

Required Report: Required - Public Distribution

Date: April 19, 2024

Report Number: NI2024-0004

Report Name: FAIRS Country Report Annual

Country: Nigeria

Post: Lagos

Report Category: FAIRS Country Report

Prepared By: OAA-Lagos Staff

Approved By: Christopher Bielecki

Report Highlights:

This report provides information on the food and agricultural laws and regulations to import food into Nigeria. Laws regulating and monitoring food safety standards and practices were updated in Section 1. Labeling requirements were revised in Section II in line with the most recent regulation changes. In addition, beverage, spirits, and wine regulations were included under Section VII. Appendix I was revised to reflect officeholder changes.

TABLE OF CONTENTS

DISCLAIMER..... 2

EXECUTIVE SUMMARY 3

SECTION I. FOOD LAWS:..... 4

SECTION II. LABELING REQUIREMENT (S) 6

SECTION III. PACKAGING & CONTAINER REGULATIONS 9

SECTION IV: FOOD ADDITIVE REGULATIONS 9

SECTION V: PESTICIDES AND OTHER CONTAMINANTS 10

SECTION VI. OTHER REQUIREMENTS, REGULATIONS, AND REGISTRATION MEASURES 10

SECTION VII. OTHER SPECIFIC STANDARDS 14

SECTION VIII. GEOGRAPHICAL INDICATIONS, TRADEMARKS, BRAND NAMES AND INTELLECTUAL PROPERTY RIGHTS 15

SECTION IX. IMPORT PROCEDURES..... 16

SECTION X. TRADE FACILITATION..... 17

APENDIX I: GOVERNMENT REGULATORY KEY AGENCY CONTACTS 20

DISCLAIMER

This report was prepared by the Office of Agricultural Affairs of the USDA – Foreign Agricultural Service (FAS) in Lagos, Nigeria, for U.S. exporters of domestic food and agricultural products. While every possible care has been 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 PRODUCTS IS SUBJECT TO THE IMPORTING COUNTRY’S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.**

Imports of food and agricultural products consist primarily of wheat, fishery products, sugar, food ingredients, and consumer-oriented foods. In 2023, the United States exported \$265 million in food and agriculturally related products to Nigeria, a 65 percent decline from 2022 due to fiscal and monetary challenges, foreign exchange scarcity, inflation, and low consumer purchasing power. Major U.S food and agricultural exports were wheat, food preparations, ethanol (non-bev.), fishery products, coarse grains (excl. corn), wine and related products, essential oils, and distilled spirits.

The country's import requirements for food and agricultural products are regulated under several key laws, including Animal Diseases (Control) Act of 2022, the Agricultural Quarantine Services (Establishment) Act of 2017, and the National Agency for Food and Drug Administration and Control (NAFDAC) Act of 2004. The key ministries responsible for food safety regulation and enforcement are the Federal Ministry of Health (FMoH) and the Federal Ministry of Agriculture & Food Security (FMAFS).

Most processed products are regulated under the FMoH, while animals, animal products, and bulk commodities are under the jurisdiction of the FMAFS. The Nigerian Customs Service (NCS) inspects food and agricultural products at the point of entry. The NCS also collects duties and levies, while copyright and trademark laws exist to address infringements and violations of intellectual property rights. The country continues to review regulations related to food and agricultural trade. The GON lifted previously imposed foreign exchange restrictions on some product categories including rice, processed meat, and vegetable products.

SECTION I. FOOD LAWS:

Regulatory Environment

The following government organizations and agencies regulate and monitor food safety standards and practices:

- Ministries: Federal Ministry of Health (FMoH), Federal Ministry of Agriculture & Food Security (FMAFS), and Federal Ministry of Industry, Trade, and Investment (FMITI)
- Departments: Federal Department of Fisheries and Federal Department of Veterinary and Pest Control Services
- Agencies: Nigeria Customs Service (NCS), National Agency for Food and Drug Administration and Control (NAFDAC), Standards Organization of Nigeria (SON), Nigeria Agricultural Quarantine Services (NAQS), and the Federal Competition and Consumer Protection Commission (FCCPC).

Import Policies for Food and Agricultural Products

- Some food and agricultural products such as unprocessed poultry, pork, beef, refined vegetable oils, tomatoes (whole or in pieces), tomato ketchup, and other products are on the [prohibited items import list](#).
- A permit is needed to import any animal, animal products or commodities, fish, wildlife, pet foods, feeds, and feed additives into Nigeria (Animal Diseases (Control) Act of 2022).
- To regulate fish imports, the government allocates annual import quotas to selected fish importers. Government contacts listed proper storage capacity, tax clearance and other documentation requirements as some of the criteria.
- The GON gives raw sugar import approvals for one year. To get approval, companies wishing to import must apply for the quantity of the raw sugar required and must commence or already have invested in local sugar production. No refinery operating imported raw sugar is allowed to expand its capacity without government approval.

- The GON maintains high effective tariffs (supplementary levies and duties) on imports of certain goods aimed at cutting down imports. The country imposes a 5 percent tariff on wheat imports, and an additional 15 percent levy (earmarked for the national wheat development program). For milled rice imports, the country imposes 10 percent tariff and an additional 50 percent levy.

Scope of the Food Laws and Regulations

The food laws and regulations apply to all activities involved in the manufacture, labelling, importation, exportation, selling, advertising, distribution or use in Nigeria of pre-packaged foods, fortified foods, food additives, alcoholic and non-alcoholic beverages, edible fats and oils, milk and dairy products, and non-nutritive sweeteners. They also apply to foods processed by ionizing radiation that is used in conjunction with applicable hygienic codes, food standards and transportation codes, manufactured, imported, exported, distributed, advertised, sold, or used in Nigeria.

The food laws and regulations also specify roles of other tiers of governments, industry, community-based organizations (CBOs), Non-Governmental Organizations (NGOs) and Consumers.

