

Voluntary Report – Voluntary - Public Distribution

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Report Name: New Import Permit Requirements for Rice and Poultry in Honduras

Country: Honduras

Post: Tegucigalpa

Report Category: Poultry and Products, FAIRS Export Certificate Report, FAIRS Country Report, FAIRS Subject Report, Food and Agricultural Import Regulations and Standards - Certification, Food and Agricultural Import Regulations and Standards - Narrative, Grain and Feed, Country/Regional FTA's, Trade Policy Incident Report, Trade Policy Monitoring, WTO Notifications, Detained Shipments

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Report Highlights:

The Government of Honduras implemented a new and complicated import permit system for the importation of rice and poultry that has caused major problems for U.S. shippers of these products and their customers. All U.S. exporters of these products should work closely with their importers to navigate the process. Please report any problems to AGTegucigalpa@state.gov.

Government of Honduras Implements New Cumbersome Import Permit Requirements for Rice and Poultry

On March 6, 2023, The Government of Honduras (GOH) published new procedures for importing rice and poultry, with no advanced notification, comment period, or phase in period. The procedures require importers to register each year, which involves many steps and reportedly can take months and is not possible for all potential importers. Then after they are registered, they must apply for an import permit for each shipment, which also involves several more steps under an opaque and bureaucratic process that results in additional delays. These regulations are causing confusion, delays, additional port fees, and cancelled orders for U.S. exporters and their customers.

The following text is an unofficial translate of both Decrees Ministerial Decree No. 020-2023 (for rice dated Feb 10) and Ministerial No. Decree 021-2023 (for poultry dated Feb 16)

Decree on Rice

Published 23 of February, 2023

Ministerial Agreements published in the Official Gazette "La Gaceta" dated February 16, 2023, which provides the regulation of imports of rice classified in the tariff headings 1006.10.90.00; 1006.20.00.00; 1006.30.10.00; 1006.30.20.00; 1006.30.90.00 and 1 006.40.00.00 and chicken meat classified in tariff headings 0207.11.00.00; 0207.12.00.00; 0207. 13.91.00;. 0207.13:92.00; 027.13.93'.00;0207.13.94.00; 0207.13.99.00; 0207.14.91.00; 0207.14.92.00; 0207.14.93.00; 0207.14.94.00; 0207.14.99.00;1602.32.10.00; 1602.32.90.00:

1. Ministerial Agreement No. 020-2023 dated February 10, 2023, which establishes the Regulations for the issuance of the Rice Import License.
2. Ministerial Agreement No. 021-2023 dated February 10, 2023, whereby it establishes the Regulations for the issuance of the License for the Importation of Chicken Meat.

This Secretariat of State will issue the Import Licenses contemplated in the above mentioned Agreements, for which the importer must present to Customs for each import of rice and/or chicken meat products.

Signed, Subsecretariat of State of the Economic Development and Interior Trade
CC: Ing. Pedro Barquero - Secretario de Estado – SDE, Lic. Melvin Redondo - SIECE

Section A

CONSIDERING: That the responsibilities of the Secretariat of State in the Office of Economic Development (SDE) include the administration of the Honduran foreign trade regime.

CONSIDERING: That to order the importation of rice and to have timely information on the flow of imports of the aforementioned products, it is necessary to create a registry of importers and establish an import license for such merchandise.

CONSIDERING: That the Agreement on Import Licensing Procedures administered by the World Trade Organization (WTO) establishes the application of import licensing regimes, considering the special needs of developing countries with respect to their trade, development, and finances.

CONSIDERING: That the protection of the rice production chain is a priority, in order to promote food sovereignty and security, as well as to prevent imbalance in the production and commercialization relationship in domestic markets.

CONSIDERING: That Article 1 of the Consumer Protection Law, Decree No. 24-2008, dated April 1, 2008, establishes as objective to protect, defend, promote, divulge and enforce the rights of consumers by regulating the consumer relations established in the market for the acquisition of goods and services, providing the applicable procedures, rights, obligations, infractions and sanctions in such matter. rights, obligations, infringements and penalties in this matter.

CONSIDERING: The importation of rice products must ensure proper compliance with the provisions of the Regulations for the Sanitary Control of Products, Services and Establishments of Sanitary Interest.

CONSIDERING: The Honduran Customs Administration is responsible for the application of the customs regime for rice imports.

