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Report Highlights:

Guyana's humble economy is being transformed and catapulted forward by oil production. As economic activity swells, agricultural imports are also experiencing an upswing. This report outlines the current regulatory situation in Guyana for imported food and agricultural products.

Table of Contents

3
4
4
7
7
8
8
9
9
0
1
2
4
4

NOTE: "This report was prepared by the Caribbean Basin Agricultural Trade Office (CBATO) in Miami, Florida, 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:

Guyana, the only English-speaking nation in South America, is a small country both in terms of land area (slightly smaller than Idaho) and population (estimated at 791,739 in 2023). Guyana is considerably underdeveloped but boasts a wealth of natural resources. Largely unspoiled tropical rainforests cover approximately 80 percent of the country. Mining of mineral resources, primarily bauxite and gold, and agriculture (concentrated in rice and sugarcane), have traditionally been the pillars of the Guyanese economy. However, following the discovery of large offshore oil and gas reserves in recent years, the country has been experiencing galloping economic growth. Real GDP grew by 62.3 percent in 2022 and is projected to grow by 38.4 percent in 2023 (IMF Regional Economic Outlook, Western Hemisphere, Oct. 2023).

While Guyana is leaning heavily on its oil and gas industry to be a catalyst for economic development, the government of Guyana is also interested in diversifying the economy with a special emphasis on agriculture. In so doing, Guyana, which is part of the Caribbean Community (CARICOM) and home to the CARICOM Secretariat, seeks to become the breadbasket of the Caribbean and the main supplier of agricultural products to the CARICOM region. However, despite large investments taking place in agriculture, Guyana is expected to rely on imported food for the foreseeable future. In 2022 Guyana imported \$304.3 million in agricultural products. The United States is the main supplier of these imports, accounting for \$115.5 million (38 percent).

Guyana's regulatory environment is quite import-friendly. Most laws and regulations governing imports can be found online on government websites listed in Appendix I of this report. Guyana accepts standard U.S. food labels. Neither sanitary product registration, laboratory testing, special certification (outside of normal export certificates), nor pre-market approval is required to import foodstuffs into Guyana. In 2015 Guyana ratified the World Trade Organization (WTO) Trade Facilitation Agreement and since then has streamlined document compliance and inspections by port authorities. Import licensing is required for selected agricultural products.

Section I. Food Laws:

Guyana is receptive towards imports of U.S. agricultural products. Neither sanitary product registration, laboratory testing, special certification, nor pre-market approval is required to import the vast majority foodstuffs into Guyana. Imports of food and agricultural products into Guyana are governed by a variety of laws, most recent being the Food Safety Act of 2019. This legislation shifts food safety responsibilities previously under the Ministry of Health to the Ministry of Agriculture. The legislation also mandates the creation of a Food Safety Authority governed by a Board whose members are appointed by the Minister of Agriculture. At the time of drafting this report, provisions of the Food Safety Act of 2019 have not been fully implemented. Therefore, for the time being, the regulatory purview for processed food products remains the responsibility of the Government Analyst-Food and Drugs Department (GAFDD), a dependency of the Ministry of Health.

The Standards Act, Chapter 90:16 of 1984 as amended in 1997, established the Guyana National Bureau of Standards (GNBS), operating under the Ministry of Tourism, Industry and Commerce, and provides the legal framework for standards regulating most foods. GNBS is the only standards setting body in Guyana and also acts as the National Codex Contact Point. GAFDD and Ministry of Agriculture Inspectors carry out enforcement of labeling and other requirements mostly at the port of entry, but routine and random checks at the retail and wholesale levels are also conducted.

Guyana's Animal Health Act 2011 and its implementing regulations cover the importation of live animals, animal products and animal feeds. The Act also appoints the Guyana Livestock Development Authority (GLDA) as the national authority on animal health matters. Similarly, the Plant Protection Act 2011 and its implementing regulations cover the importation of plants, planting material and plant products to protect Guyana from exotic pests and diseases and to control and eradicate them if introduced. The National Plant Protection Organization (NPPO), which is part of the Ministry of Agriculture's National Agricultural Research and Extension Institute (NAREI), is charged with enforcing the Plant Protection Act.