Impact on Imported Products

It ensures imported products are safe and suitable for consumption by harmonizing domestic with international food safety and trade standards. Ensures that consumers have clear and easy-to-understand information by way of labelling and other appropriate means to enable them to protect their food from contamination and growth/survival of food borne pathogens. It establishes post marketing surveillance to ensure proper handling of products through the distribution networks. The food laws and regulations attempt to maintain confidence in internationally traded food.

Laws Regulating and Monitoring Food Safety Standards and Practices

Major laws, and regulations enacted to regulate and monitor food safety standards and practices in Nigeria are as follows:

- [Animal Diseases \(Control\) Act 2022](#)
- [NAQS \(Establishment\) Act, 2017](#)
- [SON Act N0. 14, 2015](#)
- [NAFDAC Act Cap. N.1 LFN 2004](#)
- [Counterfeit and Fake Drugs and Unwholesome Processed Foods \(Miscellaneous Provisions\) Act Cap. C. 34 LFN 2004](#)
- [Food and Drug Act Cap F. 32 LFN 2004](#)
- [Food, Drug and Related Products \(Registration\) Act Cap F.33](#)
- [Fats, Oils and Foods Containing Fats and Oils Regulations 2022](#)
- [Pre-Packaged Food \(Labelling\) Regulations 2022](#)
- [Food Additives Regulations, 2021](#)
- [Food Fortifications Regulations, 2021](#)
- [Food Irradiation Regulations, 2021](#)
- [Food Products Advertisement Regulations, 2021](#)
- [Milk and Dairy Products Regulations, 2021](#)
- [Spirits Drink Regulations, 2021](#)
- [Wine Regulations, 2021](#)
- [Federal Competition and Consumer Protection Act, 2018](#)

Enforcement

[NAFDAC](#) regulates and controls the manufacture, importation, exportation, distribution, advertisement, sale, and use of food, drugs, cosmetics, medical devices, packaged water, chemicals, and detergents (collectively known as regulated products) and operates at the Federal and State levels along with the state government agencies. At the local government levels, primary healthcare agencies are responsible for street food vendors and traditional markets, although they refer to the agency for all cases that affect enforcement of food laws. Contravention of the provisions of these laws are subject to prosecution and punishment as specified in the regulation. The primary enforcement strategy employed by NAFDAC for locally manufactured and imported food products is product registration and certification of production sites. The Agency inspects facilities of oversea exporters to ascertain optimum compliance necessary for certification of imported food products.

NAFDAC has a Ports Inspection Directorate which control the channels through which regulated products are imported. The Investigation and Enforcement Directorate enforces and ensures compliance with all regulatory requirements, while the Laboratory Services Directorate conducts appropriate tests to ensure compliance with standard specifications.

The agency collaborates with other Government Agencies and Civil Society Organizations to enforce food laws – these varied government entities include:

- Standards Organization of Nigeria (SON)
- Federal Ministry of Agriculture and Food Security (FMAFS)
- Nigeria Agricultural Quarantine Service (NAQS)
- Nigeria Police Force (NPF)
- Nigeria Customs Service (NCS)
- Federal Competition and Consumer Protection Commission (FCCPC)
- Federal Ministry of Health (FMOH)
- Federal Ministry of Finance (FMF)
- Federal Ministry of Industry, Trade, and Investment (FMITI)
- Etc.

[SON](#) is the apex standardization body in Nigeria and is responsible for the preparation of standards and enforcement of set standards to ensure quality imported and locally manufactured foods. The Department of Veterinary and Pest Control Services (DVPCS) and the Federal Department of Fisheries (FDF) are under the FMAFS. DVPCS is responsible for the prevention, control and eradication of trans-boundary animal diseases and pests, control of vector and vector-borne diseases, zoo-sanitary certification services, wholesomeness of foods of animal origin, and international trade in livestock and livestock products. FDF ensures imported and exported fish and fishery products conform to standards. In addition, [NAQS](#) enforces sanitary and phytosanitary measures for plants, animals, and aquatic resources health, as such are the enforcement arm of DVPCS and FDF.

Strict enforcement of food laws and regulations are among the specific goals of all agencies saddled with such enormous responsibility. However, inconsistent application of regulations, uncoordinated approach, and dispute among agencies over the interpretation of regulations, public ignorance on the subject, and inadequate technical expertise on the part of the regulatory agencies are some of the factors undermining the effectiveness of the enforcement of such laws and regulations in Nigeria.

SECTION II. LABELING REQUIREMENT (S)

Pre-packaged food labeling regulations can be found [here](#).

General Requirements

- All pre-packaged food shall bear the Agency's registration number (NAFDAC Reg. No.) issued on Certificate of Registration in a manner as shall be prescribed by the Agency.
- Any declaration required to be made on any pre-packaged food shall be in English Language and may include any other language.
- Stick-on labels meeting NAFDAC requirements are permitted provided they do not remove easily. Foreign labels must be adhered prior to the product arrival at the Nigerian port of entry.
- Sample-size products or institutional packed products have no special labeling requirements.
- Expiry date should be "at least half the shelf life as at time of inspection". The last sentence is interpreted to mean that at the time of inspection by NAFDAC (after clearing by Customs), that the period from the inspection date until the expiration date should be equal to or greater than half of the total shelf life of the product (date of production until expiry).
- NAFDAC does not grant exceptions to labeling requirements.

Name of pre-packaged food

- The name of a pre-packaged food shall be indicated in the Principal Display Panel (PDP) of the label, clearly indicating the specifics and true nature of the food and not generic description.
- Where a pre-packaged food product has a brand name or trademark displayed on the label, the brand name or trademark shall not give wrong impression of the nature, quality, or substance of the food item.
- The most prominent letters on the label shall be the brand name and the name of the food product.

Labelling information

- A pre-packaged food shall not be described or presented on any label in a manner that is false, deceptive or is likely to create an erroneous impression regarding its identity, character, quality, quantity, composition, origin or misleading.
- Claims concerning medicinal such as preventive, alleviative or curative effects shall not be made in respect of the properties of a pre-packaged food.
- Label in pre-packaged food shall be attached in a manner that it shall not become separated from the container through ordinary use.
- Pre-packaged food label that is directed at children shall not portray images or events which encourages unsafe uses of a product, shall not create unrealistic impression in the minds of children or their parents or caregivers about safety, and shall not encourage the consumption of such food items that are detrimental to children's health.

