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Colombia

Exporter Guide

Annual

2006

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Report Highlights:

Total Colombian food and agricultural imports were \$2.2 billion in 2005. The United States accounted for 36% of total imports valued at \$791 million, making Colombia our largest export market in Central and South America. Colombia and the United States negotiated a bilateral free trade agreement, which is expected to be implemented in the first semester 2008. The trade agreement will provide a major boost to the Colombian economy and imports of food products from the United States.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Bogota [CO1]
[CO]

SECTION I. MARKET OVERVIEW

In 2005, total Colombian food and agricultural imports reached \$ 2.2 billion. The United States accounted for 36% of total agricultural imports valued at \$791 million, making Colombia our largest export market in Central and South America. Agricultural imports from the United States increased 8.9% or \$65.0 million in 2005. Although grains represented 73% of imports from the United States the demand for processed foods and other high-value food products has steadily increased over the past three years. The Colombian GDP grew 5.2% in 2005, surpassing the expected 4.5%. This increase was due to an excellent performance of investment, which grew 23% over the previous year, partially boosted by the expectations of the Free Trade Agreement and improvement in security. The peso revaluation was 9.0% in 2005, which made imports more attractive, however, this tendency reverted in 2006. The economy is projected to grow over 5% in 2006.

The hypermarket/supermarket sector in Colombia is one of the most modern in Latin America, with sales of US \$4.7 billion in 2005, of which \$3.2 billion was in food products. The hotel, restaurant and institutional sector is also important. Sales of food and beverages in Colombia were estimated at \$1.8 billion in 2005, an increase of 6% over 2004 sales. Growth in 2006 is estimated between 6 and 7 percent. The HRI sector in Colombia has great potential for growth driven by increased tourism. The government has fostered in-country tourism given that Colombia is well endowed with human and natural resources besides improvement in security.

In the hypermarket/supermarket sector in Colombia, it is important to mention that an Agreement, that took place in New York on August 19, 2006, Almacenes Exito, the number one retailer in Colombia was allowed to participate in the Carulla-Vivero' shareholders. Carulla-Vivero is considered the number 2 retailer in Colombia. The share acquired by Exito represents 19.8 percent of Carulla-Vivero assets. Among the bidders for this transaction were Concosud, Wal-Mart and Carrefour.

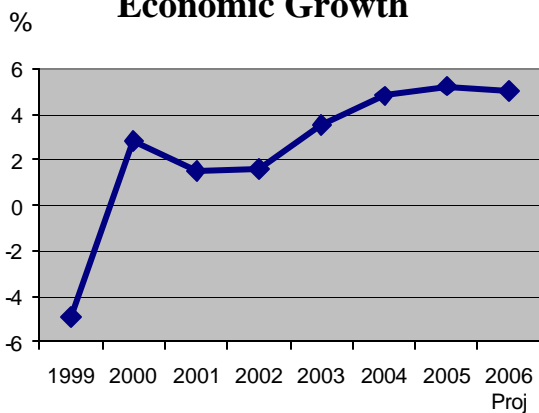
Despite the political unrest, Colombia's food processing industry continues to develop. Concentration and consolidation remain as dominant forces in the Colombian food market. Domestic supermarket chains continue seeking strategic alliances with foreign partners in a fanatic effort to capture market share. The giants of the market continue opening new stores. Economic realities and current consumer trends indicate that buying decisions are primarily based on quality and price. Today's consumers are more health-conscious and selective shoppers. Consumers have benefited from the "price war" among competitors. Although most imports are still handled through agents and distributors, Colombian importers are constantly seeking alternatives to reduce their costs. Large companies import directly, and importers/distributors are increasingly establishing contacts abroad.

Several factors have a negative impact on the market: 1. As a member of the Andean Community, Colombia imposes a variable import duty system on more than 150 products, resulting in high and unpredictable duties. 2. Restrictive import licensing requirements block imports of U.S. products such as chicken parts. 3. Despite GOC efforts, artificially low-priced contraband produces unfair competition and disrupts sales of legally imported products, and 4. Internal conflict continues hindering economic growth.

Despite the present limitations and constraints, the market is highly competitive and will become much more open in the near future when the bilateral free trade agreement is in place. U.S. products enjoy an advantage because they are well regarded for their perceived high quality and value. Colombia and the United States concluded negotiations of a bilateral free trade agreement in February 2006, and it was notified to the U.S. congress in August, 2006. Implementation of the agreement is expected in the second half of 2007 or early 2008. The agreement will provide a major boost to the Colombian economy and imports of food products from the United States.

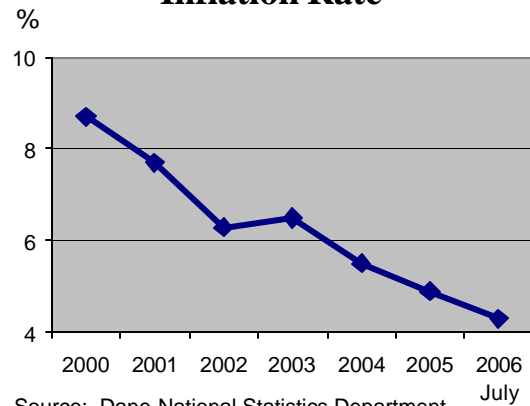
ECONOMIC OUTLOOK

Economic Growth



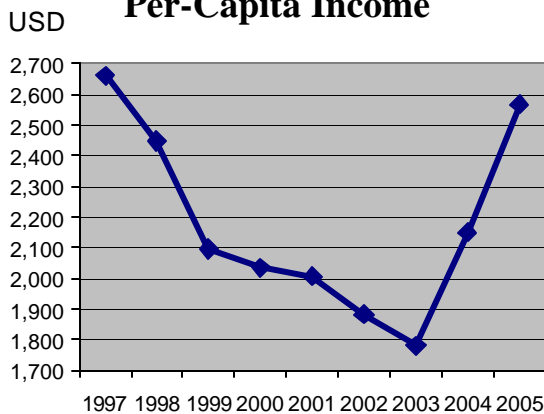
Source: DNP-National Planning

Inflation Rate



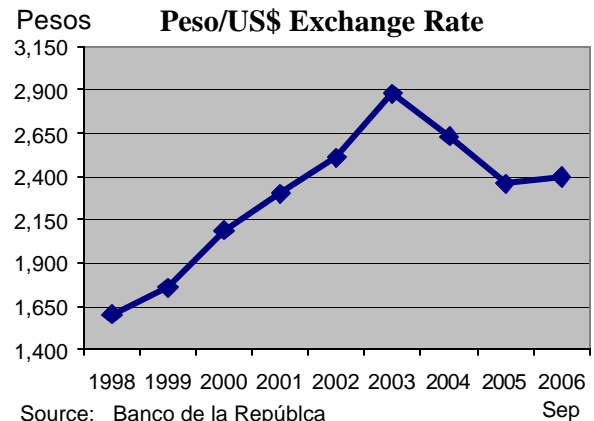
Source: Dane-National Statistics Department

Per-Capita Income



Source: DNP-National Planning

Peso/US\$ Exchange Rate



Source: Banco de la República

Unemployment Rate

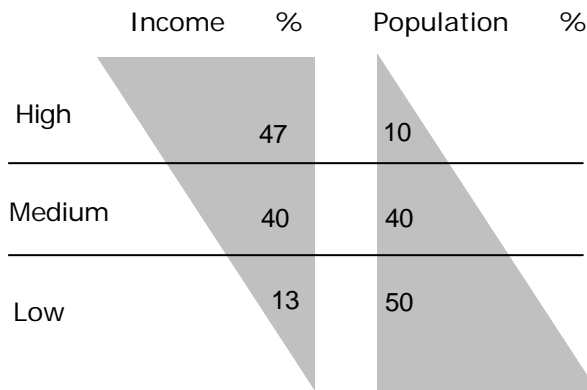


Source: Dane-National Statistics Department

- Colombia is regaining economic growth and stability. GDP growth was 5.2% in 2005, up from 4.79 % in 2004. The target for 2006 is 5%.
- Both domestic demand and household consumption increased by 4.7% in 2005 and reduced unemployment will stimulate further growth.
- The peso reevaluation was 9.0% in 2005. As of September, 2006 the peso has devaluated by 1.7% against the dollar.
- The 2006 inflation target has been set at 4.5%, lower than the 4.9% in 2005.
- Unemployment rate fell from 15.3% to 13.4%, but continues to hinder faster economic recovery.
- Security has improved significantly but remains a concern for investors and businessmen.