The Secretary of State in the Office of Economic Development, in exercise of the powers granted by Articles 246, 247, 328, 329, 331 and 347 of the Constitution of the Republic; Articles 7, 29 numeral 7, 36 numeral I and 8, 116 and 118 of the General Law of Public Administration; 5 of the Law of Administrative Procedure.

AGREES

THE RICE IMPORT LICENSE

Article 1.- To establish a Registry of Rice Importers classified in the following tariff fractions of the Central American Import Tariff (ACI):

ACI Tariff Heading

1006.10.90.00 - - Others 1006.20.00.00, 1006.30.10.00, 1006.30.20.00, 1006.30.90.00, 1006.40.00.00

Description

- Husked rice (cargo rice) or broken rice;-- Medium-sized grains fractionated at one end, with a fat content range of 0.60 % to 0.75 %, intended for the blowing process and packed in 50 kg bags, duly identified; Parboiled rice- - Others- Broken rice

Article 2.- The economic agents interested in importing rice in accordance with the previous article, shall request their registration in the Rice Importers Registry, before the General Secretariat of the Secretariat of Economic Development through a legal agent with all the formality of the law, providing the following information:

- a) Name, denomination or company name of the applicant, including a brief description of its economic activity;
- b) Photocopy of the National Identification Document (DNI) in the case of natural persons. In the case of foreigners, they must present a photocopy of their residence card;
- c) Name of the legal representative and certification of the legal representative's appointment in the case of a legal entity;
- d) Physical address and location map of the establishment;
- e) Photocopy of the National Tax Registry;

- t) Copy of the Incorporation Deed;
- g) Copy of current Tax Solvency, issued by the Revenue Administration Service;
- h) Copy of the current Sanitary License issued by the competent Sanitary Authority;
- i) Copy of the current Importer and/or Processor of Plant, Product Establishment Registration, issued by the National Agri-Food Health and Safety Service (SENASA);
- j) Document that certifies the storage and/or processing capacity per month and year, in case it is a rice processing company, duly verified by an independent auditing firm;
- k) Document certifying that it is part of the National Wet Grain Rice Purchase and Sale Agreement, if it is a rice processing company, issued by the Secretariat of Agriculture and Livestock (SAG);
- l) If the applicant for the Registration of Rice Importer is not a paddy rice processor, he must indicate the purpose of the importation, attaching an equivalent document that supports such purpose, whether the product is distributed at the retail or wholesale level.
- m) Payment receipt TGR-1 for L. 200.00, for issuing certificates, licenses, and certifications in effect as of the application's presentation date. For the effects of this article, the Secretariat of Economic Development shall assign to each importer a Rice Importer Registration Number (NRIA), which shall be valid for one (1) year from its issuance.

Article 3.- The economic agents interested in renewing the Rice Importer Registration (NRIA) shall submit an application to the General Secretariat of this Secretariat of State through a legal representative with all the formality of the law, providing the information indicated in paragraphs a) and g) to m) of Article 2 of this Agreement. If the company's general information or other documentation is updated, the importer shall provide the information indicated in paragraphs c), d), e), and/or f) of Article 2 of this Agreement, indicating the modification, as the case may be. For the purposes of this Article, the importer shall renew the Rice Importer Registration (NRIA), in the month of December of each year. (this part was deleted in updated poultry decree)

Rice Import License

Article 4.- To establish a Rice Import License for the tariff items indicated in Article 1 of this Agreement. The procedure for the issuance of Rice Import Licenses shall be as follows:

- a) The interested importer must present the application for the Rice Import License at the window of the General Secretariat of this Secretariat of State, through a legal representative;
- b) The following information must be included in the rice import license application:
 1. General information (name or company name, telephone, address and e-mail);
 2. Rice Importer Registration Number (RIRN);
 3. Description and tariff fraction of the product to be imported;
 4. Volume to be imported in kilograms and value in U.S. dollars, country of origin and probable date of importation;
- c) Documents to be attached to the application:
 1. Copy of the current Sanitary Registration, issued by Agencia de Regulación Sanitaria (ARSA);
 2. Copy of the authorization for the importation of raw material, when applicable, issued by the Health Regulation Agency (ARSA);
 3. Phytosanitary permit for importation in force, issued by the National Agri-Food Health and Safety Service (SENASA);
 4. Copy of Commercial Invoice or proforma;
 5. Receipt of payment of TGR-1 for L. 200.00 for the concept of the emission of constancy, licenses and certifications in force when submitting the application.

