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**Report Highlights:**

This report outlines the legislation applicable to the export of U.S. food products to Portugal, particularly focusing on those rules that differ from EU legislation. This report should be read in conjunction with the EU Food and Agricultural Import Regulations and Standards Country Report. This report contains updated links to relevant information sources and contacts, and new regulatory developments or updates from the EU report where these have specificities at the Member State level.

## Table of Contents:

|  |    |
|--|----|
| Executive Summary .....  | 3  |
| Section I. Food Laws.....  | 4  |
| Section II. Labeling Requirements .....                                      | 5  |
| Section III. Packaging and Container Regulations.....                        | 8  |
| Section IV. Food Additives Regulations.....                                  | 10 |
| Section V. Pesticides and Other Contaminants.....                            | 11 |
| Section VI. Other Requirements, Regulations and Registration Measures .....  | 13 |
| Section VII. Other Specific Standards .....                                  | 14 |
| Section VIII. Trademark, Brand Names, and Intellectual Property Rights ..... | 15 |
| Section IX. Import Procedures .....  | 15 |
| Section X. Trade Facilitation .....  | 18 |
| Appendix I. Government Regulatory Key Agency Contacts .....                  | 18 |
| Appendix II. Other Import Specialist Technical Contacts .....                | 20 |

**Disclaimer:** This report was prepared by FAS Madrid 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.**

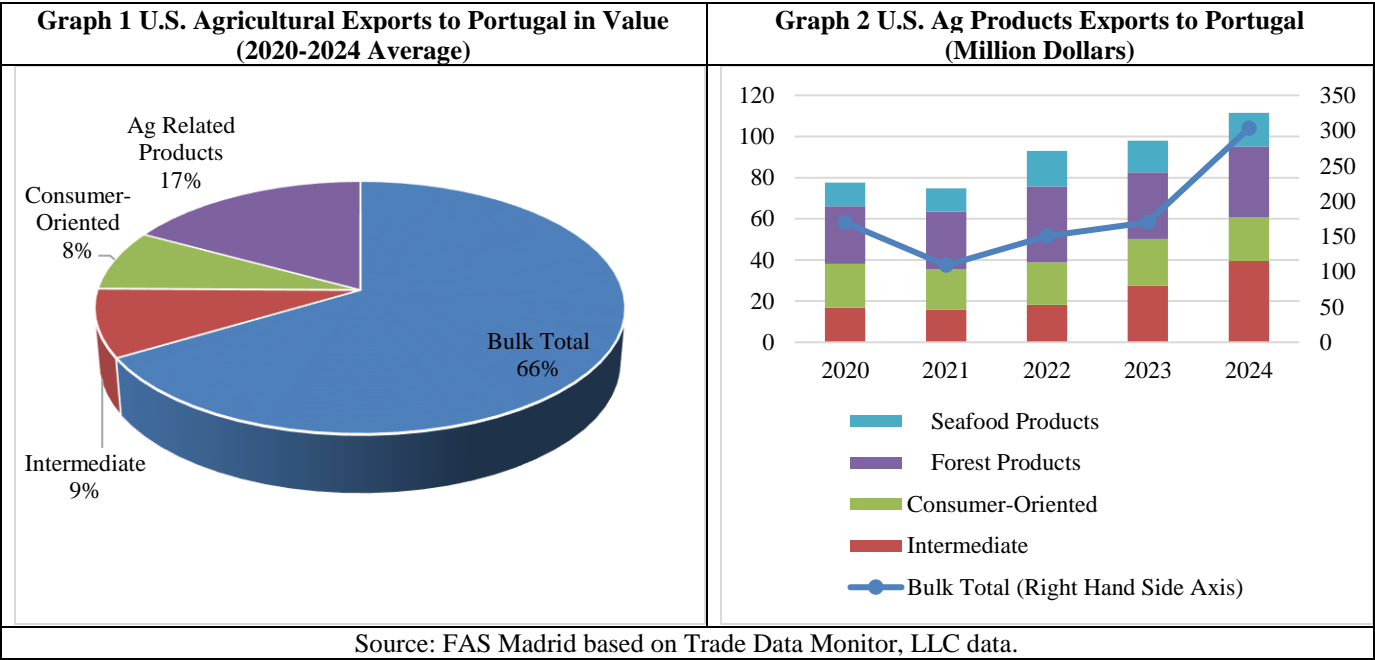
Executive Summary

This report provides an overview of food and feed legislation currently in force in Portugal, particularly on requirements that differ from EU legislation. As an EU Member State since 1986, Portugal observes all EU directives, regulations, and obligations, which are either directly applicable or need to be transposed to national law. This report should be read in conjunction with the [EU Food and Agricultural Import Regulations and Standards \(FAIRS\) Country Report](#).

Portugal is a major agricultural producer, especially known for cork, olive oil, wine, cereals, fruits, and vegetables and a net importer of agricultural products. Portugal’s total agricultural and related exports (on average from 2020-2024) amounted to \$12 billion, while the imports totaled \$17 billion.

Other EU countries are Portugal’s main trading partners. EU markets enjoy an advantage over trading with third countries since there are no tariffs in place between Member States and mutual recognition allows for free movement of goods across the EU. In 2024, outside the EU, the most important suppliers to Portugal were Canada, Brazil, Ukraine, and the United States. The top imported products included seafood, beef products, forest products, dairy, cereals, and pasta, fresh vegetables and fruit, pork products, and corn.

