

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Required Report - public distribution

Date: 12/21/2012

GAIN Report Number: BK1213

Bosnia and Herzegovina

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

Sections updated: I, III, V, VI, VII, VIII and IX.

Section I. Food Laws:

Under the Dayton Peace Agreement, Bosnia and Herzegovina (BiH) is divided into two Entities: the Federation of Bosnia and Herzegovina (F BiH) and the Republika Srpska (RS). The Entities are responsible for agricultural policy and food safety and inspection issues in their respective territory, and there is no national-level agricultural ministry. However, BiH has three common national-level food institutions: the State Veterinary Office, the Plant Health Administration, and the Food Safety Agency.

The European Union (EU) has recommended the establishment of a national-level agricultural ministry, which will ensure that BiH has one competent authority for the agro-food sector when negotiations for EU accession begin. In the absence of a national agricultural ministry, the Ministry of Foreign Trade and Economic Relations (MOFTER) has taken the lead in the establishment of a food safety system based on international requirements arising from the WTO, SPS and TBT agreements. An agricultural department supported with EU funds has been established within the MOFTER, as the nucleus for the future agricultural ministry. MOFTER coordinates development of basic legislation in the veterinary, phytosanitary, quality control and food safety areas along with the establishment and oversight of institutions that are directly responsible for their implementation:

- The BiH State Veterinary Office (SVO) was created in 2000, as an administrative organization within MOFTER, responsible for developing draft regulations in the veterinary area relating to international trade, veterinary border inspection, and coordination of activities between the entity authorities and cooperation at the international level;
- The BiH Plant Health Protection Administration (PHPA) was created in 2005, as an administrative organization within the MOFTER, responsible for developing policy in the area of plant health protection, preparing legislation and overseeing implementation and coordination with the competent authorities of the entities and international cooperation in this area;
- The BiH Food Safety Agency (FSA) was created in 2006, as an independent administrative organization that reports directly to the Council of Ministers. In addition to all types of scientific activities linked to food and animal feed risk analysis, the Agency initiates, prepares and organizes the development of implementing regulations based on the Food Law and represents a point of contact for the activities of BiH in the Codex Alimentarius Commission. It performs these activities in cooperation with the SVO, PHPA and competent authorities of BiH Entities.

In the past, each Entity had its' own food laws and enforcement mechanisms. Since 2002, four important national-level laws have been adopted, but not yet fully enforced – the Veterinary Law (BiH Official Gazette # 34/02), the Food Law (BiH Official Gazette # 50/04), the Law on Agriculture, Food and Rural Development (BiH Official Gazette # 50/08), and the Law on Genetically Modified Organisms (BiH Official Gazette # 23/09).

Generally, BiH food laws and regulations are a mixture of old Yugoslav laws and new laws/ regulations that mirror EU legislation as part of the EU integration process. Since so much new legislation is being drafted, US exporters should contact the FAS Sarajevo office if there is any confusion about the requirements.

Foreign trade and customs policies

The Law on BiH Foreign Trade Policy and the Law on BiH Customs Tariffs exist at the State level and regulate these areas. . The Law on BiH Foreign Trade policy promotes the free trade of goods and services. Officially, restrictions and import bans are applied to protect public health and the domestic market against subsidized or dumped products and to prohibit discrimination against imports or the products of a particular country.

BiH has a single ministry in charge of foreign trade issues: the Ministry of Trade and Economic Relations (MOFTER). MOFTER is a “super” institution on the national level, in charge of high-level trade issues such as international agreements and special agreements on trade with other countries.

BiH is not yet a member of the World Trade Organization (WTO) but started accession negotiations in 1999. BiH is a member of the Central European Free Trade Agreement (CEFTA) that also includes Albania, Croatia (until July 2013 when it will become a member of the European Union), Macedonia, Montenegro, Moldova, Serbia, and the United Nations Mission in Kosovo (UNMIK). On June 16, 2008, BiH signed the Stabilization and Association Agreement (SAA) with the European Commission and following that, customs duties for some products coming from the EU were lifted on July 1, 2008, while for the remaining products customs duties have been gradually phased out. . The transition phase for trade liberalization of certain industrial and agricultural products is one to five years, depending on the product. For example, duties for certain live animals for fattening, grains, fruit and vegetables and seafood that BiH lacks were abolished immediately. However, most primary agricultural and food product duties were phased out and are scheduled to be eliminated by January 1, 2013. This includes certain dairy products (yogurts and spreads), meat (veal and beef), fruits and vegetables (apples, pears, processed fruit, and tomatoes) and coffee. However, approximately 300 products consisting of other meats, fruits and vegetables, milk, and sugar, etc., were not subject to the tariff elimination, thus these are subject to negotiation in the future between BiH and the EU.

BiH has established a common customs administration, the Indirect Tax Administration (ITA) and according to the Law on BiH Customs Tariffs, the country applies at the State level a single customs policy for imports. The Harmonized System (HS) of commodity description and coding, developed by the World Customs Organization (WCO), is applied. Customs tariffs for agricultural products range from 0, 5, 10 and 15 percent with an additional charge for some agricultural products based on unit weight, in KM /kg ranging from KM 0.08 (\$0.05) /per unit to KM 6.00 (\$ 4) /per unit (for product specific tariff information, please check the following link:

<http://www.uino.gov.ba/download/Dokumenti/Dokumenti/bos/Carina/CTBiH.pdf>) .

