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Prepared By: Fritzner Cledo

Approved By: Frederick Giles

Report Highlights:

This report is an overview of general legal and technical requirements imposed by Haiti for food and agricultural imports. The following sections in this report indicate the requirements for the following: Food Laws; Labeling Requirements; Packaging and Container requirements; Food Additive Regulations; Pesticides and Other Contaminants; Other Requirements, Regulations, and Registration measures; Other Specific Standards; Trademarks, Brand Names and Intellectual Property Rights; Import Procedures; and Trade Facility. The Government and Institution Services (SGS), a private contractor no longer involves in import procedures in Haiti.

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LIST OF ABBREVIATIONS

AGD – Bureau of Customs

APN – National Port Authority

ASTM – American Society for Testing and Materials

AV – Certificate of Verification

BHN – Haiti's Bureau of Standards

BNC – Credit National Bank

BRH – Haiti Central Bank

CARICOM – Caribbean Community

CFI – Center of Facilitation of Investments

CIF – Cost, Insurance and Freight

CoC – Certificate of Conformity

COPANT - Pan-American Standards Commission

CROSQ – CARICOM Region Organization for Standards and Quality

DCQPC – Department of Quality Control and Consumer Protection

DGI - Income Tax Office

DGPSA – Department of Production and Food Safety

DQCSPAP – Office of Quarantine and Control of Fishing and Agricultural Products

DR – Dominican Republic

FOB – Free on Board

ID – Identity Document

IEC – International Electrotechnical Commission

INDOCAL – Dominican Institute for Quality

ISO – International Organization of Standard

MARNDR – Ministry of Agriculture, Natural Resources and Rural Development

MCI – Ministry of Trade and Industry

MDE – Ministry of Environment

MEF – Ministry of Economy and Finance

MSPP – Ministry of Public Health and Population

NCR – Non-Conformity Report

PVC – Product Verification of Conformity

RFC – Request of Certification

RNF – Standards Network and Francophonie

SGS – Governments and Institutions Services

SIM – Inter-American Metrology System

USDA – US Department of Agriculture

VR – Valuation Report

WIPO – World Intellectual Property Organization

WTO – World Trade Organization

EXECUTIVE SUMMARY

Haiti depends on the imports of U.S. agricultural products to fulfill domestic demands. Haiti food legislation has been in place for years, but Haiti continues to readjust its legislation and regulation to international agreements. Though there are no major changes in Haiti food legislation, there are changes in import procedures, which no longer require Governments and Institutions Services involvement in the process.

SECTION I. FOOD LAWS

The majority of Haiti's food and trade legislation has been in place for many years. The major laws and other documents that set the requirements for food and agricultural products in Haiti are listed below:

- 1) Haitian customs code of 2015
- 2) Haitian rural code 1962
 - Law No 10, related to agricultural industry and animal husbandry
 - Law No 12, related to the trade of foodstuffs, transport and storage of plant and animal byproducts.
- 3) Haiti's Amended Constitution of 1987
 - Article 251 related to the import of foodstuffs and byproducts
- 4) Presidential decrees
 - Presidential decree of October 15, 1950, related to the import of animals
 - Presidential decree of November 12, 1987, related to the regulation of the import of plants, animals and their byproducts

5) Laws

- Law of August 27, 1934, related to plant and animal health protection
- Law of August 16, 1950, prohibiting the import of pork without authorization
- Law of August 26, 1963, prohibiting the import of plants or seeds without authorization of the Ministry of Agriculture, Natural Resources and Rural Development (MARNDR)
- Law of June 27, 1951, related to the export of plants and bulb of sisal

6) Public notes

- Decree of July 24, 1937, related to the import of coffee, cacao, and other high crop plants
- Public statement of March 20, 1984, regulating the import of pork into Haiti
- Public statement of MARNDR and the Minister of Trade and Industry (MCI) of April 1986, related to plant and animal health protection
- Public statement of March 16, 1995, related to the import of carnivorous animals and poultry