Market Overview

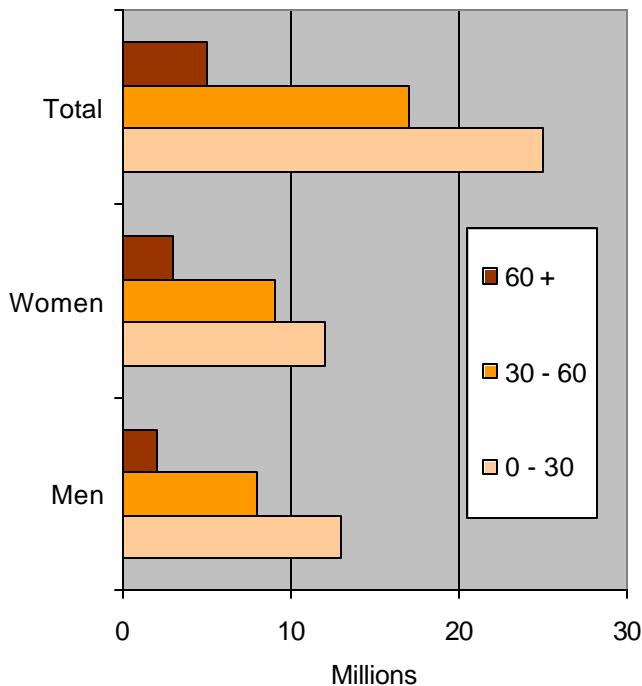
Income Distribution



Source: Dane-National Statistics Department

- ✓ Colombia is a growing market of 42 million people.
- ✓ Monthly food expenditures by income group are:
 - High US\$500 – 900
 - Middle US\$150 - 500
 - Low less than US\$120
- ✓ Medium- to high-income groups are an attractive market for U.S products.
- ✓ The medium-income group is driving demand for value-added products.

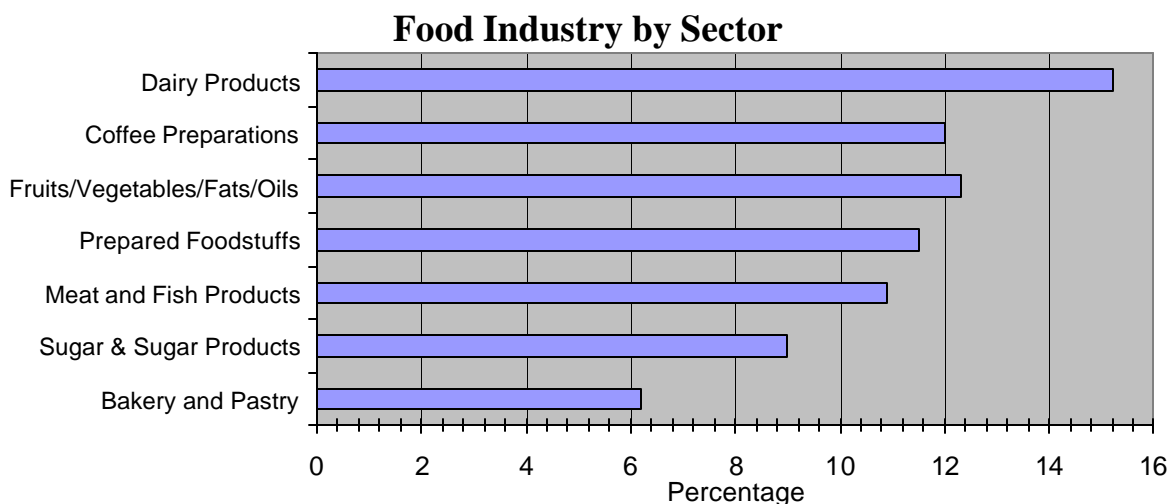
Population by Age



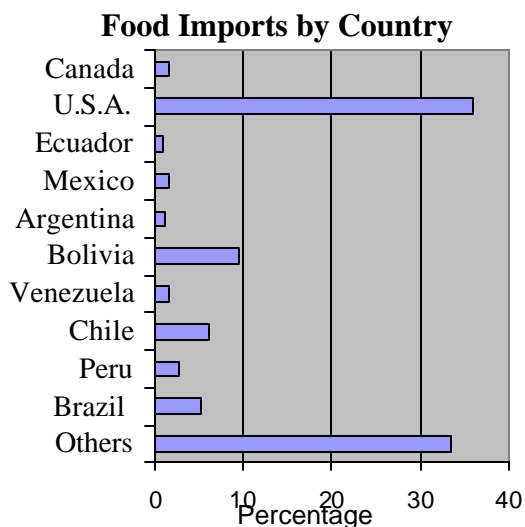
Source: Dane-National Statistics Department

- ✓ The rise in female participation in the labor force (38%) will continue to stimulate demand for consumer-ready products.
- ✓ 79% of the population is concentrated in 39 large and medium-sized cities, all with modern supermarkets.
- ✓ 58.7% of the population is younger than 30 years. Lifestyles are changing rapidly.
- ✓ The middle class represents 38.7% of Bogota’s population Upper middle 22.2% and the upper class just 6.6%.
- ✓ Rural areas are the new market niche for food products.
- ✓ Rural consumers that represent nearly 28% of Colombian population are now generating 25% of consumption.

Colombian Food Production



- ✓ The food industry is one of the largest and most vital sectors in the economy, accounting for 21% of industrial production, or 28.6%, if beverages are included.
- ✓ Industry has state-of-the-art technology and modern communications.
- ✓ Colombia is a major producer in many intermediate and consumer-ready categories, such as sauces and spices, dairy products, breakfast cereals, confectioneries, baked goods, poultry feed, pet food, oils and margarines.
- ✓ Foreign processing food affiliates account for a large portion of processed food output. Some domestic food manufacturers import products from foreign affiliates, labeled as their brand.
- ✓ Store-brand products have increased in the last two years. They captured 3% of food sales.
- ✓ The food-processing sector depends heavily on imports of ingredients like spices, dry mixes for sauces, modifiers, colorants, preservatives, flavorings, enhancers and thickeners.



- ✓ Colombia is the largest market for U.S. food and agricultural products in Central and South America, and a gateway to some Latin American markets.
- ✓ In 2005, total food and agricultural imports were valued at \$2.2 billion. The U.S.A. accounted for 36% equivalent to \$791.
- ✓ Food product imports in 2005 were \$1.8 million and \$1.9 million in 2004. The increase represents a 5.6% increase.

