ENSURING the SAFETY of IMPORTED FOOD

CURRENT APPROACHES for IMPORTED FOOD CONTROL in MYANMAR, NEPAL, the PHILIPPINES and SRI LANKA
Ensuring the safety of imported food
Current approaches for imported food control in Myanmar, Nepal, the Philippines and Sri Lanka
Abstract
Food products have been the third most valuable commodity group traded internationally, and imports constitute a significant proportion of the food supplies of developing countries in particular. FAO Members have expressed the need for technical support and guidance to achieve effective national imported food control systems. In 2017, FAO collaborated with the Governments of Myanmar, Nepal, the Philippines and Sri Lanka under the project entitled “Strengthening national capacity for risk-based food import control within a One Health framework” to support the countries in improving their existing systems of national imported food controls. National situation reports of the countries were developed to identify and document their systems’ current status with their strengths and any improvements needed. Findings of the national situation reports have indicated that there are common approaches and tools that can be used to address the needs in all four countries, despite the differences in their levels of development, human capacities and institutional structures. The present document has compiled all four national situation reports and summarized some approaches and tools that would be applicable to most developing countries in the world, including the: 1) use of risk categorization to prioritize commodity and hazard combinations to create a concise and easy reference for border control officials so that high-risk and high-interest food items will receive more attention than other food items; 2) nationwide dissemination and use of standard operating procedures for risk-based inspections for imported foods to maintain consistency and transparency; and 3) systematic written communication mechanism among food safety competent authorities and relevant border control officials on importer profiles, the abovementioned risk categorization results, and required documents to achieve effective risk-based management for imported foods.

Keywords: food safety; import controls; inspection; capacity building; One Health; Myanmar; Nepal; Philippines; Sri Lanka; food chains; food contamination; food legislation; food quality; food standards; food-borne diseases.
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Acknowledgements

The Food and Agriculture Organization of the United Nations (FAO) would like to express its appreciation to the many people who provided their input and feedback during the preparation of this document. Document development was coordinated by Masami Takeuchi, Food Safety Officer (FAO), under the overall guidance of Sridhar Dharmapuri, Senior Food Safety and Nutrition Officer of FAO Regional Office in Asia and the Pacific (FAORAP). The original national situation reports have been authored by Peter Liehne, FAO international consultant (Myanmar); Uttam Bhattarai, FAO national consultant (Nepal); Paz Benavidez, FAO national consultant (Philippines); Amelia W. Tejada, FAO national consultant (Philippines); and Niranjan Rajapakse, FAO national consultant (Sri Lanka). Contributions from various FAO colleagues, including Ohn Kyaw (FAO Myanmar), David Hadrill (FAO Myanmar), Arjun Thapa (FAO Nepal), Rafael Umbrero (FAO Philippines), Roshini Gunaratne (FAO Sri Lanka) and Gokce Akbalik, FAO Junior Consultant (FAORAP) are gratefully acknowledged. The document has been technically edited by Kim Des Rochers.
## Abbreviations and acronyms

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<th>Description</th>
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<tr>
<td>AQO</td>
<td>Animal Quarantine Office, Nepal</td>
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<tr>
<td>ASEAN</td>
<td>Association of South East Asian Nations</td>
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<tr>
<td>ASYCUDA</td>
<td>Automated System for Customs Data, Sri Lanka</td>
</tr>
<tr>
<td>BAI</td>
<td>Bureau of Animal Industry, Philippines</td>
</tr>
<tr>
<td>BFAR</td>
<td>Bureau of Fisheries and Aquatic Resources, Philippines</td>
</tr>
<tr>
<td>BIR</td>
<td>Bureau of Internal Revenue, Philippines</td>
</tr>
<tr>
<td>BOC</td>
<td>Bureau of Customs, Philippines</td>
</tr>
<tr>
<td>BPI</td>
<td>Bureau of Plant Industry, Philippines</td>
</tr>
<tr>
<td>CAC</td>
<td>Codex Alimentarius Commission</td>
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<tr>
<td>CAQO</td>
<td>Central Animal Quarantine Office, Nepal</td>
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<tr>
<td>CC</td>
<td>Conformity Certificate</td>
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<td>CSW</td>
<td>cold storage warehouse</td>
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<tr>
<td>CUSDEC</td>
<td>Custom Declaration, Sri Lanka</td>
</tr>
<tr>
<td>DA</td>
<td>Department of Agriculture, Philippines</td>
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<tr>
<td>DAIM</td>
<td>Department of Agriculture Inspection Mission, Philippines</td>
</tr>
<tr>
<td>DAPH</td>
<td>Department of Animal Production and Health, Sri Lanka</td>
</tr>
<tr>
<td>DFTQC</td>
<td>Department of Food Technology and Quality Control, Nepal</td>
</tr>
<tr>
<td>DoA</td>
<td>Department of Agriculture, Nepal</td>
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<tr>
<td>DOA</td>
<td>Department of Agriculture, Sri Lanka</td>
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<tr>
<td>DoC</td>
<td>Department of Customs, Nepal</td>
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<tr>
<td>DOH</td>
<td>Department of Health, Philippines</td>
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<tr>
<td>DoLS</td>
<td>Department of Livestock Service, Nepal</td>
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<tr>
<td>DoPP</td>
<td>Department of Plant Protection, Myanmar</td>
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<tr>
<td>DTI</td>
<td>Department of Trade and Industry, Philippines</td>
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<tr>
<td>FAO</td>
<td>Food and Agriculture Organization of the United Nations</td>
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<tr>
<td>FCAU</td>
<td>Food Control Administration Unit, Sri Lanka</td>
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<tr>
<td>FDA</td>
<td>Food and Drug Administration, Myanmar</td>
</tr>
<tr>
<td>FMEs</td>
<td>foreign meat establishments</td>
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<tr>
<td>FNCCI</td>
<td>Federation of Nepalese Chamber of Commerce and Industry</td>
</tr>
<tr>
<td>FSRA</td>
<td>food safety regulatory agencies</td>
</tr>
<tr>
<td>HACCP</td>
<td>Hazard Analysis and Critical Control Points</td>
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<tr>
<td>IHC</td>
<td>International Health Certificate</td>
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<tr>
<td>INFOSAN</td>
<td>International Food Safety Authorities Network</td>
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<td>IPPC</td>
<td>International Plant Protection Convention</td>
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<td>ISPMs</td>
<td>International Standards for Phytosanitary Measures</td>
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<tr>
<td>IVHC</td>
<td>International Veterinary Health Certificate</td>
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<tr>
<td>LBVD</td>
<td>Livestock Breeding and Veterinary Department, Myanmar</td>
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<tr>
<td>LOI</td>
<td>letter of intent</td>
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<tr>
<td>MACCS</td>
<td>Myanmar Automated Cargo Clearance System</td>
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<td>MIED</td>
<td>Meat Import Export Division, Philippines</td>
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<tr>
<td>MITS</td>
<td>Myanmar Inspection and Testing Services Ltd</td>
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<td>MoAD</td>
<td>Ministry of Agricultural Development, Nepal</td>
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<tr>
<td>MoALI</td>
<td>Ministry of Agriculture, Livestock and Irrigation, Myanmar</td>
</tr>
<tr>
<td>MoC</td>
<td>Ministry of Commerce, Myanmar</td>
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<tr>
<td>MoF</td>
<td>Ministry of Finance, Nepal</td>
</tr>
<tr>
<td>MoGA</td>
<td>Ministry of General Administration, Nepal</td>
</tr>
<tr>
<td>MoH</td>
<td>Ministry of Health and Sports, Myanmar</td>
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<tr>
<td>MOH</td>
<td>Ministry of Health, Sri Lanka</td>
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<tr>
<td>MoLD</td>
<td>Ministry of Livestock Development, Nepal</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>MRI</td>
<td>Medical Research Institute, Sri Lanka Standards Institution</td>
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<tr>
<td>MRL</td>
<td>maximum residue limit</td>
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<tr>
<td>MRP</td>
<td>maximum retail price</td>
</tr>
<tr>
<td>NCA</td>
<td>National competent authority</td>
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<tr>
<td>NFA</td>
<td>National Food Authority, Philippines</td>
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<tr>
<td>NMIS</td>
<td>National Meat Inspection Service, the Philippines</td>
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<tr>
<td>NPC</td>
<td>National Planning Commission, Nepal</td>
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<tr>
<td>NPQP</td>
<td>National Plant Quarantine Program, Nepal</td>
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<tr>
<td>NPQS</td>
<td>National Plant Quarantine Service, Sri Lanka</td>
</tr>
<tr>
<td>NPQSD</td>
<td>National Plant Quarantine Service Division, Philippines</td>
</tr>
<tr>
<td>NVQSD</td>
<td>National Veterinary Quarantine Services Division, Philippines</td>
</tr>
<tr>
<td>OIE</td>
<td>World Animal Organization</td>
</tr>
<tr>
<td>PPSSD</td>
<td>Plant Product Safety Services Division, Philippines</td>
</tr>
<tr>
<td>PRA</td>
<td>pest risk analysis, Philippines</td>
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<tr>
<td>SARSO</td>
<td>South Asia Regional Standard Organization</td>
</tr>
<tr>
<td>SEC</td>
<td>Securities and Exchange Commission, Philippines</td>
</tr>
<tr>
<td>SLS</td>
<td>Sri Lanka Standard Specification</td>
</tr>
<tr>
<td>SLSI</td>
<td>Sri Lanka Standards Institution</td>
</tr>
<tr>
<td>SOP</td>
<td>Standard Operating Procedure</td>
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<tr>
<td>SPS</td>
<td>sanitary and phytosanitary measures</td>
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<tr>
<td>SPSIC</td>
<td>Sanitary and Phytosanitary Import Clearance, Philippines</td>
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<tr>
<td>TERMS</td>
<td>Trade Enabling Management System, Philippines</td>
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<tr>
<td>TIN</td>
<td>tax identification number</td>
</tr>
<tr>
<td>VQMILOC</td>
<td>Veterinary Quarantine Meat Inspections Laboratory Certificate, Philippines</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organization of the United Nations</td>
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<td>WTO</td>
<td>World Trade Organization</td>
</tr>
</tbody>
</table>
Executive summary

Food products are the third most valuable commodity group traded internationally, and imports constitute a significant proportion of the food supplies of developing countries in particular. FAO Members have expressed the need for support and guidance to achieve effective national imported food control systems. Following the FAO Risk Based Imported Food Control Manual (2016), Myanmar, Nepal, the Philippines and Sri Lanka developed their own national situation reports in order to describe the current status of their systems with their strengths and improvement needed. Information from all countries were collected by experts through stakeholder meetings with relevant agencies and resource people, the interpretation of publicly available data, and studies carried out previously on the subject. Based on the national situation reports, a list of imported food control approaches and methodologies has been prepared so that the relevant competent authorities can be informed on various practical approaches and tools that can be used in the effective control of imported food items.

Various good practices are commonly used in countries despite the differences in their capacities and food import priorities. Subjecting imported foods equally to the same legal requirements for domestic foods, keeping records of importer profiles and imported foods, making testing and sampling methodology and frequency decisions based on the risk level of the food, and having risk-based management actions at the border control are several approaches used in the project countries.

There is a mutual recognition of the usefulness of three approaches that are applicable to most developing countries in the world, including: 1) the use of risk categorization to prioritize commodity and hazard combinations to create a concise and easy reference for border control officials so that high-risk and high-interest food items will receive more attention than other food items; 2) the nationwide dissemination and use of standard operating procedures for risk-based inspections for imported foods to maintain consistency and transparency; and 3) the systematic written communication among food safety competent authorities and relevant border control officials on the information of importer profiles, the abovementioned risk categorization results, and required documents to achieve effective risk-based management for imported food safety. Readers from any given country’s competent authority may benefit from reading this document to identify feasible approaches and tools in their country contexts to strengthen their own country’s imported food control systems.
1 Introduction

1.1 Background

Food products have been the third most valuable commodity group traded internationally, and imports constitute a significant proportion of the food supplies of developing countries in particular. In order to protect the health of consumers and ensure fair practices in food trade, international agreements of sanitary and phytosanitary measures (SPS) and technical barriers to trade (TBT) are set by the World Trade Organization (WTO). WTO defines the framework for control measures, and WTO Members are encouraged to harmonize their national measures with the international food standards developed by the Codex Alimentarius (hereafter referred to as Codex). However, many developing countries have expressed the need for additional support and guidance on the practical elaboration of these measures.

In 2017, the Food and Agriculture Organization of the United Nations (FAO) collaborated with four countries – Myanmar, Nepal, the Philippines and Sri Lanka – under the project entitled “Strengthening national capacity for risk-based food import control within a One Health framework” on effective national imported food control systems. In order to achieve this goal, it has been essential to understand the existing situation of the national imported food control system so that competent authorities would be able to identify requirements for improvement, set priorities and organize their work within the context of available resources. Hence, national situation reports were developed with all of the necessary information collected by national and international experts through literature reviews, analyses of publicly available data and previously conducted studies, and stakeholder meetings with relevant government agencies and resource people.

1.2 FAO Risk Based Imported Food Control Manual (2016)

The FAO Risk Based Imported Food Control Manual has been developed to guide competent authorities towards the goal of improving the effectiveness of their imported food control mechanisms. The manual provides concrete illustrations of how Codex guidelines can be implemented in different ways, and how different options for control measures can be selected and combined to best fit the needs of each country. Particular emphasis is given to risk-based programming in order to support countries in allocating available resources to target priority risks in the most appropriate manner. The manual can be obtained at http://www.fao.org/documents/card/en/c/caec22a2-b63d-4c27-861d-dd75788ec1d1.

1.3 Target audiences

The primary target audience of the present document is officials from food safety competent authorities who are involved in designing and improving national imported food control systems in developing countries. This document provides practical and useful information to not only those who are from the project countries (Myanmar, Nepal, the Philippines and Sri Lanka), but also those from other countries and regions. While the contents are directly relevant to those who work in the area of food safety, the document should provide substantial references to officials who are involved in border controls, including customs officers, quarantine officers and relevant policy-makers.

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1 Based on World Trade Organization statistics in 2014.
1.4 How to use this document

The document includes four country situation reports that illustrate various approaches, methodologies and tools that have been used to improve national imported food control systems. It is recommended for the reader to review the situation reports, keeping in mind that there is no one approach, methodology or set of tools that works everywhere; the tools need to be carefully selected and tailored for each country situation and context. The four countries that participated in the project are at very different levels of development and economical status; thus, the priorities and capacity development needs vary. However, there are some approaches that have been recognized as being quite useful by officials in all four countries, and these are summarized in Chapters 6 and 7. The reader is encouraged to focus on similarities and common issues while reading the four national situation reports so that potential solutions and approaches for their own country might be effectively realized.
2 National situation report: Republic of the Union of Myanmar

2.1 Overview
Food safety management systems in Myanmar are going through major changes in legal framework development and enforcement with regard to the outcome “improve food safety and quality” set in the Country Programming Framework with FAO (2012–2016). Myanmar’s rural economy has been largely self-sufficient in various food commodities in past decades; however, due to low intensive traditional farming practices, urbanization and changing patterns in consumer food preferences and demand have created a significant need for imported food. Detailed data on food imports by commodity or source in Myanmar are not readily available, but in broad categories, the country imports food products, animal and animal products, and vegetables mainly from India, Singapore, Indonesia, Thailand, New Zealand and Malaysia. It was observed that Myanmar is faced with a substantial volume of unregulated trade through borders, particularly through major trade routes with China and Thailand.

Myanmar is in the process of drafting a Food Law that covers both domestically produced and imported foods. The primary legal instrument regulating imports of food and food-related products into the country is the Import and Export Law under the Ministry of Commerce (MoC). Secondary laws under the Ministry of Agriculture, Livestock and Irrigation address plant and animal SPS requirements, while the Food Law (under review at the time of this report) addresses food regulatory and technical standards including food safety.

2.2 Food imports in Myanmar
The general context for food imports in Myanmar, as a largely traditional rural economy, has been largely self-sufficient in some food commodities, but demand is now outstripping supply. This is largely because the production is in traditional small-scale mixed and low-intensity farming, and the adoption of modern, more intensive production techniques is in its infancy. The cost and investment needed to adopt modern, more intensive production practices is prohibitive in some sectors and the farm sizes do not allow for the economies of scale needed to absorb such costs. There is, however, broad recognition of the need to enhance production domestically if local demand is to be met. Myanmar wishes to further develop its export capacity in agricultural produce, and agriculture is modernizing, albeit slowly. Comparative data on production and available agricultural land area show that Myanmar lags well behind neighboring countries in the efficiency of agricultural production of many of the country’s staple foods.

The increasing urbanization and development of a middle class in Myanmar is also a factor of the exponential increase in the demand for imported food. What were occasional luxuries are now considered to be part of the staple diet. The result is that there is a thriving import trade to make up the shortfall in production.

2.2.1 Main imported food products and trade partners
Data from the World Bank show the top trade partners of Myanmar according to the total value of imports, and does not specify the commodities that are being imported. Detailed data on food imports by commodity or source in Myanmar are not readily available. MoC provides data on the value of exports, including agricultural produce, in broad terms but these data are not analyzed by commodity or export market.
Table 1. Top ten countries by value of imports to Myanmar.

<table>
<thead>
<tr>
<th>Rank</th>
<th>Country</th>
<th>Food products (USD thousands)</th>
<th>Animal (USD thousands)</th>
<th>Vegetable (USD thousands)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>India</td>
<td>698,418</td>
<td>56,056</td>
<td>336,080</td>
</tr>
<tr>
<td>2</td>
<td>Thailand</td>
<td>482,809</td>
<td>16,483</td>
<td>126,344</td>
</tr>
<tr>
<td>3</td>
<td>Singapore</td>
<td>177,788</td>
<td>13,701</td>
<td>104,400</td>
</tr>
<tr>
<td>4</td>
<td>Belize</td>
<td>113,959</td>
<td>9,525</td>
<td>76,302</td>
</tr>
<tr>
<td>5</td>
<td>Brazil</td>
<td>100,764</td>
<td>6,483</td>
<td>69,651</td>
</tr>
<tr>
<td>6</td>
<td>Malaysia</td>
<td>75,071</td>
<td>3,719</td>
<td>34,102</td>
</tr>
<tr>
<td>7</td>
<td>United Arab Emirates</td>
<td>71,300</td>
<td>2,949</td>
<td>28,798</td>
</tr>
<tr>
<td>8</td>
<td>Indonesia</td>
<td>56,602</td>
<td>2,757</td>
<td>13,645</td>
</tr>
<tr>
<td>9</td>
<td>United States</td>
<td>50,969</td>
<td>1,786</td>
<td>10,768</td>
</tr>
<tr>
<td>10</td>
<td>Vietnam</td>
<td>42,614</td>
<td>1,667</td>
<td>8,085</td>
</tr>
</tbody>
</table>


Some of the exporting countries presented in Table 1, such as Singapore, are transit countries. Products originating from other countries and traded or passing through Singapore sometimes have difficulty at the Myanmar border as their origin is stated as Singapore (where the goods were purchased) and Singapore cannot provide the required certification.

2.2.2 Major sites for food imports

There are four major trade routes for products entering Myanmar: The major port for containerized sea trade in Yangon, and three major land border trade routes. These ports and border posts also examine exports. Most border control activity is based around the high-volume sea trade through Yangon. Smaller border posts are at the three major land crossings. The border posts appear to be on the primary road crossing, but there are a large number of secondary crossings and it is relatively easy to bypass the official border post. Similarly, almost any port along the coastline may be used for small illegal imports. There is a very significant illegal trade through these land border posts.

Incentives for illegal trade are:
- the need for importer licensing and assessment of the products to be imported;
- delays or restrictions on getting the product to market as a result of border controls;
- the duty payable on imports, which boosts profitability for the importer;
- illegal trade may allow for imports of lower cost, uncertified products (such as non-certified, pathogen-free fish stock) than are required under Myanmar’s regulations.
Myanmar has mandatory standards in place for some export commodities, and these are given priority in order to maintain export markets and earnings, and include some testing for hygiene and food safety. China has funded laboratory services on major trade routes to China, and these are largely used to screen exports from Myanmar to China.

Borders, particularly the major trade routes with China and Thailand, are somewhat porous and there is a great volume of unregulated and unacknowledged trade. Some of this trade, for example imports of unapproved and unregulated agricultural chemicals (e.g. pesticides), has profound implications for food safety management in Myanmar.

2.3 Importer profiles
Under the Export/Import Control Law, all exporters and importers are required to register with MoC. This works well for the regulated trade but cannot address the large, unregulated cross border trade. MoC works closely with line ministries in developing importer profiles and approvals of importer licenses and import permits. Licenses and permits are valid for two years. This process ensures that MoC has data on licensed importers, but these data are not available. On arrival, customs works closely with line ministries in assisting with import controls and inspections that may be required. Most data on imports are paper-based and, there is at present, limited scope to use importer compliance profiles to streamline import inspections. This could be overcome by initiating a structured sampling programme to assess the compliance performance of importers.

2.4 Generic food import flow
There is a two-tier customs system for controlling imports in Myanmar. Imports arriving by air or sea through the major ports are categorized according to their risk under the Myanmar Automated Cargo Clearance System (MACCS) framework, and inspected accordingly. MACCS classifies products by an international, harmonized code for cargo, with an overlay of Myanmar border experience on compliance of specific cargo streams. This classification identifies three groupings of food:
   - “Green channel goods” are very low risk and are released with no check of documentation or inspection.
   - “Yellow channel goods” are considered medium risk and have document checks and are sampled for assessment, if needed, but are released to the importer, pending test results.
   - “Red channel goods” are the high-risk imports and have full document checks, inspection and sampling for testing as required. These may be sent to post arrival quarantine facilities. Foods and animal and plant imports are red channel imports.

Such classification systems for import controls by customs are widely used to manage risk-based import clearance programmes. There is usually capacity for random sampling and examination for lower-risk (yellow and green channel) imports to assure that goods are correctly classified and that high-risk goods are not misrepresented as lower risk goods in the documentation.

It is not clear what proportion of imports pass through each of the three channels in Myanmar, but international experience suggests that the bulk of goods fall into the “green channel” and the smallest proportion in the “red channel”. Myanmar does not appear to have the capacity for an active verification framework at this stage.

The trade through land borders is less structured. Infrastructure and staffing limit the scope to apply the MACCS framework, and goods are generally inspected through document checks, and physical inspection and sampling for laboratory analysis where required. There are scant post-entry, quarantine facilities and limited laboratory support at land border crossings. In general, the existing laboratory capacity is directed at the export trade meeting the importing country’s requirements.
In addition, there are often multiple crossing points at each of the major land borders, but the formal border post services only the major crossing point. As such, imports can arrive in Myanmar by bypassing the land border checkpoints and entering the country illegally. Anecdotal evidence suggests that this is true for many animal-based products (e.g. chicken meat, eggs) and some plant products. It is also true of many inputs such as fertilizer and pesticides, and breeding stock (poultry day-old chicks, piglets and fish stock for aquaculture). There is, however, no detailed analysis of the quantity and type of goods that enter illegally via land border routes, although there is mirror value data for the border post with Thailand that suggests that about 90% of imports do not pass through the border checkpoint.

Concerns have been raised about the potential introduction of new pests and diseases through this route because the legitimate trade must use certified pathogen-free stock, which passes through mandatory quarantine and is tested on arrival.

It was noted that customs has a small number of “mobile” checkpoints that can target the smaller alternate pathways that bypass major checkpoints, but this capacity is limited. The trade infrastructure in Myanmar’s ports is underdeveloped. There are limited facilities for handling bulk commodities such as grain. Often, grain and other bulk products are imported in containerized trade, or packaged in bags and smaller containers that can be manually unloaded and managed. The same is true for liquids where the number of terminals for bulk oil is small and there is a large trade in edible oil in drums and containers (50 L) that can be manually unloaded.

Myanmar’s systems for food importation are not well developed yet need to be, and can be strengthened by aligning with the Codex frameworks for food import and export controls and certification systems. The Food and Drug Administration (FDA) has also outlined the internal procedures for the importation of processed foods. The overall import flowchart of Myanmar is provided in Annex 1. Applications for licenses and import permits are assessed on a case-by-case basis, with specific products being assessed and sent for laboratory analysis. Border processes are outlined by FDA are presented in Figure 1.

Figure 1. Flow chart for importation processes.

---

**Flow Chart for Import Recommendation Process**

- Case application
  - Product Specification
  - Ingredient List
  - Product Registration / GMP Certificate / Free Sale Certificate
  - Label Photo (for large pack size)
- Documents Assessment
  - Preshipment Sample
- Laboratory Assessment
  - Laboratory Results
- Issue Import Recommendation Certificate (2 years validity from the time of issue)
- Pick up Import Recommendation for Importation License at Ministry of Commerce

**Flow Chart for Health Certificate of Food for Importation Process**

- Case application
  - Import Declaration
  - Shipping documents (Bill of
    - Loading, Invoice, Packing list)
  - Health Certificate / Certificate of analysis
- Documents Assessment
  - Representative sample of Imported Foods for Customs Clearance
- Laboratory Assessment
  - Laboratory Analysis of imported food (Shipment samples)
- Issue HC for Customs clearance
- Pick up HC for imported food for Customs Clearance
The Ministry of Agriculture, Livestock and Irrigation (MoALI), Department of Plant Protection (DoPP), which is responsible for plant health, reviews phytosanitary certification issues by the exporting country’s competent authority. MoALI’s Livestock Breeding and Veterinary Department, applies the same for animal health. Imports of live animals, plants and seeds, and raw unprocessed animal and plant food products are subject to regulatory controls (e.g. testing, quarantine) set by the line ministries.

Myanmar, however, lacks comprehensive food standards applicable to foods, both domestic and imported. There are a very small number of national standards adopted for commodities of national importance as export commodities. The lack of a comprehensive set of food standards makes such inspections of imported processed foods very general in scope.

2.4.1 Pre-border control
Pre-border controls include:
- Export certification by the competent authority in country of origin;
- Export recognition arrangements (i.e. recognizing in-country controls and management in the country of origin, restriction of imports to defined high health source countries);
- Food safety management systems (producer systems) certification from third party audited accredited systems of management; and
- Foreign supplier verification by known producers with a good safety and compliance record.

The system of importer licensing and assessment by responsible line ministries provides a solid framework for pre-border controls within Myanmar.

A: Animals and animal products (live animals for breeding stock, raw animal products)
Myanmar requires that (all) animals and animal products be sourced from permitted low-disease risk countries. Some animals (fish fry, day-old chicks) must come from certified pathogen-free sources. All must have SPS certification from the competent authority in the country of origin.

B: Plants and plant products
Myanmar requires that plants and raw plant-based products have appropriate SPS certification from the competent authority in the country of origin. Products are checked on arrival. The same conditions apply to plant-based animal feeds.

C: Processed and manufactured food products
The importer licensing arrangements mean that samples of each product to be imported are assessed on a case-by-case basis by the FDA, and importer licenses and import permits are issued where the product meets Myanmar’s requirements. There is no formal system of approved sources or general recognition of equivalence for such products. The process looks at end-product samples and does not assess the management procedures or capacity of the company producing the food. There is some general acknowledgement of the food safety management systems in the country of origin, as part of the assessment process in support of granting a license.

2.4.2 Border control
All consignments arriving at the border must lodge documentation with the customs office. The customs office provides full documentation to the responsible line ministries, which assess the documentation for completeness and that the import meets all required criteria (e.g. origin, certification). For live animals, imports are sent for quarantine for a period specified under the regulations. Fees are payable, but these are nominal fees that do not cover the cost of quarantine. In some cases, such as day-old chicks from certified pathogen-free sources, imported chicks are released to the importer and held for 21 days under observation before distribution.
Animal food products are sampled at the border for microbiological testing and then released. Again, there are fees applicable for laboratory testing, but are nominal and do not cover the full cost of testing. Plant products are treated similarly with documentary checks for origin and phytosanitary certification. Plant products, including stock feed, are checked and may be tested for chemical residues.

Processed food is sampled and checked at the border with laboratory confirmation needed before the product is released. Inspection and sampling may be done by the FDA, external agencies (e.g. Myanmar Inspection and Testing Services Ltd, or MITS), or by the importer under customs’ supervision. Samples are submitted to FDA for laboratory testing, and the product is held under bond until it is cleared on the basis of the test results.

2.4.3 Post-border/in-country control
Food management and regulatory systems in Myanmar are underdeveloped. There is no adequate surveillance, traceability or recall system in place. While there is market surveillance, this is at best rudimentary and based on specific research or emerging issue analysis, rather than on a structured assessment of foods on the market. While standard setting and safety parameters are the responsibility of the national Ministry of Health and Sports (MoH) and FDA (under the food law), state and city authorities are responsible for markets and retail sectors and for ready-to-eat foods. Enforcement and surveillance is, therefore, patchy and uncoordinated. The flow of information about failures and imported foods is also sketchy.

2.5 List of existing documents and tools on imported food control

Table 2. List of documents and tools on imported food control.

<table>
<thead>
<tr>
<th>Name of the document or tool</th>
<th>Type</th>
<th>Used by</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flow chart for import license / permits and import health certificate processes (Processed food)</td>
<td>Flow chart and advice</td>
<td>Importers</td>
<td>MoH FDA advisory documents</td>
</tr>
<tr>
<td>Food standards</td>
<td>Mandatory regulatory requirements and technical standards</td>
<td>Importers and regulators</td>
<td>Under developed. Have small number of national standards, generally apply Codex, but needs strengthening</td>
</tr>
<tr>
<td>Procedure for importation and exportation of Animals, Animal Products, Veterinary Medicine, Animal Feed and Veterinary Equipment/Farm Equipment</td>
<td>Policy document</td>
<td>Importers and regulators</td>
<td></td>
</tr>
</tbody>
</table>
2.6 Roles and responsibilities of stakeholders and relevant legislations and regulations

The primary legal instrument regulating imports of food and food related products into Myanmar is the Import and Export Law under MoC, Department of Trade. Secondary laws under the Ministry of Agriculture, Livestock and Irrigation (MoALI) address plant and animal SPS requirements, and the Food Law (currently under review and the draft yet to be adopted) addresses food regulatory and technical standards, including food safety. The customs law is also applicable in so far as it regulates customs’ border activities. There is some overlap with the Consumer Law that regulates the safety of manufactured goods, and this may be taken to extend to the safety of manufactured foods.

Strong import controls and management occurs when importers know the mandated standards and requirements, and that these will be enforced consistently and efficiently on arrival. At present, these systems are underdeveloped in Myanmar.

Table 3. List of relevant ministries and laws on imported food control.

<table>
<thead>
<tr>
<th>Ministry</th>
<th>Law</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Commerce, Department of Trade</td>
<td>Import and Export Law (2012)</td>
<td>Basic requirements for import and export including requirements for registration and licensing of importers.</td>
</tr>
<tr>
<td></td>
<td>Law on Consumer Protection (2014) (Amendment (2017))</td>
<td>Covers all aspects of consumer protection including safety of manufactured goods that may include food in scope. Covers fraud and deception.</td>
</tr>
<tr>
<td>Ministry of health and Sports, Food and drug Administration</td>
<td>National Food Law (1997) (Revision under development)</td>
<td>Main vehicle for regulation of processed foods including bottled water, additives and processing aids, general compositional and quality standards, and food safety. There are a small number of Myanmar national standards for food that have been adopted under the Law on Standardization, and these are mainly on export commodities to underpin standards for export. Other than these commodity standards, there are no mandatory technical standards applicable to processed food, though there is general guidance that Codex standards should apply.</td>
</tr>
<tr>
<td></td>
<td>Aquaculture Law (1989)</td>
<td>Fisheries laws that regulate domestic production but also provide framework for SPS requirements for imports of fish and fishery products.</td>
</tr>
<tr>
<td>Ministry</td>
<td>Law</td>
<td>Comment</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Freshwater Fisheries Law (1991)</td>
<td>Guidelines and directives focus is on exports.</td>
</tr>
<tr>
<td></td>
<td>Seed Law (2011)(Amendment (2015) and Regulations (2016))</td>
<td>Regulations on imported feed for stock, mostly for residues</td>
</tr>
</tbody>
</table>

**Table 4.** Government stakeholders.

<table>
<thead>
<tr>
<th>Unit, division, department</th>
<th>Agency / Ministry</th>
<th>Roles and responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>FDA</td>
<td>Ministry of Health and Sport</td>
<td>National policy and regulation of processed foods, potable water, and licensing and inspection of food businesses. FDA is responsible for the domestic management of food and coordinates with and relies on State Region and local authorities for enforcement of food safety domestically. The Department of Public Health is responsible for the National Food Borne Disease Surveillance programs and for investigation and emergency management of disease incidents.</td>
</tr>
<tr>
<td>Agriculture Department</td>
<td>Ministry of Agriculture, Livestock and Irrigation</td>
<td>Policies and production of fresh fruit and vegetables, nuts, seeds grains, herbs, spices; registration and conditions of use for agricultural chemicals (fertilizers, pesticides); Residue monitoring programs; export certification. Phytosanitary certification of imports and exports.</td>
</tr>
<tr>
<td>Fishery Department; Livestock Breeding and Veterinary Department.</td>
<td>Ministry of Agriculture Livestock and Irrigation</td>
<td>Policy and management of all fisheries and animal production, and fresh raw meat and fish, shellfish, crustacean, freshwater fish, aquaculture products. SPS certification of imports and exports, Veterinary health and registration and use of veterinary medicines including residue and contaminant monitoring programs. Certification of exports.</td>
</tr>
</tbody>
</table>
Department of Trade | Ministry of Commerce | Department of Trade: Business licensing authority including for import / export, SPS and technical barriers to trade notification authority; Department of Trade Promotion and Consumer Affairs: Consumer protection including labelling, safety of manufactured goods.

Customs Department | Ministry of Finance | Customs: Import / export fees and duty, border controls on imports.

Ministry of Education and Science | Department of Innovation and Research: National Standards Body programme, Laboratory standards and coordination of national laboratory network.

Ministry of Planning and Economic Development | Municipal management reports under this Ministry but there is no direct control by Ministry of such operations. Food safety is a component of the long term, medium term and annual National Development Plans and their State / Region counterparts.

<table>
<thead>
<tr>
<th>Name of the stakeholder</th>
<th>Type of stakeholder</th>
<th>Roles and responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Importer</td>
<td>Importer</td>
<td>Comply with process and regulatory requirements</td>
</tr>
<tr>
<td>MITS</td>
<td>Service provider</td>
<td>Objective sampling and assessment</td>
</tr>
<tr>
<td>Trading Partners</td>
<td>Government</td>
<td></td>
</tr>
</tbody>
</table>

2.7 Inspection

All food imports of raw commodities, live animals, live plants and seeds for cultivation are subject to SPS controls, and possibly to on-arrival quarantine procedures. Often, SPS requirements take precedence over food safety considerations. MoALI issues import criteria that nominate high health status countries for sourcing such goods. Border controls are often based on the provision of adequate certification by competent SPS authorities in the exporting country, with on-arrival health checks, laboratory testing and point-of-arrival quarantine as required. Myanmar has detailed regulations for the importation of animals and animal products.

The MoH and FDA are responsible for the regulations and standards applicable to processed food imports. The picture is a bit confused. In 2008, MoC issued policy advice to importers, outlining import procedures, and identified certain processed foods that required on-arrival inspection and testing. The advice used edible oils and dairy products as examples, but this has now been interpreted as a definitive requirement, and edible oils and dairy products are routinely inspected and tested for quality and safety on arrival. It is unclear whether other products are also routinely inspected and tested on arrival. The protocols show that samples from import consignments should be submitted to
FDA for testing, but the products are released to the importer and often distributed before receipt of the test results.

The Myanmar Inspection and Testing Service (MITS) – an independent government business enterprise under MoC – is often used to inspect and sample imports and exports in Myanmar. It is not mandatory to use MITS, but it provides strong assurance for many importers (and exporters) that the procedures are followed correctly. MITS routinely inspects and samples much of the edible oil imports and dairy products. For bulk edible oils, MITS undertakes on-arrival inspections, samplings and laboratory screenings to allow unloading from the vessel (with confirmatory testing by FDA laboratories needed for the release of the goods from customs’ control).

On-arrival inspection and sampling may also be done by FDA, or the importer may draw samples under supervision by customs and submit these to FDA for testing, as needed. Where testing is needed, the product is held at the border or at the importer’s store under a customs bond, pending confirmation of acceptable test results.

The procedure for product arriving via land routes and passing through a border checkpoint is less stringent. There, customs officers and inspection staff simply check the product by name and manufacturer on the list of approved products, and allow the product entry. Laboratory facilities at the border are underdeveloped. Indeed, it is recognized that most staff and laboratory capacity at border checkpoints is directed to ensuring that export market requirements are met for Myanmar exports rather than assuring that imports meet Myanmar standards. It has been noted that the lack of comprehensive mandatory technical standards for manufactured foods limit the scope of any border inspection procedures.

On-arrival inspection systems vary. There is little capacity for risk-based approaches and performance-based adjustment of inspection requirements. The assessment of processed food products is based on an assessment of samples of the final product submitted as part of the importer’s licensing arrangement. There is a rudimentary assessment of the food management systems in the country of origin, but no assessment of the specific production business or their facilities.

For live animals and plants, MoALI inspectors assess documentation, and inspect and take samples as needed for laboratory analysis before animals are moved to quarantine. Where quarantine is at the importer’s premises, inspectors visit and assess when problems with health and disease are notified.

For processed foods, MITS undertakes inspection and sampling programmes for specific commodities (e.g. dairy products and edible oils), and sample according to internationally accepted random sampling protocols and in accordance with detailed standard operating procedures for each commodity being inspected.

Dairy goods and edible oils are routinely inspected and tested on arrival. Other food Imports (processed goods) are inspected to confirm that details in the documentation are correct, and that the food is an approved food. Sometimes these are sent for analysis. However, the absence of mandated and clear food standards in Myanmar that are applicable to, and enforced for, domestic production makes the inspection and control of imports more difficult.

