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## **Slovenia**

# **Food and Agricultural Import Regulations and Standards**

## **1999**

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**Report Highlights: Harmonization of food laws with European Union requirements is a high priority for Slovenia. A new law on food labeling is under consideration.**

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Includes PSD changes: No  
Includes Trade Matrix: No  
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## Food Laws

Slovenian food laws remain an amalgam of ex-Yugoslav legislation and new legislation harmonized with the European Union requirements. Since Slovenia is expected to join the EU within the next decade, harmonization of all legislation with existing EU laws is a high priority of the Slovenian government.

In Slovenia, the import and export of goods and services is largely free, the only exception being tariff rate quotas set by the government of Slovenia as part of its development program or in order to protect certain economic sectors. Importation of goods representing a foreign person's investment share (according to a foreign investment contract) is also free in regards to import quotas, except for goods for which an import license is required. Companies may import and export goods without paying/charging counter value for testing, commercial promotional activities, samples, foreign diplomatic missions' equipment, fittings and durables, goods for humanitarian, medical, scientific and cultural purposes, goods necessary for repair and maintenance as well as in cases of reciprocity or if international agreements so provide.

The above mentioned imports and exports are granted upon submission of the company's management board decision. A customs declaration and origin of goods certificate for the imported/exported items must be sent to the customs authorities when a counter value counter value is not paid or charged.

Imported goods must meet the following criteria: They must correspond to the general standards, technical standards and quality specifications which are valid in the Republic of Slovenia. Importation of goods requiring sanitary and health certificates and/or obligatory attestation must be accompanied by the proper documentation. Export or importation of goods is effective on the day of assessing the duties payable on the goods.

Current information on sanitary (veterinary) requirements is available from the Slovenian Veterinary Administration. Up-to-date contact information for the appropriate officials is available through the Internet website of the Slovenian Veterinary Administration [http://www.sigov.si/vurs/index\\_en.htm](http://www.sigov.si/vurs/index_en.htm)

## **Labeling and Marking Requirements**

The following labeling information must be written in Slovenian language on the original package of products that are subject to quality control:

- title of the product
- full address of the importer
- net quantity/weight/volume
- information where applicable regarding ingredients
- use and storage instructions
- other warnings important for the customer

The rules on labeling in Slovenia depend much on the kind of product concerned. As a general rule goods must be accompanied with a declaration in Slovenian language containing the following data:

- producer (name, address, brand name)
- name and type of the product
- measurements (width, length, height)
- date of production
- materials/ingredients the product is made of
- water resistance (proof)
- maintenance of the product, cleaning (symbols), use and storage instructions

There are special rules for labeling foodstuffs, cosmetics, cleaning products and similar items. A new law is in preparation, so importers are urged to double check requirements in force at the time of import.

Imported goods must comply with all the requirements of technical regulations before being put into circulation. Certificates must be obtained by the producer, contractor or importer (or agent in the case of consignment warehouse sales).

## Trade Documentation

If so defined by contract with a foreign entity, in the regulations of the foreign country, or by bilateral or international agreements, goods to be exported or imported are shipped with documents certified by a competent administrative body, the Chamber of Commerce and Industry of Slovenia (hereinafter called the Chamber) or an authorized organization. The preferential origin of goods is proved by submitting proof on the preferential origin of the goods, whose utilization is defined by contract. The »FORM A« is issued by the Chamber. This is used to prove the Slovenian origin of goods for preferential treatment of goods according to preferential schemes. The certificates on the Slovenian origin of goods. »EUR1«, used to assert preferential customs treatment, is issued by customs authorities. Invoices and other documents sent together with the goods during exportation may be certified. They are certified by the Chamber or, on specific demand by a third country, by the ministry in charge of foreign economic relations.

### Certificate of Origin

Certificates of origin are required when a preferential or non preferential origin of goods at importing to Slovenia are asserted. e.g.:

1. Certificate on the Slovenian origin of goods
2. Certificate on the origin of goods from a third country - issued by the Chamber
3. Certificate on the origin of goods - issued by the competent body of the country of origin or the exporting country.

