

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: 12/22/2010

GAIN Report Number:

Pakistan

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

Approved By:

Joseph M. Carroll

Prepared By:

Asmat Raza

Report Highlights:

This report outlines regulatory requirements and import procedures for food and agricultural imports into Pakistan. Compared to the previous report released in 2009, sections VI, VII and IX have been modified. Pakistan's food imports are generally regulated by the federal government and food standards are regulated by the provincial governments. Pakistan food laws cover 104 food items falling into nine broad categories. These regulations address purity issues in raw food and deal with subjects associated with additives, food preservatives, food and synthetic colors, antioxidants, and heavy metals. Pakistan has removed the registration requirement for importing firms in the private sector. Pakistan adheres to the Harmonized Coding System for classification of imported goods. Food labeling and packaging requirements are enforced.

Section I. Food Laws:

Pakistan's food imports are generally regulated by the federal government and food standards are regulated by the provincial governments. Pakistan does not have an integrated legal framework but has a set of laws, which deals with various aspects of food safety. Food standards were established in the Pakistan Pure Food Laws (PFL) of 1963. The PFL is basis of the existing trade-related food quality and safety legislative framework. It covers 104 food items falling under nine broad categories: milk and milk products, edible oils and fat products, beverages, food grains and cereals, starchy food, spices and condiments, sweetening agents, fruits and vegetables and miscellaneous food products. These regulations address purity issues in raw food and deal with additives, food preservatives, food and synthetic colors, antioxidants, and heavy metals.

Pakistan's Hotels and Restaurant Act of 1976 applies to all hotels and restaurants in Pakistan and seeks to control and regulate the rates and standard of service(s) by hotels and restaurants. The Pakistan Standards and Quality Control Authority Act of 1996 provides for the establishment of Pakistan Standards and Quality Control Authority (PSQCA), which is the apex body to formulate or adopt international standards. The PSQCA is also responsible for enforcement of standards in the whole of Pakistan and has the mandate to inspect and test products and services, including food items, for their quality, specification and characteristics during use, and for import and export purposes.

The federal government generally applies Codex standards and guidelines in its regulation of imported food products. U.S. Food and Drug Administration standards also are used for certain products. A list of permissible food colors is updated every year. For animal products, "Halal" certification (slaughtered in accordance with Islamic law) is required.

The Customs Department and Plant Protection and Quarantine (PPQ) are the two main agencies involved in regulating food imports. The Customs Department's primary functions are: ensure that imported foods meet Pakistan's labeling and shelf-life requirements prevent imports on the list of banned items, and assess appropriate import tariffs. PPQ also ensures that shipment of bulk commodities and live animal shipments meet phytosanitary requirements.

The federal government's primary concern regarding imported food is shelf life. Federal import regulations require that imported food products have at least 50 percent of original shelf life remaining at the time of importation. To ensure shelf life requirements are met, correct labeling is of critical importance. Each retail pack must have the production and expiration dates printed on the label. In addition to shelf life and labeling, certain products are banned for religious reasons. The importation of food products containing pork or pork products is prohibited. Meat and dairy products may be imported if certified to be "Halal." Commercial import of alcoholic beverages or products containing alcohol is also prohibited.

Pakistan controls certain imports through a "negative list." The negative list is comprised of (a) items banned for reasons of religion, security or luxury consumption; (b) capital and consumer goods banned to protect a domestic industry; and (c) intermediate goods used to produce protected goods. Pakistan also maintains a "restricted list" of items that may be imported only by certain parties (i.e., the government or other specified users) or under certain arrangements (such as imports against credit).

Other than the exceptions cited above, there are no federal restrictions on the importation of consumer foods. U.S. exporters have had problems with requirements due to the use of bar-code labels that do not have printed dates of manufacture and expiration. As a result, U.S. suppliers using bar-coded labels alone will incur the extra cost of printing new labels or of affixing stickers with the printed production and expiration dates on each retail pack.

