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# **Report Highlights:**

This report covers an overview of the food and agricultural import regulations and standards in Cambodia. This report includes updates on Section I Food Laws, Section III Packaging and Container Regulations, Section VI: Other Requirements, Regulations and Registration Measures, Section VIII Geographical Indicators, Trademarks, Brand Names, and Intellectual Property Rights, and Section X Trade Facilitation. While this report strives to be as comprehensive as possible, regulations and requirements can frequently change. U.S. exporters are therefore encouraged to work closely with their Cambodian importers to ensure they are aware of and complying with all current Cambodia regulations and requirements.

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## **DISCLAIMER**

This report was prepared by FAS Cambodia (Post) for U.S. exporters of domestic food and agricultural products. While every possible care has been 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 PRODUCTS 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. Specific requirements for various certificates and samples were not widely available in time of writing; they will be embedded in a separate report when information becomes obtainable. Should U.S. exporters have any questions, please contact <a href="mailto:AGPhnomPenh@state.gov">AGPhnomPenh@state.gov</a>

# **Executive Summary**

Cambodia approved its Law on Food Safety in June 2022 which covers the framework and mechanisms of all stages of the food production chain to provide protection of health and food safety for consumers and to ensure fair food trade. The law designates the Ministry of Commerce (MOC) as the leading ministry in coordinating the implementation of the law with five other ministries. The law needs sub decrees to be issued to dictate details on implementation of the law as well as to further define the mandates of relevant ministries and the technical responsibilities of different stakeholders.

Cambodia is a growing market for U.S. agricultural exports, valued at over \$88.52 million in 2023 - an increase of 12.6 percent over the past 10 years. Compared to neighboring countries, Cambodia still has fewer trade agreements allowing for a more level playing field in terms of tariff competition. Imported high-value food and beverage products from the United States are subject to tariffs ranging from 7-35 percent, including chilled/frozen meat (15-20 percent), dairy (7 percent), wine (35 percent), milk and cheese (15 percent) and seafood (7-15 percent), while fresh fruits and vegetables are subject to a 7 percent tariff. Certain imported goods such as alcoholic drinks and cigarettes are also subject to a special tax on top of the customs duty tax. A 3 percent public =tax is also imposed on alcohol drinks and cigarettes. Cambodia also applies a 10 percent flat rate VAT to all imported goods.

Due to the relatively small size of the market, there are a limited number of importers. These include supermarket operators as well as foodservice distributors. There are growing direct shipments from the United States, but many U.S. food products enter the country via Singapore or other Association of Southeast Asian (ASEAN) markets. Currently, working with a local partner is critical and the most effective way for products to reach Cambodian consumers. It can be difficult to find specific regulations and certificates, but experienced importers do not report challenges importing products. Cambodia aligns with Codex Alimentarius and ASEAN standards and adopts their standards in the limited availability of a specific domestic regulation.

# **Section I: Food Laws**

Cambodia approved its first Law on Food Safety in June 2022 which sets out the framework for managing food safety and quality in all stages of production to provide for consumer protection and to ensure fair food trade.

MOC is the lead ministry for the implementation of the food law along with several other ministries.

The Table below provides a summary of Ministry responsibilities under the Food Safety Law:

Ministry	Area of Responsibility	
Ministry of Commerce (MOC)	Leads, coordinates, and manages food safety	
	efforts between relevant ministries	
MOC's Consumer Protection and Fraud	Has authority to lead and manage food safety	
Repression Directorate-General (CCF)	and quality under the Food Safety Law.	
	Responsible for surveillance of food in the	
	market and food advertisements, maintains	
	systems to respond to complaints, and	
	coordinates the Association of Southeast	
	Asian Nations (ASEAN) rapid alert system.	
	Heads two food safety coordination	
	committees. Is the National Codex contact	
	point and SPS inquiry point.	
Ministry of Health (MOH)	Responsible for licensing and regulating food	
	safety (inspection and certification) at	
	restaurants and hotels. Certifies Good	
	Manufacturing Practices (GMP)/good hygiene	
	practices (GHP) for cottage industry food	
	factories. Manages food safety emergencies.	
Ministry of Tourism (MOT)	Responsible for registration and licensing of	
	tourism-facing businesses and food safety	
	awareness for tourists. Licenses from MOT	
	require a health certificate from MoH.	
Ministry of Agriculture, Forestry and	Manages food safety from initial production	
Fisheries (MAFF)	to primary processing.	
Ministry of Industry, Science, Technology	Manages food safety for secondarily	
and Innovation (MISTI)	processed food, and packaging and labeling.	
Ministry of Economy and Finance's (MEF)	Responsible for food safety/SPS monitoring	
General Department of Customs and Excise	at port and border checkpoints.	
(GDCE)		