The Trade Act Cap 91:01 and the Official Gazette (1996) require the Department of Commerce, a dependency of the Ministry of Tourism, Industry and Commerce, to issue import licenses for select animal and plant products, certain grains, and sugar. Such items are considered controlled items and therefore their importation must be endorsed by the relevant regulatory agencies.

Section II. Labeling Requirements:

A. General Requirements

Guyana Standard GYS 9-1 establishes general labeling requirements for goods. It is applicable to all goods which are sold, distributed or used, except those for which more specific requirements have been elsewhere prescribed in CARICOM Regional Standards, or national regulations. In 2013 Guyana adopted the CARICOM Regional Standard for Labeling of Prepackaged Foods (CRS 5:2010 Second Revision) as its own compulsory standard, GYS 9-9: 2013. Following is a general summary of

information required on labels of all prepackaged food according to this standard. It is important to note that the summary below should not be interpreted to be a complete listing of all labeling requirements specified in CRS5:2010. For more details on this standard, U.S. suppliers may contact the CARICOM Regional Organization for Standards and Quality (CROSQ). For definitive and more complete information regarding Guyana's national labeling requirements, U.S. exporters may wish to contact the GNBS (contact information for both organizations is provided in Appendix I).

- 1. Name of the food
- 2. List of ingredients
- 3. Net content and drained weight

The metric system is to be used. Where imperial system is used, it shall be stated in conjunction with the metric system.

4. Name and address

The name and address of the manufacturer, packer, distributor, importer, exporter, or vendor must be declared.

5. Country of origin

When a food is processed in a country where the processing changes the nature of the product, the country in which the processing is performed shall be the country of origin for labeling purposes.

- 6. Lot identification
- 7. Date marking and storage instructions
- 8. Instructions for use
- B. Other Specific Labeling Requirements
- 1. Quantitative labeling of ingredients

Where a label places special emphasis on the presence of one or more valuable and or characterizing ingredients, the percentage of the ingredient (m/m) at the time of manufacture shall be declared. Similarly, where a label places special emphasis on the low content of one or more ingredients, the percentage of the ingredient (m/m) in the final product shall be declared.

2. Artificial foods

Artificial, imitation, substitute or synthetic foods shall be labeled as such.

3. Irradiated foods

Food treated with ionizing radiation shall indicate the specific treatment to which the food was subjected.

4. Organically produced foods.

Organic products shall be certified by a competent authority. These include products or ingredients described by the terms "organic", "biological", "ecological", "bio-dynamic" or other similar terms.

5. Foods for special dietary uses

In addition to the labeling requirements specified above, pre-packaged foods for special dietary uses are also subject to the following provisions.

- a. The name of the food
- b. Products may be labeled as "special dietary", "special dietetic" or an appropriate equivalent term where the product corresponds to the definition of a food for special dietary use. In such cases, the characterizing feature and not the condition for which the food is intended, shall be appropriately stated.
- c. Nutrition labeling

The total quantity of the specific nutrients or other components, which provide the characterizing feature for the special dietary use of the food shall be declared.

d. Date marking and storage

Storage instructions of opened packages of a food for special dietary uses shall be included on the label. A warning shall be included on the label if the food is not to be stored after opening.

6. Optional labeling

Any optional information or pictorial device, which is written, printed or presented as graphic material, must be displayed on the product label but must not conflict with other labeling requirements.

- 7. Presentation of labeling information
- a. General

Labels must be applied in such a manner as not to become separated from the container. All required labeling information shall be clear, prominent, indelible and readily legible under normal conditions of purchase and use.

b. Language

Products may be labeled as "special dietary", "special dietetic" or an appropriate equivalent term where the product corresponds to the definition of a food for special dietary use. In such cases, the characterizing feature and not the condition for which the food is intended, shall be appropriately stated.

8. Nutrition labeling

Nutrient declarations are voluntary unless a health claim is made for a food, in which case it is required. In such cases, the following information must be included in the nutrient declaration:

- a. energy value
- b. the amounts of protein, available carbohydrate such as carbohydrate excluding dietary fiber, fat, saturated fat and total sugars;

- c. the amount of any other nutrient for which a nutrition claim is made; and
- d. the amount of any other nutrient considered relevant for maintaining a good nutritional status, as determined by the national competent authority.

