

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT
POLICY

Required Report - public distribution

Date: 8/27/2010

GAIN Report Number: GH1002

Ghana

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

Approved By:

Russ Nicely, Agricultural Counselor

Prepared By:

Elmasoeur Ashitey, Agricultural Specialist

Report Highlights:

This report was updated on August 2, 2010.

Section I. Food Laws:

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Accra, Ghana for U.S. exporters of 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.

The Government of Ghana's (GOG) regulatory body responsible for food product manufacturing, importation, exportation, advertisement and distribution is the Food and Drugs Board (FDB). The Food and Drugs Board was established and became fully operational in August 1997. The FDB was established to protect and promote public health by ensuring that food and drugs consumed in Ghana are wholesome and safe.

The Food and Drugs law was passed in 1992. All food products imported, advertised, sold or distributed in the country must first be registered with the Food and Drugs Board under Section 18 and 25 of the Food and Drugs law, 1992 (PNDC 305B) and Section 4 (b) of the Food and Drugs (Amendment) Act 523, 1996. A certificate with a registration number is then issued with respect to the product. In addition only companies duly registered by the Registrar General's Department shall be permitted to import food and drugs.

According to FDB (Food, Drugs and other Goods) General Labeling Rules, 1992, "food" includes "any article manufactured, sold or represented for use as food or drink for human consumption, chewing gum and any ingredient which may be mixed with food for any purpose whatsoever". Currently the Food and Drugs law is undergoing review and amendments to ensure that all food products, for example water, is included in the food law.

Since its inception, the FDB has enforced its food laws through the process of registration of products. In addition, to avoid food adulteration the FDB undertakes inspection of food processing facilities in Ghana, destination inspection of imported products, verification of exports and post market surveillance. It is an offence punishable by law if anyone contravenes the provisions of existing food and drugs laws. Legally, failure to register any food item with the FDB means the product cannot be imported. However, the FDB may apply the following in the case of importation of unregistered products a) re-exportation b) destruction/confiscation & prosecution or c) bringing into compliance with the law.

Section II. Labeling Requirements:

A. General Requirements

The General Labeling Rules, 1992, (L. I. 1514) of FDB require that food labeling be informative and accurate. There is no specific arrangement for labeling products in Ghana. Ghana uses the Codex Alimentarius standards to formulate its labeling requirements.

The minimum labeling requirements are:

- Labeling should be in English. An English translation must be shown on the label or package insert (where applicable) if it is in another language;
- Name of product - brand name or common name should be in bold letters;
- The manufacturer/exporter's full address including location;
- Country of origin must be provided on the product label. LI 1541 Ghana Standards Board (Food, Drugs and Other Goods) General Labeling Rule, 1992 Section 1(1) (i) states *No person shall offer for sale, sell, distribute, import or otherwise dispose of prepackaged food or drug, unless the food or drug is marked or labeled with country of origin of the food or drug;*
- Provide net mass/weight or net volume of content; specifying essential ingredients in metric weight for solids, semi-solids and aerosols, and metric volume for liquids;
- List ingredients by their common names in order of importance by weight. If the food is "standardized," the label must include only those ingredients which are optional for that standard;
- Food additives and colors must be stated on the label. Spices, flavors and colors may be listed as such, without naming the specific material, but any artificial color or flavor should be identified as such;
- Provide the production "batch" or lot number;
- Provide date of manufacture of products, expiry date or best use before date;
- There is no additional labeling for U.S. food imports if the standard U.S. label addresses the above-mentioned items. Stick-on labels are not permitted;
- It is not a requirement in Ghana to include the FDB registration number on the product label.

The Food and Drugs Board (FDB) enforces the labeling laws at the ports of entry and at manufacturing sites in the country. In addition the FDB officials carry out routine inspections of imported goods at retail points to ensure that labeling regulations are followed. There are no exceptions to the labeling regulations. Failure to comply with the labeling regulations will compel the FDB to prohibit the importation, distribution, sale or use of any food product, temporarily or permanently, as well as impose a fine GHC 20,000 (about \$14,280) against any product of a particular company for non compliance.