### Special Certificates

Special certificate: veterinary or sanitary certificate is required for consignment of livestock, meat and meat products, animal raw materials, seeds, plants and fruit. e.g.:

1. Certificate on force majeure - issued by the Chamber
2. Certificate that the goods passed through the Slovenian territory in bond - issued by the competent customs house
3. Final user certificate for goods to be exported - issued by the Chamber
4. International import certificate

### Commercial Invoice

There are no prescribed formats and invoices should be issued in a minimum of two copies. Invoices must contain the usual particulars, including a serial number, name and address (a registered seat) of an issuer, place and date of an issue of the invoice, name and address (a registered seat) of a recipient, a full description of goods, gross and net weights, number of packages, sales tax base, a sum of a sales tax, and price.

## Technical Regulations and Standards

At the moment Slovenia still has regulations in use (except regulations on mandatory standards) that were

adopted on the basis of the former federal Standardization Act. These technical regulations set safety, health and ecological requirements for products and related production procedures. Technical regulations are under preparation and are being drafted in accordance with relevant European Union legislation.

The most important technical regulations concern the:

- technical requirements for devices,
- food quality,
- declaration, labeling and packaging,
- compulsory certification of products to assure safety and
- protection of health, protection of the environment and protection of consumers.

Goods for which health, veterinary, phytopathological or ecological controls are mandatory, may not be imported or temporarily imported in the case they do not fulfill those requirements. Such goods may be temporarily imported only for processing if they do not endanger human life and health and the environment. Goods may not be imported or temporarily imported if prohibited in the country of origin. Technical regulations do not apply to goods imported into free zones.

### **Certification**

Products for which technical regulations require compulsory certification must be accompanied by a certificate of conformity with relevant regulation. Such certificates are issued on basis of a test report by the Standards and Metrology Institute of the Republic of Slovenia (SMIS) and by accredited institutions authorized by the competent ministry. If the product has already been tested abroad, the institution which issues Slovenian certificates may take into account test reports.

The list of technical regulations regarding compulsory certification and information on institutions responsible for certification in Slovenia are available at the Standards and Metrology Institute of the Republic of Slovenia.

SMIS prepares, adopts, and issues Slovenian standards, while also coordinating the tasks according to the rules of international standardization. Slovenian standards are therefore either international or European standards adopted according to the rules of the ISO IEC Guide 21. SMIS establishes technical committees, coordinates their work and links and integrates them through corresponding regional and international technical committees. The Institute allows experts to take part in the preparation and adoption of international and regional standards, and sees to it that these are included in the Slovenian standards system. It presents and represents the interests of the Slovenian economy in international and regional standards organizations. It cooperates with other national standards institutions, exchanging experience, standards and other documents with them. It assures the collection and dissemination of standardization documents and provides all information concerning this area of work.

### **Import and Export Control**

In accordance with Slovenian regulations, most categories of goods may be exported or imported free of restrictions. A few categories of goods, however, are restricted by import quotas, or importation is restricted by permits or licenses, and exports by licenses.

A special import or export regime is defined for some types of goods, for example:

textiles and textile products are imported through a quota system,

import licenses are required for the import of drugs and some chemicals, waste materials and raw materials, articles of a cultural heritage, gold, waste and scrap of precious metals and coins, nuclear reactors and weapons,

a certificate of approval is required for the import of some animals, meat, and vegetables and other foodstuffs.

The import and export of services is free of restrictions.

## **Customs Duties and Taxes on Imports**

The new customs system of the Republic of Slovenia came into force on January 1, 1996. The so-called combined nomenclature of the customs tariff of the European Union is also applied by Slovenia. For imports of goods, a single payment is due (customs duty levied on the value of imported goods according to rates established by the Customs Tariff Act or bilateral agreements).

### **The Rates of Customs Duty**

The rates of customs duty are set on the basis of the degree of processing and extent of domestic production:

raw materials, from 0 - 5%

semi-manufactures and intermediate products, from 5 - 10%

equipment, from 8 - 15%

goods for general consumption, from 15 - 27%

The tariffs in the Republic of Slovenia, which apply to all countries (with the exception of possible lower tariffs which may be agreed upon in bilateral agreements), are not lower than those in place in the European Union.