Food producers, processors and packers must comply with all food technical regulations including safety, labelling, packaging, advertising, and hygiene. Wholesalers, distributors, and retailers must meet similar requirements, emphasizing storage and transport. The law authorizes CCF to inspect any food businesses to ensure compliance. Violators will face stiff fines and an imprisonment of up to 15 years. However, this law still needs a sub-decree that dictates details on its implementation and sets out technical responsibilities by different stakeholders. At the time of writing, there are no specific timeframes for further instructions of this law.

All plant and plant products including fresh fruits and vegetables, frozen fruits and vegetables, and dried fruits and vegetables exported to Cambodia require a phytosanitary certificate issued by the exporting country and an import certificate for plant quarantine material issued by MAFF prior to importing.

All live animals and meat products (other than fishery products) require an import permit from MAFF, certificate of origin, business registration certificate, export permit by exporting country, animal identification document, sanitary certificate issued by MAFF, an import contract between importer and MAFF prior to importing. In addition, inspections will take place when the products are at the border to ensure compliance.

MAFF officially recognized imports of U.S. meat and poultry products in October 2013. Under this protocol, U.S. meat and poultry product shipments will be required to enter with the U.S. Department of Agriculture's Food Safety and Inspection Service (FSIS) form 9060-5. For more information, please refer to the FSIS Export Library entry for Cambodia.

Importers need to acquire a registration mark from MISTI to be placed on packaged foods before circulating them in the market. However, packaged foods for trade shows are exempt from registration but still require a permit from MISTI. For product registration, MISTI requires documentation such as: business registration certificate, tax certificate, certificate of conformity, laboratory test report, a picture of product exterior, and a food label sample. Cambodia follows <u>ASEAN guidelines for the design</u>, operation, assessment and accreditation of food import and export inspection and certification systems.

The current regulations on food safety include:

<u>Prakas (or Proclamation)</u> 868 (October 22, 2010) provides the legal framework for food safety control and regulates the roles and responsibilities of line ministries: MAFF, MOH, MISTI, MOC, MOT, and MEF.

The Ministry of Industry and Handicraft issued <u>Prakas 169</u> and <u>170</u> (June 15, 2015) on the Contamination of Dirt and Toxicity in Food and Food Additives to ensure food quality and safety.

MOH issued Prakas 165 (March 15, 2016) on the Issuance of Certificates to Permit Selling Food Products and Hygiene of Food Products, which applies to both imported and exported products.

MOH issued Prakas 649 (August 4, 2017) on the Issuance of Free Sale Certificates and Hygiene Certificates of Food Products for products sold in the Cambodian market.

<u>MISTI issued Prakas 166</u> (September 10, 2018) on the Management and Safety Requirements for Prepared Food Products.

MISTI issued Prakas 220 (December 19, 2018), announcing a revision on Food Additive regulations from CS 093:2011 to CS 093:2012. (Document is not available online)

The MOC issued Prakas 263 (September 12, 2019) on Inspection Procedures for Imported Food on procedures for inspection of imported food that stipulates how different foodstuffs that fall under different risk categories are inspected for both document and physical checks.

Although it is relatively easy to bring in products to Cambodia, importers advise that all required documents need to be prepared correctly to help avoid complications. U.S. exporters should consult closely with their Cambodian importers prior to shipment to determine the latest developments in import regulations and procedures.