B. Requirements Specific to Nutritional Labeling

The FDB considers any special dietary food a "drug" if it helps in the "treatment, prevention, cure, mitigation or diagnosis of diseases in humans or animal". As such manufacturers must register such dietary food as medicinal products in compliance with FDB guidelines for registration of drugs.

- It is mandatory to label any prepackaged food item that has a nutritional composition. Manufacturers must justify any nutritional claim on the product's label;
- Labels must contain directions for safe usage, handling and storage;
- Additional nutritional labeling information is voluntary;
- FDB accepts the Standard U.S. nutritional fact panel.

Labels bearing 'No/low Cholesterol' or Cholesterol Free' on edible vegetable oils are still not acceptable. According to the Food and Drugs Board, the declaration of "No/low cholesterol" in the labeling of edible vegetable oils is considered a misleading claim unless it is stated on the label that all vegetable oils are cholesterol free.

Section III. Packaging and Container Regulations:

The Food and Drug (Amendment) Act 523 1996 Section 7 of PNDCL 305B stipulates that "food should be stored and conveyed in such a manner as to preserve its composition, quality and purity and to minimize the dissipation of its nutritive properties from climatic and other deteriorating conditions". The FDB has no specific regulations on packaging, waste disposal laws or product recycling regulations that impact on imported food products. The FDB does not impose any specific restrictions on packaging materials.

Importers and consumers prefer processed and high value products to be packaged in small to medium size packs that are affordable. In addition bulk shipment of products that can be repackaged locally is also preferred.

Section IV. Food Additives Regulations:

The food additive and contaminants regulations are based on Codex Alimentarius (vol. 1, 1991 pages 49-179) in its assessment of food safety. Ghanaian food additive regulations are specified in the GOG Food and Drugs Law, 1992, PNDCL 305B.

- No person may manufacture, import, advertise, sell or present any food item or beverage containing a non-nutritive sweetener for human consumption unless the product is "specified for special dietary usage";
- It is not permissible to add non-nutritive sweeteners in any food or beverage to be consumed by infants or children;
- Non-nutritive sweeteners, including saccharin and cyclamates, may be used in low-calorie, dietary foods/beverages;
- It is against the law to use Potassium Bromate as a flour improver for bread. Manufacturers are to use Ascorbic Acid as food additive;
- Effective July 1, 2005 all salts manufactured in Ghana or imported must be iodated;
- The FDB is processing a food fortification regulation that will compel the fortification of wheat flour and edible oils with Iron and Vitamins (regulation is expected to be passed in the next few months).

The ban on the sale of non-iodated salt is in compliance with the Food and Drugs Amendment Act (Act 523). Any person or company found to be in violation of any provision of the Food and Drug Law 1992, PNDCL 305B will be subject to a court penalty unit (the fine is not fixed) to be determined by the law court or imprisoned for not more two years or both. However, enforcement of this provision is being applied to only imported iodated salts. Thus both iodated and non-iodated salts continue to be sold in the market.

The addition of melamine to dairy products including baby milk has been banned in Ghana. This was a result of the discovery of this product in baby foods (milk) in China. No milk product including baby

foods will be allowed into Ghana with melamine in it. However the law or guideline is yet to be released. FDB officials carry out routine inspection and analysis of imported foods at the port of entry and at the retail level. FDB has the mandate to seize and destroy any product that is contaminated.

Section V. Pesticides and Other Contaminants:

Pesticide residue and contaminant levels in food are based on standards of the Codex Alimentarius Commission (Codex Alimentarius vol. 1, 1991: pages 1-146; 182-192). A certificate of analysis, which states the pesticide residue level and freedom from radioactive contaminants, must accompany all imported goods.

By law the FDB has the right to test and analyze any domestic or imported product at its laboratories to determine if the product is free of contamination. FDB officials carry out routine inspection and analysis of imported foods at the port of entry and at the retail level. FDB has the mandate to seize and destroy any product that is contaminated.