Most of the imported foods are in consumer-ready packaging. Refined vegetable oil is the one exception and is generally imported in bulk and re-packed locally.

At the time of import, the Federal Customs Department checks the PFL standards to determine whether an item is deemed importable. If the item is not defined in the PFL standards, the Pakistan Standard Institute (PSI) will be consulted. PSI standards are revised every five years. To ensure that an imported product meets provincial health requirements, the exporter and/or his agent should contact the Provincial Health Departments to verify that the product meets the requirements of the Pure Food Laws and the Pakistan Standard Institute.

There is no system to effectively enforce food laws at the wholesale or retail level. Under certain circumstances, District Administrators, in cooperation with the Provincial Food Department, may inspect outlets and make a decision on whether to ban the sale of a product.

Section II. Labeling Requirements:

General Requirements

1. Imported food products, including ingredients, must have at least 50 percent of their original shelf life remaining at the time of importation - calculated from the date of filing the "Import General Manifest" (IGM) in accordance with the Customs Act of 1969. Labels in English and Urdu languages are required.
2. Packages or containers must also indicate:
 - a. The date of manufacture and date of expiration,
 - b. That the contents are free from pork and pork products,
 - c. That the contents are fit for human consumption and that any animal product was obtained from an animal slaughtered according to 'Halal' requirements,
 - d. That import of edible oils is on the basis of landed weight and landed quality.
 - e. That packing may not contain any word or inscription of a religious connotation or any obscene picture that may offend the religious feeling of any sect, class or group in Pakistan.
3. The production and expiration dates must be printed in English, using either words and/or numbers.
4. Standard U.S. bar-code labels alone are generally not acceptable as they lack printed production and expiration dates, as required by law.
5. Stickers, which contain the required printed dates of manufacture and expiration, should be affixed to the standard U.S. labels prior to shipment.
6. Products for institutional sale are governed by the same regulations as products for direct retail sale. However, certain institutions may request additional information on the label to identify it as their product.
7. Samples are governed by the same regulations as products for direct retail sale.
8. The coded "best before use date" is not considered to be an acceptable expiration date. In the past, several cargoes containing items without printed production and/or expiration dates were held by Customs until stickers with production and expiration dates certified by the Pakistani High Commission in the United States could be affixed to each individual item.
9. Pakistan does not have any special or additional requirements based on the country of origin for any food product. In the event there is a worldwide alert for a product from a particular origin, Pakistan will notify the appropriate country and trade organizations of any changes in its import requirements.
10. Authorities strictly enforce label requirements and do not grant exceptions. They are authorized to reject or to destroy any cargo with improper labels.
11. In case of food items containing artificial flavoring substances, the label may not declare the chemical names of the flavors, but in the case of natural flavoring substances or nature-identical flavoring substances, the common name of flavors, including whether natural or synthetic, shall be mentioned on the label.

Requirements Specific to Nutritional Labeling

Pakistan does not require nutritional content to be listed on product labels but generally accepts U.S. Food and Drug Administration (FDA) regulations as guidelines. The Pakistan Standards Institution regularly updates its guidelines, based on Codex and FDA revisions.

1. Nutritional labels are not required but can be included at the option of the supplier.

2. The standard U.S. nutritional fact panel is acceptable, if it conforms to FDA regulations.
3. There are no regulatory restrictions on the importation of products with nutrient or nutritional claims. Pakistani authorities consider claims largely as promotional tools and thus far, do not require them to be based on scientific evidence.
4. There are no regulatory restrictions on the importation of products with implied claims. Here again, authorities consider these claims to be promotional tools and do not require them to be verified with scientific evidence.
5. Authorities generally have no objection to the importation of products with specific health claims. However, if a product claims to be a source of vitamins or minerals, it must be registered with the Ministry of Health prior to arrival, jointly in the name of importer and manufacturer.