The U.S. is a major trading partner for Portugal, particularly for agricultural, fish, and forestry products. U.S. agricultural exports to Portugal consist mainly of bulk commodities and agricultural related products, which accounted for 66 and 17 percent of the U.S. export value during the 2020-2024 period (**Graph 1**). Annual exports of U.S. agricultural products to Portugal have followed an expansion trend since 2021 (**Graph 2**).



## Section I. Food Laws

Portugal has been a member of the European Union (EU) since 1986 and follows all EU directives, regulations, and obligations associated with the treaties and international agreements to which the EU is a party. While EU Regulations are binding and directly applicable to the Member States, EU Directives must be transposed into national law. EU Decisions are binding and directly applicable to whom they are addressed. All EU Member States share a customs union, a single market in which goods can move freely, a common trade policy, and a common agricultural and fisheries policy. Detailed information on the EU procedures can be found in [GAIN report “How the EU works – A guide to EU decision-making”](#) (updated September 2017).

Most but not all food legislation is harmonized at the EU level. Where legislation has not been harmonized at the EU level, mutual recognition should guarantee the free movement of goods in the EU. Under the principle of mutual recognition, products lawfully produced and/or marketed in one Member State should, in theory, be allowed to be marketed in any other Member State. Some examples of non-harmonized products include collagen casings, lanolin, gelatin, and composite products.

There is one exception to the principle of mutual recognition, as certain directives allow Member States to make exceptions, e.g., in cases where a country can prove public safety, health or environmental concerns about a product intended for import. A new regulation on the mutual recognition of goods applies as of April 19, 2020. [Regulation 2019/515](#) on the mutual recognition of goods lawfully marketed in another Member State replaces [Regulation 764/2008](#). It introduces a voluntary ‘mutual recognition declaration,’ which businesses can use to demonstrate that their products are lawfully marketed in another EU country. Detailed information about the new rules can be found on the [European Commission’s website](#).

Exporters should also be aware that when EU-wide legislation is incomplete, absent or allows for interpretation, Portuguese laws take precedent and imported products must meet Portuguese requirements.

Food and beverage products originating in the United States do not require Portugal-specific permits and are not subject to special rules or regulations for retail sale in Portugal. However, all products must comply with the generally applied rules and regulations required for any food and beverage product sold within the EU market. Portugal’s food regulations apply to both domestically produced and imported food products.

Portugal is comprised of the continental area subdivided in 18 districts, and two autonomous regions, the Islands of Azores (comprised of nine islands), and the Island of Madeira (comprised of two main islands).

For detailed information on EU Food and Agricultural Import Regulations and Standards ([FAIRS](#)), see reports produced by the U.S. Mission to the EU in Brussels, Belgium, which can be accessed on their website: <http://www.usda-eu.org/>.

At the EU level, [Regulation \(EC\) 178/2002](#) lays out objectives for food law. Since December 2019, [Regulation 2017/625](#), repealing [Regulation 882/2004](#), sets the rules for harmonized food controls. Further, [Regulation 2019/1381](#) relates to the transparency and sustainability of the EU risk assessment in the food chain and aims at ensuring more transparency, increasing the independence of studies, strengthening the governance of the European Food Safety Authority (EFSA), as well as developing comprehensive risk communication.

## Relevant Competent Authorities

**Directorate General for Food and Veterinary (DGAV)<sup>1</sup>:** In Portugal, according to [Decree Regulation 31/2012](#) the DGAV is responsible for defining, implementing, and evaluating food safety, animal protection, animal health, plant protection, and phytosanitary policies.

**Portuguese Economic and Food Safety Authority (ASAE):** ascribed to the Ministry of Economy (ME) is the national specialized administrative authority in the context of food safety and economic surveillance. ASAE is the competent authority in the areas of food and feed, and pesticides in food of non-animal origin among other areas and operate at national level through its three regional units. ASAE is in charge for assessment risk management and communication in relation to food chain and feed.

## Section II. Labeling Requirements

- **General requirements:**

The U.S. standard label does not comply with EU labeling requirements.

Detailed information on labeling requirements that apply since December 13, 2016, are available in the [USEU report on New EU food labeling rules](#) as set out in the “[Food Information to Consumers \(FIC\)](#)” [Regulation 1169/2011](#). This information can be supplemented by [GAIN report “How to Comply with the EU’s New Food Labeling Rules.”](#)

The Portuguese Food and Beverage Industry Federation ([FIPA](#)), along with Portuguese Association of Distributors ([APED](#)) have published a [guidance document](#) (in Portuguese language only) for [Regulation \(EC\) 1169/2011](#) compliance.

A legislative proposal was expected in the fourth quarter of 2022, but it has been delayed. For more information, please see [GAIN Report “Commission Publishes Roadmap on the Upcoming Revision of Food Labeling Requirements.”](#)

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<sup>1</sup> As of January 1, 2024, import controls are integrated under DGAV. [Decree Law 36/2023](#) transfers from Direções Regionais de Agricultura e Pesca (DRAP) to DGAV the responsibilities for food, animal and plant health inspections. Portugal has a centralized system for testing and controlling the feed and food chain. The central government has total oversight over customs controls. However, there are two autonomous regions, Island of Madeira, and Islands of Azores with certain autonomy as per [Regulation \(EU\) 228/2013](#), which establishes specific measures in favor of peripheral regions.

- **Language Requirements and Use of Stickers**

Multi-labeling and stickers are permitted, however, according to [Decree Law 42/1988](#), one of the languages must be Portuguese. [Decree Law 560/1999](#) indicates that in the case of products labeled in a foreign language, exceptionally this may be maintained. Thus, as required by Decree Law 560/1999 to protect the health and safety of consumers, all the mandatory information must be written in the Portuguese language on the label in the determined format. U.S. food manufacturers or exporters are encouraged to contact their potential importer to learn the applicable labeling requirements. Additional information regarding Portugal's labeling requirements can be found in the [link](#).

