



Required Report: Required - Public Distribution **Date:** July 26, 2021

Report Number: DR2021-0009

Report Name: Food and Agricultural Import Regulations and Standards

Country Report

Country: Dominican Republic

Post: Santo Domingo

Report Category: FAIRS Annual Country Report

Prepared By: Virgilio Mayol

Approved By: Frederick Giles

Report Highlights:

This report summarizes the key technical and import requirements for food and agricultural products imposed by the Government of the Dominican Republic. Due do to the COVID-19 pandemic and a change in Government authorities during 2020, no changes were implemented on technical and import requirements for food and agricultural products.

Executive Summary

As of May 2021, no changes were implemented by the Government of the Dominican Republic on technical and import requirements for food and agricultural products. On one side, due to the COVID-19 pandemic most regulatory agencies have been working on limited basis. On the other side, a political process that culminated with a change of administration on August 16, 2020, slowed down any ongoing regulatory initiatives.

Import requirements of agricultural and food products are established under the General Health Law No. 42-01 and others cited in this document. Additionally, technical requirements are established under the Dominican Technical Norms, better known as NORDOM, that are subsequently based on CODEX.

The Ministry of Public Health and Social Welfare (MOH) along with the Ministry of Agriculture and other government authorities were in the process of updating the General Health Law to include new and updated import requirements, specifically related to sanitary registration, labeling and others. The new Dominican government is expected to eventually continue this process.

Improvements in the sanitary registration process are expected with President Abinader issuing <u>Decree</u> <u>284-21</u> on April 20, 2021. The Decree orders a restructuring of the General Directory of Drugs, Food and Sanitary Products (DIGEMAPS) and establishes that the Directory will now become a decentralized organism of MOH. The Decree also orders that the restructuring must include a "…simplification of procedures related to the granting of sanitary registrations…".

DISCLAIMER

The USDA Foreign Agriculture Service's Office of Agriculture Affairs in Santo Domingo, Dominican Republic 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, the information provided may not be completely accurate because policies may have changed since its preparation, or 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.

Contents

Section I. Food Laws	4
Section II. Labeling Requirements	5
Section III. Packaging and Container Regulations	5
Section IV. Food Additive Regulations	6
Section V. Pesticides and Other Contaminants	6
Section VI. Other Requirements, Regulations and Registration Measures	7
Section VII. Other Specific Standards	9
Section VIII. Trademarks, Brand Names and Intellectual property Rights	9
Section IX. Import Procedures	9
Section X. Trade Facilitation	13
APPENDIX I: Government Regulatory Key Agency Contacts	14
APPENDIX II: Other Import Specialist Technical Contacts	16

Section I. Food Laws

In the Dominican Republic (DR), there are at least 19 policy documents for food safety and sanitation. The key documents include two major laws, two Presidential Decrees, a regulation, and a "Norma Dominicana" (NORDOM, a Dominican standard):

- 1) General Health Law No. 42-01 dated March 8, 2001;
- **2**) General Law No. 358-02 dated September 9, 2005 for the Protection of Consumer or User Rights (ProConsumidor);
- **3**) Presidential Decree No. 392-19 for the "Sanitary Regulation of Milk and Milk Products" dated November 19, 2019 (this replaced Presidential Decree No. 1139 dated July 28, 1975);
- **4**) General Regulation (Presidential Decree) No. 528-01 dated May 14, 2001 for Risk Control in Food and Beverages;
- 5) General Labeling Standard for Pre-packaged Products (Reglamento Técnico Dominicano (RTD 53)/NORDOM 53, 4th revision) dated November 27, 2014 (published in 2015);

In addition to these documents, other laws and decrees reflect Codex Alimentarius (CODEX) provisions and commitments under the DR-Central America Free Trade Agreement (CAFTA-DR) and the World Trade Organization (WTO).

