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**Report Name:** Food and Agricultural Import Regulations and Standards  
Country Report

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**Report Highlights:**

As global food and agricultural trade continues to integrate, Nigeria has formulated structures, strategies, laws, and food control systems including regulatory authorities to enhance public health, food safety and international trade. The National Agency for Food and Drug Administration and Control (NAFDAC) plays key role in promoting science-based food standards. The international accreditation of the agency's two major laboratories in recent years has reasonably boosted its capacity to enforce Nigeria's food safety regulations. However, the Covid-19 pandemic highlighted vulnerabilities in Nigeria's food system.



## EXECUTIVE SUMMARY

Nigeria relies on imports to meet the country's food needs—making trade in food and agricultural products an important component of the country's food security strategy. Imports of food and agricultural products, which consist mostly of wheat, fish, brown sugar, food ingredients and consumer-oriented foods average \$8 billion annually.

Over the last 5 years, about 50 percent of Nigerian food and agricultural imports were from the EU. The U.S. exported an average of \$600 million (about 70 percent is wheat) to Nigeria. Nigeria's food and agricultural exports (mostly cocoa beans) to the U.S. reached only \$52 million in 2020. Despite huge potential, the country's low food and agricultural exports have attracted mostly negative media reports, such as inconsistencies in food safety standards. Nigeria's agricultural sector has been negatively impacted by several shocks - sporadic flooding, Boko Haram (BH) insurgencies, and conflicts between herdsman and local farmers. Meanwhile, the food processing sector continues to suffer from a lack of financing and infrastructure.

The global trade in food and agricultural products is becoming highly integrated. Recognizing the huge negative public health and economic impact of unsafe food, Nigeria has formulated structures, strategies, legislations and food control systems as well as assigned food safety roles to relevant bodies along the farm-to-table continuum to: a) safeguard public health by reducing food borne illnesses, b) protect consumers from unwholesome, contaminated, mislabeled or adulterated food and iii) promote economic development from increased domestic and international trade in safe food.

The National Food Safety Management Committee (NFSMC) was established in 2010. Additionally, the draft National Food Safety and Quality Bill and the Food Safety Institutional Reform were approved by the country's Federal Executive Council (FEC) in June 2018. When the draft becomes law, it will unify and strengthen Nigeria's legal and institutional framework for lowering cases of food-borne illnesses as well as make food and agricultural products from Nigeria acceptable on the international market. Nigeria's Bio-safety law was enacted in 2015 and the National Biosafety Management Agency (NBMA) was established to regulate genetically engineered (GE) food and agricultural products in Nigeria. Copyright and trademark laws also exist to address infringements and violations of intellectual property rights. To this end, in May 2021, the Government of Nigeria signed into law the Plant Variety Protection (PVP) Act. The new seed law gives breeders intellectual property rights over a new plant variety with exclusive rights to commercialize seeds and propagate material.

Goods destined for Nigeria's ports are inspected by the Nigerian Customs Service (NCS) at the point of entry (destination inspection). NCS also collects duties and levies for GON. The ECOWAS Common External Tariff (CET) reduced the country's tariff bands from twenty to five percent. Nigeria's central bank continues to apply a dual exchange rate policy comprising of the formal (lower) and informal (higher) rates of exchange for payment of import purchases. Fifty products, including essential food and agricultural products, are excluded from accessing foreign exchange through a lower rate forex source.

USDA/FAS office in Lagos Nigeria has a network of contacts for obtaining information regarding food and agricultural import regulations in Nigeria. Additionally, the US Government will continue to communicate and collaborate with the Government of Nigeria to ensure the safety of products that are involved in international trade. However, the COVID-19 pandemic highlighted structural flaws in Nigeria's food safety and food supply systems, which consist of complex web of interactions involving small scale farmers, food marketers, and processors.

## SECTION I. FOOD LAWS:

### Responsibilities for Regulating & Monitoring Food Standards & Practices

In Nigeria, the responsibilities for regulating and monitoring food safety standards and practices is shared among the following government (GON) organizations and agencies:

- Ministries: Federal Ministry of Health (FMoH), Federal Ministry of Agriculture & Rural Development (FMARD) and Federal Ministry of Industries, Trade, and Investments (MITI)
- Departments: Federal Department of Fisheries and Federal Department of Livestock
- Agencies: National Agency for Food and Drug Administration and Control (NAFDAC), Standards Organization of Nigeria (SON), Nigeria Agricultural Plant Quarantine Services (NAQS) and Federal Competition and Consumer Protection Commission (FCCPC).

### Laws Regulating and Monitoring Food Safety Standards and Practices

Laws enacted to regulate and monitor food safety standards and practices in Nigeria are as follows:

- Food and Drugs Act CAP F32, Law of Federation of Nigeria (LFN) 2004 (Cap 150) of 1990 as amended by Decree 21 of 1999 (formerly called Food and Drugs Decree 35 of 1974)
- The Animal Disease Control Decree 10 of 1988
- The Marketing of Breast Milk Substitutes Decree 41 of 1990 now CAP M5, LFN 2004
- NAFDAC Marketing of Infant & Young Children Food and other Designated Products (Registration, Sales, etc.) Regulations 2005
- Counterfeit and Fake Drugs and Unwholesome Processed Foods (Miscellaneous Provisions) Decree 25 of 1999, now CAP C34, LFN 2004
- The National Agency for Food and Drug Administration and Control (NAFDAC) Decree 15 of 1993 (as amended by Decree 19 of 1999), now CAP N1 LFN 2004
- Drugs and Related Products (Registration etc.) Decree 1993, now Food, Drugs and Related Products (Registration) CAP F33, LFN 2004
- Non-Nutritive sweeteners in drug products (Prohibition) Regulations 1996
- Pre-packaged Food (Labeling Regulations) 2005; Food Grade (Table or Cooking) salt regulations 2005; Pre-shipment Inspection of Exports Decree 1996
- Pre-shipment Inspection of Imports Decree 1996
- Consumer Protection Council Decree 66 of 1992; Inland Fisheries Decree 108 of 1992
- National Food Safety Management Committee (NFSMC) Bill, 2014 (proposed)—

[For further details, visit: <https://www.ajol.info/index.php/jsdlp/article/viewFile/176459/165846>;

### NAFDAC & Food Regulation Laws, Scope & Activities

**NAFDAC** (<https://www.nafdac.gov.ng/>) is the Government of Nigeria's (GON) main food safety authority - responsible for regulating and controlling the manufacturing, importing, exporting, advertising, selling, and distributing of food products in Nigeria. Established to protect public health, NAFDAC ensures that quality (safe, efficacious, and wholesome) food products from any source reach the market, and ultimately the consuming public in Nigeria. Its scope covers food, packaged water, drugs, cosmetics, medical devices, chemicals, and detergents (referred to as regulated products) consumed in Nigeria.