Taxes are applied at the same rates for locally produced and imported goods. On January 1, 2006, the ITA introduced a 17 percent single value-added tax (VAT).

Food safety

While the foreign trade and customs policies are unified at the national level, the food safety responsibility is still shared between the national-level and the entity level authorities, including prior import approvals, food certificates and food regulations/requirements.

The Bosnian Government has made an effort to unify veterinary and phytosanitary laws and

regulations. A national-level, state veterinary office (SVO) was established in December 2000, and a common veterinary law was adopted to harmonize the Entity laws. Consequently, the SVO started to control imports and exports of animal origin products and took control of veterinary border inspections. The state-level phytosanitary administration (Plant Health Protection Administration) and the Food Safety Agency were established in 2005 and 2006. These agencies are in charge of policy issues, drafting regulations, improving food safety and plant health protection, serving as the inquiry point and representing BiH internationally. The Ministry of Foreign Trade and Economic Relations is the umbrella organization for the Phytosanitary and Veterinary agencies, while the Food Safety Agency is under direct authority of the Council of Ministers (State Government).

The Entity-level inland veterinary, phytosanitary, sanitary and market inspections also have been reorganized. These inspections used to be part of the Entity ministries of Agriculture, Health and Trade but now are part of a consolidated joint Entity Inspectorate.

Responsibility for food safety is shared by the MOFTER, the SVO, and the Entities' Ministries of Agriculture, Health and Trade, and the Entity Inspectorate... The SVO issues import requirements and import approvals for live animals and animal products, while the state Plant Health Administration (PHA) has the responsibility to issue final import permits for seeds, planting material and pesticides, based on the Entities' phytosanitary department's technical opinion. The SVO border inspectors and the Entities' phytosanitary inspectors inspect goods at border crossings.

The Entities' sanitary/food inspectors are responsible for the wholesomeness of imported foods. Inspections take place at border crossings or, more commonly, at the customs clearance point.

Finally, the Entities' market inspectors are in charge of food quality control. They inspect imported food products at the customs point and randomly check imported and locally produced food at retail distribution points.

Both Entities in BiH have inherited and still use some food laws from the former Yugoslavia. While "BAS" is the officially recognized Bosnian standard (Law on Standardization, BiH Official Gazette 19/02), when it comes to food ordinances the former Yugoslavia standard "JUS" is still in use occasionally. Most newly adopted food laws and regulations are in-line with European Union (EU) directives. Future laws and regulations will also be harmonized because BiH has undertaken major political and economic reforms with the goal of eventual accession to the EU.

The following laws and regulations are relevant both for locally processed and imported foods:

-The state-level Food Law (adopted in November 2004, BiH Official Gazette # 50/04) regulates the following issues:

- Establishment of the State-level Food Safety Agency;
- General principles and requirements concerning the safety of food and animal feed;
- Responsibilities of the relevant persons in the food business and cattle feed business with regard to the safety of food and animal feed;
- General conditions for placing novel food on the market;
- General conditions for placing animal feed that contains or consists of genetically modified organisms on the market;

- Official control system;
- Official research laboratories and reference laboratories;
- Crisis management and emergencies management, etc.

The Law is just a framework law that has to be followed by specific and detailed regulations/bylaws. A number of bylaws still need to be drafted and enforced in order to fully implement the 2004 Food Law.

Currently, the former Yugoslavia food bylaws are still being used - some have been modified by the Entities, but others are 20 to 30 years old. Thus, some of the bylaws are obsolete and not in-line with international standards and recommendations, and can even conflict or be inconsistent between the two Entities. The absence of clearly defined regulations is affecting agricultural trade. For example, BiH cannot export animal products to the EU because of the absence of regulations on food hygiene and official control of animal products at the State level. These regulations have been drafted by the State Veterinary Office but not yet adopted by the Council of Ministers.

The Food Safety Office has made some progress starting in late 2008 with the adoption of a new food regulation based on the new Food Law. BiH adopted in the regulation in 2008 (BiH Official Gazette # 25/08, 83/08, 85/08, and 87/08) that covers the following:

- Law on Wine and Brandy;
- Rulebook on Non-alcoholic Beverages;
- Rulebook on Use of Food Additives for Human Consumption;
- Rulebook on Use of Food Sweeteners;
- Rulebook on Use of Food Additives other than Colorants and Sweeteners;
- Rulebook on Use of Food Colors;
- Rulebook on Labeling of Nutritional Value of Packaged Foods;
- Rulebook on Strong Alcohol and Alcoholic Drinks;
- Rulebook on the General Labeling of Packaged Food; and
- Rulebook on Fruit Juices, Fruit Nectars and Similar Products;

BiH adopted the following regulation in 2009 (BiH Official Gazette # 23/09, 37/09, and 39/09):

- Law on Genetically Modified Organisms;
- Rulebook on Honey and other Bee Products;
- Rulebook on Control Methods for Honey and other Bee Products;
- Rulebook on Maximum Levels for Various Contaminants in Food;
- Rulebook on Official Control Methods for Sampling and Analyzing Levels of Lead, Cadmium, Mercury, Inorganic tin, 3-MCPD and Benzo (a) Pyrene in Foods;
- Rulebook on Official Control Methods for Sampling and Analyzing Levels of Dioxins and Dioxin-like PCBs in Various Foods;
- Rulebook on Official Control Methods for Sampling and Analyzing Levels of Nitrates in Various Foods;
- Rulebook on Official Control Methods for Sampling and Analyzing Levels of Mycotoxins in Foods;
- Rulebook on Salt for Human Consumption; and
- Rulebook on Conditions that Authorized Food Testing Laboratories must comply with and on the Accreditation Process for Laboratories.