- Memo of January 22, 1987, related to plant and animal quarantine

Haiti has signed several international agreements that reinforce its food and trade policies. As a member of the World Trade Organization (WTO) since 1996, Haiti continues to adjust its legislation and regulation to the legal framework of the WTO. The government of Haiti refers, as well, to the topics covered by the WTO Agreements to fill in the gaps in its trade policy. Haiti is also a member of the Codex Alimentarius Commission, which advocated for the establishment of Codex Alimentarius committees in member states. The government of Haiti has never established this committee; however, Haiti's Bureau of Standards (BHN in French) was created in December 2012 to organize and manage activities related to standardization, certification, industrial metrology, promotion of quality, and provision of technical support to companies. Through this bureau, Haiti implements agreements signed with the CARICOM Regional Organization for Standards and Quality (CROSQ), Pan-American Standards Commission (COPANT in Spanish), Standards Network and Francophonie (Réseau Normalisations et Francophonie (RNF) in French), Inter-American Metrology System (SIM in French), American Society for Testing and Materials (ASTM), and Dominican Institute for Quality (INDOCAL in Spanish).

In addition, a November 1987 Presidential decree established the Department of Production and Food Safety (DGPSA in French) within the Ministry of Agriculture, Natural Resources and Rural Development (MARNDR). DGPSA oversees the Office of Animal Quarantine and Control of Fishing and Agricultural Products (DQCSPAP in French). While many products have access to the Haitian market, others are banned or restricted. In addition, some products are banned or restricted from all sources, while other bans or restrictions only apply to products from the Dominican Republic (DR). The list of affected products is provided in Appendix III.

SECTION II. LABELING REQUIREMENTS

The MCI's Department of Quality Control and Consumer Protection (DCQPC in French) establishes labeling requirements in Haiti. Current requirements include:

- Product name
- Composition (list of ingredients)
- Net weight or quantity

- Manufacturer and importer's name and address
- Manufacturing and expiration dates
- Instructions for use and storage of the product
- Country of origin
- Batch identification number
- Product condition (e.g., frozen food)

Haiti has two official languages: French and Creole. However, with the proximity of the United States and Latin America, labels in English or Spanish are widespread in Haiti. Currently, there are no language requirements for product labels in Haiti.

Legislation to protect consumers, which includes additional labeling requirements, is also pending in the Haitian Parliament. The Ministry of Trade and Industry is the government office in charge to ensure the quality and the conformity of products in the Haitian market, receive complaints from consumers, investigate issues, collect samples, verify documents and compile reports. Competent authorities, including but not limited to a Justice of the Peace, are able to confiscate and dispose of suspected products, rescind an individual's professional identity card and business license, and issue a temporary closure notice.

SECTION III. PACKAGING AND CONTAINER REQUIREMENTS

Requirements for foodstuff packaging and containers are regulated by Haitian standards. In October 2012, the government of Haiti banned polymers of styrene (polystyrene and expanded polystyrene), polyethylene plastic containers with a density equal to or over 0.94, and polyethylene with density below 0.94.

For animal products, the exporting country's sanitary certificate must indicate that the product was prepared and packaged by certified enterprises based on the 2013 general standards of quarantine. Imported plants, flowers, fresh vegetables, and roots must be free of soil.

SECTION IV. FOOD ADDITIVE REGULATIONS

Haiti does not have any domestic regulations related to food additives. However, the Ministry of Public Health and Population (MSPP in French), the Ministry of Trade and Industry (MCI), and MARNDR control imports of additives for use in foodstuffs based on international recommendations, including the recommendations of Codex Alimentarius Commission report (French version) and the Proposal for management of chemical products and waste (French version). Since July 2015, Haiti has banned wheat flour from the DR due to the presence of potassium bromate and azodicarbonamide in amounts exceeding the recommended levels.

SECTION V. PESTICIDES AND OTHER CONTAMINANTS

Legislation and regulations pertaining to pesticides and other contaminants have been pending in the Haitian Parliament since 2017. Meanwhile, MARNDR, MSPP, MCI, and the Ministry of Environment (MDE) control the imports of pesticides, pesticide residue in foodstuffs and other contaminants based on international recommendations, including CODEX. An import permit is required for any entities involved in pesticide trade. The recommendations state that containers should be hermetically sealed, and resistant to choking and humidity. It is prohibited to store and transport pesticides and other contaminants in multiple-use vehicles, which transport foods, beverages and medicines. Additionally, organochloride pesticides are banned from import unless a special authorization is attained. The disposal of pesticide residues is not controlled by any regulations.