Customs duty is paid ad valorem on the customs value of imported goods established on the basis of national regulations and according to GATT and WTO provisions. Since 1982, the Republic of Slovenia has implemented Article 7 of the General Agreement on Tariffs and Trade (GATT/WTO) on customs values. For more than 95% of imports, the customs value is established on the basis of transaction values.

### **Other Customs Duties**

Besides customs duties paid, according to rates provided by the Customs Tariff or preferential agreements imports are also liable to sales tax (not calculated and paid at entry, but at final consumption). At the time of entry, the importer is exempted from payment of sales tax if he submits an appropriate declaration .

Imports of alcoholic beverages, wines and tobacco products are liable to excise tax.

Except in the case of imports of new automobiles, the taxable base is the customs value of goods plus customs duty. Preferences Imports are assessed for customs duty either according to rates provided by the Customs Tariff or according to preferential rates provided by international agreements. Conventional tariffs are applied to goods originating from countries with economic or trade Cupertino agreements with the Republic of Slovenia

containing a most-favored-nation clause, or which apply such a clause to goods of Slovenian origin. Preferential tariffs are applied to goods originating in countries with which the Republic of Slovenia has concluded free trade agreements (e.g. EU, EFTA, CEFTA, Macedonia, Baltic States, Croatia, Bulgaria, Israel) providing for a gradual lowering of tariffs to the point of final abolition.

Autonomous customs tariffs, or seasonal tariffs, may be prescribed by the Slovenian government for unprocessed agricultural produce, on condition that the total customs impact does not exceed the obligations adopted in the GATT/WTO framework. Seasonal tariffs are limited to the season of production of the agricultural produce concerned.

## **Payment Transactions With Foreign Countries**

The national currency is Slovene tolar. Payment transactions with foreign countries are carried out by commercial banks, authorized entities for payment transactions with foreign countries, and the Post Office Savings Bank. As a rule, they are implemented in tolar or in foreign currency, or in accordance with the provisions of the contracts signed by Slovenia with the individual countries.

Payments abroad or from abroad are made in contractually defined credit terms. If this term is longer than 12 months or if payments are not effected within this term, the domestic person has to register the transaction as a foreign credit transaction.

The implementation of payment transactions with foreign countries on the basis of current transactions, credit liabilities abroad, liabilities from capital investments of foreigners in Slovenia and the transfer of profit is free of restrictions after the settlement of all liabilities in Slovenia.

The transfer of a foreign entity's funds to an account in a foreign country is carried out free of restrictions also in the form of personal income and other earnings paid to the foreign entity, insurance or inheritance, if reciprocity is guaranteed.

As a rule, the entity eligible to receive a foreign exchange payment from abroad is paid the tolar equivalent value at the Stock Exchange foreign exchange buying rate on the day of payment, within two days after the inflow of foreign exchange.

In the exhaustively listed cases, a domestic legal entity or private entrepreneur may receive payment from abroad in foreign currency. This holds true, for instance, in the case of payments on investment work abroad, agency transactions in FT, implementing activities of companies or parts of companies in free customs zones, sale of foreign goods in consignment warehouses, and foreign exchange investments of foreign entities into domestic companies. The domestic entity holds the foreign exchange in their foreign exchange account up to the completion of the transaction and the fulfillment of contractual obligations towards the foreign entity, or for as long as they do not use the foreign exchange for the determined purpose. Any remaining foreign exchange should be sold by the domestic entity to an authorized bank.

An authorized bank implements payments abroad on the basis of an order by a domestic entity who pays the bank an equivalent value of foreign currency in tolar as per Stock Exchange foreign exchange selling rate on the day of receipt of the payment order.

## Free Trade Agreements

Preferential tariffs are applied to goods originating in countries with which the Republic of Slovenia has concluded free trade agreements:

- EU countries
- EFTA countries
- CEFTA countries
- Bulgaria
- Macedonia
- Baltic States
- Israel
- Croatia

providing for a gradual lowering of tariffs to the point of final abolition.

The average customs duty for imports from the EU amounts to 3.25% while the average customs duty for imports from EFTA countries amounts to 3.75%. On January 1, 1999 an agreement between Slovenia and EFTA will enter in force providing for the equalization of EFTA average customs duty with the EU average.

