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Venezuela

Food and Agricultural Import Regulations and Standards - Certification

FAIRS Export Certificate Report

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Report Highlights:

This report identifies the different export certification requirements currently in place by product. The Government of the Bolivarian Republic of Venezuela (GBRV) is responsible, through its different Ministries, for issuing import permits, import licenses and conducting processed food product registrations. Post updates only minor changes in this report.

DISCLAIMER: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Caracas, Venezuela. While every possible care was 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 were 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 PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Section I. List of All Export Certificates Required By Government:

This report is intended for U.S. exporters and focuses on documentation required for products entering Venezuela.

Summary:

According to current animal and plant health and food safety standards and regulations, the GBRV requires three basic import certificates/documents depending on the product to be imported. These documents are sanitary and/or phytosanitary health certificates and food health certificates from the country of origin (certificate of free sale in the case of the United States). The Venezuelan importer is responsible for submitting these documents to the appropriate customs and government authorities when a shipment arrives at the port of entry. Failure to present the required documents will lead to delays in releasing the shipment for nationalization/entry into Venezuela and in some cases rejection of the shipment altogether. There were no changes to Venezuelan regulations for export certification in the past year, but exporters should be aware that obtaining the necessary import permits and import approvals for Venezuelan buyers have become more tedious and complicated, especially regarding requests for foreign exchange, specifically U.S. dollars.

Imports of food and agricultural products are subject to a list of import requirements provided in the Venezuelan Harmonized Tariff Schedule (in Spanish: *Arancel de Aduanas*), by a product's tariff schedule (in Spanish: *regimen legal*). These requirements include among others, sanitary import permits, import licenses, and product registration certification.

There are multiple government Ministries responsible for the issuance of the required import documents. The Ministry of Agriculture and Lands (MAT) issues animal and plant health import permits, the Ministry of Food (MINAL) issues import licenses based on need for imports, and the Ministry of Health (MINSALUD) issues food registration certification for all domestic and imported processed food products. Food products not registered in the country of origin cannot be registered in Venezuela. The import permit outlines which export certificates are needed and what they should say. In addition to the import permits and licenses, Venezuelan importers must also submit a report contesting to the need for imports, for which the government will provide a certificate of no-production. Then, the importer must request from the Venezuelan government U.S. dollars at the official exchange rate in coordination with the Venezuelan National Center for Foreign Trade (CENCOEX). The process from the time the no-production certificate is requested to the time the exporter receives payment, takes on average 4-5 months for products eligible for preferential

processing. It can take up to nine months or longer if the product is not on the preferential product list. The table below shows the required export certificate by product type.

U.S. Export Certificates Required by Product Categories

Product(s)	Title of Certificate	Attestation Required on Certificate	Purpose	Requesting Ministry
All Processed foods and beverages	Country of Origin and/or Free Sale Certificate	The products exported are produced and marketed in the United States in general conformity with US requirements	Food safety/ Fulfill health requirements according to local sanitary authorities.	MINSALUD and INSAI (Ministry of Health and Ministry of Agriculture)
Plants and plant products	Phytosanitary Export Certificate	Fulfill health requirements according to import permit and sanitary inspection.	Plant health and food safety	INSAI (regulatory agency of the Ministry of Agriculture)
Animals and animal products	Health Certificate/ Sanitary Certificate	Fulfill health requirements according to import permit and sanitary inspection.	Animal health and food safety	INSAI (regulatory agency of the Ministry of Agriculture)
Meat Products	Meat Inspection Certificate	Export Certificate of Wholesomeness for meat	Food safety/ Animal Health Protection	MINSALUD and INSAI (Ministry of Health and Ministry of Agriculture)

Animal Products and Unprocessed Plant Products

The MAT National Institute of Integral Agriculture and Animal Health (Spanish acronym: INSAI) is the primary animal and plant health regulatory agency within the GBRV and is responsible for quality control and inspection of everything related to the manufacture, processing, importation, exportation, storage, distribution, and marketing of food, biological products, medications and animal feed, as well as for the laboratories that control the quality of these products. INSAI has responsibilities equivalent to those of the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) and the Food Safety Inspection Service (FSIS), as well as the U.S. Food and Drug Administration.