BiH adopted the following regulation in 2010 (BiH Official Gazette # 25/10, 26/10, 27/10, 40/10, 42/10, 43/10, 48/10, 76/10, 77/10 and 97/10):

- Rulebook on Materials and Articles in Contact with Food;
- Rulebook on Plastic Materials and Articles in Contact with Food;
- Rulebook on Origin Marks and Geographical Indication Marks;
- Rulebook on Traditional Food Labels;
- Rulebook on Ceramic Articles in Contact with Food;
- Rulebook on Eggs Marketing Standards;
- Rulebook on Sugar;
- Rulebook on Methods for Sugar Analysis;
- Rulebook on Natural Mineral and Spring Water;
- Rulebook on Bottled Water;
- Rulebook on Sanitary Requirements for Drinking Water;
- Rulebook on Pasta, Pastry and Pastry Products;
- Rulebook on Grain Products;
- Rulebook on Bakery Products; and
- Rulebook on Beer;

BiH adopted a regulation in 2011 (BiH Official Gazette # 21/11, 23/11, 25/11, 28/11, 30/11, 50/11, 51/11, 54/11, 71/11 and 72/11) that covers the following:

- Rulebook on Edible Vegetable Oils, Edible Vegetable Fats and Mayonnaise;
- Rulebook on Lubricating Grease;
- Rulebook on Raw Milk;
- Rulebook on Dairy Products and Starter-cultures;
- Rulebook on Condensed Milk and Milk Powder;
- Rulebook on Edible Casein and Caseinates;
- Rulebook on Active and Intelligent Materials and Articles in Contact with Food;
- Rulebook Amending Rulebook on Honey and other Bee Products;
- Rulebook on Extraction Solvents Used in Production of Foods and Food Ingredients;
- Rulebook Amending the Rulebook on Fruit Juices, Fruit Nectars and Similar Products;
- Rulebook Amending the Rulebook on the Use of Food Colors;
- Rulebook on Food Treated with Ionizing Radiation;
- Rulebook on Analytic Methods for Spirits and Alcoholic Drinks;
- Rulebook Amending the Rulebook on Non-Alcoholic Beverages and Similar Products;
- Rulebook on Tea, Herbal Tea, Fruit Tea and Instant Tea;
- Rulebook on Quick-Frozen Foods for Human Consumption;
- Rulebook on Spices, Spice Extracts and Spice Mixes;
- Rulebook on Cacao and Chocolate Products;
- Rulebook on Biscuits and Similar Products;
- Rulebook on Egg Products;
- Rulebook on Foods Used in Energy-Restricted Diets for Weight Reduction;
- Rulebook on Dietary Foods for Special Medical Purposes; Rulebook on Foods Intended for Particular Nutritional Uses;
- Rulebook on Foods Enriched with Nutrients;

- Rulebook on Coffee, Coffee Products Surrogates and Surrogate Products
- Rulebook on Undesirable Substances in Animal Feed;
- Rulebook on Nutrition Labeling for Food; and
- Rulebook Amending Rulebook on Plastic Materials and Articles in Contact with Food.

BiH adopted another regulation in 2012 (BiH Official Gazette # 17/12, 30/12, 32/12, 34/12, 39/12, 41/12, 51/12, 57/12, 67/12, 68/12, 73/12, 78/12, and 79/12) that covers the following:

- Rulebook on the Form and Manner of Keeping the Register of Genetically Modified Organisms;
- Rulebook on Changes and Amendments to the Rulebook on Sanitary Requirements for Drinking Water;
- Rulebook on Changes to the Rulebook on Beer;
- Rulebook on Changes and Amendments to the Rulebook on Salt for Human Consumption;
- Rulebook on Changes and Amendments to the Rulebook on Natural Mineral and Spring Water;
- Rulebook on Changes and Amendments to the Rulebook on Maximum Levels for Various Contaminants in Food;
- Rulebook on Maximum Levels of Radioactive Contamination in Food and Feed Following a Nuclear Incident or any Other Case of Radiological Emergency;
- Rulebook on Changes to the Rulebook on Animal identification and Movement Control Scheme;
- Rulebook on Conditions for Tobacco Production;
- Rulebook on Criteria for Raw Leaf Tobacco Appraisal;
- Rulebook on Conditions for Import and Transit of Live Animals, Raw Materials of Animal Products, Animal Waste, Veterinary Medicines and Animal Feed into Bosnia and Herzegovina;
- Rulebook on Changes and Amendments to the Rulebook on Sampling Methods and Analysis for Official Control of Mycotoxin Levels in Foods;
- Rulebook on Establishing a System for Development and Assignment of Unique Codes for Genetically Modified Organisms (BiH OG #68/12)
- Rulebook on Marketing Standards for Preserved Tuna and Bonito;
- Rulebook on Microbiological Criteria for Animal Feed;
- Regulation On the Content of the Notification and Technical Dossier for the Placing on the Market of Genetically Modified Organisms or Products Containing and/or Consisting of or Deriving from Genetically Modified Organisms and on the Requirements for Labeling and Packaging of Genetically Modified Organisms or Products Containing and/or Consisting of or Deriving from Genetically Modified Organisms (BiH OG #78/12);
- Rulebook on Conditions and Procedure for Issuance of Approvals for Placing Genetically Modified Organisms Food and Feed on the BiH's Market for the First Time, and Conditions Regarding their Traceability and Labeling (BiH OG #78/12);
- Rulebook On the Content and Scope of Risk Assessment for Placing on the Market of Genetically Modified Organisms and Products Consisting of, Containing or Originating from Genetically Modified Organisms and the Methodologies for Making Risk Assessments (BiH OG #79/12).

