

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT
POLICY

Voluntary - Public

Date: 7/30/2018

GAIN Report Number: GT1808

Guatemala

Post: Guatemala

Guatemala Opens Market for U.S. Exports of Fishery Products

Report Categories:

Country Strategy Statement

Export Accomplishments - Market Access

Fishery Products

Sanitary/Phytosanitary/Food Safety

SP2 - Prevent or Resolve Barriers to Trade that Hinder U.S. Food and Agricultural Exports

Trade Policy Monitoring

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Report Highlights:

As of July 2018, Guatemala accepts U.S. exports of fishery products with a National Oceanic and Atmospheric Administration (NOAA) Export Inspection Certificate. All federally inspected fishery product processing and distribution facilities including warehouses are eligible to export to Guatemala.

Executive Summary:

On February 18, 2018, Guatemala eliminated sanitary inspection at plants in country of origin for U.S. exports of fishery products. The policy change was published in the Official Daily in Ministerial Decree 28-2018 (see Annex A). The decree called for an official export inspection certificate that would comply with Ministry of Agriculture (MAGA) requirements.

On June 21, 2018, MAGA agreed to accept a NOAA Export Inspection Certificate (see Annex B), and provided a 60-day implementation period for compliance. To obtain the NOAA export certificate, the shipment must undergo one of three NOAA inspection services provided to U.S. companies. These services are: 1) product inspection on site, 2) the approved establishment program, or 3) the quality management program (QPM). More information on these programs can be found at:

<https://www.fisheries.noaa.gov/topic/seafood-commerce-certification>.

MAGA also agreed to accept shipments of fishery products from third countries exported through the United States when the product has a valid NOAA export inspection certificate. NOAA export inspection services are part of a food-safety inspection system that assures importing countries that U.S. fishery exports are fit for human consumption.

In addition, MAGA requires that all U.S. companies exporting fishery products to Guatemala be registered with FDA. FDA maintains a list of all U.S. fishery product processing and distribution facilities, including warehouses, eligible to export seafood.

MAGA will also maintain a list of U.S. exporting companies authorized to export to Guatemala. The list will be populated upon entry of the first shipment into Guatemala. Neither the U.S. exporter nor the Guatemalan importer need to alert MAGA prior to shipment.

**General Information:
Annex A - MAGA Ministerial Decree**

MINISTRY OF AGRICULTURE, LIVESTOCK AND FOOD

Monja Blanca Building, February 28, 2018

MINISTERIAL AGREEMENT No. 28-2018

WHEREAS

It is the responsibility of the Ministry of Agriculture, Livestock and Food to anticipate and control the stages of production, transformation, warehousing, transportation, import, and export of natural non-processed food to assure the compliance of sanitary, quality assurance and safety requirements for human consumption.

WHEREAS

National legislation as well as international agreements and treaties subscribed by the Government of Guatemala regarding food for human consumption, guarantee quality assurance and safety of imported products, and establish that imports should not constitute a danger or risk for human, animal or plant health, or hydrobiological products.

THEREFORE

In exercise of the powers established in articles: 194 of the Political Constitution of the Republic of Guatemala; 27, 29 of the Executive Branch Law, Decree Number 114-97 of the Congress of the Republic of Guatemala; 1, 2, 3, 4, 5, 6, 7, 14, 15 of Government Agreement Number 338-2010 Internal Regulation of the Ministry of Agriculture, Livestock and Food; 127 section a), 130 section b), 134, 138 of the Health Code, Decree Number 90-97 of the Congress of the Republic of Guatemala; 1, 2, 3, 5, 11, 13, 66 of Government Agreement Number 969-99 Regulation for Food Quality Assurance and Safety.

AGREES:

To issue the following:

**PROVISIONS FOR THE IMPORT OF HYDROBIOLOGIC NON-PROCESSED PRODUCTS FROM
THE UNITED STATES OF AMERICA.**

Article 1. IMPORT CERTIFICATE. Whenever hydrobiological non-processed products are imported from the United States of America, part of the documentation required for the authorization, shall include an import certificate issued by the NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OF THE DEPARTMENT OF COMMERCE OF THE UNITED STATES OF AMERICA -NOAA- before the appropriate authority in Guatemala. The import certificate shall be issued before any shipment release from the United States of America.