CAFTA-DR. The CAFTA-DR agreement was duly ratified by the Dominican Congress via Resolution No. 375-05, dated September 6, 2005, and promulgated by the Dominican Executive Branch on September 9, 2005. In addition to its provisions, Law No. 424-06 was enacted to adapt Dominican Laws to the requirements already established by CAFTA-DR and ensure its application in the DR. CAFTA-DR became effective in the DR on March 1, 2007.

CODEX. In order to implement the provisions contained in Codex, the Dominican Executive Branch promulgated Presidential Decrees 170-01 and 1352-04, which respectively created and ratified the National Committee on the Codex Alimentarius ("Comité Nacional del Codex Alimentarius (CONCA)").

Article 127 of the Dominican General Health Law No. 42-01 requires that production, manufacturing, storage, importation, commercialization, transportation, and manipulation of food and beverage products be subject to the guidelines indicated in said law, NORDOMs, and the Codex Alimentarius.

Moreover, Article 24, paragraph II, of Presidential Decree 528-01 incorporates the Codex Alimentarius as part of the guidelines that pre-packaged foods and beverages need to follow to achieve regulatory compliance in the DR. The article indicates, "All foods covered by this Regulation and any other formulations and preparations that can be developed must comply with the food standards developed by the Codex Alimentarius, adopted or approved by its auxiliary technical committees thereof, and approved by the General Directorate of Standards and Quality Systems (DIGENOR) [today, INDOCAL]".

WTO: The DR became a member of the General Agreement on Tariffs and Trade (GATT) on May 19, 1950. The DR later acceded to the WTO on March 9, 1995, which the Dominican Congress approved

through Resolution 2-95. Since then, the DR has committed itself to comply with the standards and procedures that regulate multilateral commerce.

Furthermore, within the Framework of the 1994 GATT, the DR presented a Technical Rectification (TR) of List XXIII of Tariff Concessions for eight agricultural products considered sensitive to the economy; the Dominican Congress through Resolution 92-99 adopted the TR.

Section II. Labeling Requirements

Labeling must comply with the format established in NORDOM 53. The product's packaging materials must include:

- 1. Name of the product
- 2. List of ingredients
- 3. Net weight
- 4. Manufacturer's and importer's name and address
- **5.** Importer's industrial registry number (granted by PROINDUSTRIA)
- **6.** Sanitary registration number (granted by MOH, see Section VII)
- **7.** Country of origin
- **8.** Batch identification number
- 9. Manufacturing date
- **10.** Expiration date
- 11. Instructions for product conservation
- 12. Instructions for use

The text must be in the Spanish language, and it must be legible and intelligible for consumers, in accordance with Article 38 of Law 358-05 for the Protection of Consumers and Users' Rights. The Law does not specify text size or other parameters. The U.S. exporter should forward a sample of the package to the importer to facilitate label development. For products whose label is not in the Spanish language, an adhesive sticker that contains all the required information in Spanish can be applied to the package.

For alcoholic beverages, an additional disclaimer must be included with the following warning: "*El consumo de alcohol perjudica la salud*" (the consumption of alcohol damages the user's health), according to General Health Law No. 42-01.

2.1. Other Specifics Labeling Requirements

The Dominican Republic does not have additional labeling requirements for special-use foods (i.e. biotechnology, baby foods, nutritional labeling, health claims, organic, halal, plant-based meat/dairy alternatives). NORDOM 53 applies also for special-use foods.

Section III. Packaging and Container Regulations

Product packaging for all products must comply with the format established in NORDOM 53.

Additionally, for products of plant origin, the General Requirements for Importation require that the ship's holds and/or vans/containers be cleaned and disinfected before placing the plant material inside. The shipment will also be subject to phytosanitary inspection upon arrival at the Dominican port. In addition, some products or by-products will require phytosanitary treatment and must come free of pests and/or soil. Packages made of wood must comply with NIMF No. 15-Revision 2009.