From the second application for an import license, the interested party must demonstrate the use of the volume consigned in the previous license granted by this Secretariat of State, attaching the copy of the Single Customs Declaration, receipt of payment for the definitive import and copy of the Single Central American Declaration (DUCA), which demonstrates the liquidation of the import that used said license.

Article 5.- Once the application for the license referred to in the preceding article has been authorized, the General Secretariat of the Secretariat of Economic Development shall transfer the proceedings to the Undersecretariat of Economic Integration and Foreign Trade, which shall assign the corresponding proceedings to the unit specialized in tariff quotas and import licenses for the issuance of the license.

Article 6.- The import license shall be mandatory for each import made and shall not exceed the declared storage capacity.

Article 7.- If the importer does not comply with the provision indicated in letter d) of Article 4 of this Agreement, this Secretariat of State shall not issue a new license.

Article 8.- Regardless of the provisions of paragraph 8 of Article 1 of the Agreement on Procedures for the Processing of Import Licenses of the AG IT of 1994, the customs authority shall not process imports when the information on the import license differs from that described in the Single Central American Declaration (DUCA), as applicable. The import license referred to in this Agreement does not prejudice the tariff treatment applicable at the time of importation.

Article 9.- Once the license is issued, it shall be valid for 90 days, extendable at the request of the interested party, in accordance with the Law.

Article 10.- The import licenses issued shall be nominative, they shall not constitute a valuable title and shall not be transferable.

Article 11.- Request the Honduran Customs Administration to issue a monthly report of imports under this Agreement. (revised version for poultry added "the Ministry of Economic Development will provide the format for said report")

Article 12.- In accordance with Article 9 of this Agreement, regarding the extensions of the validity of the import licenses for rice, these may be extended in accordance with

Article 44- of the Administrative Procedure Law. The applications must be submitted to the General Secretariat of this Secretariat of State, through a legal representative, which must attach the following documentation:

- a) The original import license.
- b) Documentation supporting the justification.
- c) TGR 1 payment receipt for L. 200.00, box 12121, in the name of SDE.

Article 13.- The SDE may require additional information from the applicants and make modifications to the established data and procedures, informing the public of the new legal requirements with due notice.

Article 14.- All information provided by applicants shall be subject to verification by this Secretariat of State, which may reject any application containing serious errors or omissions.

Article 15.- The Regulations of this Agreement do not exempt the importer from provisions such as: sanitary, phytosanitary requirements, origin requirements, customs and tax requirements, requirements contained in the Consumer Protection Law and other laws applicable to the importation of animal and vegetable products.

Article 16.- The following special import modalities are exempted from the requirement of registration in the registry of rice importers, and from the import license, according to how they are defined in the Central American Uniform Customs Code (CAUCA):

- a) Border traffic;
- b) Small family shipments of a non-commercial nature;
- c) Samples of no commercial value; and, Donations, duly notified to the Secretariat of Economic Development, and the beneficiary must present the waiver accrediting the introduction of these goods under the donation mechanism issued by the donor institution.

Final Provisions

Article 17.- All matters not contemplated in this Agreement shall be resolved in accordance with the legal framework in force.

Article 18.- This Agreement shall enter into force on February ten (10), two thousand and twenty-three (2023) and shall be published in the Official Gazette "La Gaceta

Decree on Poultry

(Originally dated February 16, 2023 but amended slightly in June 2023 to now say the following)

HONDURAS -16 of February 2023 No. 36,157, Secretary of State in the Office of Economic Development

CONSIDERING: That among the attributions of the Secretariat of State in the Office of Economic Development (SDE) is the administration of the foreign trade regime of Honduras.

CONSIDERING: That to order the importation of chicken meat and to have timely information on the flow of imports of the aforementioned products it is necessary to create a registry of importers and establish an import license for such merchandise.

CONSIDERING: That to order the importation of chicken meat and to have timely information on the flow of imports of the aforementioned products it is necessary to create a registry of importers and establish an import license for such merchandise.

CONSIDERING: That it is a priority to promote the chicken meat production chain in order to strengthen food sovereignty and security, as well as to prevent imbalances in the production and commercialization relationship in domestic markets.