For non-packaged food, [Regulation \(EC\) 1169/2011](#) provisions have been implemented at the Portuguese national level by [Decree Law 26/2016](#) (Portuguese language only).

Additionally, [Directive \(EU\) 2015/2203](#) relating to caseins and caseinates intended for human consumption, provisions have been implemented at the national level by [Decree Law 62/2017](#) (Portuguese language only).

### **Other Specific Labeling Requirements:**

- **Country of Origin Labeling**

Before the adoption of FIC (Food Information to Consumers) [Regulation 1169/2011](#), origin labeling was already mandatory for honey, fruit and vegetables, olive oil, fishery and aquaculture products, and beef. The FIC regulation extends the mandatory origin requirement to fresh, chilled, and frozen pork, sheep and goat meat and poultry. For additional information, please visit the FAS USEU website section on [EU labeling requirements](#) as well as the GAIN reports "[The EU's Country of Origin Labeling Policy](#)" and "[EU Agriculture Ministers Divided Over National COOL Measures](#)."

On May 29, 2018, the European Commission published [Implementing Regulation 2018/775](#), which introduces mandatory dual origin labeling when a country of origin is given or visually implied on the label of a food product, but the origin is not the same as that of its primary ingredient. More information can be found in the GAIN report "[Commission Briefing on New Origin Labeling Rules](#)."

In 2017, by [Decree Law 62/2017](#) (Portuguese language only), Portugal established the applicable origin labeling for dairy. It requires companies to provide details of the origin of milk, derivatives or extractions from milk (e.g. milk powder) used in a product and the country where it has been processed. The competent authority, Directorate-General for Food and Veterinary (DGAV) is responsible for enforcing the measures established in the Decree in Portugal.

### **Nutrition Declaration**

On April 4, 2024, Portugal published [Implementation Order 3637/2024](#) laying down the adoption of the Nutri-Score labeling scheme applicable for manufacturers on a voluntary basis for food business operators.

- **Genetically Modified Foods Labeling**

Portugal follows EU-harmonized legislation on the labeling of Genetically Modified Food and Feed ([Regulation \(EC\) 1829/2003](#), and [Regulation \(EC\) 1830/2003](#) on the Traceability and Labeling of Genetically Modified Organisms). Portugal does not have a “non-GMO” labeling regulation developed at the national level.

Portugal has a decentralized system for testing and controlling unauthorized presence of GMO in the feed and food chain. Directorate-General for Food and Veterinary (DGAV) is responsible for the coordination of the food and feed chain control. Controls are performed by DGAV under the implementation of [National Integrated Control Plan \(PNCP\)](#).

At national level, in Portugal there is no “non-GMO” labeling regulation developed. Food and feed products with GE content above 0.9 percent per ingredient must be labeled. Most feed products are labeled as “contains GE products” as opposed to food products, for which food companies have opted for reformulation to avoid GE products. In Portugal, practically all animal feed contains GE products, and consequently it is by default labeled as “contains GE products.” Meanwhile, in the food chain, most food manufacturers have eliminated the use of biotech products from food product manufacturing to avoid having to label products as “Contains GMOs.”

For more information, please see [Portugal Biotech Annual Report](#), the [DGAV](#) site, or visit the section of [Biotechnology](#) on the FAS USEU website.

- **Frozen Foodstuffs:** [Council Directive 89/108/EEC](#) sets rules for quick-frozen foodstuffs and for their packaging and labeling. This Directive is transposed into national law by Decree Law 251/91(Portuguese language only).
- **Honey:** [Directive 2014/63/EU](#) amending [Directive 2001/110/EC](#) relating to honey was transposed into national law by [Decree Law 214/2003](#) (in Portuguese language), and amended by [Decree Law 126/2015](#) (in Portuguese language) and subsequently amended by [Decree Law 2/2021](#) (in Portuguese language) by including the rules on labeling and Honey Quality Standards. In May 2024, the EU adopted [Directive \(EU\) 2024/1438](#) which changes origin labeling for honey. Now, if honey originates in more than one country, the countries of origin where the honey was harvested shall be indicated on the label in the principal field of vision, in descending order of their share in weight, together with the percentage that each of those countries of origin represents.

- **Fruit Juices and Similar Products:** [Directive 2001/112/EC](#) amended by [Directive 2012/12/EU](#) regulates fruit juices and certain similar products intended for human consumption. Key amendments which affect fruit juice labeling rules include orange juice, nutrition claims, mixed juices and sugars and sweeteners. [Directive 2012/12/EC](#) was transposed into national law by [Decree Law 145/2013](#) (Portuguese language only). Detailed information on key changes introduced by the new directive can be found in the [GAIN report “New EU Fruit Juice Labeling Rules.”](#) [Directive 2024/1438](#) creates three new fruit juice categories: “reduced-sugar fruit juice”, “reduced-sugar fruit juice from concentrate” and “concentrated reduced-sugar fruit juice”. The statement “fruit juices contain only naturally occurring sugars” may appear on the label in the same field of vision as the name of the products. Additional information can be found in the [DGAV](#) site.
- **Vertical & Product-Specific Legislation:** Vertical legislation on the manufacturing and marketing of specific products has been developed. These Directives are often collectively referred to as the “breakfast directives.” In May 2024, the Commission published [Directive 2024/1438](#) which amends the “breakfast directives.” The changes are outlined below per product category. Products which are placed on the market or labeled before June 14, 2026, in accordance with [Directives 2001/110](#), [2001/112](#), [2001/113](#) and [2001/114](#) may continue to be marketed until the exhaustion of stocks.
  - **Sugars:** [Directive 2001/111](#) was transposed into Portuguese law by [Decree Law 290/2003](#).
  - **Preserved milk:** [Directive 2001/114](#) was transposed into Portuguese law by [Decree Law 213/2003](#).
  - **Coffee extracts and chicory extracts:** [Directive 1999/4](#) was transposed into Portuguese law by [Decree Law 124/2001](#).
  - **Fruit jams and similar products:** [Directive 2001/113](#) was transposed into Portuguese law by [Decree Law 230/2003](#). [Directive 2024/1438](#) increases the minimum fruit content in jams from 350 to 450 grams per kilo in jams and from 450 to 500 grams per kilo in extra jams
  - **Cocoa and chocolate products:** [Directive 2000/36](#) was transposed into Portuguese law by [Decree Law 229/2003](#).