Food and Agriculture Products Imported In 2004-2005

PRODUCTS	2004	2005	MARKET SHARE % 2005	GROWTH RATE 05/04
	US\$ MILLION			
Consumer -oriented Food Products	174	196	100.0	13
U.S.A.	37	45	23	22
Others	137	151	77	10
Beverages	66	82	100.0	24
U.S.A.	0.9	2	2	78
Others	65	80	98	23
Raw Mat. & Interm. Products				
U.S.A.	623	625	100.0	0.32
Other	362	370	59	1.93
	261	255	41	-2.3
Raw Materials & Intermediate Products for Food Industry	682	700	100.0	2.6
U.S.A.	214	251	36	17.2
Other	468	449	64	-4.1
TOTAL	1545	1603	100.0	3.6
U.S.A.	614	668	42	9
Others	931	935	58	0.4

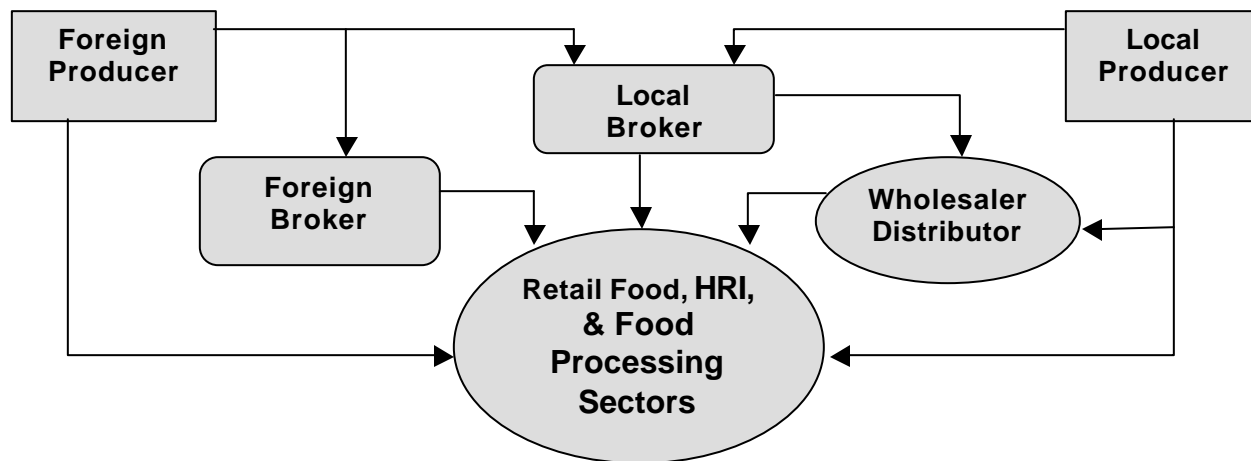
Source: World Trade Atlas

2004-2005 Food and Agricultural Imports from U.S.

PRODUCT	2004	2005	PRODUCT	2004	2005
	US\$ MILLION			US\$ MILLION	
Meat and Edible Meat Offals, pork	5	8	Mis. Grain,seeds, soybeans	48	55
Fish, Shellfish, Mollusks	0.6	0.9	Animal or Vegetable Fats and Oils	16	14
Dairy Products, Eggs, Honey	2	4	Preparations of Meat and Fish	4.7	11
Products of Animal Origin	2	2	Sugars and Confectionery Products	3.9	5
Live Trees and Plants, Bulbs, Roots	3	2.2	Cocoa and Cocoa Preparations	1.3	1.4
Vegetables	1.6	2.3	Cereal Preparations, Flour, Starches, Milk, Bakery products.	3.8	2.4
Edible Fruits and Nuts, Citrus Fruits	8.4	14	Preserved food	4.8	5.5
Soybean meal	74	58	Miscellaneous Edible Preparations	18.5	21.2
Grains	424	434	Beverages, Spirits and Vinegar	1.6	1.6
Edible Fruits and Nuts	8.4	14	Residues and Waste from Food Industries /Prepared By-Products	74	91
Lacs, Gums, Resins, Other Vegetable Saps/ Extracts	5	5	Cotton	96	106

Source: World Trade Atlas

Market Entry Strategy



General suggestions to access the Colombian food market, raise sales competitiveness and introduce new products:

- ✓ Calculate your level of competitiveness based on level of quality, price and service to meet increasing foreign competition.
- ✓ Consider innovative marketing strategies when introducing new products. Social marketing strategy is a new approach. Sales generate from funding social programs. Leading supermarkets are deeply involved in social programs with customers' direct participation and alliances with NGOs. Exito has the "Children's program." Carulla customers are encouraged to donate small change for housing and educational plans.
- ✓ Provide guarantee of consistent supply of products to large stores, hotel chains and institutional markets. Marketing strategies must meet the specific needs of the Colombian market.
- ✓ Reinforce activities, such as trade exhibits, product sampling, advertising and campaigns.
- ✓ Keep in mind that category managers are key people. They are in a position to offer services difficult to matched.
- ✓ Be aware that Hyper/Supermarkets condition shelf space acceptance to discounts, promotions and/or additional cost.
- ✓ Establish direct relations with leading companies to develop a low cost, direct sales approach and to offer products and services.
- ✓ Develop a relationship with top executives, i.e, marketing directors, purchasing managers, and expose them to U.S. business practices. Take advantage of domestic food fairs and exhibits. Alimentec is the Colombian trade show for food products and ingredients. It takes place in Bogota every other year. Nest Alimentec will be in July or August 2008.
- ✓ Include after-sales service and customer support, which are decisive purchasing factors.
- ✓ Prepare promotional material in Spanish. Product literature should highlight products and services available. Communication media have a great impact on Colombian consumers.

Advantages for U.S. Companies and Products

The Colombian food market is dynamic and efficient. Demand in Colombia for processed foods and other high-value food products has grown over the past years.

U.S. continues to be the number one trading partner of Colombia. The U.S. accounts for 36% or (\$791 million) of food and agricultural imports.

Most popular U.S. made products are well regarded by Colombian consumers, because they are perceived as being of good quality and good nutritional value. Many Colombians have traveled and studied abroad and have developed a taste for U.S. products.

Alliances and merging with foreign companies are broadening the scope of the food business.

Locally established multinational firms are taking advantage of their brand names to position new imported products.

The readjustment of the retail market is paving the way for the new retail market structure in Colombia. The mini-market is a new and strong competitor of "Mom and Pop" stores, which continue to be the number one competitors of the hypermarkets/supermarkets.

Information and technology have become strong tools for food marketing. The Uniform Product Code and scanners at point of sale have been fundamental to collaborative planning, forecasting and replenishment aimed at increasing profitability and stock control.

The Colombian government has changed investment policy to attract new foreign investors. Joint ventures, franchising and licensing agreements are increasing in number and value.

The younger population (approximately 60% is under 30) has been stimulating the expansion of fast food restaurants. The deli business is one of the faster growing segments.

Middle-income families are developing a taste for new and more sophisticated products. Colombian consumers are now more health conscious and selective shoppers.

Changing lifestyles and the rise in female participation in the labor force (38%) will continue to stimulate demand for value-added and ready to eat food products.

The shift from basic to high-quality foods is continuing. A surplus of ordinary low-price food products in conjunction with a shortage of high-quality food products. Colombians are now selective shoppers.

Upscale and middle-income Colombian families are eating out more frequently, at least twice a month, devoting 24% of food spending for meals away from home.

U.S. Food shows are excellent opportunities to introduce new products and set up personal relationships, meet customers and personally address their technical needs and requirements.

Colombian business community knowledge of and confidence in U.S. business practices as well as geographical proximity help reduce costs of training trips, equipment transportation, etc.

Supply channels have been streamlined. End-users increasingly are establishing direct contact abroad for sourcing new products and services.

Colombia's strategic geographical position makes it a gateway to many other Latin America markets.

Challenges to U.S. Companies and Products

Consumption of processed food is low according to international standards and highly price sensitive. Colombian households devote 34% of their earnings to food.

Importers demand competitive prices, good quality and consistent supply availability. Category management practices by stores, including charging slotting fees for products, are overhead costs to be expected.

Competition has intensified. Food products from countries around the world are found on the shelves of Colombian stores, and Colombian companies and foreign affiliates are launching a variety of new frozen and ready-to-eat products.

Consumer prices for food and beverage have declined more than total consumer price index. "Price War" among retailers has become a permanent tool to maintain market share and increase sales.

Colombian consumers are now either time-constraint consumers who seek good quality and essential products, or "cherry pickers" after sales and discount products.

