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**Report Highlights:**

This report is an annual update of Venezuela's agricultural product import standards and enforcement mechanisms for U.S. exporters of agricultural commodities, foods, and beverages. Venezuela remains a complicated but promising market for U.S. agricultural products. The market has grown by 260 percent since 2019, illustrating opportunities exist.

## **Table of Contents**

<b>Executive Summary .....</b>	<b>3</b>
<b>Section I: General Food Laws .....</b>	<b>5</b>
<b>Section II: Labeling Requirements .....</b>	<b>6</b>
<b>Section III: Packaging and Container Regulations .....</b>	<b>10</b>
<b>Section IV: Food Additives Regulations .....</b>	<b>10</b>
<b>Section V: Pesticides and Other Contaminants .....</b>	<b>10</b>
<b>Section VI: Other Requirements, Regulations, and Registration Measures .....</b>	<b>11</b>
<b>Section VII: Other Specific Standards .....</b>	<b>14</b>
<b>Section VIII: Trademarks, Brand Names and Intellectual Property Rights .....</b>	<b>15</b>
<b>Section IX: Import Procedures .....</b>	<b>15</b>
<b>Section X: Trade Facilitation .....</b>	<b>17</b>
<b>Appendix I: Government Regulatory Key Agency Contacts .....</b>	<b>18</b>
<b>Appendix II: Other Import Specialist Technical Contacts .....</b>	<b>23</b>
<b>Appendix III: Food Products that Can Be Subject to Regulated Price Controls .....</b>	<b>24</b>

## Executive Summary

The Venezuelan economy lost more than 80 percent of its GDP since 2012, but it is beginning to stabilize. Some economic liberalization and informal dollarization have slowed consumption declines and even led to growth in some categories, despite hyperinflation. Once tightly controlled by the Venezuelan regime, private importers expanded imports of agricultural and food products since the authorities began loosening restrictions in mid-2019. About 70 percent of Venezuela's food availability is imported in the form of raw materials and finished products.

Agricultural imports fell to an all-time low in 2019 to \$1.32 billion but have grown significantly since then. In 2020 they grew by 39 percent to \$1.85 billion and are expected to grow again by 35 percent to over \$2.4 billion in 2021. The categories that most contributed to the increase in 2021 were consumer-oriented products (55 percent growth, \$718 million) and intermediate products (31 percent growth, \$934 million). The major suppliers by value were Brazil (37.7 percent market share), the United States (26.6 percent market share), and Turkey (9.2 percent market share). When comparing market share by volume, the United States was the largest supplier of agricultural and food products with 35.8 percent, followed by Brazil with 28.7 percent. Among the most significant imported products were soybeans and soybeans products, corn, sugar, rice, and wheat.

The United States has always been one of the most important commercial suppliers of agricultural products to Venezuela, reaching \$1,718 million in 2012. Since 2019, when trade reached an all-time low, U.S. exports have recovered despite the fragile economic situation. In 2020, exports of U.S. agricultural products totaled \$445.34 million, growing by 153.17% compared to 2019. And U.S. exports reached \$634 million in 2021. During the last year, the main exported products were: soybean and products (including soybeans, meal, and oil), corn, rice, and wheat. Currently, the products with the greatest growth potential for U.S. exporters are poultry meat, corn, rice, wheat, soybean flour, soybean oil, sugars, consumer-oriented products, prepared foods and beverages, and dairy products.

Venezuela's food and agricultural regulatory system is complex, with laws, conventions, and rules that can be difficult to comprehend and inconsistently applied. Although some government agencies involved with import regulations and procedures have online processing systems available, these systems have sporadic failures and might be difficult to access from outside Venezuela. In general, the process of importing and registering products could be complex and require a reliable local partner.

**DISCLAIMER:** This report was prepared by the Office of Agricultural Affairs of the USDA Foreign Agricultural Service. While every possible care was taken in the preparation of this report, the information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies were 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.

Some links to websites in this document may not function depending on physical location of the accessing device or the network. Contact the Trade Facilitation Desk at [agexport@fas.usda.gov](mailto:agexport@fas.usda.gov) for additional information assistance.

On January 23, 2019, the Maduro government severed diplomatic relations with the United States. As such, USDA is unable to officially verify information provided here with the host country. Exporters are strongly advised to work closely with Venezuelan importers to confirm the information contained here.

**Note for Exporters:** The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) administers economic sanctions related to Venezuela. Exporters should consult with the [OFAC U.S. Department of the Treasury](#) website for further details.

Consistent with current U.S. Government foreign policy, USDA is unable to assist with any food or agricultural products shipments to Venezuela. Exporters should contact FAS/Bogota for explanations of U.S. policy.

### Section I - General Food Laws

Venezuela's food and agricultural regulatory system is complicated and involves laws, norms, and regulations that can be challenging to understand and inconsistently enforced.

#### Food Laws

The Official Gazette (in Spanish: *Gaceta Oficial*) is the principal legal publication that announces updates, changes, and new norms and regulations. It is available online at:

<http://www.imprentanacional.gob.ve>

#### 1. General Food Norms

Venezuelan legislation governing domestically produced and imported processed food products, beverages, additives, and coloring agents for foods destined for human consumption are contained in the General Food Norms. This food safety regulation outlines all requirements, including labeling, which processed food products must fulfill prior to commercial sales. The norms also require registration for locally produced and imported processed food products. Complementary norms were established on March 3, 1996 (Official Gazette N° 35,921). An online version of the Food Law and the Complementary Norms is available at the following website: [http://www.inhrr.gob.ve/normativa\\_pa.php](http://www.inhrr.gob.ve/normativa_pa.php)

Although these norms were established in 1959 (Official Gazette N° 25,864), the regulation originally stated that the Ministry of Health (Spanish acronym: MINSALUD) along with the Ministry of Agriculture and Lands (Spanish acronym: MAT), were responsible for controlling the quality of food products destined for human consumption. However, the Ministry of Food (Spanish acronym: MINPAL) has taken over this specific task. MINSALUD enforces food recalls and advises MINPAL on whether to issue bans on locally produced and imported processed food products that are deemed harmful to human health.