Such protocols are not apparent in other areas. FDA does not have detailed work instructions or protocols for inspections of different food types. FDA does have two broad recording forms, one for bottled water and one for all other foods. In many cases, the importer submits all documentation through customs and samples the imported product under customs’ supervision, and submits samples to FDA laboratories for testing and clearance.
Inspection systems are patchy at best at the primary sea port at Yangon, and are rudimentary at the land border posts. There is very limited laboratory support available, and imports are often small volume imports by multiple importers, and inspection is largely limited to:

- document checks;
- confirmation of the consignment against documentation, and
- checking import commodities against a list of approved processed foods (based on the FDA assessment of import licenses).

Inspectors need to be well trained and have a good working knowledge of the legal, technical and regulatory standards applicable to importers. Inspectors also need to be confident (have a good working knowledge of all relevant laws and regulations), competent (trained in the standard protocols for inspection and sampling of the commodities) and make decisions that are compliant (meet all legal and regulatory requirements) and consistent (limited variability on decisions between inspectors or consignments).

Figure 2. Location of laboratories and checkpoints.

Table 6. Inspection processes at major borders for food imports in Myanmar.

<table>
<thead>
<tr>
<th>Border crossing</th>
<th>Customs procedure</th>
<th>Inspection Processed Food</th>
<th>Inspection live animals and raw animal product</th>
<th>Inspection live plants and raw plant products</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yangon Port</td>
<td>MACCS</td>
<td>100% either by direct FDA inspection, MITS inspection and</td>
<td>100% by MoALI, on-arrival testing and post arrival quarantine - sometimes at importers premises under observation by Livestock</td>
<td>100% by MoALI, on-arrival testing and post arrival</td>
<td>Primary sea port.</td>
</tr>
<tr>
<td>Location</td>
<td>Methodology</td>
<td>Quarantine</td>
<td>Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yangon Airport</td>
<td>100% either by direct FDA inspection, MITS inspection and sampling, or customs supervision of sampling for FDA analysis</td>
<td>100% by MoALI, on-arrival testing and post arrival quarantine - sometimes at importers premises under observation by LBVD inspectors. LBVD organize inspection team including staffs from the export/ import section, Lab technician and regional LBVD staff. Inspection team conduct the arrival test and collect samples for further lab analysis.</td>
<td>Primary port for air cargo.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myawaddy checkpoint</td>
<td>Screening of all imports on documentation</td>
<td>Inspection done on arrival and sampled for testing. Released to importer for quarantine observation under observation by LBVD inspectors. Inadequate post arrival quarantine facility and limited laboratory support. As arrival test: collect blood samples and swabs for the lab analysis. High level of informal trade. Major land trade route with Thailand.</td>
<td>Major trade route with Thailand.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Muse checkpoint</td>
<td>Samples kept for testing but goods released by reference to approved food list from FDA</td>
<td>Inspection done on arrival and sampled for testing. Released to importer for quarantine observation but not followed up.</td>
<td>Major trade route with China.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td>Inspection Status</td>
<td>Notes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tamu checkpoint</td>
<td>Inspection not undertaken</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maung Taw checkpoint</td>
<td>Inspection not undertaken</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kawtthaung checkpoint</td>
<td>Inspection not undertaken</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tarchilake checkpoint</td>
<td>Inspection done on arrival and sampled for testing. Released to importer for quarantine observation under observation by LBVD inspectors.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Myitkyina</td>
<td>Inspection not undertaken</td>
<td>Second trade route with China</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Animal products imported through legal pathways (mostly containerized chilled or frozen, packaged or bulk) are through the seaport. Origins are usually from sources considered free from animal pest and diseases of concern (e.g., Europe, Australia, New Zealand, United States and South America). Volumes are not high for premium meat products (beef, pork, lamb, duck) because these are largely for the high-end restaurant and hotel trade servicing tourists, and thus do not have a significant impact on the domestic market. Dairy products are largely from New Zealand. Imports are routinely checked and tested at the border through formal inspection programmes. Plant products are largely grains and seeds, and herbs and spices and edible oil (cooking oil, largely palm oil). Processed foods (pre-packaged manufactured products) are an increasing component of the total food imports.

The statistics above are for the formal trade though the government border posts. Anecdotal evidence indicates that there is a very significant illegal trade in manufactured products, including food, from Thailand and, particularly, China.

Under the Import and Export Law, all importers must be registered and have an import license from MoC. Importers are required to indicate the types of products to be imported, often submitting samples of the product for assessment as part of the process. In order for MoC to consider issuing a license, the applicant must have prior written approval from the relevant line ministry for the product to be imported. MoC liaises with, and seeks advice from, the responsible line ministries before issuing a license. This means that for processed foods, FDA assesses imports product by product, and maintains a national register (label, manufacturer) of the foods approved for import. Licenses and import permits for the specified food products are valid for two years. MoC, however, has no capacity to monitor actual import consignments ahead of time; rather, the import documentation is provided to customs officials on arrival, and documents are then distributed to responsible line ministries for action and inspection as required.

Imports must meet the requirements of the Import and Export Law and those of the customs law. In most cases, a check of documents by customs ensures that all is in order. Some questions to consider
1) Do food and SPS inspectors know these requirements and can they identify when requirements have not been met? 2) If food or SPS inspections identify problems, are the inspectors authorized under either of these laws to take action to remedy the situation and do they have authority to apply any sanctions? and 3) If not, are there protocols in place to refer the issue back to the relevant authority?

Food inspectors should understand the Food Law and regulations, including any mandatory standards applicable to food in Myanmar, to ensure the proper inspection of imports. The lack of a detailed food standards code is an issue but this is being addressed through the drafting of a revised Food Law, and approaches seeking to develop Codex links and streamlined adoption of Codex standards applicable to Myanmar.

Figure 3. Imported food inspection scheme.

### 2.8 Risk management actions

1) Withholding the consignment until additional or proper documentation is submitted: This appears to be standard practice for regulated imports at Yangon port where documentation is inadequate or has critical gaps. However, this does not appear to be the case at the three land border posts.

2) Sampling for further analysis: This is done as per requirements. MITS samples and undertakes screening of bulk oil prior to issuing permission to unload, although duplicate samples are provided to FDA labs for analysis. The product is held under bond, pending final release based on FDA test results. The FDA protocol indicates that samples should be taken from all food import consignments and submitted to FDA for analysis, but the goods are often released to the importer and often distributed ahead of FDA laboratory results.

3) Rejection of import (return of the consignment): Where a product fails to meet requirements, it may be re-exported back to the country of origin. There is always a difficulty with small-scale imports where the cost of re-export is higher than the value of the goods, and goods may,
therefore, be abandoned. There are no data as to how often such approaches are applied. These are not applicable at land border posts.

4) **Rejection of import (product destruction):** This is an option. Again, the cost of destruction is an issue, where goods may be abandoned because the cost exceeds the capacity of the importer to pay. Again, there are no data as to how often such sanctions are applied to goods at the border. These sanctions are often not feasible at land border posts and are not able to be applied there.

5) **Criminal charges for intentional wrong-doing:** At this stage, there are no data on the application of criminal sanctions for illegal imports.

6) **Monitoring and evaluation:** This is an area that is underdeveloped, and the limitations of Myanmar’s infrastructure contribute to the problems. Most records are paper-based forms and so capacity for routine monitoring and evaluation is limited because of the effort needed to extract and compile data for analysis. Structured and random sampling of records may provide a mechanism for generating relevant and objective data for monitoring and evaluation of import controls. Sophisticated modern approaches for real time systematic risk management measures are not feasible in Myanmar at this time.

### 2.9 Information exchange and communication

There is good coordination between customs at the border and the responsible line ministries in the clearance of goods imported into the country. Customs routinely pass on information and paperwork regarding import consignments to responsible line ministries for border controls. This works well in major sea and air ports where most imports are concentrated in a single area and where staff from line ministries are present in the ports. It is not as readily implemented at land border posts where the priority appears to be on export controls and market maintenance.

There is significant pressure, however, to improve coordination and communication between relevant sectors in the management of food and food safety along the food chain. This has been addressed in several FAO reports. The same can be said of the management of import streams, where coordination and communication is needed to implement a whole-of-food-chain approach to food and food safety management. There is significant potential for coordinated action using the mobile border stations to address illegal imports through the alternate and minor border crossings on major trade routes that bypass the formal border post.

### 2.10 Training and education

The development of a professional inspectorate for import controls is an important issue. Myanmar’s tertiary education framework has not kept pace with the demands of modern food management. Training programmes (undergraduate, post-graduate, diploma and certificate) on food regulation, risk assessment and risk management, import risk assessment are needed to ensure that properly trained and qualified staff are recruited to manage import systems. This basic training needs to be supported by good induction programmes for staff include providing; 1) detailed training on the laws and standards applicable to imports; and 2) on the power that staff have to inspect imports, and any limits to those powers and any procedural obligations under the law. There is a need for ongoing staff development programmes both internally by line ministries, and from external sources to strengthen and maintain the skills necessary to manage in a modern environment.

There is a need for better education and training for business operators involved in food imports. Importers need to understand the law and applicable standards, and in particular, the rationale and justification for these import requirements. This can assist in compliance and possibly deter any illegal trade. Consumer awareness can also assist in putting pressure on illegal imports where these do not meet Myanmar standards and requirements. This may well be a longer term strategy to improve community acceptance and demand for good quarantine and import controls.
2.11 Effectiveness assessment of the current food import control situations

Myanmar has many systems in place to support a risk-based approach to import management and imported food controls. These are better developed in the port and airport at Yangon, and much less so at the various land border checkpoints. These include:

1) **The development and application of the MACCS system of cargo classification at major air and sea ports in Yangon.** This system classifies imports on the basis of risk, with greater border interventions and controls for high-risk cargoes, and nominal interventions for low-risk goods. All foods, including animal and plant products, fall into the high-risk (red channel) category. The system, however, is not able to be fully utilised at land border posts.

2) **Performance-based inspection frameworks.** Compliance history is one of the factors in the overall MACCS classification system. This could be extended to allow for more real-time assessments and adjustments of inspection schedules. All animal plant and food imports are classified in the high-risk category. Within this, foods could be further classified by risk to allow better targeting of activity and resources regarding the risk. This is already in place for a small number of critical imports (e.g. edible oils, dairy products), and could be expanded to identify more high-risk foods where intervention at the border may be required. This approach could also apply to a performance-based adjustment to inspection rates where evidence shows that import streams (same manufacturer, transport mode and importer) have a consistently good compliance and safety record to allow a further reduction in inspection frequency. These approaches rely on good analysis and real-time capacity to examine performance. Where the information infrastructure is underdeveloped, it must rely on active data management and analysis through statistically structured sampling.

3) **Reliance on high health status sources for animal (livestock, fish stock) and plant (plant stock for planting and seed) imports and for raw and unprocessed animal and plant products.** This is supplemented by on-arrival quarantine requirements at major air and sea entry points. This system is not well managed at the land border points, where there is significant leakage (by-passing of border checkpoints) and no quarantine facilities.

4) **Importer licensing and assessment of food products prior to issuing import licences.** This framework provides capacity for analysis of importer profiles, and relative risk assessment of potential imports to allow for a better risk-based allocation of resources for border inspections. These provide the core data for the development of a structured record sampling and analysis, which is needed for implementing risk-based controls.

5) **The framework for border controls over food and related imports is patchy and unable to keep pace with the expanding trade in food and related products.** The absence of a formal national food standards code that is enforced domestically makes border controls difficult. The presence of many alternate pathways that bypass land-based border control points means that there is significant capacity to avoid scrutiny and the need to comply with Myanmar requirements.

There is capacity for Myanmar to significantly improve border controls by:

1) adopting a formal food standards code;
2) strengthening risk-based approaches so that existing capacity addresses the highest risk imports;
3) strengthening sanctions and penalties for illegal imports that bypass border control points;
4) strengthening mobile checkpoints and imposing harsh penalties on illegal imports;
5) improving cost recovery frameworks to ensure that funding and capacity can be correlated to demand for inspection services at the border; and
6) clarifying requirements so that they are clearer and provide incentives (including commercial incentives) to importers to strengthen compliance.
Capacity and costs are always an issue. At present, imports must pay an appropriate duty (tax) that goes to consolidated revenue. Making border controls a “cost of importing” through the application of a fee for service arrangements that reflect the true cost of service provision can provide funds to border agencies to cover the true cost of the service and ensure that capacity reflects the true demand for the services delivered. There are some statutory costs and fees applied to imports, but these are at best nominal and do not reflect the true cost of services delivered. As such, the shortfall must be made up from government budget appropriations and, where these are fixed, this limits the capacity to effectively manage import streams. This can also be used to enhance the mobile checkpoint system to ensure it is effective.

Careful performance and outcome monitoring (checking compliance rates and the degree of imports bypassing the control points) can be used to ensure that there are appropriate limits placed on the service to ensure it is effective and cost effective.

2.12 Recommendations
Myanmar is undertaking a major review of its legal and government management structures to reflect the changing commercial and administrative environment following the opening up of Myanmar to an international, market-driven economic development. There have been a number of missions by FAO and other agencies seeking to assist with this transition. Many of the recommendations and approaches resulting from these missions are the fundamental building blocks for better imported food control.

The recommendations below reflect the critical requirements that Myanmar should consider and address to develop food regulatory systems and adopt modern risk-based imported food controls. These overlap with other reports and recommendations and should be read in conjunction with previous reports.

Seventeen specific recommendations are explained under four main categories in Table 7. Based on these categories, immediate follow-up actions for each category are as follows:

1) Review existing legal and regulatory texts related to imported food controls
2) Drafting standard operating procedures for risk- and commodity-based inspections at the border
3) Analyse current import food control information-sharing systems to identify areas for improvement and to identify the amount of leakage passing borders without control
4) Analyse existing pre-border agreements with exporting countries to identify which countries to develop mutual recognition agreements with.

Table 7. Seventeen specific recommendations.

<table>
<thead>
<tr>
<th>#</th>
<th>Issue</th>
<th>Comment</th>
<th>Time frame</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>1. Review and finalization of the legal and regulatory texts</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Food Law</td>
<td>Finalize redrafting of Myanmar national Food Law</td>
<td>12 months</td>
</tr>
<tr>
<td>2.</td>
<td>Secondary regulations</td>
<td>Finalize secondary regulations under National Food Law including definition of scope, powers, obligations, procedures, penalties</td>
<td>12–18 months</td>
</tr>
<tr>
<td>3.</td>
<td>Technical regulations (food standards)</td>
<td>Finalize development of the National Codex Committee and adaptation and adoption of</td>
<td>12–24 months</td>
</tr>
<tr>
<td>#</td>
<td>Issue</td>
<td>Comment</td>
<td>Time frame</td>
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<td>relevant Codex standards as mandatory technical regulations under the National Food Law. A distinction should be made between mandatory technical regulations and Myanmar National Standards where food businesses may seek certification against commercial standards. The lack of a strong and transparent set of mandatory technical standards increases vulnerability to importation of unsafe and poor quality foods.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Collaboration and coordination frameworks</td>
<td>Develop agreements between Agriculture, livestock, fisheries, and food regulators at the national and provincial levels to ensure consistent management along the entire food chain, active information sharing and cooperation on enforcement activities.</td>
<td>12–24 months</td>
</tr>
<tr>
<td>5.</td>
<td>Development of SOP for inspections based on commodities and risks</td>
<td>Review theoretical risk of different food commodities with a view to developing standard operating procedures for inspection procedures that address the specific risks associated with the commodity being inspected. Examination of the requirements of ISO9001 and ISO 17020 provide guidance on the types of management and perforce systems needed for an effective inspection service. The Ministries need not seek ISO accreditation, but should consider the best practice approaches detailed in these standards.</td>
<td>12 months</td>
</tr>
<tr>
<td>6.</td>
<td>Adoption of risk-based approaches</td>
<td>Develop procedures for inspection scope, procedures, and frequency based on inherent risk of the food, and practical frameworks for reducing inspection frequency based on past performance, external certification and accreditation against recognized international standards and systems (e.g. HACCP).</td>
<td>12–18 months</td>
</tr>
<tr>
<td>7.</td>
<td>Coordinated market surveillance</td>
<td>Develop agreed surveillance programs that encompass food imports, post market surveillance and surveillance of domestic foods to ensure up to date and accurate understanding of the food sector in Myanmar.</td>
<td>12–24 months (ongoing)</td>
</tr>
<tr>
<td>#</td>
<td>Issue</td>
<td>Comment</td>
<td>Time frame</td>
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<tr>
<td>8.</td>
<td>Education and training of inspectors and relevant government officials</td>
<td>Develop induction training on legal frameworks, regulations and technical standards applicable for foods and imports into Myanmar. Ensure that staff understand the legal and regulatory framework, and are well trained in the applicable standard operating procedures. Develop continuing education programs.</td>
<td>12–24 months (ongoing)</td>
</tr>
<tr>
<td>9.</td>
<td>Education and training for business operators</td>
<td>Develop training programs for business operators and importers to ensure that they understand the regulations and applicable standards, and particularly the justification for these requirements based on risk and consequences of non-compliance.</td>
<td>12–24 months (ongoing)</td>
</tr>
<tr>
<td>10.</td>
<td>Performance management</td>
<td>Develop systematic approaches to monitor and measure staff and programme performance, compliance with legal and outcome objectives, and demonstrate effectiveness of domestic controls and imported food controls.</td>
<td>18–24 months (ongoing)</td>
</tr>
</tbody>
</table>

3. Development of risk-based border control programs and establishment of data management systems

<table>
<thead>
<tr>
<th>#</th>
<th>Issue</th>
<th>Comment</th>
<th>Time frame</th>
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</thead>
<tbody>
<tr>
<td>11.</td>
<td>Monitoring programs for imported foods</td>
<td>Develop regular sampling analysis of imported foods to assist with planning and risk-based control programmes. This should initially be based on a systematic and random assessment of import documentation and inspection outcomes to develop a statistically valid description of food imports to Myanmar. This may become a real time monitoring programme once IT systems are developed and up to date.</td>
<td>12 months (ongoing)</td>
</tr>
<tr>
<td>12.</td>
<td>Information and data management systems and the adoption of modern IT systems.</td>
<td>Analysis of current information systems, record keeping and capacity to monitor and examine import data is critical to active management of risk-based food import control systems.</td>
<td>12–18 months (ongoing)</td>
</tr>
<tr>
<td>#</td>
<td>Issue</td>
<td>Comment</td>
<td>Time frame</td>
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<tr>
<td>13</td>
<td>Capacity development and allocation of available resources.</td>
<td>The analyses outlined in 6, 7 and 11 above will give core data on the number of inspectors that may be needed for effective border controls. This analysis can also provide data to support where resources can best be allocated against risk commodities to have the greatest impact on food safety and quality in food imports into Myanmar. It also provides core objective data on the level of funding and staffing that may be needed for effective imported food control systems in Myanmar. This can also identify where support services (laboratory support, post entry quarantine) need to be strengthened. Consideration should be given to potential for shared laboratory support capacity which may be able to provide technical support for management of all livestock, fisheries, agricultural (plant) and food imports.</td>
<td>12–24 months</td>
</tr>
<tr>
<td>14</td>
<td>Import leakage surveillance and management. This relates to both the flow of goods through land border points bypassing the checkpoints, and to the misclassification of goods to avoid scrutiny at the border.</td>
<td>The surveillance activities outlined in 6.7 and 11 above, supplemented by the use of mobile checkpoints at the land border points should provide data to assess the level of leakage through border posts, and provide a basis for strengthening the mobile inspection capacity where this can be shown to be effective in risk-based imported food control programs.</td>
<td>12–24 months (ongoing)</td>
</tr>
<tr>
<td>15</td>
<td>Consideration of cost recovery for border control activities.</td>
<td>It has been noted that budgetary allocations are both inflexible, and often not adequate to cover the resorted needed for effective management of imported food control programs. Consideration should be given to developing a cost recovery (fee for service) model to make the cost of border control services a direct cost of importation. This would allow for funding to cover the true cost of the services needed. It would need careful administrative controls to ensure costs were contained, e=services were delivered with maximum efficiency and that fees were set transparently in consultation with industry so that they are acceptable. Fees should be reviewed regularly to ensure that they keep pace with cost increases.</td>
<td>12–24 months</td>
</tr>
<tr>
<td>#</td>
<td>Issue</td>
<td>Comment</td>
<td>Time frame</td>
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<tr>
<td><strong>4. Development of pre-border procedure agreements</strong></td>
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<tr>
<td>16.</td>
<td>Mutual recognition of equivalence and certification programmes.</td>
<td>Myanmar needs to examine where it can develop agreements with food exporting countries to recognize the equivalence of food management systems and outcomes as meeting Myanmar requirements to allow streamlined entry of goods into Myanmar. Similarly, Myanmar needs to agree on the acceptability of industry based certification systems such as HACCP in meeting Myanmar requirements. The distinction should be made between third party independently audited and certified systems and ‘in-house’ management systems. Myanmar should choose two or three important commodities (such as different dairy foods) and explore how such systems recognition may streamline import inspection requirements at the border.</td>
<td>12–24 months (ongoing)</td>
</tr>
<tr>
<td>17.</td>
<td>Development of trade management certification agreements with transit countries.</td>
<td>Currently, Myanmar does not have an active system for management of goods that flow through major trading ports and markets. For example, raw commodities originating from American countries but traded through markets in Singapore often fail entry requirements because SPS certification is not possible from the trading markets (Singapore). A simple agreement with Singapore for certification regarding the integrity of cargo management may provide capacity for acceptance of the SPS certification of the producing country, despite the origin of the cargo being Singapore.</td>
<td>12–18 months</td>
</tr>
</tbody>
</table>
3 National situation report: Federal Democratic Republic of Nepal

3.1 Overview
Nepal has prioritized strengthening regulatory frameworks for food quality control for production, distribution and imports under the outcome “Producers and exporters of selected farm products are enabled to access increased market opportunities by complying with SPS related requirements in the value chain of those products” in the Country Programming Framework for 2013–2017. As a landlocked country, Nepal imports a substantial amount of food, including cereals, legumes, fat oils and dairy products from major trade partners in India, China, Bangladesh, Thailand and Malaysia.

The Department of Food Technology and Quality Control (DFTQC) under the Ministry of Agricultural Development (MoAD) is the food control agency of the Government of Nepal. The National Plant Quarantine Program (NPQP) under MoAD and the Central Animal Quarantine Office (CAQO) under the Ministry of Livestock Development (MoLD) are responsible for quarantine matters for importing and exporting plants, live animals and their products in the raw form, respectively. Nepal regulates imported foods under the Food Act of 1967; in addition, a new food safety and quality policy and a revision of any legislation addressing current risks are underway. Roles and responsibilities of stakeholders relevant to imported food controls in Nepal are well established and clearly defined. This provides a good basis to develop and improve imported food risk management actions, including pre-border controls, imported foods and importer data management, which are currently at a preliminary stage.

3.2 Food imports in Nepal
Imported food control is a system of quality assurance of food products to protect the consumers of the importing country. The lead role in this system is generally played by a competent authority designated by the government concerned. But other organizations such as customs, animal quarantine, plant quarantine, and health (which produces food epidemiological data) are equally important. Given that this assessment adopts a One Health approach for the imported food control system, the role of the animal and plant quarantine offices is even more important in the inspection and certification system at border points.

The World Trade Organization (WTO) has identified Codex standards and guidelines as the benchmark for food and food products trade among its members. Least developed or developing countries in particular, are in the progress of harmonizing their guidelines. Due to the lack of investment in infrastructure development and recruiting sufficient numbers of food professionals, Nepal has not complied with all of WTO’s requirements. Therefore, an assessment of a One Health-oriented imported food control system in Nepal has become very much essential to upgrading the system to the required level.

Nepal imports a substantial amount of raw, semi-processed and processed foods and food additives to fulfil the national demand. Imports of food, beverages and related products in fiscal year 2016/17 (2073/74 BS) was equivalent to 168.8 billion Nepalese rupees (NPR) against the total imports of NPR 984.3 billion (i.e. approximately 17.2% of the total import; DOC 2017).

Various food inspection and certification units, and food testing laboratories, are in charge of food export and import controls at some border checkpoints. Within the government, two departments are responsible for quarantine matters for the import and export of plants, live animals and their products in the raw form (unprocessed products): the Department of Agriculture (DoA) under MoAD, and the Department of Livestock Services (DoLS) under the Ministry of Livestock Development (through their units, the National Plant Quarantine Program and Central Animal Quarantine Office, respectively). All
of these organizations are collectively responsible for implementing SPS measures as committed by the Nepalese government as a WTO member.

3.2.1 General requirements for an imported food control framework

Information related to general requirements for an imported food control framework was collected during discussions with officials of competent authorities of the Government of Nepal, and the findings of these discussions are presented in Table 8.

Table 8. General requirements for an imported food control framework.

<table>
<thead>
<tr>
<th>S. no.</th>
<th>Requirement criteria</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Food Safety and Quality Policy</td>
<td>Policy draft has been prepared</td>
</tr>
<tr>
<td>2.</td>
<td>Food Safety and Quality Legislation</td>
<td>Revision of the legislation is needed and is underway</td>
</tr>
<tr>
<td>3.</td>
<td>System of maintaining imported food profile</td>
<td>Record is available but not in printed form</td>
</tr>
<tr>
<td>4.</td>
<td>System of periodic revision and adjustment of food risk category</td>
<td>Needs to be done</td>
</tr>
<tr>
<td>5.</td>
<td>Importers are responsible in meeting requirements of imported food</td>
<td>The compliance responsibility is on the importers</td>
</tr>
<tr>
<td>6.</td>
<td>Authorities responsible for facilitating compliance and taking action in case of non-compliance</td>
<td>Authorities have the responsibility</td>
</tr>
<tr>
<td>7.</td>
<td>Has imported food control programme an information gathering requirements for effective operations?</td>
<td>Needs improvement</td>
</tr>
<tr>
<td>8.</td>
<td>Means to communicate with importers on food control matters</td>
<td>One-way communication (e.g. websites and public notices)</td>
</tr>
<tr>
<td>9.</td>
<td>Framework for cross agency communication and coordination on imported food matters</td>
<td>SPS Coordination Committee, Codex Committee, Food Standardization Committee, others</td>
</tr>
<tr>
<td>10.</td>
<td>Contact with the Competent Authority of Exporting Country</td>
<td>With India, Bangladesh and Bhutan</td>
</tr>
<tr>
<td>11.</td>
<td>Contact with regional or international food safety and alert network</td>
<td>INFOSAN, WHO, FAO, SARSO (South Asia Regional Standard Organization)</td>
</tr>
<tr>
<td>12.</td>
<td>Data base to identify the Importers</td>
<td>Each Competent Authority has a record-keeping system and DoC has started EXIM Code system</td>
</tr>
<tr>
<td>13.</td>
<td>Data base of Imported Foods</td>
<td>Primary record is available but not as required</td>
</tr>
<tr>
<td>14.</td>
<td>System of identifying exporting country’s risk profile</td>
<td>Needs to be done</td>
</tr>
<tr>
<td>S. no.</td>
<td>Requirement criteria</td>
<td>Status</td>
</tr>
<tr>
<td>-------</td>
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<td>-------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>15.</td>
<td>Imported food control programme based on Risk (Codex or Regional Risk Analysis Framework)</td>
<td>Trying to follow Codex system, but yet to do a lot.</td>
</tr>
<tr>
<td>16.</td>
<td>Are Imported food control measures based on the risk category of the imported food?</td>
<td>Needs to be done</td>
</tr>
<tr>
<td>17.</td>
<td>Have Imported Procedures been prepared in consultation with other competent authorities and Importers?</td>
<td>Concerned GOs, AEC/FNCCI, Agri. Cooperatives, Chamber of Commerce, Importer, etc.</td>
</tr>
<tr>
<td>18.</td>
<td>Import Procedure more stringent than control on domestic products</td>
<td>Less stringent</td>
</tr>
<tr>
<td>19.</td>
<td>Are Import SOPs written, published and publicly available?</td>
<td>Export/Import Directory is in place</td>
</tr>
<tr>
<td>20.</td>
<td>Are Import Procedures readily available to Inspectors or other designated officials?</td>
<td>Import procedures are available</td>
</tr>
<tr>
<td>21.</td>
<td>Import Procedures regularly evaluated and amended</td>
<td>Not regular</td>
</tr>
</tbody>
</table>

Out of 21 requirements identified by the Risk Based Imported Food Control Manual published by FAO, 14 criteria have been met but still need to be strengthened, and actions need to be taken towards the remaining 7.

### 3.2.2 Main imported food products and trade partners
DFTQC, in coordination with animal and plant quarantine offices, reports on imported foods as per the following classification:

1) Cereal and Cereal Products  
2) Fruits and Vegetables Products  
3) Legumes and Pulses  
4) Meat, Fish and Poultry Products  
5) Milk and Milk Products  
6) Spice and Condiments  
7) Fats, Oils and Oilseeds  
8) Bakery Products  
9) Sugar, Chocolates and Confectionery  
10) Snack Foods  
11) Soft drinks/Energy Drinks  
12) Processed Drinking Water  
13) Tea and Coffee  
14) Functional foods and Nutraceuticals  
15) Alcoholic beverages and raw materials  
16) Food Additives  
17) Feed products  
18) Other Food Products
The Department of Customs (DoC), however, in line with the World Customs Organization with its Harmonized System Code, classifies and reports on food import data (as presented in Annex 4 and summarized as follows:

1) **Animal products:** Includes live animals; meat and edible meat offal; fish, crustaceans, molluscs and other aquatic invertebrates; dairy produce; birds’ eggs; honey; edible products of animal origin, not elsewhere specified or included.

2) **Vegetable products:** Includes live trees and other plants; bulbs, roots and the like; edible vegetables and certain roots and tubers; edible fruits and nuts; peel of citrus fruit or melons; coffee, tea, mate and spices; cereals; products of the milling industry; malt; starches; inulin; wheat gluten; oil seeds and oleaginous fruits; miscellaneous grains; seeds and fruits; industrial or medicinal plants; straw and fodder; lac, gums, resins and other vegetable saps and extracts; vegetable plaiting materials; vegetable products not elsewhere specified or included.

3) **Animal or vegetable fats and oils and their cleavage products:** Includes prepared edible fats; animal or vegetable waxes.

4) **Prepared foodstuffs:** Includes beverages, spirits and vinegar; preparations of meat, fish, crustaceans, molluscs or other aquatic invertebrates; sugars and sugar confectionery; cocoa and cocoa preparations; preparations of cereals, flour, starch or milk; pastry cooks’ products; preparations of vegetables, fruits, nuts or other parts of plants; miscellaneous edible preparations; residues and waste from food industries; prepared animal fodder; tobacco and manufactured tobacco substitutes.

5) **Products of the chemical and allied industries:** Includes essential oils; enzymes.

The two classification systems are different. DoC’s classification has been harmonized with the international system and cannot be changed, whereas DFTQC’s classification is based on technical issues.

**Imported foods in group classification**

Records of imported foods are maintained by different competent authorities – namely DFTQC, DOC, CAQO and NPQP – as per their job scope. The data, however, are not published separately in the form of reports. Instead, the data are generated from their daily work records, annual bulletins and general reports. DFTQC does not report imported food control details at the central level, and here the assessor has tried to collect information from different border checkpoint offices, and some of the information comes from the central office. Imported food control of primary food products from plant and animal sources are carried out by plant and animal quarantine officers. A combined detail of imported foods, as reported by the Food Inspection and Certification Units and Plant and Animal Quarantine offices at border points, has been summarized in Table 9.

**Table 9. Imported foods by food group classification.**

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Food groups</th>
<th>Raw materials, food additives and food and beverage products</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Cereal and cereal products</td>
<td>Paddy, coarse and fine rice; broken rice; wheat and wheat products such as flour, whole wheat flour, semolina; maize, popcorn, corn flakes, corn starch; oats; barley, barley flour, bajra, millets, pasta, noodles, macaroni, vermicelli.</td>
</tr>
<tr>
<td>2.</td>
<td>Legumes, pulses and related products</td>
<td>Mung bean, black gram, lentil, soya bean, arhar, peas, kidney bean, bakul, horse gram, rajma (broad bean), peanuts, besan (pulse flour), soya cake, etc.</td>
</tr>
<tr>
<td>3.</td>
<td>Fruits and vegetable products</td>
<td>Pomegranate, grapes, mango, lemon, banana, dates, melons, raw coconut, pear, pineapple, papaya, litchee, apple, mandarine/orange,</td>
</tr>
</tbody>
</table>
Nepal imports food raw materials, food additives, and food and beverage products from different countries although the highest volume of imports is with India. The details of these imports are presented in Table 10, by country.
Table 10. Major food imports by country.

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Exporting country</th>
<th>Products imported</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>India</td>
<td>Milk, dairy products, fats and oils, energy drinks, soft drinks, fresh and processed fruits and vegetables, spice and spice products, condiments, tea and coffee, rice/paddy, wheat, maize, other food grains, pulses, cereal products, oil seeds, sweetening agents (sugar, liquid glucose, icing sugar), Confectioneries, biscuits, bakery products, fish, meat and meat products, food additives (MSG, papain, bakery shortening, dry coconut, wheat gluten), chips, soya sauce, alcoholic beverages, feed, etc.</td>
</tr>
<tr>
<td>2.</td>
<td>China</td>
<td>Energy drinks, soft drinks, fresh fruits (pear, apple), cereal products, confectionery, biscuits, bakery, meat and meat products, fish, food additives, prawn cracker, etc.</td>
</tr>
<tr>
<td>3.</td>
<td>Bangladesh</td>
<td>Dairy products, beverages, fruit drinks, fruit and vegetable products, spice and condiments, cereal products, sweetening agents, confectioneries, biscuits, additives.</td>
</tr>
<tr>
<td>4.</td>
<td>Thailand</td>
<td>Energy/soft drinks, fruits and vegetable products, spice and condiments, tea and coffee, sweetening agents, fish, meat and meat products, additives (MSG)</td>
</tr>
<tr>
<td>5.</td>
<td>Malaysia</td>
<td>Dairy products, fats and oils, energy/soft drinks, spice and condiments, food additives, cereal products</td>
</tr>
<tr>
<td>6.</td>
<td>Indonesia</td>
<td>Fats and oils, dairy products, energy and soft drinks, cereal products, processed drinking water</td>
</tr>
<tr>
<td>7.</td>
<td>Vietnam</td>
<td>Energy and soft drinks, cereal products, confectionery, biscuits</td>
</tr>
<tr>
<td>8.</td>
<td>South Korea</td>
<td>Energy and soft drinks, spice and condiments, tea and coffee, food additives</td>
</tr>
<tr>
<td>9.</td>
<td>Ukraine</td>
<td>Dairy products, energy and soft drinks, pulses, oil seeds, confectionery</td>
</tr>
<tr>
<td>10.</td>
<td>Brazil</td>
<td>Fats and oils, confectionery, biscuits</td>
</tr>
<tr>
<td>11.</td>
<td>Canada, New Zealand, Netherlands, Austria, Bhutan, South Africa, Singapore, Paraguay, Pakistan, Philippines, Guatemala, Germany, Turkey, France, Italy, Bulgaria, Russia, Australia, UAE, Dubai, USA</td>
<td>Pulses, oilseeds, dairy products, confectionery, energy and soft drinks, fruit and vegetable products, spice and condiments, food additives, cereal grains, cereal products, pulses, coffee/tea, etc.</td>
</tr>
</tbody>
</table>

**Imported foods and rejection trend**

Nepal has standards for different food products with regard to SPS criteria, as well as technical parameters. All imported foods are treated as domestic foods against the set mandatory standards. Imported foods that do not comply with the set standards are rejected at border checkpoints. As per
the criteria of rejection, the food items are either returned back to the exporting country or destroyed at the border checkpoints. Imported food products and their rejection trend for the last three years are shown in Table 11.

**Table 11.** Imported food products and rejection trend.

<table>
<thead>
<tr>
<th>Border checkpoint</th>
<th>FY 2071/72</th>
<th>FY 2072/73</th>
<th>FY 2073/74</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total samples</td>
<td>Rejection no.</td>
<td>Total samples</td>
<td>Rejection no.</td>
</tr>
<tr>
<td>Kakarbhitta</td>
<td>893</td>
<td>16</td>
<td>1877</td>
<td>1</td>
</tr>
<tr>
<td>Bratnagar/Rani</td>
<td>2689</td>
<td>11</td>
<td>2511</td>
<td>11</td>
</tr>
<tr>
<td>Birgunj (Raxaul and Sirsiya)</td>
<td>9045</td>
<td>0</td>
<td>5293</td>
<td>3</td>
</tr>
<tr>
<td>Bhairahawa</td>
<td>9734</td>
<td>41</td>
<td>6365</td>
<td>19</td>
</tr>
<tr>
<td>Food Inspection Unit, TIA Airport</td>
<td>271</td>
<td>0</td>
<td>307</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>22632</td>
<td>68</td>
<td>16353</td>
<td>34</td>
</tr>
<tr>
<td>Percent rejection</td>
<td>0.30</td>
<td>0.21</td>
<td>0.26</td>
<td></td>
</tr>
</tbody>
</table>

*Source: Published and unpublished DFTQC data from its offices at border checkpoints.*

The reasons for rejecting imported foods are given, by product, in Table 12.