## NAFDAC'S Food Regulation Laws

Decree 15 of 1993 (as amended)—now Acts of Parliaments: CAP N1 LFN 2004, is the law that created NAFDAC. Please visit: <https://www.nafdac.gov.ng/about-nafdac/nafdac-laws/>, for other NAFDAC laws. Under the provisions of the GON laws and the accompanying guidelines, a NAFDAC registration is required for food items imported, manufactured, advertised, sold, or distributed in Nigeria.

The agency defines food as any "article manufactured, processed, packaged, sold or advertised for use as food or drink for human consumption, chewing gum and any other ingredient which may be mixed with food." Further details click: <https://www.nafdac.gov.ng/food/>; <https://www.nafdac.gov.ng/food/food-guidelines/>, and <https://www.nafdac.gov.ng/food/food-regulations/>, for food, food guidelines and food regulations, respectively.

## Scope of NAFDAC'S Food Regulation Activities

NAFDAC's food regulation activities cover:

- Licensing of food manufacturing premises
- Registration of food products and issuance of marketing authorization
- Importation and exportation of food
- Labeling of food products
- Advertisement of food products
- Inspection for GMP and GHP of food producing premises of foreign establishments whose products are to be imported into Nigeria
- Health control of Quick-service Restaurants
- Marketing of Breast milk substitutes, etc.

It also plays other important roles in Nigeria's food safety systems including:

- WTO (SPS) Enquiry Point (EP) in Nigeria. Visit: <http://spsims.wto.org/en/EnquiryPointsNotificationAuthorities/Search?CountryCode=C566>
- INFOSAN Focal Point
- WHO's – International Health Regulations (IHR)
- Member of the Nigerian delegation to Codex meetings
- Chair of the General Purposes Technical Committee of the National Codex Committee (NCC)
- NAFDAC is the designated Rapid Alert System for Food and Feed (RASFF) focal point in Nigeria and therefore relates with European union on Food matters
- Secretariat of Nigeria's National Food Safety Management Committee (NFSMC), etc.  
(For details, visit: <https://www.nafdac.gov.ng/>)

**Enforcement:** NAFDAC operates at the Federal and State levels along with the state government agencies. At the local government levels, there are primary healthcare agencies responsible for street food vending and traditional markets, although they refer to the agency for all cases that affect health. The main strategy employed by the Agency for enforcing Nigeria's food laws is product registration. Contravention of the provisions of existing food laws is subject to prosecution and punishment as specified in the regulation.

Currently, NAFDAC applies modern technological tools such as “Truscan”— a hand-held device, to detect counterfeit medicines on the spot—to fight counterfeiting. Through its Pilot Mobile Anti-Counterfeiting System (which uses text-messaging technology to put the power of detecting counterfeits in the hands of the consumers), this GON regulatory and enforcement body has also advanced efforts to educate consumers’ detection of counterfeit foods.

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

- Standards Organization of Nigeria (SON), National
- Drug Law Enforcement Agency (NDLEA), Pharmacists Council of Nigeria (PCN)
- Nigeria Police Force (NPF)
- Nigeria Custom Service (NCS)
- Federal Competition and Consumer Protection Commission [FCCPC (fccpc.gov.ng)]
- Pharmaceutical Manufacturers Group of Manufacturers Association of Nigeria (PMG-MAN)
- Association of Food Beverages and Tobacco Employers (AFBTE), etc.

[For details, visit:

[http://www.nafdac.gov.ng/index.php?option=com\\_content&view=article&id=46:nafdac-organisation](http://www.nafdac.gov.ng/index.php?option=com_content&view=article&id=46:nafdac-organisation)]

### **National Food Safety Management Committee (NFSMC)**

The committee addresses challenges within Nigeria’s Food Safety System such as:

- Overlap of functions
- Absence of working collaboration
- Co-ordination with poor communication among Nigeria’s food regulators
- The overwhelming product adulteration/faking
- Inadequate private sector and consumer associations’ participation, etc.

**The NFSMC** evolved since 2010 as follows:

- In 2010, USDA/FAS collaborated with NAFDAC on HACCP workshops in Lagos and Abuja.
- HACCP workshops led to the NFSMC initiative.
- USDA combined with donor organizations including FAO, UNDP, USAID and UNIDO, to establish the NFSMC, which guides food safety and quality control measures from farm to table.
- Composition of NFSMC – the committee is comprised of all sectors responsible for entire food chain in Nigeria.
- Nigeria passed the NFSMC bill into law in 2014 resulting in the formation of the implementation of the National Policy on Food Safety Implementation Strategy (NPFSIS) at the same time.
- NPFSIS document produced after five (5) years of consistent efforts by both local and international stakeholders (<http://www.health.gov.ng/doc/FoodSafetyPolicy.pdf>.)
- GON inaugurated 1) Inter-Ministerial Committee on Food Safety (IMCFS) and 2) National Food Safety Management Committee (NFSMC) on January 27, 2015.
- These five (5) GON ministries constitute the committee: 1) Federal Ministry of Health 2) Federal Ministry of Agriculture and Rural Development (FMARD) 3) Federal Ministry of Industries, Trade, and Investments (MITI) 4) Federal Ministry of the Environment, and 5) Federal Ministry of Science and Technology.