INSAI is in charge of issuing sanitary/phytosanitary (SPS) import permits for products and sub-products of plant or animal origin, and animals and plant breeding material. The following guidelines are provided by INSAI:

- Prior to importing animal products and/or unprocessed plant products, importers should request and obtain a sanitary health import permit from INSAI;
- Required SPS statements (treatment and other conditions) for each type of product are decided by INSAI on a case-by-case basis;
- Required SPS statements are written on the import permit issued by INSAI;
- The “remarks” section of the export documentation on the APHIS or FSIS letterhead certificate should include the required SPS statements requested in the import permit, and should be written in both English and Spanish;

- An APHIS veterinarian or equivalent FSIS official must sign the export certificate;
- No product should be loaded in a vessel before the import permit is received and the sanitary statements required are written and verified on the USDA export certificate;
- INSAI's import permits have a non-renewable period of validity of between 60 and 90 days, depending on the product;
- Sanitary import permits are issued for animal products and livestock-farming inputs (valid for 60 days);
- Phytosanitary import permits are issued for plant products (valid for 90 days).
- Import permits are only valid for one shipment;
- Every shipment must be accompanied by an import permit and its corresponding APHIS or FSIS export certificate.

Processed Animal Products

An FSIS certificate must accompany each shipment of meat and poultry and/or products. Below are the certificate requirements of the GBRV currently included in the FSIS export library. Venezuelan importers are required to have an import permit before importing meat and poultry products. All FSIS inspected meat and poultry plants are eligible to export to Venezuela.

Eligible/Ineligible Products:

A. Eligible:

1. Pork;
2. Cooked poultry products;
3. Natural pork casings.

B. Ineligible:

1. Ruminant meat and ruminant meat products.

Plants Eligible to Export:

All U.S. government inspected meat and poultry plants are eligible to export to Venezuela.

Information on documentation requirements at:

<http://www.fsis.usda.gov/wps/portal/fsis/topics/international-affairs/exporting-products/export-library-requirements-by-country/Venezuela>

3. Processed Food Products

All domestic and imported processed food products must be registered with MINSALUD before commercialization in Venezuela. With the exception of special cases, determined ad hoc by MINSALUD, such as GBRV sales to the military, all new-to-market foreign food products must be submitted for registration before being imported. MINSALUD, through its Sanitary Health Service (in Spanish: *Servicio Autónomo de Contraloría Sanitaria*) and the Directorate for Food Safety and Inspection (in Spanish: *Dirección de Inocuidad e Inspección de Alimentos y Bebidas Alcohólicas*), enforces food safety standards and regulations.

The registration of processed food products is valid for five years. After five years, a new application

should be made to MINSALUD for renewing the registration. (Note: although Venezuelan law does not prohibit foreign exporters registering food products, a local consultant or agent may prove to be an efficient resource to complete the food registration process.) There are no exporter documents required to prove or certify that a product is registered with MINSALUD.

Required documents for Registering Imported Food Products in Venezuela:

Fulfilling the following procedures and requirements is the responsibility of the importer. However, to best comply with product registration requirements, the exporter may have to provide documents or assist in obtaining documents and certifications from the manufacturer.