List of ingredients

- Except for single ingredient foods, list of ingredients of such foods shall be declared on the label of such pre-packaged food.
- Food and food ingredients derived from biotechnology genetically modified (GMOs) foods shall require approval of Biosafety as competent authority.
- Food and food ingredients derived from GMO foods shall be declared on the label.

Name and contact information of manufacturer and distributor.

- The name and address of a manufacturer, packer, re-packer, distributor, importer, exporter, or vendor of a pre-packaged food shall be declared on the product label.
- Where a manufacturer has facilities in many cities or towns, the corporate head office shall suffix, provided that every food package has a code or mark to identify the processing facility where it was manufactured.
- Where the pre-packaged food is not manufactured by the person or company whose name appears on the label, the name shall be qualified with “manufactured for” or “packed for” or similar expression.
- The country of origin of a pre-packaged food shall be declared on the label.
- Where a food undergoes processing in a second country, which changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purpose of labelling.

Date marking

- Pre-packaged food shall specify and legibly display the day, month, and year of manufacture on the label.
- Where a food is to be consumed before a certain date to ensure its safety and quality, the “Use-by Date” or “Expiry Date” shall be declared.
- Where “Use-by Date” or “Expiry Date” is not required on a pre-packaged food, the “Best-Before Date” or “Best Quality Before Date” shall be declared on the label.
- The day, month and year shall be declared by un-coded numbers with the year to be denoted by two or four digits, where the day is denoted with one or two digits and where only numbers are used to declare the date, or where the year is expressed as only two digits, the sequence of the day, month, year shall be given by appropriate abbreviations accompanying the date mark as (DD/MM/YYYY or MM/DD/YYYY).
- “Best Before” or “Best quality before” date shall not be required for: fresh fruits and vegetables, including tubers which have not been peeled, cut, or similarly treated; alcoholic beverages containing at least 10 percent alcohol in volume; vinegar.

Ionizing radiation

- A pre-packaged food which has been treated with ionizing radiation shall be declared and the nature of the treatment stated on the label very close to the name of the food.
- The international food irradiation symbol shall be indicated on all irradiated food and shall be very close to the name of the food.

Requirements Specific to Nutritional Labeling:

- The standard U.S. nutritional fact panel is acceptable by NAFDAC.
- Nutrient declaration shall be a mandatory requirement for all pre-packaged foods.
- Any nutritional claim on the product’s label must be justified.
- Labels must contain directions for safe usage.
- Additional nutritional labeling information is voluntary.

Prohibition

No person “shall”:

- Manufacture, import, export, distribute, advertise, display for sale, offer for sale, sell, or use a pre-packaged food unless it is labeled in accordance with the provisions of these Regulations.
- Manufacture, import, export, distribute, advertise, sell, or use of food whose:
 - Expiry date has lapsed.
 - Expiry date or best before date has been obliterated or forged.
 - Label has been altered, obliterated, or removed.

- Importers or manufacturers make advertisement claim(s) or professional association endorsement on a food product label unless authorized by the Agency.

SECTION III. PACKAGING & CONTAINER REGULATIONS

NAFDAC has no specific regulation on packaging and do not impose any specific restrictions on packaging materials. However, plastics must be of food grade and should not leach into the product as most Nigerian importers often express a marked packaging preference for certain high-value food products (HVP), namely:

- Relatively small-sized products prepared and packaged for one-time use.
- Products that can be shipped in bulk and re-packaged locally.
- Perishable food products that undergo processing/packaging treatment to achieve an extended shelf life without refrigeration.

SECTION IV: FOOD ADDITIVE REGULATIONS

Food additives regulations can be found [here](#).

The food additives regulations apply to food additives sold as either by wholesale, retail or any other means, and food processing aids. The food additives shall be included in food in a quantity within the limits prescribed for such food and food additive in the National Standards for the particular food and Codex standards, where applicable and as prescribed by the Agency. Where the limit prescribed for a food additive in the Codex Standards is stated to be “Good Manufacturing Practice”, the amount of the food additive added to a food in the manufacturing and processing, shall not exceed the amount required to accomplish the purpose for which that additive is required in that food.

A person who wishes to request for food additive to be added to or a change to be made to a food product, shall submit a request to NAFDAC which shall include:

- A description of the food additive including its name and the name under which it is proposed to be sold, method of its manufacture, chemical and physical properties, composition, and specifications.
- A statement of the amount of the food additive for use and the purpose for which it is proposed to be used, together with all directions, recommendations, and suggestions for use.
- Where necessary, an acceptable method of analysis suitable for regulatory purposes that shall determine the amount of food additive in any substance arising from the use of the food additive.
- Data establishing that the food additive shall have the intended physical or other technical effect.
- Detailed reports of test method to establish the safety of the food additive under the conditions of use recommended.
- Data to indicate the residues that may remain in or on the finished food, when the food additive is used in accordance with good manufacturing practice.
- A proposed maximum limit for residues of the food additive in or on the finished food.
- Specimen of the labeling proposed for the food additive; and
- A sample of the food additive in the form in which it is proposed to be used in foods and on request, a sample of food containing the food additives.

There is a restriction on sale of baby foods containing food additives unless permission is granted by NAFDAC. A person shall not import, export, advertise, sell, or present any food item or beverage containing a non-nutritive sweetener for human consumption except as provided for in the [Non-Nutritive Sweeteners in Food](#)

[Products Regulations, 2021](#). Where there are mandatory precautionary warnings for the use of any non-nutritive sweeteners, such precautionary warning shall be boldly and conspicuously indicated on the label such as “contains Aspartame”. Food additives which have been treated with ionizing radiation shall be so designated and in compliance with the Food Irradiation Regulations.

List of permitted (or prohibited) are available in English and can be gotten from the Food Registration and Regulatory Affairs (FR&RA) Directorate of NAFDAC.