**Table 12.** Rejected commodities and the reasons for their rejection.

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Imported food product</th>
<th>Reasons for rejection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Spice products</td>
<td>Incompliant colour</td>
</tr>
<tr>
<td></td>
<td>amchur spice</td>
<td>Cake formed, insect infestation</td>
</tr>
<tr>
<td>2.</td>
<td>Cakes, bakery, sweets and confectionery, biscuits, chocolate coated sandwich, wafer</td>
<td>No label or date of expiry, beef gelatine added</td>
</tr>
<tr>
<td>3.</td>
<td>Noodles</td>
<td>Incompliant colour</td>
</tr>
<tr>
<td>4.</td>
<td>Dalmoth, bhujia</td>
<td>No label or date of expiry</td>
</tr>
<tr>
<td>5.</td>
<td>Rice / Wheat</td>
<td>High amount of broken grains, mold growth, insect infestation</td>
</tr>
<tr>
<td>6.</td>
<td>Frozen potato products</td>
<td>Spoilage</td>
</tr>
<tr>
<td>7.</td>
<td>Chocolates</td>
<td>No label information</td>
</tr>
<tr>
<td>8.</td>
<td>Energy/Soft/Fruit drinks</td>
<td>No label information</td>
</tr>
<tr>
<td>S. No.</td>
<td>Imported food product</td>
<td>Reasons for rejection</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>9.</td>
<td>Black gram/ Mung / Lentils / Small peas</td>
<td>Added colour, Admixed with <em>Argemona maxicana</em></td>
</tr>
<tr>
<td>10.</td>
<td>Instant spicy fish</td>
<td>No label information</td>
</tr>
<tr>
<td>11.</td>
<td>Snack foods</td>
<td>Plastic toy inside, off smell</td>
</tr>
<tr>
<td>12.</td>
<td>Fruit jelly, candy, milk candy</td>
<td>No label information</td>
</tr>
<tr>
<td>13.</td>
<td>Fresh paneer</td>
<td>Spoilage</td>
</tr>
<tr>
<td>14.</td>
<td>Mango pulp</td>
<td>Fermented smell</td>
</tr>
<tr>
<td>15.</td>
<td>Prawn cracker</td>
<td>Added colour</td>
</tr>
<tr>
<td>16.</td>
<td>Bakery shortening</td>
<td>High melting point</td>
</tr>
</tbody>
</table>

*Source: Reports of Food Control offices at border checkpoints.*

The information in Table 12 shows that reasons for rejection are very much preliminary such as label information, added colour, spoiled appearance, mold growth, bad odour, high amount of broken grains percentage, insect infestation, and others. The system has begun detecting pesticide residues, veterinary drugs residues, heavy metals, and processing contaminants, which is very important for protecting the health of consumers. It can be said that imported food control activities have just begun and considerable work remains to be done.

### 3.2.3 Major sites for food import

The presence of food inspection and certification services (with food testing laboratory facilities), and plant and animal quarantine check posts, is shown in Annex 2, and major border checkpoints are shown in Table 13.

**Table 13.** Major border checkpoints in Nepal for food imports, and the presence of customs, food inspection and certification, animal quarantine and plant quarantine offices.

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Border checkpoint</th>
<th>Customs office</th>
<th>Food inspection and certification</th>
<th>Animal quarantine</th>
<th>Plant quarantine</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.</td>
<td>Kakarvitta, Jhapa</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
</tr>
<tr>
<td>02.</td>
<td>Biratnagar, Morang</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
</tr>
<tr>
<td>03.</td>
<td>Tatopani / or Rasuwagadhi</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>China</td>
</tr>
<tr>
<td>04.</td>
<td>TIA, Kathmandu</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Airport</td>
</tr>
<tr>
<td>05.</td>
<td>Rasuwagadhi, Timure</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>China</td>
</tr>
<tr>
<td>06.</td>
<td>Birgunj, Parsa</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
</tr>
</tbody>
</table>
3.3 Importer profiles

Two types of semi-structured questionnaires were developed – based on the Risk Based Imported Food Control Manual produced by FAO – to collect information on the assessment of food import control systems in Nepal. Sources of information came from DoC, DFTQC, Central Animal Quarantine Office of the Department of Livestock Services (CAQO-DoLS) and the National Plant Quarantine Program of Department of Agriculture (NPQP-DoA) and their offices at different border checkpoints. One question in the questionnaires pertained to the importer’s profile.

Responses to the questionnaires show that maintaining imported foods and importers’ profiles is very important for the development and implementation of effective risk management options. The competent authority should maintain data to plan risk management actions, and the imported food profile should include information such as product type, description, quantity, country of origin, supplier name, mode of transport, shipment conditions, purpose of the imported product(s) and compliance history. In Nepal, data related to a product’s name, quantity, and monetary value are recorded for all imported foods and related products, but not in the detail mentioned above. Table 8 and Table 9 provide information on imported food profiles that are insufficient for determining risk management actions. Similarly, the names, addresses and contact numbers of importers are recorded but the system lacks the ability to maintain overall compliance history.

DoC and its border checkpoint offices have been using computer software that records relevant information about importers of food products. Recently, DoC has introduced a system called EXIM (Export Import) through the implementation of the EXIM Code Implementation Guidelines that further strengthens the database of importers, including food products importers. However, there is no way of producing printed materials that give information about the importers.

3.4 Generic food import flow

3.4.1 Pre-border control

Pre-border control of risk management action is to seek assurance from the competent authority of the exporting country that control actions along the food value chains are sufficiently carried out so that safety of the designated product (food, food ingredients, additives or raw materials) is assured. This type of assurance can also be sought from internationally recognized third party certification of the process and product.

Up until recently, there has been no system in Nepal of pre-border controls established by the competent authorities, which is why there is no system of demonstrating equivalence by the exporting
country. However, during border control actions, certificates issued by the competent authority of the exporting country are taken into consideration.

3.4.2 Border control
Border control action includes oversight, monitoring and verification of imported foods, food ingredients, additives and raw materials. It is also known as Border Admissibility of imported food products, and comprises an import permit, pre-import notification, document review or certification assessment, border inspection, sampling and testing, and ultimately making a decision regarding the product’s admissibility. Three separate flow charts for food control, animal quarantine and plant quarantine are presented in Annex 6.

3.4.3 Post-border/in-country control
Some of the questions in the questionnaires are related to post-border or in-country controls. The information obtained is in Table 14. Post-border or in-country control actions for food control is presented in Annex 7.

Table 14. Risk management criteria status in Nepal.

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Risk management criteria</th>
<th>Status</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Knowledge of importers and requirements (registration, import permits or licenses)</td>
<td>Yes</td>
<td>But no up to date data base is available.</td>
</tr>
<tr>
<td>2.</td>
<td>Risk-based approach to assessment of importers’ practices and enhanced inspection in instances of non-compliance</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Is there monitoring processes (sampling and analysis) of product released to market?</td>
<td>Yes</td>
<td>But not systematic</td>
</tr>
<tr>
<td>4.</td>
<td>Process for suspension or revocation of permits/licenses as needed</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Are there clear post border controls?</td>
<td>Yes</td>
<td>But not at required level</td>
</tr>
<tr>
<td>6.</td>
<td>Responsibility for delivering in-country controls</td>
<td>Govt. officials</td>
<td>No provision of accredited third party service providers.</td>
</tr>
</tbody>
</table>

3.5 List of existing documents and tools on imported food control
In Nepal, there are four competent authorities in the food import control system: DFTQC, CAQO, NPQP (for SPS-related matters) and DoC (for revenue collection). To discharge duties related to these organizations, there are different acts, regulations or rules, orders, directives, standard operating procedures, working procedures and checklists.

The main agency in charge of food import control is DFTQC, which develops its standards, guidelines and working procedures based on principles, guidelines and standards developed by the Codex Alimentarius Commission. Similarly, CAQO and NPQP are in charge of guiding documents developed by OIE (World Organisation for Animal Health) and IPPC (International Plant Protection Convention), respectively. This results in the system being developed in harmony with the international system.

The following is a list of existing acts, rules and directives related to food import control.
A. Food and feed related:
   1) Food Act, 2023 (1967)
   2) Food Regulation, 2027 (1970)
   3) Food Safety Act 2011 (Draft)
   4) Mother’s Milk Substitute (Control of Sales and Distribution) Act 2049 (1992)
   5) Mother’s Milk Substitute (Control of Sales and Distribution) Rules 2051 (1994)
   6) Iodized Salt (Production and Sales) Act 2055
   7) Feed Act 2033
   8) Feed Regulation 2041
   11) Letter from Nepal Rastra Bank to issue Import Permit for all Food and Related Products
   12) Decision of SPS Coordination Committee meeting dated on 2069/10/25 BS

B. Customs related:
   13) Customs Act 2064 (2007)
   14) Customs Regulation 2064 (2007)

C. Trade related:
   15) Export and Import (Control) Act 2013 (1957)
   16) Export and Import (Control) Rules 2034

D. Animal Health and Quarantine Related:
   19) Animal Quarantine Working Guideline (Karybidhi) 2064
   20) Animal Transportation Standard 2064
   21) Animal Quarantine PPR Vaccination Directive 2066
   22) Fish Fingerling Standard 2061
   24) Bird flu Control Order 2064
   25) Edible Egg Import Quarantine Standard 2062
   26) Meat and Meat Products Import Export Standard 2064

E. Plant Protection and Quarantine Related:
   31) Pesticide Act 2048 (1991)
   33) Pest Free Area Declaration National Directive 2065

F. Standard and Metrology Related Legislation:
   35) Nepal Quality (Certification Mark) Act 2037
   36) Nepal Quality (Certification Mark) Regulation 2040
   37) Standard Measurement and Weight Act 2025
   38) Standard Measurement and Weight Regulation 2027
   39) Import Working Procedure for Commodities that Requires Mandatory NS Mark, 2073

G. Other Related Legislation:
   40) Consumers’ Protection Act 2054
   41) Consumers’ Protection Regulation 2056
   42) Environment Protection Act 2053
   43) Environment Protection Regulation 2054
   44) Bio-Safety Directive 2062
3.6 Roles and responsibilities of stakeholders and relevant legislations and regulations

Different stakeholders play different roles in the import of food and beverage products, raw materials, food ingredients and food additives. The process begins with taking the import permit from the competent authority; opening a line of credit with bank; dispatching the consignment from the exporting country; the arrival of the consignment at customs’ premises; inspecting, sampling and testing the product for admissibility; and ultimately post-border or in-country control. Stakeholders involved in the food import control system can be grouped under government and external stakeholders.

Table 15. Government stakeholders.

<table>
<thead>
<tr>
<th>S. no.</th>
<th>Unit, Division, Department</th>
<th>Agency or Ministry</th>
<th>Major role(s) and Responsibility(ies)</th>
<th>Relevant legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>DFTQC</td>
<td>MoAD</td>
<td>- Issue Import Permits (IP)</td>
<td>As mentioned in paragraph 4.5 of this report</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Import control activities such as Certificate verification, Inspection and Sampling at border points.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Laboratory analysis and reporting</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>NPQP</td>
<td>MoAD</td>
<td>- Issue Entry Permits (EP)</td>
<td>As mentioned in paragraph 4.5 of this report</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Document verification</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Inspection, Sampling and Testing</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>CAQO</td>
<td>MoLD</td>
<td>- Issue Import Permits</td>
<td>As mentioned in paragraph 4.5 of this report</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Document verification</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Inspection, Sampling and Testing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Issue Quarantine Certificate of the consignment or lot</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>DoC</td>
<td>MoF</td>
<td>- Coordination with all related competent authorities</td>
<td>As mentioned in paragraph 4.5 of this report</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>- Administrative control of imports and revenue collection</td>
<td></td>
</tr>
</tbody>
</table>

Note: In addition to the above government agencies, security forces and local government agencies indirectly play important roles in operationalizing imported food control functions.
3.7 Inspection
DFTQC publishes annual data related to non-compliance based on its imported foods and market inspection activities of food, beverages and feed products. Average non-compliance results for the last five years [FY 2011/12 (2068/69) to FY 2015/16 (2072/73)] is 10.42% (minimum 9.2% to maximum 11.6%). As mandated by law, the inspection of imported foods, food ingredients, food additives and raw food materials is mainly the responsibility of DFTQC and its units at border checkpoints.

The responsibility of inspection of products of animal and plant origin, lies with the animal quarantine and plant quarantine offices, respectively. At the border checkpoints, both quarantine offices conduct inspections, take samples, test and make decisions accordingly. The customs office makes no decisions.

In the case of food products, there is no inspection of the consignment from the point of view of safety and quality of the products. Instead, customs officials – without doing a systematic and science-based inspection – take samples and send them to the Food Testing Laboratory, which functions under DFTQC. There is no system of third-party service providing food inspections in Nepal yet.

3.8 Risk management actions
Nepal also manages risks of imported food products through its border control system. In order to determine whether Nepal’s system is up to the required level or not, certain risk management actions (presented in Table 17) were discussed with officials of Customs, Food Inspection and Certification (Food Quarantine Laboratory), and Animal and Plant Quarantine offices at some border points, as well as officials at their central offices during the course of collecting information. The findings of the assessment are presented in Table 17.
Table 17. Status of risk management actions at border control checkpoints.

<table>
<thead>
<tr>
<th>S. no.</th>
<th>Risk management action</th>
<th>Status</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Entry inspection system for authenticity of Certificates</td>
<td>Yes</td>
<td>But, original certificates are not provided in most of the cases.</td>
</tr>
<tr>
<td>2.</td>
<td>Recognition of the competence of an inspection and certification body by the competent authority through an official accreditation process</td>
<td>No</td>
<td>No such system has been established yet, government officials do inspection and certification.</td>
</tr>
<tr>
<td>3.</td>
<td>Prohibition of banned food products or ingredients</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Mandatory pre-notification or notification of imported food consignment or lots</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Document/Certificate assessment</td>
<td>Yes</td>
<td>Mostly no original certificates are made available</td>
</tr>
<tr>
<td></td>
<td>Electronic Certification</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Inspection, sampling and testing according to the imported food risk category</td>
<td>No</td>
<td>No system of inspection in case of food products, sample sends by customs staff to the food control office. In case of animal and plant quarantine, the quarantine officers do inspection.</td>
</tr>
<tr>
<td>7.</td>
<td>Decision making procedure on admissibility of food (allow, detain, reject or destroy)</td>
<td>Yes</td>
<td>Mostly based on lab test report</td>
</tr>
<tr>
<td>8.</td>
<td>Communicating procedure to the exporting country</td>
<td>No</td>
<td>However, importer may communicate on individual capacity</td>
</tr>
<tr>
<td>9.</td>
<td>Appeal process</td>
<td>No</td>
<td>Not in practice. But appeal can be made to higher authorities of the same office which has made such decision.</td>
</tr>
<tr>
<td>10.</td>
<td>Responsibility of controls of imported foods</td>
<td>Joint</td>
<td>Border service make decision based on the test report given by imported food control officials</td>
</tr>
<tr>
<td>11.</td>
<td>Sufficiency of inspection services to implement the required border controls</td>
<td>No</td>
<td>Presence of control officials is at 6 border points only out of 143 border points</td>
</tr>
<tr>
<td>12.</td>
<td>Sufficiency in information exchange and communication between border posts and the imported food control officials</td>
<td>Not sufficient</td>
<td>Inspection and sampling is not being done by food control officials</td>
</tr>
<tr>
<td>S. no.</td>
<td>Risk management action</td>
<td>Status</td>
<td>Remarks</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------------------------------------------------------------</td>
<td>--------</td>
<td>---------</td>
</tr>
<tr>
<td>13</td>
<td>Sufficiency in information exchange and communication between the importers and the imported food controls</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

### 3.9 Information exchange and communication

In practice, there is no system of risk-based food inspection. DFTQC has started some groundwork in this regard but not at the required level. The main constraint of this agency is insufficient numbers of staff. Furthermore, the system of risk assessment has not started out well. There is no system of collecting food epidemiological data on a regular basis, although a total diet study was carried out some years back by DFTQC.

Based on the available information and limited actions, the information exchange and communications being practiced is outlined below.

#### Plant and animal quarantine

Quarantine officers inspect consignments, and in some cases, the decision to allow entry or reject the consignment is based only on visual observation. In other cases, a sample is collected and analyzed in the laboratory, and based on the lab report, the decision to allow or reject the consignment is made.

From both of the steps above, if the consignment is rejected then that fact is communicated to the importer as well as to customs officials. If there is a chance of spreading pests and/or diseases, the consignment is destroyed by burying in the ground on customs’ premises. If there is no chance of spreading disease or pests, but the consignment has not fulfilled all requirements, it is rejected and this information is communicated to the importer who sends the consignment back to the exporting country.

#### Food quarantine

There is no risk-based system of food inspection at border checkpoints. Samples are taken by customs officials at their convenience and sent to the Food Quarantine Lab or nearest Food Testing Lab under DFTQC. Based on the laboratory report, the decision to allow or reject a consignment is made by customs officials.

If there is a chance of a health hazard from the food product, the consignment is destroyed by burying in the ground or burning it on Customs’ premises. If there is no chance of a health hazard, and if the consignment does not fulfill all requirements, the consignment is rejected and the importer is requested to send the consignment back to the exporting country. There is no system of communicating with exporting countries’ authority, public and regional or international organizations about the admissibility decision.

### 3.10 Training and education

No policy is currently in place that outlines training opportunities and compulsory training. But staff members working at border checkpoints are given in-country or international training when resources are available. Existing training and education facilities are insufficient and there is a need for extensive training for government officials on the Codex system, export/import control system, One Health approach for food safety, and risk-based, One Health-oriented imported food control system.

### 3.11 Effectiveness assessment of the current food import control situation

1) Records of imported foods are maintained by different competent authorities (DFTQC, NPQP, CAQO and DoC), but are not published separately in the form of reports. A combined listing of
imported foods, as reported by Food Inspection and Certification units and Plant and Animal Quarantine offices at border checkpoints, has been summarized in their detailed annual report.

2) The border rejection trends are mainly due to physical and quality issues. Proper risk-based technical procedures for inspections need to be improved so that pesticide residues, veterinary drugs residues, and heavy metals can be detected.

3) Current food safety and quality legislation and policies are out of date, and do not address current risks. Improvements are needed to reach a risk-based, imported food control framework. A new food safety and quality policy, and the revision of various pieces of legislation, are underway to address those needs.

4) Existing data collection systems on imported foods and importer profiles are at a preliminary stage, and need to be improved. Currently, only the product’s name, quantity, and monetary value are recorded, which is insufficient for risk management actions. Importers’ names, addresses and contact numbers are kept in the system but their overall compliance history is also needed for risk management actions.

5) Pre-border controls: Assurance is sought from the competent authority of the exporting country or from an internationally recognized third-party certification of the process and product. Currently, there is no system of pre-border controls established by the competent authorities.

6) Exporting country profile: Nepal has not yet started pre-border control activities; therefore, export country profile management has not been done. The compliance of the controls applied in the exporting country with the requirements set by Nepal, in addition to the compliance history of the food sourced from that country, should be the major criteria for maintaining export country profiles.

7) Border controls: Includes oversight, monitoring and verification of imported foods, food ingredients, additives or raw materials, and include examining import permit, pre-import notification, document review or certification assessment, border inspection, sampling and testing, and ultimately making a decision on admissibility. Of the 13 risk management actions to be taken by border control, work on 7 of these actions has yet to take place. Improvement is also needed on the remaining 6 actions, as indicated in the text.

8) Post-border/in-country controls: Out of six required actions, two post-border risk management actions have yet to be started in the country, and improvement is needed in the other actions. No internal quarantine system has been developed and implemented in the event the action is related to plant origin primary products.

9) The law requires imported foods to be subject first to food safety inspections and secondly to animal or plant quarantine inspections based on their origins. Most cases in practice lack this risk-awareness approach because inspection is performed only by one quarantine office. In the case of plant and animal quarantine functions, quarantine officers inspect the consignment, collect and analyze a sample in the designated laboratory, and based on the lab report, a decision is made. If the consignment is rejected, then the importer is notified as are Customs officials. In the case of food quarantine, there is no risk-based scientific system of food inspection at border checkpoints. Samples are taken by customs officials and sent to the Food Quarantine Lab or nearest Food Testing Lab under DFTQC. Based on the laboratory report, a decision regarding admissibility is made by customs officials, and this decision is communicated to the importer. In both cases, there is no system of communicating with the exporting countries’ competent authority, general public, and regional or international organizations about the decision.

3.12 Recommendations
As previously mentioned, a national roadmap or collaborative strategic planning process has yet to be initiated in Nepal. For this to occur, it is necessary to have a vision, such as: “Enhanced imported food control system for business facilitation and protection of human health”. To support the vision above,
the following mission statement could be stated: “Facilitate food imports by establishing a risk-based One Health-oriented imported food control system”.

The objective of the imported food control system could be: “Consistent with the Codex Alimentarius Commission guidelines, the main objectives of imported food controls are to protect the health of consumers and facilitate fair practices in the food trade through the implementation of SPS measures along the food chain, and at the same time avoiding unjustified technical barriers to trade”.

Based on the gap analysis of Nepal on the risk-based One Health-oriented imported food control system and proposed vision, mission and objectives, the following strategic actions have been suggested:

1) Enhance the general requirements for an imported food control framework.
2) Consolidate and strengthen risk management actions.
3) Improve the food import control procedure.
4) Strengthen legal provisions.
5) Upgrade institutional capability.
6) Strengthen support services.

The proposed action plan to implement the above strategies, and a timeline and list of responsible organizations is given in Table 18.

Table 18. Proposed action plan and time frame.

<table>
<thead>
<tr>
<th>#</th>
<th>Action description</th>
<th>Responsible organization*</th>
<th>Time frame</th>
<th>Note or remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Approval of Food Safety and Quality Policy</td>
<td>Cabinet/ Ministry of Agri. Development (MoAD)</td>
<td>1 year</td>
<td><strong>Already submitted to MoAD</strong></td>
</tr>
<tr>
<td>2</td>
<td>Promulgation of new Food Safety and Quality Legislation</td>
<td>Parliament/Cabinet/MoAD /DFTQC</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Developing system of maintaining importers and imported food profiles</td>
<td>DFTQC/ NPQP/ CAQO / DoC</td>
<td>1.5 years</td>
<td>Risk-based approach has not been adopted while making profiles</td>
</tr>
<tr>
<td>4</td>
<td>System to be established for periodic revision and adjustment of food risk category</td>
<td>DFTQC</td>
<td>1.5 years</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Training to Importers on risk-based food import control</td>
<td>DFTQC / DoC</td>
<td>2 year</td>
<td>In coordination with CAQO and NPQP</td>
</tr>
<tr>
<td>6</td>
<td>Training for govt. officials on Improvement in information gathering requirement</td>
<td>DFTQC / DoC / CAQO / NPQP</td>
<td>1 year</td>
<td>Risk-based approach required</td>
</tr>
<tr>
<td>7</td>
<td>Develop SOPs for communication with importers and cross agency</td>
<td>DFTQC/DoC/ CAQO/NPQP</td>
<td>1.5 year</td>
<td>Existing system is to be improved</td>
</tr>
<tr>
<td>#</td>
<td>Action description</td>
<td>Responsible organization*</td>
<td>Time frame</td>
<td>Note or remarks</td>
</tr>
<tr>
<td>----</td>
<td>-----------------------------------------------------------------------------------</td>
<td>----------------------------</td>
<td>------------</td>
<td>-----------------------------------------</td>
</tr>
<tr>
<td>8.</td>
<td>Identification or Establishment of the major exporting countries communication and coordination on imported food control matters and make SOPs public</td>
<td>DFTQC</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Shifting from traditional food control programme to risk-based one</td>
<td>DFTQC in coordination with NPQP and CAQO</td>
<td>2 years</td>
<td>Cooperation from DoC is a must.</td>
</tr>
<tr>
<td>10.</td>
<td>Introduce system of risk categorization for imported food control measures</td>
<td>DFTQC</td>
<td>3 years</td>
<td>Cooperation from DoC / CAQO and NPQP is required</td>
</tr>
<tr>
<td>11.</td>
<td>Arrange sufficient number of food inspectors and lab analysts at major customs points</td>
<td>DFTQC/MoAD / NPC /MoF</td>
<td>2 years</td>
<td>This is the most critical action</td>
</tr>
<tr>
<td>12.</td>
<td>Make an arrangement of keeping three quarantines under one roof within customs’ premises, wherever possible.</td>
<td>MoAD / MoF</td>
<td>5 years</td>
<td>As started in Kakarbhitta customs’ premises</td>
</tr>
<tr>
<td>13.</td>
<td>Sensitization workshop seminar with consumer fora, journalists, importers, traders, human right activists and other stakeholders.</td>
<td>DFTQC</td>
<td>Every year</td>
<td></td>
</tr>
</tbody>
</table>

### Strategy II: Consolidate and strengthen risk management actions.

| 1. | **Pre-border control**: Establish a system of pre-border control with major trade partners by accomplishing following actions:  
Demonstrating equivalence  
Recognition of certificates  
Accreditation system for third party service provider, if any working in the exporting country. | DFTQC                     | 1-5 years | |
<table>
<thead>
<tr>
<th>#</th>
<th>Action description</th>
<th>Responsible organization*</th>
<th>Time frame</th>
<th>Note or remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td><strong>Strengthen border control or admissibility system:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Improve certification assessment procedure by using Certificate Decision Tree and Use systematic approach for document review.</td>
<td></td>
<td>2-3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Allow Food Inspectors to do border inspection and sampling function</td>
<td>DFTQC</td>
<td>1 year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Start using Decision Tree to support choice of Inspection.</td>
<td>DoC</td>
<td>1 year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Enhance lab analytical capacity</td>
<td></td>
<td>1 year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Introduce pre-notification system for high risk foods</td>
<td></td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Introduce electronic certification system</td>
<td></td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Start communicating procedure to the exporting country, in case of rejection</td>
<td></td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Strengthen information management and archives (recording) and publish analyzed data regularly</td>
<td></td>
<td>1 year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>At present, customs officials do inspection and sampling</td>
<td></td>
<td>1 year</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>DFTQC/ CAQO/ NPQP</td>
<td>1 year</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>DFTQC/ CAQO/ NPQP</td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>DFTQC/ CAQO/ NPQP / DoC</td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td><strong>Post-border/ In-country controls:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Introduce assessment of importers inspection and sampling</td>
<td>DFTQC</td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Importers education and communication on GIP, storage condition, transportation, etc.</td>
<td>DFTQC / CAQO/NPQP/Importers</td>
<td>1 year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Bring imported foods under domestic control surveillance, Maintain Traceability until final consumption and introduce or strengthen Recall system if situation arises</td>
<td>DFTQC / CAQO/NPQP/Importers</td>
<td>2-3 years</td>
<td></td>
</tr>
<tr>
<td>#</td>
<td>Action description</td>
<td>Responsible organization*</td>
<td>Time frame</td>
<td>Note or remarks</td>
</tr>
<tr>
<td>----</td>
<td>-----------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td></td>
<td>- Develop Good Import Practice (GIP) Guidelines and Implement (GIP should be</td>
<td>DFTQC</td>
<td>1 year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>consistent with GHP</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Strategy III: Improve the food import control procedure.

1. Initiate inspection, sampling and testing planning based on risk
   - develop SOPs for inspection, sampling, transportation to the lab, transmission of analytical report and final decision.
   - develop and use formats or certificates for each activities in line with Codex guidelines.
   - adopt risk-based inspection
   - adopt three types of sampling, namely Monitoring sampling, Compliance sampling and Directed sampling

   DFTQC and its units 2 years At present no such plans are available.

### Strategy IV: Strengthen legal provisions.

1. Develop separate rule to address imported food control under the existing food act.
   DFTQC/ MoAD 3 years

2. Revise and update the Directives on Export-Import Inspection and Quality Certification system in Nepal
   DFTQC/NPQP/ CAQO 2 years

3. Develop a GIP (Good Importing Practices) Manual
   DFTQC 2 years

### Strategy V: Upgrade institutional capability.

1. Legal – remove provision of overlapping scope of work of each competent authority
   All competent authorities 2 years

2. Financial – provide sufficient budget for food safety related activities
   MoAD/MoF 1 year
<table>
<thead>
<tr>
<th>#</th>
<th>Action description</th>
<th>Responsible organization*</th>
<th>Time frame</th>
<th>Note or remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Human Resource – As recommended by O &amp; M Survey report of DFTQC, add sufficient number of manpower in the department.</td>
<td>MoAD / MoGA / MoF</td>
<td>2 Years</td>
<td></td>
</tr>
</tbody>
</table>

**Strategy VI: Strengthen support services.**

1. Management support - Establish a separate unit at central level of each competent authorities to look after risk-based imported food control and related matters.  
   - DFTQC, CAQO and NPQP  
   - 3 years

2. Enhance analytical capacities of government laboratories at all border points and support private food analytical labs also.  
   - DFTQC, CAQO and NPQP  
   - 5 years

3. Food Inspection – Induct at least 50 qualified food inspectors to work at different border points.  
   - DFTQC/MoAD /MoF

4. Introduce a system of posting bonds to release the consignment until all test results are made available for admissibility decision.  
   - DFTQC / DoC  
   - 3 years

5. Replicate Kakarbhitta model of housing all units of competent authorities under one roof within customs’ premises.  
   - DoC/DFTQC/ CAQO/NPQP and their higher authorities  
   - 5 years

6. Arrange vehicle with cold chain facility to transport food samples to the concerned laboratories.  
   - DFTQC / DoC  
   - 2 years

*See the list of abbreviations at the beginning of this document for definitions of agency abbreviations.*
References


FQL. 2072. *Annual Progress Report for the Fiscal Year 2071/72 (Available in Nepali).* Food Quarantine Laboratory, Kakarbhitta, Jhapa.


FQL. 2074. *Annual Progress Report for the Fiscal Year 2073/74 (Available in Nepali).* Food Quarantine Laboratory, Kakarbhitta, Jhapa.


RFTQC W. 2007. *Food Import/Export Profile for the Fiscal Year 2072/73.* Regional Food Technology and Quality Control Office, Bhairahawa, Rupandehi.


4 National situation report: Republic of the Philippines

4.1 Overview
The Philippines allows food imports through ten major ports. The Country Programming Framework for 2012–2018 targets the improvement of effective import controls under the outcome: “Improving policy/institutional environment for food and nutritional security through enforcement of rational food policies including for food safety and early detection of threats to food/agriculture”. Major imported food commodities include rice, fresh fruits and vegetables, coffee, meat and fish products, and major trade partners are China, Canada and the United States.

Import food controls are the main responsibility of two agencies: the Department of Health (DOH) for processed foods, and the Department of Agriculture (DA) for all fresh food. The main regulatory bodies monitoring the safety aspects of imported agricultural and food products are the Bureau of Animal Industry (BAI), National Meat Inspection Service (NMIS), Bureau of Fisheries and Aquatic Resources (BFAR), and the Bureau of Plant Industry (BPI). The Philippines enacted the Food Safety Act in 2013, a legal framework for food safety for local and imported foods. It includes basic policy and objectives for food safety, principles for developing legislation, and describes the authoritative structure for the coordination of regulatory activities among government agencies.

4.2 Food imports in the Philippines
All imported foods and agricultural products are required to comply with the Philippines’ food health and phytosanitary laws. None of these products is allowed to enter the Philippines if it is deemed to pose a danger to human life or well-being, either directly or indirectly. All food and agricultural products that enter the Philippines are required to pass through procedures designed to check that they are not contaminated with any pest or disease, and that they are fit for their intended use. Border officers inspect the goods and relevant import documentation, and decide on whether to allow their entry.

With the enactment of the Republic Act 10611, also known as the Food Safety Act of 2013, and the issuance of its Implementing Rules and Regulations (Joint DOH-DA Administrative Order No. 1, s. 2015), the food safety regulatory system in the country has been strengthened to protect the consumer’s health and facilitate market access to food products, and other purposes, consistent with international standards, guidelines, and procedures. It is the country’s first attempt to establish a legal framework for food safety for both local and imported foods, and contains, among other things, basic policy and objectives for food safety; the principles for developing legislation; and the authoritative structure for the delineation and coordination of regulatory activities among government agencies. It mandates food safety regulatory agencies to “restrict entry into the market or apply other measures to protect consumer health when food products that meet specific standards is subsequently found to be a potential source of food safety related risks. The measures shall be enforced until new scientific data are obtained and/or after appropriate testing and inspection are carried out to confirm safety of the food.” (Rule 5f.1, Joint DOH-DA Administrative Order No. 01, s. 2015, Annex 13) In setting food safety standards, the law requires that it “be established on the basis of science, risk analysis, scientific advice from expert body/bodies, standards of other countries, existing Philippine National Standards and the standards of the Codex Alimentarius Commission (Codex), where these exist and are applicable”( Sec. 9, Joint DOH-DA Administrative Order No. 01, s. 2015, Annex 13).

Also, the Food Safety Act outlines the requirements for foods imported, produced, processed and distributed for domestic and export markets (Sec. 12, Joint DOH-DA Administrative Order No. 01, s. 2015, Annex 13), as follows:

1) Food to be imported into the country must come from countries with an equivalent food safety regulatory system and shall comply with international agreements to which the Philippines is a party;
2) Imported foods shall undergo cargo inspection and clearance procedures by the DA and the DOH at the first port of entry to determine compliance with national regulations. This inspection by the DA and the DOH shall always take place prior to assessment for tariff and other charges by the Bureau of Customs (BOC); and,

3) Exported foods shall at all times comply with national regulations and regulations of the importing country. Returned shipments shall undergo border inspection clearance as provided in Section 12(b), hereof.

4.2.1 Main imported food products and trade partners

The main imported foods into the Philippines include fresh apples, fresh grapes, wheat (including spelt), meslin, soybean oil/cake meal, coffee, cocoa, beef, poultry meat, pork, garlic, onion, cauliflower, broccoli, frozen potatoes, palm oil, rice, frozen fish, whey, and pears. On the other hand, the imported fishery products for canning or processing and institutional buyers are Norwegian salmon, mackerel, bonito, tuna, tuna scraps and pangasius.

Table 19. Philippines’ import partners and major food imports.

<table>
<thead>
<tr>
<th>Major import food commodities</th>
<th>Exporter country</th>
<th>Volume (2016)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rice</td>
<td>Vietnam</td>
<td>101 M (48%)</td>
</tr>
<tr>
<td></td>
<td>Thailand</td>
<td>69 M (33%)</td>
</tr>
<tr>
<td></td>
<td>India</td>
<td>19.2 (9.1 %)</td>
</tr>
<tr>
<td></td>
<td>China</td>
<td>19.4 (9.2%)</td>
</tr>
<tr>
<td>Corn</td>
<td>Thailand</td>
<td>139 M (69%)</td>
</tr>
<tr>
<td></td>
<td>Vietnam</td>
<td>7.8 M (3.9%)</td>
</tr>
<tr>
<td></td>
<td>Argentina</td>
<td>14 M (6.9%)</td>
</tr>
<tr>
<td></td>
<td>United States of America</td>
<td>10.9 M (5.4%)</td>
</tr>
<tr>
<td></td>
<td>Brazil</td>
<td>13.8 M (6.8%)</td>
</tr>
<tr>
<td></td>
<td>Indonesia</td>
<td>1.74 M (0.86%)</td>
</tr>
<tr>
<td></td>
<td>India</td>
<td>4.92 M (92.4%)</td>
</tr>
<tr>
<td></td>
<td>South Africa</td>
<td>1.61 M (0.8%)</td>
</tr>
<tr>
<td>Wheat</td>
<td>United States of America</td>
<td>515 M (49%)</td>
</tr>
<tr>
<td></td>
<td>Ukraine</td>
<td>186 M (18 %)</td>
</tr>
<tr>
<td></td>
<td>Australia</td>
<td>195 M (19 %)</td>
</tr>
<tr>
<td></td>
<td>Brazil</td>
<td>56 M (5%)</td>
</tr>
<tr>
<td></td>
<td>Argentina</td>
<td>41.3 M (4%)</td>
</tr>
<tr>
<td>Soybean</td>
<td>United States of America</td>
<td>56.3 M (91%)</td>
</tr>
<tr>
<td></td>
<td>Canada</td>
<td>5.34 M (8.6%)</td>
</tr>
<tr>
<td>Apples and pears</td>
<td>China</td>
<td>168 M (96%)</td>
</tr>
<tr>
<td></td>
<td>United States of America</td>
<td>6.08 M (3.5%)</td>
</tr>
<tr>
<td></td>
<td>New Zealand</td>
<td>1.09 M (0.62%)</td>
</tr>
<tr>
<td>Major import food commodities</td>
<td>Exporter country</td>
<td>Volume (2016)</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Onions</td>
<td>China</td>
<td>24.6 M (66%)</td>
</tr>
<tr>
<td></td>
<td>India</td>
<td>24.6 M (29%)</td>
</tr>
<tr>
<td></td>
<td>Netherlands</td>
<td>2.15 M (5.7%)</td>
</tr>
<tr>
<td>Citrus</td>
<td>China</td>
<td>33.2 M (52%)</td>
</tr>
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<td></td>
<td>Pakistan</td>
<td>10.6 M (17%)</td>
</tr>
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<td></td>
<td>Argentina</td>
<td>6.86 M (%)</td>
</tr>
<tr>
<td></td>
<td>United States of America</td>
<td>6.0 M (99%)</td>
</tr>
<tr>
<td></td>
<td>Australia</td>
<td>6.49 M (10%)</td>
</tr>
<tr>
<td>Poultry meat</td>
<td>United States of America</td>
<td>90.6 M (41%)</td>
</tr>
<tr>
<td></td>
<td>Canada</td>
<td>17.7 M (8.1%)</td>
</tr>
<tr>
<td></td>
<td>Netherlands</td>
<td>40.1 M (18%)</td>
</tr>
<tr>
<td></td>
<td>Brazil</td>
<td>31.5 M (14%)</td>
</tr>
<tr>
<td></td>
<td>Germany</td>
<td>10.6 M (4.8%)</td>
</tr>
<tr>
<td></td>
<td>United Kingdom</td>
<td>4.8 M (2.2%)</td>
</tr>
<tr>
<td></td>
<td>Australia</td>
<td>2.57 M (1.2%)</td>
</tr>
<tr>
<td>Grapes</td>
<td>United States of America</td>
<td>38.1 M (67%)</td>
</tr>
<tr>
<td></td>
<td>Australia</td>
<td>11.7 M (21%)</td>
</tr>
<tr>
<td></td>
<td>Chile, New Zealand, Argentina, China (combined)</td>
<td>5.5 M (9.7%)</td>
</tr>
<tr>
<td>Pork</td>
<td>Germany</td>
<td>37 M (28%)</td>
</tr>
<tr>
<td></td>
<td>France</td>
<td>19 M (15%)</td>
</tr>
<tr>
<td></td>
<td>Spain</td>
<td>2.5 M (1.9%)</td>
</tr>
<tr>
<td></td>
<td>Netherlands</td>
<td>1.82 M (1.4%)</td>
</tr>
<tr>
<td></td>
<td>Canada</td>
<td>33.4 M (26%)</td>
</tr>
<tr>
<td></td>
<td>United States of America</td>
<td>18.1 M (12%)</td>
</tr>
<tr>
<td></td>
<td>United Kingdom, Belgium, Brazil (combined)</td>
<td></td>
</tr>
<tr>
<td>Milk</td>
<td>New Zealand</td>
<td>24.7 M (41%)</td>
</tr>
<tr>
<td></td>
<td>Australia</td>
<td>9.83 M (16%)</td>
</tr>
<tr>
<td></td>
<td>France</td>
<td>6.1 M (10%)</td>
</tr>
<tr>
<td></td>
<td>Germany</td>
<td>4.8 M (7.4%)</td>
</tr>
<tr>
<td></td>
<td>Thailand</td>
<td>6.2 M (10%)</td>
</tr>
<tr>
<td></td>
<td>Brazil</td>
<td>4.68 M (7.7%)</td>
</tr>
<tr>
<td></td>
<td>Uruguay</td>
<td>1.54 M (2.5%)</td>
</tr>
<tr>
<td>Major import food commodities</td>
<td>Exporter country</td>
<td>Volume (2016)</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Potatoes</td>
<td>United States of America</td>
<td>6.04M (68%)</td>
</tr>
<tr>
<td></td>
<td>Germany</td>
<td>2.01 M (23%)</td>
</tr>
<tr>
<td></td>
<td>New Zealand</td>
<td>504 K (5.7%)</td>
</tr>
<tr>
<td></td>
<td>Switzerland</td>
<td>214K (2.4%)</td>
</tr>
<tr>
<td>Coffee</td>
<td>Vietnam</td>
<td>72.8 M (87%)</td>
</tr>
<tr>
<td></td>
<td>Indonesia</td>
<td>5.02 M (6%)</td>
</tr>
<tr>
<td></td>
<td>Malaysia</td>
<td>847 K (1.0%)</td>
</tr>
<tr>
<td>Beef</td>
<td>United States of America</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Australia</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ireland</td>
<td></td>
</tr>
</tbody>
</table>

The Philippines’ major trading partners are China (a variety of food items), Canada (pork, chicken meat), United States of America (pork, beef, and chicken meat), United Kingdom (pork), Brazil (pork, chicken meat), Australia (beef), India (buffalo meat), and the following European Union members: Germany (pork), Spain (pork), France (pork), Netherlands (pork, chicken meat), Belgium (pork, chicken meat) and Ireland (beef). Under the updated list of DA-accredited foreign meat establishments (FMEs), the following countries are permitted to bring meat imports into the Philippines:

- Australia (pork, beef, chicken, sheep meat, fresh grapes)
- Belgium (pork, chicken, beef)
- Canada (pork, beef, chicken, turkey)
- Denmark (pork, beef, poultry meat)
- France (pork, beef, poultry meat, sheep meat)
- Germany (pork, poultry meat)
- Ireland (pork, beef, sheep meat)
- Italy (processed pork)
- Japan (beef)
- Netherlands (pork, beef, chicken meat)
- New Zealand (pork, beef, poultry meat, sheep meat, goat meat, fresh apples, fresh grapes)
- Spain (pork)
- United Kingdom (beef, mutton, pork, poultry meat)
- United States of America (pork, beef, poultry meat, goat meat, sheep meat, fresh grapes, fresh apples)

### 4.2.2 Major ports for food imports

As an archipelago, the Philippines has numerous ports of entry for agricultural commodities, and ten of these are major ports of entry for imported foods. These entry points are critical for the country’s food safety control system because these are where access is allowed or denied by control officers. The quality of inspections that are conducted at these ports is vital to the country’s compliance with food safety requirements. The major Philippine ports of entry are Manila International Container Terminal, Cebu International Port, Port of Batangas, Manila Port of South Harbor, Port of Davao, Subic Bay Freeport Zone, Naia Cargo Terminal, Mactan International Airport, Port Of General Santos, and Port of Cagayan de Oro.
4.3 Importer profiles

Data management

Data management is done both in the agency’s central office and at the ports. The data on importers managed by Bureau of Animal Industry – National Veterinary Quarantine Services Division (BAI-NVQSD) are the import arrivals and Sanitary and Phytosanitary Import Clearance (SPSIC) issuances. The data are in Excel format, and are regularly backed up on an external hard drive. Importation data on meat can also be accessed at the BAI website. Similarly, the Bureau of Plant Industry – National Plant Quarantine Services Division (BPI-NPQSD) uploads the registered importers, and certificates of registration to the BPI website. It also has a database for registered importers. NMIS keeps and manages data on meat importers’ applications through the NMIS Meat Import Export Division. All documents submitted are scanned for filing after the Certificate of Accreditation is signed and released, and the hardcopy is kept in a storage box. The list of accredited meat importers is updated daily and posted at the NMIS website.