## **2. Law on Animal and Plant Health Defense / Comprehensive Agricultural Health Law**

The Law on Animal and Plant Health Defense establishes regulations, conditions, and prohibitions for imports and exports of animal and plant products. The goal is to control plant and animal disease and pest outbreaks that may affect both animal and plant products and relate to the study and prevention of diseases, plagues, and all other harmful agents to animals and vegetables and their products. The National Institute of Integral Agriculture and Animal Health (Spanish acronym: INSAI) is the regulatory enforcement agency for these laws. It was published in the Official Gazette N°20,566 on August 15, 1941. The Comprehensive Agricultural Health Law from June 2008 published at the Official Gazette N° 5.890 replaced the Law on Animal and Plant Health Defense (in Spanish: Ley sobre Defensas Sanitarias Vegetal y Animal). An online version of the Comprehensive Agricultural Health Law is available at [http://www.insai.gob.ve/?page\\_id=145](http://www.insai.gob.ve/?page_id=145).

## **3. Seed Law**

On December 28, 2015, the Maduro government published a new Seed Law (Gaceta Oficial 6.207), which banned modern agricultural biotechnology's use, application, and research. The law prohibits the following techniques:

- In vitro nucleic acid techniques, including the recombinant DNA technique and the direct injection of nucleic acids into cells or organelles.
- The fusion of cells of species beyond the taxonomic family, which exceed the natural barriers of reproduction or recombination and are not techniques used in traditional reproduction and selection.

This law also prohibits the production, import, use, release, and multiplication of transgenic or genetically engineered seeds, and the granting of copyright protection and patents on any type of seed. Violators of this law can be subject to sanctions ranging from fines to imprisonment. An online version of the Seed Law of 2016 is available at: <https://www.fao.org/faolex/results/details/en/c/LEX-FAOC151761>.

## **4. Good Manufacturing Practices**

Venezuelan Good Manufacturing Practices regulations established the rules for manufacturing, storage, and transportation practices of foods for human consumption, published at the Official Gazette N° 36,081, dated July 11, 1996. MINSALUD and the National Superintendence for the Protection of Socioeconomic Rights are the regulatory enforcement entities for these regulations.

## **5. Law for the Defense of the People in the Access to Goods and Services**

The Law for the Defense of the People in the Access to Goods and Services (Spanish acronym: SUNDDE) is one of the more encroaching laws for the agriculture and food sector, enacted on July 31, 2008, by Presidential Decree. Their objective is "the defense, protection and safeguard of individual and collective rights and interests in the access of people to goods and services for the satisfaction of their needs... and to establish penalties, sanctions and compensation for injury; as well as to regulate its application ... with the active participation of communities." Venezuela amended the law on February 1, 2010, and published it in the Official Gazette No. 39,358. SUNDDE enforces the law and has the authority to inspect and, if necessary, shut down points of sales, manufacturing and processing facilities, and warehouses.

## **6. Law on Fair Costs and Prices**

The Venezuelan Law of Profits, Costs, and Fair Prices went into effect in November 2011 and later amended in February 2014. SUNDDE is the primary regulatory authority enforcing the law. The law aims to stabilize prices, guarantee access to goods, and to attack inflation. The new regulatory authority will establish the standards for the National Registry of Prices of Goods and Services, as well as regulating prices. Under this law, SUNDDE has the authority to set maximum retail prices or the price ranges for goods and services.

## **Section II - Labeling Requirements**

There are currently three sets of documents on labeling requirements in Venezuela.

- The General Food Norms.
- The Law for the Defense of People in the Access for Goods and Services.
- The General Standards for Labeling of Packaged Foods (Venezuelan Commission for Industrial Norms, COVENIN No. 2952:2001).

Beverage alcohol products must be registered with MINSALUD. An online version of the General Standards for Labeling of Packaged Foods is available at <http://www.sencamer.gob.ve/sencamer/normas/2952-01.pdf>.

The MINSALUD oversees processed food labeling in Venezuela. Labeling is mandatory for domestically produced and imported food products. MINSALUD authorities may require the elimination or modification of any paragraph or phrase concerning a particular product, as well as recommend the addition of any paragraph or phrase they deem necessary. An informal summary of the relevant labeling information is following.

### **Language**

All labels must be in Spanish. MINSALUD must authorize a Spanish translation of the original/foreign label. The approved label must be affixed, stamped, sealed or printed with indelible ink to the product prior to export because it must enter the country with its final labeling. The information on the label must be stamped, sealed, or printed with indelible ink. The use of computer technology for labeling is allowed. Suppliers are to inform the importer about the characteristics of the product. In addition, suppliers must also indicate the percentages of the components and ingredients of the product on the label.

The label must include the following:

- Brand name or trademark.
- Descriptive name of the product.
- Net weight or net content (only metric measurements are accepted).
- List of ingredients in decreasing order of importance.
- Manufactured by (name of company) in (name of city, state, country)
- Imported by (name of importer/importing company).
- Special handling and storage requirements to keep the product safe, if any.
- Cooking and oven temperatures must be indicated both in Celsius and Fahrenheit.
- Detailed instructions for preparation or use.
- Expiration date and/or minimum shelf life, in a legible, visible, and indelible form.

- The MINSALUD registration number.
- The SENCAMER (metrology) registration number.