SECTION VI. OTHER REQUIREMENTS, REGULATIONS AND REGISTRATION MEASURES

Food trade is regulated by several entities of the Government of Haiti. Importers should comply with the requirements of MCI, MARNDR, Ministry of Economy and Finance (MEF) and in specific cases with MDE and MSPP.

The MARNDR controls the imports of live animals, plants, and their products through DQCSPAP. This category includes live animals and birds (except domestic animals, which require a zoo sanitary certificate and inoculation certificate), fresh and frozen meat, eggs, semen and embryos, plants and plant products, seedlings, seeds, fruits, vegetables, and ornamental plants from unaffected areas.

Live Animals

For live animals, a request for the import authorization should be submitted to DQCSPAP 25 days before the expected loading date and must include the following information:

- Importer's name, address and fiscal ID
- Name and address of destination farm in Haiti
- Name and address of farm owner in Haiti (may be different from farm address)
- Import purpose
- Information about imported animals, including country of origin
- Tag numbers of imported animals
- Boarding port name and boarding date
- Zoo sanitary certificate signed by certified veterinary of the exporting country that includes information related to the examination process and indicates the health condition of the animals

Please note that a fee is required for this process. Once the import is approved a copy of the import authorization should be given to any person - captain, pilot or driver - in charge of transporting the animals.

Bans and disease-specific restrictions are listed in Appendix II.

Animal Products

Animal products require a sanitary certificate from the competent authority of the exporting country. This sanitary certificate must include the following information:

- Product name
- Country of origin
- Exporter's name and address
- Permit number (required only for frozen and fresh meat, eggs, and eggs products)
- Competent authority (e.g., USDA's Food Safety and Inspection Service)
- Certifying institution name
- Importer's country

- Port of departure
- Transport type
- Transport and storage condition
- Port of arrival
- Net weight, or volume
- Manufacturing and expiry date
- Container type
- Zoo sanitary certificate signed by certified veterinarian of the exporting country that includes information related to the examination process and indicates the health condition of the animals and sanitary conditions of the animal products

Bans and disease-specific restrictions are listed in Appendix II.

Specific standards for plants

For plants and plant products, an import authorization is required. The request should be submitted to DQCSPAP 25 days before the expected loading date and must include the following information:

- Importer's name and fiscal ID
- Importer's address
- Exporter's name and address

In addition, a phytosanitary certificate is required for plant products from the competent authority of the exporting country. Please note that plant products in cans are exempt from import authorization and phytosanitary certificate requirements.

In addition, plants, flowers, fresh vegetables and roots must be free of any soil. Exporters of seeds must be certified. Bans and restrictions are listed in Appendix II.

Please note that a fee is required for this process and a testing procedure may be conducted at the arrival port by the MCI. Once the import is authorized a copy of the authorization should be given to any person - captain, pilot or driver - in charge of transporting the plants.

SECTION VII. OTHER SPECIFIC STANDARDS

Not applicable. The government of Haiti did not make changes in food trade legislation and regulations.

SECTION VIII. TRADEMARKS, BRAND NAMES AND INTELLECTUAL PROPERTY RIGHTS

As a signatory to the World Intellectual Property Organization (WIPO), Haiti continues to adjust its legislation to the legal framework of WIPO. The law of July 22, 1954 sets out provisions for legal protection of trademarks and service marks. The application process begins with a letter request addressed to Legal Service Affairs of MCI, including the following information:

- Applicant's name and address
- Fiscal ID number
- Printed version of Trademark to be registered
- Branch of activity
- Telephone number and e-mail
- Original of the request and two copies
- Deposit by wire transfer of 152 gourdes to MCI, or address a request to make a direct deposit of 152 gourdes to the Tax Office (DGI)

If the trademark is approved, its protection is granted for ten years by MCI and can be renewed.

SECTION IX. IMPORT PROCEDURES

The customs clearance process for imported food and agricultural goods involves several entities of the government of Haiti including MEF through the Bureau of Customs (AGD in French), MARNDR through the DQCSPAP, and the Haiti Central Bank through the Credit National Bank (BNC in French).

For commercial goods, importers are required to reach out to an authorized broker for the custom clearance process.