### Section III. Packaging and Container Regulations

Portugal applies EU-harmonized legislation to packaging and containers.

- **Size and Content**

There are two EU Directives related to the making-up by weight or by volume of certain prepackaged products ([Council Directive 76/211/EEC](#)) and laying down rules on nominal quantities for prepackaged products ([Directive 2007/45/EC](#)). These were transposed into Portuguese law by [Decree Law 199/2008](#) (Portuguese language only) and amended in the [Declaration 71/2008](#) (Portuguese language only).

- **Packaging Waste Management**

The European Union (EU) has longstanding rules on food packaging that date back to 1994 with [Council Directive 94/62/EC](#) that require EU Member States to introduce systems for reuse, recovery, and recycling of packaging materials. [Council Directive 94/62/EC](#) provides measures aimed at limiting the production of packaging waste and promoting recycling, reuse, and other forms of waste recovery. [Directive 2018/851](#) on waste, and [Directive 2018/852](#) on packaging and packaging waste are the EU regulatory basis for Member State level legislation. These Directives on waste, packaging and packaging waste were transposed into Portuguese Law by [Decree Law 102-D/2020](#) (Portuguese language only).

[Directive \(EU\) 2019/904](#), also known as the so-called Single Use Plastic (SUP)<sup>2</sup>, was transposed into [Portuguese Law by Decree Law 78/2021](#) (Portuguese language only).

- **Portugal's Special Tax on Non-Reusable Plastic Packaging**

[Decree Law 102-D/2020](#) (in Portuguese language only) on waste and contaminated soils transposed EU [Directive 2018/851](#) on waste and [Decree Law 78/2021](#) (Portuguese language only) transposed [EU Directive 2019/904](#) on single use plastic.

[Law 82-D/2014](#) (Portuguese language only), approves the Reform of Green Taxation in Portugal, a contribution on lightweight plastic bags was created with the aim of promoting more sustainable behavior of consumers and traders for non-reusable plastic packaging transposed from [Directive 94/62/EC](#), and [Regulation \(UE\) 10/2011](#).

- **Reducing Packaging Related Waste**

Some provisions of [Directive \(EU\) 2019/904](#) to reduce the impact of certain plastic products on the environment, such as the ban on single-use plastics, went into effect on July 3, 2021. Other provisions in the Directive, such as extended producer responsibility, were set to take effect by the end of 2024.

Decree Law 78/2021 transposes the previous Directive. [Law 76/2019](#) determines set targets and measures for the prevention, reuse and incorporation of recycled plastic, separate collection, and recycling. It regulates EPR for domestic, commercial, and industrial packaging, specifying the scope of costs to be assumed. Further, [Law 77/2019](#) established that retailers must present whole fruits and vegetables to be sold in bulk. However, these requirements will not apply to fruits and vegetables packaged in quantities at and above 1.5 kilograms, those packaged with certain labeling to indicate a differentiated product, such as organics or a specific quality characteristic, or those that would be damaged if sold in bulk.

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<sup>2</sup> For further background on Single Use Plastics, please see GAIN Report: [European Union Single Use Plastics Directive Enters into Force](#).

For more information about the legislative changes, please see GAIN reports [European Union: Single Use Plastics Directive Enters into Force](#) and [European Commission Proposes New Rules on Packaging and Packaging Waste](#).

- **Materials in Contact with Foodstuffs**

Specific measures set out additional requirements and include lists of authorized substances and materials. To date, [specific directives](#) have been developed for plastic materials, as per [Commission Regulation 10/2011](#), including a union list of authorized substances.

In Portugal:

- [Decree law 194/2007](#) (Portuguese language only) regulates regenerated cellulose in contact with foodstuffs and transposes [Directive \(CE\) 2007/42](#).
- [Decree Law 190/2007](#) (Portuguese language only) regulates ceramics in contact with foodstuffs and establishes migration limits for lead and cadmium and transposes [Directive \(CE\) 2005/31](#).
- [Decree Law 78/2021](#) (Portuguese language only) regulates requirements for recycled polymers in contact with foodstuffs and transposes [Directive 2019/904](#).

Member States can provisionally authorize the use of certain substances not listed in one of the specific directives. They may also restrict or temporarily prohibit the use of certain materials authorized by specific directives for reasons of public health. When there is no specific EU legislation, Member States may establish national measures. Additional information regarding applications for authorization can be downloaded on EFSA's website.

Additional information regarding materials in contact with foodstuff in Portugal can be found in the [DGAV](#) site.