Innovation and new concepts for a low-cost product portfolio is a must to gain market participation. The portion-pack business is an expanding sales venue.

Investment in new outlets continues as part of the effort to penetrate regional markets and attract unattended consumers.

Private brands are expanding rapidly though still incipient and limited. They represent 2.5% of total sales. Private brand margins are higher than other brand margins (20,4%). Similarly, private brand prices are 25.6% lower than third party prices.

Franchising is an excellent opportunity for fast food restaurants, particularly through the expanding Gasmarts. Investment and foreign trade are keystones for economic development in the years to come.

Procurement Law 80 regulates purchases and contracts by the government and state industrial and commercial enterprises. Given equal contracting conditions, the offer of goods and services of domestic origin are preferred. The GOC urges all official entities and decentralized industrial and commercial government organizations to "buy Colombian".

For sales to the government, either directly or through international tenders, foreign bidders must: have legal representation in Colombia, register with the Colombian Chamber of Commerce under the so-called "Registro Unico de Proponentes" (Bidders Register), and be pre-classified and pre-qualified by the Chamber and, in some cases, by the Colombian government contracting agency.

Colombia negotiated a Free Trade Agreement with the United States. The Agreement is undergoing legal analysis in both countries and it is expected to be in place in early 2008.

U.S. suppliers should intensify market advertising and promotional campaigns and sampling to compete with the wide range of quality products available. After-sale service and customer support are also important purchasing factors after quality and price.

U.S. suppliers should encourage buyers to tour suppliers/producers facilities and have business representatives tour their plants.

The import process still has many layers. However, the GOC has introduced key modifications to significantly simplify the paperwork. Many import/export procedures and customs clearances can be done by internet.

Section II Exporter Guide

FOOD LAWS AND IMPORT LICENSING REQUIREMENTS

Food Legislation: The basic piece of legislation dealing with food products and human health in Colombia is Law 9 of January 24, 1979 (www.invima.gov.co under Normatividad then Normatividad de Alimentos). All decrees and regulations produced since then are based on the above-mentioned Law.

Import Licensing: The Colombian Government maintains control over imports through the Ministry of Commerce, Industry and Tourism (MOCIT). All responsibilities in dealing with Colombian foreign trade have been transferred to the MOCIT including the issuance of import licenses and the registration of imports.

Because most, if not all, agricultural commodities require permits or have to be approved by another government agency (i.e., the Ministry of Agriculture), they need an import registration at the MOCIT to enter the country.

For food and agricultural products there are two import categories:

1. **Licencia Previa.** Imports that need prior government approval.
2. **Libre.** Imports free of pre-government approval. In this category products can enter the country without restriction. However, products in this category must be registered at the MOCIT.

Participating government agencies:

MINISTRY OF AGRICULTURE/GENERAL – Products subject to import registration in order to restrict imports for non-scientific reasons, either to protect local production from import competition or to regulate imports under tariff-rate quotas. These include products such as poultry parts, which are banned, and products subject to tariff-rate quotas (beef, corn, sorghum, rice and cotton).

INVIMA - Import registration with INVIMA (the equivalent of FDA in the U.S.) under the Ministry of Social Protection applies to most products destined for the final consumer, such as meat and food products for retail sales. While the registration process can sometimes be complicated and costly (particularly for products destined for retail sale), Invima has not used this process to prohibit imports.

ICA, Colombian Agricultural Institute, is the Ministry of Agriculture agency responsible for sanitary and phyto-sanitary issues (the equivalent of FSIS and APHIS). ICA is responsible for products requiring sanitary or phyto-sanitary registration such as meat, fresh fruits, vegetables, dairy products and animal inputs, including pet food. During the Trade Promotion Agreement (TPA) negotiations, Colombia agreed to allow the imports of bovine meat and products without age restrictions no later than October 31, 2006. However, since Colombia has not officially changed its import requirements, for purposes of this report, beef and beef products are still considered ineligible products. Colombia has also agreed to allow uncooked poultry imports from ten states previously banned because of Avian

Influence. As noted above, for unprocessed plant products, importers are also required to have an import permit before importing meat and poultry products.

Tariff Rates

Most processed foods are assessed a 20 percent ad-valorem import duty. However, some high-value food product imports, such as fresh/chilled and frozen pork and chicken parts, are subject to the Andean Community's price band and reference price system, which can markedly increase the Colombian import duty. The U.S. Government views the reference price and price band systems applied by Colombia to be inconsistent with Colombia's World Trade Organization obligations. The price band system distorts trade and does not operate in a transparent manner. Colombian processed food imports from Chile and member countries of the Andean Community (Peru, Ecuador and Bolivia) enter duty-free. This, combined with lower transport charges, provides a significant cost advantage to import from regional suppliers rather than to purchase from the United States. This is particularly true for fresh and processed fruit, wine, and at times, meat.

For those U.S. products subject to the price band system, import duties are calculated based upon the CIF adjusted floor, ceiling, and reference price levels determined by the Andean Board of Directors. The Andean Community establishes annual ceiling and floor prices every April. The Andean Community adjusts the reference prices every two weeks. If the applicable reference price falls within the floor and ceiling price band, the import duty is calculated by applying the common external tariff rate for the Andean Community to the reference price. When the reference price falls below the floor price, a variable levy, or surcharge, is applied, which is based on the difference between the floor price and the reference price. This surcharge is levied in addition to the applied duty. Conversely, when the reference price exceeds the ceiling price, a reduction is made to the applied duty, based on the difference between the reference and the ceiling prices.

The following illustrates how Colombia's import duties are calculated for those U.S. food products subject to the price band system. In the example below, we have calculated Colombia's import duty that would have been assessed on imports of chicken parts arriving at Colombian ports September 16-30, 2006:

Price Band Ceiling Price	\$1,700 per ton
Price Band Floor Price	\$1,510 per ton
Reference Price	\$1,022 per ton
Basic Duty Rate	20 percent

Variable Surcharge = (Floor Price - Reference Price) * (1 + Basic Duty Rate) / Reference Price

Total Import Duty (77 percent) = Basic Duty Rate (20 percent) + Variable Surcharge (57 percent)

The Total Import Duty is updated and published on the web page of the Andean Community (http://www.comunidadandina.org/politicas/franja_circular.htm) twice a month. The duty paid is the total import duty (77 percent) times the declared import value.

Value-added Tax (VAT)

- ✓ Most imports are subject to the VAT (value-added tax).
- ✓ VAT is assessed on the CIF value plus import duties.
- ✓ The VAT fluctuates between 2% and 16 %
- ✓ VAT for Liquors and wine is 35%.
- ✓ Law 788 of 2002 aimed to reform the tax system, modified the VAT for a number of food and agriculture products:
 - *extended the VAT to imports of several agricultural products, including some feed ingredients, such as soybean meal and soybean oil.
 - *exempted from VAT fresh, chilled or frozen meats; fresh, chilled or frozen fish; some milk and skim, fresh cheese, milk preparations for infant use, eggs in shell and eggs for hatching.
 - *excluded from VAT more than 124 products including some meats, fruits, vegetables, milk and grains.
- ✓ Imports of feed grains are levied a VAT of 10%

Pricing Products

- ✓ Import duties are quoted ad-valorem on the CIF value of shipments. Retail prices of consumer-oriented imported products are generally 60 to 120 percent above FOB prices.
- ✓ Freight and insurance costs are 10 to 15 percent of FOB values.
- ✓ Other factors affecting import costs and retail price are peso revaluation, inflation, and financing.
- ✓ Local manufacturers usually work with a markup varying from 15 to 30 percent and wholesalers from 15 to 20 percent. Profit margins for consumer goods may reach 20 to 30 percent.