1. Form from the “Sistema Automatizado Para Registro De Productos: Alimentos Y Bebidas” (SIACS) at <http://190.205.57.254/siacs/> and attach a duty stamp.
2. Certificate of Free Sale issued by the competent authorities of the country of origin. This should be apostilled or sealed by a Public Notary in the country of origin.
3. Physicochemical and microbiological analyses of the product made in Venezuela, as specified by the Venezuelan COVENIN norms. The food products listed below should be sent for laboratory testing at the MINSALUD Rafael Rangel National Hygiene Institute (in Spanish: *Instituto Nacional de Higiene Rafael Rangel*).

meat products and their derivatives	wheat flour	food products that declare nutrition properties
fish products	corn flour	special dietary products
dairy products (except ice-cream)	food supplements, vitamins and minerals	infant formula
poultry products and their derivatives	dietary supplements	natural food products
liquors	fortified foods	

Products not included in this list can be tested at private laboratories officially sanctioned by the National Autonomous Standardization, Quality, Metrology and Technical Regulations Service (Spanish acronym: SENCAMER).

4. Notarized Power of Attorney from the Manufacturer to the Importer.
5. Authorization from the Importer to the representative or advisor to do the Sanitary Registration (Notarized Power of Attorney).
6. One (1) Original Label of the product as it is sold in the country of origin.
7. For the representative sample, only images will be submitted in all views: side, front and rear.

In order to register a product, all documents issued abroad must be authenticated by the Venezuelan Consular officials accredited in the country of origin and are valid for one (1) year, counted from the

date of issuance, and if written in a language other than Spanish, must be translated into Spanish by a certified interpreter.

Certificate of Free Sale

Venezuela requires a “sanitary/health export certificate” for processed or semi-processed food products issued by competent authorities in the country of origin. The certificate must state that the food is for human consumption, processing, or for use as an input in food for human consumption in the country of origin, with a period of validity of 12 months from the date of application.

Since the Venezuelan Harmonized Tariff Schedule does not mention “Certificates of Free Sale,” rather “Sanitary Export Certificates” (in Spanish: *Permiso Sanitario de Exportación*), the Venezuelan customs authorities are more strict with these documents. Venezuela does not accept sanitary/health export certificates issued by local or state authority. Product must be accompanied by documentation supported by FDA and/or USDA depending on the product. The Certificate of Free Sale issued by competent authorities in the country of origin must always be “apostilled” or stamped by a Public Notary as per The Hague Convention on Foreign Public Documents.

In the case that the Certificate of Free Sale does not satisfy the certification requirements of the Venezuelan National Integrated Tax Administration Service (Spanish acronym: SENIAT), customs officials may ask for additional information or testing. In this case, after a technical evaluation, the Venezuelan authorities will decide whether or not to accept the Certificate of Free Sale.

Sometimes there may be situations where customs officials may not accept certain semi-processed and processed food products that are normally exempt from sanitary certificates issued by third countries. In these cases, it is necessary to obtain an explanatory letter from a competent authority stating that the said product was processed or manufactured to the extent that there is negligible risk of harboring quarantine plant pests or some sanitary public health concern. More information on import documentation and requirements can be found at: <http://www.inhrr.gob.ve/>, or contact the Ministry of Health’s Rafael Rangel National Hygiene Institute (in Spanish: *Instituto Nacional de Higiene Rafael Rangel*) (see Appendix I below for contact details).

4. Wood Packing Material

All wood packaging materials arriving into Venezuela must carry the agreed international seals certifying that the wood has been treated as recommended by the International Plant Protection Convention’s Guidelines for Regulating Wood Packaging Material in International Trade, effective August 1, 2005.

Section II. Purpose of Specific Export Certificate(s)

1. Country of Origin/Free Sale Certificate

The MINSALUD requires a health certificate from the country of origin (in Spanish: *Certificado Sanitario del País de Origen*) to ensure that the food or beverage imported into Venezuela is also commercialized in the country of origin. In other countries they are also known by other names, such as

Certificate of Free Sale.

2. Phytosanitary Health Certificate

The MAT requires a Phytosanitary Certificate (in Spanish: *Certificado Fitosanitario*) to ensure that import requirements mitigate the risks of plant pest and diseases entering Venezuela. Certificates must be issued by a relevant competent authority of the exporting country.