For raw dairy product imports, MOH's General Directorate of Drugs, Food and Sanitary Products (DIGEMAPS) requires a form called "List of Requirements for No Objection of Importation of Raw Materials of Dairy Products," DIGEMAPS-AL-LI-011, version 002, dated May 19, 2017. This form requests details about the imported product, the number of containers, and whether it is containerized or is loose cargo.

3.1. Packaging Sustainability Measures

The Dominican Republic does not have in place official sustainable packaging measures, such as single-use bans, recycling, etc. These measures are only implemented at the discretion of private industry.

Section IV. Food Additive Regulations

The Ministry of Health and Social Welfare (MOH) controls the health risks associated with the inappropriate use of additives or toxins, as well as the presence of disease-causing organisms. The MOH defines the procedure for the application, issuance, and renewal of the necessary approvals, as well as establishing the conditions for permit cancellation. Presidential Decree No. 528-01 (Regulation 528-01) dated May 14, 2001 in Articles 1, 11, and 247 establishes the MOH's scope regarding additives. For example, this regulation addresses the health risks generated by the inappropriate use of contaminating additives or toxins and by the presence of organisms that cause diseases (Art. 1). This regulation also addresses additives to improve the color, aroma, and conservation of food (Art. 11). The total percentage of additives must be declared, as well as the use for those that are specifically required (Art. 247). (See the MOH contact information below in Appendix I.)

Additionally, Section 5.2.4 of the General Labeling Standard for Pre-packaged Products (NORDOM 53) specifies that any food additive used in a quantity large enough to perform a technological function must be included in the list of ingredients. However, processing aids and food additives used in quantities lower than those necessary to achieve a technological function do not need to be included in the list of ingredients. This exemption does not apply to the food additives and processing aids that are specifically regulated by the MOH as described above.

Section V. Pesticides and Other Contaminants

Presidential Decree No. 244-10, dated April 27, 2010, establishes the Technical Regulations regarding Maximum Residue Levels (MRLs) in the DR. This regulation identifies the MRLs of pesticides and their metabolites for fruit, vegetables and related crops for human and animal consumption.

Irradiated Foods: The specific regulation on irradiated foods is also found in the General Labeling Standard for Pre-packaged Products (NORDOM 53). Section 6.2 requires that foods treated with ionizing radiation be labeled accordingly and that this statement be placed near the brand name. The use

of the international symbol for irradiation is optional, but if used, it should be placed near the brand name. When an irradiated product is used as an ingredient in another food, this must be declared in the list of ingredients. In addition, when a product consisting of a single ingredient is prepared with irradiated raw material, the product label must state this.

Section VI. Other Requirements, Regulations and Registration Measures

The DR does not have facility registration requirements, with the exception of requirements established under Presidential Decree No. 392-19 on the "Sanitary Regulation of Milk and Milk Products", which calls for registration of facilities that export dairy products to the DR. However, U.S. and European Union facilities are exempted of this requirement.

Product registration is required for domestically produced and imported pre-packaged food and beverage products, including cheese, yogurt, breakfast cereal, tree nuts, wine and beer, prepared foods, condiments, sauces, and snack foods. Product registration is accomplished via the DR's Sanitary Registration process, which is administered by DIGEMAPS. This registration process serves as a mechanism for the MOH to guarantee that these products meet the minimum sanitary standards and that they are safe for human consumption in accordance with the General Health Law, No. 42-01 (Articles 109 and 129), Presidential Decree No. 528-01 (Articles 5, 6, 7, 8 and 367), and NORDOM 53. Generally, this application is carried out by the legal representative/local distributors of the product in the country but can also be done by the manufacturer. The foreign manufacturer must appoint a local distributor before the application is submitted to DIGEMAPS.

(i) <u>Application Form:</u> New applicants must submit DIGEMAPS-RS-LI-070, "Requisitos de Solicitud de Nuevos Registros Sanitario de Alimentos y Bebidas Preenvasadas -Productos Nacionales (see contact information in Appendix 1). All ingredients must meet the requirements specified in Presidential Decree (or Regulation) No. 528-01, regarding the Rules for the Control of Risks in Food and Beverages.