# **Section II: Labeling Requirements**

## 2.1 General Labeling Requirements

According to <u>Prakas 1045</u> on the labeling of food products, Cambodia requires all packaged food products to display labels translated into Khmer language prior to marketing. If the packages do not have proper labels, it is compulsory for the importers to get pre-shipment clearance from local custom officials, which can be very complicated and time-consuming. Food products must have at minimum 60 percent of their remaining shelf life at the time of inspection.

The Institute of Standards of Cambodia (ISC) under MISTI certifies and registers food product labels before allowing them to circulate in the Cambodian market. Prepackaged foods that are used for research or exhibitions are exempt from registration but need an approval from ISC first. Labeling of food products must follow the Cambodian Standard CS 001:2000. Food product labels should contain:

- Product name
- Registration mark
- Trademark
- List of ingredients
- Net contents and drained weight
- Company name and address of manufacturer/importer
- Country of origin
- Lot number
- Date marking and storage instructions
- Instructions for use
- Shelf life (i.e., production date, packaging date, expiry date, best before date)

Products with a surface of 20 square centimeters (3.1 square inches) or less should have a product description with the above-mentioned items attached to the product. This can be done via a product tag or attached leaflet, for example. Different formats of labeling are applicable depending on available space. Please find a sample below:





លេខឡូត៍: ថ្ងៃផលិត: ថ្ងៃផុតកំណត់:

Lot number: Manufactured date: Expiration date:

According to the Cambodian labeling standard CS001 2000, except for single ingredient foods, a list of ingredients shall be declared on the label by descending order of weight (m/m), volume (v/v) or percent (%). All added vitamins or minerals shall be declared in the list of ingredients. All products, which contain the following substances need to be declared in the list of ingredients:

- Sodium chloride/salt
- Sodium Nitrate
- Sodium/Potassium Nitrate
- Monosodium Glutamate/MSG

• Specific names for non-nutritive sweeteners

The Industrial Standards Bureau of MISTI has compiled general standards for the labeling of prepackaged foods for consumers in Cambodia to use according to the purpose and requirements of goods. More information on labeling and marking requirements can be found on the ISC website at: Institute of Standards of Cambodia

Please also refer to <u>Cambodia Food Standards</u> for detailed information about Cambodian Food Standards and Regulations on Labeling.

# 2.2 Labeling Requirements for Products for Infants and Young Children

In addition to the above general requirements for labels, MOH's Sub-decree #133 on Marketing of Products for Infants and Young Child Feeding requires labeling for products used by infants and young children (12 to 24 months of age). Labels of products for infant and young child shall present the following:

- Label shall bear a clearly visible message
- A statement of the superiority of the exclusive breast feeding for the first six months and sustained breast-feeding until the child reaches two years old or above;
- Instructions for the appropriate methods, use and preparation of the designated products;
- A warning with the word "Important Notice" of the health hazards of inappropriate use of the designated products;
- A warning of health hazards of introducing products before an infant reaches a recommended age, and such a product shall be used only based on the advice of a health worker;
- A statement explaining that cup feeding is more hygienic than bottle feeding;
- No message idealized that the product is used for substituting breast milk or similar wording;
- No photo, picture, or graphic representation other than presenting the method of preparing the designated products; and
- A statement indicating the total cost of feeding an infant for the first six months.

More detailed information about the Sub-Decree can be found at: <u>Marketing of Products for Infant and Young Child Feeding</u>

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

Local media has reported that Cambodians generate more than 10,000 tons of waste every day, more than 3.6 million tons a year. Consumption is only increasing, with the volume of waste rising by 10 percent annually. According to the Global Plastic Action Partnership, plastic use has become a crucial aspect of daily life in Cambodia, especially in the vibrant city of Phnom Penh. Approximately 10 million plastic bags are used each day, with very few being effectively recycled or properly managed. The Ministry of Environment (MOE) in 2019, unveiled plans to introduce a sub-decree banning single-use plastics. The Ministry is drafting regulations that cover imports and production of single-use plastics such as straws, spoons, and cups, with an added focus on coffee shops, food vendors and supermarkets,

as well as individuals. However, it is expected that it will take at least a few years for the regulations to be finalized.