Sanitary and Phytosanitary Measures and Other Licensing Requirements

Product Health Registration

All processed retail food items, including products imported in bulk for repackaging for retail use without further processing, must be registered and approved by the National Institute for the Surveillance of Drugs and Food (INVIMA), an agency of the Ministry of Social Protection (decree 3075/97). INVIMA charges a registration fee ranging from \$534.40 to \$1,220.70 per product. According to Decree 3075 of 1997, product registration is not required for:

- Products that are not subject to any transformation, such as grains, fruits, fresh vegetable, honey, etc.
- Products of animal origin, which are not subject to any transformation process.
- Products used as raw materials by the food industry or HRI sector in food preparation.

A transformed product is defined by the GOC as having been subjected to processing that resulted in a change in its internal structure.

INVIMA registration is valid only for the applicant (exporter or importer) and the manufacturer specified in it. Whenever the U.S. exporter wants to change its Colombian importer, there are two possibilities:

(a) If the U.S. exporter is the applicant for the INVIMA registration, he must submit an application for modification to INVIMA (cost 83,533 pesos or about \$36.32).

(b) If the Colombian importer is the applicant, the U.S. exporter must initiate a new registration process, specifying his new importer(s). Afterwards, he may change his importer(s) whenever he deems it advisable. The U.S. exporter must apply through his legal representative in Colombia or a lawyer.

INVIMA registration is valid only for the specifications (e.g., presentation and size) mentioned in the registration. If another presentation of the same product is to be imported, the registering company needs to inform INVIMA in writing of the new product.

INVIMA registration of processed foods requires: (1) a written document from the manufacturer stating that it manufactures the product; and (2) a certificate of free sale stating that the products are approved for human consumption in the United States. This certificate needs to be issued by a U.S. government (state, local or federal) health authority. Although not strictly required, INVIMA registration is facilitated if a description of the manufacturing process and a list of the ingredients, including any additives, preservatives, and colorings (dyes), is submitted. Since Colombia implemented the Hague Convention of October 5, 1961 with Law 455 of August 4, 1998, facilitating import documentation, the above listed documents must carry an "apostille" stamp. The "apostille" stamp fee amounts to \$20 each and it is produced by different authorities in each State, i.e. a Notary or a State Secretary or Under Secretary. This procedure replaced the notarization by the Colombian Embassy or a Consulate in the United States and by the Ministry of Foreign Affairs in Bogota. A translator approved by the Ministry of Foreign Affairs must translate these documents into Spanish.

INVIMA charges a registration fee ranging from \$534.40 to \$1,220.70 per product. After the submission of all required documentation, product registration by INVIMA takes about three working days (although we have received reports that this can take longer). Internet can carry out most of the product registration process. After issuing the product registration, INVIMA analyses the documents provided by the importer and may request additional information within a given period. Some importers complain that this procedure may result in additional requirements that become a non-tariff barrier to trade.

Sanitary Permit

Products used as raw materials by the food industry or HRI sector in food preparation do not need an INVIMA registration, but they do need a sanitary permit from the Ministry of Agriculture's Colombian Agricultural Institute (ICA). ICA is responsible for the issuance of import sanitary permits for animal products, vegetables, fruits, grains, pet food and agricultural inputs, including seeds and GMO's. The permit details the phyto-sanitary and zoo-sanitary (SPS) import requirements for the specific product. The Colombian importer must first obtain the import permit from ICA, before requesting an import registration from the MOCIT. The importer should supply the exporter with the ICA import permit for submission to USDA. USDA then issues a sanitary export certificate referencing the requirements in ICA's import permit. No shipments should be loaded and transported without the submission of the sanitary permit. Whenever ICA issues new health requirements, the health agency in the US is notified to see if it can comply with the new requirements.

For ICA approval, the product must: (1) come from a USDA inspected facility; (2) be free of disease; (3) be inspected by USDA prior to its shipment and be accompanied by a USDA health certificate; and (4) be inspected by an ICA veterinarian upon arrival in Colombia.

Registration Requirements

Company/Importer Registration

Every Colombian importer must be registered with the Ministry of Commerce, Industry and Tourism (MOCIT). U.S. exporters seeking to sell to a Colombian firm should ascertain that the Colombian importer has obtained the legal authority to import agricultural products by completing the MOCIT registration process. Once registered, the importer or importing company enjoys the legal right to import any agricultural product.

Most agricultural imported products require an import registration form (cost 30,000 pesos or about \$13) issued by the MOCIT. Import registration approval takes about two working days.

Labeling and Marking Requirements:

The Government of Colombia (GOC) requires country-of-origin labeling for processed foods. The GOC, however, does not classify frozen vegetables as a processed food and, therefore, no country of origin labeling is required. Also, fresh fruit and vegetables do not require country of origin labeling.

The GOC issued resolution 0485 on February 25, 2005 through the Ministry of Social Protection (previously known as Ministry of Health) establishing labeling requirements for canned food and raw food materials. The regulation was implemented on September 15, 2005. The label must contain the following information: food product name, list of ingredients, net content and drained weight, producer name and address, origin country, lot identification, date marking and instructions for product conservation, instructions for product use, and sanitary registration number. These requirements apply to both domestic and imported canned food products and raw food materials. GOC officials have stated that stickers are admitted on the imported products, but they must contain the information of the product stated in the original label translated into Spanish. The most important information is lot identification number and expiration date.

Imported processed food products that are not destined for further processing must comply with the labeling requirements mentioned above. GOC labeling requirements for processed foods do not address the question of ingredient origin. Therefore, if an imported food item contains ingredients from more than one country, for example, U.S. and Canadian peas in the same frozen package, the label must only identify the processor's name and address and the country where the product was produced. The GOC's product labeling requirements for imported processed foods do not require that the exporter identification information be affixed in a specific part of the package.

Product labeling information on imported processed products must be present at the point of retail sale. The responsibility for this labeling information rests with the importer, not the retailer. Many Colombian importers arrange for this information to be placed on the product by the exporting firm, before it enters Colombia.

For processed products shipped with Spanish labels, the following information must be shown: product name, name and address of importer, name and address of processor, net contents in metric units, list of ingredients, Ministry of Social Protection (INVIMA) registration number, any recommended method of storage/conservation, and product expiration date, if appropriate

Imports that are destined for further processing, such as mechanically deboned chicken, also require country-of-origin labeling. The GOC does not require country-of-origin labeling for imported bulk-packed or consumer-packed fresh fruits and vegetables. The GOC does not require a sticker/label indicating country of origin on individual pieces of fresh fruit. Colombian consumers, therefore, seldom are aware of the origin of imported fruit and vegetables.

Labeling for Food Products. Food products that are canned, bottled, filled or packed by Colombian marketing agents such as chain stores, supermarkets, delicatessen, etc for further commercialization must be labeled in accordance to this resolution and must contain at least the following information:

1. Name
2. Ingredients list
3. Net content
4. Name and address of producer or importer
5. Origin country
6. Lot identification
7. Expiration date
8. Preservation method or system

Import Documentation

The following steps must be accomplished in order to carry out an import:

- a) The exporter must provide a pro-forma invoice to the importer. The invoice should contain the specific product name, quantity, weight, and value per unit.
- b) The local importer should verify the Colombian harmonized schedule to see how the product is classified and its import requirements.
- c) Based on the above information, the importer requests a commercial invoice from the exporter, including the currency used for the transaction, FOB or CIF prices, and terms of payment.

Importers should also take into consideration the following recommendations:

- 1) Where required, obtain sanitary permit for products from the Ministry of Agriculture's Colombian Agricultural Institute (ICA). All domestically produced and imported food products require a sanitary registration approved the National Institute for the Surveillance of Food and Medicines (INVIMA), which is part of the Ministry of Social Protection (decree 3075/97).
- 2) Buy and fill out the Import Registration form. File the Import Registration form with the MOCIT.
- 3) Obtain approval from MOCIT for the Import Registration Form or Import License
- 4) Make arrangements with a financial entity for payment of the importation either through a letter of credit or direct payment.
- 5) Ask the exporter to ship goods to a Colombian port along with the packing list and certificate of origin that includes a statement that the product is approved for human consumption, and expiration date.
- 6) Request the bill of lading from the transportation firm.
- 7) Make arrangements, with the SIAs or Customs Intermediary Entities to receive the merchandise. All merchandise must be transferred to either bonded warehouses or free trade zones. Transfers must be done within two days from airport arrival or five days from seaport arrival. Products are allowed a maximum of two months from the arrival

date while undergoing customs clearance. A two-month extension is possible. If extension period expires, products are declared abandoned by Customs.