(ii) Other Required Materials:

Product Samples: Applicants must submit three original samples of the product in the same presentation (package or container) in which it will be sold in the market (in case of liquids, each sample must contain a minimum of 250 milliliters; in case of solids, each sample must contain a minimum of 250 grams). MOH will send the samples to an authorized laboratory for testing.

Appropriate FDA Certificates:

Certificate to a Foreign Government: The MOH requires this certificate for all food products imported into the DR for the purpose of food safety. This FDA certificate is available for conventional foods, food additives, food contact substances, and infant formula that meet the applicable requirements of the Food, Drug, and Cosmetic (FD&C) Act for marketing in the United States. This certificate states, among other things, that a product (or products) may be marketed in and legally exported from the United States. The fee for this certificate is \$175 for the first certificate, \$155 for the second certificate for the same products(s) issued in response to the same request, and \$100 for each

subsequent certificate for the same product(s) issued in response to the same request. To request this certificate, please visit <u>Online Applications for Export Certificates</u>. This certificate must be duly legalized under the Hague Convention ("Apostille").

- The "Certificate of Exportability" is available for conventional foods, food additives, food contact substances, and infant formula products that cannot be legally marketed in the United States but that meet the requirements of section 801(e) of the FD&C Act and may be legally exported. This certificate states that a product (or products) meet(s) the requirements of section 801(e)(1) of the FD&C Act and may be legally exported. The fee for this certificate is \$175 for the first certificate, \$155 for the second certificate for the same products(s) issued in response to the same request, and \$100 for each subsequent certificate for the same product(s) issued in response to the same request. To request this certificate, please visit Online Applications for Export Certificates
- The "Certificate of Free Sale" is available only for dietary supplements, medical foods, and foods for special dietary use. FDA does not charge a fee for this certificate. To request this certificate, please visit Online Applications for Export Certificates.

Trademark Registration Certificate: A copy of the trademark registration certificate granted by the National Office of Industrial Property (ONAPI) is required; see Appendix 1 for contact information.

Importer-Specific Certificates: A copy of the importer's Industrial Registry Certificate (granted by the Development Center and Industrial Competitiveness, or PROINDUSTRIA), Mercantile Registry Certificate (granted by the Ministry of Industry and Commerce), and sanitary license (granted by DIGEMAPS) are required.

Legal Representative of Product Authorization: The legal representative of the product must receive approval from ONAPI with an apostille.

- (iii) <u>Timeframe</u>: The process for obtaining a Sanitary Registration may take approximately 90 business days. However, there is no timeframe established by law.
- (iv) Fees: The official fees for obtaining a Sanitary Registration amount to a total of DR\$4,000, which is roughly equivalent to \$76. This payment must be separate from others. A certified check must be made in the name of "Dirección General de Salud Ambiental" for a sum of DR\$1,600, which is roughly equivalent to \$30. Finally, another certified check must be made in the name of "Ministerio de Salud Pública y Asistencia Social" for the sum of DR\$2,400, which is roughly equivalent to \$46. These expenses do not include attorney's fees.
- (v) <u>Approval Process:</u> Once the application is approved, DIGEMAPS will issue the product Marketing Authorization Certificate with a Sanitary Registration number specific to the product. The authorization must be renewed every five years and can be done indefinitely (see contact information in Appendix 1). The Sanitary Registration number must be included on the product label in accordance with NORDOM 53.

It is important to note that improvements in the sanitary registration process are expected with President Abinader's issuance of <u>Decree 284-21</u> on April 20, 2021. The Decree orders a restructuring of the General Directory of Drugs, Food and Sanitary Products (DIGEMAPS) and establishes that the Directory will become a decentralized organism of MOH. The Decree also orders that the restructuring must include a "...simplification of procedures related to the granting of sanitary registrations...".