## Free Economic Zones

### Legislation

Free Economic Zones Act (Official Gazette of the Republic of Slovenia 45/98, valid from June 12, 1998)

The Free Economic Zones Act provides conditions for the establishment and operation of free economic zones in Slovenia. Free zones may be established by one or more domestic legal persons. The founders must provide resources necessary for the establishment and commencement of operation, as well as suitable technical, organizational, ecological, energetic and other conditions for the performance of business activities in free zones. Foreign persons may perform business activities in free zones on basis of an agreement with the founder.

In free zones the following activities may be performed:

- production and services,
- whole-sale trade,
- banking and other financial services,
- insurance and reinsurance regarding the above mentioned activities.

Users of free zones (after obtaining an appropriate tax authority decision) are entitled to the following tax allowances: sales tax exemption for imports of equipment, production materials and services necessary for export production or performance of other permitted activities in free zones, 10% corporate tax on profits (normal tax rate amounts to 25%), investments in tangible assets in the free zone are entitled to a tax allowance amounting to 50% of invested resources, taxable base reduction amounting to 50% of salaries of apprentices and other workers formerly unemployed for at least 6 months.

The agreement on establishment of free zones is subject to governmental approval in 30 days after submitting the application. The founder must obtain also a operating license and customs authorities decision on fulfillment of conditions for performing customs inspection in the free zone.

## Commercial Contracts

Domestic as well as foreign legal and natural entities can freely negotiate all standard types of commercial contracts (agency, distribution and licensing contracts,...). The intention of this paragraph is to emphasize that beyond the standard economic and legal considerations for commercial agreements instead of joint ventures or creation of subsidiaries, there is nothing particular to Slovenia that a foreigner need to consider before engaging in trade or investment in Slovenia. Various permissions and administrative procedures do not exist any more.

In the field of the international business, the contractors are free to choose any law that governs the contract as well as jurisdiction (national courts or any kind of arbitration) for the settlement of the disputes which may arise out of the specific relation.

From the standard civil law contracts depart only the before mentioned contract on foreign investment and contract on long-term production cooperation which is regulated by the law on foreign trade (LFT). The LFT defines an agreement on long-term production cooperation which can serve as a good assistance to various companies when negotiating these specific contracts. The contract on long-term production cooperation should be reported to the Ministry competent for economic relations with abroad within 30 days after signing the contract or after its alteration and completion. The contract gains validity on the day when entered into the Ministry register.

## List of legislation

Legend:      ulrs – official gazette of Republic of Slovenia (starts 1991)  
                  ulsfrj – official gazette of Socialist Federative Republic of Yugoslavia (ends 1991)  
                  ulsrS – official gazette of Socialist Republic of Slovenia (ends 1991)

### Animal health regulations for trade in live animals, semen, egg cells and embryos

Act on veterinary medicine – ulrs 82/94, 21/95, 16/96

Standing orders about loading, reloading and unloading of animal consignments, products, raw materials and waste of animal origin, about conditions, that must be met by transporting vehicle, hygiene-technical conditions that must be met by the consignments and health certificate form for it - ulsfrj 69/90, ulrs 39/92

Decree on labeling domestic animals in trade – ulrs 36/94, 47/94

Standing orders for conditions and duration of quarantine for imported animals – ulsfrj 6/88

Standing orders about performing prophylactic measures during quarantine – ulsrS 39/88

Standing orders about disinfection of transporting vehicles used for transport of animal consignments, products, raw materials and waste of animal origin – ulsfrj 22/89

Standing orders about classification of animal infectious diseases, determination of methods and procedures of notifying and determination of laboratory tests and methods – ulrs 34/96

Decree on execution of prophylactic measures for detection and hindrance of animal infectious diseases in the year 1998 – ulrs 35/98

Standing orders about quality of fish, crab and shells – ulsfrj 65/78

Standing orders about transportation of animals in public air traffic – ulsfrj 42/88, 45/88

Standing orders about sanitary adequacy and systematic examination of pedigree animals, animal semen, egg cells and embryos – ulrs 49/97

