\*: <http://www.ciregistry.gov.ky>

Patent & Trademark Fees:

[http://www.ciregistry.gov.ky/portal/page?\\_pageid=3521,6697209&\\_dad=portal&\\_schema=PORTAL](http://www.ciregistry.gov.ky/portal/page?_pageid=3521,6697209&_dad=portal&_schema=PORTAL)

\* The above websites are provided for the readers' convenience; USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained in such websites.

## **Appendix II. Other Import Specialist Contacts:**

Caribbean Basin Agricultural Trade Office  
Foreign Agricultural Service  
U.S. Department of Agriculture  
909 SE 1st. Ave Suite 720  
Miami, FL 33131  
Tel: (305) 536-5300  
Fax: (305) 536-7577  
E-mail: [atocaribbeanbasin@fas.usda.gov](mailto:atocaribbeanbasin@fas.usda.gov)  
Website: [www.cbato.fas.usda.gov](http://www.cbato.fas.usda.gov)

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