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Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

This report is an annual update of Senegal's food and feed regulations and governmental enforcement mechanisms and bodies. It includes references to the Codex Alimentarius system, as well as, guidance on import procedures and documentation. In 2013, Senegal revised its food standards and issued new standards mainly related to the methods for conducting physicochemical tests and fatty content. The standards are available upon request to the *Association Senegalaise de Normalisation (ASN)*.

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Disclaimer: This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service (FAS) in Dakar, Senegal for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies were not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped.

FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Section I. Food Laws

In 2002, Senegal established the *National Committee for International Trade Negotiations* (CNNCI) as the governmental body in charge of consultation and coordination between the government, the private sector and consumer associations on all matters concerning implementation of bilateral, regional and multilateral trade agreements including those involving food imports. The CNNCI is chaired by the Minister of Trade, Informal Sector, Consumption, Promotion of local products, and Small and Medium Enterprises while the Directorate of Foreign Trade is the Executive Secretary. CNNCI consists of six subcommittees including the Subcommittee on Trade in Agricultural Products, where Sanitary and Phytosanitary (SPS) measures are discussed, coordinated and monitored.

Senegal adheres to the CODEX Alimentarius and has a *National Codex Committee* responsible for representing Senegal at Codex negotiations, advising and sensitizing government and private sector standards users on Codex food safety standards and their applications, and initiate and oversee research and surveys on various food safety issues and standards setting. The National Codex Committee is chaired by the Ministry of Health and Social Action through the National Poison Control Center. It is composed of representatives from the Ministries of Agriculture, Animal Husbandry, Environment, Fisheries, and Trade, the Association Sénégalaise de Normalisation «*Senegalese Standards Association*” (ASN), and several research institutions, such as *Food Technology Institute* (ITA), university scientists involved in food safety applications, private sector, professional, and consumer organizations.

The application of regulations regarding food safety, phytosanitary measures, protection of animal and plant health, and risk assessment procedures and decisions is under the responsibility of the Directorate of Domestic Trade, the Association Sénégalaise de Normalisation (ASN) and the Directorate of Plant Protection (DPV).

The Ministry of Trade, Informal Sector, Consumption, Promotion of local products, and Small and Medium Enterprises is the Government of Senegal’s regulatory body responsible for product manufacturing, importation, and exportation. The Directorate of Domestic Trade, under the Ministry of Trade, is primarily responsible for enforcement of food safety regulation. The Directorate manages a well-equipped laboratory where samples of imported food products are tested and analyzed.

The *Association Sénégalaise de Normalisation* (ASN) is responsible for standardization and for the national system of standards certification and conformity. It develops and manages food and phytosanitary standards, provides information, raises awareness and organizes training for industries, distributors, consumers and government officials regarding food quality requirements, and methods and procedures to abide by the requirements. It is responsible for centralizing all documentation on standards.

The *Directorate of Plant Protection* (DPV) through its *Division of Phytosanitary and Quality Control* is responsible for enforcing application of measures and standards related to plant protection, pest

control and prevention of plant quarantine diseases. The Directorate of Plant Protection provides control services at all borders (air, land, water) for plants and seeds materials entering the country.

Other government services are also involved in the enforcement of food quality standards. These include the *Directorate of Animal Husbandry for Animal Products*, the *Directorate of Oceanography and Fisheries* for Fish and Seafood Products, and the *National Hygiene Service* in collaboration with the *Division of Consumption and Quality* of the Ministry of Trade for the control of hygiene and the protection of consumers.

Government and private entities involved in food safety assessments include the Veterinary and Animal Health National Laboratory of the *Senegalese Agricultural Research Institute (ISRA)*, the *Food Technology Institute (ITA)*, and the laboratory of the Pasteur Institute.

The primary food safety laws are:

- Law 66-48 of May 1966¹, which sets the main regulations for the control of food safety. The scope of this law has been extended with Laws 68-507 and 68-508.
- Laws 68-507 specifies the conditions to control imports and measures for use of food products.
- Laws 68-508 sets the procedures for the control, sampling, risk assessment, seizure, and repression of frauds.