Information on sugars, dietary fiber, saturated and trans fatty acids and sodium should be included, where these are declared. Where a claim is made regarding the amount and or type of fatty acids or cholesterol, the amounts of saturated fatty acids or cholesterol and of polyunsaturated and trans-fatty acids shall be declared. Vitamins and minerals for which recommended intakes have been established, and or which are declared to be of nutritional importance by the national competent authority, shall be declared.

9. Claims

Prohibited claims include those that:

- a. claim a food will provide an adequate source of all essential nutrients, except as permitted by a national or regional competent authority or an appropriate international scientific consensus exists to substantiate such claim;
- b. claim a balanced diet cannot supply adequate amounts of all nutrients;
- c. cannot be substantiated;
- d. claim suitability of a food for use in the prevention, alleviation, treatment or cure of a disease, disorder or particular physiological condition, unless specifically permitted by the national and, where applicable, regional competent authority;
- e. could lead to doubt about the safety of similar foods or which could cause fear in the consumer; and
- f. are potentially misleading.

In terms of nutrient content claims, foods which are by nature low in, or free of, the nutrient that is the subject of the claim, the term describing the level of the nutrient shall immediately precede the name of the food and be in the form "a low (naming the nutrient) food" or "a (naming the nutrient)-free food."

Health claims require the approval of the national and, where applicable, regional competent authority. Health claims shall be based on scientific substantiation that validates the claim.

Section III. Packaging and Container Regulations:

In 2021 Guyana's Environmental Protection Agency (EPA) was set to ban the importation, manufacture, sale and use of single-use plastic (bags, plates, cups, utensils, etc.) and Styrofoam. However, the ban was delayed in favor of developing a long-term strategy aimed at dealing more comprehensively with waste. The EPA has begun public consultations with stakeholders in an effort to craft such strategy.

Section IV. Food Additives Regulations:

Guyana does not have a positive list of accepted food additives, or a negative list of prohibited food additives specified in its regulations. As a general rule, Guyana relies on the General Standards of Food Additives of Codex Alimentarius (a positive list of additives permitted for use in foodstuffs) as guidance.

Food additives (including those which have been carried over into a food through the use of raw materials or ingredients in which the additive was present), must be included in the list of ingredients of the food label if the resulting level of concentration is such that the additive performs a technological function in the food. For more detailed information on food additive labeling requirements, U.S. suppliers may refer to the CRS 5:2010 Second Revision, which can be obtained from CROSQ (contact information provided in Appendix I). For further information on food additives, including the process to apply for approval of food additives, U.S. suppliers should contact the GAFDD. Contact information is also provided in Appendix I.

Section V. Pesticides and Other Contaminants:

The management of chemicals in Guyana is governed by the Pesticides and Toxic Chemicals Control Act 2000 (No.13 of 2000) as amended by the Pesticides and Toxic Chemicals (Amendment) Act 2007 (No. 13 of 2007). This legislation provides for the establishment of the Pesticides and Toxic Chemicals Control Board (PTCCB), a semi-autonomous agency within the Ministry of Agriculture, comprised of representatives from the Ministry of Agriculture, Ministry of Health, Environmental Protection Agency and other representatives from the private sector and non-governmental organizations.

The Pesticides and Toxic Chemicals Control Regulations 2004 (No. 8 of 2004) outline the management process for pesticides and toxic chemicals in Guyana. In keeping with these regulations, the PTCCB is responsible the control of the manufacture, importation, transport, storage, sale, use and advertising of pesticides and toxic chemicals in Guyana. Such hazardous substances are required to be classified and registered with the PTCCB.

Where a pesticide is proposed for use on food or feed crops, applicants must determine whether pesticide residues including residues of any active ingredient, inert ingredient, metabolic or degradation product, are within Maximum Residual Limits (MRLs) established under the Food and Drugs Act or the Plant Protection Act. For more information on MRLs, contact the PTCCB (contact information provided in Appendix I).

Lists of registered, restricted, and prohibited chemicals, and chemicals for which registration is pending is available on the PTCCB website. A link to the lists is provided in Appendix III. For more information on the subject, U.S. suppliers may contact the PTCCB. See Appendix I for contact information.