-The Law on Sanitary Requirements of Food and Goods of General Use (taken from Yugoslavia Official Gazette 53/91) applies to foods, spices, additives, processing equipment, wrapping material, as well as tobacco and products. It regulates both food hygiene (subject to the specific ordinances regulating presence of pathogenic microorganisms, parasites, pesticides and other contaminants, mechanical residues, changes in food quality due to the physical, chemical, microbiological and other

processes, expiration date, original package and bulk-packaged foods labeling) and nutritive value (subject to the specific ordinances regulating quality of each type of food). Sanitary inspectors work in accordance with this Law.

-Enforcement is done in accordance with the **Law on Market Inspection** (FBiH Official Gazette 2/95, RS Official Gazette 10/97) and the **Law on Quality Control of Imported and Exported Goods** (BiH Official Gazette 13/03). Quality control for all types of products is done by visual checks and for products listed in the above-mentioned Laws (almost everything that is considered to be a food) additional safety checks are done, using laboratory testing on basic ingredients. Visual checks involve product identification (origin, type, quantity), determining if labeling and packaging requirements have been met, and checking for the necessary statements containing the importer's name and address, the product's general appearance, taste, flavor, presence of residues, color, structure, etc. Specific ordinances define sampling procedures.

Quality control of imported products can be done again after the import procedure has been completed and prior to retail distribution on the market. Inspection can be done also after retail distribution.

The quality of individual groups of products is subject to specific ordinances (e.g. Quality of Meat and Meat Products, Quality of Milk and Milk Products, Rulebook on Honey and Other Bee Products, etc).

-The Law on Genetically Modified Organisms or GMO (BiH Official Gazette # 23/09) is an overarching law for biotechnology. This Law sets conditions for limited use, importation, deliberate release into environment, and marketing of products that are composed of GMOs, contain GMOs, or are derived from GMOs. The Law is only a framework law, thus BiH's Council of Ministers recently adopted five rulebooks that establish procedures to import and market biotech products. The rulebooks also establish procedures to assess risks, monitor compliance, and register products.

Section II. Labeling Requirements:

General Labeling Requirements

The Rulebook on General Labeling of Packaged Food (BiH Official Gazette #87/08) prescribes general requirements for the labeling of packaged food intended for distribution to final consumers or public food facilities, as well as specific rules related to presentation and advertising of food.

For foods placed on the market, the label must be written in one of the official alphabets and languages in use in Bosnia and Herzegovina, which are Bosnian, Serbian and Croatian.

The label must be easily and clearly noticeable, legible, unchangeable, non-erasable, and must not be covered with other text, stickers or marks. The label declaration shall include any written marks, commercial marks, protection marks, trademarks, graphical logos or symbols pertaining to food, which is posted on the containers, stickers or tags, wrapping of foodstuffs and on the documents and notices accompanying or pertaining to such food.

The letters used to print product names and manufacturer names must be larger than the letters used to print other data in the declaration, and their size must allow the consumer to easily obtain clear data and knowledge on the product.

Multi-language labels are permitted. The Metric system is used in BiH.

The label information should not misguide consumers in terms of origin, composition, net quantity, expiry period (see below), method of production or manufacture of foods.

Imported foods must possess declarations written in one of the alphabets or languages in official use in Bosnia and Herzegovina.

The label of packaged food must contain the following data:

- Name under which the food is sold and the commercial name if the food has it;
- List of all ingredients;
- Quantity of specific ingredients or ingredient category;
- Net quantity, in units of volume (for liquids) or weight for packaged other food, expressed in the measurement units used in BiH;
- Expiry date (best before date);
- Conditions for storage and warehousing of food, where this is required or where these may affect the durability of the foodstuff;
- Name and address of manufacturer or one that packages and/or places the food on the market; For import products, in addition to the name and full address of the manufacturer, also include the name and full address of importer, country of origin («**manufactured in ...**»), and country from which the food or foodstuff is imported («**imported from...**»);
- Instruction for use, where this is required;
- For drinks, the quantity of alcohol by volume, if they contain more than 1.2 vol % of alcohol;
- Lot number (series, batch or lot) of food;
- Quality category and class of product, if foodstuff is under a separate regulation subject to categorization or classification.
- The label should contain the full address of the manufacturer and full name and address of the importer (city, street and number, and it may also contain the telephone number, post office box number, and the electronic mailing address).
- Food that is processed by ionizing radiation must be labeled with the mark «**treated or processed by ionizing radiation**» or «**conserved by radiation**», which must be placed close to the name of the food.
- Food that is packaged using gases permitted for packaging for the purpose of preservation must be labeled with the mark «**packaged in controlled atmosphere**».
- Allergenic substances must always be labeled.