According to the Pesticide Control and Management Act (Act 528, 1996) 'no person shall import, export, manufacture, advertise, distribute, sell or use pesticides in Ghana unless the pesticide has been registered by the Environmental Protection Agency(EPA) in accordance with the Act'. The EPA is thus the lead authority in pesticide management but performs this role by liaising with other agencies such as the Plant Protection and Regulatory Services (PPRSD) of Ministry of Food and Agriculture that regulates agricultural pesticides. As such approved agricultural pesticides may be obtained from PPRSD that is a member of the Board of the FDB (see contact information at end of this report).

Section VI. Other Regulations and Requirements:

A. General

Exporters may retain the services of a Ghanaian agent or distributor (though not required). However an association with a local representative who possesses a thorough knowledge of the Ghanaian market can be extremely beneficial. As such it is common for a good agent to be heavily committed or to represent several product lines. Thus care should be taken when approaching agents to ensure that they do not represent other exporters that may result in conflict of interest.

The following documentation/registration is required if an agent is utilized:

- The Agent has a registered company or business with the capacity to affect a product recall if necessary;
- The Ghanaian importer/agent must provide proof of Power of Attorney from the manufacturer, which gives him/her authority to represent him/her on issues relating to the product;
- The original Power of Attorney must be notarized in the country of origin, signed by the Chairman or President of the company, stating names of the products to be registered;
- The Agent is to register the product with FDB valid for not less than five years;
- As a representative of the foreign manufacturer the local representative/agent can coordinate all the registration processes for the imported food products. (See below)

FDB registration requirements:

- An FDB application form for the registration of each product or product group must be completed;
- The exporter must send eight (8) product samples of the same batch of each product to FDB for physical/laboratory analysis and vetting which takes about four to eight weeks. Product samples may be shipped by express mail (DHL or Federal Express or other express mail) and standard food import regulations are not applied;
- The following documents must be provided to the FDB:
 - a. Certificate of manufacture and free sale, issued by an accredited health authority,
 - b. Product license or evidence of product registration in the country of origin,
 - c. A certificate of laboratory analysis performed in the country of origin must be provided such as a sanitary and phytosanitary certificate. A comprehensive certificate of product analysis issued by the manufacturer indicating the name and designation of the analyst;
- All importers must submit the certificate of registration of brand name/ trademark, in the name of the owner of the trademark, to the FDB;
- The importer should present a letter of invitation for the inspection of the factory/warehouse stating the full location address of the manufacturer, name of contact person, current phone and fax numbers and E-mail address.

The FDB registration process involves a review of the manufacturing process, an assessment of food safety and quality, and confirmation of compliance with FDB labeling regulations. The registration of any food product with the FDB is a very slow process and can take between one or two months to be completed from the date samples are submitted for laboratory tests. U.S. manufacturers/exporters wishing to sell their food products in Ghana should be aware of relevant requirements and regulations of the Customs Service mentioned in **section IX** of this report.

B. Expiry Dates

In the Food and Drugs Act, all food products should carry expiry dates and/or shelf life. The active ingredients should be specified on the packaging where applicable. The FDB regulation states that the expiry date should be "at least half the shelf life as at the time of inspection at the port of entry." This means that the inspection date (by FDB after custom clearing) until the expiration date of the product should be equal to or greater than half of the total shelf life of the product (date of production until expiry.) The FDB routine checks have been effective in ensuring that expired food products are removed from the shelves.

C. Registration Fees

According to the FDB, the registration fee for vetting, processing and documentation of all imported food products, has been revised upward. The Registration fee for food products is now GH¢600 (about \$426) for 3 years. Annual Importer registration is GH¢200 (about \$142) to keep the importer on the FDB register. Additionally, a warehouse inspection of GH¢300 (about \$214) per year has been introduced. So the total of GH¢1100 (about \$786) is expected to be paid at the time of submission of documents. The consignment inspection fee has also been reviewed and yet to be released.

The FDB also has the following requirements:

- A food product with different flavors will be registered as a group;
- No applicant will be allowed to register a food product in more than one name.