SECTION V: PESTICIDES AND OTHER CONTAMINANTS

NAFDAC’s [Guidelines for Registration of Imported Pesticides in Nigeria](#) describes pesticides to include herbicides, insecticides, rodenticides, fungicides, molluscides, nematocides, repellants, attractants, insect growth regulators, fumigants, and plant growth regulators. NAFDAC regulates imported pesticides as well as other residues using the following guidelines:

- [Guidelines for issuance of permit to import severely restricted chemicals \(pesticides, agrochemicals, and fertilizers\).](#)
- [Permit for clearance of imported severely restricted chemicals \(pesticides, agrochemicals, and fertilizers\).](#)
- [Guidelines for warehouse inspection.](#)

The pesticide residue limits, and mycotoxin standards applied by NAFDAC in its assessment of food safety include limits and standards set by Codex Alimentarius Commission (CAC), European Union (EU) and USDA. The following are the major standard requirements:

- All food products must have a certificate of analysis to ensure food items are free of radioactive materials and meet other quality parameters.
- All pesticides must have an acceptable maximum residue limit prior to approval.
- NAFDAC reserves the right to subject any domestic or imported product to its own analysis to determine wholesomeness of food product.
- NAFDAC officials routinely subject imported foods to inspection and analysis at the port of entry, retail level as well as perform laboratory analysis.
- NAFDAC seizes and destroys contaminated products and offenders are prosecuted.

NAFDAC offices and website provide pesticide regulation information.

SECTION VI. OTHER REQUIREMENTS, REGULATIONS, AND REGISTRATION MEASURES

A General (Manufacturers/Importers)

Manufacturers

The manufacturer “shall” apply for the registration of processed foods.

- Manufacturers outside Nigerian “shall” be represented in Nigeria by a duly registered Nigerian company with facilities to implement a recall of the product when necessary.
- The representative will be responsible for ensuring that the competent health authority in the country is informed of any serious hazard newly associated with a product.

Importers

Importers of food products must first apply to the Trademarks, Patents and Designs Registry under Nigeria's (FMITI) to register the product's Trademarks, Patents or Designs

(<https://www.iponigeria.com/>)

- After trademark registration, the prospective importer representing a foreign manufacturer applies for registration with NAFDAC on a prescribed form to the Directorate of Food Registration and Regulatory Affairs (FR&RA), stating the name of the manufacturer, name (brand name where applicable) of the product. This form, labeled "NAFDAC Automated Product Administration and Monitoring System (NAPAMS)."
- A separate application form is submitted for each regulated product.
- Foreign manufacturers must be represented in Nigeria by a duly registered company or individual with the capacity to implement a product recall, when necessary.
- NAFDAC considers the local representative to be fully responsible for all matters related to the product - registration, distribution, re-calls, and legal actions, etc.
- The Nigerian importer/distributor must file evidence of a Power of Attorney from the manufacturer, which authorizes him to be the representative in Nigeria.
- A certificate of manufacture and free sale issued by a competent health authority, authenticated by the Nigerian Embassy in the country of origin. Product license or evidence of product registration in the country of origin is an added advantage.
- All importers must submit the certificate of registration of brand name/trademark with the trademark Registry at the FMITI in Nigeria (This is done in the name of the owner of the trademark to protect the owner).
- A NAFDAC application form is duly completed by the local agent (importer) for the registration of each regulated product.
- Fifteen product samples (twenty in the case of dairy products) depending on pack size must be provided to NAFDAC for physical/laboratory analysis and vetting which takes about four to eight weeks.
- Permit must be obtained to import limited quantities for the purpose of registration.
- A comprehensive certificate of product analysis is issued by the manufacturer.
- A letter of invitation for inspection of factory to be submitted by the applicant in Nigeria and shall state the full location address of the manufacturer, name of contact person, e-mail address, current phone number, and fax numbers.

NAFDAC Registration Process for Importers

NAFDAC registration process involves:

- Documentation
- Inspection of manufacturing facilities
- Review of the GMP inspection report
- Laboratory analysis for assessment of wholesomeness and quality
- Vetting of labels to confirm compliance with NAFDAC's labeling regulations.
- Control to ensure information provided is not deceitful, fraudulent, or misleading.
- Advertisement (optional)
- These activities culminate in the issuance of a NAFDAC Registration Number, which is an attestation of product quality and safety.

NAFDAC Facility Visits:

The process of registration now involves **GMP audit visits** by inspectors of the agency to factory locations in the respective countries of origin.

- The registration of any food product with NAFDAC is a detailed process.
- It should not take more than three months to complete from the date of samples submission for laboratory tests although in practice, it takes about one year or more—due mainly to administrative bottlenecks.

NAFDAC Registration Validity Period:

- A certificate of registration with a validity period of **five (5) years** is issued if application turns successful.
- The Agency also re-validates a re-submitted application after five (5) years.
- NAFDAC may not approve re-submitted applications where a manufacture refuses to renew importer's registration documents such as Power of Attorney, etc., and/or
- Where the Agency believes the importer-applicant should be able to produce or show intention to manufacture the product locally after importing for five (5) years.

Guidelines for Agents of Foreign Manufacturers

Agents of foreign manufacturers must take necessary steps to ensure that regulated products intended for the Nigerian market are registered before consignments of such products are imported into the country.

- NAFDAC usually authorizes the importation of small quantities of unregistered products for the purpose of submission to the agency as samples for registration.
- The importer is expected to contact NAFDAC to obtain a written authorization specifying the quantity of the unregistered products to be imported.
- For further details, see [guideline for registration of imported food products in Nigeria](#).

B. Registration Fees

Local firms registering the products with NAFDAC usually pay the registration fee.

- However, there have been instances where exporters decide to assist with defraying registration costs.
- Exporters must verify that the importing company requesting assistance will utilize the fund for intended purpose — where exporters decide to assist local firms with registration fee payments.
- USDA's Foreign Agricultural Service office in Lagos advises U.S. exporters wishing to support local firms with payment of registration costs to contact our office to seek guidance.