The import procedures can be completed in four steps.

Shipment

The Haitian custom code requires that all vessels must be accompanied by four original manifests signed by the captain, pilot or driver. Depending on the product, Haitian legislation requires that the manifest provide additional information, such as transport temperature, net weight or quantity and packaging type.

Custom declaration

The Customs office requires all importers fill out the customs declaration within 21 days the arrival of the vessel and submit the following documents for customs clearance:

- Customs declaration
- Bill of lading
- Freight cost certificate
- List of products
- Commercial invoice
- Import permit, if required
- Zoo sanitary or phytosanitary certificate, if required
- Certificate of origin
- Laboratory certificate, if required
- Certificate of weight and quality, if required
- Insurance certificate, if required
- Fumigation treatment certificate, if required
- Certificate of freeze, if required

Verification process

At the arrival port, the custom office reviews the documentation and proceed at physical inspection. A custom agent and an inspector of the DQCSPAP conduct the inspection and control the status of imported goods. For live animals, the inspector may recommend fifteen days in quarantine before release of the animal. If the inspection reveals anything abnormal, the goods may be confiscated or

returned to the exporting country. Once the verification is completed, importers should withdraw the customs slip to proceed with the payment within four business days.

Custom clearance

The custom clearance process can be completed from 24 to 48 hours if all forms and appropriate documents are completed and submitted.

SECTION X. TRADE FACILITATION

Traders are required to pay customs duties and taxes for customs clearance. The Cost, Insurance and Freight (CIF) value of imported goods is used as a basis for the calculation of the import customs duties and taxes. However, the Brussels Definition of Value on the shipment arrival date may be considered independently of the final invoice.

The government of Haiti applies custom duty on most imported agricultural products, but some products are exempt of it.

Partial list of agricultural products exempts of custom duty:

- Certain bones and horn-cores
- Malt (not roasted)
- Hops
- Straw and pellets of unprepared cereals
- Certain sowing plants and parts of plants (other than garden seeds) used in perfumery, medicine, or pharmacology
- Certain types of fodder
- Vegetables saps and extracts
- Linseed oil
- Animal oils and fats (in specific forms)
- Yeast
- Some protein materials and their vegetable saps and extracts
- Fisheries products
- Live animals

- Fertilizers
- Vegetable plaiting materials
- Vegetable products
- Samples for non commercial distribution
- Agricultural equipment including tools, machinery, and re-imported goods that were temporarily exported)

Partial list of agricultural products subject to 3 percent of custom duty:

- Rice
- Canary Seed

Partial list of agricultural products subject to 15 percent of custom duty:

- Buckwheat
- Millet
- · Sorghum and other products of the milling industry
- Some types of grape must, cider, and vinegar
- Pork
- Sugars and confectionery
- Cotton
- Moss and lichen
- Cut flowers
- Edible vegetables, plants, roots

Partial list of agricultural products subject to 20 percent of custom duty:

- Citrus fruit
- Certain edible products of animal origin

Partial list of agricultural products subject to 35 percent of custom duty:

Food preparation based on unroasted cereal flakes

Partial list of agricultural products subject to 50 percent of custom duty:

- Cereal based products obtained from blow molding or roasting
- Corn flour
- Pasta
- Wheat flour
- Tomato

In addition to the custom duty, the government of Haiti imposes other taxes which include verification fee (6 percent of CIF), value-added tax (10 percent of transaction value), Contribution to Territorial Collectivities Funds (2 percent of CIF, applicable for some food products), and Special Duty (1 percent of CIF). The payment of customs duties and taxes is collected within four business days by Credit National Bank (BNC in French), which is commissioned by Haiti Central Bank (BRH in French). Once the custom clearance process is completed, the products are released.