D. Prepackaged Food Products

The guidelines that regulate the sale of prepackaged food products in Ghana are as follows:

- All prepackaged food can be sold only if a label has been affixed to it;
- Any person who labels a prepackaged food product in a manner, which is false, misleading or deceptive as regards its character, nature, value, substance, composition, merit, safety, quality, quantity or origin commits an offence;
- Manufacturers must provide a complete list of ingredients used in preparing the food item on the label in a descending order of their proportion. Provide recommended storage and handling conditions with the shelf life;
- Indicate on the label if a prepackaged food item has been treated with ionizing radiation and the nature of the ionizing radiation;
- Submit to FDB a Free Sale Certificate from a competent health authority from the country of product origin, that the sale of the product does not contravene the food laws of that country;
- Provide FDB with product's license or certificate of registration from a competent health authority in the country of product origin that is evidence of product registration;
- FDB officials routinely visit retail outlets in the country to confirm that all imported food products are in compliance with local regulations.

E. Advertisement Requirements

- All advertisement and promotional materials (including the contents to be used) must be first approved by the FDB before they are utilized;
- An application to advertise a product must be submitted to FDB for approval. This approval is in addition to the Certificate of Registration of food product issued by the FDB that authorizes importation and sale in Ghana.

Exporters may advertise in the print and electronic media (Radio, TV), billboards, posters and point of sale displays.

Section VII. Other Specific Standards:

Ghana's Food Law has been revised to make it mandatory for wheat flour and vegetable oils imported or produced locally to be fortified with micro nutrients in order to address nutrient deficiencies among the citizenry. The Legislative Instrument (LI) (Act 523) on the amendment of the food law was enacted by the Government of Ghana in November 6, 2009. It is mandatory for all wheat flour and vegetable oils imported or locally produced to be fortified with micro nutrients Effective February 1, 2010 (Gazette No. 92).

As a result manufacturers and importers of wheat flour and vegetable oils are advised to adhere to the Ghana Standards as follows:

1. All wheat and vegetable oils (locally produced and/or imported) are to be fortified in accordance to the following Ghana Standards:
 - i. GS 811: 2006 Cereals and Pulses-Specification for fortified strong wheat flour

- ii. GS 812: 2006 Cereals and Pulses-Specification for fortified soft wheat flour
- iii. GS 813: 2006 Animal and Vegetable fats and oils- Specification for fortified named vegetable oils

2. All Fortificant premix for the fortification of the above named food stuffs should conform to the Ghana Standards listed below:

- i. GS 809: 2006 Standard specification for fortificant premix for wheat flour
- ii. GS 810: 2006 Standard specification for fortificant premix for vegetable oil

These standards mandate that animal and vegetable oils be fortified with Vitamin A (blend of Vitamin A and D3) with a quantity of 10.0 mg/kg. They also mandate that strong and soft wheat flour be fortified with Vitamin A, Folic Acid, Vitamin B12, Thiamine, Riboflavin, Niacin, Iron and Zinc and other ingredients including Pyridoxine, L-Ascorbic acid, Azodicarbonamide and Sulphur Dioxide.

Mandated fortification of these two products is the first of its kind in Ghana. In June 2007, some wheat millers received three months free supply of micronutrients for the fortification of flour from the GOG. As a result of this and public awareness created in past years, some wheat millers and vegetable oil producers in Ghana are already fortifying their products (FAIRS report 2008 & 2009). Despite this, the industry believes that mandatory fortification would add substantial costs to the production of flour and vegetable oils. (FAIRS Report update 2010)

Section VIII. Copyright and/or Trademark Laws:

Ghana is a member of the World Intellectual Property Organization (WIPO), the Universal Copyright Convention (UCC) and the African Regional Industrial Property Organization (ESARIPO). Manufacturers and traders are strongly advised to patent their inventions and register their trademarks in Ghana, and to do so through a patent or trademark agent. Fees for registration vary according to the nature of the patent, but local and foreign applications pay the same rate.

The Ghanaian system for patent and trademark protection is based on British law, and it was only in 1992 that the patent laws of the UK ceased to apply in Ghana. Local courts offer redress when infringements occur, though few cases have been filed in recent years.

The Copyright Act was passed in 1961 and the Trademark Act in 1965. The Copyright Administration in Ghana is responsible for patents, copyright and trademarks. Registration of a trademark permits the holder to have the exclusive right to use the registered mark for a specific product or group of products. Upon approval of a patent, the applicant is given the exclusive right to make, export, import, sell, use a product or apply a patented process.