NAFDAC approved tariff can be found [here](#). Importers are advised to contact NAFDAC for actual tariff payable when making payment decisions.

Global Listing for Supermarket (GLS) Items:

Major supermarket operators or importers can import mixed container loads of high value products (HVP) under [NAFDAC's global listing for supermarket \(GLS\) items guidelines](#).

- Items allowed under the GLS include NAFDAC regulated products sold in supermarkets, fast food chains, restaurants, hotels, embassies, and international organizations. (excluding registered items).
- Firms participating in the program must have supermarkets that are certified by NAFDAC and are routinely inspected by the agency.

NAFDAC's Tariff under GLS & Fast Food:

A payment for processing shall be made in favor of NAFDAC as Global Annual Listing fee after a satisfactory inspection report is as follows:

Global Listing for Supermarkets

Description (Product Items)	Global Annual Registration Tariff (GART) in USD (Exchange rate 1\$ = N1400)
1-100	1,071.00
101-250	2,357.00
251-500	5,000.00
501-1000	8,571.00
1001-5000 (max)	14,286.00

Global Listing for Fast Food (Imports)

Description (Product Items)	Global Annual Registration Tariff (GART) in USD (Exchange rate 1\$ = N1400)
1-100	714.00
101-250	1,786.00
251-500	3571.00

Note: Information on Product renewal are as follows:

- Fees are exclusive of VAT.
- Listing Certificate will be renewed every two (2) years.
- Products banned or prohibited for imports are not allowed for listing under GLS.
- Any product with an expired registration license is considered an unregistered product.

C. Advertisement Requirements:

[Food Products Advertisement Regulations, 2021](#) regulates all advertisements of food products, manufactured, imported, distributed, sold, or used in Nigeria. It applies as follows:

- NAFDAC must approve all advertisement/promotional materials prior to utilization.
- Advertised food products must demonstrate the products are registered with NAFDAC.
- An application for advertisement must be submitted to NAFDAC for its approval. This approval process is in addition to the Certificate of Registration issued by NAFDAC, which authorizes importation and sale in Nigeria.
- The approval of an advertisement shall be valid for a period of 1 year from the date of approval. Subsequent advertisement applications shall be valid for 2 years provided no alteration is made and conditions of renewal of approval remain the same.

D. Requirements for importing samples, certification, and testing food products:

On arrival of the imported samples and presentation of the authorization forms at the ports, NAFDAC inspectors treat the consignment the same way as other standard imported consignments. Before clearing the consignment from the ports, the importer must present the following:

- Authorization to import samples of the unregistered product.
- Bank draft for the prescribed port inspection fees payable to NAFDAC.

- Completed Customs Bill of Entry.
- Certificate of Analysis of the product issued by the manufacturer.
- Certificate of Manufacture and Free Sale issued by a Government Authority empowered by law in the country of origin to exercise regulatory control over the product authenticated by the Nigerian Embassy in the USA.
- Power of Attorney notarized, issued by the manufacturer to the Nigerian local agent.

Where the above requirements are unfulfilled, NAFDAC clears the consignment from the ports to a bonded warehouse at the expense of the importer. The importer will be prosecuted, and the products forfeited to GON with any assets or property obtained or derived directly or indirectly from committing the offence.

SECTION VII. OTHER SPECIFIC STANDARDS

[Food Fortification Regulations, 2021](#) applies to all fortified foods, manufactured, imported, exported, distributed, advertised, sold, or used in Nigeria.

NAFDAC requires that certain essential food commodities must be fortified:

- Wheat and maize flour, vegetable oil and sugar consumed in Nigeria must be fortified with vitamin A.
- Salt must be fortified with iodine.
- Food represented for use in a very low-energy diet must be fortified with vitamins.
- Simulated meat products, simulated poultry meat products, meat product extenders and poultry product extenders must be fortified with thiamine, riboflavin, niacin, vitamin B12, iron, magnesium, potassium, zinc, copper.
- Meal replacements and nutritional supplements must be fortified with vitamins.
- Ready breakfast, instant breakfast and other similar breakfast replacement foods however described must be fortified with vitamin A, thiamine, riboflavin, niacin or niacinamide, vitamin c, iron.

[Spirits Drink Regulations, 2021](#) apply to all spirits drinks as follows:

- A person shall not sell any spirits drink unless the principal display panel of the label carries a declaration of the actual percentage by volume of absolute alcohol contained therein.
- Spirit drinks shall not contain caffeine and any other substances, which when mixed with it could be injurious to health.
- The name of the spirits drink shall be presented in a manner as to protect the geographical indications and designations of the spirits drinks.
- Health claims shall not be made on spirit drinks.

[Wine Regulations 2021](#) apply to all wines as follows:

- Where sulphites are present in a wine at a level above 10 ppm, it shall require a declaration on the label that it contains sulphites.
- Any wine that contains less than 10 percent absolute alcohol by volume shall have the “Best Before” date declared.
- A clear indication of the country of origin shall be shown on the information panel of a wine.
- The “18+” age restrictions shall be prominently displayed on the product label.
- Wine spirit shall not be flavored, and this shall not exclude traditional production methods.
- Wine spirit may only contain added caramel to adapt color.

For guidelines on the import of Animal Feed and related products, please see:

- https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Guidelines/FOOD_GUIDELINES/Guidelines-for-Registration-of-Imported-Animal-Feed-in-Nigeria.pdf

SECTION VIII. GEOGRAPHICAL INDICATIONS, TRADEMARKS, BRAND NAMES AND INTELLECTUAL PROPERTY RIGHTS

At the present, Nigeria does not have any specific law, regulation, or agreement on geographic indication. However, the Trademarks Act of 1965 made provisions for geographic indications upon proof of origin, quality characteristics or method of manufacture.

Nigeria is a member of the World Intellectual Property Organization (WIPO) and a signatory to the Universal Copyright Convention (UCC) and other major International Agreements on Intellectual Property Rights (IPR). Despite active participation in international conventions and an apparent interest in IPR issues, GON efforts are largely ineffectual in curtailing widespread copyright violations.