Note: The importer must keep import documents for a period of not less than five (5) years. Documents must be in Spanish.

Patents and Trademarks

- ✓ The Superintendence of Industry and Commerce under the MOCIT is in charge of patents and trademarks.
- ✓ Protection of patents, trademarks and plant varieties is based on regulations by the Andean Community of Nations (CAN). These are generally consistent with international standards for protecting intellectual property rights, and also govern protection of industrial secrets.
- ✓ Patents have a 20-year term of protection.
- ✓ Trademark registrations have a ten-year duration and may be renewed for successive ten-year periods.
- ✓ Priority rights are granted to the first application for a trademark in an Andean Community country.
- ✓ Colombia is a member of the Inter-American Convention for Trademark and Commercial Protection and the Treaty of Patent Cooperation. The Andean Community decision on patent and trademark protection also provides for protection of industrial secrets.

Samples

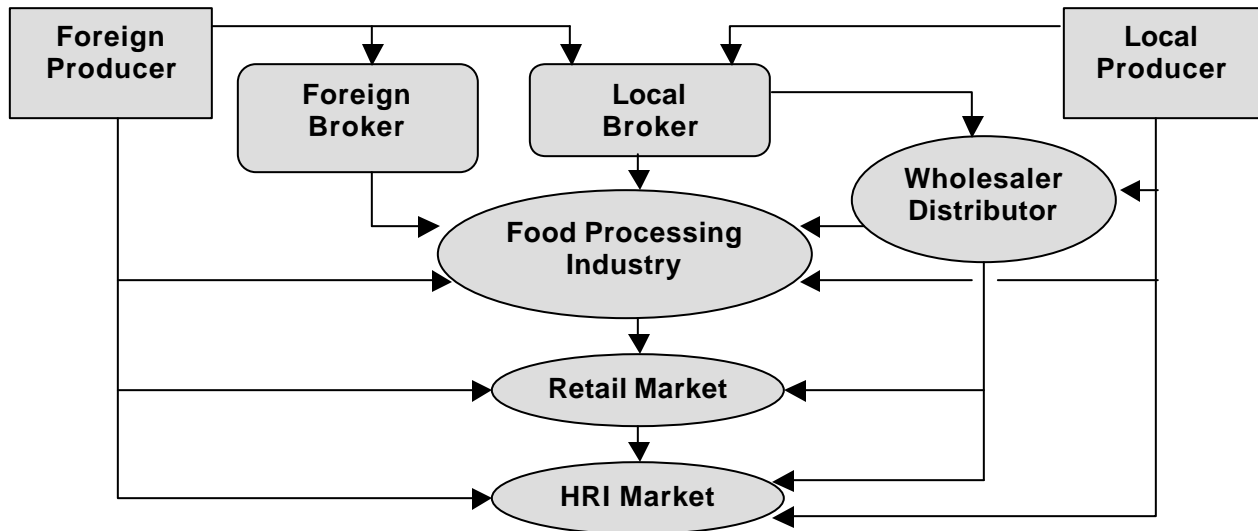
- ✓ As a general rule, samples require the same documents as commercial imports.
- ✓ Samples do not require an import license, registration form or import duty payment when Samples are consigned to a designated free trade zone, bonded warehouse or imported on a temporary in-bond basis.

Courier and Express Shipments

- ✓ Courier or express shipments not exceeding US\$ 1,000 in value and 20 Kilograms in weight are freely imported into Colombia.
- ✓ Air and surface shipments of products are allowed.
- ✓ The number of units of the same product should not exceed 6 units to be considered a sample.

Distribution and Sales Channels

- ✓ The Colombian food industry ranges from state-of-the-art processing food companies to all types of retail outlets, including sophisticated hypermarkets, supermarket chain stores, department stores, specialty stores, mini-markets, wet markets, cooperatives, street vendors and truckers who engage in door-to-door peddling.
- ✓ Radio and TV sales, as well as Internet e-commerce sales are becoming more popular.
- ✓ Direct marketing through credit card promotions, flyers, polls, and sales calls to either home or office sites are also popular, including home delivery services. Chain stores and large distributors have their own catalogs for phone, mail orders and internet purchases, which can be paid for with cash, check, or credit card.
- ✓ Mini-markets, Mom & Pop stores, wet markets and traditional stores maintain 50% market share.
- ✓ The number of suppliers has been growing along with those providing private brands.
- ✓ Negotiations between the new retail structure and suppliers have changed. Suppliers deal with fewer but stronger retailers.



Joint Ventures/Licensing

- ✓ Joint ventures, franchising and licensing agreements are increasing in number, value, and importance, which has improved competitiveness.
- ✓ The Colombian government investment policy encourages foreign investments.

Sales Representative

As a general rule, it is advisable to appoint a local agent or sales representative to help with import procedures, sales promotion and after-sales service, in spite of the fact that Colombians prefer to deal directly with manufacturers or through their export divisions, rather than through outside representatives or brokers.

Importers And Distributors

- ✓ The United States traditionally has been Colombia's main trading partner. Colombia is considered a natural market for U.S. products and technology, because of its proximity.
- ✓ The bulk of purchases from the U.S. are made through well-established local importers, representatives and distributors.
- ✓ Importers offer a full line of products to meet the domestic demand and to expand market possibilities.
- ✓ Competition in the food market has intensified and supply channels have been streamlined. There are now a few large players with strong negotiating and purchasing power. Large numbers of end-users are purchasing directly from suppliers and/or manufacturers abroad, avoiding local representatives.
- ✓ Colombian businesses are establishing direct contacts abroad to find new products and services. FAS/Bogota has detected an increasing interest in looking for new food products. This interest has been fueled by the marketing activities carried out by this office.
- ✓ Suppliers of large store and hotel chains and institutional markets must provide guarantees of supply availability consistent of products.

Top Colombian Importers and Distributors of High Value and Processed Food

Importer	Products
Frutcom S.a.	Apples, grapes, kiwis
Nestle of Colombia	Poultry fat, condensed milk, lactose/whey, tomato sauce, bakery products, biscuits, cacao preparations, cereals.
Italcol Occidente	Cookie meal, meat meal, yellow grease. Oilseed meal.
Harinera del Valle	Corn, wheat, sauces, margarine, baked products.
Carulla - Vivero	Vitamins, cheese, margarines, dairy spreads, bakery mixes, bakery enhancers, wines.
Grasas S..A.	Sunflower oil, bovine animal fats, edible mixture of animal fats/oils of fish, soybean crude oil.
Industrias del Maiz	Glucose, sugars, bakery enhancers, mixes and pastas.
Colombiana de Comercio S.A. Corbeta Alkosto	Soybean oil, soups, frozen potatoes, ketchup, tomato sauce, pasta, canned tomatoes, bakery mixes
Aceites y grasas vegetales, ACEGRASAS	Bakery enhancers, shelled eggs, chocolate blocks, cookies, confectionary
Alimentos Polar de Colombia S.A.	Cereals, orange juice, mineral water, apple juice, tomato juice
Effem	Confectionery, pet food ingredients.
Nacional de Chocolates	Tuna, peanuts, almonds, soups, broths, cocoa, lactose/whey, cereals.
Agrinal/Agribands -Purina	Sunflower seeds, soybean oilcakes, dog/cat food, fish meal.
Agrodex	Processed inputs for fast foods, Cheese, poultry/turkey preparations, spices, bakery products, etc.
FEDCO	Dietetic foods, baby foods and formula, baked foods, cereals, candy and chocolates, food supplements, salad dressings, fruit juices, etc.
Rica Rondo	Frozen pork, edible swine offal, and other edible pork.
EMCD Groupe Casino Americas	Beer, wine, chocolates, candy, baking mixes, carbonated beverages, baby foods and formulas, condiments, processed cheese, cooking and salad oils, canned fruits, dried fruits, cereals, jams and jellies, pastas, salad dressings, snack foods, etc.
Avidesa Mac Pollo	Corn, fish meal,, spices, cookies.
Comerfruit Ltda.	Grapefruits, prunes, apples, prunes, grapes, oranges