The Copyright Act of 1965 (amended in 1970) makes it a criminal offense to make counterfeit, reproduce, export, import, exhibit, perform, or sell any work without the permission of the copyright owner.

Section IX. Import Procedures:

The following sequence of import procedure is for general guidance. Importers are required to:

- Obtain a proforma invoice from the supplier;

- Obtain an Import Declaration Form (IDF) from the Ministry of Trade and Industry;
- Apply for a Letter of Credit for payment of goods;
- Arrange insurance cover for the goods depending on shipment terms;
- Notify the Ghana Shippers Council when shipping by sea;
- Contact a clearing Agent for Customs clearance formalities.

A. Import Duties and Collections

The Ghana Customs Excise and Preventive Service (CEPS) is the GOG institution responsible for the collection of import duty. In 2001 the Ghana TradeNet was established to provide a fully integrated customs management software connected over a network to various operators who interact with Customs in the processing of import and export transactions to and from Ghana. Some of these operators include the banks, shipping companies, certification and licensing agencies as well as users of trade information.

The Ghana TradeNet is made up of two main components:

1. **The Ghana Customs Management System (GCMS)**, which provides the CEPS with a fully integrated computerized system for the processing and management of Customs Declarations and related activities. This system is designed to work in an Electronic Data Interchange (EDI) environment, where Manifests and Single Administrative Documents (SAD) are electronically received and automatically processed. In 2003 Ghana moved away from the use of ASYCUDA in processing Customs Declarations. Instead Ghana adopted and modified a Direct Trader Input system (DTI) that provides for online submission of custom documents and duty payments;
2. **Ghana Community Network (GCNet)** is a platform enabling GCMS to share data and other relevant information with all the parties involved in the processing of trade documents and customs clearances. The GCNet operates a seamless electronic system that links all trade operators, revenue agencies, and regulatory bodies through a "Single Window" system. The current set up contrasts sharply with the pre-GCNet situation, when trade operators had to shuttle from one agency to the other, to process their trade and Customs transactions causing delays.

Utilizing GCNet/GCSM, consignments are being cleared within 1-2 days as opposed to an average of 2-3 weeks clearance time in the past.

Along with other ECOWAS countries, Ghana adopted a common external tariff (CET) in November 2005. In July 2005, Ghana aligned its tariff rates of 0%, 5%, 10%, 20% with those of the ECOWAS, but requested for type B exemptions for some items, until the end of the transitional period, 2006-2007. Currently, Ghana still maintains 190 exceptions to the CET. While tariff rates for the items covered under these exceptions are within the 0 percent to 20 percent range, they still require some alteration to align with the CET. Ghana is currently in a transition period and is negotiating these exceptions with ECOWAS. The deadline for agreement on a comprehensive ECOWAS CET was January 1, 2008, but this has not yet been concluded.

B. Port Concessions and Destination Inspection Scheme

In March 2002, Ghana adopted a port concession by transferring port operations to private sector

operators with the aim to significantly increase Ghana's cargo reception, storage, bonded warehousing and clearance capabilities, as well as providing consumers with a broader commercial choice. As such Ghana has become a cargo hub and transit route to land-locked Africa, attracting more external business through Ghanaian ports and borders.

Ghana abolished Pre-shipment Inspection effective, April, 1, 2000, and replaced it with the Destination Inspection Scheme [DIS] backed by computerized risk management, X-ray scanning and physical inspection. Now all exports to Ghana are subject to Destination Inspection unless specifically exempted by the Ministry of Trade and Industry. There are no threshold exemptions hence all imports are subject to inspection, regardless of their value. Inspection charges are currently pegged at 1% CIF value. The GOG has appointed two companies to provide destination inspection in Ghana: Gateway Services Limited (GSL) is responsible for sea freight and Ghana Standards Board and Bureau Veritas (GSBV) is responsible for shipments arriving by air and land. In addition, depending on the imported goods, clearances may require the approval of FDB, Veterinary Services, Ghana Standards Board, National Drug and Narcotics Board and other agencies at the ports of Ghana.