The Trademarks Registry of the Federal Ministry of Industry, Trade and Investment (FMITI) is responsible for issuing patents, trademarks, and copyrights. Once conferred, a patent conveys the exclusive right to make, import, sell, use a product, or to apply a patented process. Registering a trademark grants the holder the exclusive right to use the registered mark for a specific product or class of products.

Copyright: Nigerian Copyright Commission <http://www.eregistration.copyright.gov.ng/home/index> was established under Section 34 of the Copyright Act (Cap C28, Laws of the Federation of Nigeria, 2004). The Commission is responsible for all matters affecting copyright in Nigeria as provided for in the Act including, monitoring, supervising, enforcing as well as advising on Nigeria's position in relation to international conventions.

Trademarks: The Trademarks Registry of GON's Federal Ministry of Industry, Trade, and Investment (FMITI) is responsible for issuing patents, trademarks, and copyrights.

- Once conferred, a patent conveys the exclusive right to make, import, sell, use a product, or to apply a patented process.
- The Trademarks Act of 1965 governs the registration of trademarks.
- Nigeria operates a "first to file" system - grants the holder the exclusive right to use the registered mark for a specific product or class of products. It protects the person who is first to register a trademark from any form of infringement as well as offering him the right to prevent anyone else from using an identical or confusing, imitated trademark for the same goods or services.
- The exception is where the use of the unregistered trademark predates the use or registration of the registered trademark.

International Trade Competitiveness and Intellectual Property Rights (IPRs)

The competitive nature of today's international trade is increasing the importance of Intellectual Property Rights (IPRs).

- Nigeria has laws to check and enforce copyright and trademark violations along international best practices, but infringement and violation of IPR in the form of counterfeiting and piracy continues to increase.
- The activities of infringers/counterfeiters continue to discourage many international investors as they record huge financial losses in Nigeria due to this issue.

Acts of Parliament for IPRs

The following Acts of Parliament govern IPRs in Nigeria:

- Trademarks Act
- Patents and Designs Act & Merchandise Marks Act
- Federal High Court (Civil Procedure) Rules
- Copyright Act, and Principles of common law.

GON Regulatory Bodies for Independent Property Registries

Although the following GON regulatory bodies maintain independent registries for property and copyright rights, they comply with IPRs guidelines and regulations:

- Trademarks, Patent and Designs Registry
- Nigerian Copyright Commission (NCC)
- National Office for Technology Acquisition and Promotion (NOTAP)
- Standards Organization of Nigeria, and
- National Agency for Food and Drug Administration and Control (NAFDAC)

IPR Enforcement Agencies in Nigeria

IPR Enforcement is through:

- Court system
- Tribunals such as the Trademarks and Patent Tribunal
- Regulatory bodies such as the Nigerian Customs Service (NCS), the Nigerian Immigration Service (NIS), the Consumer Protection Council, and the Nigerian Police.

Plant Variety Protection (PVP) Act, 2021

PVP Act is enforced by the National Agricultural Seed Council of Nigeria (NASC). The Act protects plant varieties while encouraging investment in plant breeding and crop variety development. The Act also establishes a plant variety protection office for promoting increased staple crop productivity by smallholder farmers in Nigeria. Please click <https://seedcouncil.gov.ng/> for more information.

Copyright Infringement and Nigerian Judicial System

The expense and time required to pursue a copyright infringement case through the Nigerian judicial system often deter prosecution of such cases. U.S. exporters may contact the Agricultural Affairs Office of USDA in Lagos for assistance locating reputable representatives and importers for their products. The USDA office in Lagos will also handle U.S. exporters seeking further clarifications on food and agricultural export documentation regarding imports, inspections, and procedures.

SECTION IX. IMPORT PROCEDURES

Nigeria Customs Service (NCS), a GON agency under the supervisory oversight of the Nigerian Ministry of Finance, is responsible for collecting import duty/revenue, as well as anti-smuggling activities. U.S. manufacturers/exporters wishing to export their food products into Nigeria should be aware of the relevant requirements of the [Nigerian Customs Service](#).

Clearances may require the approval of NAFDAC, SON, NAQS, and a number of other agencies stationed at the ports. Importers face inordinately long clearance procedures, and high berthing and unloading charges. However, it is hoped that the [Nigeria Single Window for Trade](#) portal will ultimately streamline the operations of all trade actors and make the clearance processes efficient.

Outline of Steps for Customs Clearance Process

Following is a brief outline of steps for the customs clearance process when decision to import is made:

- ❑ Arranged the necessary documents for import (including import certificates, permits, quotas, waivers, etc.)
- ❑ Open Form M on the Nigerian Trade Platform (Single Window system) attaching the required documents such as insurance certificate, proforma invoice and the product certificate.
- ❑ Submit the listed documents to the Authorized Dealer Bank (ADB) and the originals of the documents to the processing bank prior to validation.
- ❑ The bank validates & processes your Form M and sends to NCS.
- ❑ Customs issues a pre-arrival assessment report (PAAR) if they accepted the Form M, which you will use to commence the clearance of your cargo.
- ❑ Import customs clearance methodology to deliver imported goods to importer is same in almost all ports worldwide.

Inspection

- Nigeria aborted its pre-shipment inspection policy in favor of a destination inspection (DI) policy for imports. Under this policy, NCS inspects all imports arriving in Nigeria.
 - ❑ Under the DI scheme, goods destined for Nigeria's ports are inspected at the point of entry rather than at the point of shipment.
 - ❑ Inspection is conducted by the Nigeria Customs Service (NCS), while firms, which are Destination Inspection Service Providers, provide scanning services at ports of entry.

Sample Products

NAFDAC under certain circumstances and procedures can grant permits for the import of sample food products for trade shows or other not-for-commercial distribution purposes through a written application to the Director General, NAFDAC.