Section VI. Other Requirements, Regulations and Registration Measures:

Importers of food products (not U.S. suppliers) must register as such with GAFDD, However, neither sanitary product registration, laboratory testing, special certification, nor pre-market approval is required to import foodstuffs into Guyana. As mentioned earlier, enforcement of labeling and other requirements is carried out mostly at the port of entry, but routine and random checks at the retail and wholesale levels are also conducted. To avoid any costly import difficulties, it is *recommended* that U.S. suppliers check with the GAFDD and with the GNBS, either directly or through their importers, for import requirements and labeling compliance of any new-to-market items prior to importation.

Imports of meat and poultry, dairy, eggs, animal products, live animals, and plant products require the importer to obtain an import permit from either GLDA or the NPPO. Imports of these products also require a sanitary export certificate from the country of origin. See the 2023 Guyana FAIRS Export Certificate Report for more details. More information on certification requirements may also be obtained by contacting the GAFDD, GLDA or the NPPO, respectively. See Appendix I for contact information.

Section VII. Other Specific Standards/Laws:

Imports of virtually all food and beverage products are covered by the legislation and regulations mentioned in Section I. Certain specific standards may apply to certain products. Therefore, U.S. suppliers are best advised to verify with the appropriate regulatory authority. Contact information for all relevant regulatory agencies is provided in Appendix I.

Section VIII. Trademarks, Brand Names and Intellectual Property Rights:

The laws governing Guyana's Intellectual Property Rights, the 1956 Copyright Act and the 1973 Trademark Act and Patents and Design Act, are quite dated. However, some amendments contained in the 2005 Geographic Indication Act, the 2006 Competition and Fair-Trading Act, the 2000 Business Names Registration Act, and the 1999 Deeds Registry Authority Act have offered additional intellectual property protection. Guyana joined the World Intellectual Property Organization (WIPO) and acceded to the Berne and Paris Conventions in 1994. Guyana has not ratified a bilateral intellectual property rights agreement with the United States.

The Deeds and Commercial Registry Authority, a dependency of the Ministry of Legal Affairs, is the agency responsible for registration and maintenance of public records relating to trademarks.

Trademark registration is voluntary in Guyana but highly recommended. A trademark can be registered by the owner of the trademark or through a trademark agent (see Appendix III for a list of trademark agents). The registration process involves submitting a trademark application which consists of:

- A. an application form (available through the Commercial Registry website listed in Appendix I);
- B. representation of the trademark/logo; and in the case that a trademark agent is used; and
- C. authorization by trademark owner to the trademark agent to conduct the registration. The fee for registration or renewal of a trademark is GYD 200 (approximately USD 0.95).

A complete listing of fees is available on the Commercial Registry website listed in Appendix I. If and when approved, the trademark is published in the Official Gazette, the government's official diary. A certificate of registration is the final step in the registration process, which according to the Registry can take up to three months after all requirements have been satisfied. The validity of a trademark registration from the filing date is seven years, and it can be renewed for a further 14-year period by paying a renewal fee.

Section IX. Import Procedures:

The import clearance process for foods is fairly straightforward and non-restrictive. Use of a seasoned customs broker/agent is key to ensuring an adequate flow through the system. Contact information for the Guyana Revenue Authority (GRA) is provided in Appendix I and a list of registered customs brokers can be found in the link provided in Appendix III.