## Section IV. Food Additives Regulations

Portugal applies EU-harmonized legislation regarding **food additives**, **flavorings**, and **enzymes**. However, at the EU level, processing aids are regulated by [Directive 2009/32/EC](#) amended by [Directive 2010/59UE](#) which was transposed by [Decree Law 103/2011](#) (Portuguese language only). The use of processing aids is subject to authorization at the Member State level. Requests should be addressed to DGAV. Contact details are in **Appendix I**. For detailed information on the EU-harmonized legislation on food additive regulations, please consult the [EU FAIRS Country Report](#) as well as the FAS USEU website section on [Food Additiveshttps://usda-eu.org/food-drinks/food-additives/](https://usda-eu.org/food-drinks/food-additives/).

## Section V. Pesticides and Other Contaminants

### PESTICIDES

- **Authorization of Pesticides to be used in the EU**

[Regulation \(EU\) 1107/2009](#) sets out rules for the authorization of plant protection products (PPPs). PPPs (also referred to as 'pesticides') contain at least one approved active substance. Only PPPs containing active substances included in the list of approved active substances as established in [Regulation \(EU\) 540/2011](#) may be authorized for use in the EU.

Before any PPP can be placed on the market or used, it must be authorized in the relevant Member State(s). According to [Annex I of Regulation 1107/2009](#), the EU is divided in three different zones. Portugal belongs to the EU zone “C - South.”

Once a Member State approves the PPP, it can be mutually recognized and thus authorized within the EU. Exporters can look up specific details on PPPs approved for use in a certain Member State in the [EU pesticide database](#). In Portugal, information regarding PPPs authorized for use is available in the Portuguese [SIFITO](#) database.

- **Maximum Residue Levels (applicable for EU and non-EU products)**

[Regulation \(EU\) 396/2005](#) harmonizes all Maximum Residue Levels (MRLs) in the EU on food or feed of plant and animal origin. Pesticide MRLs for processed or composite products are based on the MRLs of the raw agricultural ingredients. A general default MRL of 0.01 mg/kg applies where a pesticide is not specifically mentioned. A list of authorized active substances or pesticide-MRL combinations is available in the European Commission's [online database](#).

- **Import Tolerance**

If there is no EU legislation in place in the importing Member State, then the exporter can seek to obtain an "import tolerance" for active substances that have not been previously evaluated or used in Europe. Applications for import tolerances must be submitted to the “Rapporteur Member State” (RMS). The Commission assigns a Member State if no RMS exists. The RMS reviewed dossiers are evaluated by the EFSA before being forwarded to the Commission. Information on import tolerances is available in the [“Pesticide Use and Food Safety” guide](#) published by CropLife Europe. All MRLs, including import tolerances, apply EU-wide since September 2008.

For application of an import tolerance for a not yet regulated substance in Portugal, please contact DGAV. Contact details can be found in the [link](#) (Portuguese language only).

- **Sustainable Use of Pesticides**

As part of the “Pesticide Package,” [Directive 2009/128/EC](#) for the sustainable use of pesticides as amended by [Directive 2019/782](#) was transposed into national law by [Decree Law 70/2024](#). The authorization and registration of plant protection products remains the responsibility of Member States and depends on particularities of its climate-region.

Additional information regarding Sustainable use of pesticides in Portugal can be consulted in the [DGAV](#) site.

Harmonized sampling methods are established for the official control of residues in and on products of plant and animal origin by [Commission Directive 2002/63/EC](#), which was transposed into national law by [Decree Law 144/2003](#) (Portuguese language only).

- **Official Controls**

Harmonized sampling methods are established for the official control of residues in and on products of plant and animal origin by [Commission Directive 2002/63/EC](#) and [Commission Implementing Regulation 2023/731](#) outlines the latest version of the EU’s coordinated multi-annual control program for pesticide residues. The control program requires Member States to take and analyze samples for product and pesticide residue combinations in food of plant and animal origin. Annex I to the Regulation sets out the pesticide and product combinations to be monitored. Annex II sets out the number of samples that need to be taken for each combination. The Member States were required to submit results of the sample tests to the EU by August 31, 2021, 2022, and 2023 for samples tested in 2020, 2021, and 2022 respectively. For more information, see the European Commission [website](#). The Directive was transposed into national law by [Decree Law 2088/2003](#) (Portuguese language only) regarding sampling methods for pesticides residue control in food of plant and animal origin.

## **CONTAMINANTS**

Portugal applies EU-harmonized legislation regarding food contaminants. For detailed information on the EU-harmonized legislation on food additive regulations, consult the [EU FAIRS Country Report](#) as well as the USEU website section on [contaminants](#).

- **Residues in Animal Products**

[Council Directive 96/23/EC](#), which creates measures to monitor certain substances and residues in live animals and animal products, and [Council Directive 96/22/EC](#), which prohibits the use of hormones in meat production, were transposed into national law in Portugal by [Decree Law 150/99](#) and amended by [Decree Law 185/2005](#) (Portuguese language only)

For additional information on how to export food of animal origin to the EU, please see the EU’s [Guidance on EU requirements for imports of products of animal origin – Monitoring for residues of veterinary medicines, pesticides and contaminants](#)

## Section VI. Other Requirements, Regulations and Registration Measures

- **Certification**

The Portuguese Government applies EU-harmonized legislation for other related regulations and requirements including product inspection, registration, and certification. For detailed information on certification, please see the [USEU certification site](#). An overview of all U.S. authorities that issue the legally required certificates for export to the EU is available on the [USEU site for U.S. agencies providing EU Certificate](#).

Since December 14, 2019, [Regulation \(EU\) 2016/2031](#) established protective measures against plant pests for the entire EU.

Notification of imports of non-fully harmonized products should be addressed to the Directorate-General for Food and Veterinary (DGAV). Contact details can be found in **Appendix I**.