The law 66-48 of May 1966 is complemented by more specific application decrees issued by various ministerial authorities depending on their respective areas and scope of responsibilities. They include:

- Decree 60-121 SG regulating phytosanitary measures applies to plants and parts of plants entering or exiting Senegal
- Decree 99-259 regulates the quality control of horticultural products
- Decree 69-891 regulates the quality of milk and other dairy products
- Decree 89-543 regulates the sanitary and hygiene inspection of animal products used for meat production, meat and meat byproducts
- Decree 62-132 regulates fish and seafood products
- Decree 2009-872, signed in September 2009, mandates wheat flour and vegetable oils imported or produced locally be fortified with micronutrients in order to address nutrient deficiencies (iron and folic acid for wheat flour and vitamin A for vegetable oil).

Section II. Labeling Requirements

A. General Requirements

¹ The first Senegalese food safety laws are basically referenced to the French food safety laws. Application decrees, which are more recent make reference to the domestic context and international treaties and convention to which Senegal is signatory.

Senegal's labeling requirements are based on the Codex General Standard for Labeling of Prepackaged Foods adopted by the Codex Alimentarius and revised in 1991 (Codex Stan 1-1985-Rev.1-1991). It is applicable to all prepackaged foods to be offered as such to the consumer or for catering purposes and products presentation. Such products must be labelled in French with the following information:

- Name and address of manufacturer or its local distributor or importer
- Food name, list of ingredients, product designation, net contents and drained weight
- Country of origin
- Instructions for use
- Manufacturing date specifying day, month and year
- Expiration date marked in the same manner as the date of manufacture, preceded by "Best Before" notice: "*A consumer de preference avant le DD/MM/YY*"; and the ingredients. Please note that the dating format follows European norms; DD/MM/YY.

B. Requirements Specific to Nutritional Labeling

Special requirements are set for certain commodities. For instance, milk powder labels should specify if the product is "whole milk powder," "partially creamed milk powder," or "creamed milk powder." If sugar is added to the product, the word "sweet" must be placed right next to the product name. When raw milk is not cow milk, animal species must be specified following the product name. This also applies to vegetable milk powder. Other mandatory inscriptions are name, status, brand and address of the manufacturer or importer; net weight (according to the International System), date of manufacture, lot number; and quantity of water, fats, and sugar; presence of emulsifiers; and directions for use of milk powder products directly consumed.

Labels for processed milk products and pasteurized milk must indicate, in addition to general requirements, expiration date and storage temperature or the statement "Keep Cold." The storage temperature for pasteurized milk ranges from 0 to +10 degrees Celsius. Labels for pasteurized butter should indicate packaging date, and the words "half salted" or "salted" could be added to the commercial name. Refrigerated butter should be stored not more than three weeks at temperatures ranging from 0 to +6 degrees Celsius, and for frozen pasteurized butter for six months at temperatures equal or lower than -14 degrees Celsius.

For poultry meat products, labels must indicate freezing or deep-freezing dates. Labels of whole, half or quarter beef products should mention the following specifications: Frozen meat; "de-frozen" for retailed parts from previously frozen meat products; label for sliced and processed meat, if not for direct retail sale, must mention the processing date, and if for direct retail sale, must indicate the net weight and expiration date.

Article 32 and 37 of the *Senegalese Biosafety Law* promulgated in July 2009 by the President of Senegal states that any "Genetically Modified Organism" or its by-products intended to be directly used for human and animal food, to be transformed, or to be introduced into the environment or in the market on the national territory must be packed and labeled in indelible and non-falsifiable ways to insure protection of ethical and cultural values, avoid risks to the environment, human and animal health.

Those products must be packed and labeled by the producer or the sender who should mention “Produced with Genetically Modified Organisms” or “Contains Genetically Modified Organisms,” in conformity with other additional standards defined by the Competent National Authority, in dialogue with other concerned administrations. However the *Biosafety Law* has not yet been implemented. The *National Biosafety Committee* (NBC) is currently working on additional decrees to complete the biosafety law which include labeling, control, and inspection of Genetically Engineering products.

Additional labeling requirements approved in April 2011:

For dried legumes, the name of dried legumes products should be the same as the commercial variety.

Corn products should be labeled as follow: “maïs” for corn, “maïs doux” for sweet corn, and “farine de maïs” for corn flour. In addition, sweet corn grains should be homogenous having the same origin, variety and /or commercial type, quality, and caliber.