- NFSMC leadership revolves among the five ministries bi-annually and committee's interim secretariat domiciled in NAFDAC.
- Two committees to harmonize the country's food safety practices and post-inauguration meeting of key stakeholders were formed on January 28, 2015 (a day after inauguration). Additionally, a technical committee was also formed for managing and/or implementing the country's food safety system in line with global best practices.
- Aims were taken to strengthen Nigeria's food system and minimize the incidence of food-borne illnesses for food consumed within the country and make Nigeria's food exports acceptable on the international markets.
- The NFSMC validation workshop for Nigeria's Draft Food Safety bill organized by FAO and the Federal Ministry of Health in Abuja in June 2016—brought together representatives of major stakeholders in Nigeria's food safety management to review a draft of Nigeria's food safety bill.
- Stakeholders identified inadequate private sector participation as a major challenge and recommended a private sector Co-Chair in the NFSMC's technical committee —agreeing that private sector and consumer associations' participation is key to driving Nigeria's food safety system.

### **Food Safety and Quality Bill and the Food Safety Institutional Reform 2018**

The Federal Executive Council (FEC) approved a draft Food Safety and Quality Bill as well as the Food Safety Institutional Reform working document in June 2018.

- The formal approval of the two documents is expected to help Nigeria reduce the incidence of food-borne illnesses through preventive controls contained in the bill.
- Bill aims to strengthen institutional capacity for food safety and quality as well as improve information and communication systems for food safety in Nigeria.
- To help food and agricultural products from Nigeria face less rejection on the international market.
- Bill plans to bring together various GON agencies involved in food and agricultural value chains to form a higher-level "Food Safety Council" to be presided by Nigeria's Vice President.
- Bill provides for an inter-ministerial committee that will handle food management as well as food safety in the country. This will comprise of ministers drawn from the five relevant GON ministries (departments): health, agriculture, environment, science/technology, and industry/trade/investment.
- For details: <https://www.premiumtimesng.com/business/business-news/272293-fec-approves-bills-on-food-safety-tobacco-control.html>.

## SECTION II. LABELING REQUIREMENT (S)

### - Other Specific Labeling Requirement (s)

#### A. General Requirements

##### **Pre-Packaged Food, Water, and Ice Labelling Regulations 2018**

NAFDAC's Pre-Packaged Food, Water and Ice Labelling Regulations 2018 repealed the Pre-packaged Food (Labelling) Regulations 2005 and Bottled Water Labelling Regulations 1996. According to NAFDAC, the repeal of these regulations specified in "Regulation 26(1)" "shall" not affect anything done or purported to be done under the repealed regulations.

##### **Scope**

These regulations "shall" apply to the labeling of all pre-packaged food (including water and ice) manufactured, imported, exported, sold, distributed, or used in Nigeria.

##### **Prohibition**

No person "shall":

- Manufacture, import, export, distribute, advertise, display for sale, offer for sale, sell, or use a pre-packaged food unless it is labeled in accordance with the provisions of these Regulations.
- Manufacture, import, export, distribute, advertise, sell, or use of food whose:
  - Expiry date has lapsed
  - Expiry date or best before date has been obliterated or forged
  - Label has been altered, obliterated, or removed
  - Importers or manufacturers make advertisement claim(s) or professional association endorsement on a food product label unless authorized by the Agency.

The updated labeling requirements are found on the following website: [https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/FOOD\\_REGULATIONS/Pre-packaged-Food-Water-and-Ice-Labelling-Regulations-2019.pdf](https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/FOOD_REGULATIONS/Pre-packaged-Food-Water-and-Ice-Labelling-Regulations-2019.pdf)

#### B. Requirements Specific for Nutritional Labeling

##### **Nutrition Claims, or Permitted Health Claims**

Nutrition labeling is required only when nutrition claims or permitted health claims are made.

According to NAFDAC, "claims" mean any representation, which states, suggests, or implies that a food has qualities relating to its origin, nutritional properties, nature, processing, composition, or any other quality.

- NAFDAC requires the nutrient declaration in an acceptable nutrition information panel, for such pre-packed foods.
- The energy, protein, fat and carbohydrate, and other related contents of the food must be declared.
- Declaration of other nutrients is mandatory when such nutrients are the subject of a nutrition claim.

### **Labeling of Synthetic Color and Mixture of Colors in Food**

No person “shall” manufacture, import, export, distributes, advertise, display for sale, or sell synthetic color or a mixture of colors for use in food unless the label carries the-

- 1) Lot number of the mixture
- 2) Words “food grade color”, and
- 3) Common name of the individual colors (Synthetic or inorganic) in the mixture.

For details, please visit: [https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Guidelines/FOOD/Guidelines%20For%20Food%20Labelling\\_Labelling.pdf](https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Guidelines/FOOD/Guidelines%20For%20Food%20Labelling_Labelling.pdf)

## **SECTION III. PACKAGING & CONTAINER REGULATIONS**

**Organizations influencing food packaging and container regulations:** The following organizations influence food packaging and container regulations in Nigeria:

### **Standards Organization of Nigeria (SON)**

The Standards Organization of Nigeria (SON), an agency of Nigeria’s MITI, is responsible for setting standards on the composition, packaging, and container requirements of imported and locally manufactured foods.

- SON (<https://son.gov.ng/>) has formulated more than 100 standards on food and food products as well as numerous codes of hygienic practices for food and food products usually reviewed periodically.
- On the other hand, NAFDAC regulates, and controls imported and locally processed foods and bottled water.

### **Codex Alimentarius Commission (CAC)**

Nigeria is a member of the Codex Alimentarius Commission (CAC). The country established the National Codex Committee (NCC) in July 1973 (reconstituted in 2002) to provide necessary inputs into Codex activities geared to improving health, food safety and quality in Nigeria. The NCC ensures that Nigeria follows Codex Standards now recognized by WTO in settling trade disputes.

- NCC is responsible for harmonizing Nigeria’s positions to Codex meetings and guiding the country’s policies on food standards, safety, and international food trade issues.
- Membership of NCC, is drawn from GON ministries of Health, Agriculture and Rural Development, Industries/Trade/Investments, The Environment, Science and Technology and their relevant agencies such as NAFDAC, SON, etc.
- NCC secretariat resides in SON.

### **Packaging Sustainability Measures**

In January 2021, Nigeria officially joined the World Economic Forum’s Global Plastic Action Partnership (GPAP), which is a platform that works with governments, businesses, and civil society to translate plastic pollution commitments into concrete solutions. In 2018, Nigeria was estimated to have discharged around 200,000 tons of plastic waste into the ocean per year. Meanwhile, its annual plastics production is projected to grow to 523,000 tons by 2022.