Each port also records or encodes applications and keeps them together with the attachments submitted by importers. For documents that are not uploaded to their websites, access can only be obtained upon written request addressed to the agency head.

Required information from importers

Each agency requires certain documentary requirements to be submitted by food importers prior to registration or accreditation. Common among the documents required is the letter of intent (LOI), local government unit permits, Bureau of Customs (BOC) accreditation, company registration with the Securities and Exchange Commission (SEC)/ Department of Trade and Industry (DTI), Bureau of Internal Revenue (BIR) and Tax Identification Number (TIN) registration, accreditation of storage warehouse. The documentary requirements for the accreditation or registration of importers per agency can be found in Annex 8.

Procedures for accreditation or registration

Food importers must be registered or accredited by the concerned agency. Importers of plant foods register with BPI, while meat importers are accredited by NMIS. BFAR accredits importers of fish and fishery and/or aquatic products. The common procedures for accreditation or registration of importers among the agencies are as follows:

1) Applicant submits documentary requirements;
2) Applicant pays accreditation fee;
3) Agency verifies and evaluates as to completeness, authenticity, and accuracy of submitted documents;
4) Inspection of establishment by agency officer(s);
5) Revalidation and re-inspection, if necessary; and
6) Issuance of Certificate of Accreditation.

Accreditation or registration procedures per agency are presented in Annex 9.

NMIS also provides for general conditions attached to the accreditation, which add to the integrity of the safety of the imported food. These conditions are as follows:

1) The importer shall import meat and/or meat products only from FMEs duly accredited by DA, or from a consolidator, indenture or facilitator authorized by FMEs;
2) The transfer of shipment from the port of entry to the NMIS-accredited cold storage warehouse (CSW) shall be covered by a Veterinary Quarantine Meat Inspections Laboratory Certificate (VQMIC) and

3 www.bpi.da.gov.ph/forms/permits/certificates
4 http://nmis.gov.ph/index.php/accredited-importer-m
3) The importer shall at no time break the BAI seal and BOC seal.

All accredited importers are also asked to be part of the DA Trade System (DTS) for purposes of application and issuance of SPSIC online. For plant products, the procedure for registration is outlined in DA DC 4, s. 2016.

4.4 Generic food import flowchart

The Food Safety Act of 2013 identifies the types of controls and control activities being done by regulatory agencies to verify compliance with standards, operating procedures, practices and other regulatory requirements. These control activities include more intensive checks involving inspections, verifications, audits, sampling and testing of samples, and recall of defective products.

The food safety control measures in the Philippines – under applicable laws, rules and regulations – can be observed prior to, during and after the actual entry of the goods into the country. These control measures are covered by legally mandated guidelines, protocols or regulations, but some are not yet implemented fully for several reasons such as lack of human resources, technical capability, and budget constraints.

4.4.1 Pre-border control

**Pest risk analysis (PRA)**

PRA is the process of evaluating biological or other scientific and economic evidence to determine whether an organism is a pest, whether it should be regulated, and the strength of any phytosanitary measures to be taken against it. Although its scope is limited to plant pests and diseases, PRA is important to the assurance that the plant food that comes into the country will not be infested or infected. Under DA Administrative Order (AO) No. 4, s. 2016, BPI conducts PRA for Category 2, 3 and 4 of commodities. PRA is initiated when there is a request for market access, importation of a new commodity or importation from a new country of origin. The primary function is to prevent the entry of foreign pests into the Philippines and the further spread of these pests already introduced to places where they are not known to exist.

The International Plant Protection Convention (IPPC) describes three stages of pest risk analysis in ISPMs no. 2 and 11, as follow:

1) **Stage 1 Initiation** involves defining the hazards by identifying the pest(s) and conditions that are of concern and should be considered for risk analysis.

2) **Stage 2 Pest risk assessment** is the evaluation of the probability of the introduction and spread of a pest and the magnitude of the associated potential economic consequences (IPPC 2012).

3) **Stage 3 Pest risk management** is the evaluation and selection of options to reduce the risk of the introduction and spread of a pest (IPPC 2012). It results in a summary of options, including recommendations for the selection of preferred options. Options are assessed based on information about their efficacy, feasibility and impacts.

Based on its intended use or volume of import, the BPI-PRA team determines which type of PRA to follow.

**Informal PRA**

This type of PRA usually entails the generation of list of pest associated with commodity to be imported and determination of quarantine pest out of the pests listed (pest categorization). Based on the available pest information, the plant quarantine (risk assessor reviews, evaluates and determines the phytosanitary risks as well as identifies and selects the appropriate risk management options that shall be the basis for the import conditions stated in import clearances.
Commodities eligible for informal PRA may fall into the following categories:

1) one time importation of a new plant or plant variety from a new source country (point of origin);
2) importation in small volumes or quantities (12 pieces or less for planting materials; 10 g or less for seeds);
3) importation for research, exhibit or medicinal purposes;
4) importation by embassies, state colleges and universities, local government units and other government entities; and
5) as determined by the NPQSD PRA team.

Formal PRA/Full-blown PRA
A qualitative risk analysis is conducted where estimates of risk are expressed in terms of high, moderate, low or negligible, rather than in numerical terms such as probabilities or frequencies. The applicant-importer is asked to submit the following documentary requirements: information on the crop; production area; cultivation method; lists of pests; crop protection system; packing system; name of possible exporters and cold storage facilities; plant quarantine organization; current phytosanitary certification procedures; and export programme to other countries. The whole PRA process is shown in Annex 10.

Risk categorization
Under DA DC 4, s. 2016, plant products are categorized based on their risk of being infested with quarantine pests. The categorization of commodities facilitates the process of inspection, regulation, and control over imports. The aim is to prioritize the commodities that need to be thoroughly checked and inspected. Those that are less likely to be infested with pests are not regulated.

Different categorizations of commodities are as follows:

1) Category 1 – Commodities that have been processed to the point where they do not remain capable of being infested with quarantine pests and, therefore, should not be regulated.
2) Category 2 – Commodities that have been processed to the point where they do not remain capable of being infested with some quarantine pests and whose intended use may be for consumption or further processing. BPI-NPQSD shall determine if a PRA is required for quarantine pests that may not be eliminated by the process.
3) Category 3 – Commodities that have not been processed and the intended use of commodity is for consumption or processing. A PRA is necessary to identify the pest risks related to the pathway.
4) Category 4 – Commodities that have not been processed and the intended use is for planting. PRA is necessary to identify the pest risks related to this pathway.

Category 1 may be reclassified as Category 2 based on the risk analysis for food safety conducted by Plant Product Safety Services Division (PPSSD), (Art. II, Sec. 5, last sentence, DA DC 4, s. 2016, Annex 13). There are no risk categorization guidelines for meat, fish, fishery and aquatic products.

Accreditation of foreign meat establishments
Pre-border measures are applied to all meat imports. An accreditation of FMEs is mandatory before market access is allowed. Under DA AO 16, s. 2006, “accreditation” is defined as “the privilege granted by the DA to a country or FME to export its meat and meat products to the Philippines after evaluation, validation, on-site inspection and conduct of import risk analysis based on a set of rules, regulations, recommendations, and standards to determine the soundness of the veterinary services, animal health surveillance/monitoring system and the meat inspection system of the government and the status and features of the FMEs.”
Guided by DA AO No 16 series of 2006, countries interested in exporting meat into the Philippines must be accredited. A set of questionnaires must be accomplished by the exporting country before the conduct of DA Inspection Mission (DAIM). The questionnaires cover information on animal and veterinary public health of the exporting country as well as information on the applicant-FME. Only member countries of OIE are allowed to apply for accreditation. The applicant country may apply for a system accreditation or individual FME accreditation. Moreover, the DA sets general considerations in FME accreditation. These include, among others:

1) The state of health of livestock, poultry, other domestic animals and wildlife in a country, taking into consideration exotic animal diseases which will endanger human and animal health in the Philippines;
2) The regularity and rapidity of the information supplied by the country relating to the existence of reportable animal diseases in its territory;
3) The regulations and policies of a country on the prevention and control of animal diseases;
4) The structure of veterinary services and their powers in a country;
5) The country adequacy of legislation governing controls on border, animal health, food safety, food quality and veterinary public health;
6) The guarantee, which a country can offer with respect to the implementation and compliance with the provisions of the regulations referred to in the succeeding statement;
7) The existence of a national system of controls on border, animal health, food safety, food quality and veterinary public health to ensure the organization and administration compliance of meat and meat products with the provisions of relevant legislation and of import requirements in a country;
8) Reliance of certificates required and issued by the national competent authority (NCA) of a country;
9) Sources of animals where meat and meat products are derived for export to the Philippines;
10) The FME adoption of the recommendations of Codex and application of HACCP or other internationally accepted standards of equivalence;
11) Accreditation/classification of the FME as a meat export facility by the NCA of a country;
12) Supervision and control of the NCA in the FME on the preparation and handling of meat and meat products to be exported to the Philippines, inspection carried out by veterinarians or inspectors under direct supervision of veterinarians;
13) Maintenance of a single system of inspection and sanitation throughout the FME and the separation of export establishment from a non-export establishment; and,
14) Compliance to the provisions of the Meat Inspection Code of the Philippines and other relevant food regulations in force in the Philippines, reflected in the meat and meat products to be exported to the Philippines.

Procedure for accreditation of FMEs

Memorandum of the Executive Director No. 0571, NMIS, s. 2016 (Annex 13) states:

1) Applicant sends an LOI with endorsement from the country embassy to the Office of the Secretary (OSEC);
2) OSEC, thru the Secretariat, acknowledges the LOI and sends a list of requirements to the applicant;
3) Secretariat accepts complete requirements for processing and endorses to Risk Assessment Team –BAI and NMIS (RAT-BAI and NMIS) for review;
4) Applicant is recommended for verification by DAIM;
5) Courtesy call at the Philippine embassy and conduct of entry conference by DAIM team;
6) On-site inspection. BAI to inspect the veterinary services, and NMIS the meat hygiene system;

The DAIM team is composed of technical staff from NMIS and BAI.

5
7) DAIM team submits report to the Accreditation Review Body;
8) Accreditation Review Body sends recommendation to OSEC for approval or disapproval;
9) Secretariat sends communication of approved or disapproved application to the country or FME

Unlike BPI and BAI/NMIS, BFAR has no pre-border accreditation of foreign establishments or market-access requirement.

**Sanitary and Phytosanitary Import Clearance (SPSIC)**

Prior to importation, all importers of meat, animal products, fish, fishery and/or aquatic products, and plant and plant products are asked to apply for SPSIC from each agency. An SPSIC is a document issued prior to importation by the concerned bureau or agency to ensure that the products being imported meet standards to protect human, animal or plant life or health, ensuring that the agricultural and fishery products are safe for consumers, and to prevent the spread of pests or diseases among animals or plants. This document also prescribes the conditions to be complied with by the importer for the maintenance of quality and suitability of the product for the intended purposes (DA AO 9, s. 2010, Annex 13). It is a requirement also for the issuance of the Phytosanitary Certificate (PC) (for plants) or International Health Certificate (IHC) (for fish and fishery/aquatic products) and International Veterinary Health Certificate (IVHC) (for meat). Both the PC, IHC, and IVHC are issued by the country of origin. Under the DA AO 9, s. 2010, the process for the issuance of SPSIC is outlined below.

1) The accredited importer pays permit fee at BFAR, BAI or BPI cashier and lodges online application;
2) The concerned agency-designated officer checks applicant credentials and uploads application;
3) The concerned agency reviews the application for correctness of documents, and verifies and endorses the application to approving officer (head of the agency) online;
4) The head of concerned agency approves the application online;
5) The importer prints out the SPSIC for presentation to customs and port quarantine officers;
6) The required documents common to all agencies include:
   a) Pro-forma invoice
   b) Notarized affidavit of undertaking as required by the concerned bureau or agency, to be included in the accreditation process
   c) Official receipt, for manual application
   d) Other commodity specific requirements, including permits or clearances from other concerned agencies are presented in Annex 11. For specific agency procedure in the issuance of SPSIC, see Annex 12.

For plant products, the SPSIC is not required for Category 1 commodities, instead a Plant Quarantine Certification is secured by the importer. Also, it needs a Processed Product Certificate or an equivalent document in lieu of the PC.

The process for the issuance of SPSIC has been modified in 2016. The payment of fee remains with the concerned agency and the lodging of application is still online. Presently, however, SPSIC is printed and manually endorsed by the agency head to the DA Secretary for approval. Thereafter, the approved SPSIC is returned to the concerned agency for release to the importer.7

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6 BAI calls it Veterinary Quarantine Clearance
7 As per the DA Secretary’s instructions, SPSIC processing, including approval, for plant and plant products has been reverted to the on-line process effective February 12, 2018.

Other documents that satisfy the requirement that only safe food should be allowed into the country are the PC, IVHC, and International Health Certificate (IHC). All are types of international SPS certificates issued by the competent authority of the country of origin, and certifying that the products have been handled, processed and packed in a hygienic manner and do not contain microorganisms and harmful substances that may pose a food safety hazard and endanger human, animal or plant life or health.

The PC, IHC and IVHC are documentary requirements that must be secured before the commodity arrives in the country. Fisheries Administration order 195 s. 1999 (Annex 13) states that the IHC required by BFAR for imported fish and/or aquatic products shall be issued on the basis of compliance with the following requirements: 1) fish and fishery and/or aquatic products meet the quality of fresh fish prior to freezing shall be graded accordingly to size; 2) the fishery products must be handled and processed hygienically in processing plants and/or freezer vessels; 3) frozen fishery products must be kept and maintained at -18°C or lower during transport; and, 4) fish and fishery and/or aquatic products must be subject to visual inspection for a parasite check. Fish infested with parasites must be removed from the batch, and the batch must be accompanied by the following laboratory test results, which shall not exceed (for the indicator organism) the following limits:

- Total viable count = 5 x 10^5/g
- E. coli = 10 to 100/g
- Salmonella = absent in 25-g sample

Also, BFAR requires that for fish and fishery and/or aquatic products covered by the families Scombridae (tuna and tuna-like species and mackerel) and Clupeidae (sardines), and shall be subject to chemical analysis (i.e. histamine level). Examination shall be carried out in accordance with internationally recognized methods. The results of the test shall not exceed 20 mg/100 g and shall be included in the health certificate requirements.

Packing and labelling requirements

Importers are also mandated to comply with certain packing and labelling requirements. For meat importers:8

1) materials and containers in direct contact with the meat and/or meat products must be of food grade quality based on the standards set by Codex or equivalent standards as may be determined by DA;
2) all wood packing materials of imported meat and meat products shall be treated in accordance with the International Standards on Phytosanitary Measures (ISPM) No. 15; and
3) all food additives and preservatives shall be declared in the label as appropriate or applicable.

Fish and fishery and/or aquatic products must be packed under hygienic conditions to preclude contamination from lubricants, oils, fuels, or any other hazardous substances. Packaging materials used for fresh fish held under ice should be provided with adequate drainage for melted water.

4.4.2 Border control

Each agency has border control officers or quarantine officers at the ports to conduct the inspection of their agency’s commodities. Plant quarantine officers are licensed agriculturists. On the other hand, veterinary quarantine officers are licensed veterinarians. fishery quarantine officers, meanwhile, are graduates of Fisheries, Food Science or other related courses.

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8 Sec. VII, DA AO 26, series of 2005, Revised Rules, Regulations and Standards governing the Importation of Meat and Meat Products into the Philippines
All imported agricultural commodities entering the country must undergo inspection at the border upon arrival. The inspection generally involves:

1) documentation, inspection or verification of accompanying importation documents (SPSIC, PC, IHC, airway bill or bill of lading, invoice);
2) cursory inspection of the cargo by quarantine officer; and
3) adequate sample of imported commodity for laboratory examination collected randomly by technical personnel of the concerned agency.

Fresh, chilled, and frozen fish and fishery or aquatic products must meet the quality requirements based on organoleptic checks on the standards for fresh, chilled, and frozen fish and fishery and/or aquatic products. Further, BFAR requires that all imported fishery products must be subject to microbiological examination. BFAR’s guidelines mandate that, if after laboratory examination the imported products do not meet the required quality standard, the whole shipment shall be committed to a storage facility while further laboratory examination shall be conducted on random samples to technically determine the quality of the products. If the product is found unfit for human consumption or unable to meet the required standard, the said container shall be returned to the country of origin.

For plant food, DA DC 4, s. 2016 mandates the NPQSD to randomly collect samples for food safety purposes. The PPSSD, BPI-accredited plant food testing laboratories and other government laboratories shall conduct analysis for pesticides and veterinary drug residues, heavy metals and/or toxins produced by microorganisms, or any other tests required to determine the product’s safety for human consumption.

Commodities will not be released from the port of entry if, among other things: 1) there are visible signs and symptoms of pests observed during the initial inspection; 2) after laboratory tests, the commodity failed to comply with or violated the terms and conditions and phytosanitary measures in the SPSIC; or 3) upon evaluation and certification of PPSSD, the product contains pesticide residues, heavy metals, toxins and other contaminants above the maximum limit set by the Philippines, Association of South East Asian Nations (ASEAN) or Codex Standards.

Similarly, veterinary quarantine officers at the port of entry conduct visual inspections of imported meat or meat products for any sign of thawing or other conditions that may affect the quality and safety of the meat. Thawed meat will not be released. Veterinary quarantine officers will recommend that the product either be: 1) re-exported to the country of origin; 2) exported to a third country; or destroyed, with the incurred cost to be shouldered by the importer.

Unfortunately, imported foods are typically released to the importers, brokers or consignees prior to laboratory results due to long analysis time. Also, laboratories for chemical and microbiological analysis and the chemists needed to conduct analyses are not at the ports. In this instance, laboratory analysis becomes a post-border control measure, and the risk management activity is based on the frequency of violations.

4.4.3 Post-border/in-country control

Laboratory analysis

All agencies collect representative samples for laboratory analysis from the imported cargo. Most of the goods that passed the physical examination, however, are released prior to conducting a laboratory analysis. Consequently, results of laboratory analyses are used for profiling purposes. Again, risk management activity is based on the frequency of violations. The procedure is as follows:

1) Quarantine officer submits representative samples to the laboratory for tests.
2) Laboratory personnel receive the samples, labels them, and records the information in the logbook.
3) Laboratory technical officer conducts ocular or microscopic examination of the samples;
4) If there is evidence of infection or infestation, the officer recommends that type of tests to be conducted:
   a) **Plants**: routine seed health test or blotter test for seed; Bauermann Funnel method for bulbs or other underground portion of plants (for nematode detection); Agar tests; others as may be necessary. Note that, although the plant quarantine officer randomly collects samples for food safety, the tests are conducted for pests and diseases only by NPQSD. DA Department Circular 04, s. 2016 requires conduct of tests for food safety, and PPSSD has started analysing pesticide residue and micro in its laboratory for samples submitted to PPSSD by the Plant quarantine officers at the ports. PPSSD is now preparing sampling protocols.
   b) **Fish and fishery products**: Analysis of freshness, proximate composition, contaminants, physical test and fish microbiology. The various tests conducted are:
      I. Freshness indices: trimethylamine, total volatile base, pH, oil;
      II. Quality: free fatty acid, and peroxide value;
      III. Nutritional composition: crude protein, moisture; ash; crude fat;
      IV. Chemical contaminants: total mercury; total cadmium, and total lead;
      V. Chemical residues: formaldehyde and histamine;
      VI. Microbiological test: anaerobic plate count, total coliforms and *Escherichia coli*, salmonella and shigella; *Staphylococcus aureus* fungi (yeasts and molds);
      VII. Physical characteristics and others: pH, water activity, sensory evaluation, sodium chloride.

5) Laboratory personnel prepare the materials needed for testing; and
6) The laboratory technical officer conducts appropriate laboratory tests.

For plants, the laboratory technical officer determines if the infection or infestation is exotic or cosmopolitan. If it is exotic, the plant product is recommended for destruction or other appropriate actions. If it is cosmopolitan, the product is recommended for release.

**Market surveillance**

BPI – through PPSSD – conducts market surveillance of plant products for local and imported goods. Market surveillance includes randomly taking samples and conducting laboratory analysis. Results are sent to the concerned local government chief executive for appropriate action. Worth noting is the fact that the Philippines has no standards yet to impose, and BPI has no police power to arrest those who are selling commodities beyond the acceptable national or international standards.

On the other hand, all imported meat and/or meat products are subject to further relevant DA meat and meat products safety rules and regulations to ensure the consistency of quality and safety of the products and their traceability pursuant to Republic Act 9296, otherwise known as the Meat Inspection Code of the Philippines. All meat and meat products brought into the country are subjected to safety and quality inspection by NMIS immediately after its clearance by the veterinary quarantine officer at the port of entry. (Rule 32.1 of DA DC 1, s. 2014, Annex 13)

The inspector is prohibited from transferring from the designated storage warehouse to other warehouses or facilities, or modifying, using, distributing or selling the imported meat and meat product without NMIS inspection and clearance. (Rule 32.2 of DA DC 1, s. 2014, Annex 13)

The inspector collects samples for laboratory analysis, when necessary, within 24 hours upon the transfer of the shipment of imported meat and meat products to the storage warehouse to determine the presence of disease and whether the level of drug residues, harmful substances, additives,
contaminants, toxins and microbes conform to the standards and requirements of the Philippines. (Rule 32.3 of DA DC 1, s. 2014, Annex 13)

4.5 List of existing documents and tools on imported food control
In the implementation of the food safety control system in the country, the regulatory agencies are guided by several pieces of legislation, administrative issuances, a procedure manual and standard operating procedures. There are also templates for certificates, permits and clearances that they issue. These tools facilitate the enforcement of their food safety functions. A listing of the relevant documents and tools can be found in Annex 13.

4.6 Roles and responsibilities of stakeholders and relevant legislations and regulations
The main regulatory bodies monitoring the safety aspects of imported agricultural commodities and fresh foods are BAI, BFAR, BPI and NMIS. All of these bureaus are under the jurisdiction of the DA. The National Food Authority (NFA), which used to have sole responsibility for the importation of rice (but is now open to private companies), is now under the Office of the President. SPSIC for rice is issued by BPI, but under the Food Safety Act of 2013, the NFA is the food safety regulatory agency for rice, corn and other grains. Moreover, food safety regulation for sugar is handled by the Sugar Regulatory Authority, while the Philippine Coconut Authority is in charge of coconuts.

On the other hand, imported processed foods are within the jurisdiction of DOH-FDA. Unfortunately, DOH-FDA is not present at the ports. Processed foods are issued a Certificate for Product Registration, and importers are required to secure a License to Operate from DOH-FDA. On arrival at the ports, the customs officer looks for these documents issued by DOH-FDA before the commodity is allowed to enter the country.

Bureau of Animal Industry (BAI)
Under the Food Safety Act of 2013, BAI is the food safety regulatory agency for food derived from animals, including eggs and honey. Republic Act No. 3639 (RA 3639) established BAI and empowered it to prescribe standards for quality in the manufacture, importation, labeling, advertising, distribution and sale of livestock, poultry, meat products, dairy products and animal feeds and veterinary supplies in the country. The Administrative Code of 1987 mandates BAI to recommend specific policies and procedures governing the flow of livestock products through “various stages of marketing, as well as the proper preservation and inspection of such products, and prescribe standards for quality in the manufacture, importation, labelling, advertising, distribution, and sale of livestock, poultry, and allied industries.” Under DA AO 26, s. 2005, prior to the importation of meat and/or meat products from the country of origin, an accredited importer must first secure an SPS Clearance from BAI.

National Meat Inspection Service (NMIS)
Under Republic Act 9296 (2004), otherwise known as the National Meat Inspection Code, the National Meat Inspection Commission was renamed as the National Meat Inspection Service and mandated to be the sole national controlling authority on all matters pertaining to meat and meat product inspection and meat hygiene. It plays a key role in the enforcement of regulations governing fresh, chilled and frozen meat and poultry imports into the Philippines. Sec. 32 of the law provides that “NMIS shall conduct examination and when necessary, laboratory analysis of imported meat and meat products after the products are approved for release by the National Veterinary Quarantine Service at the ports of entry.”

Meat inspection in the country was further strengthened when RA 10536 was enacted in 2012. It bolstered the organizational structure of the agency by creating the offices of Deputy Executive Director and Regional Technical Directors. The law also created 13 divisions, including the Meat Import Expert Assistance Division, which is tasked with evaluating foreign meat establishments that intend to export to the Philippines; accrediting meat importers and exporters; inspecting imported and certifying
exported meat and meat products; and providing technical assistance to meat exporters and importers. A trust fund was also established for: 1) the continued upgrading of laboratory equipment and facilities to conform with international standards; 2) training facilities; capability development of technical personnel and field enforcers; 3) accreditation and food safety audits of foreign meat plants; and 4) disposal facilities for seized or condemned items; and 5) programmes for the prevention and control of the spread of pests and diseases from the abattoir to the farm. The implementing rules and regulations of RA 9296, as amended, were issued in 2014. (DA DC 1, s. 2014, Annex 13)

Bureau of Fisheries and Aquatic Resources (BFAR)

Republic Act No. 8550 reconstituted BFAR as a line bureau under the DA. It is tasked, among others, with implementing an inspection system for the import and export of fishery and aquatic products and fish processing establishments consistent with international standards to ensure product quality and safety. The law likewise strengthened the Fisheries Inspection and Quarantine Service of BFAR, which is mandated to, among other things:

1) conduct fisheries quarantine and quality inspection of all fish and fishery and/or aquatic products coming into and going out of the country by air or water to detect the presence of fish pest and diseases and, if found, to harbour fish pests or diseases, the commodities will be confiscated and disposed of in accordance with environmental standards and practices;

2) quarantine such aquatic animals and other fishery products determined or suspected to have fishery pests and diseases, and prevent the movement or trade from and/or into the country of these products so prohibited or regulated under existing laws, rules and regulations as well as international agreements of which the Philippines is a signatory; and

3) examine all fish and fishery products coming into or going out of the country which may be a source or medium of fish pests or diseases and/or regulated by existing fishery regulations, and ensure that the quality of fish imports and exports meet international standards; and document and authorize the movement or trade of fish and fishery products when found free of fish pests or diseases, and collect the necessary fees prescribed by laws and regulations.

Fishery products may be imported only when the importation has been certified as necessary by the DA Secretary, except for fish imports for canning or processing purposes, importation of which may be allowed without the necessary certification. All imports of fishery products of whatever size, stage or form for any purpose requires a permit from the DA.

Bureau of Plant Industry (BPI)

Under the Presidential Decree No. 1433, as amended, BPI (through the NPQSD) is mandated to exercise inspection and certification and/or treatment activities on imported and exportable plant products such as fruits and vegetables. PD 1433 also mandates BPI to prevent the introduction of exotic pests into the country, to prevent further spread of existing plant pests, and to enforce phytosanitary measures for the export of plants, plant products and regulated articles. Pursuant to EO 366, NPQSD has two sections: 1) the Accreditation and Licensing Section, which accredits importers and exporters of plant and plant products and by-products, and issues clearances and other permits related to the international trade of plant and plant products and by-products; and 2) the Quarantine Policy and Coordination Section, which conducts import risk analyses, formulates and reviews policies on plant quarantine matters, in accordance with international agreements on plant quarantine protocols and SPS measures; and coordinates the activities of the various plant quarantine stations.

BPI – through PPSSD – is likewise tasked with the characterization of agricultural crops and their by-products as well as monitoring pesticide-formulated products, pesticide residues and other contaminants in foods.
Pursuant to the Food Safety Act of 2013, and consistent with Executive Order No. 366, BPI-PPSSD is tasked with undertaking responsibilities relevant to food safety measures in the food supply chain of plant foods, specifically on postharvest stages involving the minimal transformation of plant foods. These postharvest handling activities ensure that policies and programmes assure the safety of primary and postharvest foods, locally produced or imported. Monitoring for the presence of contaminants in plant foods is conducted through chemical and microbiological analyses. Pursuant to EO 366, PPSSD has three sections:

1) Accreditation and Inspection to a) formulate and accredit food safety protocols, and b) inspect and monitor compliance with food safety schemes;
2) Contaminants Laboratory Section to a) monitor chemical and microbiological contaminants and biotoxins, and b) provide physico-chemical and microbiological analytical services in fresh and minimally processed produce; and
3) Pesticide Analytical Laboratory Section in Regions III, IV-A, IV-B and NCR) to a) monitor pesticide residue levels in locally produced and imported agricultural commodities, and b) provide pesticide analytical services to stakeholders.

Several other stakeholders are involved in imported food control, including importers, processors, traders, institutional users, brokers, FMEs, duty-free shops, and storage warehouse owners and operators.

4.7 Inspection

Inspection at ports of entry (seaports and airports) for the agency is done by its quarantine officer assigned at the site. It starts with the importer lodging of an electronic request for inspection (e-RFI) through the DA Intercommerce. Thereafter, the applicant accomplishes and submits the application for inspection to the quarantine officer, together with the following attachments:

1) Hardcopy of the e-RFI
2) Valid SPSIC
3) Valid Phytosanitary Certificate/Health Certificate or equivalent certificate issued by the concerned Quarantine Office of the country of origin, with the compliance of conditions (if any) on the SPSIC
4) For plants, the following additional documents are submitted:
   a) Fumigation Certificate, or any other required treatment, if applicable
   b) GMO Certification, whenever applicable
   c) Certificate of Analysis for Plant Food from the country of origin
5) For meat, the following additional documents are submitted:
   a) Minimum access volume (for selected pork and chicken)
   b) Temporary assessment notice
6) Bill of lading or airway bill
7) Packing list
8) Commercial invoice
9) BOC Import Entry and Internal Revenue Declaration/BOC Single Administrative Document

For agency-specific documentary requirements, see Annex 14.

The following steps follow:

1) The application is evaluated for completeness, validity and authenticity. If the documentary requirement(s) is lacking, the cargo is put on hold.
2) Importer pays the regulatory or inspection fee. For meat, the regulatory fee is paid after the inspection is done.
3) Quarantine officer conducts the inspection or verification of the goods and collects a representative sample for laboratory analysis at the Designated Examination Area (DEA).
Inspection generally involves a cursory (open and close) visual examination of the cargo. Observations noted include texture, smell and proper preservation, and are done with the customs examiner and declarant or broker witness.

4) For meat products, the meat is subjected to organoleptic tests thru sense of smell, touch and sight. In case, as per inspection, the product is found to be unfit for human consumption, or there are other derogatory findings, the product cannot be granted clearance, and therefore returned to the reefer area while awaiting disposal proceedings. Fit or not, the container is closed and secured with the BAI seal.

5) Quarantine officer prepares the inspection report with appropriate action.

6) If the cargo is infected/inspected or adverse findings (such as expired product based on label, improper labelling, poor refrigeration resulting in thawing, presence of foul odor, mis-declaration or smuggling), it is recommended for treatment to be addressed; otherwise, it is disposed of through destruction or return to country of origin. For meat, if in case of any deficiency of the documents required, processing cannot continue. If the cargo remains unprocessed for a one-month period, it automatically becomes under government custody subject to appeal to the customs commissioner or district collector.

7) If there are no adverse findings, quarantine clearance is issued by the station chief, signified by a stamp on the paper-based import documents (Import Entry and Internal Revenue Declaration) for the reference of the attending customs examiner.

8) Upon compliance with BOC requirements and procedures, the goods are released to the importer and transferred to the accredited cold storage facility or warehouse or to retailers or distributors.

9) Concurrently, the corresponding details of the cargo declaration is lodged or encoded into the DA trade system and tagged. Following this, a watermark appears, indicating that the particular SPSIC is already used or is not valid.
At NPQSD Station 6 (MICT), upon release of the commodity, the quarantine officers coordinate with the DA second border team for monitoring and submitting the name of the cold storage warehouse identified by the importer. Now, however, the DA second border team no longer operates. The inspection process at international airports is as follows:

1) The client notifies and presents fish/fishery products to quarantine officer or inspector for inspection, verification and clearance;
2) The quarantine officer or inspector accepts notice and immediately schedules or conducts the inspection and clearance procedure;
3) The client submits the following documents: SPSIC, PC and Health Certificate, BOC entry and gate passes, invoice, and airway bill;
4) The quarantine officer checks the documents for completeness and compliance with law; and,
5) The quarantine officer issues final clearance.

For specific agency procedure in conducting inspection at the border, see Annex 15.

For meat imports, NMIS conducts an examination and, when necessary, laboratory analysis of imported meat and meat products after the products are approved for release by BAI-NVQS at the port(s) of entry. This is also known as the second border inspection, which is done at a DA-accredited storage warehouse. The following steps are observed:

1) BAI-VQS sends an online alert to the central office of the Meat Import Export Division (MIED) and NMIS about the shipment’s arrival.
2) MIED alerts (through a text message) the NMIS plant quarantine officer assigned to the DA-accredited CSW.
3) The NMIS plant officer checks the account via the online e-RFI system (e-VQMIC/AFQIC). The e-VQMIC serves as a signal for the NMIS inspector to conduct an inspection at the warehouse.
4) The importer (or representative) presents a printed copy to the plant officer of the import documents on arrival at DA-CSW.
5) If the documentary requirements are complete, the plant officer breaks the BAI seal and conducts a full and complete inspection. Otherwise, the plant officer issues a hold order and conducts an inspection only if the requirements are complied with.
6) The inspector confiscates meat products that are contaminated, adulterated or misbranded; or found to consist of any filthy, putrid, rotten, decomposed substance or foreign matter or are otherwise unfit for human consumption; carrying any disease-causing organism, toxin or deleterious substance that may render the meat products injurious; if the packing material is in direct contact with the meat and is found to be composed of any poisonous or deleterious substance.
7) If there are adverse findings, the plant officer issues hold order and collects samples for laboratory analysis. If there are no adverse findings, the shipment is cleared for storage.
8) If the laboratory analysis results are adverse, NMIS issues a decision or necessary action.