Cross-border e-Commerce

The Nigerian Communications Commission ([NCC](#)) Act provides for the regulation of e-Commerce which includes how to obtain license and resolve disputes. It is unlawful to carry on a business (e-Commerce inclusive) in Nigeria without registering the company/enterprise with the [Corporate Affairs Commission](#). In addition, it is mandatory under the Nigeria Information Technology Development Agency ([NITDA](#)) Act that all companies or individuals engaging in e-commerce register with NITDA. Other regulatory agencies regulating e-Commerce in Nigeria are:

- The Federal Competition and Consumer Protection Commission (FCCPC)
- [Federal Inland Revenue Service \(FIRS\)](#)

SECTION X. TRADE FACILITATION

Port Clearing System:

Due to burdensome documentation, poor handling, and inconsistent application of policies by GON agencies, importers typically hire clearing agents who are experts in port operations. These agents have developed unique working relationships with port officials to get goods cleared and delivered at warehouses.

The Nigeria Trade Hub:

The Nigeria Trade Hub serves as an information portal for traders.

- Users can classify their imports/exports, estimate freight charges and applicable duty, find information on clearing processes etc.

Single Window Portal:

Nigeria's Single Window Portal is a trade facilitation project of 12 Nigerian Government agencies involved in the customs clearance process.

- The Single Window Portal allows traders to access customs regulations online, submit customs documents electronically, track transaction status online, and submit electronic payments.
- The Nigeria Ports Authority (NPA) is pushing for an effective Single Window Platform to enhance port efficiency.
- The objective is to coordinate all port related and cargo clearance activities for a seamless and paperless operation.

Pre-Arrival Assessment Report (PAAR) system:

The NCS uses a Pre-Arrival Assessment Report (PAAR) system, which allows importers to submit their import documents online for assessment and clearance prior to the arrival of the cargo.

- In 2013, PAAR replaced the Risk Assessment Report System with the objective of facilitating trade and revenue collection.
- The NCS is also working with the World Customs Organization to grant Authorized Economic Operator (AEO) status to importers and clearing agents who have maintained a satisfactory level of trade compliance.
- Additionally, the NCS maintains a Fast-Track window through which select importers may forward their products directly to warehouses where customs procedures such as examination and payments are undertaken.
- This allows the importer to bypass the tedious port inspection processes and reduces costs associated with port storage and demurrage.
- Importers selected as beneficiaries of the Fast-Track Scheme are those who have consistently exhibited integrity in their documentation and dealings with NCS.

Documentation

Documents to receive clearance for goods: To receive clearance for goods imported into Nigeria, traders must present:

- A Bill of Lading
- Commercial Invoice Exit Note
- Duly completed Form 'M'
- Packing list, Single Goods Declaration
- A Product Certificate.

Until recently, the importer was also required to submit a Combined Certificate Value & Origin (CCVO), which contains a description of the goods, destination port, country of origin, date of shipment, country of supply, etc. However, in line with international trading procedures and recommendations from stakeholders, the Central Bank of Nigeria (CBN) reviewed its trade transactions guidelines and replaced the CCVO with the simpler Certificate of Origin in April 2017. The revision also prescribes a 48-hour maximum processing time from the receipt of application. Any person intending to import physical goods into Nigeria "shall" in the first instance process Form "M" through any Authorized dealer bank irrespective of the value and whether payment is involved or not.

Refer to: <https://trade.gov.ng/en/custom-pages/guidelines-and-procedures> for customs related operations' guidelines and procedures.

Duty

The amount of customs duties and taxes payable on exports to Nigeria is based on the CIF (Cost,

Insurance, and Freight) valuation method comprising:

- The cost of the imported goods
- The cost of freight
- The insurance cost to obtain the complete shipping value.
- Additionally, some commodities also attract sales and other forms of taxes.

Customs Duty Payments Procedures

All imports “shall” continue to be assessed for duty at the C. I. F. value of the goods using the rate of exchange on the approved e-Form “M.”

- It “shall” be the responsibility of the importer’s bank through which the e-Form “M” was processed to collect the assessed import duty if it is a Designated Bank.
- For transactions in respect of dutiable personal effects, payment of duty can be made at any preferred designated bank.
- The designated bank will match the printed assessment notice with the electronically received assessment notice for the Single Goods Declaration (SGD). If the information tallies, the bank will receive payments and issue a signed Bank receipt.
- The designated bank “shall” send an e-confirmation message to NCS acknowledging receipt of duty and taxes in respect of the SGD.
- All payments “shall” continue to be transferred electronically daily by Designated Banks to the respective pool accounts with CBN. Failing this will mean necessary sanction shall apply.
- Importer “shall” continue to pay an administrative charge of 1% of FOB value of all imports based on the exchange rate on the approved e-Form “M”.

ECOWAS Common External Tariff (CET):

In January 2006, Nigeria began partial implementation of the ECOWAS Common External Tariff (CET). The GON reduced its tariff bands from twenty to five percent.

The Five tariff bands are:

- I) A zero duty on capital goods, machinery, and medicines such as anti-retroviral drugs and other medicines not produced in the country.
- II) Five (5) percent duty on imported raw materials.
- III) Ten (10) percent duty on intermediate goods.
- IV) Twenty (20) percent duty on finished goods; and,
- V) Fifty (50) percent duty on goods in industries that the GON wants to protect.

Customs Taxes, Surcharges and Levies:

All HVP imports are assessed at a 7.5 percent Value Added Tax, a port surcharge equivalent to 7 percent of the duty amount and a Customs inspection service charge equal to one percent of the duty amount. The GON frequently reviews its list of items prohibited during imports. Exporters to Nigeria should ascertain the import status of their products before shipment.

Method of Payment for Import Purchases:

It is advised that confirmed, irrevocable letters of credit opened by Nigerian banks with correspondent banks in the United States be used to guarantee payment. Payment of the custom duty by e-payment is mandatory.