Section VII. Other Specific Standards

Other specific standards are issued by the Dominican Institute for Quality (INDOCAL). These standards can be found here.

Section VIII. Trademarks, Brand Names and Intellectual property Rights

Trademarks, brand names and trademark registration are managed by the National Office of Intellectual Property (ONAPI). The trademark application must contain the following information and be accompanied by a set of documents.

- (i) <u>Application</u>: The application includes one original version and one hard copy of the letter addressed to the Director of the Department of Distinctive Signs, requesting the registration of the trademark in question and indicating the following information: applicant's name and address; mercantile registry number and national taxpayer number (in case of a Dominican applicant); goods and/or services to be protected pursuant to the International Nice Classification of Goods and Services; and printed versions of the trademark's design (when applicable).
- (ii) <u>Application and Registration Process</u>: The application process begins with the filing of the trademark application. If the mark is approved in the substantive evaluation stage by ONAPI, publication fees must be paid. Afterwards, the trademark is published in the Official Gazette of ONAPI. As from this date, third parties have a 45-day period in order to file opposition against the application (since the DR complies with the pre-grant opposition system). If no third party contests the application within this period, the registration certificate is issued and is renewable every ten years. This process is generally carried out by the holder of the trademark or by the distributor if the latter has a Power of Attorney for these matters.
- (iii) Timeframe: The trademark registration process takes approximately three to four months.

<u>Fees</u>: The official fees involved in obtaining a trademark registration will depend if the trademark in question is a word or design application and on the number of classes that may be requested. A word application under one international class amounts to DR\$5,735 roughly equivalent to US\$108. These expenses do not include attorney's fees.

Section IX. Import Procedures

It is recommended that U.S. exporters establish direct dialogue with potential Dominican importers for several reasons. First, importers are best equipped to discuss key topics such as product feasibility in the market, prices and distribution. In addition, Dominican law requires that the product label contain the name and address of the Dominican importer and the manufacturer, who is responsible for the quality and purity of the product. The Phytosanitary and Zoo-sanitary Guidance Letters and permits also must

contain the name and address of the local importer. If the product in question is subject to a tariff rate quota (TRQ), these can only be requested by an individual or legal entity residing in the DR (local importer).

Nonetheless, a U.S. exporter can also establish a branch in the DR or incorporate a Dominican company and directly import the goods. Once this process has been carried out, the U.S. exporter can obtain the corresponding Sanitary Registration, the Phytosanitary or Zoo-sanitary Guidance Letters, and permits.

The import process into the DR may be divided into three major phases: **Pre-export**, **Pre-arrival** and **Import Clearance**, depending on the product category. To fulfill the local requirements, the importer must work alongside the exporter, particularly in the initial phase, when the documents for shipment are prepared. Most companies use registered customs agents, upon arrival of the goods (third phase), to comply with clearance formalities, although this may also be done directly by the importer.