CONSIDERING: Article I of the Consumer Protection Law, Decree No. 24-2008, dated April 1, 2008 establishes as objective to protect, defend, promote, divulge and enforce the rights of consumers by regulating the consumer relations established in the market for the acquisition of goods and services, providing the applicable procedures, rights, obligations, infractions and sanctions in said matter.

CONSIDERING: The importation of chicken meat products must ensure proper compliance with the provisions of the Regulations for the Sanitary Control of Products, Services and Establishments of Sanitary Interest.

CONSIDERING: The Customs Administration of Honduras is responsible for the application of the customs regime for imports of chicken meat.

THEREFORE:

The Secretary of State in the Office of Economic Development, in exercise of the faculties granted by Articles 246, 247, 328, 329, 331 and 347 of the Constitution of the Republic; Articles 7, 29 numeral 7, 36 numeral I and 8, 116 and 118 of the General Law of the Public Administration; 5 of the Law of Administrative Procedure.

PROVISIONS FOR THE ISSUANCE OF THE CHICKEN MEAT IMPORT LICENSE

Article 1.- To establish a Chicken Meat Importer Registration for the following tariff items of the Central American Import Tariff (ACI):

0207.11.00.00 - -Sin trocear, frescos o refrigerados

0207.12.00.00 - - Sin trocear, congelados

0207.13.91.00 - - - - Pechugas

0207.13.92.00 - - - -Alas

0207.13.93.00 - - - - Muslos, piernas, incluso unidos- - - - Muslos, piernas, que incluyan en su presentación otros trozos

0207.13.94.00 incluso unidos

0207.13.99.00 - - - - Los demás

0207.14.91.00 - - - - Pechugas

0207.14.92.00 - - - - Alas

0207.14.93.00 - - - - Muslos, piernas, incluso unidos

0207.14.94.00- - - - Muslos, piernas, que incluyan en su presentación otros trozos, incluso unidos

0207.14.99.00 - - - - Los demás

1602.32.10.00 - - -Muslos, piernas, incluso unidos.

1602.32.90.00 - - - Otros

Article 2.- The economic agents interested in importing chicken meat, in accordance with the previous article, must request their registration in the Chicken Meat Importers Registry before the General Secretariat of the Secretariat of State in the Office of Economic Development through a legal proxy with all the formality of the law, providing the following information:

- a) Name, denomination or company name of the applicant, including a brief description of its economic activity;
- b) Photocopy of the National Identification Document (DNI) in the case of natural persons. In the case of foreigners, they must submit a photocopy of their residence card;
- c) Name of the legal representative and certification of the minutes of his appointment in the case of a legal entity;
- d) Physical address and sketch of the location of the establishment;
- e) Photocopy of the National Tax Registry;
- f) Copy of the Deed of Incorporation;
- g) Copy of the tax solvency in force, issued by the Revenue Administration Service;
- h) Copy of the current Sanitary License issued by the Health Regulation Agency (ARSA);
- i) Copy of the registration of establishment of importer and/or processor of animal product, in force, issued by the National Service of Agri-Food Health and Innocuousness (SENASA);
- j) Receipt of TGR-1 for L 200.00 for the concept of issuance of constancy, licenses and certifications in

force at the date of the presentation of the application. For this Article's purposes, the Secretariat of Economic Development shall assign to each importer a Chicken Meat Importer Registration Number (NRICP), which shall be valid for one (1) year, from the date of its issuance.

Article 3.- Economic agents interested in renewing the Chicken Meat Importer Registration (NRICP) shall submit an application to the General Secretariat of this Secretariat of State through a legal representative with all the formalities required by law, providing the information indicated in paragraphs a) and g) to j) of Article 2 of this Agreement.

If you need to update your company's general information or other documentation, you must provide the following information indicated in paragraph c), d), e), and/or f) of Article 2 of this Agreement, indicating the modification, as the case may be. For the purposes of this Article, the importer shall renew the Chicken Meat Importer Registration (NRICP), in the month of December of each year.