- A. Documentation Requirements:
- 1. Commercial Invoice
- 2. Bill of Lading or Air Waybill
- 3. Health Certificate (for red meats and poultry)
- 4. Phytosanitary Certificate (for plant and plant products)
- 5. Zoosanitary Certificate (for animal products)
- 6. Certificate of Free Sale (for processed food and beverage products)
- 7. Certificate of Analysis (for processed food and beverage products)
- B. Restricted Items:
- 1. Spirits (not being liqueurs, cordials, perfumed spirits or medical spirits) and wine, unless specifically reported as such, and unless in aircraft, or in ships of twenty-seven decimal three zero (27.30) tons burden at least, and in casks and other vessels capable of containing liquids, each of such casks or other vessels being of the size of content of forty one (41) liters at the least or unless in glass or stone bottle containing not less than forty one (41) liters;
- 2. Tobacco, cigars, cigarettes, unless specifically reported as such and unless in aircraft, or in ships of ninety decimal one zero (90.10) tons burden at least, and unless in whole and complete packages each containing not less than nine decimal one zero (9.10) kilogram net weight of tobacco, cigars, cigarillos and cigarettes may be imported through the parcel post in quantities not less than nine decimal one zero (9.10) kilogram net weight;
- 3. Tobacco extracts, essences or other concentrations of tobacco, or any admixture thereof, tobacco stalks and tobacco stalk flour except under such conditions as the Commissioner General with the approval of the Minister, may either generally or in any particular case allow.
- C. Prohibited Items:
- 1. Articles of food intended for human consumption declared by the Competent Authority to be unfit for such purposes;
- 2. Infected cattle, sheep or other animals, or carcasses thereof, and hides, skins, horns, hoofs or any other part of cattle or other animals which may be prohibited in order to prevent the introduction or spread of any communicable disease.

In addition to the import documentation listed above, certain agricultural products are subject to import licensing by the Department of Commerce. Licensing requires an instrument of endorsement from the relevant trade regulatory agencies. The table below specifies the products subject to import licenses, the relevant regulatory authority, and the instrument of endorsement.

Product	Agency	Instrument
Poultry Feed, Rice Bran, Rice Chips, Rice Dust, Rice Stock Feed, Wheat Bran, Wheat	Ministry of Agriculture	Endorsement
Middlings, Wheat and Rice		
Feathers prepared, Ornamental	Ministry of Agriculture	Endorsement, Veterinary
Feathers and other articles with feathers		Health Certificate
Oils, Fats – for example cooking oil, lard etc.	Government Analyst Department	Endorsement
Fresh, Chilled and Frozen Meat etc.	Ministry of Agriculture (GLDA), Ministry of Health (Veterinary Public Health Unit)	Endorsement
Live Plants and parts, Cut flowers, fresh and dried fruits, vegetables etc.	Ministry of Agriculture	Endorsement
Wheat or Meslin Flour etc.	Ministry of Agriculture, Government Analyst Department	Endorsement
Sugar	Government Analyst Department, Guyana Sugar Corporation	Endorsement, a letter stating that there is no obligation to the importer of sugar
Rice	Ministry of Agriculture	Endorsement

U.S. suppliers are urged to have the importing party ascertain whether any license may be required prior to shipping any products. An import license should be secured before product is imported. For more information on the subject, U.S. suppliers may inquire with the Department of Commerce (contact information provided in Appendix I).

Section X: Trade Facilitation

Guyana is a signatory to the WTO Agreement to Technical Barriers to Trade (TBT), and in 2015 accepted the WTO Trade Facilitation Agreement. In 2019 Guyana implemented the Automated System for Customs Data (ASYCUDA) World, a fully automated customs management system which aims to streamline manifests, customs declarations, and other procedures to improve customs efficiency and facilitate trade.

In order to prioritize the processing and clearance of food consignments, in 2020 the GRA in partnership with the GAFDD developed streamlined requirements for food imports as follows:

A. Importers of commercial food items (and drugs) being monitored by the GAFDD are required to present the original and copy of the Free Sale Certificate (and any other document requested) to the GAFDD before the arrival of the goods.

- B. The GAFDD will stamp both original and copy and return the copy to the importer or broker to upload as an attached document in ASYCUDA World.
- C. When the e-SAD (Electronic Single Administrative Document) is being processed and the copy is verified by the representative of the GAFDD, the release is done either immediately or within the space of one day (or half day).

GRA also facilitates the release of samples using controlled procedures as requested by the GA-FDD. These releases are done in the presence of the importers.