<u>Sub-Decree No. 168 on the management of plastic bags</u> stipulates bans on plastic bags thinner than 0.03 millimeters (0.0012 inch) and with a bottom width smaller than 25 centimeters (10 inches) from importing unless they are not for commercial purposes nor higher than 100 kilograms (220.46 pounds).

Supermarkets and commercial centers need to charge their customers for plastic bags. MEF and MOE are responsible for setting prices for these plastic bags and will expand this practice to all businesses at a specified (future) date. The regulation also specifies that there is a special tax imposed on biodegradable or bioplastic bags or packages, but there is a tax exemption which importers must request from MEF after getting an approval from the MOE.

Cambodia currently does not have any specific requirements on packaging for imported goods.

# **Section IV: Food Additives Regulations**

Cambodia follows the CODEX General Standards for Food Additives (GFSA) CXS 192-1995.

Cambodia does not have a negative list for Food Additives. Please find more information about GFSA here: CODEX General Standards for Food Additives

# **Section V: Pesticides and Contaminants**

The Law on Management of Pesticides and Fertilizers covers the standard requirements for the usage and trade of pesticides and fertilizers for food safety, public health, and environmental purposes. This law is under the jurisdiction of MAFF. MAFF established maximum residue limits (MRLs) of pesticides in fruit and vegetables as per Prakas 002 (annex 1B) that concurs with ASEAN MRLs for various products, pesticide common name, and their level of toxicity. MAFF requires imported pesticide registration with a label that explains active ingredients, usage and storage instruction, expiration date, explicit name of product and company, and registration number before circulating in the market. Pesticide samples will need MAFF inspection before a registration number is obtained. Pesticide sellers also need to be certified by MAFF through MAFF's pesticide trainings before they may sell to farmers. MAFF inspects pesticide and fertilizer at farm and input traders' levels; however, they are not in control of pesticide residues in foodstuffs at the market level. MISTI and MOH are the responsible ministries for contaminant regulations for local market circulation and safety assurance.

Cambodia follows CODEX/ASEAN Standards for pesticide MRL and contaminant maximum level requirements. For information on Cambodian Standards, please refer to the Institute of Standards of Cambodia's website at <a href="Institute of Standards of Cambodia">Institute of Standards of Cambodia</a>

# Section VI: Other Requirements, Regulations and Registration Measures

Before importing into Cambodia, companies need to have business and trademark registration with the MOC, tax registration with MEF, unprocessed food registration with MAFF, and prepackaged food registration with MISTI.

During the registration process for prepackaged food products at the ISC under MISTI, each item is evaluated against the required Cambodian Standards and relevant technical regulations, including the Khmer language labeling standard. Once the assessment is finalized, the ISC grants a license that allows the product registration mark to be displayed on the product label. This mark indicates to consumers that the product has been properly registered and evaluated, serving as a guarantee of quality and safety.

# **Import Process Overview**

# **Pre-Embarkation (Exporter)**

- 1. Trademark Registration
- 2. Certificate of Analysis
- 3. Certificate of Origin
- 4. Phytosanitary Certificate
- 5. Veterinary Certificate
- 6. Import License for Live Animals and Animal Products

# Embarkation

- 12. Commercial Invoice
- 13. Packing List
- 14. Transportation Document
- 15. Customs Declaration

# **Pre-Embarkation (Importer)**

- 7. Permit for Fishery Product
- 8. Health Certificate
- 9. Certificate of Free Sale
- 10. Labeling
- 11. Customs Permit

#### **Import Clearance**

- 16. Formality
- 17. Warehousing
- 18. Scanning
- 19. Accounting
- 20. Release of Goods
- 21. Post Clearance Auditing

Depending on the product, Cambodia requires different certificates including, Certificate of Analysis, Certificate of Origin, Phytosanitary Certificate, Veterinary Certificate, Health Certificate, and other documents such as a Customs Permit or Commercial Invoice. The following list illustrates the required documents and certificates required to export products to Cambodia:

Certificate of Analysis, or an official analytical certificate, issued by the exporting country is required for inspections of imported food in Cambodia. The importer is required to make a declaration to the MOC for all imported food products regardless of risk levels – high, medium, low (Prakas No. 263 on Procedures for Inspection of Imported Food, 2019). Products in the medium and high-risk categories that are found to be non-compliant after inspection need to be recalibrated to be compliant or must be reexported or destroyed. For low-risk products, products can circulate without having to wait for the test results but are subject to re-inspection if found to be non-compliant.