Improper solid waste management of plastic is very common in towns and cities across the country. Challenges include minimal capacity and investment in waste collection and recycling, varying levels of awareness of sustainable practices among businesses and consumers, and the lack of innovative and alternative models supporting reduce and reuse.

Nigeria formulated its first National Policy on the Environment in 1991 with subsequent revisions. The National Policy on Environment includes a holistic framework to guide the management of the natural and environmental resources of the country. As a framework document, it prescribes sectoral and cross-sectoral strategic policy statements and actions for managing the country's resources sustainably.

Additionally, the National Policy on Solid Waste Management was developed to govern the waste sector. This National Policy on Plastic Waste Management derives its strength from these existing policies need to drive resources efficiency, and cleaner production practices – including key aspects of protecting the environment as stated in Section 20 of the Constitution of the Federal Republic of Nigeria 1999, which notes that the “State shall protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria”.

Please click the following for details <https://environment.gov.ng>

#### **Enquire about any changes to regulations and approach**

Oftentimes, SON and NAFDAC specifications and regulations are thorough and clear. However, FAS Lagos advises U.S. exporters and/or their local representatives to inquire about any changes to regulations and approach any issues on a case-by-case basis.

### **SECTION IV: FOOD ADDITIVE REGULATIONS**

#### **NAFDAC’s Food Additives Regulations 2019**

NAFDAC’s Food Additives Regulations 2019 repealed the Food Additives Regulations 2005. According to NAFDAC, “the repeal of these Regulations specified in Regulation 17(1) “shall” not affect anything done or purported to be done under the repealed Regulations”.

Some details of the 2019 regulations are as follows:

#### **Scope**

These Regulations “shall” apply to

- The labelling of food additives sold as such whether by retail or other than by retail, including sales to caterers and food manufacturer, and
- Food processing aids: any reference to food additives shall include food processing aids.

#### **Prohibition**

No person “shall” manufacture, import, export, distribute, advertise, display for sale, or use any food additives, except food additives set out in the prescribed standards

- Food additive “shall” be incorporated in the food in a quantity within the limits prescribed for such food and food additive according to national standards or Codex standards where applicable and as prescribed by the Agency

- Where the limit prescribed for a food additive in the Codex standard is stated to be “Good Manufacturing Practice”, the amount of the food additive added to a food in the manufacturing and processing “shall” not exceed the amount required to accomplish the purpose for which that additive is required in that food.

### **Food Additives**

Food additives not to be described or presented on any label or in any labeling:

- In a manner which is false, misleading or is likely to create an erroneous impression regarding its character in any respect
- By words, pictorials, or other devices, which refer to or are suggestive— directly or indirectly— of any other product with which such food additives might be confused, or in such a manner as to lead the purchaser or consumer to suppose that the food additive relates to or derived from such other product
- Food additives with a shelf life not exceeding 18 months “shall” carry the date of minimum durability using words such as ‘will keep at least until. . .’
- The words ‘for food use’ or a statement substantially similar thereto “shall” appear in a prominent position on the label.

Please click the following link for details: [https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/FOOD\\_REGULATIONS/Food-Additive-Regulations-2019.pdf](https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/FOOD_REGULATIONS/Food-Additive-Regulations-2019.pdf)

### **The Non-Nutritive Sweeteners in Food Products Regulations 2019**

The Non-Nutritive Sweeteners in Food Products Regulations 2019 repealed “The Non-nutritive sweeteners in Food Products Regulations 2005”. For details, please visit:

[https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/All\\_Regulations/Non-Nutritive-Sweeteners-in-Food-Products-Regulations-2019.pdf](https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/All_Regulations/Non-Nutritive-Sweeteners-in-Food-Products-Regulations-2019.pdf)

## **SECTION V: PESTICIDES AND OTHER CONTAMINANTS**

### **NAFDAC’s Pesticide Registration Regulations 2019**

NAFDAC’s Pesticide Registration Regulations 2019 repealed the Pesticide Registration Regulations 2005. The repeal is specified in “Regulations 17(1)” “shall” not affect anything done or purported to be done under the repealed Regulations.

#### **Scope**

Regulations “shall” apply to the registration of all pesticides that are—manufactured, imported, exported, advertised, sold, distributed, or used in Nigeria.

#### **Prohibition**

Pesticides cannot be manufactured, formulated, imported, exported, advertised, sold, distributed, or used in Nigeria if they are not registered by NAFDAC in accordance with the provisions of indicated regulations. No person issued a NAFDAC’s certificate of registration can lend, hire, sell, transfer, or otherwise dispose of the certificate of registration to any other person without the approval of the Agency.

### **Pesticide Residue Limits and Mycotoxin Standards**

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

- All food products must have a certificate of analysis to ensure food items are free of radioactive materials and meet other quality parameters.
- All pesticides must have an acceptable maximum residue limit prior to approval.
- NAFDAC reserves the right to subject any domestic or imported product to its own analysis to determine wholesomeness of food product.
- NAFDAC officials routinely subject imported foods to inspection and analysis at the port of entry, retail level as well as perform laboratory analysis.
- NAFDAC seizes and destroys contaminated products and offenders are prosecuted.
- NAFDAC offices and websites provide pesticides' regulation information
- (For further details visit: [https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/CHEMICAL\\_REGULATIONS/Pesticide-Registration-Regulations-2019.pdf](https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/CHEMICAL_REGULATIONS/Pesticide-Registration-Regulations-2019.pdf) )

## **SECTION VI. OTHER REQUIREMENTS, REGULATIONS, AND REGISTRATION MEASURES**

### **A. General (Manufacturers/Importers)**

#### **Manufacturers**

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

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

#### **Importers**

Importers of food products must first apply to the Trademarks, Patents and Designs Registry under Nigeria’s (MITI) to register the product’s Trademarks, Patents or Designs ([www.iponigeria.com](http://www.iponigeria.com))

- After trademark registration, the prospective importer representing a foreign manufacturer applies for registration with NAFDAC on a prescribed form to the Directorate of Registration and Regulatory Affairs, stating the name of the manufacturer, name (brand name where applicable) of the product. This form, labeled “NAFDAC Automated Product Administration and Monitoring System (NAPAMS)” is available online at NAFDAC’s website for download (<https://www.napams.org/>).
- A separate application form is submitted for each regulated product.
- Foreign manufacturers must be represented in Nigeria by a duly registered company or individual with the capacity to implement a product recall, when necessary.
- NAFDAC considers the local representative to be fully responsible for all matters related to the product - registration, distribution re-calls, and legal actions, etc.