PRE-EXPORT

- **1. Trademark Registration Certificate:** See <u>Section X. Copyright and/or Trademark Laws</u> for detailed information on obtaining a trademark registration from ONAPI.
- **2. Technical Form:** The Technical Form is only applicable the first time an agricultural product is imported, as long as the same supplier is used by the local distributor. Once the product has been imported, the Technical Form is no longer required.
- **3. Sanitary Registration:** All pre-packaged products, including wine and dairy products, must have a Sanitary Registration in the DR (see Section VII).
- **4. Import License:** Before an importer can import products of animal, plant, and fish origin, including dairy products, he must receive an import license by the Ministry of Agriculture that will open the pathway to apply for a sanitary no-objection certificate. They are three ways in which an U.S. importer can apply and receive an import license: 1) apply for CAFTA-DR TRQs (currently available for only five products: chicken leg quarters, powdered milk, yogurt, mozzarella cheese and rice). The process to apply is described here. 2) apply for an allocation under the WTO technical rectification (available when importing rice, garlic, sugar, chicken meat, onions, beans, powdered milk and corn) through an auction process. The allocation process is described in the Presidential Decree 569-12. Although a new process to manage these allocations has yet to be formally established, the new GoDR is expected to eliminate the current auction process; and 3) for out of quota products and products not listed above, importers should submit a letter to the Minister of Agriculture through the Department of Agricultural and Livestock Promotion of the Ministry of Agriculture requesting an import license.
- 5. Sanitary and Zoo-Sanitary No-Objection Certificate: After obtaining the import license, the importer is able to apply and obtain a sanitary no-objection certificate from the Department of Plant Health of the Ministry of Agriculture for plant products, from the Directorate of Livestock (DIGEGA) from the same Ministry for animal products and from the Dominican Council for Fisheries and Aquaculture (CODOPESCA) for fish products. Once issued, this import permit is

valid for 90 days except for import permits for live animals, which are only valid for 30 days (unless an extension to 45 days is granted).

- **6.** Labeling: See Section V.
- 7. Invoice or Pro Forma Invoice: Before shipment, an invoice or pro forma invoice must be sent to the Dominican importer since this document is used for obtaining the Guidance Letters and permits from the MoAg and initiates the import clearance process. Upon arrival of the goods, the importer must have received the original invoice since it will be used to clear the goods and for payment of tariffs, duties, and taxes.
- **8. Appointing Customs Agents:** Most companies use authorized customs agents for handling the import clearance, although the importer can carry it out directly. The customs agent is responsible along with the consignee for managing the way in which the import procedures are handled. The customs agent must be licensed to operate as such by the Ministry of Finance and endorsed by the Dirección General de Aduanas (DGA, or General Directorate Customs).

PRE-ARRIVAL

1. Bill of Lading or Airway Bill (Shipping Instructions): Shipping instructions advise all the details of the cargo and exporter's requirements for its physical movement. It contains the information related to the sale and the merchandise's conditions upon embarkation, such as the quantity of product, form of payment, transport temperature, packaging, and pallet used.

In the DR, depending on the product in question, several conditions must be met:

- The ship's containers must be cleaned and disinfected before placing the products for shipping.
- Imported fruits and vegetables must be free of pests or symptoms of diseases, and must not have soil, sawdust or foreign matter, except for mosses previously disinfected, for its packaging.
- All wood packaging must comply with the International Standard for Phytosanitary Measures (ISPM) No. 15, to reduce the risk of introduction and spread of forest pests and diseases.
- Fruits and vegetables should not be packaged or covered in jute bags.
- Fresh fruits must arrive in refrigerated containers, with temperatures between 0°C (32°F) and 2.20°C (36°F) per Resolution 84/96 of the MoAg.
- 2. Import Declaration: The importer must prepare the Import Declaration through the Automated System for Customs Management (SIGA, per its Spanish acronym). However, only companies can present the Import Declaration through SIGA. Individuals must file directly before the DGA. In addition, the process for importation is initiated when the shipping company presents the import cargo manifest. The Import Declaration is presented electronically through SIGA, which requires the following information: goods to be imported, quantity, description, value, tariff code, and weight.

The following documentation must be scanned and uploaded to SIGA: commercial invoice, bill of lading or airway bill, marketing authorization certificate, Phytosanitary or Zoo-sanitary

Guidance Letters and permits, certificate of origin and custom agent's ID card. The governmental authority reserves the right to require additional documentation. These will be required in original upon arrival of the goods along with the bill of lading or the airway bill.

To declare the goods through SIGA, the Single Customs Declaration Form (DUA, per its Spanish acronym) must be completed. Both the importer and the customs agent use an electronic token supplied by DGA to access the DGA's database for the details related to the import declaration in question.

Importers have ten days, counting from the date of arrival of the goods, to present the Import Declaration. Failure to do so will result in sanctions for late declaration.