APPENDIX I: GOVERNEMENT REGULATORY AGENCY CONTACTS

1) Ministry of Agriculture Natural Resources and Rural Development (MARNDR)

National Road #1, Damien

Port-au-prince, Haiti – P.O. Box 1441

Tel: (509) 2943-2851

e-mail: contact@agriculture.gouv.ht

http://agriculture.gouv.ht/

2) Office of Animal Quarantine and Control of Fishing and Agricultural Products (DQCSPAP)

Claircine 20, Shabisco Street

Port-au-prince, Haiti Tel: (509) 2943-4651 (509) 2513-2676

https://agriculturequarantaine.gouv.ht/

3) Ministry of Trade and Industry (MCI)

6, Legitime Street

Port-au-prince, Haiti – POX 00116

Tel: (509) 2943-4488 https://www.mci.gouv.ht/

4) Center of Facilitation of Investments (CFI)

27, rue Armand Holly, Debussy

Port-au-Prince, Haiti

Tel: +509 2813 0369 / +509 2813 0367

Email: cfihaiti@gmail.com

https://www.cfihaiti.com/index.php/en/

5) Ministry of Public Health and Population

1 J. Roumain Street, Maïs-Gate Road

(509) 2816-1442

https://mspp.gouv.ht/newsite/

6) Bureau of Customs

1 Blvd La Saline, Du Quai & Des Fonts-forts Streets

Port-au-prince, Haiti

https://douane.gouv.ht/

7) APN

1 Blvd La Saline, Du Quai & Des Fonts-forts Streets

Port-au-prince, Haiti

APPENDIX II: OTHER IMPORT SPECIALIST CONTACTS

N/A

APPENDIX III: PARTIAL LIST OF BANNED, CONTROLLED AND RESTRICTED PRODUCTS TO IMPORT

Table 1. - List of prohibited fruits and vegetables from all sources

Common Name	Scientific name
Tomato	Solanum lycopersicum L.
Eggplant	Solanum melongena L.
Sweet pepper	Capsicum annuum L.
Chili pepper	Capsicum frutescens L.
Cucumber	Cucumis sativus L.
Coconut	Cocos nuciferal L.
Mango	Mangifera indica L.
Citrus	Citrus sp.

Table 2. - List of prohibited fruits from the Dominican Republic

Common Name	Scientific name
Lemon	Citrus aurantifolia L.
Orange	Citrus sinensis L.
Grapefruit	Citrus grandis L.
Tangerine	Citrus reticulate L.
Mango	Mangifera Indica L.
Apple	Pyrus malus L.
Grapes	Vitis vinifera L.
Lucuma fruit	Lucuma mammosa L.
Star fruit	Averrhoa carambola L.
Breadfruit	Artocarpus Altilis var non-seminifera
Chestnut	Artocarpus Altilis var seminifera
Sapodilla	Achras zapota L.
Passionfruit	Passiflora edulis L.
Cashew	Annona reticulata L.
Cherry	Malpighia punicifolia L.
Soursop	Annona muricata L.
Avocado	Persea Americana L.
Coffee	Coffea Arabica L.

Papaya	Carica papaya L.
Star apple	Chrysophyllum cainito L.
Watermelon	Momordica charantia L.
Melon	Cucumis melo L.
Giant passionfruit	Passiflora quadrangularis L.
Plantain	Musa paradisiaca L.
Banana	Musa sapientum L.

Table 3. - List of prohibited animal and animal product from the Dominican Republic

Common Name	Scientific name
Pig	Sus Scrofa domesticus

Table 4. - Partial list of controlled agricultural products

Products	Requirements
Wheat flour	Sanitary certificate
Ham	Sanitary certificate
Salami	Sanitary certificate
Meat	Sanitary certificate

Table 5. – List of prohibited food and beverage products to terrestrial ports of entry

Number	Products	Entry	Port of entry
1	Wheat flour	Air/sea	Port-au-prince & Cap-Haitian
2	Edible oil	Air/sea	Port-au-prince & Cap-Haitian

3	Drinking water	Air/sea	Port-au-prince & Cap-Haitian
4	Cooking butter	Air/sea	Port-au-prince & Cap-Haitian
5	Butter	Air/sea	Port-au-prince & Cap-Haitian
6	Pasta	Air/sea	Port-au-prince & Cap-Haitian
7	Powdered drinks	Air/sea	Port-au-prince & Cap-Haitian
8	Soda	Air/sea	Port-au-prince & Cap-Haitian
9	Beer	Air/sea	Port-au-prince & Cap-Haitian
10	Snack (cheeco)	Air/sea	Port-au-prince & Cap-Haitian
11	Corn meal	Air/sea	Port-au-prince & Cap-Haitian
12	Cookies	Air/sea	Port-au-prince & Cap-Haitian