In addition to the data prescribed in this Rulebook, the label for food must also contain information pertaining to the food, if this is prescribed by a separate regulation (e.g. statement on the nutritional or biological and energy values, the bar code, the control veterinary number etc).

Specific labeling regulations apply to specific foods such as genetically modified organisms (GMO), baby food, diet food, food aimed at reduction of body mass, food for athletes, food additives, containers and packaging materials, cocoa and chocolate products, honey, sugars, fruit juices, jams, natural mineral water, fast-frozen food, and substances that may cause allergies (e.g. alcohol).

A general requirement is that labels must not contain words, pictures, drawings, or health-related information that could mislead consumers regarding the product's origin, quantity, or quality. The list of ingredients must state all food ingredients by the falling sequence in relation to their mass at the time of use in the production of the foodstuff.

Other Specific Labeling Requirements

Nutritional Labeling Requirements

The Rulebook on Labeling of Nutritional Value of Packaged Food (BiH Official Gazette # 85/08) prescribes nutritional value labeling for end consumer foods and foods for institutions and the service sector. Nutritional labeling is not mandatory unless the food has a nutritional statement on the label, the nutritional statement is used when the food is marketed, or the food has special nutritional purposes. The Rulebook provides instructions on the labeling method, calculation of energy value, and measurement units for energy and nutritional values.

Organic Labeling

None of the existing laws or ordinances regulates organic labeling.

Biotechnology Labeling

The Law on GMO says that food products that contain or are composed of GMOs must be labeled as follows:

For packed products for retail the label on the packaging should read: "This product contains GMO components" or "This product contains GM (name of organism)."

For products for retail that are not packed the label should read "This product contains GMO components" or "This product contains GM (name of organism)" and should be placed directly on the product or by the product. The labeling threshold is set at 0.9%, meaning that products must be labeled if they contain levels of GMO above the set threshold.

Section III. Packaging and Container Regulations:

Packaging requirements are subject to specific ordinances for each type of food. For example, packaging material for raw coffee packed in ½ kg units must weigh less than 50g per square meter. Packaging requirements for fresh seafood products are quite comprehensive and detailed and can be obtained from the FAS Sarajevo Office listed in Appendix II. Regarding packaging materials, there are four new rulebooks (published in OG #42/10 and OG #21/11):

- Rulebook on Materials and Articles in Contact with Food;
- Rulebook on Plastic Materials and Articles in Contact with Food;
- Rulebook on Ceramic Articles in Contact with Food, and
- Rulebook on Active and Intelligent Materials and Articles in Contact with Food.

Exporters can obtain specific packaging information at the FAS office in Sarajevo (see Appendix II).

However, in most cases there are no special requirements concerning packaging material and container size. BiH consumers generally prefer larger packages at lower prices.

There are no clear legal requirements regarding the collection and recycling of used packaging materials because the existing Entity and State laws from 2002 and 2003 that regulate this issue have not been enforced yet, due to missing implementing by-laws and lack of funding. Coordination between the BiH Entities in the implementation of national legislation relating to packaging waste could be strengthened. The targets for recycling or for reuse of packaging materials are much lower than in Europe. They currently are around 8%, although they are scheduled to increase to 35% by 2016.

Section IV. Food Additives Regulations:

Food additives are regulated by the new Rulebook on Requirements for Use of Additives in Food Intended for Human Consumption (BiH Official Gazette 83/08) which regulates general requirements for use of additives in food and labeling. According to this Rulebook, food additives are listed in 23 categories. The ordinance doesn't apply to aromas used in food or to vitamins and minerals added to foods in order to improve their nutritional value.

In addition, there is the Rulebook on the Use of Food Additives Other than Colors and Sweeteners (BiH Official Gazette # 83/08) that regulates use of food additives other than colorants and sweeteners in food as a category of food additives in various types of food, and prescribes the specific purity criteria, as well as other requirements that have to be met in production and sale.

The Rulebook on Use of Sweeteners in Food (BiH Official Gazette # 83/08), the Rulebook on Use of Colors in Food (BiH Official Gazette # 85/08), and the Rulebook Amending the Rulebook on Use of Food Colors (BiH Official Gazette # 30/11) regulate use of food additives, colors, and sweeteners in food as a category of food additives in various types of food, and prescribes the specific purity criteria, as well as other requirements that have to be met in production and sale.

Section V. Pesticides and Other Contaminants:

In general, imported food products must comply with domestic rules. However, BiH recognizes the CODEX maximum residue limits (MRLs) for imported foodstuffs.