Section III. Packaging and Container Regulations:

There are no special packaging or container size requirements. Pakistan generally follows Codex rules for packaging requirements. Pakistan does not have any packaging requirements related to environmental concerns, such as waste disposal or recycling.

The following information must be placed in a durable and legible manner on all packages in the consignment or container:

- The name of the product
- The name and address of the manufacturer
- The net contents
- The date of manufacture and date of expiration
- The percentage of dye contents
- The normal storage stability

Section IV. Food Additives Regulations:

Pakistan generally follows Codex rules for food additives and preservatives. The Ministry of Commerce updates its list of importable food additives based on guidance received from Codex. These lists are in English and are updated annually. Pakistan also follows Codex standards regarding vitamins in food products.

The Ministry of Commerce regulates the importation of food coloring. These regulations are reviewed and updated annually. The importation of food coloring or foods containing artificial colors is subject to the following conditions:

The importer must obtain a certificate from the concerned agency of the government of the exporting country. The certificate shall accompany each consignment and shall state that the food additives/colors are in use in the country of origin at the time of shipment or are registered for use in that country.

The exporter's invoice must show the percentage of dye content in the product.

Section V. Pesticides and Other Contaminants:

Pakistan generally follows Codex rules and guidelines on maximum residual limits (MRLs) of pesticides and other contaminations in foodstuff. Customs officials enforce these rules according to Codex-defined limits for imported foods. However, Pakistan does not have a system to enforce the MRLs of pesticides and other contaminants in domestically produced foods.

Occasionally, authorities enact special requirements to deal with crisis situation as occurred following the dioxin problem in Belgium in 1999 when Pakistan required a dioxin-free certificate on products originating from Belgium. The Ministry of Food and Agriculture (MINFA) regulates the registration of pesticides. All pesticides must be registered by filing an application with MINFA.

Section VI. Other Regulations and Requirements:

The importer shall ensure that:

Importation is in accordance with regulations and the item(s) are not on the negative list.

The terms and conditions of importation are specified in the letter of credit.

Imports of plants and animals have the necessary approval from the Ministry of Food and Agriculture/Ministry of Livestock.

Imports of livestock genetics have the necessary clearance from the Ministry of Livestock.

Laboratory testing may be required for food products containing medicines. Bulk vegetable oils are the only food products subject to random testing to ensure fitness for human consumption at time of arrival.

Samples: Product samples can be shipped via express mail or parcel post. If a sample meets labeling and other requirements, it will be released after the applicable tariffs and taxes are paid. Free samples are assessed a duty based on freight costs. Specific requirements for sample shipments may be obtained from the Ministry of Commerce.

Specific Documentation and Certification Requirements

The exporter must provide a certificate of origin for all shipments. For animal products, the exporter also must certify that the product is "Halal." Pakistan may require other specific certificates based on worldwide alerts or other emergency situations. In such instances, the Government of Pakistan will alert the appropriate countries and trade organizations of these requirements. Exporters should verify with their importers that all required certificates for customs and quarantine clearance have been obtained prior to shipment.

Section VII. Other Specific Standards:

Pakistan generally follows European standards for weights and measurements. U.S. weights and measures are also acceptable. Other standards applied by product include:

Codex rules to regulate importation of vitamin-enriched products.

Food products containing a genetically enhanced component (GMO) are not restricted.

Fresh or frozen seafood may be imported in consumer packs or in bulk, provided the sale of the same product is permitted in the country of origin.

Live animals must provide a quarantine certificate from the relevant authority in the country of origin, which contains all the information required for quarantine clearance.

Alcoholic beverages may not be imported for commercial sale. Importation of alcohol for other than commercial sale requires approval of the Ministry of Commerce.

Organic foods and health foods are not regulated. However, exporters may use FDA and Codex rules as a general guideline.

Product samples and free samples must follow the same regulations as commercially imported items.