- The Nigerian importer/distributor must file evidence of a Power of Attorney from the manufacturer, which authorizes him to be the representative in Nigeria.
- A certificate of manufacture and free sale issued by a competent health authority, authenticated by the Nigerian Embassy in the country of origin. Product license or evidence of product registration in the country of origin is an added advantage.
- All importers must submit the certificate of registration of brand name/ trademark with the trademark Registry at MITI in Nigeria (This is done in the name of the owner of the trademark to protect the owner).
- A NAFDAC application form duly completed by the local agent (importer) for the registration of each regulated product.
- Fifteen product samples (twenty in the case of dairy products) depending on pack size must be provided to NAFDAC for physical/laboratory analysis and vetting which takes about four to eight weeks.
- Permit must be obtained to import limited quantities for the purpose of registration.
- A comprehensive certificate of product analysis issued by the manufacturer.
- A letter of invitation for inspection of factory to be submitted by the applicant in Nigeria and shall state the full location address of the manufacturer, name of contact person, E-mail address, current phone, and fax numbers.

### **NAFDAC Registration Process for Importers**

NAFDAC registration process involves:

- Documentation
- Inspection of manufacturing facilities
- Review of the GMP inspection report
- Laboratory analysis for assessment of wholesomeness and quality
- Vetting of labels to confirm compliance with NAFDAC's labeling regulations
- Control to ensure that it is not deceitful, fraudulent, or misleading
- Advertisement (optional)

These activities culminate in the issuance of a NAFDAC Registration Number, which is an attestation of product quality and safety.

### **NAFDAC Facility Visits:**

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

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

### **NAFDAC Registration Validity Period:**

- A certificate of registration with a validity period of **five (5) years** issued, if NAFDAC application turns successful.
- NAFDAC also re-validates a re-submitted application after five (5) years.

- NAFDAC may not approve re-submitted applications where a manufacturer refuses to renew importer's registration documents such as Power of Attorney, etc., and/or
- Where NAFDAC believes the importer-applicant should be able to produce or show intention to manufacture the product locally after importing for five (5) years.

### **Guidelines for Agents of Foreign Manufacturers**

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

- NAFDAC usually authorizes the importation of small quantities of unregistered products for the purpose of submission to the agency as samples for registration.
- The importer is expected to contact NAFDAC to obtain a written authorization specifying the quantity of the unregistered products to be imported.
- For further details, click: <https://www.nafdac.gov.ng/our-services/product-registrationevaluation/>

### **B. Expiry Dates**

NAFDAC Pre-packaged Food Labeling Regulations stipulates that all food products should carry "best-before" dates and/or shelf life on their packaging.

- The policy states that the expiry date should be "at least half the shelf life as at time of inspection."
- This means that after port clearance by NAFDAC's inspection (after clearing by Customs Service (NCS)—that the period from the inspection date until the expiration date should be equal to or greater than half of the total shelf life of the product (date of production until expiry).
- U.S. exporters are advised to specify the month in words (for example, July 1, 2005, or indicate dd/mm/yr.) to avoid conflicts that may arise in mistaking the day for the month.
- For further details: <https://www.nafdac.gov.ng/our-services/product-registrationevaluation/> ; [http://www.nafdac.gov.ng/index.php?option=com\\_content&view=article&id=46:nafdac-organisation](http://www.nafdac.gov.ng/index.php?option=com_content&view=article&id=46:nafdac-organisation)]

### **C. Registration Fees**

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

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

### **NAFDAC's Proposed Tariffs:**

Effective January 2020, NAFDAC proposes a revised tariff across board.

- Please visit: [https://www.nafdac.gov.ng/wp-content/uploads/Publications/NAFDAC-2019-Tariff\\_Final\\_Combined.pdf](https://www.nafdac.gov.ng/wp-content/uploads/Publications/NAFDAC-2019-Tariff_Final_Combined.pdf).

- However, these are still tentative as industry indicates it is prohibitory and talks still ongoing in this regard.
- Importers need to contact NAFDAC for actual tariff payable when making related decisions.

### **Global Listing for Supermarket (GLS) Items:**

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

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

### **NAFDAC's Proposed (New) Tariff under GLS & Fast Food:**

The revised NAFDAC tariffs (effective January 2020) for group product registration under GLS, after a satisfactory evaluation of application is as follows:

#### **Global Listing for Supermarkets**

<b>Description (Product Items)</b>	<b>Amount in USD (\$)</b>
1-100	1,500,000.00
101-250	3,300,000.00
251-500	7,000,000.00
501-1000	12,000,000.00
1001-5000 (max)	20,000,000.00

Effective January 2020, NAFDAC also proposed the following tariffs for Imported Fast Food List:

#### **Fast Food List (Imports)**

<b>Description (Product Items)</b>	<b>Amount in USD (\$)</b>
1-100	1,000,000.00
101-250	2,500,000.00
251-500 (max)	5,000,000.00

**Note:** Information on Product renewal are as follows:

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

#### **D. Advertisement Requirements:**

NAFDAC's Food Advertisement Regulations 2019 repeals its Food Advertisement Regulation 2005.

- NAFDAC must approve all advertisement/promotional materials prior to utilization.
- Advertised food products must demonstrate the products are registered with NAFDAC.
- An application for advertisement must be submitted to NAFDAC for its approval. This approval process is in addition to the Certificate of Registration issued by NAFDAC, which authorizes importation and sale in Nigeria.
- Further details: [https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/FOOD\\_REGULATIONS/Food-Products-Advertisement-Regulation-2019.pdf](https://www.nafdac.gov.ng/wp-content/uploads/Files/Resources/Regulations/FOOD_REGULATIONS/Food-Products-Advertisement-Regulation-2019.pdf)

#### **E. Procedure for NAFDAC Registration/Renewal of Imported Food Products:**

- Visit: <https://www.nafdac.gov.ng/our-services/product-registrations/evaluation/>

#### **F. Requirements for importing samples, certification, and testing food products:**

On arrival of the imported samples and presentation of the authorization forms to the NAFDAC inspectors at the ports, the consignment will be treated the same way as other normal imported consignments. Before clearing the consignment from the ports, the importer is required to present the following:

- Authorization to import samples of the unregistered product.
- Bank draft for the prescribed port inspection fees payable to NAFDAC.
- Completed Customs Bill of Entry.
- Certificate of Analysis of the product issued by the manufacturer.
- Certificate of Manufacture and Free Sale issued by a Government Authority empowered by law in the country of origin to exercise regulatory control over the product authenticated by the Nigerian Embassy in the USA.
- Power of Attorney notarized, issued by the manufacturer to the Nigerian local agent.