For wholesale purposes, product name, batch identification, name and address of the producer or packager should be labeled on the container. It could be replaced by an identification brand name if it is easily identified on the accompanying documents. Products should be manipulated and processed according to food safety standards recommended by Codex.

Section III. Packaging and Container Regulations

Food products exported to Senegal should be packed with materials resistant to tropical weather (heat, high moisture), and poor handling. Thin cardboard or plywood materials are not recommended. In general, packages should be sturdily manufactured, and, depending on the type of product, banded on the outside with steel strapping.

Specific packaging requirements apply to a few commodities. Products should be packed in containers that will preserve hygienic, technological and organoleptic quality. In addition, containers and packaging materials must be made of materials which are safe and suitable for use to what it is intended. They should not transmit any toxic substance or undesirable odor or flavor. The bags must be clean, sturdy and strongly sewn or sealed.

For instance:

- Milk powder: 5 paper layer bags, including 1 craft doubled with a 0.1 mm thick polyethylene layer; or tinned white iron; or aluminum bag doubled with polyethylene. These types of materials should be prevented from any contamination.
- Pasteurized milk and other processed milk products: for fresh milk, use more than 1 liter pack, and for processed pasteurized milk, packages could be 1 liter, half liter or quarter liter.
- Pasteurized butter should be mechanically packed in boxes, cardboard boxes covered with paraffin, or wrapped with a polyethylene film and a sealed cardboard.

Other specific standards exist for the packaging of various food products and are made available to the

public through the ASN.

Section IV. Food Additives Regulations

The *Association Senegalaise de Normalisation* (ASN) issued standards for cooking salt (NS 03-017), iodinated cooking salt (NS 03-037), and requirements for iodine content in cooking salt.

The standard for the addition of nutritious elements into food (NS 03-08) includes iron and folic acid in bread flour, and Vitamin A in vegetable oils. For other food additives, Senegal relies on standards validated and applied in the export country or on the *Codex General Standards for Food Standards* (Stan 195-1995).

Section V. Pesticides and Other Contaminants

Senegal applies sanitary control measures in conformity with the *Phytosanitary Convention for Sub-Saharan Africa and Prescriptions of the Sahel Pesticides Committee*. For more information on authorized pesticides, see <http://www.insah.org/protectiondesvegetaux/csp/index.html> and click on “*pesticides autorisés*.” Senegal also applies *Codex Alimentarius* pesticide residue standards and a few specific national standards (see sections IV and section VII) for the assessment of food safety. The *Directorate of Plant Protection* (DPV) performs these assessments on the basis of which imported food is authorized. A phytosanitary certificate is required for all imported plant. Quarantine is allowed only in sites approved by the *Inter-African Phytosanitary Council*. The sale or distribution of non-approved agro-pharmaceutical products by the relevant government services (*Agricultural Services* or *Animal Health Services*) is banned. Commercialization in Senegal of pesticides used in food processing and for treatment must be registered and accepted by DPV which maintains a list of approved, restricted and banned pesticides.

Section VI. Other Regulations and Requirements

Food products that enter Senegal’s market are submitted to phytosanitary inspections performed by the *Laboratory of the Directorate of Domestic Trade*. These tests are conducted on four samples selected randomly from the shipment, but they do not preclude the importer from pursuing the registration approval process. The local agent or importer should receive the bill of lading and phytosanitary clearance documents prior to shipment. Sanitary control measures are in conformity with the *Phytosanitary Convention for Sub-Saharan Africa and Prescriptions of the Sahel Pesticides Committee* (see GAIN Report SG7007). In Senegal, there is no regulatory system in place for approval and control of imports of biotech food products. However, the Senegalese laboratory of Plant Biology at the Faculty of Science and Technology of the *University Cheikh Anta Diop* (UCAD) received in April 2012 new equipments funded by the *West African Economic and Monetary Union* (WAEMU) to better perform biosafety and biotechnology analysis for the detection of *Genetically Modified Organisms* (GMOs). This laboratory has been designated as the national reference laboratory in biosafety.

