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Guatemala

Food and Agricultural Import Regulations and Standards - Certification

FAIRS Export Certificate Report

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Report Highlights:

This report provides a detailed explanation of the export certificates that Government of Guatemala requires for U.S. food and agricultural products to be imported. It contains links to official sites where specific inquiries can be made and responded to (for example, microbiological criteria or standards that must be complied with). It also provides a matrix of certificates required for certain food products, which have requirements from both the Ministry of Agriculture and the Ministry of Health.

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

The Norms and Regulations Unit of the Ministry of Agriculture (MAGA-UNR) is the official entity that reviews all export certificates and issues sanitary and phytosanitary (SPS) related import licenses in Guatemala. All food products—fresh or processed—must have all required certificates to receive the approval of MAGA-UNR. If the product is processed, an additional registration procedure must be followed to acquire a permanent registration number (please refer to Guatemala FAIRS Report GT1012). To receive an import license from MAGA-UNR, the following import documents—in original—are required for any animal or vegetable product for food consumption:

- **Certificate of Origin:** The certificate is necessary in order to receive preferential duty access. It is issued by the U.S. producer or exporter or the Guatemalan importer.
- **Veterinary, Sanitary and Phytosanitary Certificates:** These animal health, plant health, and sanitary certificates are required depending on the classification of the product. The certificates must be issued by the official, competent United States Government (USG) authority. The USDA's Animal and Plant Health Inspection Service (APHIS) is the competent authority to provide necessary animal and plant health certificates, while the USDA's Food Safety and Inspection Service (FSIS) is the competent authority to provide necessary certificates for meat, poultry, and egg products which carry an FSIS Mark of Inspection. If the product is re-exported product, the applicable certificate from the initial country of origin should also be included, and the U.S. re-export certificate (sanitary or phytosanitary) must clearly indicate the country of origin of the animal product or plant material.
- **Commercial Invoice:** The invoice should include information outlining the exporter, recipient, date, invoice number, product description, unit price, net and total weight, type of exchange, and CIF and FOB values.
- **Bill of Lading**
- **Certificate of Free Sale:** These certificates must be issued by an official entity from the country of origin and indicate that the food product is suitable for human consumption, if applicable. At present, the Government of Guatemala (GOG) is not requiring a Certificate of Free Sale for animal products under the jurisdiction of FSIS (the FSIS Certificate of Wholesomeness satisfies this requirement); however, one is necessary for seafood products and other products not under FSIS jurisdiction.

Copies of these documents must be sent to a Guatemalan representative to advance the import license process. One must have a legal representative in Guatemala who can receive copies of the above certificates. These representatives must have:

- Copy of the Sanitary License that accredits the company as an official importer;
- Copy of the Certificate of Sanitary Registration of the exporting company, issued by official authority;
- Copy of Eligibility Certificate of the country to export to Guatemala, if applicable (all meat plants under federal inspection are eligible as exporters)

The law requires inspection of product wholesomeness at the point-of-entry and at the wholesale and retail levels. As of 2010, primary processed foods are required to be registered. Food additives do not require registration.

The Ministry of Economy published Ministerial Agreement No. 0573-2006 on October 17, 2006, which eliminates the need for a Phytosanitary Certificate as a requirement for both imports and exports,

bringing Guatemala in-line with Resolution (175-2006) issued by the Central American Economic Integration Committee (COMIECO). This applies to the following products and by-products of vegetable origin:

- vegetable fats and oils and their products (crude or refined)
- prepared or preserved vegetables, fruits or nuts
- dried vegetables, fruits or nuts
- coffee, tea, mate and species
- cereals and vegetable products
- raw materials used primarily in dyeing or tanning
- prepared foods
- miscellaneous edible preparations
- beverages, spirits and vinegar

Whether a product is eligible to enter will depend upon a risk assessment of the exporting country taking into account the presence or absence of certain diseases in Guatemala. All fresh or processed animal products are considered high-risk products. Plants under this high-risk category include: fresh or dehydrated medicinal plants; ethnic, fresh, and dried fruits; grains and flours; ethnic and fresh vegetables; and fruit and vegetable pulp either frozen or specially treated. For fresh vegetable products in the high-risk category, a Phytosanitary Certificate needs to be included in addition to a Certificate of Free Sale. (Please refer to Guatemala FAIRS Report GT1012 for related information).

Guatemalan export certificate requirements are usually based on an exporting country's SPS status. Since 2006, Guatemala has recognized the U.S. food safety inspection system as equivalent under the international norms of equivalency. As such, for product under FSIS jurisdiction, the FSIS 9060-5 Meat and Poultry Certificate of Wholesomeness is considered valid for free sale, microbiological, and sanitary purposes. Analytical certificates, however, still must be presented for all frozen and processed sea food products to expedite registration. Generally speaking, Guatemala's import requirements for the Sanitary and/or Phytosanitary Certificates are very strict.

U.S. exports often require specific additional attestations on export certificates.

Following is a table describing in detail attestations required by the GOG for some U.S. products. The complete list of microbiological and analytical requirements for exports to comply with Guatemalan law on food products can be found at: http://portal.mspas.gob.gt/indice_de_alimentos.html. It is important to note that in June 2009, harmonized microbiological standards were established for Central America (please review previous link).