3. Sanitary Certificate

INSAI requires a Sanitary Certificate (in Spanish: *Permiso Sanitario de Importación*) to prevent the importation of animals, or their by-products, with sanitary problems in order to protect domestic animal health and to ensure food safety. The sanitary certificate, provided by the competent sanitary authority of the exporting country, must comply with local import requirements.

Section III. Specific Attestations Required on Export Certificate(s)

Specific SPS statements (treatment and other conditions) are required for each type of product and are determined by INSAI's authorities on a case-by-case basis. Such SPS statements are provided by INSAI authorities when an application for an import permit is submitted by an importer.

Section IV. Government Certificate's Legal Entry Requirements

- Original SPS certificates from the country of origin need to accompany the product at the time of entry.
- SPS certificates from the country of origin are only accepted for one shipment and one specified port of entry.
- The Venezuelan Government does not accept "Suppliers or Manufacturers Export Declaration" as proof of compliance.
- For processed food products no specific certificate from the exporting country is required at the time of entering Venezuelan ports, if the product has been already registered within MINSALUD.
- The Venezuelan Government does not accept sanitary export certificates by U.S. state or local authorities.

Section V. Other Certification/Accreditation Requirements

The Venezuelan Government provides information about import requirements through its Harmonized Tariff Schedule. The "Legal Regime" varies from product to product. The following table lists the different import requirements:

Import Requirements

Legal Regime	Description
Note 1	Prohibited Import
Note 2	Imports reserved to the Government
Note 3	Permit from the Ministry of Health
Note 4	Permit from the Ministry of Science, Technology & Innovation

Note 5	Sanitary Certificate from the Country of Origin
Note 6	Sanitary Permit from the Ministry of Agriculture and Lands
Note 7	Permit from the Ministry of Defense
Note 8	Import License administered through the Ministry of Food
Note 9	Import License administered through the Ministry of Commerce
Note 10	Permit from the Ministry for the Environment
Note 11	Permit from the Ministry of Petroleum and Mining
Note 12	Sanitary Registry issued by the Ministry of Health
Note 13	Sanitary Registry issued by the Ministry of Agriculture and Lands
Note 14	Permit from the Ministry of Food
Note 15	Permit from the Ministry of Industries
Note 16	Import License administered by the Ministry of Science, Technology & Innovation
Note 17	Permit from the Ministry of Electric Power

Source: SENIAT/ Extraordinary Official Gazette No. 6.097 March 25, 2013

Import Licenses for Basic Agricultural Products

Under its World Trade Organization (WTO) commitments, Venezuela is entitled to administer tariff rate quotas for up to 62 HS code headings. The tariff rate quotas are administered through an import license regime. MINAL is responsible for issuing import licenses, but approval is subject to the concurrence of an inter-ministerial commission, which consists of the following ministries: Ministry of Finance, Ministry of Commerce (MINCOMERCIO), MAT, MINAL, and MINSALUD.

The latest guidelines and requirements for applying for an import license were published in the Official Gazette No. 38,452 from June 06, 2006, although the GBRV has made more recent changes.

The validity of import licenses for a certain group of food products considered essential, defined by the government, is valid for six-month to one-year periods. Products that benefit from an extended import license are milk and cream, cheese, sorghum, soybean oil, palm oil, and coconut oil. Import licenses are valid for three to four months, for non-essential products.

The basic guidelines are:

- Import licenses are valid for four, six or twelve month periods, and can only be renewed if, after expiration, they have not been used for reasons outside the importer's control;
- When applying for a license, local importers are required to submit a monthly list of actual imports, sharing information on volumes and values, together with the invoice of the most recent import and the volume and value of the merchandise in question;
- The importer must indicate the amount of the allocated quota that remains unused;
- Local importers are required to obtain a certificate that the import in question is not domestically produced (in Spanish: *Certificado de NO-Producción*) and/or a certificate indicating that the import is a product that is not sufficiently produced domestically (in Spanish: *Certificado de Insuficiencia*) from MINCOMERCIO, prior to obtaining import licenses.

