



USDA Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Template Version 2.09

Required Report - Public distribution

Date: 8/13/2008

GAIN Report Number: SG8016

Senegal

Food and Agricultural Import Regulations and Standards

Annual Country Report

2008

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Report Highlights:

This report is an annual update of the food and feed regulations and enforcement government systems and bodies in Senegal. It includes references to the Codex Alimentarius system in Senegal as well as guidance on import procedures and documentation. In this version, Section I and Section VII are updated to reflect more detail and clarification - all other edits are minor.

Includes PSD Changes: No
Includes Trade Matrix: No
Annual Report
Dakar [SG1]
[SG]

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

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

SECTION I: FOOD LAWS

Senegal established the National Committee for International Trade Negotiations (CNNCI) in 2002 as the government body in charge of the consultation and coordination between the Government, the private sector and consumer associations on all matters concerning the implementation of trade agreements including those involving the import of food. The CNNCI includes a subcommittee on Trade in Agricultural products, where SPS measures are discussed, coordinated and monitored.

Senegal has also adhered to the CODEX Alimentarius and has a National Codex Committee responsible for representing Senegal to the Codex negotiations, advising and sensitizing government and private sector standards users on the Codex food safety standards and their applications, and initiate and oversee research and surveys on various food safety issues and standards setting. The National Codex Committee is chaired by the Service of Food and Nutrition of the Ministry of Health and is composed of representatives from the Ministries of Agriculture, Animal Husbandry, and Trade, the National Standardization Association and several research institutions and university scientists involved in food safety applications.

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

The Directorate of Domestic Trade is primarily responsible for enforcement of food safety regulation. The Directorate manages a well equipped laboratory where samples of imported food products are tested and analyzed.

The Senegalese Standards Association is responsible for standardization and for the national system of certification of conformity with standards. It develops and manages food and phytosanitary standards, provides information, raises awareness and organizes training to industries, distributors, consumers and government officials in food quality requirements, and methods and procedures to abide by these requirements.

The Directorate of Plant Protection through its Division of Phytosanitary and Quality Control is responsible for enforcing the application of measures and standards related to plant protection, pest control, and the prevention of plant quarantine diseases. The Directorate of Plant Protection provides control services at the port and airports for all plants and seeds materials entering the country. Other government services are also involved in the enforcement of food quality standards. These include the Directorate of Animal Husbandry for animal products, the Directorate of Oceanography and Fisheries for fish and seafood products, and the National Hygiene Service in relation with the Division of Consumption and Quality of the Ministry of Trade for the control of hygiene and the protection of consumers.

Government and private entities involved in food safety assessments include the ISRA¹ Veterinary and Animal Health National Laboratory, the Food Technology Institute (ITA) and the laboratory of the Pasteur Institute.

The primary food safety laws are the following:

- Law 66-48 of May 1966², which sets the main regulations for the control of food safety. The scope of this law has been extended with the Laws 68-507 and 68-508. The first law specifies the conditions for controlling imports and measures for the use of food products. The second sets the procedures for the control, sampling, risk assessment, seizure, and repression of frauds.
- This law is completed by more specific application decrees issued by various ministerial authorities depending on their respective areas and scope of responsibilities. These decrees include the Decree 60-121 SG regulating phytosanitary measures applied to plants and parts of plants entering or exiting Senegal; the Decree 99-259 regulating the quality control of horticultural products; the Decree 69-891 for the control of the quality of milk and other dairy products; the Decree 89-543 regulating the sanitary and hygiene inspection of animal products used for meat production, meat and meat byproducts; and the Decree 62-132 regulating fish and seafood.

Because of the lack of equipment and personnel, the enforcement of these laws is limited, especially for processed, prepackaged food products. Therefore their impact on the level of food imports is low.