Comestibles Alfa	Vinegar, meat and fish bases, canned foods
Congrupo	Food preparations, sauces, pickles, ketchup, vinegars, pasta, confectionary, mustard, soup bases
Crepes and Waffels	Canned fruits and vegetables, mustard, cappers and olives
Distribuidora de vinos y licores	Wine, whiskey, seasonings, breakfast cereals, canned fish products, cookies, vegetables and grains.
Frigorifico de la Costa	Fruit preparations, olives, palm hearts, capers, prunes, fesh fruits, nuts, etc.
Importaciones y Exportaciones Fenix	Fresh fruits.
Frigorifico Suizo	Frozen pork, pig/poultry fats, edible offal.
Vigomez	Fresh apples, pears, grapes, kiwis.
Quala S.A.	Dried onions, ice cream flour, yeast, animal fats.
Productos alimenticios El Galpon	Soybean oilcake, corn, animal feed mixes, fish "pellets.
Griffith Colombia S.A.	Pastry, vegetables, spices, lactose, isolated proteins, whey.
Unilever Andina	Bovine fats, coconut and soybean oil, cereal flours, tomato sauce.
Almacenes Exito	Tuna, frozen orange juice, bakery products, pastry, marmalade, cocoa preparations, Green peas, onions, garlic, fresh fruit, dry plums, olive oil, wines, salad dressings, sauces, pastas, fresh fruits,

Standards

- ✓ ICONTEC (Colombian Institute of Technical Standards and Certification), accredited by the Superintendency of Industry and Commerce (SIC) as a certification entity, is responsible for the development of technical standards. SIC performs under the MOCIT.
- ✓ ICONTEC is a member of the International Standards Organization (ISO).

Section III. Market Sector Structure and Trends

Hotels and Restaurants and Institutional Sector (HRI)

HRI sector sales of food and beverages in Colombia were estimated at \$1.8 billion dollars in 2005 and are expected to grow 6 percent in 2006. The market has benefited from the arrival of world-class hypermarkets, such as Makro and Carrefour, which are oriented toward serving the food service sector. There are other Colombian hypermarkets such as Alkosto, Carulla-Vivero and Almacenes Exito who have developed strategies to serve the food service sector. Colombia is experiencing an increase in hypermarket chains and a decrease in the number of HRI sector importer/distributors. Foreign processed food brokers, who are the major suppliers of the Colombian HRI sector, are facing strong competition from domestic producers. Distribution channels for hotels and restaurants have become more efficient, while the system for sales to institutions is still relatively small and undeveloped. Public institutions use very few imported products.

Colombia currently has relatively high duties for processed food products imported for the HRI sector (generally around 20 percent) and strict registration requirements that cost an average of \$800 per product registered. The rising value of the Colombian peso relative to the U.S. dollar and strong competition in the restaurant sector have, however, made U.S. food products more attractive to local purchasers. The negotiation of the Free Trade Agreement with the U.S. has generated more interest in U.S. food products.

Changes in consumer taste and consumption patterns and the rise in women participating in the labor force (38%) have demanded new market strategies. The remarkably young population, 58%, living in urban areas, has new tastes and preferences and is more health-conscious and selective. With rising participation of women in the workforce and greater use of fast food restaurants, demand for new high-value products is increasing. Current consumer trends indicate that buying decisions are increasingly based on quality and price. There is a general perception that U.S. products are of good quality and value.

The hotel and restaurant sector has potential for growth driven by the tourism sector, though it continues to be affected by persistent internal conflict. The government campaign "live Colombia and travel in it" has fostered in-country tourism throughout the country, with a significant portion of the tourists traveling to Cartagena and Santa Marta on the northern coast. Santa Marta is the only tourism destination with large hotels catering exclusively to tourism. Foreign tourism is still relatively small and generally concentrated in the historic colonial walled city of Cartagena, while international business travel is generally to Bogotá, Medellín, Cali, Cartagena and Barranquilla.

Quick service and fast food restaurants, especially franchises, are expanding rapidly. Colombians are getting more inclined to eat in fast food restaurants due to working schedules, prices, and convenience. Most of the fast food restaurants are American franchises, although there are several local fast food restaurants that use American techniques and marketing strategies. Currently, away-from-home meals represent nearly 24 percent of food spending. High and upper-middle income groups are interested in foreign

cuisine and are eating out more frequently, at least twice a month, devoting 24 percent of food spending to meals outside the home.

Most hotels and restaurants in Colombia buy food products from food importers and retailers specialized in the food service. Fruits and vegetables are mostly bought at wholesalers. Dairy products are bought directly from Colombian dairy plants and distributors. There are ethnic restaurants with specialized Italian, French, Mexican, Cajun, Japanese, Chinese, etc. menus. Those restaurants buy the essential ingredients for their menus from specialized importers. The restaurants that import directly are local restaurants like "Crepes and Waffles" and owners of upscale restaurants. International food chain franchises such as McDonalds and Fridays also import directly.

Colombia has a total population of 42 million and the restaurant sector generates an estimated 300,000 direct jobs, while the hotel sector generates 54,000 direct jobs. Colombia continues to be our largest export market in Central and South America. Economic growth in 2005 was 5.2% and it is projected to grow over 5% in 2006.

Food Processing Industry

In Colombia, the food and beverage processing and packaging equipment industry is privately owned, except for a few government distilleries. Sector companies range from small family-owned enterprises to large Colombian, U.S. and third country multinationals such as Kellogs, Nestle, Compania Nacional de Chocolates, Noel, etc. The sector is an important component of the national economy that contributes with approximately 10 percent to the GDP, and generates about 120,000 direct jobs

National and international competition has influenced the sector, which is recognized by its high initiative, permanent efforts to maintain state-of-the-art technology, continuous product innovation and their retail presentation. The most developed sub-sectors are those that process: dairy; sugar; poultry; edible oils and greases; cacao, chocolate, confectionaries and non-alcoholic beverages.

Product lines have diversified and new products have entered the market. Such is the case of the dairy industry with lactose free products, the meat industry with low fat products; the baked goods industry with high fiber and whole-wheat products and the oil and fats industry with low cholesterol cooking oils.

Colombia is a major producer in many intermediate and consumer-ready categories such as sauces & spices, dairy products, breakfast cereals, confectioneries, baked goods, poultry feed, pet food, oils and margarines and dairy products.

Top processing companies, such as Colombina, Alpina, Levapan, Industrias del Maiz, Invernacional de Chocolates, etc. successfully compete in international markets. Foreign food processing affiliates provide a large portion of domestic processed food. Some of them have a number of their brand lines produced by affiliates abroad.

Specific products showing stable sales are : fresh/frozen chicken, turkey and pork, and poultry , mechanically deboned chicken meat, cheese, fresh fruits, breakfast cereals, wine and beer, and assorted snack foods. Feed grains represent the bulk of grain imports. Almost all corn imports are directed to the feed industry, mostly for poultry. The United States is the dominant supplier.

Food processing industries rely heavily on imported inputs, such as thickeners, preservatives, modifiers, flavorings, dry mixes for sauces, and spices.