There is a specific ordinance on the residue limits for pesticides and other contaminants, (e.g. hormones, antibiotics and mycotoxins) that can be found in food (the ordinance on "Pesticides and Other Contaminants in Food" was inherited from the old Yugoslavia Official Gazette, No. 59/83, 79/87). According to the ordinance, pesticides are substances used for protection of agricultural products against diseases and pests. Pesticides and their maximum residue limits in food are listed in a special attachment. The list includes 232 different pesticides, their trade names, chemical names and maximum contents in milligrams per kilogram (mg/kg) of food. Products like spices and food additives can contain 10 times more pesticides than normally allowed, while tea can contain five times more pesticides. For concentrated and dehydrated products (e.g. milk powder, dried soups) the maximum quantities are calculated for the product that is ultimately consumed (e.g. liquid milk and soups). Food contaminants are listed as lead, cadmium, mercury, zinc, tin, copper, arsenic, iron and other metals and nonmetals. The ordinance provides a table with maximum residue limits for 47 different foods (expressed in mg/kg).

In addition, there is the new Rulebook on Maximum Permitted Quantities of Contaminants in Food (BiH Official Gazette # 37/09) that stipulates MRLs for nitrates, mycotoxins, metals, dioxin, etc. in

foods.

Also, for animal origin products, there is the new Rulebook on Maximum Permitted Quantities of Medicines and Pesticides in Products of Animal Origin (BiH Official Gazette # 06/09) that provides MRLs for various substances.

Hormones and antibiotics residues are generally not allowed in food products.

Maximum residue limits of mycotoxins are also regulated for grains, flour, legumes, beans, nuts, coffee, roasted cocoa and peanuts. The above-mentioned lists are available from the FAS office in Sarajevo (see Appendix II).

For import of pesticides, prior approvals must be obtained at the Entities' Ministries of Agriculture for approved pesticides. The information on approved pesticides and required documents can be obtained from the following offices:

For the F BiH:

Ministry of Agriculture, Water Management and Forestry Phytosanitary Department
Marka Marulica 2
71 000 Sarajevo
Bosnia and Herzegovina
Contact person: Scepan Raguz and Mario Beus
Tel. +387 33 726 653
Email: sraguz@net.hr

For the RS:

Ministry of Agriculture, Forestry and Water Management
Phytosanitary Department
Trg Republike Srpske 1
78000 Banja Luka
Contact person: Nikolina Cutura
Tel: +387 51 338 397, 338 398
Fax: +387 51 338 866
E-mail: mps@mps.vladars.net

The Plant Health Administration issues final import permits:

BiH Plant Health Administration
Radiceva 8/III
71000 Sarajevo
Contact person: Miljana Knezevic
Tel/fax: +387 33 211 693 and 212 387
E-mail: upravabihzzb@bih.net.ba

Section VI. Other Regulations and Requirements:

Upon an importer's request, the State Veterinary Office (SVO) provides the specific requirements for the import of live animals and products of animal origin (for contact details see Appendix I). Those requirements are in accordance with the World Animal Health Organization/Office International des Epizooties (OIE) and with EU requirements. According to the Veterinary Law, import of foodstuffs, raw materials, products, animal feed, veterinary medicines and waste shall be authorized only if the establishment of origin complies with the prescribed conditions and are registered with the European Union. Exceptionally, the SVO may authorize import from other establishments, if it has been recognized that regulations, standards, production methods and supervision carried out by the exporting country are at least equivalent to the regulations of BiH and at least equivalent consumer protection has been guaranteed in those countries. Exporting facilities need to register with the SVO for the first time they export to BiH.

Food products must be tested for microbe levels at laboratories within the Entities' Institutes for Public Health (see Appendix II). The ordinance on "Microbiological Wholesomeness of Food" comes from the Yugoslavia Official Gazette, No. 43/83 and No. 43/89, and specifies the maximum content of different microorganisms in food products.

Because of European outbreaks of FMD, BSE, Classical Swine Fever, Bluetongue and Avian Influenza, the SVO has banned imports and transportation of domestic and wild ruminants and their products from a number of countries, as well as feed containing proteins of animal origin. The United States was not listed in any of the import bans, except for BSE; however, beef imports from the U.S. are allowed if only if they meet certain requirements such as those pertaining to hormone use, the contagious diseases (OIE A List), radioactivity level etc.

There are specific conditions for import of semen and embryos. These may be obtained from the SVO (see appendix I).

Certification and documentation: Live animals, meat and dairy products require veterinary certification, while fruits and vegetables require a phytosanitary certificate issued by the export country's relevant authorities (e.g. USDA/APHIS).

Foods that are subject to veterinary and phytosanitary inspections can enter BiH only at the following border crossings: Orasje, Gradiska, Izacic, Gorica, Kamensko and Doljani (on the border with Croatia), Raca and Karakaj (on the border with Serbia), Klobuk (on the border with Montenegro) and the Sarajevo Airport. Importers should always inform the SVO or the relevant Ministry at the point of entry in order to allow them to fax import permits to the relevant border inspection post. Inspection services are much more expensive if done after regular working hours and on weekends and holidays.

Section VII. Other Specific Standards:

Organic agriculture: According to domestic agricultural experts, BiH has a good climate for organic farming. However, organic agriculture is at the beginning phase of development (700 hectares are registered for organic production) and there are no standards yet being enforced (a national Law on Organic Farming is being prepared). Consumers tend to think that almost all agricultural production is organic since production is more traditionally oriented, and the use of pesticides is lower than elsewhere in Europe. There are also few industrial polluters.