SECTION II: LABELLING REQUIREMENTS

A. General Requirements

Senegal's labeling requirements are applicable to canned and partly preserved food used for human consumption. Such products must be marked in French with the following information: Country of origin; Product manufacture date, specified by the day, the month and the year; The expiration date, marked in the same manner as the date of manufacture, preceded by Best Before notice: *"A Consumer de Preference Avant le DD/MM/YY."*; and the Ingredients. Please note that the dating format follows European norms; DD/MM/YY.

B. Requirements Specific to Nutritional Labeling

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

¹ ISRA: French acronym of the Agricultural Research Institute

² The first Senegalese food safety laws are basically referenced to the French food safety laws. Application decrees, which are more recent make reference to the domestic context and international treaties and convention to which Senegal is signatory.

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

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

SECTION III: PACKAGING AND CONTAINER REQUIREMENTS

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

Specific packaging requirements apply to a few commodities. For instance:

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

Other Specific standards exist for the packaging of various food products and are made available to the public through the Senegalese Standardization Association –ASN.

SECTION IV: FOOD ADDITIVES REGULATIONS

ASN has issued standards for cooking salt (NS 03-017), iodinated cooking salt (NS 03-037), and other standards for determining the requirements in terms of iodine content in cooking salt. For other food additives, Senegal relies on the standards validated and applied in the export country or on the Codex General Standards for food standards (Stan 195-1995).

SECTION V: PESTICIDES AND OTHERS CONTAMINANTS

Senegal applies sanitary control measures in conformity with the Phytosanitary Convention for Sub-Saharan Africa and prescriptions of the Sahel Pesticides Committee. For more information on authorized pesticides, see <http://www.insah.org/protectiondesvegetaux/csp/index.html> and click on "*pesticides autorisés*". Senegal applies also Codex Alimentarius pesticide residue standards and a few specific national standards (see sections IV and section VII) for the assessment of food safety. The Plant Protection Service (DPV) performs these assessments on the basis of which food imports are authorized. A phytosanitary certificate is required for all plant

imports. Quarantine is allowed only in sites approved by the Inter-African Phytosanitary Council. The sale or distribution of agro- pharmaceuticals not approved by the relevant government services (Agricultural Services or Animal Health Services) is banned. Pesticides to be commercialized in Senegal for use in food processing and treatment must be registered and accepted by DPV which maintains a list of approved, restricted and banned pesticides.

SECTION VI: OTHER REGULATIONS AND REQUIREMENTS

Food products that enter Senegal's market are submitted to phytosanitary inspections by The Laboratory of the Directorate of Domestic Trade. These tests are conducted on 4 samples selected randomly from the shipment, but they do not preclude the importer from pursuing the registration approval process. The local agent or importer should receive the bill of lading and the phytosanitary clearance documents prior to the shipment. Sanitary control measures are in conformity with the Phytosanitary Convention for Sub-Saharan Africa and prescriptions of the Sahel Pesticides Committee (see GAIN Report SG7007). Presently, there is no regulatory system and institution in place for the approval and control of the imports of biotech food products.

Specifically, exporting documents required in Senegal include the following:

1. Two copies of the commercial invoices, which indicate the identity and contacts of exporter and the importer; a complete description of the merchandise, its weight and quantity, and CIF value; and a complete description of the merchandise. The invoice should be done in French or issued with a certified French translation.
2. A Pro Forma Invoice containing the aforementioned information
3. A Certificate of Origin provided by the importer, specifying the quantity, quality and prices of the products subject to customs duties. COTECNA, a Swiss private company, is assigned to determine the value of the shipment, on the basis of which customs fees are determined. U.S. exporters are urged to contact COTECNA's U.S. office at www.cotecna.com for further information.³

Import food products require a certificate of conformity from the country of origin, in accordance with Circular No. 472/MCA/DCE and Circular No. 1073/MC/DCE/DCORF.