Article 4.- To establish a Chicken Meat Import License for the tariff items indicated in Article 1 of this Agreement. For the issuance of Chicken Meat Import Licenses, the procedure shall be as follows:

a) The applicant must present the application for the Chicken Meat Import License at the window of the General Secretariat of this Secretariat of State through a legal representative;

b) The application for the Chicken Meat Import License must include the following information:

1. General data (name or company name, telephone, address and e-mail);
2. Chicken Meat Importer Registration Number (CP Number);
3. Description and tariff fraction of the product to be imported;
4. Volume to be imported in kilograms and value in U.S. dollars, country of origin and probable date to be imported.

c) Documents to be attached to the application:

1. Copy of the Sanitary Registration in force, issued by Agencia de Regulación Sanitaria (ARSA); (revision changed from requiring both to adding "And/or")
2. Copy of the authorization for the importation of raw material, when applicable, issued by the Health Regulation Agency (ARSA);
3. Current animal health import permit, issued by the Servicio Nacional de Sanidade Inocuidad Agroalimentaria (SENASA);
4. Copy of Commercial Invoice or commercial receipt;
5. Receipt of TGR-1 for L 200.00 for the issuance of certificates, licenses and certifications in force at the date of filing the application.

d) From the second application for a Chicken Meat Import License, the interested party must demonstrate the use of the volume consigned in the previous license granted by this Secretariat of State, attaching the copy of the Single Customs Declaration, payment receipt for the definitive import and copy of the Single Central American Declaration (DUCA), which demonstrates the liquidation of the import that used such license.

Article 5.- Once the application for the license of the previous article has been authorized, the General Secretariat of the Secretariat of Economic Development shall transfer the proceedings to the Undersecretariat of Economic Integration and Foreign Trade, who shall assign to the unit specialized in tariff quotas and import licenses the corresponding proceedings for the issuance of the license.

Article 6.- The Chicken Meat Importation License shall be mandatory for each definitive importation.

Article 7.- In case the importer does not comply with the provision indicated in paragraph d) of Article 4 of this Agreement, this Secretariat of State shall not issue a license for the importation of chicken meat Agreement, this Secretariat of State shall not issue a new license.

Article 8.- Regardless of the provisions of paragraph 8 of article 1 of the Agreement on Procedures for the Processing of Import Licenses of the 1994 GA TT, the customs authority shall not issue an import license when the information on the import license differs from that described in the Single Central American Declaration (DUCA), as applicable. The import license referred to in this Agreement does not prejudice the tariff treatment applicable at the time of importation.

Article 9.- Once the license is issued, it shall be valid for 90 (In revision this shortened to 60 days)days, extendable at the request of the interested party, in accordance with the Law.

Article 10.- The import licenses issued shall be nominative, shall not constitute a valuable title and shall not be transferable.

Article 11.- To request the Honduran Customs Administration to issue a monthly report of the imports under this Agreement. (revision added “the Ministry of Economic Development will provide the format for said report)

Article 12.- In accordance with Article 9 of the present Agreement, on the extensions of validity of the Import Licenses of Chicken Meat, these may be extended in accordance with Article 44 of the Administrative Procedure Law. he applications must be presented before the General Secretariat of this Secretariat of State, through a legal representative, which must attach the following documentation:

- a) The original import license;
- b) Documentation supporting the justification;
- c) TGR payment receipt, 1 for L. 200.00, box 12121, in the name of SDE.

Article 13 - The SDE may require additional information from the applicants and make modifications to the established formats and procedures, making the public aware of the new legal requirements with due notice.

Article 14 - All information provided by applicants shall be subject to verification by this Secretariat of State, which may reject any application containing serious errors or omissions.

Article 15.- The Regulations of this Agreement do not exempt the importer from provisions such as: sanitary and phytosanitary requirements, origin requirements, customs requirements, tax requirements, requirements contained in the Law, etc., as well as those contained in the Law.

Article 16.- The following special importation modalities are exempted from the requirement of registration in the Registry of Chicken Meat Importers, and from the import license, according to how they are defined in the Central American Uniform Customs Code (CAUCA):

- a) Border traffic;
- b) Small family shipments of a non-commercial nature;
- c) Samples of no commercial value; and, Donations, duly notified to the Secretariat of Economic Development, and the beneficiary must present the waiver accrediting the introduction of these goods under the donation mechanism issued by the donor institution.

Final Provisions

Article 17.- Anything not provided for in this Agreement shall be resolved in accordance with the legal framework in force.

Article 18.- This Agreement shall enter into force on the tenth day of February two thousand and twenty-three (2023) and shall be published in the Official Gazette "La Gaceta".

MELVIN ENRIQUE REDONDO

Subsecretario de Integración Económica y Comercio Exterior

Acuerdo de Delegación No. 022-2022

JOEL EDUARDO SALINAS LANZA

Secretario General

Attachments:

No Attachments.