## Other Specific Labeling Requirements

**Nutritional Labeling:** Only foods for special dietary use must include nutrient information on the label (according to the Official Gazette No. 31.106, dated November 9, 1976). Nutritional information must be expressed as a percentage of the recommended daily requirement set by the National Nutrition Institute (Spanish acronym: INN). Recommended Daily Nutritional Intake may be different from those in the United States. The complete list is available at the INN. The following additional information must appear on labels for processed foods that are marketed for specific dietary use:

- Energy value, protein, digestible carbohydrate, and fat contents (expressed in grams).
- Amounts of any nutrients claimed to have special nutritional value.
- For vitamins A and D, nutrient content must be expressed in international units. For all other vitamins and minerals nutrient content must be expressed in milligrams or micrograms.
- Energy values must be expressed in calories.

**Labeling of foods for human consumption that contains high levels of sodium, sugar, saturated fats, and trans fats:** According to resolutions No. 011 (Official Gazette No. 41,804 of January 21, 2020) and 137 (Official Gazette No. 42,271 of December 7, 2021), the Ministry of Health set new guidelines for the labeling of foods for human consumption containing sodium (Resolution No. 001), sugar, saturated fats and trans fats (Resolution No. 137). For foods containing high sodium levels, the new labeling requirements will be mandatory as of January 21, 2022. For foods containing high levels of sugar, saturated fats, and trans fats, the new labeling requirements will be mandatory as of December 7, 2024.

## Sodium

Manufactured foods must comply with the labeling regulation whenever salt or any food additive or ingredient containing sodium has been added in the manufacturing process. And in which final composition, the sodium content is equal to or greater than six hundred (600) milligrams of sodium per 100 grams of solid food and three hundred (300) milligrams of sodium per 100 milliliters of liquid food or beverages. Manufactured foods whose sodium content is equal to or higher than these parameters must have a black octagon-shaped figure with a white border on the front of the label or container label, with a text in Spanish inside that reads: "ALTO EN SODIO" (High Sodium). The label to be used is similar to the following:



Edible salt and sodium-based food additives are excluded from the regulation.

Details of this regulation are published in the Official Gazette No. 41,804 of January 21, 2020, available online at <http://www.imprentanacional.gob.ve> .

### **Sugar, saturated fats, and trans fats**

Manufactured foods must follow the labeling regulation if they use any of these nutrients and that have in their final composition the amount established in the table below:

Limit values for added sugars, saturated fats, and trans fats.

<b>Nutrients</b>	<b>If 100 g of solid food contains</b>	<b>If 100 mL of liquid food contains</b>
Added Sugars	Equal or higher than 11 g	Equal or higher than 5.5 g
Saturated Fats	Equal or higher than 5 g	Equal or higher than 3 g
Trans Fats	Equal or higher than 0 g	Equal or higher than 0 g

Manufactured foods whose sugar, saturated fat, or trans-fat content is equal to or higher than these parameters must have a black octagon-shaped figure with a white border on the front of the label or container label, with a text in Spanish inside that reads: "ALTO EN " followed by "AZUCAR", "GRASAS SATURADAS" or "GRASAS TRANS", as appropriate.

The labels to be used are similar to the following:



The following foods are excluded from the regulation:

- Foods to which sugar, saturated fats, or trans fats have not been added in their manufacturing process.
- Unprocessed or minimally processed foods, for example, fruits, vegetables, grains, seeds, cereals, cereals, meats, vegetable oils, sugars, raw materials for the food industry.

Details of this regulation are published in the Official Gazette No. 42,271 of December 7, 2021, available online at <http://www.imprentanacional.gob.ve>.



Labeling for Baby Food: There are no special labeling requirements for baby foods, though MINSALUD is concerned about the use of modified food starches. Mentioning processes used in modified food starches is strongly recommended at the time of product registration.

Seasonings, Colorings, and Flavorings: Locally produced and imported ingredients that could be used in the formulation or further processing of food products must be registered with MINSALUD. The names of spices used as seasoning, colorings, and flavorings of processed food products must be specified in the label.

Health Claims: Information about health claims is subject to the Ministry of Health's consideration and is subject to case-by-case approval.

Products that may cause allergies: If a product contains any potential allergens listed below, they must be enumerated on the label with a specific name as follows:

- Processed food products containing grain gluten (wheat, rye, oats, barley, spelt or any grain hybrid or product).
- Crustacean and by-products.
- Eggs and by-products.
- Fish and fishery products.
- Soybeans and their products.
- Milk and dairy products, including lactose.
- Nuts and derived products.

### **Section III - Packaging and Container Regulations**

In general, the National Autonomous Standardization, Quality, Metrology and Technical Regulations Service (Spanish acronym: SENCAMER) enforces packaging and container regulations. SENCAMER adheres to COVENIN established standards and norms, but the Codex Alimentarius guidelines apply in some cases. The MINSALUD established new manufacturing, storage, and transportation practices for foods for human consumption through Official Gazette N° 38,739, dated August 5, 2007 (which replaced the norms of Official Gazette N° 36,081, dated November 7, 1996). Containers, vessels, canning, bottling, and packing materials used to handle inputs or finished products should meet the following general requirements:

- Manufactured with materials suitable for that kind of food such as glass, tin, plastic, paper, cardboard, or another material approved by MINSALUD authorities.
- Must not transmit substances to the food beyond the allowed limits under the standards in force.
- Shall not be used for any different purpose that might contaminate the food.

### **Packaging Sustainability Measures**

Venezuela does not have regulations addressing packaging sustainability measures

### **Section IV - Food Additives Regulations**

General definitions concerning food additives and contaminants are in COVENIN norm No. 910.

U.S. exporters should note that some food additives authorized by the Food and Drug Administration in the United States are not authorized in Venezuela, and vice versa.

Some general guidelines concerning food additives are:

- COVENIN food standards specifies food additives and contaminant tolerance levels.
- MINSALUD, using COVENIN standards, approves food additives during registration.
- In the absence of a COVENIN standard for specific food additives, MINSALUD will use guidelines from Codex Alimentarius to approve additives on a case-by-case basis.
- For sausages, ham, meat and meat products in combination with other foods, the total level of nitrite and nitrate must be indicated.
- "Maximum Level of Chemical Residues" is based on Codex Alimentarius guidelines.
- When using monosodium glutamate (MSG), it would be useful for MINSALUD's health registration purposes to specify the level used.