NMIS also conducts an inspection prior to the withdrawal of the imported meat or meat products from DA-CSW. The following procedure is observed:
1) The importer requests an inspection prior to the withdrawal of meat stored in DA-CSW.
2) The NMIS plant officer conducts an inspection of the meat.
3) If the meat is found fit for consumption, the plant officer issues the Certificate of Meat Inspection.
4) If the meat is unfit, the plant officer confiscates the meat and disposes of it properly; or, the plant officer collect samples for laboratory analysis, as deemed necessary.
5) If the plant officer deems it necessary to subject the meat to laboratory analysis, a hold order is issued for the entire batch of sampled meat while waiting for the results.
6) If the laboratory analysis results show adverse findings, the meat is confiscated and disposed of properly. If there are no adverse findings, the plant officer issues a release order.

**Sampling**
A sample is collected for laboratory analysis within 24 hours upon the transfer of the shipment to the storage warehouse to determine the presence of disease and whether the level of drug residues, harmful substances, additives, contaminants, toxins and microbes conform to the standards and requirements of the Philippines.

An inspection is completed within one day and a laboratory analysis is completed within three days, if the source FME is in good standing. The inspection and laboratory analysis should be completed in one week: 1) if the FME is a new meat or meat product supplier; 2) if the FME’s past record of inspection and laboratory result is a cause for concern; and 3) in the case of an emergency, such as pests or disease outbreaks, contamination and the like.

All agencies have yet not formulated any kind of sampling protocol. The principles of sampling may be done in line with Codex principles for the establishment of sampling procedures. (FAO/WHO, 2015)

4.8 **Risk management actions**
BAI, BFAR and BPI – through their quarantine offices at the ports – inspect their mandated commodities in a more or less similar way. Risk management options under existing guidelines are as follows:
1) If the shipment of plant products is found to be lacking documentary requirements, the shipment is put on hold until all requirements are submitted.
2) If the shipment is infested or infected, it is destroyed or returned to the country of origin.
3) In some instances, quarantine officers allow treatment, if possible.  
4) Similarly, meat and other animal products, and fish and fishery and/or aquatic products – if found to fail visual inspections – will be destroyed or returned to the country of origin. All expenses shall be borne by the importer.

The recall process for unsafe fresh and processed foods is also implemented by both DA and DOH, if warranted. Moreover, if there is a report of a disease outbreak in the country of origin, the agency bans the importation of affected commodities.

The problem lies in the fact that the product is released prior to the chemical analysis. Ideally, imported foods should not be released until a chemical analysis is completed. The problem is most severe for crops with a short storage life, such as fresh fruit and vegetables, because equipment and personnel are lacking. Hence, there is an urgent need for an inexpensive, rapid method of analysing samples (crops, fish and meat), to ensure they do not contain dangerous levels of chemicals.

At the quarantine office, whether it is at the Manila International Container Port or at Sasa Wharf, the major food safety inspection activity is the PRA. Risk management is only done by categorizing the risk as follows:

1) **High-risk foods**: Raw perishable foods of animal origin such as meat, fish, milk, poultry and eggs with a pH of more than 4.5 and water activity of more than 0.90 are foods that easily become contaminated with pathogenic bacteria and cause food-borne diseases. Chemical hazards present in food (e.g. lead, mercury, cadmium, arsenic, polychlorinated biphenyls and radionuclides), improper use of agrochemicals (e.g. pesticides, fertilizers and drugs used in animal husbandry), natural biological sources (e.g. plant toxins, marine and shellfish toxins and mycotoxins) and other chemical additives are categorized as high-risk foods. Molluscan shellfish that are live and eaten raw are categorized as a high-risk food, as are fermented fish with a salt content of less than 8 percent. Thawed foods are high risk and are rejected outright. Spices are also considered high-risk foods.

2) **Medium-risk foods**: Semi-preserved fish with a salt content of more than 6 percent, pH less than 5. Added preservatives such as benzoate and sorbate can also be categorized as a medium-risk foods (FAO, 2009).

3) **Low-risk foods** Low-risk foods (e.g. canned food, dried pasta and rice, sweets, confectionery) have only a minimal potential to harm consumers. These are released 100% prior to micro and chemical analyses.

4.9 **Information exchange and communication**

The Food Safety Act of 2013 and its Implementing Rules and Regulations are both strong on transparency and information exchange. RA 10611 mandates that in cases where it is suspected that food may pose a risk to human health, regulatory authorities shall take appropriate steps to inform the general public about the nature of the risk to health, the affected foods in question, types of food and the necessary measures to prevent, reduce or eliminate the risk. Joint DOH-DA Administrative Order No. 1, s. 2015 also requires DA and DOH to develop a Risk Communication Plan to fully and effectively inform the general public about food safety risks.

Moreover, the law directs the establishment by the Food Safety Regulatory Coordination Board (FSRCB) of a rapid alert system for the notification of a direct or indirect risk to human health due to food. (1 Sec. 23, RA 10611, Annex 13)

It also lists the measures to be adopted by FSRCB when food originating from within the country or imported from another country (third country) is likely to constitute a serious risk to human health depending on the gravity of the situation. For imported foods, the following options may be adopted:
1) Suspension of imports of the food from all or parts of the third country concerned and, where applicable, from the third country of transit;
2) Laying down special conditions for the food in question from all or part of the third country concerned; and
3) Any other appropriate interim measures.

In 2015, the DA began to implement the DA Trade Enabling Management System (TERMS) through DA DO 1, s. 2015. A Risk Communication Team was created and tasked with developing and publishing information and education materials for all relevant stakeholders, and organizing regular stakeholder consultations on the above materials. The enabling guidelines for fully implementing the DA TERMS are still up for approval by the DA Secretary. A rapid alert system is also being developed by the DA, but is not yet operational.

At the agency level, in cases of problems affecting food imports, the process is to report to the concerned bureau central quarantine office the issue or concern with a recommendation from the quarantine office. The central quarantine office will then prepare the communication to the importers, informing them of the action taken or the recommended action.

4.10 Training and education
The training of inspectors and import food control-related officers is provided for in the Food Safety Act. Government personnel are to be trained on the scientific basis for the provisions of the law and on the conduct of official controls. The different food safety regulatory agencies (FSRAs) are also directed to identify training needs and appropriate training programmes. Mandatory training programmes are to be developed and implemented by accredited training providers (Sec. 31, RA 10611, Annex 13). DA and DOH are also mandated to provide funds for the development and initial implementation of training programmes (Sec. 33, RA 10611, Annex 13).

Our interviews with the agencies show that regular basic training for inspectors and control officials are being conducted. Below are the types of training exercises given by the bureaus:

**BPI**
1) Orientation Training of Plant Quarantine Inspectors on Plan Quarantine Operations
2) Hands-On Demonstration on GM Detection Testing
3) Training on Pest Risk Analysis
4) Basic Laboratory Techniques
5) Training on General Plant Quarantine
6) Asia-Pacific Workshop on the Detection & Identification of Living Modified Organisms
7) APPPC Workshop on Surveillance System and Management
8) Regional ASEAN Workshop on the Establishment of Pest Free Status
9) ASEAN-China Workshop on Quarantine Treatment
10) Study visit to Japan National SPS/Plant Health laboratories cum Training Workshop on the Identification of fruit flies
11) Seminar Workshop on Levelling-Off and Enhancing Capacity of PhilGAP Inspectors
12) Orientation-Seminar on Food Safety for Mango, Banana, Asparagus and Papaya Exporter
13) Training Course on Food Safety Risk Assessment of Plant Food Derived from Modern Biotechnology
14) Inspector’s Training on PhilGAP Certification
15) Training of Trainers for PhilGAP Certification

**BFAR**
2) Seafood HACCP (2016)
3) Orientation Training for Newly Designated Fish Inspectors (2016)

NMIS
1) Basic Meat Inspection Training Course
2) GMP and HACCP Auditor Training Course

4.11 Effectiveness assessment of the current food import control situations in Philippines
The current import food control systems within the Philippines are found to be strong under the following terms:

1) Enactment of the Food Safety Act – Although still in its infancy, the Food Safety Act is very promising because it is comprehensive in its coverage of the various aspects of food safety regulations.

2) Presence of second border – The BAI has its second border inspection at NMIS where microbiological and chemical analyses are done. This process allows 100% inspection at the importer’s accredited cold storage warehouse. Laboratory analysis is also conducted, and withdrawal of the commodities from the warehouse is subject to approval by NMIS.

3) The frequency of violations is considered to be a basis of risk management – Given the difficulty of conducting a laboratory analysis before the release of a product, importers who frequently brings in commodities that violate maximum residue limits (MRLs), or fail visual inspections, or other violations are monitored and strictly regulated at the ports.

4) Pre-border measures such as PRA, which now consider food safety requirements, and FME accreditation are good measures to ensure that only safe foods are allowed access into the Philippines.

However, there are also aspects that need improvement:

1) Risk management activity at the ports is limited to risk categorization. High-risk foods in violation (e.g. thawing) are rejected, but low-risk foods without any violations are released even without laboratory results. Risk assessment should be the ideal component. It is the scientific basis for risk management. It provides a meaningful approach and should be utilized throughout the food chain to help define risk-based decisions in food safety operation and control.

2) Risk analysis and management applications are weak. Rule 7a.1 of the Food Safety Act indicates that risk analysis should be the basis for the development of food safety standards and regulations. It should objectively combine and analyse scientific data on food safety hazards in order to arrive at the best options for managing food-borne risks. Hence, a risk analysis process should be well understood by risk managers and risk assessors.

3) Food safety management at the concerned agencies is inadequate. It does not reflect clear measures on risk assessment, risk management and risk communication as well as strong technical capability of analysts and inspectors with regard to hazard identification, potential control measures including elaboration of food safety management systems or risk assessments feeding into evidence-based decision-making on intervention strategies or monitoring plans.

4) Critical infrastructures are lacking. There are no upgraded laboratories or equipment, or a centralized laboratory for each port. Food testing laboratories that conduct verification of the validated test methods and staffed with the required expertise and professional competence are wanting. There are also no internationally approved procedures or methods of analysis that have been validated.
5) The release of goods prior to the result of laboratory analyses is worrisome, and does not reflect a good import food control system. All concerned agencies admitted that shipments are released to the importer or broker even if the results of the chemical analyses are not in.

6) Despite the enactment of the Food Safety Law, the enforcement of mandates remains unclear. There are instances of goods being released by BOC without inspection, and being conducted by agricultural quarantine officers.

7) Importation of processed foods under DOH is not ideal. Quarantine staff at the ports are mandated only to inspect fresh products, while processed foods are not physically inspected. Although processed foods are less risky, it is still prudent to conduct safety measures at pre-border, border and post-border.

4.12 Recommendations

Recommended immediate follow-up actions for the Philippines are:

1) Reviewing and aligning the inspection system to the Codex “Principles for the Use of Sampling and Testing in International Food Trade” (CAC/GL 84-2013) for particular commodities.

Results of inspection and laboratory analyses should be carefully interpreted when making decisions relating to the acceptance or rejection of a consignment. The inspection system should include decision-making rules for situations where results are borderline, or sampling indicates that only some lots within the consignment comply with requirements. Procedures may include further testing and examination of previous compliance history. When food is rejected because it fails to meet national standards of the importing country but conforms to international standards, the option of withdrawing the rejected consignment should be considered.

2) Improving the laboratory infrastructures to apply better chemical and microbiological analysis with personnel, equipment and infrastructure with the abovementioned suggested methods.

Because BPI, BFAR and BAI are applying the same tests at an inspection, it is practical to have a centralized laboratory at the port area where samples can be analyzed immediately before the release of the imported foods. A centralized laboratory is a long-term solution to improving risk management decisions based on scientific evidence. In the meantime, a rapid test can be done if no sophisticated equipment is available. A rapid test may have different sensitivities, and may not detect the very low MRL set by the importing country or Codex. However, if residues are detected by this method, it could mean that the Codex standards are being exceeded. Methods of analysis should be validated, or methods that are validated through international protocols should be used where available. When possible, a laboratory and analyst should be accredited.

3) Designate selected ports as exclusive entry ports for fresh imported foods. This would facilitate inspection, risk analysis, and risk management actions. It is suggested that centralized laboratories be established in these selected ports.

4) Train personnel on risk profiling, policy and risk categorization, high-risk items, risk analysis for better communication among competent authorities, and technical laboratory training on risk inspection techniques.

Risk analysis has only been recently introduced in 2013, with the enactment of Food Safety Act, and thus, the whole process is not yet well understood. Risk categorization and frequency of findings are the usual basis for risk management decisions.
5) **Provide training on rapid tests to be implemented at the border prior to the release of imported foods.**

Examples include the rapid test for pesticide residues, Eliza technique for antibiotics, and other simple microbiological techniques. If the government can afford a simple gas chromatograph, this could quantitatively determine the amount of pesticide residues easily. The Gas Chromatography–Mass Spectrometry (GCMS/MS) and Liquid Chromatography Mass Spectrometry (LC MS/MS) are very expensive pieces of equipment but these can be compensated for from the fees that will be paid by importers.

6) **Implement a strict “no laboratory test, no release” policy of imported foods once the rapid tests are in place.**

7) **Issue risk categorization regulations to guide agencies in conducting inspections and imposing regulatory requirements.**

At present, only BPI has guidelines that categorize commodities based on risk and provides for the appropriate regulation.

8) **Establish a regular audit of foreign plantations, fish facilities, fishery and aquatic products, and conduct a PRA for commodities from traditional trade partners without PRA.**

Regulatory agencies must issue guidelines that authorize the regular audit of countries with market access and FMEs. This is particularly needed for BPI because there are commodities that have not undergone a PRA, but are allowed to enter because they come from traditional trade partners.

9) **Set up a pre-audit for fish and fishery and/or aquatic resources before market access.**

10) **National standards, especially those on MRLs and MLs, should be formulated by the Bureau of Agriculture and Fisheries Standards.**

11) **Include food safety requirements before market access during the pre-audit and/or PRA for plant products.**

12) **Institutionalize the DA Trade Enabling Risk Management System (DA-TERMS).**

This would help establish new functional arrangements to support the more efficient and effective operation of the agricultural SPS system that follows the recommended risk management approach to SPS risks and ensures better compliance with WTO SPS rules. It would also enable a risk management-based approach for managing SPS risks and allocate resources to where the highest SPS risks are observed to be at. Finally, this would provide a system that differentiates levels of inspection based on risk and the track record of the importer to reduce unnecessary inspection and other activities on low or no-risk commodities, thus saving on operational costs.

13) **Funds should also be provided by the government for the attendance of the inspectors to Codex meetings for awareness of what is being done at the international scene.**
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5 National situation report: Democratic Socialist Republic of Sri Lanka

5.1 Overview
Sri Lanka has three main seaports and one airport for receiving food imports. Major imports are wheat, sugar, rice, vegetables (onions, potatoes, and dry chili), milk powder, fresh fruits, dried and fish, all of which mainly coming from India, Brazil, China, United States, Thailand and Indonesia.

Sri Lanka’s Food Control Administration Unit (FCAU) under the Ministry of Health is the administrative body of the national food control system including imported food controls, under the Food Act no. 26 of 1980. Plant and plant product imports are the responsibility of the National Plant Quarantine Service (NPQS) under the Ministry of Agriculture. The Department of Animal Production and Health (DAPH), under the Ministry of Rural Economy, is responsible for animal and animal product imports. The Sri Lanka Standards Institution (SLSI) has a significant role in setting standards for and inspecting certain commodities, both domestic and imported products.

5.2 Food imports into Sri Lanka
According to the latest statistics in 2015, the total value of imported of food products is estimated at USD 807 million, which is equivalent to 4.26% of all imported products from around the world (World Bank, 2015). The top ten partner countries from which Sri Lanka imports food products, and their partner share with respect to all of the products imported from such countries, include India (21.58%), Brazil (12.04%), China (11.54%), United States (8.94%) and Thailand (8.88%), Indonesia (7.17%), United Kingdom (4.75%), Singapore (3.25%), Malaysia (2.48%) and Pakistan (2.08%). The remaining 17% of imported food products come from 91 other countries. The top partner regions in terms of food products imported into Sri Lanka are indicated in Table 20.

Table 20. Value of food products imported into Sri Lanka from different regions of the world in 2015, and the share of imported food products.

<table>
<thead>
<tr>
<th>Partner region</th>
<th>Value of imported food products (million USD)</th>
<th>Share of imported food products, out of all products imported (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>World (total importation)</td>
<td>807</td>
<td>4.26</td>
</tr>
<tr>
<td>East Asia and Pacific</td>
<td>300.73</td>
<td>3.37</td>
</tr>
<tr>
<td>South Asia</td>
<td>192.3</td>
<td>4.16</td>
</tr>
<tr>
<td>Latin America and Caribbean</td>
<td>123.64</td>
<td>72.99</td>
</tr>
<tr>
<td>Europe and Central Asia</td>
<td>103.08</td>
<td>4.52</td>
</tr>
<tr>
<td>North America</td>
<td>72.42</td>
<td>9.5</td>
</tr>
<tr>
<td>Middle East and North Africa</td>
<td>7.08</td>
<td>0.44</td>
</tr>
<tr>
<td>Sub-Saharan Africa</td>
<td>6.67</td>
<td>5.63</td>
</tr>
</tbody>
</table>

5.2.1 Main imported food products and trade partners
Some of the major food types imported into Sri Lanka include wheat, sugar, rice, onions, dhal, potatoes and milk powder in descending order. Quantities of the above major food items imported into Sri Lanka during 2015 and 2016, and the respective major trade partners are shown in Table 21.

Table 21: Major food items imported into Sri Lanka, and the respective trade partners.

<table>
<thead>
<tr>
<th>Main imported food product types</th>
<th>Quantity (000’ mt)</th>
<th>Major trade partners (countries)</th>
<th>Source of reference</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year 2015</td>
<td>Year 2016</td>
<td></td>
</tr>
<tr>
<td>Wheat</td>
<td>1,208</td>
<td>948</td>
<td>Canada, India, Australia, USA</td>
</tr>
<tr>
<td>Sugar</td>
<td>612</td>
<td>638</td>
<td>Poland, Ukraine, Bulgaria, Korea, Dubai</td>
</tr>
<tr>
<td>Rice</td>
<td>286</td>
<td>30</td>
<td>India, Pakistan, Myanmar, Vietnam</td>
</tr>
<tr>
<td>Big onions</td>
<td>210</td>
<td>216</td>
<td>India, Pakistan, China</td>
</tr>
<tr>
<td>Dhal (mysoor)</td>
<td>161</td>
<td>154</td>
<td>India, Pakistan, Ukraine, Canada</td>
</tr>
<tr>
<td>Potatoes</td>
<td>142</td>
<td>148</td>
<td>India, Pakistan, China</td>
</tr>
<tr>
<td>Milk powder</td>
<td>81</td>
<td>94</td>
<td>New Zealand, Australia</td>
</tr>
<tr>
<td>Chili (dried)</td>
<td>50</td>
<td>51</td>
<td>India, Pakistan</td>
</tr>
<tr>
<td>Fresh fruits</td>
<td>40</td>
<td>54</td>
<td>China, New Zealand, Australia, USA, South Africa, Egypt</td>
</tr>
<tr>
<td>Dried fish</td>
<td>35</td>
<td>37</td>
<td>Maldives, Thailand, Vietnam, Dubai</td>
</tr>
<tr>
<td>Fresh fish</td>
<td>34</td>
<td>39</td>
<td>India, Thailand, Vietnam</td>
</tr>
</tbody>
</table>

As a result of the increase in the tax imposed over a period, there was a significant decline in rice imports during 2016, from 89.7% to 29,524 mt compared with 2015.

5.2.2 Major sites for food import
There are six main seaports in Sri Lanka although only three – Colombo, Trincomalee and Hambantota –are responsible for serving as the ports of entry of imported goods into Sri Lanka. The Colombo Port, which is the largest port of entry to the country, handles all imported food items. However, a large volume of imported wheat is handled at Trincomalee Harbour, and the rest is handled at Colombo Port. Hambantota Port handles only non-food items, such as vehicles and some building materials. Small quantities of special frozen foods are imported through Bandaranaike International airport.

Table 22. Sri Lanka major ports for food imports.
### Site Name, Type of the Border/Port, Major Food Commodities for Import, Note

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Type of the Border/Port</th>
<th>Major Food Commodities for Import</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colombo Port</td>
<td>seaport</td>
<td>All food commodities</td>
<td>The main seaport</td>
</tr>
<tr>
<td>Trincomalee Harbour</td>
<td>seaport</td>
<td>Wheat</td>
<td>Fifth largest natural harbour in the world</td>
</tr>
<tr>
<td>Bandaranaike International Airport</td>
<td>airport</td>
<td>Special frozen food (only in small quantities)</td>
<td></td>
</tr>
</tbody>
</table>

#### 5.3 Importer Profiles

The Imports and Exports (Control) Act of 1969 states that importers need to become registered at Sri Lanka Customs before importing any food item to Sri Lanka. The information within the custom declaration (CUSDEC) for registered importers – such as company name and its management profile, contact details, tax pay identification number, importing food items and manufacturers, importing countries, clearing agent and shipping details – are recorded in an electronic database Automated System for Customs Data (ASYCUDA). After initial registration as an importer, information on each consignment should be separately declared through the ASYCUDA database, and this information is then reviewed and compared by the customs officer in charge at the import declaration table at the customs head office, once the other required printed certificates related to the consignment are forwarded by the importer. Through the ASYCUDA database, information provided by the importer (including importation history records) are reviewed and filtered in order to obtain an idea of the importer’s genuineness. Inspection of the consignment is done based on the risk profile of the goods (risk management committee of Customs decides on the requirement to distinguish the risk profile). Upon detection of risky foods, a departmental order is issued to notify Custom officers about the risky food as an internal means of risk communication while updating the same information on the ASYCUDA database immediately.

#### 5.4 Generic Food Import Flow

Imports are regulated through the Imports and Exports (Control) Act of 1969, coming under the Import and Export Control Department of the Ministry of Finance followed by an act to amend the imports and exports (control) Act, No.1 of 1969 enacted in 1987. All importers are required to be registered under the act, and it is mandatory that all imported consignments meet the requirements specified by the customs ordinance (customs law). Import consignments should be declared to Customs through a customs house agent and submitted online to customs declaration. The Customs Declaration (entry) should be submitted after the arrival of goods and after obtaining the delivery order from the shipping agent.

Documented procedures are available as a single window at the Department of Customs website operating under ASYCUDA, a computerized customs management system that covers most import and export trade procedures. The director-general of customs is the control authority for imports and is empowered by the Department of Customs. FCAU, is the administrative body of the national food control system, which ensures that the food reaching consumers is safe in every respect, including imported foods under the Food Act no.26 of 1980. FCAU conducts enforcement activities to ensure foods are microbiologically, chemically and physically safe, and honestly presented. Food and drug inspectors are empowered by the act to carry out the inspection of all imported food items and to provide recommendations regarding their release in accordance with the regulations of the Food Act.
no.26 of 1980. If any issue arises, the consignment’s details are brought to the notice of Food Advisory Technical Subcommittee for the final decision.

The Imports and Exports (Control) Act has adopted 47 SLSI food standards where compliance with the specifications is compulsory for these 47 food items imported into Sri Lanka (elaborated on in upcoming sections). Foods that are not regulated under these 47 SLSI food standard are not further regulated under the act but may be subject to control under the Food Act or have specific equivalent regulations under that act. SLSI performs inspection activities to check the compliance of identified 47 food items among 120 lists of items identified under the imported inspection scheme operated by SLSI.

Plant or plant product imports are subject to a plant import permit that is issued by the National Plant Quarantine Service (NPQS) Katunayake for the Director-General of Agriculture. It is done according to regulations made under the Plant Protection act no. 35 of 1999. Inspections are carried out by NPQS quarantine officers to check whether the consignment complies with the requirements. Application procedures, guidelines and related documentation are provided on the NPQS website, which is operated under Department of Agriculture (DOA).

Animal or animal-based products require permits from the Department of Animal Production and Health (DAPH) and the application procedure is outlined on DAPH’s website. Veterinary surgeons are involved in inspection activities and in deciding whether the consignments are released.

5.4.1 Pre-border control
Agreements are in place with some exporting countries for pre-export government certification of compliance to facilitate on-arrival border clearance processes. The test reports from accredited laboratories in the exporting country are accepted as adequate evidence of food safety. The certification marks of the accredited food certification bodies of the exporting countries are taken as evidence of product quality. For animal products, an international veterinary certificate and sanitary attestation in compliance with World Organisation for Animal Health guidelines are essential. Other required certifications are listed in Table 23.
Table 23. Certifications required from abroad for clearance of some foods by the Ministry of Health.

<table>
<thead>
<tr>
<th>Food item</th>
<th>Documents</th>
<th>Produced by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canned fish and low acid canned products</td>
<td>Quality assurance certificate</td>
<td>Manufacturer</td>
</tr>
<tr>
<td></td>
<td>Load port survey certificate</td>
<td>Internationally recognized load port surveyor</td>
</tr>
<tr>
<td>Fresh frozen fish</td>
<td>Health certificate</td>
<td>Food authority, health authority or veterinary authority of exporting country</td>
</tr>
<tr>
<td>Fresh fruits and vegetables</td>
<td>Health certificate</td>
<td>Food/Health authority of exporting country</td>
</tr>
<tr>
<td>Sugar</td>
<td>Load port survey certificate</td>
<td>Internationally recognized load port surveyor</td>
</tr>
<tr>
<td></td>
<td>Chemical analysis certificate supported by above</td>
<td></td>
</tr>
<tr>
<td>Milk powder</td>
<td>Quality assurance certificate</td>
<td>Health/ Food authority of exporting country</td>
</tr>
</tbody>
</table>

5.4.2 Border control

Other than the requirements specified in the Import and Export Control Act, all imported food consignments must comply with requirements specified by customs. All imports must be through a registered importer. Past records of importers and manufacturers is an important factor in recognizing potential risks associated with permitting foods to enter the country. Thus, customs operate a risk and performance based inspection. High-risk imports of plant or animal origin are required to come from approved sources, and each consignment must be notified to authorities and have documentary clearance prior to arrival.

The quality of the certificates from valid organizations (accredited) submitted with clearance documents are used in making decisions for clearing imports. Where there are no certificates, or the certificates are doubtful, sampling and testing are done at accredited private laboratories or SLSI or the Medical Research Institute (MRI) laboratories. Border authorities, in general, have identified the clients who are prompt, who are doubtful, and those with a poor reputation. The authorities tend to be more restrictive with the latter clients in order to prevent the entry of undesirable goods, including food. All food items coming under different authorities are cleared only after the approval of the respective authorities. They may be sampled and tested, depending on the food item and its origins. SLSI, MRI, government analyst and other accredited laboratories, such as the Industrial Technology Institute, SGS and others, depending on their reputation in testing the specific parameters. MRI (for microbiology) and Government Analyst (chemical) are the approved analysts under the Food Act. For fishery products, temperature abuse, document verification and physical inspections are done at the border. For plant products, physical examinations for presence of pests and diseases are done both at the seaport and airport.

Customs does not formally release goods until all relevant agencies have cleared the goods for entry by analyzing documents and inspection activities. The goods may be moved to the importers store under customs control pending final release. The Imports and Exports (Control) Act specified 47 (amended) Sri Lanka Standards Institution food standards where compliance with the specifications is compulsory for all foods imported into Sri Lanka. All 47 are either mandatory regulations under the Food Act or
have specific equivalent regulations under that Act. Foods that are not regulated under these 47 SLS are not further regulated under the Customs Act but may be subject to control under the Food Act.

For all meat products, microbiological testing of samples is done at MRI. For products that have been reported to be unsafe abroad, more stringent testing is done by the government analyst laboratory or an accredited private laboratory before clearance. Importers are allowed to obtain test reports for the products through private accredited laboratories and test reports from the exporting country in some cases. The test reports from accredited laboratories in the exporting country are accepted as adequate evidence of food safety. The certification marks of the accredited food certification bodies of the exporting countries are taken as evidence of product quality. For animal products, an international veterinary certificate and sanitary attestation in compliance with OIE guidelines are essential.

5.4.3 Post-border/in-country control

Post-arrival, all imported foods on the market are subject to inspection and market surveillance procedures of the Ministry of Health within Sri Lanka. All the products available in the market need to abide by the regulations issued under Consumer Affairs Authority Act No. 09 of 2003.

Gazette notification No.1505/15 of 11/07/2007 issued under section 10 of the Consumer Affairs Authority Act No. 09 of 2003 mandates that all importers of the five identified products mark maximum retail price (MRP) before the goods are imported into the country. Accordingly, the Department of Customs has issued an order to submit applications along with the intended MRP to the Authority. Authority after perusing the declarations provides a reference number to the importers, which enables importers to clear the goods from customs. Following four food products importers are forwarding the declared MRP to the Consumer Affairs Authority. Based on the MRP, a tax is imposed by the Department of Customs.

1) Confectioneries: HS Code No. 1704
2) Chocolate: HS Code No. 1806
3) Biscuits: HS Code No. 1905
4) Cake: HS Code No. 1905

5.5 List of existing documents and tools used for imported food control

Main stakeholder groups involved in the control of imports into Sri Lanka have provided different guidelines, procedures and requirements to be followed in order to abide by the rules and regulations identified under different acts related to imports into Sri Lanka. According to the guidelines given by the Department of Customs, import consignments should be declared to customs through a registered customs house agent and should submit the customs declaration online for registration. The customs declaration (entry) should be submitted after the arrival of goods and after obtaining the delivery order from the shipping agent.

According to the guidelines of the Sri Lanka Standards Institution, importers of foods identified in the act should be registered for the import inspection scheme. An importer should submit a notification form (in triplicate) accompanied by supporting documents in the working language of Sri Lanka (English) to SLSI giving a sufficient time frame to inspect the consignment. Under the Import Inspection Scheme operated by SLSI those imports supported with a conformity certificate from an overseas laboratory that is recognized by SLSI will be approved for clearance, and samples will be taken on a random basis to ensure the accuracy of the test report. This procedure will be valid until SLSI notifies the customs office on any change of status of the laboratory concerned. The consignments certified by the laboratory will be approved until a change of status is notified.
Two types of laboratories are recognized in this system. The first type includes laboratories accredited for tests specified in the relevant Sri Lanka Standard Specification, or equivalent, by the national accreditation bodies in their own country, or any other international body, will be recognized under this scheme subject to the condition of verifying the documents submitted by the laboratory. The second type includes laboratories with an internationally recognized laboratory management system without accreditation. These laboratories should have a quality system based on EN 45002 (general criteria for the assessment of testing laboratories) or ISO/IEC Guide 17025. These two types of laboratories need to sign a memorandum of understanding with SLSI. Under the Import Inspection Scheme operated by SLSI, a conformity certificate (CC) ensures that the compliance of the required specifications (issued by the registered manufacturing plant) will be accepted for perusal of a consignment imported from the same manufacturing plant. If the CC is acceptable, such a consignment will be approved for clearance and samples will be taken on a random basis to ensure the quality and CC issued by the manufacturing plant. If the manufacturing plant has an acceptable product certification mark (product standard of both countries should be compatible) for the same brand and type or design of the product exported to Sri Lanka will be approved for clearance and sample will be drawn on random basis. The particular manufacturing plant should be registered with SLSI in order to receive a product certification mark.

In fulfilling Sri Lanka's obligations under WTO, the WTO enquiry point offers the following services to interested stakeholders:

- provision of notification and related documentation to WTO partners of any proposed new or amended technical regulations and conformity assessment procedures that could have an impact on trade;
- distribution of WTO notifications to Sri Lanka stakeholders, via monthly email alert;
- responses to technical enquiries on a variety of topics, including: national, foreign and international standards; and
- access to standards and regulatory information at the SLSI technical library.

FCAU is involved in inspections and is directly involved with customs. Therefore, it has not given any guidelines or procedures to importers. However, all the regulations and standards coming under food act need to be adhered by the importers. National Plant Quarantine Service operated under Department of Agriculture gives guidelines and procedures of getting permits to import plant based materials. The forms and guidelines are given in the website. Any person/organization intending to import animals or animal based products should obtain prior approved from the Director-General of the Department of Animal Production and Health. The website provides application forms to obtain permits to import. The items come under food preview includes non-poultry meat products, poultry meat and poultry products, and food fish.
Table 24. Existing documents and tools on imported food control.

<table>
<thead>
<tr>
<th>#</th>
<th>Name of the document/tool</th>
<th>Type</th>
<th>Used by</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td>Acceptance of importers proxy by a house agent</td>
<td>Declaration of house agents to assure his responsibility over the importer</td>
<td>Customs house agent (declarant)</td>
<td><a href="http://www.customs.gov.lk/public/files/ict/1.3.6.2/Acceptance%20of%20Importers%20Proxy.pdf">http://www.customs.gov.lk/public/files/ict/1.3.6.2/Acceptance%20of%20Importers%20Proxy.pdf</a></td>
</tr>
<tr>
<td>5.</td>
<td>Instructions and guidelines for registration of importers at customs</td>
<td>Information</td>
<td>Importers</td>
<td>Annex 16</td>
</tr>
<tr>
<td>6.</td>
<td>Procedure to get registration for importers at customs through ASYCUDA system</td>
<td>Registration of importers</td>
<td>Importers</td>
<td><a href="http://www.customs.gov.lk/ict/importer_reg">http://www.customs.gov.lk/ict/importer_reg</a></td>
</tr>
<tr>
<td>7.</td>
<td>Guidelines in Sinhala for the importers in getting the registration at customs through ASYCUDA</td>
<td>Guidelines to obtain registration through ASYCUDA</td>
<td>Importers</td>
<td><a href="http://www.customs.gov.lk/ict/importer_reg">http://www.customs.gov.lk/ict/importer_reg</a></td>
</tr>
<tr>
<td>9.</td>
<td>Import inspection scheme flow chart operated by SLSI</td>
<td>Procedure adopted by SLSI in import inspection scheme</td>
<td>Importers</td>
<td>Annex 17</td>
</tr>
<tr>
<td>#</td>
<td>Name of the document/ tool</td>
<td>Type</td>
<td>Used by</td>
<td>Note</td>
</tr>
<tr>
<td>----</td>
<td>--------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
<td>--------------</td>
<td>------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>14.</td>
<td>Registered manufacturers of food product involve in food exportation to Sri Lanka</td>
<td>Information about foreign food manufacturers and exporters</td>
<td>SLSI</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Application for a permit to import planting material, seeds and plant products into Sri Lanka and guidelines</td>
<td>Application for registration of importers of plant related items</td>
<td>Importers</td>
<td><a href="https://www.doa.gov.lk/CPPC/images/PDF/1_NPQS_Application.pdf">https://www.doa.gov.lk/CPPC/images/PDF/1_NPQS_Application.pdf</a></td>
</tr>
</tbody>
</table>
### Roles and responsibilities of stakeholders and relevant legislations and regulations

Imports and exports are regulated through the Imports and Exports (Control) Act, 1969 and the regulations imposed therein. This act provides for the application of the customs ordinance. Therefore, it is mandatory that all imported consignments meet the requirements of the customs ordinance.

The director-general of customs is the control authority for imports and is empowered by the Department of Customs. The Director-General works in close collaboration with FCAU, SLSI, the National Plant Quarantine Service, the Animal Quarantine and Inspection Service, and SLSI MRI for technical assistance, including testing in the clearance of imported foods. The import and export control department is involved in implementing government policy on import and export trade, including the issuing of regulations under the Import and Export Control Act, assisting the director-general of customs, and issuing import licenses. FCAU is the administrative body of the national food control system and ensures that the food reaching consumers is safe in every respect. Food and drug inspectors are empowered by the act to carry out inspections of all imported food items and to provide recommendations regarding the release of consignments in accordance with the regulations of the Food Act no.26 of 1980. If any issue arises, the consignment is brought to the attention of the Food Advisory Technical Subcommittee for a final decision.

The Imports and Exports (Control) Act has adopted 47 SLSI food standards, where compliance with the specifications is compulsory for these 47 food items. SLSI performs inspection activities to check the compliance of the identified 47 food items (among a total of 120 food items identified under the Import Inspection Scheme operated by SLSI). The objective of the Import Inspection Scheme is to ensure that products (120 products) are closely monitored and checked against the relevant Sri Lanka Standard Specification, and that a recommendation is made to customs. This scheme is based on Gazette Notification No. 1844/9 of 8 January 2014, under the Imports and Exports Control Act No.1 of 1969.

Subject to the provisions of the Plant Protection Act no. 35 of 1999, no plant is to be imported into Sri Lanka except in accordance with the conditions of a plant importation permit previously issued by the Director-General of Agriculture or by an officer of the Department of Agriculture, and authorized by the Director General for that purpose. The permit is issued by the Additional Director of the National Plant Quarantine Service Katunayake, and is done according to regulations made under the Plant Protection Act. This service has the responsibility of enforcing and implementing the Plant Protection Act and its regulations.

The Department of Animal Production and Health (DAPH) is involved in inspecting animal or animal-based products, and permits need to be obtained from DAPH. DAPH’s functions under the Animal Diseases Act, No. 59 of 1992. New food (labelling and advertising) regulations require that the name and address of the importer and packer (or distributor in Sri Lanka, in the case of imported foods) be visible so that responsibility can be legally placed on the main offender (importer or distributor), if necessary. Post-arrival, all imported foods on the market are subject to inspection and market surveillance procedures of MOH. All products available in the market need to abide by the regulations issued under the Consumer Affairs Authority Act No.09 of 2003. Gazette notification No.1505/15 of

<table>
<thead>
<tr>
<th>#</th>
<th>Name of the document/tool</th>
<th>Type</th>
<th>Used by</th>
<th>Note</th>
</tr>
</thead>
</table>
11/07/2007 – issued under section 10 of Consumer Affairs Authority Act – mandates that all importers of five identified products price mark the maximum retail price (MRP) before goods are imported into the country.⁹

Table 25. Government stakeholders.