For detailed information on specific certificates to export to Portugal, please consult the latest version of Portugal's FAIRS Certificate Report in the [Foreign Agricultural Service GAIN Reports site](#). Some examples of non-fully harmonized products include collagen casings, lanolin, gelatin and composite products.<sup>3</sup>

- **Product inspection**

U.S. exporters interested in introducing a product into the Portuguese market should obtain local representation and/or a local importer/distributor registered in the platform [CERTIGES](#)<sup>4</sup> to gain knowledge of the market, up-to-date information and guidance on trade laws and business practices, sales contacts, and market development expertise. As local importers have primary responsibility to the Portuguese Government for imported food products entering Portuguese territory, they are in the best position to provide guidance to U.S. exporters through the market-entry process.

Additionally, Member State authorities are responsible for carrying out inspections in the food and feed chain. Products can be checked at import or at all further stages of marketing.

Portugal's central government has oversight over customs control operations. Sampling plans are based on risk assessment, and they are primarily done at the wholesale and the processing level. Member States have the responsibility to designate laboratories eligible to perform food control analyses.

Infringements of EU food and feed legislation are reported through the Rapid Alert System on Food and Feeds (RASFF), which is a network of Member State authorities managed by the European Commission. The database with RASFF notifications is accessible via the [RASFF portal](#).

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<sup>3</sup> Composite products are defined as foodstuffs intended for human consumption that contain processed products of animal origin and ingredients of plant origin.

<sup>4</sup> Portugal created the platform [CERTIGES](#), oversight by DGAV, by [Decree Law 67/2020](#) to simplify food import controls.

## Section VII. Other Specific Standards

### Novel Foods

[Commission Implementing Regulation 2018/456](#) lists the procedural steps that food business operators must follow to consult with the competent authority of the Member State where they first intend to market their product. In Portugal, requests should be addressed to the DGAV ([perguntas.dsna@dgav.pt](mailto:perguntas.dsna@dgav.pt)). Additional information regarding the regulatory status of novel foods in Portugal can be found in the [DGAV](#) site. Contact details can be found in **Appendix I**.

For detailed information see [GAIN report “New EU Law on Novel Food Status Determination.”](#)

### Food Supplements

[EU Directive 2002/46/EC](#) sets out EU-harmonized rules on labeling and vitamins and minerals that may be used in food supplements. Key aspects in the marketing of food supplements such as minimum and maximum levels of vitamins and minerals or the use of other substances such as botanical extracts remain the competence of the Member States. [Decree Law 136/2003](#) (Portuguese language only) transposes the Directive to Portuguese Law, and the DGAV is the competent authority for their regulation and notification.

For more information see [GAIN report “Certification and Labeling of EU Whey Protein Supplements.”](#) Marketing food supplements in the EU is a very complex issue. [GAIN report “Exporting Food Supplements to the EU”](#) provides detailed information on marketing food supplements in the EU.

### Irradiated Foodstuffs

Harmonization of EU rules on food irradiation has been slow and only a few products have received EU-wide approval. [Framework Directive 1999/2/EC](#) outlines the marketing, labeling, import and control procedures, and technical aspects of food irradiation. Irradiated foods must be labeled "irradiated" or "treated with ionizing radiation." [Implementing Directive 1999/3/EC](#) establishes a community list of foods and food ingredients authorized for irradiation treatment. The list contains only one food category: "dried aromatic herbs, spices and vegetable seasonings." Until the EU positive list is expanded, national authorizations continue to apply. The list of Member States' authorizations of food and food ingredients that may be treated with ionizing radiation can be consulted in the [link](#). At the national level, these EU Directives were transposed in Portugal by [Decree Law 337/2001](#) (Portuguese language only), according to which, only dried aromatic herbs, spices and vegetal seasonings can be treated with ionizing irradiation. Additional information regarding irradiated foodstuffs in Portugal can be found in the [link](#).

## Halal Foods

In Portugal, [Regulation \(CE\) 1099/2009](#) applies and is overseen by DGAV for the sanitary requirements. There are no government-established standards, as halal is seen as a religious attestation and not a sanitary requirement. The [Portuguese Institute of Halal](#) (IHP) is the organization devoted to analyzing, monitoring, inspecting and certifying of halal products for human consumption.

## Section VIII. Trademark, Brand Names, and Intellectual Property Rights

### • Trademarks

In the EU, trademarks can be registered at the EU or national level. The EU-harmonized trademark regulation did not replace the existing laws at the Member State level. Both systems coexist. Trademarks registered at the national level are protected in one EU Member State. Applications must be submitted directly to the relevant national intellectual property (IP) office ([full list of national offices](#)). In Portugal, the legal basis for trademarks is laid down by [Decree Law 110/2018](#) (Portuguese language only). In Portugal, as per Article 4 point 5, trademark protection is granted for 10 years, after which it can be renewed (for more details see last edition [2018 Portuguese Code of Industrial Property](#)). Requests should be addressed to the Portuguese National Institute of Industrial Property (INPI). The INPI, ascribed to the Ministry of Justice, is the public body responsible for the registration and granting of the different types of Industrial Property including industrial property titles, such as brands and commercial names (or distinctive signs), inventions, and industrial designs. See **Appendix I for contact details**.

### • Designation of Origin and Geographical Indications

Several food product names considered as generic in the United States are protected under EU law. Lists of protected names by country, product type, registered name and name applied for are available through the Commission's [eAmbrosia database](#). Specific information about Portugal's registered products under this scheme can be found in the [EU's GI view link](#) which covers all geographical indications protected at European Union level.