## **Section V - Pesticides and Other Contaminants**

INSAI is the government agency with the authority to monitor pesticide residues in agricultural and processed food products arriving at Venezuelan ports. If INSAI suspects an agricultural or processed food product is contaminated with pesticides or similar products, they can recommend detaining products until further analysis proves otherwise. INSAI can recommend specific lab analyses to confirm contamination. However, MAT, MINAL and MINSALUD are responsible for enforcing the retention of the product. If a lab's results confirm pesticide contamination, INSAI will destroy the products with no compensation.

All domestically produced and imported pesticides require registration with INSAI. Venezuela does not have a national standard for pesticide Maximum Residue Levels (MRLs). However, regulations and guidelines concerning manufacturing, marketing, and use of pesticides fall under the "General Pesticide Regulations" (in Spanish: Reglamento General de Pesticidas) published in 1968 and updated in 1991 as per Official Gazette No. 34877. INSAI generally observes Codex Alimentarius "Pesticide Residue Tolerances Guidelines". Information about approved pesticides is available through INSAI's offices. INSAI maintains the list of prohibited or restricted PESTICIDES and SEVERELY HAZARDOUS PESTICIDE FORMULATIONS (FPEP).

## **Section VI - Other Requirements, Regulations, and Registration Measures**

### **Processed Food Products / Health Registration**

All domestically produced and imported processed food products must be registered with MINSALUD's Sanitary Control Service (available at [www.sacs.gob.ve](http://www.sacs.gob.ve)), through the Food Hygiene Division prior to commercialization to Venezuelan consumers. Although Venezuelan law does not prohibit a foreign exporter from registering food products, a local consultant or agent may be a helpful resource to navigate the food registration process.

The Venezuelan Food Industry Chamber (Spanish acronym: CAVIDEA) provides a suggested list of experts in the registry of food products. See Appendix I for details. The Norms Committee represents CAVIDEA members. See CAVIDEA's web site for more details at <http://www.cavidea.org>.

Below are general guidelines for registering a processed food product:

- All consumer-ready food products under the following Venezuelan Harmonized Schedule headings HS codes: 03,04,05,16,19,20,21 and 22 are subject to registration.
- Prior to importing consumer-ready food products, importers should obtain a registration number from MINSALUD.
- Processed foods unregistered in the country of origin cannot be registered in Venezuela.
- All new-to-market local or foreign processed food products must be submitted for registration before being imported. This new product will be subject to approval for registration by MINSALUD after several lab tests, as well as to prove that it is apt for human consumption.
- The foreign exporter/seller is the owner of the product registration, although authorized importers can proceed with the registration process.
- The processed food product health registration is valid for five years; however, renewals are permitted.
- MINSALUD would consider exceptions to the registration process for food imported by government entities.
- If an imported product does not meet the minimum quality standards or does not have a health registration number, it could be confiscated and/or destroyed by MINSALUD authorities.
- Inspection at the point of sale is done by MINSALUD and SUNDDE authorities on a regular basis to determine if imported products are fit for human consumption, have sufficient shelf life, or are thought to have been adulterated.

### **Obtaining a Health Registration Number for Processed Foods: Step-by-Step**

In general, it takes 45 to 60 business days to register processed food goods with MINSALUD, but it often takes longer because of the high number of applications. The following is a guideline of the step-by-step process:

- Submit an application for the Health or Sanitary Registration for Food (form SIE 5 197) from MINSALUD. Documents accompanying the application, certificate of free sale, and the authorization or a power of attorney to a representative or a local consultant or agent must be issued by foreign authorities, translated into Spanish, and authenticated or stamped (as per The Hague Convention on Foreign Public Documents).
- A certificate of free sale and consumption issued by competent authorities in the country of origin, which state that the food has been authorized for human consumption, for processing, or for use as an input in food for human consumption in the country of origin, with a validity period of 12 months from the date of application (authenticated).
- Certificate of chemical, physical and microbiological test conducted by an accredited lab in the country of origin.
- A power of attorney authorizing the Venezuelan representative to apply for health registration of the product in Venezuela (authenticated).
- A letter of authorization from the Venezuelan representative, if a third party is requesting the health registration on his/her behalf.
- One sample of the food product.
- Three copies of the original labels from the country of origin and three examples of the label for marketing the product in Venezuela, in Spanish
  - Labels should include the following information:

- Descriptive name of the product.
- Trademark.
- Net weight.
- Net contents.
- List of ingredients in the manufacture of the product, in descending order.
- Manufacture by [company name], in [plant location].
- Imported by [local importer/distributor].
- MINSALUD registration number [#].
- In the case of food products that require special storage conditions, these should be clearly indicated.
- Any other requirement listed by SENCAMER (COVENIN) standards, the General Food Norms, or specifications of MINSALUD.
- List of ingredients, including additives, colors and preservatives.

After submitting all the required documents, MINSALUD gives authorization to conduct the corresponding laboratory testing for each food product to be registered. For meat, poultry, and dairy products, lab tests must be completed in the MINSALUD's main laboratory, the Rafael Rangel National Institute of Hygiene. MINSALUD designates (on a case-by-case basis) an accredited private lab to conduct food testing for all other processed food products. Lab results are submitted directly to MINSALUD. If the lab results are considered satisfactory, MINSALUD will assign a health registration number. Health registration numbers are published in the Official Gazette.