Genetically modified organisms (GMO): Based on the 2009 Law on GMOs, BiH permits the licensed use of biotech products. No GMOs have been approved yet or are in the approval process yet, because BiH only recently passed the by-laws that define the approval procedures. The Food Safety Office has yet to receive an application for GMO approval. . BiH does not produce biotech crops and there are no biotechnology crops under development in BiH. Imported foods that contain soy, corn, or rice are sometime tested for GMO. Four laboratories have been authorized for biotech testing:

1. The Biotechnology Laboratory of the Agricultural Institute in Banja Luka;
2. The GMO Laboratory of the Federation Agro-Mediterranean Institute in Mostar;
3. The Laboratory for GMOs and Food of the Institute for Genetic Engineering and Biotechnology in Sarajevo; and
4. The GMO Laboratory of the Federation Agricultural Institute in Sarajevo.

Veterinary drugs: Veterinary drugs must be on an approved list maintained by the State Veterinary Office (See Appendix I for the contact information).

Seeds and planting materials: Seeds can be imported only if the varieties are recognized in the country. The National List of Recognized Varieties (BiH OG #59/10) is available at the Plant Health Administration. If a variety is not on the list, importers can request its recognition from the Seeds Commission (request forms available at the Ministries of Agriculture, per the Law on recognition of agricultural varieties F BiH Official Gazette 31/00 and the Law on Plant Protection RS Official Gazette 13/97).

Live animals: Live animals are subject to the ordinance on quarantine requirements for imported animals issued by the SVO. For ruminants, the required quarantine is 30 days, for poultry and pets 21 day, for semen and inseminated egg cells 14 days.

Alcoholic beverages, nonalcoholic beverages, and tobacco: Products are subject to specific taxation rules and require an import license issued by the Indirect Tax Administration (ITA). The ITA issues control excise stamps, which are to be included in the packaging prior to export to BiH.

Section VIII. Copyright and/or Trademark Laws:

The Law on Industrial Property Rights (BiH Official Gazette No. 3/02) and the Law on Copyrights (BiH Official Gazette 7/02) protect trademarks and brand names. Domestic and foreign applications must be submitted to the BiH Institute for Intellectual Property (see Appendix II). According to research done by the U.S. Foreign Commercial Service, intellectual property rights (IPR) are often inadequately enforced and intellectual property, patents, copyrights and trademarks inadequately protected. BiH adopted and put into force a new IPR framework that consists of seven laws in 2010. This new legislation is compliant with the Agreement on Trade-Related Aspects of IPR (TRIPS) and EU regulations and includes laws on copyrights, patents, trademarks, geographical indications, and the topography of integrated circuits. Although existing legislation provides a basic level of protection, stronger enforcement is sought. Jurisdiction over IPR investigations is split between customs officials, entity inspectorates, and state and entity law enforcement agencies, and no institution has specialized IPR investigation teams. IPR crimes are prosecuted primarily at the State level.

Section IX. Import Procedures:

Foreign exporters can export food products to BiH using a locally registered office or a local company/shipping agency registered for import activities. It is common for agents to help with food import regulations.

Prior import approvals and licenses are required for live animals and animal products and seeds and pesticides. For animals and certain animal products, the State Veterinary Office (SVO) provides prior approvals. For seeds, planting materials and pesticides the Entity agriculture ministries provide prior approvals. Forms are available at the SVO and the Ministries (see Appendix I). It is important to note that requirements for prior import approvals differ between the two Entities. All food products must be accompanied with standard documents that follow each shipment and by health certificates issued by relevant authorities of exporting countries (e.g. veterinary certificate for meat and meat products, phytosanitary certificates for fruits, vegetables, seeds etc.) and are subject to veterinary and phytosanitary inspections at border crossings and sanitary/food and market inspections at customs points.

Sanitary inspectors in the Federation and Food Inspectors in the Republika Srpska visually inspect all food for sanitary wholesomeness prior to customs clearance and take samples for laboratory tests (see Appendix II). Imported goods are held at the customs point until testing is complete.

Market inspectors issue quality certificates at inspection points (see Appendix I). Quality control inspections are done at the exporter/importer's written request, which should be received at least 24 hours prior to the customs clearance. The request for quality control must be accompanied with basic documents that follow each shipment, translated into Bosnian/Croatian for the F BiH or into Serbian for the RS.

The following information must be provided in the documents:

- type and name of product;
- country of origin;
- exporter's name;
- manufacturer's name;
- type and number of transport means;
- port of loading and unloading;
- total pieces;
- packaging unit;
- gross and net weight; and,
- product's quality basic data.

If the same product is imported again, and it has been tested within 90 days, only a visual check is done. Both Entities have officially recognized laboratories to test imported food products (Appendix II).

If a market inspector rejects an importer's request, goods are stored until the procedure is complete - the inspector can order the return or destruction of goods if necessary at the importer's expense or can order certain changes prior to customs clearance.