SECTION VII: OTHER SPECIFIC STANDARDS

ASN has issued various other standards which could impact food imports. These include:

- NS 03-029 on milled rice
- NS 03-036 on tomato concentrate
- NS 03-010 on animal feed nutritional requirements
- NS 03-052 on wheat Flour
- NS 03-060 on edible vegetable oils
- NS 03-005 on the transportation of meat products

³ On 27 February 2008, Cotecna Inspection S.A signed a new exclusive inspection contract with the Government of Senegal. Within this new contract that started on 1st March 2008, Cotecna will provide Pre-Shipment Inspection and Destination Inspection including Scanners and Risk Management* as well as Transit Monitoring** services.

- NS 03-014 on poultry meat preparations and trading requirements
- NS 03-006 on meat conservation through freezing
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- Detailed information and guidance on these standards and their applications could be provided by the ASN upon request.

SECTION VIII: COPYRIGHT AND/OR TRADEMARKS LAWS

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

In Senegal, the government body responsible for the supervision of Industrial and intellectual property rights is the Ministry of Industries through the Industrial Property and Technology Service. Trademarks, industrial designs and patents are regulated by specific national legislations referring to the Banjul Agreement on trademarks, patents and industrial designs of 1997, revised in 1999.

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

SECTION IX. IMPORT PROCEDURES

As is true in most cases, the best way to navigate the import clearance process in Senegal is to develop good communications and relations with the importer, who will have significant experience in the process summarized below. Import procedures include the following (See GAIN Report SG7005):

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

Goods imported for re-export are subject to a temporary admission system and are not assessed for customs duties. However, customs officials may decide to spot-check as this system is sometimes abused.

The following chart describes the documentation flow for imports:



Payment can be made by wire transfer, check, cash or any other legal methods agreed upon by parties involved in the transaction. The majority of suppliers demand a 50% down payment at the time of order and the remaining half after delivery. Some require advance payment. Payments by government clients may be delayed. Normally, payments are made within 30 to 60 days. Any payment for imported goods greater in value than CFA one million (\$2,000) must be made through an approved Senegalese bank or financial institution.

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

APPENDIX I: GOVERNMENT REGULATORY AGENCY CONTACTS

Direction du Commerce Intérieur (Directorate of Internal Trade)
Ministry of Commerce
Rue Parchappe X Beranger Ferraud, Dakar, Senegal
Tel: +221 – 33 822 4549

Direction du Commerce Extérieur (Directorate of External Trade)
Ministry of Commerce
Tel: +221 – 33 820 4494
Fax: +221 – 33 829 9495

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

Direction de la Protection des Végétaux (Directorate of Plant Protection)
Ministry of Agricultural and Rural Development
Km 15, Route de Rufisque,
BP 20054, Thiaroye- Dakar, Senegal
Tel: +221 – 33 834 0636 / 33 834 0397
Fax: +221 – 33 834 28 54 / 33 853 2252

Industrial Property and Technology Service
Ministry of Industry and Handicrafts
104 Rue Carnot
BP 4037 Dakar, Senegal
Tel: +221 – 33 822 0443 / 33 822 0415
Fax: +221 – 33 823 1404 / 33 822 5594

Senegalese Copyright Office (BSDA)
Ministry of Culture
44, Rue Jules Ferry
BP 126, Dakar
Tel: +221 – 33 822 5427 / 33 822 2459
Fax: +221 – 33 822 0702
Email: bsda2000@sentoo.sn

APPENDIX II: OTHER IMPORT SPECIALIST CONTACTS

TRADE POINT SENEGAL (Import information and requirements)

Km 2,5 Boulevard du Centenaire de la Commune de Dakar

BP: 21674 Dakar Ponty

Tel: (221) 33 839 73 73

Fax: (221) 33 839 73 90

Institut de Technologie Alimentaire (Food Technology Institute – testing of food quality)

Route des Pères Maristes - Dakar Hann - Senegal

Tel. +221 33 859 0707

Fax. +221 33 832 82 95

Email : ita@ita.sn

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

B.P 2057 Dakar-Hann, Sénégal

Tel : 221 33 832 3678

Fax : 221 33 832 3679

Institut Pasteur of Dakar (Food safety and quality testing)

36, Avenue Pasteur

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