### **Samples for Registration Process**

As part of the health registration process, the U.S. exporter or Venezuelan importer must submit samples (no more than three) of each product or model for which registration is being sought to MINSALUD's previously designated and accredited Venezuelan laboratory. Samples without commercial value should meet the following requirements to obtain an exemption from the payment of import duties and value-added tax:

- The sender must be the product's manufacturer, representative, or authorized exporter.
- The addressee shall be a company or an importer with experience in this activity.
- All documentation (commercial invoices, transportation invoices, or others) shall contain annotations demonstrating that the products are samples without commercial value.
- Samples should be identified as having no commercial value. It is advisable to mark the package with the following wording "Muestras sin valor comercial para su registro en el Ministerio de Salud" (samples without commercial value for registration with the Ministry of Health).

### **Facility and Product Registration Requirements**

#### **Animal Products and Unprocessed Plant Products**

Imported products and sub-products of plant or animal origin, breeding animals, and plant breeding material are subject to the issuance of SPS permits from INSAI. INSAI is authorized to restrict or prohibit the importation, marketing, or use of animal and plant products. For these cases, INSAI's "Standing Technical Advisory Body" will recommend the appropriate course of action based on a risk analysis.

The general guidelines for importing animal and plant products are:

- The importer, exporter, or producer must register with INSAI. The validity of this registration is indefinite, but it can be cancelled due to non-compliance with dispositions stated by pre-established laws and regulations.
- Prior to importing animal products and/or unprocessed plant products, importers should request and obtain an SPS import permit from INSAI.
- Specific SPS statements (treatment and other conditions) for each type of product are determined by INSAI on a case-by-case basis.
- The import permit issued by INSAI require specific SPS statements.
- INSAI's SPS import permits have a non-renewable period of validity of between 60 and 90 days, depending on the product.
- Sanitary health import permits are issued for animal products and livestock-farming inputs (validity of 60 days).
- Phytosanitary import permits are issued for plant products (validity of 90 days).
- Import permits are only for one shipment and one pre-designated port of entry.
- Every shipment must have an import permit issued by INSAI and its corresponding APHIS or FSIS export certificate.
- The "remarks" section of the APHIS or FSIS export certificate should include the specific SPS statements in English and Spanish.
- No product should be loaded in a vessel before the import permit is received, and the corresponding sanitary statements from a competent authority are included in the export documentation.

### **Seeds**

INSAI issues import permits for seeds after conducting the pest risk analysis and assessing the corresponding results. INSAI will provide requirements for the pest risk analysis on a case-by-case basis. Both locally produced and imported seeds require registration through the National Institute of Agricultural Research at the Division of the National Seed Service.

### **Processed Animal Products**

A U.S. Department of Agriculture, Food Safety Inspection Service (FSIS) certificate must accompany each shipment of meat and poultry and/or processed animal products. Venezuela accepts imports from all FSIS approved plants. All federally inspected meat and poultry plants are eligible to export to Venezuela. Importers must have an import permit before shipping unprocessed meat and poultry products.

### **Other Certification and Testing Requirements**

#### **Inspections**

The MINSALUD and/or INSAI officers inspect products based on the type of imported product. The MINSALUD inspects processed products, while INSAI inspects non-processed animal and plant origin products. INSAI handles phytosanitary inspections which address plant pests and diseases. Sanitary inspections address human health concerns associated with hazardous pathogens and are handled by MINSALUD. No matter the type of agricultural and processed food products, all imports are subject to inspection by the National Integrated Tax Administration Service (Spanish acronym: SENIAT), the National Guard (in Spanish: Guardia Nacional), and the Anti-Drug Command. There are no inspection fees.

### **Control of Products at Ports of Entry**

The General Food Law authorizes MINSALUD, INSAI, the National Guard, and SENIAT authorities to reject, confiscate, or destroy imported food and agricultural products if:

- Documentation is incomplete.
- Permits are invalid.
- The product is unfit for human consumption.
- The product has an insufficient shelf life.
- Adulterated products.

Rejected cargo can be temporarily stored at the port of entry at the importer's expense until the appeals procedures have been completed. In cases where imports are confiscated or destroyed because competent authorities have judged them to be unfit for consumption, importers are not eligible for compensation.

### **Section VII - Other Specific Standards**

No available information at this time.

### **Section VIII - Trademarks, Brand Names and Intellectual Property Rights**

The Intellectual Property Registration Service (Spanish acronym: SAPI) is responsible for intellectual property rights administration in Venezuela. While Venezuela is a member of the World Intellectual Property Organization and remains a signatory to various international intellectual property agreements, until recently it applied Andean Community regulations. Through Andean Community Decision 486, Venezuela ratified the provisions of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights. Even though Venezuela is no longer a member of the Andean Community, Andean Community regulations for trademark protection are still valid in Venezuela.

#### **Brand Name and Trademark Registration Process**

All brand names and trademarks of local and imported processed food products to be sold in Venezuela must be registered with SAPI. Usually, brand name and trademark registrations are among the services provided by specialized law firms in Venezuela. The procedures for the registry of brands are available online at: <https://sapi.gob.ve>.

The basic guidelines for registration of brand names and trademarks are:

- Prior to registering, a name search should be conducted.
- Approval or rejection of a brand name is based on phonetics and spelling matches with brands for similar products.
- Approved and registered brand names are published in quarterly SAPI bulletins.
- All the documents relating to patents, designs, trademarks, etc. are published in the Industrial Property Bulletin.
- The process takes from three to six months to be completed.

### **Section IX - Import Procedures**

The Maduro regime implemented the United Nations Customs Computerized System in most Venezuelan ports of entry. Clearing customs should take five to eight working days. By law, only nationals and private customs agencies with Venezuelan local staff can conduct customs procedures. A customs agent assesses customs fees, port charges, and taxes and fills out paperwork. The customs agent's fee is one percent of the cost, insurance, and freight (CIF) value, plus any other charges accrued during offloading.

All imported goods presented at the ports of entry must be officially declared to SENIAT authorities within five days of arrival. Fines may be levied and applied to any shipment when the customs entry is made later than five days after the date of arrival. When an importer either delays or refuses to claim a product arriving in Venezuelan ports, SENIAT will impound the goods not claimed, and, if steep fines and storage fees are not promptly paid, sell the goods at an auction.