IMPORT CLEARANCE

After the import declaration process has been carried out, the consignee can request the physical inspection, under the governmental authority's discretion, of the goods through SIGA. This is done along with the customs inspectors and the supplementary control staff, which may include personnel from the MoAg, MOH, and other competent authorities. The following steps are needed to receive import clearance:

- 1. Payment of Import Duties and Taxes: To pay for import duties and taxes, it is important to consider the following:
 - The proper tariff code must be assigned.
 - According to the DR's Tax Code, Law No. 146-00 and its amendments, the calculation of tax settlement is obtained by subtracting the TRQ percentage from the FOB value (this amount is called the Tariff). Afterwards, both quantities (FOB + Tariff) are added. The 18 percent value added tax (VAT), called ITBIS in the DR, is also collected by Customs for encumbered goods.
 - In addition, the Selective Tax on Consumption may be applied to certain products, such as alcohol.

Payment can be made physically through a certified check or administration check. Payment of duties and taxes must be made out to "Colector de Aduanas" and tariffs for customs services must be made out to "Dirección General de Aduanas." All payments can be paid in any of the local customs offices. However, the person carrying out the payment must be certified as such by the importer.

Payment can also be made electronically, through the e-banking pages of the following local banks: Banco Popular Dominicano, Citibank, BHD-León and Scotiabank. An access pin, administered by the commercial bank, must be obtained.

In case of disputes, parties may refer themselves to the administrative tribunals of the DR or may appeal to arbitration.

2. Submission of original import license, sanitary or zoo-sanitary no-objection certificate and invoices.

- **3. Inspection request to the quarantine office at the port of entry:** Depending on the products in question, an inspection is made by the inspector of the quarantine office of the port of entry who will verify the documentation and perform a physical inspection of the shipment to assess the presence of pests and to take samples for testing. If the pest is common, the product could be released with a treatment, depending on the level of infestation. If the pest is of quarantine concern, the goods may be returned to its place of origin, confiscated, or incinerated.
- **4. Quarantine Controls:** Depends on product and the result of the inspection.
- **5. Product release:** Once the physical inspection has been verified with the declaration and the original documents (which had been previously scanned), the file is reviewed by the Technical Department for verification of the tariff codes, value, commercial agreement, technical rectification, safeguard measurements, and allocations. Once the file has been approved and closed, payment can be made, and the goods are cleared.

Section X. Trade Facilitation

The Dominican Republic is currently at 76.5 percent rate of implementation of the WTO Trade Facilitation Agreement (TFA). The country has made important progress in the following provisions of the agreement:

- Publication and availability of information: information related to import procedures and enquiry points are widely available online (see APENDIX I for useful links). The enquiry point for the TFA in the Dominican Republic is the DGA.
- Opportunity to comment, information before entry into force and consultations: measures implemented by the Dominican Republic are notified through the Committee on Trade Facilitation on a regular basis. On June 5, 2020, the DR provided the notification G/TFA/N/DOM/3/Rev.1 in which it notified country members on new measures to facilitate trade in the middle of the COVID-19 pandemic. In the case of agricultural products, the only provision included was the acceptance of copies (not originals) of APHIS phytosanitary certificates for incoming products.
- Advance rulings are accepted and processed through the DGA, specifically its Technical Deputy Directory. The same applies for procedures for appeal and review.
- General disciplines on fees and charges for imports and exports are clearly established in the VUCE system. A guide including the information, depending on the import products is available here.
- Release and clearance of goods: pre-arrival processing, electronic payment and separation of
 release from final determination of customs duties taxes, fees and charges is available through
 the VUCE system. One of the most important advances under this provision has been the
 establishment of dispatch extended hours, now available from 7:00 a.m. to 10:00 p.m. Average
 release time is six days and 20 hours. Delays for the release time regularly include duplicative
 processes and lack of coordination for inspections within local authorities.
- Trade facilitation measures have also been authorized for authorized operators called Economic Authorized Operators (OEA in Spanish).