## Section IX. Import Procedures

The European Commission's webpage "[Access2Markets](#)" database provides information on tariffs, rules of origin, taxes and additional duties, import procedures and formalities, product requirements, trade barriers, and trade flow statistics.

### • Imports Control

Since December 2019, [Regulation 2017/625](#) sets the rules for harmonized food controls. On August 13, 2020, Portugal promulgated [Decree Law 67/2020](#) on official controls for imports transposing the rules as per Regulation (EU) 2017/625.

- **Import Duties**

The customs duties that must be paid upon import of a product depend on the tariff classification applicable to the product. EU's applicable duties information can be found in the [on-line Taxation and Customs Union database](#), or [TARIC](#). The [EU's 2024 Tariff Schedule](#) is applicable since January 1, 2024. In the case of Portugal, [Autoridade Tributária e Aduaneira](#) (AT), ascribed to the Ministry of Finance, is the customs authority entity.

For contact details, see **Appendix I**. Goods are only released after payment of the import duty and other taxes that may be due. EU harmonized duties payable on goods imported into the EU include, when applicable: import duty (expressed as ad valorem tariffs or specific tariffs per unit weight/volume/number of pieces), additional duties on flour and sugar (processed products), or entry price (fruit and vegetables).

Non-harmonized Inspection fees applicable to agricultural can be consulted respectively through the Code of Special Tax (CIEC) through [Decree Law 73/2010](#) (Portuguese language only). Other non-harmonized taxes include:

- [EU Value Added Tax \(VAT\)](#)
- EU Excise duties on [alcohol](#)<sup>5</sup>
- EU Exercise duties on [tobacco](#).

The duties can also be consulted in [TARIC](#).

- **Special Tax on Non-Reusable Plastic Packaging**

[Ministerial Order 312-C/2022](#) aims to reduce the impact of certain plastic products on the environment. Among the fiscal measures to promote a circular economy, this law introduced a special tax on non-reusable plastic packaging that entered into force on September 1, 2023. This law also applies to imported food products. For imports, the importer is responsible for paying the tax, although third country manufacturers must provide their Portuguese buyers with information regarding the amount of non-recyclable plastic packaging used in their products' packaging.

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<sup>5</sup> Since February 13, 2023, [Directive \(EU\) 2020/262](#) replaced EU Directive 2008/118. The text sets out common definitions of alcoholic products that are subject to excise duty and ensures that all Member States treat the same products in the same way. Since February 2023, [Council Directive 92/84/EEC](#) as amended by [Directive 2020/1151](#) sets out common definitions of alcoholic products that are subject to excise duty and ensure that all Member States treat the same products in the same way. The excise legislation also establishes the minimum rates of tax that must be applied for each category, but Member States can decide to set rates at a higher level.

## **Import Documentation and Process**

The following documents are required for ocean or air cargo shipments of food products into Portugal:

- Bill of Lading and/or Airway Bill
- Commercial Invoice
- Phytosanitary Certificate and/or Health Certificate, when applicable
- Import Certificate

Most food products require an Import Certificate issued by the competent Portuguese authorities. This certificate must be obtained by a registered importer as it is intended for tariff classification purposes.

The import process requires:

- Pre-announcement by Common (veterinary) Entry Document (CVED or CED)
- Documentary Check
- Identity Check
- Physical Check

- **Temporary Entry**

Temporary entry may be permitted for goods in transit (up to 24 months), manufacturing for re-export, and/or for temporary storage. Generally, the exporter must pay normally applied import duties and VAT, which are then reimbursed upon re-export of the merchandise to a destination outside of the EU. Additional information on the temporary entry procedure can be found in the [DGAV site](#).

- **Samples and Advertising Material**

Portugal grants duty free entry to giveaway samples if properly labeled. Samples are, however, subject to the same import documentation requirements that apply to normal commercial imports. They also require a nominal value for customs declaration purposes on the commercial invoice, which must carry the statement “Samples without Commercial Value.” For further details, please see [DGAV site](#) [Commercial samples and items intended for Exhibitions](#).

Product samples must comply with the food regulations applicable in the EU. Exemptions exist for meat and meat products, for which a waiver may be obtained from the listing requirement described on the FAS USEU website section on [certification](#).

For detailed information on the procedure to import samples without commercial value to Portugal, please consult Portugal’s DGAV import samples [for exhibitions](#). The imports of commercial samples will need approval from DGAV, and an email with all the details must be submitted to [secretariadoDIM@dgav.pt](mailto:secretariadoDIM@dgav.pt) prior importing the samples.

## Section X. Trade Facilitation

- **Advance Rulings**

The Binding Tariff Information (BTI) system was introduced to ensure legal certainty for business operators when calculating import duties. All BTI decisions issued by the Member States' customs authorities are entered into an [BTI-database](#). In the case of Portugal, [Autoridade Tributária e Aduaneira](#) (AT), ascribed to the Ministry of Finance, is the responsible entity. For contact details see **Appendix I**.

- **Duplicative Inspections**

Inspections on imported foods are concentrated at the external borders of the European Union. Once goods have passed inspection and customs duties are paid, they can move freely throughout the EU. However, official controls remain possible at any stage of distribution in the EU.

The Directorate-General for Food and Veterinary (DGAV) is the Authority responsible for the management of the food safety system. Due to Portugal's decentralized governmental structure, testing and controlling are carried out at the regional level, while the central government maintains authority over customs. The autonomous regions establish their own monitoring and sampling plans throughout the food and feed chain coordinated by national authorities. Sampling plans are based on risk assessments, and they are primarily conducted at the wholesale and processing level. Portugal uses the [Rapid Alert System for Food and Feed \(RASFF\) database](#) to report food safety issues to consumers, the trade, and other Member States.