All shipments must be made on a direct consignment basis. Customs regulations stipulate that the consignee is the shipment owner and is responsible for all customs payments. Importers must register all products with MINSALUD's Comptroller prior to placing the product on the Venezuelan market.

### **Import Duties**

Import duties are calculated using the WTO Harmonized Scheduled Tariff classification system on the CIF value of the products (using the commercial invoice as basis). Import duties are assessed, due and payable at time of arrival, in local currency, regardless of the currency listed on the commercial invoice. The VAT rate of twelve percent is calculated based on the CIF value.

### **Customs Fees**

SENIAT charges one percent of the CIF value for processing shipments and for the use of the port of entry. In some cases, an additional stamp fee is added to offset the cost of processing these imports. Both the SENIAT Customs & Port Fee and Customs Stamp Fee are calculated on CIF value.

Procedures at the port of entry may include:

- A SENIAT agent must inspect incoming shipments. The SENIAT agent will compare the contents of the load to the import documentation such that it conforms to the invoices, packing lists, and other paperwork.
- Afterward, MINSALUD (or INSAI) inspects the goods.
- A SENIAT appraiser compares the declared invoice price with international prices to monitor for evidence of dumping or tax evasion.
- A customs agent assesses customs, port charges, and taxes and completes a liquidation form.
- SENIAT and port authorities stamp the liquidation form, accompanied by the required MINSALUD import permits.
- The customs agency deposits the amount due in a SENIAT account in a local bank and presents the deposit slip to SENIAT and port authorities to obtain final clearance.
- Customs releases the merchandise.

### **Document Requirements**

According to Venezuelan customs regulations, all imports must be warehoused at the port of entry while customs clearance is being completed. All shippers are urged to provide all documents tendered for

customs purposes in Spanish to avoid processing delays. The documents needed for customs clearance may include, but are not limited to:

- Customs declaration of value.
- Commercial invoice (original invoice/no photocopies accepted).
- Insurance and freight must be listed separately on the commercial invoice.
- Bill of lading.
- Certificate of origin.
- Shipment manifest.
- SPS certificate, if required.
- Import license, if required.

### **Import Tax Exoneration for some agricultural and food products**

Since 2018, the Venezuelan government has issued temporary tariff exemption decrees for food products, agricultural products, and raw materials. The list of products included in the exoneration decrees has been constantly modified without prior notice. The exoneration decrees and regulations are published in the Official Gazette.

#### **Products that Can Be Exempted from Import Tax**

Live bovine animals	Meat of bovine animals, fresh, chilled, frozen, including boneless	Powdered milk, infant formula, and soy-based infant formula
Durum wheat and other wheat	Potato seeds	Sugar cane seed for sowing
Oilseeds (soybean, sunflower, cottonseed and palm nuts, and kernels) for sowing	White and yellow corn seed for sowing	Vegetables, for sowing: onion, broccoli, carrot, lettuce, and tomato
Dry beans, peas and lentils, for sowing	Dry beans, peas and lentils	Protein concentrates and textured protein substances

Source: Official Gazettes of The Bolivarian Republic of Venezuela

### **Value Added Tax**

The Government of Venezuela through the SENIAT applies a flat 12 percent Value Added Tax (VAT) on sales of domestically produced and imported food products. The VAT applied to imports is based on the total customs value. Certain food products from the basic food basket are VAT exempted.

#### **Products Exempted from VAT**

Rice	Coffee, beans or grounded	Milk, soy-bases
All flours, of vegetable origin	Tuna, canned, natural	Cheese, white, hard
Bread and pasta	Sardines, canned	Margarine and butter



Eggs	Milk, crude or pasteurized	Poultry, fresh or frozen
Salt	Milk, powdered	Certified seeds
Sugar	Milk, infant formulas	Vegetables

Source: Official Gazettes of The Bolivarian Republic of Venezuela

## **Section X – Trade Facilitation**

Some Venezuelan government agencies involved in the importation of food and agricultural products have made available online systems for the management of import procedures, certifications and registrations. However, these systems may have sporadic failures and are generally difficult to access outside of Venezuela. To date, Venezuela has not ratified the World Trade Organization's Trade Facilitation Agreement.

## **APPENDIX I: Government Regulatory Key Agency Contacts**

### **Foreign Agricultural Service (FAS) Office in Caracas**

Email: [CaracasFAS@fan.gov](mailto:CaracasFAS@fan.gov)

Note: As of March 2019, the Office of Agriculture Affairs and the U.S. Embassy in Caracas are closed until further notice. Please contact the Office of Agriculture Affairs at the U.S. Embassy in Bogota, Colombia at [AgBogota@fas.usda.gov](mailto:AgBogota@fas.usda.gov) with any Venezuela-related questions.

### **Ministry of Food**

Av. Andrés Bello - Edificio “Las Fundaciones”

Municipio Libertador, Caracas

Tel: (58-212) 577-0257 / 395-7474

Fax: (58-212) 578-2647

<http://www.minpal.gob.ve>

Email: [oirp@minal.gob.ve](mailto:oirp@minal.gob.ve)

The Ministry of Food (Spanish acronym: MINPAL) is responsible for ensuring food safety. Imports and exports of food for human consumption are also under the authority of MINPAL through the issuance of import permits, licenses, and any other document needed for agricultural and processed food products. MINPAL supervises almost every aspect related to the production, distribution, and storage of food for human consumption.

### **Ministry of Agriculture and Lands**

Av. Urdaneta, Edificio “MAT”

Esquina de Platanal a Candilito

La Candelaria, Caracas

Tel: (58-212) 509-0347/ 0348/ 0359/ 0360/ 0361

<http://prensamat.blogspot.com>

Email: [relacionespublicasmat@gmail.com](mailto:relacionespublicasmat@gmail.com)

The Ministry of Agriculture and Lands (Spanish acronym: MAT) is responsible for promoting sustainable development of the Venezuelan agricultural and livestock sectors through the support, direction and evaluation of agricultural activities.