Section VIII. Copyright and/or Trademark Laws:

Trademarks and brand names are protected under domestic laws and are registered through the Intellectual Property Organization. Pakistan is committed to World Trade Organization (WTO) agreements and is moving to comply with WTO agreements on intellectual property rights, trademarks and patent rights. Pakistan has enacted laws and is in the process of formulating the subordinate legislation to enforce these laws. Pakistan is also a member of the Universal Copyright and Bern Conventions.

Pakistan has addressed Intellectual Property Rights by forming an independent body, the Intellectual Property Organization - Pakistan (IPOP). This agency has streamlined access to the organization by having one point of entry as against the involvement of many ministries in the past. A copyright on a registered design is initially granted for five years extendable for another ten years. Patents are granted for up to 16 years from the date of application and may generally be extended for another five-year period and, under some circumstances, for an additional five years. Legal remedies, such as injunctions, are available in cases of patent infringement. Trademarks are registered for seven years from the date of application and the registration may be renewed for an additional fifteen years.

There is no statute of limitations on trademarks and brand name registrations. The importer of a food product, in coordination with the manufacturer, may register the trademark(s) and brand(s).

Section IX. Import Procedures:

Pakistan has removed the registration requirement for importing firms in the private sector. Importers are required to obtain special authorization from the Ministry of Commerce to import items on the negative/restricted list. They must ensure that

the correct Harmonized Schedule code number for every imported item is stated in the import documents. The requisite import documents include: bills of lading, invoices, packing lists, certificates of origin, copies of letters of credit and insurance certificates.

Customs and Plant Protection and Quarantine officials inspect imported product to ensure they conform to labeling and other import requirements. Imports of live animals or plants require necessary certification from the country of origin. After Customs and PPQ issue their respective clearance reports, the goods are released on payment of import duty.

English is the official language. All agencies will accept documents in English and will respond in English. Thus, there is no need to translate documents to Urdu or other local languages to expedite procedures. Goods generally can be cleared through Customs in less than a week, if all papers are in order. The system allows for appeal (at multiple levels) in case of a dispute.

Pakistani regulations require exporters to acquire a compulsory letter of credit or register the contract with a bank in order to import goods into Pakistan. Pakistan uses the Harmonized System to classify and describe goods. Customs duties are levied on an ad valorem basis.

Appendix I. Government Regulatory Agency Contacts:

Secretary

Ministry of Food and Agriculture

Government of Pakistan

Pak. Secretariat, Block "B"

Islamabad, Pakistan

Tel # (92-51) 920-3307

Fax # (92-51) 922-1246

Secretary

Ministry of Commerce

Government of Pakistan

Pak. Secretariat, Block "A"

Islamabad, Pakistan

Tel # (92-51) 920-1816

Fax # (92-51) 920-3104

Secretary

Ministry of Industries

Government of Pakistan

Pak. Secretariat, Block "A"

Islamabad, Pakistan

Tel # (92-51) 921-1709

Secretary

Ministry of Finance

Government of Pakistan

Pak. Secretariat, Block "Q"

Islamabad, Pakistan

Tel # (92-51) 922-4956

Fax # (92-51) 921-8062

Appendix II. Other Import Specialist Contacts:

Chairman

Central Board of Revenue

CBR House

Islamabad, Pakistan

Tel # (92-51) 920-1938

Fax # (92-51) 920-5308

chairman@cbr.gov.pk

Collector of Customs

Pakistan Custom House

Karachi, Pakistan

Tel # (92-21) 921-4170

Fax # (92-21) 921-4134

Chairman

Export Promotion Bureau

Finance and Trade Center
Shara-e- Faisal, Karachi, Pakistan
chairmanepb@yahoo.com

Tel # (92-21) 920-6462
Fax # (92-21) 920-6461

Pakistan Standard Institute
Food and Agricultural Division
Karachi, Pakistan

Tel # (92-21) 920-5997
Fax # (92-21) 920-5928

Governor/Director
State Bank of Pakistan
Central Directorate
I.I. Chundrigar Road

Tel # (92-21) 921-244-748