List of products that are subject to import licenses

Yellow corn	Sorghum
Soya beans	Palm nuts and kernels
Soya bean oil	Other oils
Palm oil	Sunflower seed oil
Coconut oil	Other vegetable fats and oils
Soya bean cake	Animal and vegetable fats
Degras, yellow grease	Milk and cream, not concentrated
Milk in powder, not exceeding 1.5% fat	Whole milk 26%
Cheese	Sugar cane

Source: SENIAT – Venezuelan HS Schedule / Note 2.

For those products where the licensing system has not yet been implemented such as beef, pork and poultry, the GBRV restricts the issuance of SPS permits.

APPENDIX I

A. Services and Agencies under MINSALUD

Sanitary Health Service (in Spanish: *Servicio Autónomo de Contraloría Sanitaria*)

Dirección de Higiene de

Edificio Sur, Piso 3, Of. 313

Centro Simón Bolívar, Caracas

Tel: (58-212) 408-0502 / 408-0474 / 408-0482

Fax: (58-212) 483-1533

Web-page: <http://www.sacs.gob.ve/site/>

Rafael Rangel National Hygiene Institute (in Spanish: *Instituto Nacional de Higiene Rafael Rangel*)

Gerencia de Control y Registro de Alimentos

Ciudad Universitaria UCV, Los Chaguaramos, Caracas

Tel: (58-212) 219-1670 / 219-1663

Web-page: <http://www.inhrr.gob.ve/>

B. Services and Agencies under the MAT

Main Office

Av. Urdaneta, Esquina de Platanal a Candilito, Edificio MAT

La Candelaria

Caracas 1010, Venezuela

Tel: (58-212) 509-0188/0121/0111

Tel: (58-243) 672-6880

Fax: (58-212) 574-2432

Web-page: <http://www.mat.gob.ve>

INSAI

Av. Principal Las Delicias.

Edif. INIA MARACAY - EDO – ARAGUA

Caracas, Venezuela

Tel. (58-243) 242-8062

E-mail: direcciongeneral@insai.gob.ve, presidencia.nuevoinsai@insai.gob.ve

Web-page: <http://www.insai.gob.ve>

C. MINAL

Main Office

Av. Andrés Bello, Edif. Las Fundaciones

Caracas 1010, Venezuela

Tel: (58-212) 507-2649/ 507-2647 / 395-7474

E-mail: minpalexportaciones@minpal.gob.ve

Web-page: <http://www.minpal.gob.ve>

D. IMPORT LICENSES

MINAL issues import licenses (in Spanish: *Licencias de Importación*) to importers for basic agricultural products considered as essential by the GBRV. Under its WTO commitments, Venezuela is entitled to administer tariff rate quotas for up to 62 HS code headings. The tariff rate quotas are administered through an import license regime. Given Venezuela's critical food supply issues, it is not enforcing the TRQ agreement. Import licenses are valid for one year, and can only be renewed if, upon expiration, they have not *been* used for reasons outside the importer's control. The following is the list of products that are subject to import licenses:

List of Products that Require Import Licenses

HS CODE	PRODUCT
1005	Yellow corn
1007	Sorghum
1201	Soya beans
1207	Palm nuts and kernels
1507	Soya bean oil
1510	Other oils
1511	Palm oil
1512	Sunflower seed oil
1513	Coconut oil
1515	Other vegetable fats and oils
1518	Animal and vegetable fats
1522	Yellow grease
1701	Sugar cane
2304	Soya bean cake
0401	Milk and cream, not concentrated
0402.10	Milk in powder, not exceeding 1.5% fat
0402.21	Whole milk 26%
0406	Cheese

Source: Venezuelan HS Schedule

E. Contact Information USDA Office of Agricultural Affairs, U.S. Embassy-Caracas

Calle F c/c Suapure, Colinas de Valle Arriba

Caracas 1070, Venezuela

Tel: (58-212) 907-8333

Fax: (58-212) 907-8542

Email: AgCaracas@fas.usda.gov