Export documents required in Senegal include the following:

- Two copies of the commercial invoices, which indicate the identity and contact of the exporter and importer; a complete description of the merchandise, its weight and quantity, and the CIF value; and a complete description of the merchandise. The invoice should be in French or issued with a certified French translation.
- A Pro Forma Invoice containing the aforementioned information
- A Certificate of Origin provided by the importer, specifying the quantity, quality and prices of the products subject to customs duties. COTECNA, a Swiss private company, is assigned to determine the value of the shipment, on the basis of which customs fees are determined. U.S. exporters are urged to contact COTECNA's U.S. office at www.cotecna.com for further information².
- A certificate of conformity from the country of origin for import food products in accordance with Circular No. 472/MCA/DCE and Circular No. 1073/MC/DCE/DCORF.

Section VII. Other Specific Standards

Other standards that could impact food imports, include:

- NS 03-001 on Milk powder (Revised in November 2013)
- NS 03-029 on milled rice
- NS 03-036 on tomato concentrate
- NS 03-010 on animal feed nutritional requirements
- NS 03-052 on wheat Flour enriched in iron and vitamin B9 (Revised in November 2013)
- NS 03-060 on edible vegetable oils`
- NS 03-005 on the transportation of meat products
- NS 03-014 on poultry meat preparations and trading requirements
- NS 03-006 on meat conservation through freezing
- NS 03-072 on edible palm oil enriched in vitamin A and revised NS 03-072 (Revised in November 2013)
- NS 03-073 on edible cotton oil enriched in vitamin A (Revised in November 2013)
- NS 03-074 on edible palmist oil enriched in vitamin A (Revised in November 2013)
- NS 03-075 on edible peanut oil enriched in vitamin A (Revised in November 2013)
- NS 03-076 on edible sesame oil enriched in vitamin A (Revised in November 2013)
- NS 03-077 on edible sunflower oil enriched in vitamin A (Revised in November 2013)
- NS 03-078 on edible colza oil enriched in vitamin A (Revised in November 2013)
- NS 03-079 on edible corn oil enriched in vitamin A (Revised in November 2013)
- NS 03-080 on edible soya oil enriched in vitamin A (Revised in November 2013)
- NS 03-092 on fruit juice and nectar

² On 27 February 2008, Cotecna Inspection S.A signed a new exclusive inspection contract with the Government of Senegal. Within this new contract that started on March 1, 2008, Cotecna will provide Pre-Shipment Inspection and Destination Inspection including Scanners and Risk Management* as well as Transit Monitoring** services.

- NS 03-094 on corn
- NS 03-096 on nectar on Guava, baobab fruit, ‘Ditax’, mango
- NS 03-105 on flour corn
- NS 03-108 on garlic
- NS 03-109 on sweet corn

In addition to the revised standards in November 2013, the ASN published also several new standards related to the determination of acidity, humidity, water content, fatty and non-fatty content, nitrogen content, immuno-enzymes test description, microorganisms content, for butter, fresh, sweet, fermented, and powder milk (NS 03-117 to NS 03-137).

NS 03-138 to NS 03144 are related to standards for method of determination of microorganisms in food microbiology.

NS 03-072 has been revised in July 2013 to determine the fatty content on palm oil enriched with vitamin A.

Detailed information and guidance on these standards and their applications can be provided by the ASN upon request. Food safety, labeling, packaging, and contaminants were emphasized. Heavy metals are not allowed in quantity that can have impact on human health, Maximum Residue Limits and mycotoxins should conform to the Codex standards for each product.

Section VIII. Copyright and/or Trademark Laws

Senegal is a member of *World Intellectual Property Organization (WIPO)* and has signed the *WIPO Singapore Treaty on the Law of Trademarks* in March 2006. Senegal has also acceded to the *Paris Industrial Property Convention* in 1963, the *Hague Deposit of Industrial Designs Convention* in 1984, and the *WIPO Copyright Treaty* in 2002. Senegal is also member of the *African Intellectual Property Right Organization*.

In Senegal, the government body responsible for the supervision of industrial and intellectual property rights is the *Ministry of Industries* through the *Industrial Property and Technology Service*.

Trademarks, industrial designs and patents are regulated by specific national legislations referring to the *Banjul Agreement on Trademarks, Patents and Industrial Designs* of 1997, revised in 1999.

Senegal has also signed the *Universal Copyright Convention* which entered into effect in July 1974. Copyrights and related rights are supervised by the Ministry in charge of Culture through the *Copyright Office* of Senegal (BSDA), and regulated through the Law No. 73-52.