Physical inspection, sampling, and analysis of imported food is be based on the risk approach as assessed by human health risk level, the risk factor of the product, source of production, product's record of compliance with requirements, and other information. All imported food products are divided into three types of risk level:

- High-risk food products
- Medium-risk food products
- Low-risk food products

High-Risk Food	Medium-Risk Food
Meat and poultry products	Processed meat and poultry products (dried, salted, smoked)
Fish and fisheries products	Processed fish products (dried, salted, smoked)
Milk and dairy products	Processed dairy products
Raw leafy vegetables	Fresh vegetables including potatoes, onions
Fresh cut fruits and vegetables	Fresh juice
Nuts and cashew nuts, fresh or dried, shelled or peeled	Peanut butter
Processed eggs, liquid, frozen or dried	Mayonnaise
Bakery products, ready to eat and containing eggs	Bakery products (frozen dough, bread, and rolls)
Food for special dietary purpose	Sesame

Ice	Mineral water
Food additives	Soy sauce
Honey	Dried food ingredients

All food products not mentioned in the chart above are considered low risk.

Based on the categorization of risk level above; the physical inspection rate of the imported food products is determined by the following inspection regime:

# **High-Risk Food Products:**

- 100 percent of shipments are subject to a sampling and analysis inspection.
- When specific products in five successive shipments comply, then the next inspection rate will be reduced to 25 percent.
- After specific products in 20 consecutive shipments comply, the subsequent inspection rates will be reduced to only 5 percent.
- Products in shipments that are not subject to the inspection regime are allowed to be automatically released for marketing after completing customs procedures.
- Products in shipments to be inspected, sampled, and analyzed are held until the test results of the shipment are completed.
- Products in shipments that are found to be non-compliant after inspection need to be recalibrated to become compliant.
- If the shipment cannot reach compliance, it must be re-exported or destroyed. All related costs will be incurred by the importer.
- The product will then be subject to 100 percent review.
- In the case of perishable goods, goods are permitted to be released temporarily but must be checked by the food safety specialized officials at the storage location before the goods are allowed to circulate in the market.

#### **Medium-Risk Food Products:**

- 25 percent of shipments are subject to a sampling and analysis inspection.
- When five successive shipments comply, then the next inspection rate will be reduced to 5 percent.
- Products in shipments not subject to inspection are allowed to be released automatically for circulation in the market after customs procedures are completed.
- Products in inspected shipments are held waiting for the test results.

- Products in shipments that are found non-compliant after inspection need to be re-calibrated to be compliant. If it is not possible, the products must be re-exported or destroyed. All related costs will be incurred by the importer.
- The product will then be considered as high risk.

#### **Low-Risk Food Products:**

- 5 percent of shipments are subject to sampling and analysis inspection.
- This type of food will be allowed to circulate without having to wait for the test results.
- If the food is found to be non-compliant it will be subject to 100 percent inspection until the test results confirm its compliance in a consistent manner. After the food has been found compliant in five successive shipments, the rate of subsequent inspection will be returned to 5 percent.

For more information on this regulation, please visit: <u>Prakas on Procedures for Import Inspection</u>

In January 2018, MAFF promulgated Prakas No. 051 on Procedures and Standard Requirements for Registration of Animal Feeds, Feed Ingredients, and Additives that are traded and used for feed manufacturing in Cambodia. The General Department of Animal Health and Production (GDAHP) is responsible for examining, evaluating, and approving registrations. Importations of all animal feeds, feed ingredients and additives shall not contain prohibited, hazardous, and animal growth boosting ingredients or use genetically processed live animal products that are prohibited and harmful to humans, animals, and animal production. The examination and evaluation process shall take 30 days after the GDAHP receives a complete set of documents. The registration certificate is valid for 5 years. The registration certificate shall be requested for a renewable 3 months before the expiry date. Specific standards of feeds for pigs, chickens, ducks, and cattle can be found in chapter 3 of the regulation here: Cambodia Registration of Animal Feed Ingredients

# Section VII: Other Specific Standards/Laws

No updates.