## Appendix I. Government Regulatory Key Agency Contacts

### Ministry of Agriculture and Maritime Affairs

Praça do Comércio  
1149-010 Lisboa  
Tel: +351 213 239 500  
Email: [geral@dgav.pt](mailto:geral@dgav.pt)

### Ministry of Agriculture and Maritime Affairs

Directorate-General for Food and Veterinary (DGAV)  
Campo Grande, 50  
1700-093 Lisbon  
Portugal  
Tel: +351 213 239 500  
Email: [geral@dgav.pt](mailto:geral@dgav.pt)  
[Website link](#)

### Ministry of Economy

Portuguese Economic and Food Safety Authority (ASAE)  
Rua Rodrigo de Fonseca, 73  
1269-274 Lisboa  
Tel: +351 217 983 600  
Email: [correio.asae@asae.pt](mailto:correio.asae@asae.pt)

**Ministry of Economy**

Department of Food Risk and Laboratory (DRAL)

Edifício F – Estrada do Paço do Lumiar

1649-038 Lisboa

Tel: +351 217 108 400

Email: [laboratoriosasae@asae.pt](mailto:laboratoriosasae@asae.pt)

**Ministry of Justice**

Portuguese National Institute of Industrial Property (INPI)

Rua Cais de Santarem, 15

1100-103 Lisboa

Email: [servico.publico@inpi.pt](mailto:servico.publico@inpi.pt)

[Website link](#)

**EU Trademark Register**

Office for Harmonization in the Internal Market

Avenida de Europa, 4

03008 Alicante

Tel.: +34 96 513 9100

Fax: +34 965 131 344

[Website link](#)

E-mail: [information@euipo.europa.eu](mailto:information@euipo.europa.eu)

**Ministry of Treasury and Finance**

Direção-Geral do Tesouro e Finanças

Rua da Alfândega, n 5, 1. Andar

1149-008 Lisboa

Tel: +351 21 884 60 00

Email: [tesouro@dgtf.gov.pt](mailto:tesouro@dgtf.gov.pt)

[Website link](#)

**Ministry of Environment and Climate Action**

Portuguese Environment Agency (APA)

Rua da Murgueira, 9 – Bairro Zambujal

2610-124 Amadora

Portugal

Tel: +351 21 472 82 00

[Website link](#)

## **WTO Inquiry Post**

- a. For technical regulations:

### **Ministry of Finances**

#### **Portuguese Tax & Customs Authority**

Avenida Duque de Avila, n 71, 1 floor

1000-139 Lisbon, Portugal

Tel: +351 213 584 896

Fax: +351 213 584 823

Email: [dsafa@at.gov.pt](mailto:dsafa@at.gov.pt)

[Website link](#)

- b. For standards:

### **Ministry of Economy**

Portuguese Quality Institute National Standardization Body (IAPMEI)

Estrada do Paço do Lumiar

Edifício A

1649-038 Lisboa

Portugal

Tel: +351 213 836 000

Email: [info@iapmei.pt](mailto:info@iapmei.pt)

[Website link](#)

## **Appendix II. Other Import Specialist Technical Contacts**

### **European Union – Delegation of the European Union to the United States**

2175 K Street NW

Washington DC 20037

Tel.: (202) 862 9500

Fax: (202) 429 1766

[Website link](#)

### **United States Mission to the European Union**

Office of Agricultural Affairs

27 Boulevard du Regent

1000 Brussels

Belgium

Tel.: +32 2 508 2760

Fax: +32 2 511 0918

E-mail: [AgUSEUBrussels@fas.usda.gov](mailto:AgUSEUBrussels@fas.usda.gov)

[Website link](#)

**Portuguese Trade & Investment Agency (AICEP)**

Rua de Entrecampos, 28 – 12 floor

1700-158 Lisbon

Portugal

Tel: +351 217 909 500

Email: [aicep@portugalglobal.pt](mailto:aicep@portugalglobal.pt)

[Website link](#)

**Federation of Portuguese Agri-Food Industries (FIPA)**

Rua da Junqueira 39 – 1 floor

1300-307 Lisbon

Portugal

Tel: +351 21 793 86 79

Email: [comunicacao@fipa.pt](mailto:comunicacao@fipa.pt)

[Website link](#)

**Portugal Foods**

Rua Arquiteto Lobão Vita, 172

4200-374 Porto

Portugal

Tel: +351 220 944 476

[Website link](#)

**Portuguese Association of Nutrition (APN)**

Rua João das Regras, 284 – R/C 3

4000-291 Porto

Portugal

Tel: +351 22 208 5981

Email: [actaportugesadenutricao@apn.org.pt](mailto:actaportugesadenutricao@apn.org.pt)

[Website link](#)

**Portuguese Association of Distributors and Supermarkets (APED)**

Rua Alexandre Herculano, 23 – 3 floor

1250-008 Lisbon

Portugal

Tel: +351 217 510 920

Email: [geral@aped.pt](mailto:geral@aped.pt)

[Website link](#)

The USDA's Foreign Agricultural Service Office, covering Portugal and Spain, located in Madrid, can also assist U.S. exporters in obtaining specific national legislation on all food product directives. You can contact us at the following address:

**Foreign Agricultural Service**

Office of Agricultural Affairs

American Embassy Madrid

C/ Serrano, 75 – Box 20

28006 Madrid

Spain

Tel.: +34 91 587 2555

Fax: +34 91 587 2556

Email: [AgMadrid@usda.gov](mailto:AgMadrid@usda.gov)

[Website link](#)

**Attachments:**

No Attachments.