### **National Institute of Integral Agriculture and Animal Health**

Av. Principal Las Delicias

Edif. INIA, Maracay, Edo. Aragua

Tel. (58-243) 242-8062

<http://www.insai.gob.ve>

Email: [presidencianuevoinsai@gmail.com](mailto:presidencianuevoinsai@gmail.com)

The National Institute of Integral Agriculture and Animal Health (Spanish acronym: INSAI) is the principal MAT's sanitary/phytosanitary (SPS) agency. INSAI is responsible for managing and protecting domestic agricultural production, including ensuring the legislation and compliance of SPS regulations for preventing the introduction or spread of diseases and pests that threaten sustainability and food sovereignty. Among its functions is the regulation of the export, import and internal transfer of animals

and plants as well as agricultural products and by-products. INSAI's charge is to guarantee the nation's comprehensive agricultural health and is the counterpart to the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS).

### **Ministry of Fishing and Aquaculture**

Av. Lecuna, Torre Este, Parque Central, piso 17  
Caracas  
Tel. (58-212) 577-76-45. (58-212) 574-43-11  
<https://minpesca.com>  
Email: [atención@minpesca.com](mailto:atención@minpesca.com)

The Ministry of Fishing and Aquaculture (Spanish acronym: MPA) is responsible for the regulation and promotion of the national fisheries and aquaculture sectors. MPA promotes production, industry development, and related marketing activities that support domestic product demand and promote international trade. In addition, MPA regulates the fisheries and aquaculture sectors through the Fishing and Aquaculture Institute.

### **Fishing and Aquaculture Institute**

Av. Santa Lucia con Av. Principal del Bosque y Santa Isabel  
Urb. El Bosque, Torre Credicard, piso 9. Caracas  
Tel. (58-212) 593.86.91 . (58-212) 951.39.86  
<http://insopesca.gob.ve/>  
Email: [info@insopesca.com.ve](mailto:info@insopesca.com.ve)

The Fishing and Aquaculture Institute (Spanish acronym: INSOPESCA) is the regulatory arm of MPA that establishes and implements policies that support the sanitary development of the fishing and aquaculture sectors.

### **Ministry of Health**

Av. Baralt, Centro Simón Bolívar, Edificio Sur  
El Silencio, Caracas  
Tel: (58-212) 408-0000  
<http://www.mpps.gob.ve>  
Email: [atencionalciudadanompps@gmail.com](mailto:atencionalciudadanompps@gmail.com)

The Ministry of Health (Spanish acronym: MINSALUD) regulates domestically produced and imported processed food products, beverages, additives, and food colors destined for human consumption. MINSALUD has responsibility in developing and implementing food norms and regulations, such as enforcing food recalls and recommendations to other ministries to ban a local and/or imported food product hazardous to human health. The following are MINSALUD's key regulatory authorities for food products:

- The Sanitary Health Service (or Comptroller).
- The Rafael Rangel National Hygiene Institute.
- The National Nutrition Institute.

### **Sanitary Health Service (or Comptroller)**

Directorate for Food Safety and Inspection  
Ministerio del Poder Popular para la Salud  
Av. Baralt, Centro Simón Bolívar,  
Edificio Sur, piso 3, Of. 313  
El Silencio, Caracas  
Tel: (58-212) 408-1533/ 484-3066  
Fax: (58-212) 483-1533  
<http://www.sacs.gob.ve/site>  
Email: [sacsdireccion@gmail.com](mailto:sacsdireccion@gmail.com)

The Sanitary Health Service (or Comptroller), through the Directorate for Food Safety and Inspection, is responsible for registering processed food products. Imported and local products must be registered with the Comptroller before being sold in Venezuela.

#### **Rafael Rangel Hygiene Institute**

Gerencia de Control y Registro de Alimentos  
Ciudad Universitaria UCV, Los Chaguaramos, Caracas  
Tel: (58-212) 219-1670 / 219-1663  
<http://www.inhrr.gob.ve>  
Email: [grcontrol@inhrr.gob.ve](mailto:grcontrol@inhrr.gob.ve)

The Rafael Rangel National Hygiene Institute serves as the government's reference laboratory for all food testing. This is the only authorized institute to conduct food analysis for product testing and registration.

#### **National Institute for Nutrition**

Av. Baralt, Esquina El Carmen  
Edificio INN  
El Silencio, Caracas  
Tel: (58-212) 482-6473  
<http://www.inn.gob.ve>  
Email: [prensa@inn.gob.ve](mailto:prensa@inn.gob.ve)

The National Institute for Nutrition (Spanish acronym: INN) is responsible for establishing nutrition guidelines and recommended daily nutritional intakes.

#### **Ministry of Commerce**

Av. Lecuna, Torre Oeste de Parque Central  
Entrada Nivel Lecuna, Caracas  
Tel. (58-212)-596-7616  
<http://mincomercional.gob.ve>  
Email: [atencionciudadanamppcn@gmail.com](mailto:atencionciudadanamppcn@gmail.com)

The Ministry of Commerce (Spanish acronym: MINCOMERCIO) has the primary responsibility for the industrial and commercial sectors of Venezuela, including policies regarding technical standards and intellectual property. MINCOMERCIO is also part of an inter-ministerial commission along with

MINPAL, MAT and MINSALUD that define the criteria for allowing imports of agricultural and processed food products. The Ministry also supervises advertisements dealing with food, food quality, labels and health-related issues.

The following are MINCOMERCIO's agencies involved with agricultural and processed food products:

- The National Autonomous Standardization, Quality, Metrology and Technical Regulations Service.
- The Intellectual Property Registration Service.
- The National Superintendence for the Protection of Socio-Economic Rights.