Appendix I. Government Regulatory Key Agency Contacts: FOR GENERAL FOOD IMPORT REQUIREMENTS, CONTACT:

Government Analyst – Food and Drug Department Ministry of Health IAST Compound University of Guyana, Turkeyen Campus Turkeyen, Guyana T: +(592) 222-8856 to 61, 222-8934 E: gafdd.inspectorate@gmail.com W: https://www.facebook.com/FOODANDDRUGMOH

FOR GENERAL FOOD LABELING REQUIREMENTS AND OTHER RELATED STANDARDS, CONTACT:

Guyana National Bureau of Standards Ministry of Tourism, Industry and Commerce Flat 15 Exhibition Site Sophia Greater Georgetown, Guyana T: +(592) 219-0062 / 64 / 66 Ext 233 Whatsapp: +(592) 692 (GNBS) 4627 E: <u>info@gnbsgy.org</u>; <u>standards@gnbsgy.org</u> W: https://gnbsgy.org/

FOR CARICOM REGIONAL STANDARDS, CONTACT:

Caricom Regional Organization for Standards and Quality (CROSQ) 2nd Floor Baobab Towers, Warrens St. Michael, Barbados T: +1(246) 622-7670 / 77 E: crosq.caricom@crosq.org W: https://website.crosq.org/

FOR IMPORT REQUIREMENTS OF ANIMALS AND PRODUCTS OF ANIMAL ORIGIN, CONTACT:

Veterinary Services<u>mailto:</u> Guyana Livestock Development Authority (GLDA) Mon Repos. ECD, Agriculture Road Anna Regina, Guyana T: + (592) 220-6556, 57 E: <u>glda1910@gmail.com</u> W: <u>https://agriculture.gov.gy/glda/;</u> https://www.facebook.com/Guyana.Livestock.Development.Authority.2015/

FOR IMPORT REQUIREMENTS OF PLANT AND PLANT PRODUCTS, CONTACT:

National Plant Protection Organization (NPPO) National Agricultural Research and Extension Institute (NAREI) Agriculture Road, Mon Repos East Coast Demerara, Guyana T: + (592) 220-5581, 220-5879 E: nppogy@gmail.co-m

FOR PESTICIDE AND CONTAMINANT ISSUES, CONTACT:

Pesticides and Toxic Chemicals Control Board NAREI Compound Mon Repos, East Coast Demerara Guyana T: (592)-220-8838/8880. F: (592)-220-8933 E: ptccb@guyana.net.gy W: www.ptccb.org.gy

FOR IMPORT LICENSING ISSUES, CONTACT:

Department of Commerce (Licensing Section) Ministry of Tourism, Industry and Commerce 229 South Road, Lacytown Georgetown, Guyana T: + (592) 225-2280, 225-6011

W: https://mintic.gov.gy/agency/department-of-commerce/

FOR CUSTOMS PROCEDURES AND DUTIES, CONTACT:

Guyana Revenue Authority 200-201 Camp Street Georgetown, Guyana T: + (592) 227-6060, 227-8222 E: <u>publicrelations@gra.gov.gy</u> W: <u>https://www.gra.gov.gy/business/customs-and-trade/</u>

FOR TRADEMARK, BRAND NAMES, AND INTELLECTUAL PROPERTY RIGHTS, CONTACT:

Commercial Registry Department Deeds and Commercial Registry Authority Ministry of Legal Affairs Lot 1 High and Commerce Streets Georgetown, Guyana T: + (592) 225-4358, 225-4374, 225-4322 E: <u>commercialregistry@dcra.gov.gy</u>; <u>commerce.registrar@dcra.gov.gy</u>; <u>commercial.registry15@gmail.com</u> W: <u>https://dcra.gov.gy/</u>

Appendix II. Other Import Specialist Contacts:

Caribbean Basin Agricultural Trade Office (CBATO) Foreign Agricultural Service U.S. Department of Agriculture 909 SE 1st Avenue, Suite 720 Miami, FL 33131 Tel: (305) 536-5300 E-mail: atocaribbeanbasin@usda.gov

Appendix III. Useful Websites/Links

Revised Common External Tariff of the Caribbean Community based on the 2017 Edition of the Harmonized Commodity Description and Coding System (HS) <u>https://www.gra.gov.gy/hs-2017-harmonized-system-hs/</u>

List of Registered Customs Brokers: https://www.gra.gov.gy/business/customs-and-trade/brokers/registered-brokers/ List of Trademark Agents: https://dcra.gov.gy/listing-of-trademark-agents/

Attachments:

No Attachments