<table>
<thead>
<tr>
<th>#</th>
<th>Unit, division, department</th>
<th>Agency / Ministry</th>
<th>Roles and responsibilities</th>
<th>Relevant legislation and regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Control of imports and exports</td>
<td>Imports and Exports (Control) Act No, 01 of 1969</td>
</tr>
<tr>
<td>2</td>
<td>Department of Customs</td>
<td>Ministry of Finance</td>
<td>Regulations for imports and exports</td>
<td>Customs ordinance</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Web link</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="http://www.customs.gov.lk/law/home">http://www.customs.gov.lk/law/home</a></td>
</tr>
<tr>
<td>3</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Control of imports and exports</td>
<td>Imports and Exports (Control) (Amendment) Act No. 48 of 1985</td>
</tr>
<tr>
<td>4</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Import license regulation</td>
<td>Import License Regulation of 1977-(Under the Act of Imp. &amp; Exp Con)</td>
</tr>
<tr>
<td>5</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Import license regulation-amendment</td>
<td>Import License Regulation Amendment-Gazette Notification No. 1681-6 of 2010-(Under the Act of Imp. &amp; Exp Con)</td>
</tr>
<tr>
<td>6</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Import license regulation-amendment</td>
<td>Import License Regulation Amendment-Gazette Notification No. 1696-14 of 2011-(Under the Act of Imp. &amp; Exp Con)</td>
</tr>
<tr>
<td>7</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Import license payment regulation</td>
<td>Import License Regulation Amendment-Gazette Notification No. 1813-14 of 2013-(Under the Act of Imp. &amp; Exp Con)</td>
</tr>
<tr>
<td>8</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Amendment to Schedule 1 (A): Imports (Standardization and Quality Control) Regulations 2013</td>
<td>Gazette Notification No. 18449 of 2014-(Under the Imports and Exports Control Act)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#</th>
<th>Unit, division, department</th>
<th>Agency / Ministry</th>
<th>Roles and responsibilities</th>
<th>Relevant legislation and regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Amendment to Schedule 1 (B): Imports (Standardization and Quality Control) Regulations 2013</td>
<td>Extraordinary Gazette Notification No. 184449 of 2014- (Under the Imports and Exports Control Act)</td>
</tr>
<tr>
<td>10.</td>
<td>Department of Import and Export Control</td>
<td>Ministry of Finance</td>
<td>Amendment to Special Import Regulations, published in the Gazette Extraordinary No. 1813/14, 2013</td>
<td>Import License Regulation Amendment-Gazette Notification No. 1912-31 of 2015- (Under the Act of Imp. &amp; Exp Con)</td>
</tr>
<tr>
<td>11.</td>
<td>Food Control Administration Unit</td>
<td>Ministry of Health, Nutrition and Indigenous Medicine</td>
<td>Regulate and control the manufacture, import, sale and distribution of food</td>
<td>Food Act No. 26 of 1980</td>
</tr>
<tr>
<td>12.</td>
<td>Food Control Administration Unit</td>
<td>Ministry of Health, Nutrition and Indigenous Medicine</td>
<td>To amend the Food Act</td>
<td>Food (Amendment) Act No. 20 of 1991</td>
</tr>
<tr>
<td>14.</td>
<td>Food Control Administration Unit</td>
<td>Ministry of Health, Nutrition and Indigenous Medicine</td>
<td>To amend the Section 08 of Food Act No 26 of 1980</td>
<td>Food (Amendment) Act No. 29 of 2011</td>
</tr>
<tr>
<td>15.</td>
<td>Food Control Administration Unit</td>
<td>Ministry of Health, Nutrition and Indigenous Medicine</td>
<td>As a guide for import inspection by food and drug inspectors</td>
<td>Food (Standards) Regulations – 1989</td>
</tr>
<tr>
<td>#</td>
<td>Unit, division, department</td>
<td>Agency / Ministry</td>
<td>Roles and responsibilities</td>
<td>Relevant legislation and regulations</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>

**Table 26.** External stakeholders.

<table>
<thead>
<tr>
<th>#</th>
<th>Name of the stakeholder</th>
<th>Type of stakeholder</th>
<th>Roles and responsibilities</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Industrial Technology Institute</td>
<td>Analytical service provider</td>
<td>Analysis of food samples</td>
<td>Samples are sent by SLSI and Food Control Administration Unit</td>
</tr>
<tr>
<td>2.</td>
<td>SGS</td>
<td>Analytical service provider</td>
<td>Analysis of food samples</td>
<td>Samples are sent by SLSI and Food Control Administration Unit</td>
</tr>
</tbody>
</table>
5.7 Inspection
The inspection of imported foods for recommendation to Sri Lanka Customs for approval is handled by four competent authorities: 1) FCAU, 2) SLSI, 3) the National Plant Quarantine Service, and 4) the Animal Quarantine and Inspection Service.

Food and drug inspectors of FCAU are empowered to inspect all imported food items under the Food (Standards) Regulations of 1989 and Food (Adoption of Standards) Regulations of 2008, which come under the Food Act. This procedure safeguards the consumer as its primary objective. SLSI operates an Import Inspection Scheme for 47 selected food items in order to closely monitor and check against the relevant Sri Lanka Standard Specification (SLS) in terms of product quality and to make recommendations to the Department of Customs. The National Plant Quarantine Service controls the entry of pests and diseases of plant origin into the country. The Animal Quarantine and Inspection Service (and/or representatives of the Seed Certification and Plant Protection Center) are authorized to inspect and take samples of plant-derived foods such as fruits, vegetables, seeds, spices, and dried herbs for analysis, and to produce a clearance recommendation for phytosanitary considerations. Animal quarantine officers of the Department of Animal Production and Health are authorized to inspect and take samples of animal and poultry products (e.g. mechanically deboned meat, other type of poultry meat, chicken powder, egg powder other type of chicken and egg products) and food fish for analysis and issuing clearance recommendations to the Department of Customs. This inspection mechanism safeguards local consumers by halting the spread of diseases of animal origin, and the entry of livestock pests and diseases into the country.

All food consignments received at all ports are labelled with a respective Harmonized Commodity Description and Coding System (or HS) to identify the food item. A customs officer identifies the relevant competent authority(ies) from which the clearance recommendation should be obtained for each food consignment, and informs the competent authority(ies) to conduct inspections. Imported food consignments are detained at one of the following five sites until they are inspected and released: the air cargo container yard at Katunayake, the seaport container yard at Colombo Fort, the rank container terminal at Orugodawatta, the grayline cargo container yard 01 at Orugodawatta, and the grayline cargo container yard 02 at Grandpass.

Imported food inspection procedure of the Food Control Administration Unit
Upon the request of the Department of Customs, food and drug inspectors stationed at the container yards carry out inspections to check compliance with food regulations. For all imported foods, the country of origin certificate issued by the manufacturer, and the health certificate issued by a competent authority of the exporting country, are mandatory requirements for inspection. Depending on the food item, some other certificates are required such as an analytical certificate (e.g. food composition, microbiology, specific contaminant) and GMO-free certificate (e.g. corn, soybean). If the food and drug inspectors are satisfied with the information provided and with a visual observation, and are satisfied that the consignment complies with the regulations, a clearance recommendation is issued to Customs. If the inspector is suspicious or is not satisfied, samples are taken and sent for analysis to the one of the following identified laboratories, depending on the type of analysis: Industrial Technology Institute, National Institute of Health Sciences Kaluthara, Government Analyst Department, Medical Research Institute, SGS, and the Atomic Energy Authority. Based on the test results, a clearance recommendation is issued. However, for the following three food items – iodide salt, fresh fish and milk powder – sampling and obtaining test reports are mandatory before a recommendation is issued. If any situation where food and drug inspectors cannot make a decision on whether the commodity should be recommended or rejected, they need to consult FCA. FCA forwards the sample to the Food Advisory Committee, where it is studied by the Technical Evaluation Subcommittee, which makes a final decision.
SLSI imported food inspection procedure

According to SLSI’s Import Inspection Scheme, conformity of consignments of the designated items for importation is decided based on the following criteria:

1) Acceptability of the Conformity Certificate/s supporting the consignment, from the exporting country.
2) Acceptability of the Product Certification Mark issued by the national standard body of the exporting country or national standards body of other country.
3) Reliability and experience with the manufacturer of the product from the exporting country.

Imported consignments of designated items are broadly categorized as follows:

1) **Category 1**: Consignments accompanied with acceptable conformity certificates from an overseas laboratory or an inspection agency or any other government institution registered with SLSI.
   - Benefits to the importer: If the submitted conformity certificate is acceptable for the consignment, the consignment will be approved for sale or use without sampling. One random sample will be taken for every three consignments and, after sampling the consignment will be approved. However, SLSI will decide the frequency of sampling based on the past performance of the manufacturer, laboratory or importer.

2) **Category 2**: Consignments accompanied with a conformity certificate from the national standards body of the exporting country. A conformity certificate is issued in accordance with the relevant Sri Lanka Standard Specification.
   - Benefits to the importer: If the submitted conformity certificate is acceptable for the consignment, the consignment will be approved for sale or use without sampling. One random sample will be taken for every three consignments and, after sampling the consignment, will be approved. However, SLSI will decide the frequency of sampling based on the past performance of the manufacturer and importer.

3) **Category 3**: Consignment imported from a manufacturing plant registered with SLSI. A conformity certificate should accompany each consignment from the manufacturing plant.
   - Benefits to the importer: If the submitted conformity certificate is acceptable for determining the conformity of the consignment, the consignment will be approved for sale or use without sampling. However, one random sample will be taken for every five consignments, and the frequency of sampling is based on the past performance of the manufacturer and importer.

4) **Category 4**: Consignments of products carrying “Product Certification Mark” of the national standards body of any country where the standard used for said certification is compatible with the corresponding Sri Lanka Standard Specification. Such manufacturer should register for relevant products with SLSI.
   - Benefits to the importer: i) If the product bears the product certification mark of Sri Lanka Standards Institution (SLS mark) the consignment will be released for sale or use without sampling. A random sample will be taken for every eight consignments and, after sampling, the consignment will be approved. However, SLSI will decide the frequency of sampling based on the past performance of the manufacturer and importer. ii) If the product bears an acceptable product certification marks of other countries the consignment will be approved for sale or use without sampling. A random sample will be taken for every five consignments and, after sampling, the consignment will be approved. However, SLSI will decide the frequency of sampling based on the past performance of the manufacturer and importer.

5) **Category 5**: Consignments that do not fall into any of the above categories.
   - Contracts dealing with the importation of designated items will stipulate the need to submit a pre-export conformity certificate falling under categories 1 to 3 to ensure conformity of the consignment to the relevant Sri Lanka Standard. Detailed test results will
also be submitted. An importer who intends to import any of the designated items may submit a performa and a test report (pertaining to the items intended to be imported), to SLSI and may get a verification from the institution as to whether the items are acceptable for the purpose of import before establishing the letters of credit. However, this does not exempt the importer from submitting the pre-export conformity certificate pertaining to the specific batch or batches under importation. Importation of any consignment of designated items that fall under Category 5 will be sampled at port, and the consignment will not be released from the port until the test report is available. However, SLSI may consider releasing the goods to a customs-bonded warehouse, until clearance is obtained. If sampling at the port premises is difficult or if the test results cannot be obtained in a short period, the consignment may be released to the importer’s warehouse, based on a personal guarantee letter and the past performance of the importer as well as manufacturer.

It is emphasized that consignments of items of which the taking of samples at the port premises is difficult or in cases where the results of testing cannot be obtained in a short time, will be supported with an acceptable quality certificate as specified in categories 1, 2 or 3 in order to avoid delays. However, SLSI will retain the authority to take samples from any of these consignments, either on a random basis or if there is reasonable doubt regarding the quality of the consignment, and subject them for testing. SLSI may refuse to release such consignments if they are found to be unsatisfactory. Two types of services – “Quick Service” and “Normal Service” – are provided and importers may have an option to select the service required.

**Quick Service**: If the importer wants an accelerated process of notification submitted for a consignment, they can indicate this while submitting notification at the special counter. Very high priority will be given to such notifications and the final decision will be given as early as possible, depending on the minimum cycle time of testing. Additional charges incurred by the quick service option will be charged to the importer.

**Normal Service**: If the importer wants to process the notification through the normal channels, they can use the normal service option. In case importer wanted to accelerate the process can be converted to quick service by making additional payment along with request.

The following mandatory and supporting documents need to be submitted with a notification form: a commercial invoice, packing list and bill of lading. The following are adviseable: quality certificates, test reports, health certificates, custom declaration form (CUSDEC), country of origin, and documentary proof in case of products imported for personal use. On receipt of the notification form, SLSI will decide whether the consignment should be subjected to inspection or sampling or testing. If SLSI decides to sample, the importer will pay the cost applicable prior to inspection and sampling is undertaken. If sampling is to be carried out, an SLSI officer will conduct sampling in accordance with the relevant sampling procedures. Selection shall be made at random, using random number tables specified in SLS 428. The necessary facilities to conduct inspection and sampling shall be provided by the importer and can include labour required and sampling tools if necessary. The cost of sampling and testing are borne by the importer.

If the consignment meets the critical requirements identified by SLSI, the notification form will be stamped as approved. However, in respect of the first consignment of a particular manufacturer for a brand or product, SLSI will carry out detailed tests after releasing the batch to assess conformity. If the detailed tests indicate non-conformity, the importer will be notified and future consignments of the same manufacturer will be subjected to detailed tests. This procedure will be followed until SLSI is satisfied with the quality.
If the sample is found to be sub-standard on critical requirements, the importer will be advised to return the consignment to the exporter. In instances where the controller finds that any importer has imported any goods into Sri Lanka that do not conform to the relevant standards in accordance with the regulations made under the Import and Export Control Act, the controller can, in the interest of the national economy and the protection of consumer, publish in the Gazette a list specifying the name and address and other relevant particulars necessary to ascertain the identity of the importer. If an importer is not satisfied with the assessment they can appeal to the Director-General of SLSI for re-inspection and/or re-sampling within three working days of receipt of notice. In such instances, further investigations will be carried out by SLSI whose verdict will be final. If the sample fails seriously, SLSI may turn down the appeal.

**Imported food inspection procedure of National Plant Quarantine Service**

The importer must obtain, where appropriate, the following certifications for the import consignment.

1. A phytosanitary certificate issued within 14 days prior to dispatch. This certificate must conform to the format set out by the International Plant Protection Convention, and should be issued by a duly authorized officer of the official plant protection organization of the country of origin and/or export. The certificate should contain declarations and additional declarations if the entry conditions require such declarations.

2. A declaration stating that the consignment is soil-free.

3. A certificate of origin must be obtained from a relevant authority (e.g. Chamber of Commerce of exporting country).

4. Packing list.

5. Bill of lading.

6. Phytosanitary certificate for re-export.

7. Importers of fresh fruits and vegetables for consumption must obtain a certificate from the plant protection authority of the country of production, stating that the fruits have been in cold storage below 0°C for more than two weeks. A certificate from the master of the ship would be acceptable if pre-cooling is done onboard the ship enroute to Sri Lanka. However, certificates are not accepted from countries where there are fruit flies (Family: Tephritidae), which are not recorded from Sri Lanka, unless the fruit and vegetables have been treated in a manner approved of by the Director of Agriculture in order to kill all fruit fly larvae.

Procedures followed by DOA on arrival of the consignment:

1. The consignment is inspected by a plant quarantine inspector and/or a representative from the Seed Certification and Plant Protection Center who will take samples for testing.

2. If deemed necessary by the plant quarantine inspectors, the consignment will be subjected to treatment or will be disposed of.

3. Entry into Sri Lanka may be denied to any consignment of plant material that:
   a) has been imported without the certifications mentioned above, or
   b) in the opinion of the plant quarantine inspector, carries a dangerous pathogen, weed, insect or any other dangerous organism.

The Plant Protection Ordinance (Gazette Extraordinary of the Democratic Socialist Republic of Sri Lanka, No.165/2, of Monday, November 02, 1981) lists prohibited and restricted plants. Examples of some prohibited plants are rice (except processed rice for consumption), coconut and coffee. Quantities of imports of some materials are decided on by the Secretary of the Ministry of Agriculture (e.g. popcorn for consumption).
Imported food inspection procedure of Animal Quarantine and Inspection Service
Animal products and by-products and live poultry, poultry products and poultry by-products.
Prior to sending the application importers must send a request to DAPH’s Director-General, specifying the type of import and the country of origin to obtain the updated health requirements, and based on that a specimen health certificate should be obtained from the responsible state authority of the exporting country. Applications should accompany the specimen health certificate along with copies of prescribed documents mentioned in the application form. A health certificate according to the specimen and originals of prescribed documents should be submitted to the animal quarantine officers, on arrival of the consignment or at the time of clearance. Upon receiving the application, a risk assessment will be carried out on intended imports, and this procedure generally takes three to seven days.

Importation of ruminants and products/by products of ruminant origin: Regulations gazetted under the Import and Export Control Act to prevent entry of bovine spongiform encephalopathy (aka mad cow disease) into Sri Lanka. Importers should obtain BSE clearance on intended imports from the Director-General of DAPH. MRI, the government analyst laboratory, and other accredited laboratories such as the Industrial Technology Institute, and SGS. depending on their reputation in testing the specific parameters should conduct analyses to assess conformity. MRI (for microbiology) and the government analyst (for chemical) are the approved analysts under the Food Act. Food samples are subjected to parameters expected under national food regulations, and those that have caused serious food safety violations elsewhere. Post-arrival, all imported foods on the market are subject to inspection and marks surveillance procedures of MOH.

Importation of food fish: Regulations and application form are available on the DAPH website.

5.8 Risk management actions
Customs operates a risk and performance-based inspection programme that classifies importers into four groups based on their history of compliance in past imports. These are: 1) highly compliant with a good track record; 2) those who wish to be compliant but are ignorant of requirements; 3) those that are compliant when forced but who are known to be opportunistically non-compliant; and 4) habitual non-compliant importers. The first group is inspected with a light touch although compliance with quarantine obligations is checked and compliance with food standards is monitored. The second group is supported through training so that they can eventually fall into group 1. The third group is routinely inspected. The fourth group is subjected to detailed examination at the border. Compliance failures at any stage increases inspections for future imports until a pattern of compliance is (re-)established.

1) Withholding until additional or proper documentation is submitted
Upon inward clearance, the shipment is taken to one of the five examination yards and inspection activities are carried out by authoritative officers. If there are issues pertaining to incomplete documentation or until the sample analysis is completed, the consignment is held at the yard.

2) Sampling for further analysis
 Sampling of food is done on the basis of a risk categorization process to a certain extent with higher emphasis on more vulnerable foods and the reputation of the manufacturers and importers, as well as reported incidences of violation of food safety in producing countries, as observed from media reports.

3) Rejection of import (return of the consignment and product destruction)
In dealing with unsafe consignments of food the clients are allowed to re-export them from the port without entry to the country, or are destroyed by customs under the supervision of the respective quarantine officers for animal and plant products. The information is used in deciding the clearance of future products based on honesty exhibited previously.
4) **Criminal charges for intentional wrong-doing – Monitoring and evaluation**

If any person contravenes or fails to comply with any regulations made under customs ordinance or requirement imposed by or under such regulations, depending on the severity of the issue the director-general of customs after an inquiry (quasi judiciary) decides to forfeit the shipment, impose a penalty (three times of the value of the consignment) and conditional release of the consignment with an additional tax payment. The records of the above issues are used in future monitoring and evaluation of the importer.

5.9 **Information exchange and communication**

The Department of Customs, SRSI, the National Plant Quarantine Service, and the Department of Animal Production and Health have satisfactorily provided guidelines to importers for their purview of import controls. However, the information provided by FCAU to importers on compliance to regulations under the Food Act is inadequate and needs to be improved. Further, being the main control point, the Department of Customs, in a single window of their website, can demonstrate the requirements of all stakeholders involved in controlling imports into the country to ensure better awareness among importers.

5.10 **Training and education**

Food and drug inspectors are given on-the-job training with assistance from various aid programs. There are five regional training centers in the country for retraining activities. However, there are doubts about the effectiveness of these training to handle import system in a risk-based manner dealing with ever increasing foodborne disease risks in the trade. Therefore, training needs need to be analyzed and updated training should be given to officers involved in inspection activities to ensure effective functioning of the system. The same opportunity need to be given to other officers involved in import inspection including plant quarantine officers and veterinary surgeons.

5.11 **Effectiveness assessment of the current food import control situations**

The system for managing imports in Sri Lanka is, overall, in line with Codex guidelines for food Import control systems (CAC/GL 47-2003) and is generally well-operated although there needs to be better coordination among different stakeholder groups involved in food control activities such as the Department of Customs, FCAU, SLSI, DOA, Department of Animal Production and Health, and testing laboratories. However, there is scope for further streamlining and improving the effectiveness of import control procedures for faster approvals and better compliance, and these are detailed in the next section of this report.

5.12 **Recommendations**

The following provide key recommendations to improve the food import system in Sri Lanka covering major procedural issues and points in national consultant’s point of view.

**Pre-border control activities need to be strengthened** in order to prevent complications on arrival of consignments. Pre-border agreements are in place with some exporting countries for recognizing the government certification from the exporting country if the consignment and documentation comply with Sri Lanka Standards. Such agreements require that checks be carried out by the exporting country prior to export to Sri Lanka, to be in line with Sri Lankan standards and requirements. These agreements facilitate onarrival clearance procedures, and similar agreements can be signed with other exporting countries (where compliance is justified and acceptable) based on the volume and type of goods exported to Sri Lanka.

**Streamlining import clearance procedures with the adoption of a risk and performance-based approach** provides an important consideration in improving the system. The systems for food imports should be risk-based and cover pre-border, border and post-border controls. For this to operate,
surveillance and monitoring procedures of the import control system need to be improved. The issues and/or risks associated with imports need to be statistically analysed to understand trends in terms of manufacturers, exporters, countries, regions and food groups with non-conformities. Likewise, strategic classifications can be obtained. The data need to be shared among different stakeholder groups involved in control activities. Accordingly, foods to be imported should be categorized by food safety risk and the compliance history reported in surveillance data. The selection of processed foods imported for inspection for compliance with food regulations (including labelling) can be done on a risk and performance basis. High-risk foods should be inspected more frequently, and the inspection of specific products could be reduced once a pattern of compliance has been documented. Low-risk foods could be subject to random inspections at a lower rate of frequency. Over time, this will ensure that all imported foods comply with Sri Lanka’s food standards. The adoption of such approaches depends on adequate infrastructure and, particularly, the information technology available for real time analysis and feedback. The results of post-border checks on imported foods – which is part of the domestic food control system – should also form a part of the performance-based system.

**Capacity building through the training of officers empowered for inspection** becomes a necessity to improve the import system based on risk-based performance. The knowledge and skills of food and drug inspectors, veterinary surgeons involved in meat inspection, plant quarantine officers, and government analysts involved in testing need to be strengthened to ensure that risk-based inspection activities of imports take place.

Considering the fact that international trade accepts only test certificates from accredited laboratories, it is important to recognize and restrict the use of test reports from non-accredited laboratories provided by the supplier or importer for import clearance of foods.

Under the WTO regulations, the conditions imposed on food imports should be no more stringent than those applied to domestic foods. In this case, the customs regulations defer to those of Sri Lanka Standards, rather than regulations under the Food Act, although these are equivalent in most cases. For products that are not under mandatory compliance with SLSI standards, customs does not generally check these. For transparency and direct compliance with WTO obligations, references to regulations in the Customs Act should be changed to refer to regulations under the Food Act (rather than to Sri Lanka Standards). There are 47 Sri Lanka Standards where foods must be certified and carry the SLS mark under consumer and standards laws. Importers must subject imports of such products to certification under the Standards Act.

Customs regulations do not require the details of the importer or distributor of imported food to be displayed on the product even though the distributor details are a requirement of food labelling regulations under the Food Act, and this may be critical for tracing in the case of food safety incidents with imported products. The distributor’s identification and a check of their distribution records can be a critical component of investigating food recalls. All laboratories engaged in testing foods, as a part of implementing the regulatory requirements, whether government or private, should be brought under a national laboratory management and networking system. All labs should be accredited to ensure the credibility of test results. The network should be managed by FCAU, or one of the designated labs, or to some other professional body such as Sri Lanka Accreditation Board for Conformity Assessment. One of the main requirements for the labs will be reporting test data to FCAU on a real-time basis in a computerized IT environment. A laboratory manual covering common protocols and procedures on various aspects of laboratory functioning should be developed. Referral laboratories may be designated under the network with clearly documented roles and responsibilities, including their role in disputes, organizing inter-lab testing, developing and sharing test methods and training people from other labs. Further, these laboratories need to be strengthened with state-of-the-art equipment with improved
precision levels to check compliance with specifications, especially with regard to high-risk hazards of food origin.

The information provided by FCAU to importers on compliance with regulations under the Food Act is inadequate. FCAU should develop a single food standard code for Sri Lanka that presents the full technical detail of all regulations on food in a logical structure and easy-to-follow document. This should be freely available to industry personnel, consumers, exporters, importers, other governments, inspectors and laboratories. This will ensure awareness and understanding of requirements and, thus, ensure compliance by industry and additional consumer safety. FCAU may need to contract specific technical experts to assist in this process. In general, the emphasis given by the Ministry of Health, Nutrition and Indigenous medicine on food control aspects in the country, including import control, is inadequate due to the fact that health-related activities have been the priority. This situation results in ineffective management control, leaving an opening for malpractices, including the bribing of officers. It has been proposed in previous projects dealing with food control systems in Sri Lanka to create a new Sri Lanka Food Authority that would have the responsibility for managing food along the entire food chain, thus tasking such an authority with overarching responsibility for food quality and food safety. In relation to imports, it would need to work with existing stakeholder groups involved in the control of imports to ensure consumer safety, which has become a serious concern recently.

**Actions in the strategic activity plan to develop the roadmap for implementation**

**Table 27.** Suggested activities to be carried out in the short term (12 months).

<table>
<thead>
<tr>
<th>Suggested activities to be carried out within 12 months</th>
<th>Suggested timeframe</th>
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<tbody>
<tr>
<td>1. Stakeholder consultation meeting to develop and agree on a national roadmap and strategic plan towards One Health oriented risk-based imported food control systems in Sri Lanka</td>
<td>May 2018</td>
</tr>
<tr>
<td>2. Training on food safety risk categorization for imported food control to government officials (food safety competent authority, quarantine officials and custom officials).</td>
<td>August 2018</td>
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<tr>
<td>3. Drafting of SOPs for food safety sampling and inspection at the borders (food safety competent authority).</td>
<td>December 2018</td>
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<tr>
<td>4. Stakeholder consultation on the initiative to develop a single window system (a common information-sharing, IT-based platform, with regard to the imported food) to incorporate HS codes for the use of risk categorization (food safety competent authority, quarantine officials and custom officials).</td>
<td>November 2018</td>
</tr>
<tr>
<td>5. Food safety risk categorization draft for imported food control and decision tree draft development (food safety competent authority).</td>
<td>March 2019</td>
</tr>
<tr>
<td>6. Conduct a series of national training sessions for inspection officers on risk-based imported food inspection (food safety competent authority, quarantine officials and custom officials).</td>
<td>Initiate the planning: March 2019</td>
</tr>
</tbody>
</table>
Table 28. Actions for developing a roadmap for implementation.

<table>
<thead>
<tr>
<th>Action</th>
<th>Recommended time frame to complete the action</th>
<th>Recommended first action</th>
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<tbody>
<tr>
<td><strong>Pre-border control</strong></td>
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<tr>
<td>1. Strengthening of national food product standards covering import food categories basically targeting specifications of food safety parameters to ensure compliance such as MRL levels for pesticide residues, veterinary drugs, growth promoters, toxins, and other frequently reporting food safety hazards.</td>
<td>12 months</td>
<td>Review of the existing food standards, identification of the standards covering import food products needing inclusion of food safety related specifications.</td>
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<tr>
<td>2. Develop a single food standard code to export foods to Sri Lanka that presents the full technical details of all regulations, standards and specifications on food in a logical structure and easy to follow mode available to the public to enable faster approvals and better compliance.</td>
<td>24–36 months</td>
<td>Review the current code and identify any improvements needed</td>
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<tr>
<td>3. Improvement of information availability for importers on procedural requirements other than technical specifications in importing foods by improving relevant institutional websites (e.g. customs, SLSI, Food Control Administration Unit, plant quarantine website).</td>
<td>12 months</td>
<td>i) Stakeholder consultation to develop a single window information sharing system, ii) Development of the webpage</td>
</tr>
<tr>
<td>4. Development of pre-border agreements with exporting regions to align standards used for checks carried out by them to ensure compliance considering national specifications align with WTO requirements. Options to be considered in including adoption of electronic certification for sanitary and phytosanitary purposes.</td>
<td>18 months</td>
<td>Development of agreements</td>
</tr>
<tr>
<td>5. Accept test reports only from accredited laboratories for import clearance of food products, plant and animal origin products and develop understanding and agreements with the exporting countries/regions to communicate requirements.</td>
<td>12 months</td>
<td>Identification of the suitable accredited laboratories in respective countries</td>
</tr>
<tr>
<td>6. Recording of issues and risks associated with imports and they need to be statistically analyzed to understand trends and shared among all the stakeholder groups to assist appropriate actions and decision-making.</td>
<td>12 months</td>
<td>Food safety risk categorization and decision tree draft for imported food controls</td>
</tr>
<tr>
<td>7. Streamlining of import clearance procedures with adoption of risk and performance based approach. To do so, imports and importers should be categorized based on food safety risk and compliance history. In order to implement this import control issue surveillance and recording system need</td>
<td>24 months</td>
<td>Food safety risk categorization and decision tree draft</td>
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<tr>
<td>Action</td>
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<td>to be developed with the support of customs and other operating groups.</td>
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<td>for imported food controls</td>
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**Border control**

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<th>Action</th>
<th>Recommended time frame to complete the action</th>
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<tr>
<td>8. Share risks associated with regions, products etc. among stakeholder groups for appropriate risk-based controlling activities and customs collaboratively work with responsible domestic departments for the clearance of goods.</td>
<td>12–18 months</td>
<td>Information collection on incidences from exporting country resources and international resources</td>
</tr>
<tr>
<td>9. Improvement of import food regulations by updating imported food inspection schemes giving emphasis to existing global situation with regard to food safety hazards.</td>
<td>24 months</td>
<td>Review of the existing standards to identify the update needs</td>
</tr>
<tr>
<td>10. National training for inspection officers on risk-based inspection and immediate preparedness. In practice inspectors from Ministry of Health, Department of Agriculture, Department of Animal Production and Health, Sri Lanka Standards Institution and Department of Fisheries and Aquatic Resources work alongside custom officers in clearance of imports.</td>
<td>12–24 months</td>
<td>Planning a two-year training schedule</td>
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<tr>
<td>11. Testing capacity improvement of government analytical laboratories, animal and plant quarantine laboratories based on surveillance data. Since most of the laboratories are not participating in proficiency testing or inter-laboratory testing, recommendations for decision-making has a potential to become problematic.</td>
<td>18–24 months</td>
<td>Study the current situation of the testing laboratories with regard to the facilities available (instrumental and human resources), mandate, management structure and procedure of sample receipt and issuing of reports, problems and improvements needed.</td>
</tr>
<tr>
<td>12. Common protocols and procedures need to be established in testing imported foods in government analytical laboratories through a common laboratory manual which contains directions on sampling requirements, references to test methods (internationally accepted), calibration requirements, and handling and maintaining sample integrity to prevent cross contamination or deterioration such that validity of test results is compromised. All the</td>
<td>10 months</td>
<td>Draft SOPs</td>
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<th>Action</th>
<th>Recommended time frame to complete the action</th>
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<tbody>
<tr>
<td>laboratories (government or private) engaged in testing of foods should be brought under a national laboratory management and networking system.</td>
<td>10 months</td>
<td>Drafting SOPs</td>
</tr>
<tr>
<td>13. Regular monitoring of compliance (including labeling and distributor details) using a random sampling basis with high risk food being checked more regularly and low risk foods less frequently.</td>
<td>12–24 months</td>
<td>Stakeholder consultation to discuss the findings of No. 11 and to seek the possibility of developing national laboratory management and network system</td>
</tr>
<tr>
<td>14. All the laboratories engaged in testing of foods as a part of implementing the regulatory requirements, whether government or private, should be brought under a national laboratory management and networking system. These test data need to be accessed by the decision making bodies especially the Food Control Administration Unit on a regular basis in understanding trends implement urgent decisions.</td>
<td>12 months</td>
<td>Planning a two-year training schedule</td>
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**Post-border control**

| 15. Training for the food inspectors, public health institutes and the officials of the consumer affairs authority for adoption of risk and performance based monitoring of market available imported foods based on national requirements and specifications. | 12 months                                                                             | Planning a two-year training schedule |
6. Good practices from the country cases

Below are some of the good practices observed from the national situation reports and discussions with relevant stakeholders. Note that the identified practices have functioned well in particular circumstances and contexts of a particular country, but there is no guarantee that these would work equally well in other countries.

- A simple but sufficiently comprehensive legal framework to cover all food items that exist in the country for domestic consumption, import and export has been found useful. Laws that are too prescriptive with detailed technical information are inflexible and difficult to keep up-to-date. Implementing regulations should provide additional technical detail on food safety requirements and procedures, including references to food safety standards, as well as designate one or more reference laboratories with accreditation for inspection and enforcement purposes.

- Due to the cross-cutting nature of the national imported food control systems, clearly defined roles and responsibilities of relevant agencies are essential, and these should find legal basis in primary legislation. Laws should serve to allocate roles and responsibilities of public and private stakeholders, to identify the relevant authority to ensure food chain coordination and to provide sufficient legal basis to set up food safety regulatory mechanisms.

- Sharing importer profiles and information on imported food items is key to implementing transparent and consistent imported food control management activities. Registration of the importers (business) is mandatory in almost all countries but records are often kept at the agency that handles commerce, industry and/or trade issues, not food safety competent authorities. Therefore, it was found useful for food safety competent authorities to proactively collaborate with such agencies as well as customs officials in order to inform them of the priority food safety issues. Because the sharing of such common data is useful for some other agencies and departments, such as quarantine officials, health officials in addition to food safety officials, a single-window service to maintain a database sounds attractive and potentially effective. However in developing countries, investing in the development of such a system, determining what agency will have the primary responsibility to operate (and pay for) the system, and securing financial and human resources to maintain and regularly update the system for sustainability usually pose various challenges; thus, a step-by-step and basic establishment of the collaborative process has been seen as more of a priority in developing countries.

- **Food and product categorization with internationally harmonized code** has been found practical for communicating with the border control officials in order to flag certain priority food items. If countries already have a unique way to categorize food items, then even only referencing them with an HS code for each category would be useful.

- **Risk categorization** is currently used at a limited level in various contexts in the project countries, however all four countries have confirmed that this is the tool that would address the practical need in developing a priority list for food safety in imported food. The results obtained from the food safety risk categorization exercise would directly contribute to the creation of consistent and concise list for customs officer to refer to, when they screen the imported food items.

- Creating a list of **pre-set risk management actions based on the results of risk categorization** has been identified as a good practice as the importers can already know what actions/consequences would be there if they do not comply with the requirements. Also, the pre-set criteria will make decision-making more consistent, evidence-based and transparent; thus, the credibility of the governmental control over imported foods would be increased.

- Deciding on the **frequency of inspections based on the results of risk categorization** has also been identified as efficient because sampling and analysis are costly exercises and risk categorization would enable officials to focus on high-risk and high-concern products.
• Maintaining imported food control activities with the up-to-date information from relevant international guidelines, such as those of Codex Alimentarius, OIE and IPPC is essential to having effective control and compliance with relevant international agreements and treaties.
• Provision of prerequisite documentations and lists of required forms and certificates to all food importers, depending on what food commodities they intend to import is found useful, in particular if it is done publicly (e.g. through a website). Concise information for importers on relevant procedures in easy-to-understand language has been well received in many countries.

7 Three key and common approaches potentially applicable for any developing countries

7.1 Effective use of food safety risk categorization
Project countries have identified the usefulness of risk categorization as a risk management tool to prioritize commodity and hazard combinations to create a concise and easy reference for border control officials so that high-risk and high-interest food items will receive more attention. Inspection of every food product entering the country is not possible in terms of financial, technical and time resources. As a risk management tool, a science- and evidence-based risk categorization enables competent authorities to prioritize the foods that are associated with high risks and take appropriate action. Several examples of risk categorization in their own country situation can be observed in the food import control system of Australia\(^\text{10}\), New Zealand\(^\text{11}\) and the United Kingdom\(^\text{12}\).

7.2 Implementation of standard operating procedures for risk-based inspections
The nation-wide dissemination, development and consistent use of standard operating procedures for risk-based inspections for imported food to maintain the consistency and transparency were suggested in all project countries. Clearly defined and written protocols and procedures for risk-based inspections, including sampling and analysis, are essential tools for achieving effective imported food controls. The FAO Risk Based Imported Food Control Manual provides guidance for developing standard operating procedures (Tool 4.3), and inspection and sampling procedures (Tool 4.5), and highlights that written instructions in a concise, step-by-step, easy-to-read format allows officials with limited experience to successfully follow the steps. Following well-developed standard operating procedures is useful for minimizing the variation of results, eliminating procedural mistakes, and saving time and finances. A specific guidance is provided by Codex Alimentarius “Principles for the Use of Sampling and Testing in International Food Trade” (CAC/GL 83-2013), which aims to help governments and other interested parties to understand the principles and to establish and use sampling and testing procedures to assess whether foods in international trade comply with specifications.

7.3 Systematic communication and collaboration with relevant partner agencies and stakeholders
Systematic written communication – as well as close collaboration among food safety competent authorities and relevant border control officials – were suggested in all project countries, particularly with regard to the exchange of information on importer profiles, sharing risk categorization results, and understanding the principles of effective risk-based management for imported food safety. Having well-established communication mechanisms to share collected data among the relevant agencies is highly effective in implementing appropriate risk management actions. In all country contexts, strengthening collaboration among relevant border control officials is a key approach to having effective import food controls.