APPENDIX I: Government Regulatory Key Agency Contacts

Ministry of Agriculture (MoAg)

Imports of Products & By-products of Vegetable Origin

Contact Information:

Plant Health Department Services (Sanidad Vegetal) Km. 6 ½ Autopista Duarte, Los Jardines del Norte Santo Domingo, D.N., República Dominicana

Tel.: 809-547-3888 Ext. 4101

Email: servicios@agricultura.gob.do
Web page: http://agricultura.gob.do/

http://agricultura.gob.do/servicios/informacion-sobre-procedimientos-para-la-importacion-de-productos-

y-sub-productos-de-origen-vegetal/

Imports of animals and products and by products of animal origin/General Directorate of Livestock (DIGEGA)

Contact Information:

General Directorate of Livestock (DIGEGA)

Autopista 30 de mayo, Ciudad Ganadera Domingo, D.N., República Dominicana

Tel: 809-535-9689

Email: digega@ganaderia.gob.do

Web page: http://www.ganaderia.gob.do/index.php/servicios/item/263-autorizacion-de-la-importacion-

de-animales-y-productos-y-subproductos-de-origen-animal

Certificates of No Objection for Import of Fishery Products/Dominican Council for Fisheries and Aquaculture (CODOPESCA)

Contact Information:

Consejo Dominicano de Pesca y Acuicultura (CODOPESCA) Autopista Duarte, km. 6 ½, Edif. Agricultura, Jardines del Norte

Domingo, D.N., República Dominicana

Tel.: 809-547-3888

Web page: http://www.codopesca.gob.do/servicios/no-objecion-para-importacion-productos-pesqueros/

Ministry of Public Health and Social Welfare (MOH), DIGEMAPS

Food Health Regulations / Labeling / Sanitary Registration

Sanitary registration application:

Web page: https://www.msp.gob.do/web/

Contact Information:

Ministerio de Salud Pública y Asistencia Social

Av. Dr. Héctor Homero Hernández Esq. Av. Tiradentes

Ensanche La Fe

Domingo, D.N., República Dominicana

Tel.: 809-541-3121

Email: infoministeriodesalud@gob.do

National Office of Industrial Property (ONAPI)

Contact Information:

Oficina Nacional de la Propiedad Industrial

Av. de Los Próceres 11

Santo Domingo, Dominican Republic

Tel.: 1 809-567-7474

Email: servicioalusuario@onapi.gob.do
Web page: https://www.onapi.gov.do/

National Directory of Customs (DGA)

Contact Information:

Avenida Abraham Lincoln No.1101, casi esquina John F. Kennedy, Ensanche Serrallés, Edificio Miguel Cocco, Santo Domingo. R. D.

Tel: 809-547-7070

Email: info@aduanas.gob.do

Web page: https://www.aduanas.gob.do

APPENDIX II: Other Import Specialist Technical Contacts

Foreign Agricultural Service (FAS) Office in Santo Domingo

U.S. Embassy in Santo Domingo

57 República de Colombia Av., Arroyo Hondo, Santo Domingo, Dominican Republic

Telephone: 1 + 809-368-7654 E-mail: <u>agsantodomingo@usda.gov</u> Web page: <u>www.fas.usda.gov</u>

Comment: Please contact this office for more detailed information about the Dominican market, lists of

importers, major players in the sector, questions, etc.

Headrick Rizik Alvarez y Fernandez

Avenida Gustavo Mejía Ricart No. 106, Torre Piantini, 6to Piso, Santo Domingo, Dominican Republic

Telephone: 809-473-4500 E-mail: mail@headrick.com.do Web page: www.headrick.com.do

Comment: Private lawyer firm with extensive experience supporting companies with sanitary

registration processes and other requirements.

Attachments:

No Attachments