Where the above requirements are unfulfilled, NAFDAC clears the consignment from the ports to a bonded warehouse at the expense of the importer. The importer will be prosecuted, and the products forfeited to GON with any assets or property obtained or derived directly or indirectly from committing the offence. Visit the following site for details: <https://resolutionlawng.com/nafdac-requirements-for-product-registration/>

## SECTION VII. OTHER SPECIFIC STANDARDS

### **Sub-Category: Vitamin-Enrichment Requirements; Dietetic or Special Use Foods; Food Sanitation Laws/Guidelines**

#### **Fortifications**

NAFDAC requires that certain essential food commodities must be fortified

- Wheat and maize flour, vegetable oil and sugar consumed in Nigeria must be fortified with vitamin A.
- Salt must be fortified with iodine.

#### **Nigeria's Bio-Safety Law, Standards and Regulations**

On February 26, 2015, Nigeria's Senate passed the Bio-safety Bill into law—demonstrating that the country is prepared to receive, regulate and most importantly, commercialize biotechnology products.

- The law leans heavily on the precautionary approach and requires certification and mandatory labeling for imports of all products of biotechnology.
- The National Biosafety Management Agency (NBMA) is the government institution responsible for regulating GE products in Nigeria. The National Biosafety Committee reviews application and carries out data analysis of socio-economic considerations of GE crops alongside risk assessment before recommending any products to the agency for approval.
- On July 27, 2018, the National Center for Genetic Resources and Biotechnology (NACGRAB) commercialized two varieties of Bollgard II hybrid developed by MAHYCO (India) and Monsanto (now Bayer): MRC 7377 BGII (MAHYCO C 567 BGII) and MRC 7361 BGII (MAHYCO C 571 BGII).
- In 2021, Nigeria commercialized Bt. Cotton. Farmers now have access to biotech cottonseeds through the MAHYCO Seed Company Nigeria.
- Africa Bio-fortified Sorghum and Nitrogen-and Water-use Efficient and Salt Tolerant (NEWEST) rice are at different stages of field and confined field trials.
- Nigeria also approved the commercial release of Pod-Borer Resistant Cowpea (PBR-Cowpea) event AAT709A in January 2019, etc.
- Provisions for the legislation and regulations regarding the approval and release of GE crops, including the National Biosafety Act 2015, National Biosafety Regulations 2017, and National Biosafety Guidelines 2018 are detailed here: <https://nbma.gov.ng/about-us/>
- In 2019, Nigeria commercialized Bt Cowpea – however, planting was derailed by the Covid-19 pandemic. In 2021, Nigeria experienced a successful BT Cowpea planting season.

#### **Animal Feeds and Veterinary Products**

For NAFDAC's guidelines for regulating manufacture, import and exports of Animal Feed and veterinary products in Nigeria:

- Please visit: <https://www.nafdac.gov.ng/veterinary-products/veterinary-guidelines/>;  
<https://www.nafdac.gov.ng/veterinary-products/veterinary-products-import-export/>;
- For further details visit: <https://www.nafdac.gov.ng/about-nafdac/nafdac-organisation/directorates/veterinary-medicine-and-allied-products/>

## **SECTION VIII. TRADEMARKS, BRAND NAMES AND INTELLECTUAL PROPERTY RIGHTS**

**Copyright:** Nigerian Copyright Commission (<http://www.eregistration.copyright.gov.ng/home/index>) was established under Section 34 of the Copyright Act (Cap C28, Laws of the Federation of Nigeria, 2004).

- The Commission is responsible for all matters affecting copyright in Nigeria as provided for in the Act including, monitoring, supervising, enforcing as well as advising on Nigeria's position in relation to international conventions.
- Nigeria is a member of the World Intellectual Property Organization (WIPO) and a signatory to the Universal Copyright Convention (UCC) and other major International Agreements on Intellectual Property Rights (IPR).
- Despite active participation in international conventions and an apparent interest in IPR issues, GON efforts are largely ineffectual in curtailing widespread copyright violations.

**Trademarks:** The Trademarks Registry of GON's Federal Ministry of Industries, Trade, and Investments (MITI) is responsible for issuing patents, trademarks, and copyrights.

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

### **International Trade Competitiveness and Intellectual Property Rights (IPRs)**

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

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

### **Acts of Parliament for IPRs**

The following Acts of Parliament govern IPRs in Nigeria:

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

### **GON Regulatory Bodies for Independent Property Registries**

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

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

### **IPR Enforcement Agencies in Nigeria**

IPR Enforcement is through:

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

### **Plant Variety Protection Act, 2021**

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

### **Copyright Infringement and Nigerian Judicial System**

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

## **SECTION IX. IMPORT PROCEDURES**

### **Nigeria's Customs Service**

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

(<https://customs.gov.ng/>):

## Outline of Steps for Customs Clearance Process

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

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

### A. Inspection

Nigeria aborted its pre-shipment inspection policy in favor of a destination inspection policy for imports. Under this policy, all imports are inspected on arrival into Nigeria. The Nigeria Customs Service (NCS) is currently in the initial stages of procuring scanning equipment, which is expected to scan containers in a more accurate and timely manner. More information on Nigeria's destination inspection policy can be found below.