Section IX. Import Procedures

As it is true in most cases, the best way to navigate the import clearance process in Senegal is to develop good communications and relations with the importer who has significant experience in the process

summarized below.

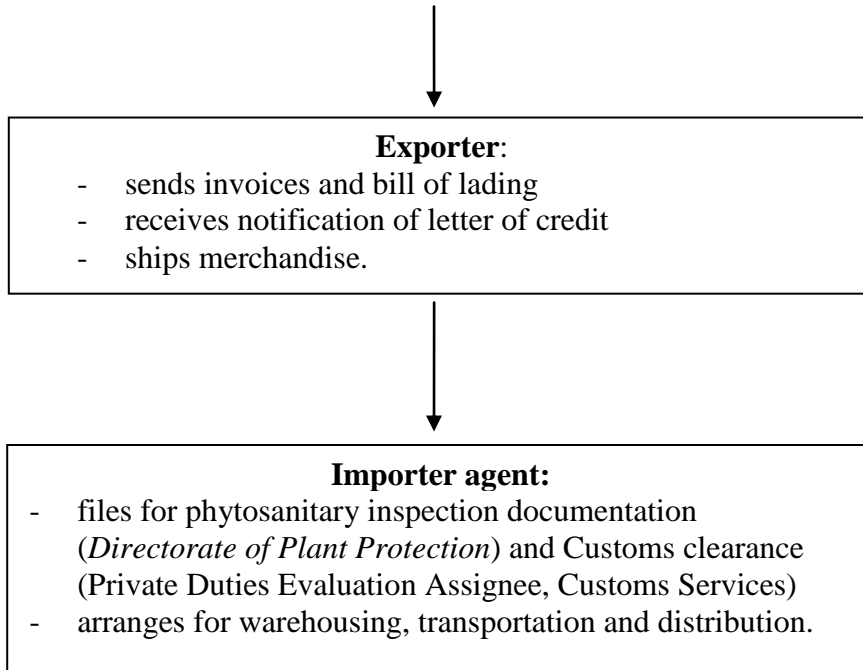
Import procedures include the following (See GAIN Report SG7005):

- The importer or local agent submits a Preliminary Import Declaration seven days before shipping imported goods when the value of the merchandise is equal or greater than \$2,000. The *Division of Consumption and Quality* of the *Ministry of Trade, Entrepreneurship, and Informal Sector* approves the Preliminary Import Declaration after submission of three copies of the Pro Forma Bills of Lading and the declaration. The Preliminary Import Declaration is valid for two years and can be extended. This must be cancelled and reissued if the supplier change, the value of the order increased by more than ten percent, or if there is a modification in the quantity of the order.
- Any FOB import value equal to or greater in value than CFA three million (\$6,000) must be inspected by a U.S. pre-shipment inspection company before the shipment. This company must present a clear report of findings; and issue a Pre-Shipment Inspection Certificate (PSI). Note that PSI is not required for the following products: live animals; perishable goods for human consumption neither frozen, nor deep frozen (meat, fish, vegetables and fruit); plants and flowers; Cereals imported or approved by the public sector; and any imports with a total order FOB value equal to or below CFA 3 million.

Imported goods intended to be re-exported are subject to a temporary admission system and are not assessed customs duties. However, customs officials may decide to spot-check as this system is sometimes abused.

The following chart describes the documentation flow for imports:

<p>Importer/Agent:</p> <ul style="list-style-type: none"> - receives invoices from exporter - provides proof of financial capacity (irrevocable letter of credit or other guarantee) - fills out preliminary import declaration forms for approval by the division of consumption and quality - receives necessary import license, - provides certificate of origin.
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Payment can be made by wire transfer, check, cash or any other legal methods agreed upon by parties involved in the transaction. Most suppliers require 50 percent down payment at the time of order and the remaining half after delivery. Some demand advance payment. Payments by government clients may be delayed. Normally, payments are made within 30 to 60 days. Any payment for imported goods greater in value than CFA one million (\$2,000) must be made through an approved Senegalese bank or financial institution.

Several private customs and transit consultant firms are available and can assist your agent or importer to go through these procedures and therefore reduce cost and speed up administrative authorizations.