\(^{12}\)The United Kingdom [https://www.food.gov.uk/business-guidance/importing-high-risk-foods](https://www.food.gov.uk/business-guidance/importing-high-risk-foods)
8 Conclusions

Ensuring the safety of imported foods is a challenging task in both developed and developing countries because food safety is a shared responsibility. The national imported food control situation reports from Myanmar, Nepal, Philippines and Sri Lanka have shown that despite the differences in country contexts and capacity levels, various risk-based tools and approaches would contribute to effective and efficient imported food controls while following relevant international agreements and guidelines. Three commonly useful practical approaches and tools have been identified that can be applicable to most developing countries: 1) the use of risk categorization to prioritize commodity and hazard combinations to create a concise and easy reference for border control officials so that high-risk and high-interest food items will receive more attention than other food items; 2) the nationwide dissemination and use of standard operating procedures for risk-based inspections for imported food to maintain consistency and transparency; and 3) establishing systematic communication and collaboration mechanisms among food safety competent authorities and relevant border control officials on importer profiles, the abovementioned risk categorization results, and required documents to achieve effective risk-based management for imported foods. Thus, in an effort to improve imported food controls in developing countries, technical officers in food safety competent authorities may find it useful to consider the feasibility of employing the tools and methodologies described in this document in their country context so that practical and tailored approaches can be developed to address country-specific challenges.
Annex 1. Food import flowchart for Myanmar

A: Import risk assessment framework

Import risk assessment is undertaken by the responsible national Ministries and departments. These Ministries also act as the Myanmar competent authority for issuing SPS certification for exports. These are:

- Animal health and sanitary requirements under the SPS agreement - Ministry of Agriculture, Livestock and Irrigation, Livestock Breeding and Veterinary Department (live animals of all species (fish, mammal, avian) and raw animal product imports, animal based stock feed ingredients)
- Plant health and phytosanitary requirements under the SPS agreement - Ministry of Agriculture, Livestock and Irrigation, Department of Plant Protection (live plants, seeds and raw plant products including stockfeed)
- Processed food products for food safety and Myanmar national food standards - Ministry of Health and Sports, Food and Drug Administration (all processed foods)

These line Ministries also have the responsibility for entering into agreements with exporting countries on mutual recognition of conformity and equivalence for management of food safety and SPS related issues, and any specific procedural rules that may be applicable.

B: Application for import licence

Under the import / export law all importers must be licensed by the Ministry of Commerce, Department of Trade. For food the importer must first seek a health certificated from the Ministry of Health and Sports, Food and Drug Administration for the specific food product. For animal and plants and unprocessed animal or plant products, from Ministry of Agriculture, Livestock and Irrigation for Sanitary and Phytosanitary issues.

1: Importer seeks health or SPS certificate from relevant line Ministry for import of specific goods and products for which a licence is being sought.

2: Having got the appropriate approvals, an application for an importer licence is lodged with the Ministry of Commerce. The Ministry undertaken appropriate checks and confirmations before issuing a licence, usually valid for two years.

C: Import process and pre-border activities

The import takes place in the context of Myanmar import requirements and the requirements of any agreements between Myanmar and the exporting country on mutual recognition of conformity and equivalence that may streamline import procedures.

3: Having obtained a licence and permission for the specific products to be imported, the importer then compiles a consignment from suppliers in the country of origin.

4: The supplier compiles the consignment ensuring that
   a) all commercial and customs documentation is complete and accurate and linked to the specific consignment
   b) all required certification as detailed in the import permits and obligations is complete and related to the specific consignment
   c) all laboratory test data is present and available with documentation and linked to consignment
   d) any relevant commercial or industry certification is complete, accurate and relates to the specific lots in the consignment.

5: Consignment shipped to Myanmar
D: Customs procedures at the border

Customs has two broad approaches applied to border controls on imports.

A: Major airports and sea ports (Yangon)
Customs classify incoming goods (MACCS) on the basis of risk (International Harmonised Code for classifying cargo and a component that recognises past history of I’m ports into Myanmar) into three channels:

GREEN CHANNEL: Low risk and pass straight through with no checking of permits, documentation or inspection.

YELLOW CHANNEL: Medium risk with document checks and sampling for laboratory testing if needed but not detained.

RED CHANNEL: High risk with document checks, inspection and testing.

Food is in the Red channel.

B: Land border posts.
No MACCS in place. Check documents and inspect where needed, collect samples for analysis though limited laboratory capacity at most border posts. Note, most land borders have multiple crossing points with a border post on just the main route, and up to 90% of imports do not pass through the border checkpoints.

E: Food Import border assessment

6: Consignment arrives at port and full details and documentation presented to Customs Office

7: Customs advises responsible Ministry of details of consignment and provides detailed consignment

8: Line Ministry assess by
a) documentation
b) Physical examination
c) Sampling for laboratory testing

9: On advice from line Ministries, consignment is moved from Port storage

10: Live animals and live plants to post arrival quarantine for further testing and management of SPS concerns

11: Raw animal and plant products and processed foods to importer under bond pending laboratory results

12: To importer for release on market

13: If testing and observation shows no SPS issues, after statutory period passed released to importer for release on market.

14: If testing and quality clear, released from bond to importer for release on market.

F: Post border domestic management systems

15: Once released onto the market, all imports are subject to compliance with the normal domestic regulatory, surveillance and market management requirements.

Animals are subject to the domestic requirements under the livestock breeding and veterinary laws.
Fish are subject to the domestic requirements under the various fisheries laws
Plants are subject to domestic requirements under the agriculture, plant protection and pesticide laws
Foods and processed foods are subject to the domestic requirements under the food law and consumer laws.
Annex 2. Border checkpoints for food imports into Nepal

Border points for food import and presence of customs, food inspection and certification, animal quarantine and plant quarantine offices are listed.

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Border point</th>
<th>Customs Office</th>
<th>Food Inspection and Certification</th>
<th>Animal Quarantine</th>
<th>Plant Quarantine</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Olangchungola, Taplejung</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>China</td>
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<tr>
<td>2.</td>
<td>Pashpatinagar, Ilam</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>India</td>
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<tr>
<td>3.</td>
<td>Kakarvitta, Jhapa</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
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<td>4.</td>
<td>Biratnagar, Morang</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
</tr>
<tr>
<td>5.</td>
<td>Sunsari Cutoms, Bhantabari</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
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<tr>
<td>6.</td>
<td>Kimathanka, Sankhuwasabha</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>China</td>
</tr>
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<td>7.</td>
<td>Rajbiraj, Belhiya, Saptari</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>India</td>
</tr>
<tr>
<td>8.</td>
<td>Siraha, Madar</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>India</td>
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<tr>
<td>9.</td>
<td>Janakpur, Dhanusha</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>India</td>
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<tr>
<td>10.</td>
<td>Jaleswor, Bhittamod</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>India</td>
</tr>
<tr>
<td>11.</td>
<td>Sarlahi, Malangawa</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
</tr>
<tr>
<td>12.</td>
<td>Lamabagar, Dolkha</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>India</td>
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<tr>
<td>13.</td>
<td>Tatopani, Liping, Sindhupalchowk</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>China</td>
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<tr>
<td>14.</td>
<td>TIA, Kathmandu</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Airport</td>
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<tr>
<td>15.</td>
<td>Rasuwa, Timure</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>China</td>
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<tr>
<td>16.</td>
<td>Gaur, Rautahat</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>India</td>
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<tr>
<td>17.</td>
<td>Birgunj, Parsa</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
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<tr>
<td>18.</td>
<td>Dry Port, Sirsiya, Parsa</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
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<td>19.</td>
<td>Mustang, Nechung / Lomanthang</td>
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<td>No</td>
<td>No</td>
<td>Yes</td>
<td>China</td>
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<td>20.</td>
<td>Larke, Gorkha</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>China</td>
</tr>
<tr>
<td>S. No.</td>
<td>Border point</td>
<td>Customs Office</td>
<td>Food Inspection and Certification</td>
<td>Animal Quarantine</td>
<td>Plant Quarantine</td>
<td>Remarks</td>
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<tr>
<td>21.</td>
<td>Bhairahawa, Belahiya, Rupandehi</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
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<tr>
<td>22.</td>
<td>Krishnanagar, Kapilbastu</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td>23.</td>
<td>Koilabas, Dang</td>
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<td>No</td>
<td>No</td>
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<td>24.</td>
<td>Nepalgunj, Jamunaha, Banke</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
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<tr>
<td>25.</td>
<td>Rajapur, Bardiya</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>India</td>
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<tr>
<td>26.</td>
<td>Mugu</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>China</td>
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<tr>
<td>27.</td>
<td>Yarinaka, Humla</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>China</td>
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<tr>
<td>28.</td>
<td>Kailali, Dhangadhi</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>India</td>
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<tr>
<td>29.</td>
<td>Kanchanpur, Gaddachauki</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>India</td>
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<tr>
<td>30.</td>
<td>Mahakali, Jhulaghat, Baitadi</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>India</td>
</tr>
</tbody>
</table>

**Note:**

1) Animal quarantine checkposts operate at Darchula, Belauri, Gularia, Triveni, Auraya, Jathahi, and Gaurigunj, but there are no Customs offices in these places.

2) Altogether there are 143 customs points, 30 major and the remaining 112 are minor customs points along the Nepal–India and Nepal–China border, and one at Tribhuwan International Airport.
Annex 3. List of persons consulted in Nepal

1) Department of Food Technology and Quality Control, Babarmahal, Kathmandu.
   Mr. Sanjeev Kumar Karn, Director General
   Ms Matina Joshi Vaidya, Deputy Director General, Quality Control Division
   Mr. Bhim Prasad Pulami, Senior Food Research Officer, Quality Control Division

2) Food Inspection Unit, Tribhuwan International Airport:
   Mr. Digvijay Mishra, Food Research Officer, Unit Chief

3) Plant Quarantine Check-Post, Airport, Kathmandu:
   Mr. Surya Bahadur Bogati, Senior Plant Quarantine Officer
   Mr. Devi Prasad Panta, Plant Protection Technician
   Mr. Binod Raj Bhandari, Plant Protection Technician

4) Animal Quarantine Office, Kathmandu:
   Dr. Krishna Poudel, Animal Quarantine Officer (Veterinary Officer)
   Mr Shiva Kumar Karkee, Animal Quarantine Technician
   Mr. Dhirendra Shah, Animal Quarantine Technician

5) Plant Protection Directorate/National Plant Quarantine Program, Department of Agriculture, HariharBhawan, Lalitpur:
   Mr. Achyut Prasad Dhakal, National Plant Protection Officer (NPPO)/ Program Director.
   Mr. Purusottam Lal Hada, Program Chief, National Plant Quarantine Program.
   Mr. Ratna Kant Jha, Senior Plant Quarantine Officer, National Plant Quarantine Program.
   Mr. Harihar Acharya, Junior Technician, National Plant Quarantine Program.

6) Department of Customs, Tripureswor, Kathmandu:
   Mr. Kularaj Jnawali, Director, Spokesperson and Information Officer

7) Regional Food Technology and Quality Control Office, Biratnagar:
   Mr. Pramod Koirala, Office Chief (Senior Food Research Officer)

8) Plant Quarantine Checkpost, Rani, Biratnagar:
   Mr. Bhan Dutta Mishra, Plant Quarantine Officer

9) Animal Quarantine Office, Rani, Biratnagar:
   Dr Phekan Shah, Office Chief (Senior Veterinary Officer)
   Mr. Niraj Kattel, Animal Husbandry Technician

10) Biratnagar Customs Office, Rani, Biratnagar:
    Mr. Dilip K.C., Customs Officer (Officiating Office Chief)
    Mr. Yam Lal Pandey, IT Officer
    Mr. Umesh Bhattarai, Customs Inspector

11) Regional Plant Quarantine Office, Kakarbhitta:
    Mr. Sukhadev Mainali, Office Chief (Senior Plant Quarantine Officer)
    Mr. Binaya Kumar Shah, Junior Technician

12) Mechi Customs Office, Kakarbhitta:
    Mr. Bhim Prasad Adhikary, Chief Customs Officer
    Mr. Padam Thapa, Computer Officer

13) Animal Quarantine Office, Kakarbhitta:
    Mr. Mukesh Kumar Singh, Officiating Chief (Veterinary Officer)

14) Food Quarantine Laboratory, Kakarbhitta:
    Mr. Shiva Shanker Mishra, Officiating Chief

15) Birgunj Customs Office, Birgunj, Parsa:
    Mr. Sebantak Pokhrel, Chief Customs Officer
    Mr. Arun Poudel, Computer Officer

16) Regional Plant Quarantine Office, Inarwa, Birgunj:
    Mr. Milesh Kunwar, Officiating Chief (Plant Quarantine Officer)
Mr. Paltan Prasad Chauhan, Junior Technician

17) Animal Quarantine Office, Birgunj:
Dr. Hareram Yadav, Office Chief (Senior Veterinary Officer)
Mr. Ramnath Pandey, Fish Development Officer
Dr. Sikesh Manandhar, Animal Quarantine Officer, Sirsiya Dryport

18) Dry Port Customs Office, Sirsiya, Parsa:
Mr. Surya Prasad Sedhain, Chief Customs Officer

19) Food Quarantine Laboratory, Birgunj, Parsa:
Mr. Bijaya Khanal, Chief (Senior Food Research Officer)
Mr. Rabindra Jha, Food Research Officer

20) Regional Food Technology and Quality Control Office, Hetauda, Makwanpur:
Mr. Raj Kumar Rijal, Regional Chief (Senior Food Research Officer)

21) Regional Food Technology and Quality Control Office, Bhairahawa, Rupandehi / Food Laboratory, Bhairahawa Customs:
Mr. Hasta Bahadur Rai, Regional Chief (Senior Food Research Officer)
Mr. Deepak Kunwar, Technical Assistant
Mr. Rajendra Ghimire, Technical Assistant

22) Bhairahawa Customs Office / Laboratory Section, Belahiya, Rupandehi:
Mr. Bhupal Raj Shakya, Chief Customs Officer
Mr. Gopal Khatri, Customs officer
Mr. Nirmal Raj Kandel, Computer Officer
Mr. Murli Prasad Kurmi, Section Chief, Laboratory Section

23) Regional Plant Quarantine Office, Belahiya, Bhairahawa, Rupandehi:
Mr. Brij Kishore Upadhyaya, Plant Quarantine Officer
Mr. Uma Shanker Pathak, Plant Quarantine Officer

24) Animal Quarantine Checkpost, Belahiya, Bhairahawa, Rupandehi:
Dr. Prabesh Sharma Bhusal, Quarantine Chief

25) Rasuwa Customs Office:
Mr. Kedar Paneru, Chief Customs Officer, Rasuwagadhi
Mr. Kusheswor Shah, Computer Officer

26) Plant Quarantine Checkpost, Gosaikunda Rural Municipality, Rasuwagadhi:
Mr. Ram Narayan Yadav, Plant Quarantine Officer – inquired on the phone.
Ms Karmu Yangjen Nagarkoti, Office Assistant

Annex 4. Questionnaires on Nepal’s food import control system

Questionnaire 1. Semi-structured questionnaire to collect information on Nepal’s food import control system

A. General Information:

1. Name of Competent Authority / Customs or Border Point: _______________________
2. Address: ___________________
B. Quarantine / Food Inspection and Certification Related Information:

1. Imported Food Categories: Adopted by Food Control Agency (DFTQC) and Quarantine Offices

   a) Cereal and Cereal Products  b) Fresh Fruits
   c) Fresh Vegetables          d) Meat and Meat products
   e) Fish and Fish Products    f) Egg and Egg Products
   g) Milk and Milk Products    h) Spice and Spice Products
   i) Fats and Oils            j) Bakery Products
   k) Confectionery Products   l) Snack Foods
   m) Soft drinks/Energy Drinks n) Processed Drinking Water
   o) Tea and Coffee           p) Functional foods and Nutraceuticals
   q) Alcoholic beverages and Raw materials
   r) Food Additives           s) Feed
   t) Other Food Products

2. General Requirement for Imported Food Control Framework:

   i) Is there governments food safety and quality policy? Yes/No
   ii) Is there governments food safety and quality legislation? Yes/No
   iii) Is there any system of maintaining imported food profile? Yes/No
        If Yes, what are the food products? ...........................................
   iv) Is there system of revision and adjustment of food risk category periodically?
        Yes/No
   v) Whether importers are responsible for imported food meeting requirements? Yes/No
   vi) Are authorities responsible for facilitating or encouraging compliance, verifying compliance and taking action in cases of non-compliance? Yes/No
   vii) Has imported food control program an appropriate information gathering requirements to ensure efficient and effective operations? Yes/No
   viii) Is there any means to communicate with importers on food control matters such as provision of import controls, inspection decisions, regulations, emergencies, taxes and fees? Yes/No
   ix) Is there any framework for cross-agency communication and coordination on imported food matters? Yes/No
   x) Have you developed contact with the competent authority of exporting countries? Yes/No
   xi) Have you developed contact with regional or international food safety information and alert network such as INFOSAN, WHO, etc. to exchange information on food safety emergencies? Yes/No
       If Yes, please name such networks .............................................
xii) Do you have data base to identify the importers (name, address, contact details)

Yes/No

xiii) Do you have data base of the imported foods with the following details?

Product type: .........................................................
Source: .................................................................
Description: ...........................................................
Time of Import: .........................................................
Volume: .................................................................
Condition: ..............................................................
Compliance history: ..................................................

xiv) Do you have a system of identifying the exporting country risk profile? Yes/No

xv) Is your import food control program based on risk (Codex or Regional risk analysis framework)?

Yes/No

xvi) Are your import food control measures based on the risk category of the imported food?

Yes/No

If Yes, mention the measures your agency follows: .............................................

xvii) Have Import Procedures been prepared in consultation with other competent authorities and importers?

Yes/No

If yes, name such organizations: .................................................................

xviii) Are your import procedures more stringent than necessary with regard to controls on domestic food products?

Yes/No

xix) Are your import procedures described in SOPs that are written, published and publicly available?

Yes/No

xx) Are import procedures readily available to Inspectors or other designated officials?

Yes/No

xxi) Are import procedures regularly evaluated and amended following a consultative process with the stakeholders?

Yes/No

3. Pre-Border Controls (Risks Management Actions): Established or Not; If yes:

i) System of demonstrating equivalence by the exporting countries:

Established or Not

If yes from which exporting countries?

Exporting country: .....................................................
Food Products: ..........................................................

ii) Whether exporting countries provide access to view and assess the actual working of their relevant inspection and certification system?

Yes/No

If Yes, give name of such countries: ..........................................................

iii) Whether the competent authority of exporting country assess compliance of the product being exported with the requirements of importing country?
iv) Whether there is a system of taking measures to assure the Validity of Certification by exporting countries?
Yes/No

v) Whether exporting countries take validation measures to conform product or process referred to in the certificate?
Yes/No

vi) Is there any system of official accreditation for the competence of an inspection and or certification body to provide inspection and certification services in the exporting countries?
Yes/No
If Yes, give the name of such countries ..........................................

vii) Is there inspection support for pre border controls including assessing the food safety system in an exporting country?
Yes/No

viii) Are there clear eligibility requirements for the use of third party service providers to assess foreign suppliers?
Yes/No

4. Border Controls (Risk Management Actions):

i) Is there any point of entry inspection system so as to ensure certificates are authentic and accurate?
Yes/No

ii) Does your Food Control Agency formally recognize the competence of an inspection and or certification body through an official accreditation process?
Yes/No

iii) Is there provisions of risk management actions as mentioned below?
- Prohibition of banned food products or ingredients (e.g. foods of animal origin that may contain carcinogenic drugs).
- Mandatory pre-notification and or notification of imported food consignments or lots
- Document/Certification assessment (including validation, fraud control, etc.); electronic certification.
- Inspection, sampling and testing, according to the imported food risk category.
- Decision making procedure on admissibility of food (e.g. allow, detain, reject or destroy).
- Communicating procedure to the exporting country.
- Appeal process.
- Information management and archives (recording)

iv) Who is responsible for controls of imported foods?
   a) Border services?
   b) Imported food control officials?
   c) Importers, third party service providers?

v) Are there sufficient inspection services to implement the required border controls?
Yes/No
vi) Is there sufficient information exchange and communication between border posts and the import food control officials?  
Yes/No

vii) Is there sufficient information exchange and communication between the importers and the imported food controls?  
Yes/No

5. **Post Border / In-Country Controls:**

i) Is there a good knowledge of importers and requirements (e.g. registration, import licenses or permits)?  
Yes/No

ii) Is there risk based approach to assessment of importers’ practices and enhanced inspection in instances of non-compliance?  
Yes/No

iii) Is there monitoring processes e.g. sampling and analysis of product released to market?  
Yes/No

iv) Is there process for suspension or revocation of permits/licenses as needed?  
Yes/No

v) Are there clear post-border controls (e.g. inspecting importers)? Yes/No

vi) Who is responsible for delivering the in-country controls:  
   a) Government officials?
   b) Accredited third party service providers?

6. **Inspection and Sampling/Testing:**

i) Is there an established inspection, sampling and testing targets and frequencies and applied on a risk basis to both imported food products and action performed by importers?  
Yes/No

   If Yes,  
   - Is it planned (dates, personnel involved, equipment, samples)? Yes/No
   - Is it implemented consistently, using documented procedures sufficiently detailed, written and published for: Inspections, Sampling, Transportation and receipt by the laboratory, Transmission of analytical report, and Final decision? Yes/No

   - Are there provisions of inspection and sampling forms, certificates and other forms pertaining to the final decision over the products?

Yes/No

7. **Legal Framework:**

i) Are the imported food control laws and regulations applicable to all imported food, at all points of entry?  
Yes/No
ii) Are there clearly defined objectives of imported food control laws and regulations?
Yes/No

iii) Are the imported food control laws and regulations consistent with national legislation, and respectful of appropriate legal hierarchy?
Yes/No/Not Applicable

iv) Are the imported food control laws and regulations consistent with both national and subnational legislation?
Yes/No/Not Applicable

v) Are the imported food control laws and regulations in compliance with international agreements including
1) Science based risk management
2) Traceability
3) Non-discrimination and national treatment
4) Transparency and flexibility?

vi) Are regulations clearly written to allow the competent authority to adapt to scientific developments, new findings or change program requirements?
Yes/No

vii) Do the legal/regulatory texts applicable to imported foods define roles and responsibilities that the food business operators (importers) have primary responsibility to ensure that imported food meets regulatory requirements?
Yes/No

viii) Do the legal/regulatory texts applicable to imported foods define roles and responsibilities that the food business operators (importers) must meet importer obligations (e.g. GIP, foreign supplier verification, recalls, notification of import shipments, licenses)?
Yes/No

ix) Do the legal/regulatory texts applicable to imported foods define roles and responsibilities of competent authority or authorities?
Yes/No

x) Does the legal/regulatory texts provide authority to:
1) Establish requirements for imported food (food safety standards and process requirements)?
Yes/No
2) Establish arrangements with foreign authorities, including reduced oversight on imported foods and or certification requirements?
Yes/No
3) Establish admissibility requirements?
4) Gather information on importers and imported foods?
5) Establish processes and procedures to fix fees and taxes and collection?
Yes/No
6) Establish processes and procedures for inspection, sampling and analysis of imported food including use of third party laboratories and recognition / accreditation procedures?
Yes/No
7) Establish processes and procedures for decision making processes, appeals and penalties and sanctions?
Yes/No

8. Institutional Framework:
   i) Are the competent authorities and other institutions with a role in imported food controls authorized by legislation?
   Yes/No
   Do they have clear, unambiguous mandates? Yes/No
   ii) Do the competent authority (ies) have formal agreements for coordination and information sharing:
       1) With all other imported food control competent authorities? Yes/No
       2) With other institutions e.g. Customs, Animal Health, Plant Health, Public Health Surveillance?
       Yes/No
       3) With private organizations such as importers, third party service providers?
       Yes/No
       4) With international organizations such as FAO/WHO - INFOSAN? Yes/No
   iii) Is there evidence of collaboration and information exchange? Yes/No
   iv) If there are supra-national (regional), multiple national or subnational competent authorities or institutions, is there an integrated framework that can facilitate collaboration and cooperation, and ensure consistent implementation at all border points?
       Regional……………………………………………………………………
       Multiple national ……………………………………………………………
       Subnational ………………………………………………………………
   v) Do imported food control competent authorities participate in the appropriate domestic or international food standard development (e.g. Codex)?
       …………………………………………………………………………………

9. Support Services:
   i) Management support:
       Whether the imported food control competent authority (ies) include a central management function that:
       1) Provides an integration function to design, implement and manage the appropriate risk management actions ……………………
       2) Undertakes system analysis to develop the importer profile, establishes planning and reporting procedures …………………
       3) Has a program planning function to assess risk management actions, with the intent of continuous improvement ……………………………
       4) Has an operational delivery planning process to ensure ongoing imported food control (e.g. inspection, analysis) is delivered ? …………………
       5) Ensures that the program design is documented and that there is written program guidance for inspectors and importers …………………
       6) Has a coordination/communication between management and program delivery personnel ………………………………………
7) Is science advice obtained from international sources (e.g. Codex, FAO) or other appropriate national sources? .................................

8) Are there any other national institutions to provide science advice?  Yes/No

ii) Laboratory (Analytical) Services -
1) Which type of laboratory provide services for food import control?
   a) Government Labs  b) Academic labs.
   c) Private third party labs
   d) International government or third party labs

2) Are there appropriate arrangements where analytical services are provided by outside labs (other than competent authority)
   Yes/No

3) Do specific communication system/protocol exist for transmission of results from labs to imported food control officials? ......................

4) Is the capacity (e.g. tests, methodology) and confidence (accreditation) known? .................................................................

5) Are results provided in a timely manner?  Yes/No

6) Is there a suitable infrastructure in place?  Yes/No

7) Are the principles of consistency, confidence and transparency taken into account for labs used for imported food controls?
   Yes/No

8) Do labs used in imported food controls have adequate quality assurance or accreditation?  Yes/No

iii) Inspection Support:
   Is the oversight provided by?
   a) Government officials?
   b) Third party service provider?
   c) A combination?

iv) Legal Support: Is there on-going access to legal advice?  Yes/No

v) Administrative Support: Does administrative support include management of financial resources, procurement, establishing policies and procedures, health and safety?
............................................................................................................................................................

vi) Financial Resources:
1) Are imported food controls funded by:
   a) Government revenue?
   b) Fees levied on importers?
   c) Or a combination?

2) Are resources for imported food control services clearly identified?
   a) Taxes and fees
   b) Authorized by legislation
   c) Commensurate with the services
   d) Published and made readily accessible to importers
   e) Regularly updated

3) Are procedures for collection of fees clear and transparent to both importers and officials?
   Yes/No

4) Are there regular financial audits to verify both the collection of fees and the expenditure of those fees?

5) Are importers required to post bonds for imported foods? If so is there a process to:
   a) Manage the bond
   b) Return the bond to the importer once the food is deemed admissible?
c) Use the bond to pay for re-exportation or destruction of the rejected food?
d) Audit and post use of bonds

vii) Location of Offices:
1. Are offices located appropriately:
   a) Co-located or in close proximity to the major border points?
   b) Are primary offices located near the major border points?
   c) Where one official is responsible for more than one border entry, does one office give easy access to all entry points?
   d) Are central offices located to facilitate communication and coordination with other national organizations?

viii) Laboratories:
1. Are laboratories appropriately located so that there is effective and efficient transport of samples to them, and that the samples arrive in acceptable condition for analysis?

ix) Transport:
Is there adequate transport available for:
   a) Inspectors to and from the inspection site?
      Yes/No
   b) Sampling equipment and samples to the inspection site, and then to the laboratory?
      Yes/No

x) Procurement:
1. Are there procurement policies and procedures in place for capital equipment acquisition and general supplies?
   Yes/No
2. Is there adequate equipment for inspection and sampling?
   Yes/No
3. Is equipment and material periodically maintained, renewed and available at all times?
   Yes/No
4. Are uniforms or appropriate clothing, including protective gear, available at all times?
   Yes/No
5. Are there procedures for management and maintenance?
   Yes/No

xi) Human Resources:
1. Are there clearly identified job descriptions for professional and administrative staff to administer and manage the risk based import controls?

2. Are there organization charts?
   Yes/No
3. Are procedures for their nominations formal and their functions well defined?
   Yes/No

xii) Training of Personnel:
1. Are there policies in place that outline training opportunities and requirements?
2. Do employees understand their roles and responsibilities and have the skills and competencies required to deliver them?
3. Do specialists meet professional standards?
4. Is there a training plan tailored for employees?
   Yes/No
5. How effective is training?
Questionnaire 2. Semi-structured questionnaire to collect information from the customs office in Nepal on the country’s food import control system

A. General Information:
1. Name of Competent Authority / Customs or Border Point: ……………………….
2. Address: ……………………………………………

B. Customs Information:
1. Imported Food and Related Material Categories:
   Whether the following categories is considered or not in maintaining records of imported foods?
   **Animal Products:**
   - Live animals.
   - Meat and edible meat offal.
   - Fish and crustaceans, molluscs and other aquatic invertebrates.
   - Dairy produce
   - Birds’ eggs,
   - Natural honey
   - Edible products of animal origin, not elsewhere specified or included.
   - Products of animal origin, not elsewhere specified or included
   **Vegetable Products:**
   - Live trees and other plants;
   - Bulbs, roots and the like;
   - Edible vegetables and certain roots and tubers.
   - Edible fruit and nuts;
   - Peel of citrus fruit or melons.
   - Coffee, tea, mate and spices.
   - Cereals
   - Products of the milling industry
   - Malt / Starches / Inulin
   - Wheat gluten.
   - Oil seeds and oleaginous fruits
   - Miscellaneous grains,
   - Seeds and fruits
   - Industrial or medicinal plants
   - Straw and fodder.
   - Lac; gums, resins and other vegetable saps and extracts.
   - Vegetable plaiting materials;
   - Vegetable products not elsewhere specified or included.
   **Animal or vegetable fats and oils and their cleavage products:**
   - Prepared edible fats;
   - Animal or vegetable waxes.
   **Prepared Foodstuffs:**
   - Beverages, Spirits and Vinegar;
   - Preparations of meat, or fish or of crustaceans, molluscs or other aquatic invertebrates.
   - Sugars and sugar confectionery.
   - Cocoa and cocoa preparations.
   - Preparations of cereals, flour, starch or milk;
   - Pastry cooks’ products.
   - Preparations of vegetables, fruit, nuts or other parts of plants.
   - Miscellaneous edible preparations.
Residues and waste from the food industries;
Prepared animal fodder.
Tobacco and manufactured tobacco substitutes.

Products of the Chemical and Allied Industries:
Essential oils
Enzymes

2. General Requirement for Imported Food Control Framework:
   i) Is there any system of maintaining imported food profile?
      Yes/ No
      If Yes, what are the food products? .................................
   ii) Whether importers are responsible for imported food meeting requirements?
      Yes/No
   iii) Are authorities responsible for facilitating or encouraging compliance,
        verifying compliance and taking action in cases of non-compliance?
      Yes/No
   iv) Is there any means to communicate with importers on food control matters
        such as provision of import controls, inspection decisions, regulations,
        emergencies, taxes and fees?
      Yes/No
   v) Is there any framework for cross-agency communication and coordination on
      imported food matters? ......................................................
   vi) Have you developed mechanism of contact with the competent authority of exporting
      countries?
      Yes/No
   vii) Do you have data base to identify the importers (name, address, contact details)
      Yes/No
   viii) Do you have data base of the imported foods with the following details?
        Product type ...........................................
        Source ..................................................
        Description ............................................
        Time of Import ......................
        Volume ..................................................
        Condition ............................................
        Compliance history ..................................
   ix) Have Import Procedures been prepared in consultation with other competent
      authorities and importers? Yes /No
      If yes, name such organizations .................................
   x) Are your import procedures described in SOPs that are written, published
      and publicly available? Yes/No
   xi) Are import procedures readily available to Inspectors or other designated
      officials? Yes/No
   xii) Are import procedures regularly evaluated and amended following a
        consultative process with the stakeholders? Yes/No

3. Border Controls (Risk Management Actions):
   i) Is there any point of entry inspection system so as to ensure certificates are
      authentic and accurate? Yes/No
   ii) Is there provisions of risk management actions as mentioned below?
- Decision making procedure on admissibility of food (e.g. allow, detain, reject or destroy).
- Communicating procedure to the exporting country.
- Appeal process.
- Information management and archives (recording)

iii) Who is responsible for controls of imported foods?
   a) Border services?
   b) Imported food control officials?
   c) Importers, third party service providers?

iv) Is there sufficient information exchange and communication between border posts and the import food control officials? Yes/No

4. Inspection and Sampling/Testing:
Is there an established inspection, sampling and testing targets and frequencies and applied on a risk basis to both imported food products and action performed by importers? Yes/No

If Yes,
- Is it planned (dates, personnel involved, equipment, samples)? Yes/No
- Is it implemented consistently, using documented procedures sufficiently detailed, written and published for: Inspections, Sampling, Transportation and Receipt by the laboratory, Transmission of analytical report, and Final decision? Yes/No
- Are there provisions of inspection and sampling forms, certificates and other forms pertaining to the final decision over the products? Yes/No

5. Institutional Framework:
i) Are the competent authorities and other institutions with a role in imported food controls authorized by legislation? Yes/No
   Do they have clear, unambiguous mandates? Yes/No

ii) Do the competent authority (ies) have formal agreements for coordination and information sharing:
   1) With all other imported food control competent authorities? Yes/No
   2) With other institutions e.g. Animal Health, Plant Health, Public Health Surveillance? Yes/No

6. Support Services:
i) Laboratory (Analytical) Services:
   1) Which type of laboratory provide services for food import control?
      a) Government Labs
      b) Academic labs.
      c) Private third party labs
      d) International government or third party labs
   2) Are there appropriate arrangements where analytical services are provided by outside labs (other than competent authority) Yes/No
   3) Do specific communication system/protocol exist for transmission of results from labs to imported food control officials? .................
4) Is the capacity (e.g. tests, methodology) and confidence (accreditation) known? .................................................................

5) Are results provided in a timely manner? Yes/No

6) Is there a suitable infrastructure in place? Yes/No

7) Are the principles of consistency, confidence and transparency taken into account for labs used for imported food controls? Yes/No

8) Do labs used in imported food controls have adequate quality assurance or accreditation? Yes/No

ii) Inspection Support:
Is the oversight provided by-?
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   b) Third party service provider?
   c) A combination?

iii) Location of Offices:
Are offices located appropriately:
   a) Co-located or in close proximity to the major border points?
   b) Are primary offices located near the major border points?
   c) Where one official is responsible for more than one border entry, does one office give easy access to all entry points?
   d) Are central offices located to facilitate communication and coordination with other national organizations?

iv) Location of Laboratories:
Are laboratories appropriately located so that there is effective and efficient transport of samples to them, and that the samples arrive in acceptable condition for analysis?
...........................................................................................................

v) Transport:
Is there adequate transport available for?
   a) Inspectors to and from the inspection site? Yes/No
   b) Sampling equipment and samples to the inspection site, and then to the laboratory?
Annex 5. Responsible authorities for the control, inspection and certification procedure for sanitary and phytosanitary matters at border checkpoints in Nepal

**Table A-1. Role of competent authorities in control, inspection and certification procedure for sanitary and phytosanitary matters at border checkpoints in Nepal.**

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Agro-Food Products</th>
<th>Animal Quarantine</th>
<th>Plant Quarantine</th>
<th>Food Control Office</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Milk</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Powder milk</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Curd/Yoghurt</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Ghee, Butter, Cream, Cheese</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Infant Food</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Animal/Poultry Feed</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Cooking oil</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Vegetable Ghee</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Sauce, Ketchup, Pickles</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Juices</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Squash</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Jam</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Whole Spice</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Spice (Processed)</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Green Tea</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Processed Tea</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Coffee Bean</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Coffee (Processed)</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Salt</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Wheat flour, Semolina and other flours</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>21.</td>
<td>Eggs</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Loaf</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Rice</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>Maize/Corn</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>25.</td>
<td>Wheat</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Rapeseed /Mustard Seeds</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>27.</td>
<td>Pulses</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>28.</td>
<td>Other Cereal Grains</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>29.</td>
<td>Biscuits</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>30.</td>
<td>Noodles</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>S. No.</td>
<td>Agro-Food Products</td>
<td>Animal Quarantine</td>
<td>Plant Quarantine</td>
<td>Food Control Office</td>
<td>Remarks</td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------</td>
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<td>------------------</td>
<td>---------------------</td>
<td>---------</td>
</tr>
<tr>
<td>31.</td>
<td>Besan (Gram flour)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32.</td>
<td>Corn flakes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33.</td>
<td>Processed drinking water</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34.</td>
<td>Sugar / Misri</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35.</td>
<td>Honey</td>
<td>✔</td>
<td></td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>36.</td>
<td>Confectionery</td>
<td></td>
<td></td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>37.</td>
<td>Lozenges</td>
<td></td>
<td></td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>38.</td>
<td>Chewing gum / Bubble gum</td>
<td></td>
<td></td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>39.</td>
<td>Fish</td>
<td>✔</td>
<td></td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>40.</td>
<td>Raw meat (Animal/Poultry)</td>
<td>✔</td>
<td></td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>41.</td>
<td>Processed meat</td>
<td>✔</td>
<td></td>
<td></td>
<td>✔</td>
</tr>
</tbody>
</table>

**Note:** Agro-food products that are to be looked after by two competent authorities shall sit together, test their respective SPS parameters, and issue quarantine or an inspection certificate based on the findings of the test.
Annex 6. Border control general flow charts for food inspections, animal and plant quarantines in Nepal

**Figure A-1. Food Inspection: Border control general flow chart.**

- **Import Permit**
- **Order Placement**
- **Consignment Arrival at Customs Point**
- **General Inspection by Customs Inspector**
- **Sampling**
- **Sample and relevant documents send to Food Quarantine Laboratory - Officially**
- **Verification of documents**
- **Lab Testing**
- **Report**
  - If comply with the standard: **Release letter to customs office**
  - If not comply with the standard: **Rejection**
- **Consignment released by customs office**

- **Issued by DFTQC**
- **By non-technical person (Customs Inspector) without considering risks and lot size.**
- **Original documents especially Quality Certificates are not available.**
- **Of sample sent by Customs office**
Figure A-2. Animal Quarantine: Border control general flow chart.

1. Issuance of Import Permit
2. Placement of Order
3. Consignment Arrival
4. Information to the Quarantine Officer
5. Obtaining relevant documents from the customs office
6. Documents Verification
7. Inspection of consignment or Physical Examination
8. Sampling
9. Lab Testing
10. Report
11. Decision
   - Issuance of Quarantine certificate
   - Release by customs office
   - At customs office premises
   - By the Importer or Importers Agent
   - Facilitation by the Importer or Importer Agent
   - By A.Q.O

Rejection
   - Return back or Destruction
Figure A-3. Plant quarantine: Border control general flow chart.