The destination inspection procedure is as follows:

- Import Declaration form (IDF) Submission;
- Submit IDF to Gateway Services Limited (GSL) 21 days before arrival of goods, along with the proforma invoice, Supplementary Information Document (SID) and Tax Identification Number (TIN) Certificate. The SID form is available at the GSL;
- Final Documents Submission to GSL;
- Submit the Final Invoice, Bill of Lading and the Packing List 10 days prior to the arrival of goods. There is a warning that without the Packing List there will be no scanning of the goods.

C. Documentations, Export and Customs Clearing

Procedural Steps:

There are various stages in the customs clearance processes of cargo from the ports of Ghana. The clearance process starts with the valuation of the cargo, declaration of cargo data on to the GCNET, payment of duty and other relevant cargos, verification at the Compliance Section of CEPS, release by the Shipping Agent, delivery by Ghana Ports and Harbors Authority (GPHA) and CEPS physical examination or scanning of cargo before cargo is allowed to exit the port. Importers must appoint a licensed Customs House Agent/clearing agent (Legislative Instrument 1178 1978) with a credible reputation for the clearance of cargo at any freight station in Ghana. The Clearing agent will do the following on your behalf:

Valuation Stage:

All consignments imported into the country must be valued for tax and other purposes.

- Submit the final invoice, Import Declaration Form (IDF) from the Ministry of Trade & Industry, a copy of the Bill of Lading and Packing list (itemizing the value of the packages) two weeks before arrival of vessel to the designated Destination Inspection Company [DIC] for preparation of the Final Classification and Valuation Report (FCVR). The FCVR contains an assessment of the Dutiable Value, Import duty and VAT of the consignment;
- Pick up the Final Classification and Valuation Report [FCVR] from the DIC. Containerized cargo selected for scanning through the Risk Management System procedure of the Destination Inspection Companies is also indicated in the FCVR.

Tax Identification Number (TIN)

- Obtain a Tax Identification Number [TIN] form from the Internal Revenue Service [IRS], if you are a first time importer. Importers require Tax Identification Number (TIN) for Customs clearance of commercial goods. The TIN is a unique identification number generated by the Internal Revenue Service for every tax payer. This number has to be quoted in the entry that the importer or his representative would send the GCNET copy. Without a TIN, customs clearance of cargo from the port is not allowed.

Entry of Cargo Data onto GCNET

- Submit a declaration on the cargo electronically to Customs to the GCNet which is routed to the GCMS. The declaration includes:
 - i. Declaration regime (commercial or for domestic use)
 - ii. Consignee Name of vessel
 - iii. Date of arrival of vessel
 - iv. Number of packages Delivery terms (e.g. CIF, FOB, EX WORKS)
 - v. Total Invoice Value (TIV) as determined by CEPS or Destination Inspection Company (Breakdown of the TIV into FOB, freight and Insurance)
 - vi. Break-down of Items per consignment Commodity code of the items (10 digits)
 - vii. Customs Procedure Code (CPC) of commodity (this indicates whether Consignment is dutiable, free Exempt etc.)
- When the entry is validated, the GCMS generates and sends a response, commonly referred to as a Declaration, to the front end declarant. The Declaration indicates all the taxes and tariffs that have to be paid on the consignment and the name of the CEPS officer to verify the declaration.

Payment of Duty

- Print out a hard copy of the response from GCMS and submit the signed Customs Declaration and attach all supporting documents such as the Bill of Lading, the Invoice, the IDF, the FCVR, the Packing List, an IRS Certificate as well as other relevant permits and documents at either of the GCNet participating banks (i.e. ECOBANK, Ghana Commercial Bank) in order to make payment. Special Bank Receipts are given to importers or their representatives to acknowledge payment.