- GON has implemented destination inspection (DI) since January 1, 2006
- Under the DI scheme, goods destined for Nigeria's ports are inspected at the point of entry rather than at the point of shipment.
- Inspection is carried out by the Nigeria Customs Service (NCS), while firms, which are Destination Inspection Service Providers, provide scanning services at ports of entry.
- The Nigeria Customs Service (NCS) is currently at the initial stages of procuring scanning equipment which is expected to scan containers in a more accurate and timely manner
- For further details, please visit: <https://www.trade.gov/knowledge-product/nigeria-import-requirements-and-documentation>; ([https://customs.gov.ng/?page\\_id=3141](https://customs.gov.ng/?page_id=3141))

## SECTION X. TRADE FACILITATION

### Challenging Port Clearing System:

Burdensome documentations, poor cargo handling/general logistics and ineffective GON port agencies are major challenges when clearing imported goods at the ports. Importers usually contract clearing agents who are specialists in port clearing operations/practices. These agents have developed special working relationships with port officials, to get goods cleared and delivered at warehouses. Please visit the following link to read more: <https://clearingandforwardingnigeria.com/2018/12/29/cargo-clearing-nigeria-ports-regular-issues/>.

### **The Nigeria Trade Hub:**

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

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

### **Single Window Portal:**

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

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

### **Pre-Arrival Assessment Report (PAAR) system:**

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

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

### **Documentation**

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

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

Until recently, the importer was also required to submit a Combined Certificate Value & Origin (CCVO), which contains a description of the goods, destination port, country of origin, date of shipment, country of supply, etc.

- However, in line with international trading procedures and recommendations from stakeholders, the Central Bank of Nigeria (CBN) reviewed its trade transactions guidelines and replaced the CCVO with the simpler Certificate of Origin in April 2017.
- The revision also prescribes a 48-hour maximum processing time from the receipt of application.

- Any person intending to import physical goods into Nigeria “shall” in the first instance process Form "M" through any Authorized dealer bank irrespective of the value and whether payment is involved or not.
- References for further details:
- Import Guidelines, Procedures, and Documentation Requirements under the Destination Inspection Scheme in Nigeria, Federal Ministry of Finance:  
<https://www.cbn.gov.ng/out/2014/ted/ted.fem.fpc.gen.01.012.pdf>.

Operational guidelines such as: import procedures, import duty payment procedures, documentation requirements and processes, refer to: <https://customs.gov.ng/?p=2898>

## **Duty**

The amount of customs duties and taxes payable on exports to Nigeria is based on the CIF (Cost, Insurance, and Freight) valuation method comprising:

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

## **Customs Duty Payments Procedures**

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

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

## **ECOWAS Common External Tariff (CET):**

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

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

### **Customs Taxes, Surcharges and Levies:**

All HVP imports are assessed at a 5 percent Value Added Tax, a port surcharge equivalent to 7 percent of the duty amount and a Customs inspection service charge equal to one percent of the duty amount.

- The GON frequently reviews its list of items prohibited for imports.
- Exporters to Nigeria should ascertain the import status of their products before shipment.
- For further details, please click- [https://customs.gov.ng/?page\\_id=3161](https://customs.gov.ng/?page_id=3161);  
<https://customsdutyfree.com/nigeria-customs-and-import-duty-tax-calculation-method/>

### **Method of Payment for Import Purchases:**

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

- Payment of the custom duty by e-payment is mandatory.
- For further details, click; <https://www.export.gov/article?id=Nigeria-Methods-of-Payment>

### **Current Issues on Nigeria's Food and Agricultural Imports and Regulations**

#### **a) Dual Exchange Rate Policy:**

In June 2015, the GON introduced a dual forex policy, comprising formal and informal rates of exchange.

- Importers were not allowed access to foreign exchange at the official window to purchase 41 items, including essential food and agricultural products.
- GON claimed the objective was to conserve its depleting foreign exchange.
- In June 2016, the GON replaced the above-mentioned dual forex policy with the market-driven current 'single rate flexible' forex policy and increased the number of items on the "Not-Valid-for Forex" list from 42 to 50 despite the normalized reserve levels.

The differential exchange rate policy impacts a range of food and agricultural products: --rice, margarine, palm kernel/palm oil products, vegetable oils, meat and processed meat products, vegetables and processed vegetable products, poultry-chicken, eggs, turkey, frozen and tinned fish as well as tomatoes/tomato pastes.

- Meat, and poultry products are banned from entering Nigeria
- There are other food products on the central bank's foreign exchange restriction list - these items are not under import bans, and importers eager of purchasing them will have to do so utilizing their own funds without any recourse to the Nigerian forex market.
- For rice, GON placed an import ban on the commodity through land borders since 2013.
- Under a latter policy, the GON indicated that rice entering by land, sea or air does not apply to the import ban, however, it is not valid for foreign exchange from either official or informal sources.
- This translates into a technical import ban on rice.

The World Bank and IMF require Nigeria to unify its foreign exchange rate as a condition to grant the country loans it required to fund national budget shortfalls. In 2020, Nigeria's currency was devalued twice due to falling oil prices while responding to strong and continuing pressures from international financial institutions. Though the country continues to maintain a dual exchange rate policy, Nigeria's

current exchange rates have been devalued to NGN 414 per \$1 for the official rate – while rate in the parallel market is NGN 565 per \$1 – as January 7, 2022.

**a) Border Closures:**

As of December 31, 2020, Nigeria reopened its four major land borders with neighboring countries. The government had closed the borders to reduce the unofficial trade in food and agricultural products.

- Land borders with neighboring countries are major sources of food supply to Nigeria, albeit through gray channels. However, the GON closed all borders in August 2019 primarily to prevent imported food and agricultural products from entering Nigeria and protect domestic agriculture and food processing sectors.
- In September 2020, GON also placed a ban on “official-sourced” dollars to pay for imports of restricted items forcing importers (including importers of food and agricultural commodities), to source dollars at higher rates through the parallel markets. This policy adds to the cost of food production and processing, high food prices and declining consumption.
- Poor performance of the agriculture sector, high food inflation and public outcry pressured the GON to reopen the borders, but the government still bans food and other essential agricultural commodities such as parboiled rice, poultry meat, etc.
- At the outset, the government was reluctant to join the African Continental Free Trade Area (AfCFTA) — a pan-African free-trade zone—for fear that signing the agreement would expose local industries to dumping by countries outside Africa. However, on November 11, 2020, the government ratified the AfCFTA, which entered into force on January 1, 2021, - AfCFTA’s launched also contributed to the government’s decision to reopen the borders.