Appendix I. Government Regulatory Agency Contacts:

1. Imports of live animals and products, veterinary drugs:

State Veterinary Office
Radiceva 8/II

7100 Sarajevo
Bosnia and Herzegovina
Tel. +387 33 565 714
Fax +387 33 565 725
Contact person: Zeljko Kovac
E-mail: info@vet.gov.ba
Website: <http://www.vet.gov.ba/>

2. Import of seeds, planting material and pesticides:

BiH Plant Health Administration
Radiceva 8/III
71000 Sarajevo
Contact person: Miljana Knezevic
Tel/fax: +387 33 211 693 and 212 387
E-mail: upravabihzzb@bih.net.ba
Website: <http://www.uzzb.gov.ba/>

F BiH Ministry of Agriculture, Water Management and Forestry
Phytosanitary Department
Marka Marulica 2
71 000 Sarajevo
Bosnia and Herzegovina
Tel. +387 33 726 653
Email: sraguz@net.hr
Website: <http://fmpvs.gov.ba/>

RS Ministry of Agriculture, Forestry and Water Management
Phytosanitary Department
Trg Republike Srpske 1
78000 Banja Luka
Tel: +387 51 338 397, 338 398
Fax: +387 51 338 866
E-mail: mps@mps.vladars.net
Website: <http://www.vladars.net/lt/min/mps.html>

3. Sanitary and market inspection:

F BiH Inspectorate
Fehima ef. Curcica 6
71 000 Sarajevo
Tel: + 387 33 563 350
Fax + 387 33 563 351
Email: info@fuzip.gov.ba

Website: <http://www.fuzip.gov.ba/>

RS Inspectorate
Trg Republike Srpske 8
51000 Banja Luka
Tel. + 387 51 337 627
Fax: +387 51 307 955
Email: uprava@inspektorat.vladars.net
Website: <http://www.inspektorat.vladars.net/>

4. Alcohol, nonalcoholic beverages, tobacco:

Indirect Taxation Administration of Bosnia and Herzegovina
Bana Lazarevica bb
Banja Luka, 78000
Phone: 38751 335 494
Fax: 387-51 335 101
Website: <http://www.uino.gov.ba/>

Appendix II. Other Import Specialist Contacts: Office of Agricultural Affairs (Foreign Agricultural Service [FAS])

U.S. Embassy to BiH
Robert Frasure Street 1
71000 Sarajevo
Bosnia and Herzegovina
Tel.: +387 33 704 305
Fax: +387 33 704 425
Contact: Sanela Stanojcic, Agricultural Specialist
E-mail: sanela.stanojcic@fas.usda.gov
Website: <http://sarajevo.usembassy.gov/>

Officially recognized laboratories:

F BiH Institute for Public Health
Titova 9
71 000 Sarajevo
Tel: +387 33 663 940 and 664 548
Fax: +387 33 220 548
Website: <http://www.zzjzfbih.ba/>

Agricultural Institute Sarajevo
Butmirska Cesta 40
71210 Ilidza Tel: +387 33 774 230
Fax: +387 33 637 601

Email: fzzp@fzzp.com.ba

University of Sarajevo, Veterinary College
Department for Food Hygiene
Zmaja od Bosne 90
71 000 Sarajevo
Tel/fax: +387 33 643 684
E-mail: vetfaksa@bih.net.ba
Website: <http://vfs.unsa.ba/bs/>

Veterinary Institute "Vaso Butozan" Banja Luka
Branka Radicevica 18
78 000 Banja Luka
Tel.+387 51 229 210
Fax: +387 51 229 242
Email: info@virsvb.com
Website: <http://www.virsvb.com/>

RS Institute for Health Protection
Jovana Ducica 1
78 000 Banja Luka
Tel.: +387 51 232 420
Fax: +387 51 216 510
Email: info@phi.rs.ba
Website: http://www.phi.rs.ba/index_lat.html

Agricultural Institute Bijeljina
Stefana Decanskog bb
76 300 Bijeljina
Tel. +387 55 240 137
Fax: +387 55 240 032
Agricultural Institute Banja Luka
Knjaza Milosa 17
78 000 Banja Luka
Tel. +387 51 303 112
Fax: +387 51 312 792
Email: polj.institut.bl@blic.net
Website: <http://www.poljinstrs.org/>

Other Useful contacts:

BIH Intellectual Property Rights Institute
Kralja Petra Krešimira IV/8a.
88000 Mostar

Tel. +387 36 334 381

Website: <http://www.ipr.gov.ba/en>

BiH Foreign Trade Chamber

Branislava Djurdjeva 10

71 000 Sarajevo

Tel. +387 33 566 222

Fax: +387 33 214 292

E-mail: cis@komorabih.ba

Website: <http://www.komorabih.ba/>

F BiH Chamber of Economy

Branislava Djurdjeva 10

71 000 Sarajevo

Tel. +387 33 663 370 and 667 940

Fax: +387 33 663 632 and 663 635

E-mail: webmaster@komorabih.com

Website: <http://www.kfbih.com/eng/index.htm>

RS Chamber of Commerce

Djure Danicica 1/II

78 000 Banja Luka

Tel. +387 51 215 987

Fax: +387 51 215 565

E-Mail: pkrs@blic.net; info@komorars.ba

Website: <http://www.komorabl.inecco.net/>

Author Defined:

"The Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Sarajevo, Bosnia and Herzegovina has prepared this report 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."