Verification

- A hard copy of the Declaration, the Bank receipt, and Bill of Lading and all other relevant attaching documents are submitted to the designated Officer at CEPS Compliance Section for Verification of the documents and receipts;
- When no discrepancy is found, the cargo is ruled for First Release [i.e. 'prior to physical examination] or Final Release [i.e. without physical examination];
- Submit a hard copy of the Customs Declaration, the Bank receipt, and Bill of Lading and all other relevant documentation as well as the Delivery Order (earlier purchased from the Shipping Agent) to the Shipping Agents. This is to facilitate preparation of the cargo for physical examination pending release or immediate release as recommended by the CEPS Compliance Office;
- The Delivery Order, (DO) which is in triplicate (green, pink and white or yellow) copies, must contain information such as the name of the consignee, name of vessel, date of arrival, port of loading and the particulars of cargo as indicated in the bill of lading. Other information that must be provided on the delivery order include the Customs House Agent handling the cargo,

the bill of lading number; the container number; the seal number and the rotation number of the vessel;

- The Shipping Agent, on receipt of the documents, then prepares the bill for the consignment. After payment of the bill the cargo is authorized for release at the Port;
- Effect payment of the relevant GPHA charges at the port;
- Deposit the green copy of the DO with the GPHA Operations for the container to be dropped within 24 hours at the designated bay for physical examination by CEPS, if necessary;
- Present Declaration and accompanying documents to CEPS at the port gate to confirm clearance on the GCMS. GPHA security also checks the waybill covering the goods before the goods leave the port.

Scan Option

- If your container is to be scanned, then deposit the declaration, Delivery Order (DO) and the Interchange [evidence of dropping container on the truck] at the CEPS office at the Scanning Area;
- Pick up your Scan number [appointment sheet] from the Scan operations office;
- Present the Appointment sheet to the Check-In Agent at the entrance of the scanner;
- Confirm final clearance of container after the scan at the CEPS office at the scanning.

D. Documentation

The documentation process for all imports is as follows:

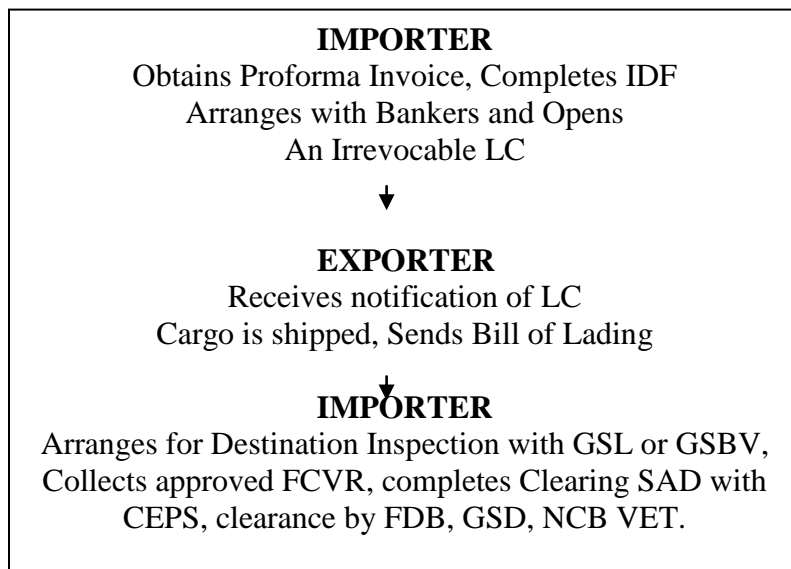
- Import Declaration Form (IDF) covering the goods should be completed and signed by the importer and submitted before importation of goods;
- Single Administrative Document (SAD), a customs form designed for all customs transactions including imports and exports, must be completed and submitted to CEPS;
- Shipment Notification Forms: the importer needs to complete Ghana Shippers Council Shipment Forms for sea shipment;
- Insurance: Insurance coverage should be obtained in Ghana but it is not a pre-condition for importation. However the importer has to produce evidence of an insurance policy before banks will agree to open a letter of credit.

Other Documents supporting customs entry forms are:

- a. Suppliers Invoice: this must be in duplicate and attested
 - b. Packing list
 - c. Bill of Lading / Airway Bill/Parcel Post delivery.
 - d. The inspection agency shall, pursuant to the inspection, issue one of the following reports of findings:
 - Final Customs Valuation Report (FCVR) if the inspection yields a satisfactory result
 - A Gateway Lock (GWL) if the inspection reveals discrepancies which cannot be rectified by the importer ;
- The importer must present his original copy of the FCVR to the Customs Excise and Preventative Service (CEPS) at the time of clearing the goods;

- At the same time, the importer shall pay to CEPS the total duties and taxes of CIF value of the goods;
- Special Requirements: Foods, Drugs, and some other goods imported into Ghana are required to be clearly marked or labeled as required by the General Labeling Rules, 1992, (L.I. 1514); Inspections and clearances by FDB, Ghana Standards Board (GSB), the Ghana Narcotics Control Board (NCD), Veterinary Service (VET) and other agencies stationed at the ports.