Current Issues on Nigeria’s Food and Agricultural Imports and Regulations

In October 2023, the [GON lifted foreign exchange restrictions](#). The Central Bank of Nigeria (CBN) noted it was lifting foreign exchange restrictions because the policy had pushed importers to source foreign exchange from the unofficial market contributing to the gap between the parallel (unofficial) market and the NFEM rate. In February 2024, the CBN advised the Nigeria Customs Service (NCS) and other related parties to adopt the FX rate on the date of opening the Form M for importation of goods, as the FX rate to be used for import duty assessment. This rate remains valid until the date of termination of the importation and clearance of goods by the importers.

WTO Notifications:

Nigeria's notification to the WTO Committee on Trade Facilitation - under article 22.3 of the Agreement on Trade Facilitation are as follows:

In November 2022, Nigeria notified G/TFA/N/NGA/2 to the WTO Committee on Trade Facilitation – providing contact points details about the offices responsible for coordinating and prioritizing trade facilitation-related assistance and support for capacity building. The notification is in response to Article 22.3 of the Trade Facilitation Agreement.

In addition, Nigeria also notified G/TFA/N/NGA/3, which references the official websites for the following:

- Procedures for importation, exportation, and transit (including port, airport, and other entry-point procedures), and required forms and documents.
- Applied rates of duties and taxes of any kind imposed on or in connection with importation or exportation.
- Fees and charges imposed by or for governmental agencies on or in connection with imports, exports, or transit.
- Rules for the classification or valuation of products for customs purposes.
- Laws, regulations, and administrative rulings of general application relating to rules of origin.
- Import, export or transit restrictions or prohibitions.
- Penalty provisions for breaches of import, export, or transit formalities.
- Procedures for appeal or review.
- Agreements or parts thereof with any country or countries relating to importation, exportation, or transit; and
- Procedures relating to the administration of tariff quotas.

APENDIX I: GOVERNMENT REGULATORY KEY AGENCY CONTACTS

A. PROCESSED FOOD PRODUCTS

Prof. Moji Christianah Adeyeye

Director-General, NAFDAC

Plot 2032, Olusegun Obasanjo Way

Zone 7, Wuse, Abuja, Nigeria

Tel: +234 906 000 7693

nafdac@nafdac.gov.ng

<https://www.nafdac.gov.ng/>

B. STANDARDS, CODEX, LABELLING & PACKAGING

Ifeanyi Okeke

Director General, Standards Organization of Nigeria (SON)
52, Lome Crescent, Wuse Zone 7, Abuja, Nigeria info@son.gov.ng; Phone: +234 8002255766,
+234(0)7056990099 <https://son.gov.ng/>
Phone: +234 8072801989 (Cell, preferable) or +234 12708230 (office)

Mohammed Yunusa, Head, Codex Entry Point, Standards Organization of Nigeria (SON)

codexsecretariat@son.gov.ng
<https://son.gov.ng/>

C. LIVESTOCKS, GENETICS & HONEY:

Dr. Columba Vakuru, CVO and Director, Department of Livestock Services, Federal Ministry of Agriculture and Rural Development, Area II, Garki Abuja, Nigeria +234 8035988903
vakurucolteru@yahoo.com

Dr Chinyere Ikechukwu-Eneh (Akujobi), Director, Commodity Certification/Trade Standards & Measures, Dept. of Veterinary & Pest Control Services, Federal Ministry of Agriculture & Rural Development, Abuja, Nigeria +234 803 587 7722 chimed22@yahoo.com

D. PLANT, PRODUCE AND COMMODITIES

Dr. Vincent Isegbe, Executive Director, Nigeria Agricultural Quarantine Service (NAQS), Plant Quarantine Department, Enugu House, 18, Ralph Shodeinde St; C B D Abuja, Nigeria
+234 8093540848 contact@naqs.gov.ng; visegbe@gmail.com; <https://www.naqs.gov.ng/>

E. SEEDS AND REGULATIONS

Dr. Ishiak Othman Khalid, Acting Director General, National Agricultural Seeds Council (NASC), Km 29, Abuja-Lokoja Expressway, Sheda, FCT, Abuja, Nigeria
+234 8113887697, info@seedcouncil.gov.ng; <https://seedcouncil.gov.ng/>

F. WTO, SPS & TRADE RELATED ISSUES

Tuayeringha S. O. Gana, Director of Trade, Federal Ministry of Industry, Trade & Investment Old Federal Secretariat, Garki Area 1, Abuja, Nigeria
Oyinkrogana@yahoo.com

G. AQUACULTURE, FISH & FISHERY PRODUCTS

Mr. Wellington Omoragbon, Director of Fisheries, Federal Ministry of Agriculture and Food Security, FCDA Complex, Area II, Garki, Abuja, Nigeria
wellington_omoragbon@yahoo.com.

H. BIOTECH/GMO PRODUCTS

Dr. Agnes Asagbra, Director General, National Biosafety Management Agency, National Parks Service premises along Airport Road; Abuja, Nigeria nbma@nbma.gov.ng +234 8180805451

I. COMMERCIAL LAW DEPARTMENT, TRADEMARKS, PATENTS AND DESIGNS

Federal Ministry of Industry, Trade, and Investment, No. 5, Ndola Crescent, Zone 5, Wuse-Abuja, Nigeria info@iponigeria.com +234 8092194426 or +234 8092194416, www.iponigeria.com

J. NIGERIAN COPYRIGHT COMMISSION

Federal Secretariat Complex, Phase I, Annex II, Ground Floor, Shehu Shagari Way, Maitama District,

P. M. B. 406 Garki, Abuja, Nigeria +234 70 1761 0750
NCeRS Desk Direct: +234 81 8341 3611
NCeRS Desk: admin@copyright.gov.ng info@copyright.gov.ng
<http://www.eregistration.copyright.gov.ng/ncc/contactus>

K. NIGERIA CUSTOMS SERVICE HEADQUARTERS

Abidjan Street, Wuse, P.M.B. 26, Zone 3, Abuja, Nigeria
+234 09 4621597, +234 4621598, +234 4621599,
Mobile: +234 07037891156
Email: info@customs.gov.ng; pro@customs.gov.ng
Website: <https://customs.gov.ng/>

Attachments:

No Attachments