Company mergers to improve the efficient use of installed capacity are frequent as well as implementation of investment in expansion plans.

The Retail Food Market Sector

The supermarket sector in Colombia is one of the most modern in Latin America, with preliminary sales estimates of \$4 billion in 2005. Fierce competition characterized Colombia's retail sector in 2004, causing shrinkage in profits. Consumers have benefited from the "price war" among competitors. The sector is consolidating a massive structural change initiated in recent years. Strategic alliances, such as Carulla-Vivero and Exito recently took place in a frantic effort to modernize and capture market share.

World-class hypermarkets, such as Makro and Carrefour, made their first incursions into the country in 1998 and continue to expand. Carrefour's marketing strategies led it to a larger market share and a strong position in the industry. In 2003 Carrefour purchased 35% of the stocks held by the Grupo Santodomingo and 10% of those owned by the Spanish company Sigla, ending up with a 100% ownership of the chain in Colombia. Other significant acquisitions, such as the purchase of 28 percent of Carulla by the U.S. based New Bridge, and of 28.6% of Exito by Casino (a French enterprise) have reshaped the sector. Exito had previously bought out the Cadenalco group, one of its largest rivals, and in 2003 acquired the Comfamiliar chain; The latest negotiation is the purchase of 19.8% of Carulla-Vivero assets by the number one retailer in Colombia Almacenes Exito. This transaction took place, by agreement, in New York on August 19, 2006. Olimpica in turn, purchased the Febor chain (former Central Bank employees Fund). Furthermore, the arrival of French giant Carrefour and Holland retailer Makro in Colombia, as well as the sustained strength of local players such as Exito, Carulla, Alkosto, Olimpica, Colsubsisio and Cafam, have unleashed a wave of concentration in 50 percent of the retail market. On the other hand, convenience stores are a new sales venue and are expanding in the form of GasMarts. As a result, supply channels have been rapidly streamlined, and end-users are increasingly establishing contacts abroad. Colombian importers are constantly seeking alternatives to reduce high costs. The new retail market structure in Colombia and the production-consumer chain has forced distributors/suppliers to switch from being passive to active agents.

Despite rapid modernization in the retail sector, traditional Mom 'n Pop stores continued to consolidate as one of the most important distribution channels in the country. They have regained the near 50 percent of the market share they had in the past, at the expense of the big retailers and have been extremely resilient in the face of massive modernization in the sector. The reason for the expansion is due to services, such as credit, small-quantity sales of bulk products, and a proximity that appeals to the vast number of middle and lower-income consumers, services that can not be provided by the large hypermarkets/supermarkets.

Additional factors are expected to contribute to further expansion of the retail food market: market leaders are investing in construction of new modern shopping centers in which super/hypermarkets and cinemas are the cardinal points; sales areas of between 6,000 and 12,000 sq meters, offer a complete range of products and fulfill the increasing demand for one-stop shopping. Investment also includes state of the art technology, tailored logistics to save consumers time and money, remodeling and improvement of service areas.

Competition, Consumer- Ready Food

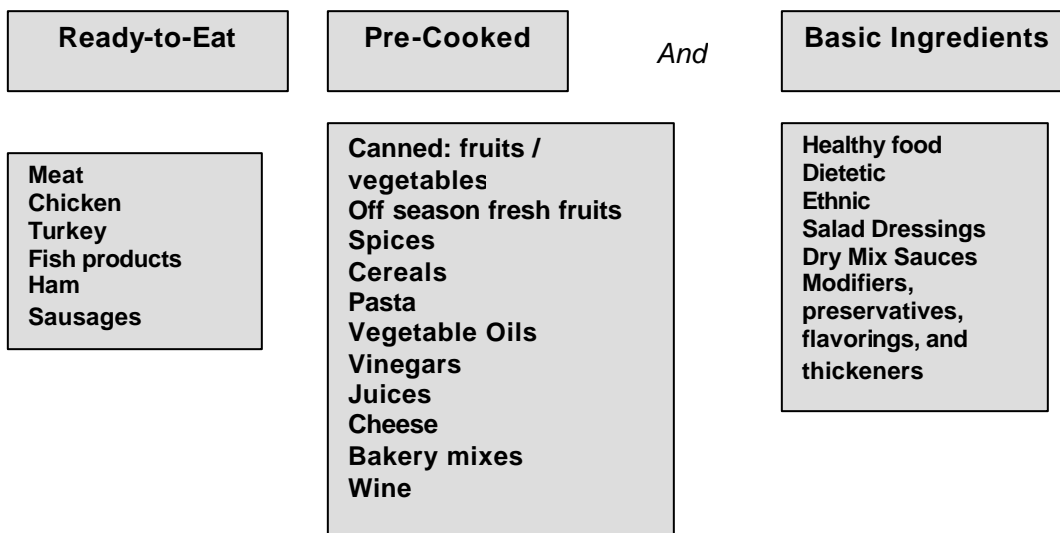
Colombia is a strong competitor in the production of:

Product	Company
Dairy products	Alpina, Colanta, Parmalat, Purace, Nestle
Breakfast cereals	Kellogg's, Nestle, Quaker
Snacks	Frito Lay -Margarita, Savoy Brands, Yupi, Nabisco Royal, Kraft Foods
Baked foods	Levapan, Bimbo, Ramo, Comapan
Confectionery	Colombina, Noel, Warner Lambert, Nacional de Chocolates, Chiclets Adams, Italo
Oils and margarines	Grasas S.A., Unilever, Lloreda, Acegrasas, Gravetal
Dry mixes for sauces, mayonnaise, ketchup, mustard, jellies, condiments	Unilever-Disa-Best Foods, California, La Constancia, El Rey, Productora de jugos, Frutos del campo
Poultry feed and pet food	Solla, Purina, Finca, Italcol, Contegral, Nestle Pet care, etc.
Canned food products	La Constancia, Fruco, Comapan
Canned tuna fish	Van cans, Tune

Best Products Prospects

Colombia is a growing market for value-added food products. Surveyed retailers and producers feel there is significant potential for new products in almost all food product categories.

Healthy and ethnic food categories are especially new fast growing. Also, wines and gourmet products are penetrating the market with excellent results. Frozen products represent 38% of total sales, followed by chilled products at 34% and, dry products at 24%. Fast food chain restaurants are the largest buyers of frozen products.



Business Practices and Habits

- ✓ Colombia has a very sophisticated and highly developed private sector.
- ✓ Colombian businessmen have good knowledge of business practices abroad. A large number of them have been educated overseas, especially in the United States.
- ✓ They share similar business practice and ethics with U.S. entrepreneurs.
- ✓ Colombians tend to be friendly, straightforward and direct in doing business.
- ✓ Consequently, despite Colombia's political and social problems, knowledgeable U.S. companies have been doing business successfully in Colombia for years.

Travel Warning and Visas

- ✓ Business visas are valid for up to three years, can be renewed, and can be used for multiple entries into Colombia for stays of up to six months per visit.
- ✓ Although business travelers may enter Colombia on a tourist visa, businessmen traveling under a tourist visa should not sign contracts, because they may be considered invalid and/or non-binding.
- ✓ U.S. business travelers can obtain copies of the travel warning and other up-to-date travel information and publications such as tips for Travelers to Central and South America, via the Internet at http://www.access.gpo.gov/su_docs; or via the Bureau of Consular Affairs Home Page at <http://www.travel.state.gov>

Related Reports

Report No.	Report Name	Date
CO-5021	Retail Food Market	11-22-05
CO-6001	Oilseeds	07-29-05
CO-6002	Grain and Feed	03-13-06
CO-6003	HRI – Food Service Sector	03-15-06
CO-6008	Trade Policy Monitoring Report	06-22-06
CO-6009	Biotechnology	03-17-06
CO-6013	FAIRS Exporter Certificate	09-28-06

For further information, visit the FAS home page at <http://www.fas.usda.gov>.

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