1. Issuance of:
   - Entry Permit (EP)
   - Import Permit (IP)

2. Order Placement

3. Arrival of Consignment

4. Information to the P.Q Officer

5. Documents Verification
   - If O.K
   - If not O.K

6. Inspection of consignment
   - By P.Q officer

7. Sampling

8. Lab Test

9. Report
   - If O.K
   - If not O.K

10. Release Letter Issue

- For plant and planting materials by National P.Q. Program
- For plant products (foods) by DFTQC
- At customs point along with PC or Quality Certificate
- By Importer or Agent
- If lacking some documents, then detain
  - After submission of all document
- By P.Q officer
- Rejection
- Return
- Or Destroy

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Annex 7. Post border/in-country control flow charts for food inspections and animal quarantine in Nepal

Figure A-4. Food Inspection: Post border/in-country control flow chart.

1. Released consignment from the Border Point
2. Importers Godown
3. Inspection may be done by Food Inspector
   - If found OK
4. Marketing Channel
5. Retail Shops
6. Regular Inspection based on Risk and taking sample if required
   - Sample
   - Lab Testing
     - If comply with the set standard
6a. If not comply then
7. Corrective measures or Rejection

Can be inspected at any point of distribution channel.
Annex 8. Documentary requirements for accreditation of importers in the Philippines

BPI\textsuperscript{13} : for plants and plant foods/products

\textsuperscript{13} Sec. 7, DA DC 4, s. 2016
- Letter of Intent
- Notarized accomplished application form
- Company profile
- Board Resolution of the Corporation/Cooperative or Special Power of Attorney issued by the importer authorizing the legal representative/s of the importer
- Current Mayor’s permit
- BOC Accreditation – Accounts Management Office Certification
- For Single Proprietorship: DTI Registration
- For Corporation/Partnership/Cooperative/Joint Venture/Associations:
  - SEC Registration/ CDA Certificate of Registration
  - General Information Sheet and certified list of incumbent executive officers
  - Current certificate of good standing from the SEC or CDA or other applicable registering agencies
  - Additional requirements for Farmers’ Cooperative: list of farmers’ cooperators and their addresses; if a federation, list of famers, addresses and voters ID or Barangay ID; Board Resolution authorizing the importation
- BIR Registration, Importers Clearance Certificate and Brokers Clearance Certificate
- Tax Identification Number
- Audited Financial Statement for the previous years except for the following: newly established business which is less than one year in its operation; other entities or bodies which are explicitly exempted under the law, agreement or other similar legal instruments
- Declaration of warehouse/storage facility (location, capacity)
- Notarized contract of lease or proof of ownership of warehouse/cold storage/farm land
- DA-Certificate of Accreditation for Cold Storage Warehouse, if applicable
- Fees to be collected
  - PHP 800.00 registration fee
  - PHP 100.00 PQSC for 1 commodity under Category 1
  - PHP 1,000.00 application fee

BFAR: for importers of fresh, chilled and frozen fish and fishery and/or aquatic products14

- Company Profile/Letter of Intent
- SEC Registration /DTI
- SEC GIS
- Business/Mayor’s Permit
- BIR Certificate of Registration and TIN
- BIR Importer Clearance Certification (BIR ICC)
- BOC Registration
- FDA-License to Operate
- List of Company officers with government issued ID with signature and photo (any of the following: passport, driver’s license, SSS or PNP-PTC, PRC)
- Notarized affidavit of undertaking to allow access of designated Fisheries Officers to cold storage facility, cannery or processing plant; imported fish and fishery/aquatic products for canning, processing or institutional entities will not be directed to wet markets; provide advanced notice of expected time of arrival of every shipment; await the results of the laboratory examinations before utilizing the imported shipment; renew all permits upon expiration; and submit disposition reports.
- Special Power of Attorney (SPA) authorizing the broker/document processor / and signatory of disposition report, photocopy of valid ID bearing picture and specimen signature

14 Fisheries General Memorandum Order No. FRQD-2, s. 2007
• Contract of lease for cold storage
• Certificate of Accreditation for cold storage warehouse
• List of clients (complete with contact details) for volume verification/proposed distribution list
• List of foreign suppliers (complete with contact details, commodity supplied address/Country of Origin for traceability)
• HACCP Plan/GMP/SSOP
• Rated Capacity
• Contract between importer and processor

NMIS:15 for meat importers

• Letter of Intent addressed to the NMIS Executive Director thru the Regional Technical Director (RTD)
• Notarized Accomplished Application Form with attached 2x2 colored picture
• Mayor’s Permit, Sanitary Permit and Barangay Clearance
• Interim Customs Accreditation Registration (iCARE)

For Single Proprietorship:
- DTI Registration
- Certificate of Capitalization from a refutable bank of at least Php5,000,000.00

For Corporation/Partnership/Cooperative:
- SEC registration
- Certificate of Good Standing for the current year
- Latest General Information Sheet and certified list of incumbent executive officers of good standing from the SEC or CDA or other applicable registering agencies, whichever is applicable
- Articles of Incorporation with provisions on the corporation’s capital of at least Php5,000,000.00
- Treasurer’s Affidavit certifying the receipt of payment for the subscriptions of the incorporators

• TIN Certificate of Registration
• Audited Annual Financial Statement for the previous years, except for newly established business which is less than one year in its operation; those granted tax incentive by the Bureau of Investment (BOI); other entities or bodies which are explicitly exempted under the law, agreement or other similar legal instruments
• Notarized Lease of Contract or Proof of Ownership of Cold Storage or Dry Warehouse Facility
• Accreditation Certificate of all Cold Storage Warehouses – public commercial and in-house CSWs
• Notarized Affidavit of Undertaking of conditions for accreditation

For Meat Processor
- MPP Accreditation Certificates
- Rated capacity of the MPP issued by the DA Inter-Agency Committee
- HACCP Certificates of Products utilizing Indian Buffalo meat

For Meat Trader
- List of Clients and address for the past year
- Target clients and address for the current year

For Institutional User
- DOT Accreditation/Classification, where applicable

• Schedule of Fee

15 DA AO 9, s. 2013
- Accreditation fee – Php4,000.00
- Mailing fee – this shall be based on the current/prevailing market price

- Attendance to the Monthly Meat Importers’ Orientation on NMIS meat importation procedures and other relevant policies by the owner/manager/broker at the NMIS Office.
- For Meat Importer Duty Free Locator/Institutional User/Shop
  - For Free Port and PEZA Locator/Enterprise: List of foreign markets/end-users; Certificate of Registration and Tax Exemption from the concerned Duty Free Authority; Certificate of Registration as Importer/Exporter from BOC; MPP Accreditation Certificate; Rated capacity of the MPP
  - For BOC CBW: MPP Accreditation Certificate; Rated capacity of the MPP; License/Permit to Operate a Customs Bonded Warehouse from BOC; Schematic diagram of locator establishment identifying the areas licensed by BOC as CBW; List of BOC licensed/bonded trucker(s) of the CBW
  - For Duty Free Institutional User/Shop: Certificate of Registration and Tax Exemption from the concerned Duty Free Authority; Certificate of Registration as Importer/Exporter from BOC; Meat Establishment Accreditation Certificate
Annex 9. Procedure for accreditation and registration of importers in the Philippines

**BPI**

1) The applicant submits the documentary requirements;
2) NPQSD designated staff checks the submitted application as to the completeness of the required documents. If lacking of documentary requirements, the application shall be returned to the applicant;
3) NPQSD designated staff evaluates the application;
4) Applicant pays the application fee;
5) Applicant shall be advised of the schedule of orientation, which will discuss the following topics: NPQSD Mandate, Functions and Activities; Categorization of Commodities; Pest Risk Analysis; Food Safety Law; Import Process Flow; Registration Process; SPSIC Issuance Process Flow; Port Inspection Procedure; Laboratory Procedure; Grounds for Suspension/Blacklisting of Importers; Other relevant topics as maybe deemed necessary;
6) Senior Staff of NPQSD will conduct preliminary interview with the applicant;
7) Members of NPQSD Registration Team and/or staff of the nearest NPQSD office shall conduct inspection of the business enterprise;
8) The NPQSD Chief shall endorse the approval of the application to the BPI Director;
9) BPI Director approves/disapproves the application;
10) For approved application, the certificate is issued;
11) Applicant pays the regulatory fees before the certificate is released.

**BFAR**

1) The applicant submits the documentary requirements;
2) FCS verifies and evaluates submitted documents for completeness, authenticity and validity;
3) Inspection of establishment by FIS/FQS is scheduled;
4) FIS (for fishery products) or FQS (for live aquatic animals and inputs) conducts inspection;
5) FIS/FQS prepares and submits inspection report to FCS;
6) If approved, the BFAR National Director issues the Certificate of Accreditation for Importer;
7) If disapproved, re-inspection is done.

**NMIS**

Meat importers are accredited by the National Meat Inspection Service. The following steps are observed:

1) Submission of the application form together with documentary requirements;
2) Payment of accreditation fee and mailing fee, and issuance of official receipt by the NMIS collecting officer;
3) Evaluation and endorsement of the application by the regional office. This step includes inspection of the business enterprise to validate the veracity, validity and accuracy of submitted documents;
4) Re-validation of application by Central Office. When necessary, the Central Office may still conduct on-site inspection and re-validation of the documents;
5) Issuance of Certificate of Accreditation and transmittal to the Records Section;
6) Records Section releases the Certificate of Accreditation to authorized representative of accredited importer or by mail;

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16 Sec. 9, DA DC 4, s. 2016
17 DA AO 9, series of 2013
7) Submission of a notarized undertaking which contains the conditions for accreditation. The conditions include that imported meat/meat products shall be sourced only from accredited FMEs; goods released from border shall only be brought to the DA accredited CSW or dry warehouse in the application, unless a transfer of CSW or dry warehouse has been approved; seals shall only be broken by duly assigned NMIS plant officer\textsuperscript{18}.

\textsuperscript{18} Sec. VII, DA AO 9, series of 2013
Annex 11. Documentary requirements for the issuance of sanitary and phytosanitary clearance in the Philippines

**BFAR**
- Application form
- Proforma invoice
- Laboratory analysis for shrimps
- Distribution report
- Production Report for Processing and Canning
- EU Catch Certificate (re-export)
- Delivery receipt

**BAI for VQC**
- Application form
- Proforma Invoice

**BPI**
- Application form
- Proforma Invoice
- Non-GMO certification or GMO Transformation Event Certification coming from the supplier
- Location from port of entry to final destination (for plants and planting materials)
- Brief research proposal (for commodity used for research purposes)
- Import Commodity Clearance/ Import Permit for tobacco, milled rice, coconut product, fiber and sugarcane from concerned bureau/agency
Annex 12. Application for and issuance of sanitary and phytosanitary clearances in the Philippines

Application for and issuance of Sanitary and Phytosanitary Import Clearance (SPSIC) and Veterinary Quarantine Sanitary and Phytosanitary Clearance (VQC/SPS)

**BPI**

1) The importer shall apply online in the DTS website. Upon receipt of such, the NPQSD technical staff shall evaluate the online application, considering the following:
   a) Latest advisory of the relevant international bodies pertaining to the pest status of the source areas;
   b) Other information pertinent to SPS concerns;
   c) Violation of the applicant importer during the processing period.

2) The NPQSD Chief shall endorse the evaluated application to the BPI Director.

3) Upon endorsement of the application and in accordance with the criteria set by DA DC 4, s. 2016, the BPI Director shall approve/disapprove the application.

4) If approved, the importer can print the approved SPSIC and proceed with the importation.

**BAI**

A. Prior to the importation of meat and/or meat products from the country of origin, an accredited importer as defined in Section (B) shall first secure a VQC/SPS Clearance from BAI. This provision shall be subject to review and modification by the DA depending on the compliance performance of importers and FMEs.

B. The accredited importer (applicant) shall:
   1) Submit a duly accomplished application form to import indicating and certifying the nature of the import application and a disclosure that the meat and/or meat products are still at the country of origin and have not been boarded yet to a vessel/aircraft;
   2) Submit the relevant pro-forma invoice; and
   3) Pay the necessary application fee/s to BAI.

C. The application, processing, and receipt of VQC shall only be undertaken by the president/CEO/general manager of the firm or through its authorized representative/s.

D. The BAI in consultation with NMIS as appropriate shall issue VQC upon determination of the following:
   1) The absence of relevant diseases, pests, and/or contaminations at the relevant area/region/country of origin in/from which live animals are being domesticated, produced, slaughtered, processed, packed, canned, loaded/boarded, and transported including the route/s of the vessel/aircraft in which imported meat and meat products might be carried;
   2) The FME is in ‘good standing’ as defined in section I(I);
   3) The accredited importer is in ‘good standing’ as defined in section I(J);
   4) The appropriate and specific risk management conditions relevant to the importation of specific meat and/or meat products based on OIE and Codex; and
   5) Other factors necessary and pertinent to SPS concerns.

E. Based on above considerations, BAI shall approve/disapprove the application within 5 working days from the receipt of complete application documents. The approved VQC shall contain the BAI seal and the signature of the BAI Director.

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19 DA DC 4, s. 2016
20 DA AO 26, s. 2005:
F. Upon issuance of VQC, the accredited importer shall immediately provide the exporter with a copy (i.e. electronic copy, facsimile) of the approved VQC, which shall be the basis for health and safety for the issuance of IVC by the NVA at the country of origin.

G. The VQC is valid for 60 days without extension from the date of issuance, within which meat and/or meat products are to be shipped out from the country of origin as indicated in the bill of lading or airway bill. Shipment made beyond the validity period shall render such shipment illegal and therefore shall be confiscated and disposed of in accordance with Section X herein.

H. The VQC is not transferable and therefore shall be used by the consignee for whom this was issued.

I. Only the president/CEO/general manager of the importing firm and its authorized representatives are allowed to receive the approved VQC as provided in Section III (C).

J. The One Shipment/Bill Of LADING-Per VQC Policy as defined in Section I shall be strictly adhered to in the conduct of importation, such that a VQC can only be used provision shall render the same unlawful and subject the shipment to the disposition prescribed under Section X; furthermore the importation shall be deemed a violation of the herein Administrative Order subject to the Penalty Provisions as contained in Section XI hereunder.

K. No VQC shall be issued after the shipment has left the port of origin and any misrepresentation of such fact shall render the VQC invalid and the importation illegal and subject to Section X hereof.

BFAR

1) Pay permit fee at BFAR Cashier and Lodge online application;
2) VASP checks applicant credentials and uploads application;
3) Review of application for correctness of documents;
4) Verification and endorsement of application;
5) Endorsement of BFAR Director;
6) Approval of DA Secretary
7) Print out SPS permit for presentation to Customs and Port Quarantine
### Annex 13. Documents and tools used in imported food control in the Philippines

#### Table A-2. Documents and tools on imported food control in the Philippines.

<table>
<thead>
<tr>
<th>#</th>
<th>Name of the document / tool</th>
<th>Type</th>
<th>Used by</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>DA AO 16, s. 2006</td>
<td>Administrative Guidelines</td>
<td>Exporting Country and DA (BAI and NMIS)</td>
<td>Pre-Border Measures for the Export of Meat and Meat Products to the Philippines</td>
</tr>
<tr>
<td>2.</td>
<td>DA AO 9, s. 2010</td>
<td>Administrative Guidelines</td>
<td>DA regulatory agencies</td>
<td>Rules and regulations governing the importation of agricultural and fish and fish/aquatic products, fertilizers, pesticides, and other agricultural chemicals, veterinary drugs and biological products</td>
</tr>
<tr>
<td>4.</td>
<td>DA DC 4, s. 2016</td>
<td>Administrative Guidelines</td>
<td>BPI-NPQSD</td>
<td>Names of importer, exporter, country of origin, purpose of importation, description of product, quantity, port of entry, approving authority</td>
</tr>
<tr>
<td>5.</td>
<td>SPSIC</td>
<td>Clearance</td>
<td>DA regulatory agencies</td>
<td>Names of importer, exporter, country of origin, purpose of importation, description of product, quantity, port of entry, approving authority</td>
</tr>
<tr>
<td>6.</td>
<td>Phytosanitary Certificate</td>
<td>Clearance</td>
<td>BPI-NPQSD</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>RA 9296, as amended by RA 10536 and its IRR</td>
<td>Law and Administrative Guidelines</td>
<td>NMIS</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>RA 10611 and its IRR</td>
<td>Law and Administrative Guidelines</td>
<td>DA Food Safety Regulatory Agencies</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Administrative Circular (AC) on the Accreditation of FMEs</td>
<td>Administrative Guidelines and Clearance</td>
<td>FMEs, NMIS, Meat Importers</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Electronic Veterinary Quarantine Meat Inspection Laboratory Certificate</td>
<td>Clearance</td>
<td>NMIS, BAI, Meat Importers</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Landing Permit</td>
<td>Clearance</td>
<td></td>
<td>Allowing the shipment be taken to its quarantine site for quarantine purposes</td>
</tr>
<tr>
<td>15.</td>
<td>BOC Single Administrative Document</td>
<td>Declaration</td>
<td>BOC, importers, brokers, BPI, BFAR</td>
<td>Details about the shipment</td>
</tr>
<tr>
<td>#</td>
<td>Name of the document / tool</td>
<td>Type</td>
<td>Used by</td>
<td>Note</td>
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</tr>
<tr>
<td>16</td>
<td>International Health Certificate</td>
<td>Clearance</td>
<td>BAI</td>
<td>Issued by the controlling authority of the country of origin; certifying that it passed their inspection</td>
</tr>
<tr>
<td>17</td>
<td>FME Accreditation Questionnaire</td>
<td>Questionnaire</td>
<td>DAIM, FMEs</td>
<td>Information on Animal and Veterinary Public Health; information on the FME</td>
</tr>
<tr>
<td>18</td>
<td>Plant Quarantine Certification</td>
<td>Clearance</td>
<td>BPI, importers of Category 1 of commodities</td>
<td>In lieu of SPSIC, for Category 1 commodities</td>
</tr>
<tr>
<td>19</td>
<td>PRA Manual (Draft)</td>
<td>Procedural Manual</td>
<td>BPI</td>
<td>Already being followed</td>
</tr>
<tr>
<td>20</td>
<td>Commodity Inspection Certificate</td>
<td>Clearance</td>
<td>BPI, importer</td>
<td>Certifies that the subject plant/plant product has been inspected at the DEA; says whether infested/infected</td>
</tr>
<tr>
<td>21</td>
<td>Bill of Lading</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Phytosanitary Certificate</td>
<td>Clearance</td>
<td>BPI, Importer</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Certificate of Analysis</td>
<td>Clearance</td>
<td>BPI, Importer</td>
<td>Organooleptic, nutritional, microbial, spoilage information</td>
</tr>
<tr>
<td>24</td>
<td>Commercial Invoice</td>
<td></td>
<td>BPI, BAI, BFAR, importer</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Packing list</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Republic Act No. 3639, as amended (1930)</td>
<td>Legislation</td>
<td></td>
<td>An Act Creating the Bureau of Animal Industry</td>
</tr>
<tr>
<td>27</td>
<td>Presidential Decree No. 1433, as amended by Executive Order No. 292, s. 1987</td>
<td>Legislation</td>
<td>BPI, plant importers</td>
<td>Plant Quarantine Decree of 1978</td>
</tr>
<tr>
<td>28</td>
<td>Fisheries Administrative Order 135, series of 1981</td>
<td>Administrative Guidelines</td>
<td></td>
<td>Rules and regulations governing the importation of fish and fishery/aquatic products</td>
</tr>
<tr>
<td>29</td>
<td>Republic Act No. 8550, as amended by Republic Act No. 10654</td>
<td>Legislation</td>
<td></td>
<td>The Philippine Fisheries Code of 1998</td>
</tr>
<tr>
<td>31</td>
<td>Fisheries Administrative Order 220, series of 2001</td>
<td>Administrative Guidelines</td>
<td></td>
<td>BFAR Fish Health Laboratories and Collection of Fees and Charges thereof</td>
</tr>
<tr>
<td>32</td>
<td>Fisheries Administrative Order 221, series of 2003</td>
<td>Administrative Guidelines</td>
<td></td>
<td>Further regulating the importation of live fish and fishery/aquatic products under FAO No. 135 s. 1981 to include microorganisms and biomolecules</td>
</tr>
<tr>
<td>33</td>
<td>Fisheries General Memorandum Order No. FRQD-2, series of 2007</td>
<td>Administrative Guidelines</td>
<td>BFAR, fish importers</td>
<td>Guidelines for the accreditation of importers of fresh, chilled &amp; frozen fish and fishery/aquatic products</td>
</tr>
<tr>
<td>34</td>
<td>Republic Act No. 10611</td>
<td>Legislation</td>
<td>Importers, DA FSRAs</td>
<td>Food Safety Act of 2013</td>
</tr>
<tr>
<td>35</td>
<td>Fisheries General Memorandum Order No. 002, series of 2013</td>
<td>Administrative Guidelines</td>
<td>BFAR, importers</td>
<td>Standardization &amp; Harmonization of Online of SPS Import Application Guidelines &amp; Protocol</td>
</tr>
<tr>
<td>#</td>
<td>Name of the document / tool</td>
<td>Type</td>
<td>Used by</td>
<td>Note</td>
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<tr>
<td>36.</td>
<td>DA Department Circular 1, series of 2014</td>
<td>Administrative Guidelines</td>
<td>NMIS, meat importers</td>
<td>Revised Implementing Rules and Regulations of RA 9296 as amended by RA 10536</td>
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<tr>
<td>37.</td>
<td>BFAR AC 251, series of 2014</td>
<td>Administrative Guidelines</td>
<td>BFAR</td>
<td>Traceability System for Fish and Fishery Products</td>
</tr>
<tr>
<td>40.</td>
<td>JOINT DA-DOH AO 2015-0007</td>
<td>Administrative Guidelines</td>
<td>Importers, DA FSRAs</td>
<td>The Implementing Rules and Regulations of the Food Safety Act of 2013</td>
</tr>
</tbody>
</table>
Annex 14. Documentary requirements for inspection in the Philippines

BPI

- Hard copy of the e-RFI
- Valid Phytosanitary Certificate or Equivalent Certificate issued by the Plant Quarantine of the country of origin with the compliance condition, if any
- Valid SPSIC
- Bill of Lading or Airway Bill
- BOC Import Entry Internal Revenue Declaration
- Packing List/ Commercial Invoice
- Certificate of Analysis for Plant Food from the country of origin
- GMO Certification, whenever applicable
- In the absence of the importer, Broker’s BCC/SPA
- Fumigation Certificate or any other required treatment, if applicable
- Other documents as maybe required

BAI

- BAI Print out version of the Sanitary and Phyto-Sanitary Import Clearance (SPSIC)
- Original Health Certificate (HC) from the Veterinary Administration of the Country of Origin
- Electronic Request for Inspection (eRFI), especially for frozen meat.
- Import Entry or officially known as Import Entry and Internal Revenue Declaration (IEIRD) refers to the document that summarizes all the details pertaining to a concerned cargo; particularly, but not limited to, Exporter, Importer, Broker/Representative, Cargo Description, Weight, Country of Origin, Bill of Lading; and other technical information relevant to all other agencies concerned namely the customs and port operator. For traceability, each import entry is identifiable through its Customs Reference number (VQS/POM).
- Bill of Lading refers to the receipt obtained by the shipper (or exporter/supplier) of goods from the carrier (ship or air freighter) for shipment to a particular buyer (or importer/consignee) (thefreedictionary.com).
- Invoice refers to a commercial instrument issued by a seller (shipper/exporter/supplier) to a buyer (importer/consignee). It identifies both the trading parties and lists, describes, and quantifies the items sold, shows the date of shipment and mode of transport, prices and discounts (if any), delivery and payment terms (businessdictionary.com)
- Packing list refers to the itemized list of articles usually included in each shipping package (or cargo container) giving the quantity, description, and weight of the contents. Prepared by the shipper and sent to the consignee for accurate tallying of the delivered goods (businessdictionary.com).
- Temporary Assessment Notice refers to the document that provides advice to the declarant (consignee) of the entry number (reference number) assigned to the cargo declaration that was encoded into the E2M system of the Bureau of Customs (BoC). This likewise provides the amount of duties to be settled. A Final Assessment Notice however, shall be issued by the BoC staff (Bureau of Customs).

BFAR

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21 DA DC 4, s. 2016
22 FAO 195, s. 1999
• Permit to import
• International Health Certificate and/or SPS Certificate from the competent authority of the country of origin
• Airway Bill/ Bill of Lading
• Invoice
Annex 15. Border inspection procedures in the Philippines

BAI

Figure A-7. Border control inspection, clearance and release procedures.

Border control inspection and clearance and release procedures

A. Border control shall be conducted strictly for all shipments of meat and/or meat products. To ensure timely initiation and completion of veterinary and meat inspection and clearance, the importer/consignee or his/her authorized representative shall submit to the Veterinary Quarantine Officer (VQC) all the required documents permanent to the shipment.

B. On arrival of any shipment of meat and/or meat products at the port of entry, this shall be subjected to documentary verification and evaluation, veterinary inspection by DA. Only upon completion of these mandatory activities and clearances shall the BOC release the shipment.

C. At the port of entry, the VQO shall:
   1) Verify and evaluate the authenticity, validity and accuracy of VQC (original, IVC (original), Bill of Lading/airway Bill Packing List submitted by the importer/consignee;
   2) Subject the shipment to veterinary quarantine inspection and further documentation;
   3) Reseal the container van/s carrying the meat and/or meat products;
   4) Issue and sign the Veterinary Quarantine and Meat Inspection and Laboratory certificate (VQMIILC) (attached as Annex “C”) and stamp “INSPECTED AND PASSED FOR TRANSFER TO

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23 DA AO 26, s. 2005
NMIS ACREDITED COLD STORAGE” on the authentic copy of the BOC import documents/entries;
5) Issue official receipt for the payment of necessary DA inspection fees; and
6) Endorse the original VQMILC and the shipment to NMIS for meat inspection and/or laboratory analysis, as required.

Upon transfer of the shipment to any DA-accredited cold storage facility/warehouse/port of inspection, NMIS shall:
1) Immediately design and dispatch an NMIS Inspector and conduct meat inspection within 24 hours;
2) Check and verify the integrity of the VQMILC and BAI seal.
3) Complete the inspection and/or laboratory analysis within:

<table>
<thead>
<tr>
<th>Duration</th>
<th>Supplier/Product/Situation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. One (1) – day (inspection)</td>
<td>• FME in “Good Standing “ as defined in Section I (I)</td>
</tr>
</tbody>
</table>
| 2. Five (5) – day (inspection and laboratory analysis) | • New Product Supplier (NPS) as defined in Section I (P);
                                                      • When an FME is delisted as an FME in “Good Standing” by DA; or
                                                      • When there are any of the emergency cases referred to in Section VI (B) herein at the source or port/s of transshipment/routes of the shipment. |

1) Sign the VQMILC that was endorsed by BAI VQO if the NMIS inspection and/or laboratory test results are satisfactory; and
2) Give the completed VQMILC (original) to the BOC (copy furnish BAI and the importer), which shall then be the basis of the BOC for the final liquidation of the importation documents. The final liquidation of the importation documents does not preclude the importer from utilizing the shipment.”

BPI 24

1) The importer files and e-RFI with the DTS at least 24 hours prior to the arrival of the shipment;
2) The importer submits the documentary requirements at the port of entry;
3) In the initial inspection conducted at the BOC Designated Examination Area (DEA), the NPQSD shall be allowed to check on the quality and quantity of the shipment based on the submitted documents;
4) On arrival of the imported commodities, NPQSD shall conduct thorough check and inspection. If the shipment contains commodities/varieties other than that stated in the accompanying SPSIC, the excess shipment of other similar variety shall be segregated and recommended to BOC to be disposed of in accordance with DA DC 4, s. 2016, without prejudice to the filing and imposition of appropriate sanctions and penalties;
5) The plant quarantine officer or the plant quarantine Inspector at the port of entry shall undertake the following procedure:
   a) Collect representative samples necessary for laboratory analysis;
   b) Examine the submitted samples to determine the presence of insects, diseases, nematodes, weed seeds, and other pests; and,

24 DA DC 4, s. 2016
c) Authorize the delivery under guard by plant quarantine officer and follow-up inspection/examination at the importer’s cold storage/warehouse.

6) Based on the results of inspection and examination, any of the following may be applied:
   a) Applicable plant quarantine treatment, if necessary;
   b) Return to the country of origin;
   c) Re-export to other accepting countries; or,
   d) Destruction

**Figure A-8.** Generic food inspection procedure diagram.

**BFAR**

1) Documentation. Inspection/verification of accompanying importation documents must be presented and surrendered to the inspecting Fishery Quarantine Officer.

2) Physical Examination. Adequate sample of imported fishery product for laboratory examination shall be collected randomly by technical personnel of the BFAR for sensory/organoleptic examination. Fresh, chilled, and frozen fish and fishery/aquatic products shall meet the quality requirements based on organoleptic checks on the standards for fresh/chilled/frozen fish and fishery/aquatic products. Each batch of imported fishery products shall be subject to examination at the time of landing.

3) Microbiological Analysis. All imported fishery products shall be subject to microbiological examination. After laboratory examination, if imported products do not meet the required

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25 FAO 195, s. 1999
quality standard, the whole shipment shall be committed to a storage facility while further laboratory examination shall be conducted on random samples to technically determine the quality of the products. If found unfit for human consumption or does not meet the required standard, the said container shall be returned to the country of origin. Fees and charges incidental to examination and storage of imported products shall be chargeable to the importer.

4) If upon inspection the imported fish or fishery/aquatic product does not meet the quality requirements prescribed by BFAR, or prohibited fish and fishery/aquatic products are included in the importation, the same shall be removed immediately, and in case of the latter, confiscated, and the importer shall, in addition, be penalized in accordance with the provisions of applicable laws, rules and regulations.

5) Should any portion of the imported fish and fishery/aquatic products intended for non-human consumption be sold, utilized, or distributed for local consumption, the importer shall be permanently disqualified from applying for subsequent importation of fish and fishery/aquatic products, and shall be penalized and the imported fish or fishery/products shall be immediately confiscated and forfeited in favor of the government.

6) Should any portion of the imported fish and fishery/aquatic product intended for canning and processing plants and any portion of the importation by institutional buyers be sold or diverted to the local wet markets, the importer shall be permanently disqualified from applying for subsequent importation and the imported fish and fishery/aquatic product shall be confiscated and forfeited in favor of the government.
Annex 16. Instructions and guidelines for the registration of importers at customs in Sri Lanka

**Registration of limited liability companies**
Following original documents with photocopies should be submitted for the registration. Company details and photos of all directors should be uploaded to Sri Lanka Customs ASYCUDA system through a Custom House Agent before submitting documents for processing.

- Duly filled Application form
- National Identity Card/Passport of two directors (who have signed the application) and photocopies of the NICs/Passports of all directors
- VAT certificate (Obtained from Inland Revenue Department)
- TIN certificate (Obtained from Inland Revenue Department)
- Commercial invoice and Bill of Lading (BL)/Airway Bill (required only for the registrations as an Importer)
- Certificate of Incorporation
- Form 01 or Form 48 & 40 (obtained from Registrar of Companies)
- Form 44, 45 & 46 for overseas companies (obtained from Registrar of Companies)
- Form 13 (If there is a Change of address - obtained from Registrar of Companies)
- Form 20 (If there is a change of directors - obtained from Registrar of Companies)
- Form 3 (If there is a change of company name - obtained from Registrar of Companies)
- EDB certificate for Exporters (issued by the Export Development Board)
- BOI registration letter for BOI companies
- Deed or Lease agreement of the business premises relevant to the address in the TIN certificate
- Billing Proof relevant to the address in the TIN Certificate (Water Bill/Electricity Bill/Sri Lanka Telecom Bill)
- SMS application (If necessary)

**Registration of Sole-Proprietor or Partnership companies & Personal Imports**
Following original documents with photocopies should be submitted for the registration. Company/Personal details and the photos of all partners/individuals should be uploaded to Sri Lanka Customs ASYCUDA system through a Custom House Agent before submitting documents for processing.

- Duly filled Application form
- National Identity Card/Passport of two partners/applicants & photocopies of the NICs/Passports of all partners.
- VAT certificate (Obtained from Inland Revenue Department)
- TIN certificate (Obtained from Inland Revenue Department)
- Commercial invoice and Bill of Lading (B/L), Airway Bill (required only for the registrations as an Importer)
- Business Registration Certificate
- EDB certificate for Exporters (issued by the Export Development Board)
- Deed or Lease agreement of the business premises relevant to the address in the TIN certificate
- Billing Proof relevant to the address in the TIN Certificate (Water Bill/Electricity Bill/Sri Lanka Telecom Bill)
- SMS application (If necessary)

**Documents required for address change of a company**
Following original documents with photocopies should be submitted

**For limited liability companies (Private Ltd & Public Ltd)**
- Request letter (should be addressed to Director General of Customs)
- VAT certificate (Obtained from Inland Revenue Department)
- TIN certificate (Obtained from Inland Revenue Department)
- Form 13 (issued by Registrar of Companies)
- Deed or lease agreement of the business premises relevant to the address in the TIN certificate
Billing Proof relevant to the address in the TIN Certificate (Water Bill/Electricity Bill/Sri Lanka Telecom Bill)

For Sole-Proprietor & Partnership Companies

Request letter (should be addressed to Director General of Customs)
VAT certificate ( Obtained from Inland Revenue Department)
TIN certificate ( Obtained from Inland Revenue Department)
Business Registration Certificate
Address Confirmation by respective ‘Grama Niladhar’
Deed or lease agreement of the business premises relevant to the address in the TIN certificate
Billing Proof relevant to the address in the TIN Certificate (Water Bill/Electricity Bill/Sri Lanka Telecom Bill)

Documents Required for Change of Company name
Following original documents with photocopies should be submitted

  Request letter addressed to the Director General of Customs
  Business Registration Certificate/Form 03
  VAT certificate ( Obtained from Inland Revenue Department)
  TIN certificate ( Obtained from Inland Revenue Department)

Documents required for change of VAT number (change of last four digits)
Following original documents with photocopies should be submitted

  Request letter address to the Director General of Customs
  VAT certificate

Documents required to update Customs House Agents validity period
Following original documents with photocopies should be submitted

  VAT certificate
  Valid CHA Pass or renewal application approved by OIC (CHA)
  Acknowledgement of previous month Vat Return submitted to IRD (Permanent VAT holders only)

Documents required for vehicles imported by individual for personal use other than Permit holders
Following original documents with photocopies should be submitted

Application details should be uploaded to Sri Lanka Customs ASYCUDA system through a Custom House Agent before submitting documents for processing (Exempted for first vehicle import).

  Duly filled Application
  NIC/Passport
  Invoice
  Bill of Lading
  VAT Certificate (Exempted for first vehicle import)
  TIN Certificate (Exempted for first vehicle import)

Documents required for vehicle importation by Permit holders
Following original documents with photocopies should be submitted

  Duly filled Application
  NIC/Passport
  Invoice
  Bill of Lading
  Permit

Figure A.9. Import inspection scheme flow chart operated by Sri Lanka Standards Institution.
Figure A-10. Import inspection scheme flow chart operated by Sri Lanka Standards Institution (2).

Follow-up chart for Importer

- Submitting completed document to main counter of QA Davison (3 couples of Notifications form with original signature, commercial Invoice, Bill of Lading, Packing List etc)

- Follow up Initial decision with relevant counter clerk Web Site link: www.slsilk

- Obtain the relevant chargers form the relevant counter clerk (over the phone is possible)

- Obtain the Tax invoice form the relevant counter Management Assistant

- Make the payment to cashiers 9th floor of SLSI

- Provide payment receipt to main counter of QA Division

- Collect the document with SLSI decision

  - If sample required
    - Written request to SLSI for sampling by Importer (within 08 weeks)
      - Coordinate with SLSI officer for drawing samples
      - Follow up with relevant counter for final decision
      - Act as per the decision given by SLSI

  - If sample not required
    - Application for customs clearance by Importer
Figure A-11. Import inspection scheme flow chart operated by Sri Lanka Standards Institution (2).

FLOW CHART 08: Manufacturer /Laboratory Registration flow chart

Collect Application from Administrative officer of QA Division

If necessary get more information from relevant SDD (QA)

Submitting completed application with relevant attachment to SDD (QA)

Review by appointed officer

Provide Recommendation to relevant SDD (QA)

SDD (QA) Recommendation to D (QA)

D (QA) Recommendation to DDG

DDG's final Decision

Decision on Reject the Registration

Design on grant the registration

Paying annual fee by Manufacturer /Laboratory/Agent

SLSI signing agreement with Manufacturer/ Laboratory

Grant registration letter
Figure A-12. Import inspection scheme flow chart operated by Sri Lanka Standards Institution (2).

FLOW CHART 4: Flow Chart for Canned fish/cashew testing on customer request

1. Submit written request and sample by customer to the counter
2. Fill the application for testing by customer
3. Obtain tax invoice from the counter Management Assistant
4. Make payment to cashier (4ᵗʰ Floor, SLSI)
5. Provide payment receipt to counter
6. Testing by SLSI
7. Issuing test report
ENSURING the SAFETY of IMPORTED FOOD

CURRENT APPROACHES for IMPORTED FOOD CONTROL in MYANMAR, NEPAL, the PHILIPPINES and SRI LANKA

Food products have been the third most valuable commodity group traded internationally, and imports constitute a significant proportion of the food supplies of developing countries in particular. FAO Members have expressed the need for technical support and guidance to achieve effective national imported food control systems. In 2017, FAO collaborated with the Governments of Myanmar, Nepal, the Philippines and Sri Lanka to support the countries in improving their existing systems of national imported food controls within a One Health framework. National situation reports of the countries were developed to identify and document their systems’ current status with their strengths and any improvements needed. Findings of the national situation reports have indicated that there are common approaches and tools that can be used to address the needs in all four countries, despite the differences in their levels of development, human capacities and institutional structures. The present document has compiled all four national situation reports and summarized some approaches and tools that would be applicable to most developing countries in the world.