### **Trade in animal products**

Act on veterinary medicine – ulrs 82/94, 21/95, 16/96

Standing orders about microbiological conditions which must be met by foodstuff in trade – ulsfrj 43/83, 43/89, ulrs 31/96

Standing orders about quality of meat from domestic and wild animals – ulrs 31/96

Standing orders about quality of eggs and egg products – ulsfrj 9/86

Standing orders about quality of milk, dairy products, rennets and pure serums – ulrs 21/93

### **Animal infectious diseases and residues of medications, hormones and anabolics in foodstuffs**

Act on veterinary medicine – ulrs 82/94, 21/95, 16/96

Standing orders about measures for preventing harmful consequences because of residues of medicaments in raw material and products of animal origin – ulsrs 31/89

Standing orders about classification of animal infectious diseases, determination of methods and procedures of notifying and determination of laboratory tests and methods – ulrs 34/96

Decree on execution of prophylactic measures for detection and hindrance of animal infectious diseases in the year 1998 – ulrs 35/98

Act on releasing medicaments to use – ulsfrj 43/86

Standing orders about hygienic adequacy of fodder – ulrs 20/96, 26/97

Standing orders about fodder quality – ulsfrj 15/89

### **Import of live animals and animal products**

Act on veterinary medicine – ulrs 82/94, 21/95, 16/96

Standing orders about loading, reloading and unloading of animal consignments, products, raw materials and waste of animal origin, about conditions, that must be met by transporting vehicle, hygiene-technical conditions that must be met by the consignments and health certificate form for it - ulsfrj 69/90, ulrs 39/92

Standing orders about health certificate form for animals – ulsfrj 39/88

Standing orders about quality of milk, dairy products, rennets and pure serums – ulrs 21/93

Standing orders about sanitary adequacy and systematic examination of pedigree animals, animal semen, egg cells and embryos – ulrs 49/97

Standing orders for conditions and duration of quarantine for imported animals – ulsfrj 6/88

Standing orders about performing prophylactic measures during quarantine – ulsrs 39/88

Standing orders about disinfection of transporting vehicles used for transport of animal consignments, products, raw materials and waste of animal origin – ulsfrj 22/89

Act on health adequacy of foodstuff and objects of general use – ulsfrj 55/78, 58/85

Standing orders about kind of consignment of animals and products of animal origin, for which the fulfillment of decree on veterinary-sanitary conditions at import is not necessary – ulrs 20/92

Standing orders about classification of animal infectious diseases, determination of methods and procedures of notifying and determination of laboratory tests and methods – ulrs 34/96

Standing orders about microbiological conditions which must be met by foodstuff in trade – ulsfrj 43/83, 43/89, ulrs 31/96

Standing order on determine the border crossings for import, export and transit of consignment of animals, products and waste of animal origin – ulrs 11/92

## **Import duties**

Act on additional taxes by import of agricultural products and foodstuff – ulrs 29/93

Decree on determination of agricultural and food products for which the additional taxes by import must be

paid – ulrs 89/98

Decree on conditions for import of food in republic of Slovenia – ulrs 21/94

Standing orders about quality of food additives – ulsfrj 39/89

Standing orders about quality of coffee and coffee substitutes, tee, spices, soup concentrate, leaven, dietetic products and additives – ulsfrj 13/78

### **Phytosanitary border control**

Act on plant protection – ulrs 82/94

Standing orders about phytosanitary control of plants by national and international trade – ulrs 38/96

Standing order defining the border crossings where import, export and transit of plants is allowed – ulrs 18/95, 73/95

Standing order about conditions for import of potato to prevent from entering causes for potato brown rot – ulrs 76/97

List of registered phytopharmaceutic substances in Republic of Slovenia

### **Trade in planting material**

Act on seeds and plants – ulsrs 42/73, 45/73, 29/86

Standing orders about quality of agricultural plants seeds – ulsfrj 47/87, 60/87, 55/88, 81/89

Standing order about quality norms and other conditions for trade with agricultural seeding material – ulsrs 38/74

List of verified new domestic sorts of agricultural plants and foreign sorts of agricultural plants for which the introduction in republic of Slovenia is allowed – ulrs 66/98

### **In preparation: Act on labeling of foodstuffs**