Following is a matrix of the SPS requirements for some of the U.S. products exported to Guatemala:
Table 1.1 Matrix of Guatemalan Export Certificate Requirements for U.S. Products

U.S. Origin or State	Product (s)	Title of Certificate	Attestation Required on Certificate	Purpose	Requesting Ministry
FLOURS AND OTHERS					
U.S., GEORGIA	Wheat Flour	Phytosanitary Certificate	Shipment is free of: <i>Cryptolestes ferrugineus</i> , <i>Cryptolestes pusillus</i> , <i>Liposcelis bostrychophila</i>	Quarantine	Agriculture – OIRSA
U.S.	Rice Flour	Phytosanitary Certificate	Shipment is free of: <i>Ahasverus advena</i> , <i>Carpophilus hemipterus</i> ,	Quarantine	Agriculture – OIRSA

			Corcyra cephalonica, Cryptolestes ferrugineus, Cryptolestes pusillus, Liposcelis bostrychophila, Stegobium paniceum, Tribolium confusum, Trogoderma variabile		
U.S.	Oat Flour	Phytosanitary Certificate	Shipment is free of: Ahasverus advena, Carpophilus hemipterus, Corcyra cephalonica, Cryptolestes ferrugineus, Cryptolestes pusillus, Liposcelis bostrychophila, Stegobium paniceum, Tribolium confusum, Trogoderma variabile	Quarantine	Agriculture – OIRSA
U.S.	Corn Flour	Phytosanitary Certificate	Shipment is free of: Ahasverus advena, Carpophilus hemipterus, Corcyra cephalonica, Cryptolestes ferrugineus, Cryptolestes pusillus, Liposcelis bostrychophila, Stegobium paniceum, Tribolium confusum, Trogoderma variabile	Quarantine	Agriculture – OIRSA
U.S.	Corn Semolina	Phytosanitary Certificate	Shipment is free of: Ahasverus advena, Carpophilus hemipterus, Corcyra cephalonica, Cryptolestes ferrugineus, Cryptolestes pusillus, Liposcelis bostrychophila, Stegobium paniceum, Tribolium confusum, Trogoderma variabile	Quarantine	Agriculture - OIRSA
U.S.	“Lupul” extract	Phytosanitary Certificate	NONE	Quarantine	Agriculture - OIRSA
U.S.	Edible mushrooms	Phytosanitary Certificate	NONE – except for species name	Quarantine	Agriculture - OIRSA
U.S.	Sugar	Certificate of Analysis	Health	Health – Food Control	U.S.
U.S.	Salt	Certificate of Analysis	Health	Health – Food Control	U.S.
BEEF AND MEAT PRODUCTS					
U.S.	Beef and products	FSIS Form 9060-5, Meat and Poultry Export Certificate of Wholesomeness	The beef and beef products were derived from animals that were born and raised in the United States or were legally imported in accordance with U.S. import regulations. The beef and beef products were not derived from the following specified risk materials: the brain, skull, eyes, trigeminal	Animal and Human Health	Agriculture

			<p>ganglia, spinal cord, vertebral column (excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae, and the wings of the sacrum) and dorsal root ganglia of cattle 30 months of age and older, and the tonsils and distal ileum of the small intestine of any cattle regardless of age. The feeding of ruminants with ruminant origin meat-and-bone meal and greaves is prohibited in the United States.</p> <p>The cattle from which the beef and beef products were obtained were not subjected to a stunning process with a device injecting compressed air or gas into the cranial cavity, or to a pithing process.</p>		
U.S.	Fresh poultry products	FSIS Form 9060-5, Meat and Poultry Export Certificate of Wholesomeness	<p>"The birds from which the meat was derived originated from farms located in a zone free of Newcastle disease and avian influenza as defined by OIE"</p> <p>Fresh/frozen poultry derived from birds raised or processed in the following State is not eligible for export to Guatemala:*</p> <p>Poultry from Minnesota is eligible if slaughtered on or after December 28, 2009.*</p>	Animal health	Agriculture
U.S.	Cooked meat products (smoked meats and others)	FSIS Certificate	Staphylococcus aureus		
U.S.	Raw meat products (just packed)	FSIS Certificate	E coli 0 157 H-7 Staphylococcus aureus	Health	Health – Food Control
U.S.	Canned meat	FSIS Certificate	Commercial Sterility	Health	Health – Food Control
FISHERIES AND SEA FOOD					
U.S.	Fish and crustaceans raw and frozen packed	Certificate of Analysis Certificate of	Preservants Organoleptic Feces coliforms (E. coli)	Health	Health – Food Control

		Analysis	Staphylococcus aureus Salmonella sp.		
U.S.	Fish and crustaceans, precooked, cooked, salted, and smoked	Free Sales Certificate Certificate of Analysis	Preservants Organoleptics Feces coliforms (E. coli) Staphylococcus aureus Salmonella sp.	Health	Health – Food Control

Note: Early in 2011, a detailed description of requirements for live animals, embryos, semen, and fertile eggs as table eggs for poultry products will be provided.