Table 6. - Partial list of pest and disease controlled by quarantine measures in Haiti

A.- Animal and animal products

Animal and animal products	Disease prohibited from	Disease controlled from affected
	affected country	country
Poultry, chicks, fertile eggs	Avian influenza	Gumboro
	Fowl plague	Avian Leukosis Mycoplasmosis
		Mareck disease
		New Castle
		Avian Tuberculosis
		Infectuous Bronchitis
		Avian Chlamydia
		Infectuous Laryngotracheitis
		Pullorosis
		Duck Virus Enteritis
		Duck Virus Hepatitis
Larvae, alevin, fish and		Haemorragic Septicemia
crustacean for reproduction		Heamatopoietic Necrosis
-		Herpes Virus
		Salmon viral disease
		Spring Viremia of Carp
Bee		Foulbrood
		Nosema Disease
		varroasis
African bee	Prohibited	Prohibited
Rabbit	Rabbit Haemorragic Disease	Rabbit Pasteurellosis
	Myxomatosis	Papillomatosis
	Tularemia	Scab
		Smallpox
Pig	Foot-and-mouth disease	Atrophic Rhinitis
	African Swine Fever	Aujesky Disease
	Classic Swine Fever	Transmissible gastroenteritis
	Vesicular Exanthema	Glasser disease
	Vesicular Disease	Brucellosis
	Porcine Enzootic	Mycoplasmosis
	Encephalomyelitis	Tuberculosis
	Trichinellosis	Leptospirosis
		Parvovirosis
		Cysticercosis
		Scab
		Porcine Reproductive and
		Respiratory Syndrom
Equine	African horse sickness	Equine Rhinopneumonitis

	Glanders	Scab
	Dourine	Equine Arthritis
	Trypanosomiasis	Equine smallpox
	Vesicular stomatitis	Epizootic Lymphangitis
	Contagious Equine Metritis	Equine encephalomyelitis
	Equine infectious Anemia	Gasterophylosis
Bovine	Foot-and-Mouth Disease	Bovine Viral Diarrhea
	Bovine spongiform	Infectious bovine Rhinotracheitis
	Encephalomyelitis	Brucellosis
	Contagious Peripneumonia	Tuberculosis
	Rinderpest	Leptospirosis
	Vesicular stomatitis	Trichomonosis
	Dermatose nodulaire	Vibriosis
	contagieuse	Hypodermosis
	Contagicuse	Cysticercosis
		•
		Anasplamosis Bovine babesiosis
		Enzootic bovine leukosis
		Hemorragic Septicemia
		Theilerosis
		Trypanosomosis
		Bovine malignant catarrhal
		Bovine genital
		Campylobacteriosis
		Tuberculosis
		Brucellosis
		Leptospirosis
Small ruminant	Foot-and-Mouth Disease	Brucellosis
	Small ruminant plague	Tuberculosis
	Small ruminant pox	Leptospirosis
	Ovine catarrhal	Contagious Ectyma
	Vesicular Stomatitis	Scab
		Goat encephalitis
Frozen meat	Foot-and-Mouth Disease	•
	Vesicular stomatitis	
	Porcine vesicular Disease	
	Rinderpest	
	Fièvre catarrhale du mouton	
	Classic Swine Fever	
	African Swine Fever	
	Avian Influenza hautement	
	pathogène	
	Sheep and goat pox	
	Bovine Spongiform	
	Encephalopathy	

B.- Plant and plant products

Plant and plant products	Disease prohibited from affected country	Disease controlled from affected country
Coffee seeds	coffee leaf rust, coffee berry borer, and smut	infectious disease, and pests
Plantain suckers		Fusarium wilt, bacterial soft rot, Moko disease and Sigatoka disease of banana
Grain seeds		Rust disease, Smuts, and Sheath rot disease
Fruits of coconut, cashew nut, mango, avocado, papaya, and beans	lethal disease, cashew nut acarosis, anthracnose, bunchy top, bacterial wilt, golden mosaic virus, mango seed weevil	lethal disease, cashew nut acarosis, anthracnose, bunchy top, bacterial wilt, golden mosaic virus, mango seed weevil
Citrus fruits		Citrus tristeza, Bacterial canker

Attachments:

No Attachments