## APENDIX I: \_ GOVERNMENT REGULATORY KEY AGENCY CONTACTS

### A. NAFDAC (Processed Food Products)

**Prof. Moji Christianah Adeyeye, Ph. D,**

Director-General, NAFDAC

Plot 2032, Olusegun Obasanjo Way

Zone 7, Wuse, Abuja, Nigeria

Tel: +234 906 000 7693

Email: [nafdac@nafdac.gov.ng](mailto:nafdac@nafdac.gov.ng); [cm.adeyeye@nafdac.gov.ng](mailto:cm.adeyeye@nafdac.gov.ng)

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

### B. STANDARDS, CODEX, LABELLING & PACKAGING

**Dr. Osita Aboloma,**

(Email: [osita.aboloma@son.gov.ng](mailto:osita.aboloma@son.gov.ng))

Director General, Standards Organization of Nigeria (SON)

52, Lome Crescent, Wuse Zone 7, Abuja, NIGERIA. E-mail: [info@son.gov.ng](mailto:info@son.gov.ng).

Phone: +234(0)8002255766, +234(0)7056990099 Website: <https://son.gov.ng/>

Phone: +234 8072 801989 (Cell, preferable) or +234 1 2708230 (office).

**Mr. Charles Emeka Nwagbara,** Head, Codex Contact Point, Standards Organization of Nigeria (SON)

Email: [charles\\_nwagbara@yahoo.com](mailto:charles_nwagbara@yahoo.com); [codexsecretariat@son.gov.ng](mailto:codexsecretariat@son.gov.ng)

Website: <https://son.gov.ng/>

### C. LIVESTOCKS, GENETICS & HONEY:

**Dr. Olaniran Alabi,** Director, Department of Livestock Services

Federal Ministry of Agriculture and Rural Development, Area II, Garki Abuja, NIGERIA

Tel: +234 803 314 8647, E-mail: [olanlabi@gmail.com](mailto:olanlabi@gmail.com); [niranalabi@yahoo.com](mailto:niranalabi@yahoo.com)

(Nigeria's CVO)

**Dr Chinyere Ikechukwu-Eneh (Akujobi),** Deputy Director, Commodity Certification/Trade Standards & Measures, Dept. of Veterinary & Pest Control Services

Federal Ministry of Agriculture & Rural Development, Abuja, NIGERIA

Tel: +234 803 587 7722, Email: [chimed22@yahoo.com](mailto:chimed22@yahoo.com)

### D. PLANT, PRODUCE AND COMMODITIES

**Dr. Vincent Isegbe,** Executive Director, Nigeria Agricultural Quarantine Service (NAQS), Plant Quarantine Department, Enugu House, 18, Ralph Shodeinde St; C B D Abuja

Telephone: +234 (0) 809 354 0848 E-mail: [contact@naqs.gov.ng](mailto:contact@naqs.gov.ng); [visegbe@gmail.com](mailto:visegbe@gmail.com); Website:

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

## **E. SEEDS AND REGULATIONS**

**Dr. Olusegun Philip Ojo**, Director General, National Agricultural Seeds Council (NASC), Km 29, Abuja-Lokoja Expressway, Sheda, FCT, Abuja, NIGERIA  
Tel: +2348113887697, Email: [info@seedcouncil.gov.ng](mailto:info@seedcouncil.gov.ng); Website: <https://seedcouncil.gov.ng/>

## **F. WTO, SPS & TRADE RELATED ISSUES**

**Mrs. Evelyn Nwachukwu**, Director of Trade, Federal Ministry of Industry, Trade & Investment, Old Federal Secretariat, Garki Area 1, Abuja. Mobile: +234-803-311 7548.  
Email: [evelynnwach@yahoo.com](mailto:evelynnwach@yahoo.com)

## **G. AQUACULTURE, FISH & FISHERY PRODUCTS**

**Mr. Umoh Imeh**, Director of Fisheries, Federal Ministry of Agriculture and Rural Development, FCDA Complex, Area II, Garki, Abuja Tel: 0803 319 7502 E-mail: [imesumoh@yahoo.com](mailto:imesumoh@yahoo.com),

## **H. BIOTECH/GMO PRODUCTS**

**Dr. Rufus Ebegba**, Director General, National Bio-Safety Management Agency  
National Parks Service premises along Airport Road; Abuja, E-mail: [rebegba@hotmail.com](mailto:rebegba@hotmail.com); Tel +234 803 314 7778

## **I. COMMERCIAL LAW DEPARTMENT, TRADEMARKS, PATENTS AND DESIGNS**

Federal Ministry of Industries, Trade and Investment, No. 5, Ndola Crescent, Zone 5, Wuse-Abuja, NIGERIA Email: [info@iponigeria.com](mailto:info@iponigeria.com), Phone: +2348092194426 or +2348092194416, Website: [www.iponigeria.com](http://www.iponigeria.com)

## **J. NIGERIAN COPYRIGHT COMMISSION**

Federal Secretariat Complex, Phase I, Annex II, Ground Floor, Shehu Shagari Way, Maitama District, P. M. B. 406 Garki, Abuja (F.C.T), NIGERIA. Tel: (+234) 70 1761 0750 NCeRS Desk Direct Line: (+234) 81 8341 3611, NCeRS Desk Email Enquiries: [admin@copyright.gov.ng](mailto:admin@copyright.gov.ng), E-mail: [info@copyright.gov.ng](mailto:info@copyright.gov.ng), Website: <http://www.eregistration.copyright.gov.ng/ncc/contactus>

## **K. NIGERIA CUSTOMS SERVICE HEADQUARTERS**

Abidjan Street, Wuse, P.M.B. 26, Zone 3, Abuja – FCT-NIGERIA  
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Website: <https://customs.gov.ng/>

**APENDIX II: OTHER IMPORT SPECIALIST TECHNICAL CONTACTS****Cotecna Verification Services Nigeria Ltd**

RM. 12, Standards Organization of Nigeria Complex

Plot 13/14 Victoria Arobieke St. Off Admiralty Way, Lekki Phase 1.

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+23412778425

[ade.adediran@cotecna-nigeria.com](mailto:ade.adediran@cotecna-nigeria.com)

<https://www.cotecna.com/en/locations/nigeria>

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**Attachments:**

No Attachments