Note: 500 F CFA= \$1

Appendix I. Government Regulatory Agency Contact

Direction du Commerce Intérieur (Directorate of Internal Trade)
 Minister of Trade, Informal Sector, Consumption, Promotion of local products, and Small and Medium Enterprises Rue Parchappe X Beranger Ferraud, Dakar, Senegal
 Tel: +221 – 33 822 45 59
 Fax: +221 – 33 821 98 90

Email: spdci@yahoo.fr
Website: www.commerce.gouv.sn

Laboratoire du Commerce Interieur
Minister of Trade, Informal Sector, Consumption, Promotion of local products, and Small and Medium Enterprises Rue Parchappe X Beranger Ferraud, Dakar, Senegal
Tel: +221 – 33 822 45 59
Fax: +221 – 33 821 98 90
Website: www.commerce.gouv.sn

Direction du Commerce Extérieur (Directorate of External Trade)
Minister of Trade, Informal Sector, Consumption, Promotion of local products, and Small and Medium Enterprises Cite SAGEF Ouest Foire Number 64B
Tel: +221 – 33 820 4494
Fax: +221 – 33 829 9495
Email: Not available
Website: www.commerce.gouv.sn

Senegalese Agency for Export Promotion (Agence Sénégalaise de Promotion des Exportations)
ASEPEX
Avenue Cheikh Anta Diop, Dakar, Senegal
Tel: +221 33 889 29 88
Email asepex@asepex.sn
Website: www.asepex.sn

Agence de Régulation des Marchés (ARM)
Minister of Trade, Informal Sector, Consumption, Promotion of local products, and Small and Medium Enterprises
7, Point E en face canal IV - Rocade Fass
Tel: +221 33 869 16 17
Email: agencederegulation@yahoo.fr

Association Sénégalaise de Normalisation (ASN) – Senegalese Standards Association
21 Lotissement Front de Terre x Bourguiba
BP 4037 Dakar, Sénégal
Tel: +221 – 33 827 6401
Fax: +221 – 33 827 6412
Website: <http://www.asn.sn>
Email: wilanemalick@yahoo.sn

Direction de la Protection des Végétaux (Directorate of Plant Protection)
Ministry of Agricultural and Rural Development
Km 15, Route de Rufisque,
BP 20054, Thiaroye- Dakar, Sénégal
Tel: +221 – 33 834 0397
Fax: +221 – 33 834 28 54 / 33 853 2252
Email: dpv1@orange.sn
Website: Not available

Senegalese Agency for Industrial Property and technologic Innovation
Minister of Trade, Informal Sector, Consumption, Promotion of local products, and Small and Medium
Enterprises Liberte 6 extension Nord Villa 21
BP 4037 Dakar Peytavin
Tel: +221 – 33 869 4770
Fax: +221 – 33 827 36 14
Email: asit@orange.sn; ballamoussah6019@yahoo.fr

Senegalese Copyright Office (BSDA)
Ministry of Culture
7, Rue du Dr Theze
BP 126, Dakar
Tel: +221 – 33 889 01 86
Fax: +221 – 33 822 2459
Email: bsda2000@orange.sn
Website: Not available

Appendix II. Other Import Specialist Contacts

Trade Point Sénégal (Import information and requirements)
Km 2,5 Boulevard du Centenaire de la Commune de Dakar
BP: 21674 Dakar Ponty
Tel: (221) 33 839 73 73
Fax: (221) 33 839 73 90
Email : tpdakar@tpsnet.org
Website: www.tpsnet.org

Institut de Technologie Alimentaire (Food Technology Institute – testing of food quality)
Route des Pères Maristes - Dakar Hann - Sénégal
Tel. +221 33 859 0707
Fax. +221 33 832 82 95
Email : ita@ita.sn
Website: www.ita.sn

ISRA, Laboratoire National d'Elevage et de Recherche Vétérinaire (Animal Production and Veterinary Research Laboratory – testing of quality of animal food products and animal feed)

B.P 2057 Dakar-Hann, Sénégal

Tel : 221 33 832 3678

Fax : 221 33 832 3679

Email: Not available

Website: www.isra.sn

Institut Pasteur of Dakar (Food safety and quality testing)

36, Avenue Pasteur

B.P. 220 - DAKAR

Tél. : + 221 33 839 92 00

Fax : + 221 33 839 92 10

Email: pasteurdakar@pasteur.sn

Website: <http://www.pasteur.sn>