Section II. Purpose of Specific Export Certificate(s)

Certificate of Origin

In order to gain preferential duty access available to U.S. agricultural exports under the Central American Free Trade Agreement (CAFTA-DR), U.S. exports must be able to comply with the rules set out within the CAFTA-DR Rules of Origin. The GOG, however, is only granting preferential duty access to U.S. products which are accompanied by a specific Country of Origin Certificate. The GOG's Ministry of Economy has provided an example of the required certificate which is available at: http://dace.mineco.gob.gt/mineco/cafta/doctos_cafta/Certificado%20de%20Origen%20DR-CAFTA%20.pdf.

It is important to fill in all of the requested fields with extreme accuracy as the GOG currently considers clerical, minor errors detected to automatically render a Certificate of Origin invalid resulting in shipments not being treated preferentially at ports-of-entry. Some exporters provide for very tight dates on the certificate (which can be filled by either the exporter or importer), and if the product arrives after the specified dates on the certificate, it is not considered eligible for the preferential tariff. Literally, any minor mistake in the Certificate of Origin will impede the importer to request the preferential tariff, and no rectifications are permitted.

Sanitary and/or Phytosanitary Certificate

The Sanitary and/or Phytosanitary Certificate is required by the GOG in an attempt to protect Guatemala from foreign and quarantine pests and animal diseases, as well as insure that imported product is wholesome for human consumption. However, Guatemala has a history of not following all international norms for Phytosanitary Certificates. For instance, prior to 2007, Guatemala required Phytosanitary Certificates for processed food products. At present, though, Guatemala maintains the requirements for some products including flour but not all processed products. Given what at times may be seen as scientifically unsound certificate requirements in Guatemala, exporters are highly encourage working with their commercial partners in Guatemala, or FAS/Guatemala, to confirm the current status of requirements in order to avoid problems and ports-of-entry. Nonetheless, the GOG is working to bring their requirements in-line with international norms, including notifying changes in import requirements to the World Trade Organization (WTO).

Certificate of Free Sale

Guatemala requires Certificates of Free Sale to serve as assurance the covered product complies with U.S. food safety and quality standards, which the GOG considers to be equivalent. The GOG requires the certificate to be issued by a government authority at either the federal or state level at present; however, products carrying an FSIS Mark of Inspection are not required to be accompanied by a Certificate of Free Sale given the assurances of the FSIS 9060-5 Certificate of Wholesomeness.

Certificate of Analysis

Guatemala requires a Certificate of Analysis in order to ensure products meet international or country standards regarding composition, quality, and food safety parameters. The GOG requires the certificate for all seafood products. The certificate can be issued by companies based upon analysis carried out within their quality control systems. Guatemalan parameters for the chemical and microbiological analysis are based on Codex standards. Most U.S. standards comply with Codex regulations far beyond the minimum required standards. One must be sure, however, to include the Certificate of Analysis, when needed, and confirm that it corresponds to the production period or export lot number of the product.

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

Attestations on the Sanitary and Phytosanitary Certificates are established by the Ministry of Agriculture. Attestations required on the Certificate of Analysis are set by the Ministry of Health. Each Ministry is responsible for authorizing the entry of a food product if it complies with its requirements. Compliance with one of the two ministries does not, however, imply an import authorization. All required paperwork and certificates must be in-order to clear Guatemalan customs.

Please refer to Table 1.1 for the necessary attestations for each applicable certificate. For products under the jurisdiction of FSIS, please additionally refer to the FSIS Export Library for the most up-to-date requirements of Guatemala:

http://www.fsis.usda.gov/Regulations_&_Policies/Guatemala_Requirements/index.asp

Section IV. Government Certificate's Legal Entry Requirements

All original documents listed above need to accompany the product at the time of entry. The import license costs US\$ 12.20 (Q 100.00) and is valid for 30 days. If the product has not left the U.S. port, for any reason, and the 30 days have gone by since the license was issued, a revalidation can be obtained for US\$ 9.15 (Q 75.00), for an extra 30 days. The U.S. certificates will be valid for 30 days. The certificate is unique for each shipment and does not apply to multiple shipments, though it applies for a consolidated shipment of different products for which the export certificate is valid.

Import procedures are readily available on-line at: <http://portal.maga.gob.gt/vudi-web/>. Strict measures are being set and the exporter is greatly encouraged to fulfill all the requirements to avoid problems at port. The paperwork will first receive the approval of the Food Safety Department within MAGA-UNR, and if approved, will continue the process at the Phytosanitary or Sanitary Departments. If neglected, the submitted application will have a technical explanation of the problem and the shipment can be inspected and an evaluation diagnosis may be requested to reconsider the import of the

product.

If the product enters another country before reaching the final destination, a Sanitary and/or Phytosanitary Certification from this intermediate country will have to be attached. Sanitary and Phytosanitary documents are the ones prone to problems due to: authenticity, identification and signature of inspectors, illegible seals, manufacture, alterations (no scratching is permitted), lack of corresponding attestations referred to diseases of diagnostic tests and state or federal formats.

Section V. Other Certification/Accreditation Requirements

None.