Article 2. CERTIFICATE FORM. For the purposes established in this agreement, the appropriate responsible authority for the import authorization of hydrobiological non-processed products of the Ministry of Agriculture, Livestock and Food will coordinate with the NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OF THE DEPARTMENT OF COMMERCE OF THE UNITED STATES OF AMERICA -NOAA-, and the corresponding authority in the United States of America, the official notification of the import certificate release.

Article 3. RISK EVALUATION. On the importing of hydrobiological non-processed products, whenever circumstantially justified risks are manifest for human, animal, and plant health or hydrobiological resources, that are scientifically acknowledged, there will be mandatory additional requirements, besides the import certificate issued by the NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OF THE DEPARTMENT OF COMMERCE OF THE UNITED STATES OF AMERICA -NOAA, requiring pertinent information in order to evaluate the import authorization.

Article 4. VALIDITY. This Ministerial Agreement will be deemed effective on the date of its publication in the official newspaper *Diario de Centro America*.

Annex B - NOAA Export Certificate to Guatemala



UNITED STATES OF AMERICA
U.S. DEPARTMENT OF COMMERCE



Model Health Certificate for exports of fishery products intended for human consumption

United States (US)				Veterinary certificate to Guatemala			
Part I: Details of dispatched consignment	1.1. Consignor Name Address Postal code Tel No.			1.2. Certificate reference number		1.2 a	
	1.5. Consignee Name Address Postal code Tel No.			1.3. Central Competent Authority			
				1.4. Local Competent Authority			
				1.6.			
	1.7. Country of origin	ISO code	1.8. Region of origin	Code	1.9. Country of destination	ISO code	1.10
	USA	US					
	1.11. Place of origin Name Address			1.12.			
	Approval number						
	1.13. Place of loading			1.14. Date of departure			
	1.15. Means of transport Airplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification Documentary references:			1.16. Entry BIP in Guatemala			
1.18. Description of commodity			1.17.				
			1.19. Commodity code (HS code)				
			1.20. Quantity				
1.21. Temperature of product Ambient <input type="checkbox"/> Chilled <input type="checkbox"/> Frozen <input type="checkbox"/>			1.22. Number of packages				
1.23. Identification of container/Seal number			1.24. Type of packaging				
1.25. Commodities certified for Human consumption <input type="checkbox"/>							
1.26.			1.27. For import or admission into Guatemala				
1.28. Identification of the commodities							
Species (Scientific name)	Nature of commodity	Treatment type	Manufacturing plant / ISO code country of Origin	Number of packages	Net weight		

II. Health Attestation	II.a. Certificate reference number	II.b.
<p>1.2 Public health attestation</p> <p><i>The official inspector hereby certifies that the fishery products specified above:</i></p> <ol style="list-style-type: none"> 1. The products described above originate from (an) establishment(s) that has been approved by or determined to be in good regulatory standing with the competent authority in the exporting country. 2. Have been caught and handled on board vessels, landed, handled and where appropriate prepared, processed, frozen and thawed hygienically in compliance with requirements of Good Manufacturing Practices (GMP) 3. Have been handled, prepared or processed, identified, stored and transported under a competent HACCP and sanitary program consistently implemented and in accordance with the requirements laid down in Codex Code of Practice for Fish and Fishery Products. 4. The products were under the supervision and inspection by inspection agency in origin country and not found any pathogenic bacteria, harmful substance and fit for human consumption. <p>1.3 Animal health attestations</p> <ol style="list-style-type: none"> 5. If the fishes and products thereof are from aquaculture origin, the establishments have been implementing programs of Good Aquaculture Practices (GAP) 6. The products have been under the National Aquatic Animal Health Program and surveillance programs in origin country that includes basic biosecurity conditions consistent with OIE (International Office of Epizootic) Aquatic Animal Health Code. 7. Fishes and products thereof originate from a country/territory zone or compartment declared free from diseases in accordance with the relevant OIE list or relevant standard by the competent authority of my country. <p>1.4 Transport and labeling requirements</p> <ol style="list-style-type: none"> 8. The fishery products and aquaculture animals referred to above are placed under conditions, including with a water quality, that do not alter their health status; 9. The transport container or well boat prior to loading is clean and disinfected or previously unused; and 10. The consignment is identified by a legible label on the exterior of the container, or when transported by well boat, in the ship's manifest, with the relevant information referred to in boxes I.7 to I.11 of Part I of this certificate 		
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Part II: Certification</p>		
<p>Official inspector</p> <p>Name (in capitals) _____</p> <p>Qualification and title _____</p> <p>Date _____</p> <p>Signature _____</p> <p style="text-align: right;">Stamp</p>		