### **National Autonomous Standardization, Quality, Metrology and Technical Regulations Service**

Av. Libertador, C.C. Los Cedros, Planta Baja

La Florida, Caracas

Tel: (58-212) 761-6474

<http://www.sencamer.gob.ve>

Email: [acreditacion@sencamer.gob.ve](mailto:acreditacion@sencamer.gob.ve)

The National Autonomous Standardization, Quality, Metrology and Technical Regulations Service (Spanish acronym: SENCAMER) is responsible for technical standardization, quality control, metrology, certification programs and maintains the register of mandatory technical regulations. Selected processed food products must be registered through SENCAMER. The former Venezuelan Commission for Quality and Industrial Norms (Spanish acronym: COVENIN) was the compiling body for technical standards and norms; however, that responsibility now lays with SENCAMER, but the name "COVENIN" has been kept for the published norms. Readers should note that the Fund for Standardization and Quality Certification (Spanish acronym: FONDONORMA) is no longer authorized to certify products and quality systems.

### **Intellectual Property Registration Service**

Centro Simón Bolívar, Edificio Norte, Piso 4

El Silencio, Caracas

Tel: (58-212) 481-6478

Fax (58-212) 483-1391

<https://sapi.gob.ve>

Email: [repcionvirtual@sapi.gob.ve](mailto:repcionvirtual@sapi.gob.ve)

The Intellectual Property Registration Service (Spanish acronym: SAPI) is responsible for the administration of intellectual property rights in Venezuela. SAPI has two main operational branches: 1) the Industrial Property Registration Directorate (Spanish acronym: DRPI) is responsible granting patents, utility models, industrial designs, breeder certificates (for plant varieties) and the registration of trademarks, trade names, commercial slogans and appellations of origin; and, 2) the National Copyright Directorate (Spanish acronym: DNDA) has administrative responsibilities for registration, monitoring and inspection in connection with copyright and related rights.

### **National Superintendence for the Protection of Socioeconomic Rights**

Av. Libertador, C.C. Los Cedros, PB.

La Florida, Caracas

Tel: (58-212) 705-3100 (0-800-5658-786)

<http://www.sundde.gob.ve>

Email: [sundde.rupdae@gmail.com](mailto:sundde.rupdae@gmail.com)

The National Superintendence for the Protection of Socioeconomic Rights (Spanish acronym: SUNDDE) is responsible for granting protections to consumers and end-users against fraudulent sales and promotions, overpricing, usury, and warranty incompliance. It has the authority to conduct on-site inspections of points of sale, manufacturing and processing facilities, and warehouses. SUNDDE's inspections can lead to the shutdowns of businesses and the expropriation of private sector property and manufactured goods.

### **National Integrated Tax Administration Service**

Av. Blandín, C.C. Mata de Coco, Torre SENIAT

La Castellana, Caracas

Tel: (58-212) 274-4000/ 274-4026

<http://declaraciones.seniat.gob.ve>

Email: [asistenciaaduanas@seniat.gob.ve](mailto:asistenciaaduanas@seniat.gob.ve)

The National Integrated Tax Administration Service (Spanish acronym: SENIAT) administers custom services and is responsible for the surveillance and control of imported and exported products through the borders and ports of Venezuela, as well as the assessment and collection of import duties and taxes. SENIAT observes the Organic Law of Customs and corresponding regulations regarding customs import and export procedures. SENIAT has the authority to shut down businesses based on contraband charges or tax collection non-compliance.

### **Venezuelan Central Bank**

Details on the currency exchange system are available at the Venezuelan Central Bank:

<https://www.bcv.org.ve>

## **APPENDIX II: Other Import Specialist Technical Contacts**

### **Venezuelan-American Chamber of Industry and Commerce. VENAMCHAM**

2da. Av. de Campo Alegre

Torre Credival, Piso 10, Ofic. A

Caracas

Tel: (58-212) 263-0833/267-20-76/64-81

Fax: (58-212) 263-20-60

<http://www.venamcham.org>

Email: [eventos@venamcham.org](mailto:eventos@venamcham.org)

### **Venezuelan Food Industry Chamber. CAVIDEA**

Av. Principal de los Ruices

Centro Empresarial Los Ruices, Piso 5, Ofic. 510

Caracas

Tel: (58-212) 237-6183

Fax: (58-212) 237-9918

<http://www.cavidea.org>

Email: [administracion@cavidea.org](mailto:administracion@cavidea.org)

### **National Association of Supermarkets. ANSA**

Av. Principal de los Ruices

Centro Empresarial Los Ruices, Piso 1, Ofic. 116

Caracas

Tel: (58-212) 234-4490 / 235-7558

Fax: (58-212) 238-0308

[https://twitter.com/ansa\\_venezuela](https://twitter.com/ansa_venezuela)

Email: [info@ansa.org.ve](mailto:info@ansa.org.ve)

### **APPENDIX III: Food Products that Can Be Subject to Regulated Price Controls**

Beef - several types, carcass meat  
Blended Oil  
Bologna Sausage  
Bottled water  
Cheese – white, soft, Gouda, Dembo, Edam, Fymbo, Munster, etc.  
Chicken, whole, cut, breast, legs  
Chicken (feed for chicken)  
Cocoa (domestic production)  
Coffee (domestic production) beans, roasted and ground  
Corn (domestic production) white and yellow  
Corn Flour  
Corn Oil  
Fruit Juices pasteurized  
Infant formulas  
Jams/baby food  
Margarine  
Milk, Infant Formulas  
Oatmeal  
Pasta and Bread  
Peas, Lentils and Black Beans  
Pork – chops and pork ribs  
Powdered Milk  
Refined Sugar and Brown Sugar  
Rice  
Salt  
Sardines and Tuna  
Sorghum  
Soy Milk  
Soybeans (domestic production)  
Sunflower  
Sunflower Oil  
Tomato sauce  
Vegetable oil – mix  
Wheat bread  
Wheat Flour

#### **Attachments:**

No Attachments