E. Flow Chart: Import Documentation Procedures



F. Duty

The standard rate of duty for most food products is 20% (e.g. milled rice). Raw materials for further processing, however, are levied a duty of only 10% (e.g. wheat). A general exemption from payment on the import duty can be granted on items such as ingredients for the manufacture of poultry feeds, if certified as such by the Ministry of Agriculture. Other taxes follow:

- Value Added Tax (VAT) is 12.5%;
- National Health Insurance Levy (NHIL) is 2.5% to be collected by the VAT Secretariat;
- Export Development and Investment Fund Levy (EDIF) is 0.5%;
- Inspection fee of 1%;
- ECOWAS Levy 0.5%;
- Ghana Customs Network (GCNET) of 0.4%.

G. Method of Payment

Letters of Credit (LC) are generally accepted as the method used in the payment of imported goods. The LC can be irrevocable or confirmed. Due to delays most importers utilize inter-bank wire transfers for the payment of their imported goods. The exporter simply ships the items to the importer upon receipt of his bank transfer payments. This method has been helpful in speeding up the process.

To establish an LC a Bank may require a signed proforma invoice (attested), IDF, pre-shipment notification from the Ghana Shippers Council, and Marine insurance (normally covered in Ghana but

not a precondition). This is a tedious and long process and could take more than two weeks. Upon receipt of the bank transfer the cargo is then shipped to Ghana. The shipment time by sea from the United States to Ghana on the average takes three weeks. Air transport is about a day. It is advised that confirmed, irrevocable letters of credit opened by Ghanaian banks with correspondent banks in the United States be used to guarantee payment. U.S. exporters may wish to contact the Agricultural Affairs Office of USDA in Accra for assistance in locating reputable representatives and/or importers for their products.

Appendix I. Government Regulatory Agency Contacts:

1. Dr. Stephen Kwabena Opuni.
The Chief Executive
Food and Drugs Board
PO Box CT 2783, Cantonment, Accra, Ghana
Tel:233-21-229261
Tel: 233-21-233200/910761/235100
Fax: 233-21-225502
Email: skopuni@fdbghana.gov.gh

2. Mr. Odame-Darkwa
Head of Food Safety Section of Food and Drugs Board
PO Box CT 2783, Accra
Tel: 233-21-233200/910761/235100
Fax: 233-21-225502
Email: jodamedarkwa@fdbghana.gov.gh

3. Mr Jack- SugloVespar
Director
Plant Protection and Regulatory Service
Ministry of Food and Agriculture
PO Box M37, Accra
Tel: 21-302638
Cell: 233-244-388275
Email: jackvesper@yahoo.com

Appendix II. Other Import Specialist Contacts:

Mrs Elizabeth Aditola
Director of Standards
PO Box MB 245, Accra
Tel: 233-21-501937/500065/506991
Email: eaditola@ghanastandards.org

Author Defined:

POST CONTACTS:

1. Russ Nicely
Regional Agricultural Counselor
Agricultural Affairs Office
American Consulate
2, Walter Carrington Crescent
Victoria Island, Lagos-Nigeria
Telephone: (234) 1 261-3926, 775-0830
Fax: (234) 1 262-9835
E-mail: aglagos@usda.gov
Website: <http://www.fas.usda.gov>

2. Elmasoeur Z. Ashitey
American Embassy
Agricultural Affairs (USDA/FAS)
24 Fourth Circular Rd., Cantonments, Accra, Ghana
Tel: 233-21-231218
Fax: 233-21-679267
Cell: 233-244-331507
E-mail: Elmasoeur.Ashitey@fas.usda.gov
Website: <http://www.fas.usda.gov>