## Food Surveillance, Seizure, and Recalls

The initial implementing regulation was Sub-Decree No. 13 concerning the Conditions, Formalities, and Procedures for Food Surveillance and Seizure, issued on January 6, 2023 (SD 13). This was followed the next month by Prakas No. 080, outlining the Forms and Procedures for Seizing Unsafe Foods or Foods Not Complying with Technical Regulations, dated February 22, 2023 (Prakas 80).

These regulations provide essential clarity regarding how authorities will oversee and inspect the food sector, as well as the circumstances under which they may initiate recalls or seize food products. Prakas 80 also details the necessary documentation for both inspecting officers and companies when reporting

unsafe foods to relevant authorities and the public. Additionally, the regulations specify the obligations of food businesses and the penalties for any noncompliance.

The Consumer Protection, Competition, and Fraud Repression Directorate-General (CCF) within the MOC plays a crucial role as the primary enforcement authority under these regulations. The CCF is responsible for receiving reports on unsafe foods, managing voluntary recalls, issuing public warnings about unsafe products, seizing noncompliant goods, and enforcing administrative fines and penalties as outlined in the Law on Food Safety.

# Section VIII: Geographical Indicators, Trademarks, Brand Names, and Intellectual Property Rights

It is important to have an overall strategy to protect intellectual property (IP) as rights must be registered and enforced in Cambodia under local laws as U.S. trademark and patent registrations will not offer protections in Cambodia.

The Department of Intellectual Property under MOC is the responsible agency to register IP. Granting patent registrations is generally based on a first-to-file basis. Similarly, registering trademarks is based on a first-to-file, so companies should consider how to obtain patent and trademark protection before introducing products or services to the Cambodian market. The following information is needed to register:

- a. Name of applicant
  - Full name; individual or partners
  - Full address; either in Cambodia or outside
  - Nationality or citizenship
- b. Local address for service
- c. Sample of mark
  - No more than 8cm by 8cm in size
  - Must clearly show all features of the mark
- d. Specification of goods or services
- e. Filing fees (around \$350)

More information about registration can be found at: Cambodia Intellectual Property.

It is vital that companies understand that IP is primarily a private right and that the U.S. Government cannot enforce rights for private individuals in Cambodia.

Brand owners should register their trademark with MOC. They should also submit an affidavit of use in Cambodia five years after the initial registration and renew the registration after ten years to maintain their protection over their trademark.

In licensing trademark rights to a local distributor, brand owners are strongly advised to register their licensing agreement with the Department of Intellectual Property.

The requirements for completing a trademark registration with the Department of Intellectual Property are:

- Name of applicant
- Full name; individual or partners
- Full address; either in Cambodia or outside
- Nationality or citizenship
- Local address for service
- Sample of mark
  - o No more than 8cm by 8cm in size
  - Must clearly show all features of the mark
- Specification of goods or services
- Filing fees (around \$350)

The process of filing for a trademark registration includes the following:

- Flow of mark registration process includes:
  - Application filing; use <u>Form TM 001</u> (as of January 08, 2025, this link is under maintenance)
  - Acknowledgement of meeting the requirements
- Formality check: if there is an amendment or correction needed, will be notified within 45 days
- Substantive examination
- Registration
- Publication

Timeline: 4 - 6 months

More information can be found at the Department of Intellectual Property at: <u>Cambodia Intellectual</u> Property or Trademark Registration

Cambodia's Law on Geographical Indications of Goods (GI Law) went into effect on January 20, 2014. The law's stated objective is to protect producers from unfair competition and misappropriation, and consumers from misleading information. According to the GI law, GIs can also:

- Preserve traditional knowledge, craftsmanship, and cultural heritage
- Ensure consumers can trust the quality and authenticity of products
- Open new markets for producers

- Create jobs, increase income, and stimulate economic growth in rural areas
- Promote sustainable agricultural practices and the preservation of the natural environment

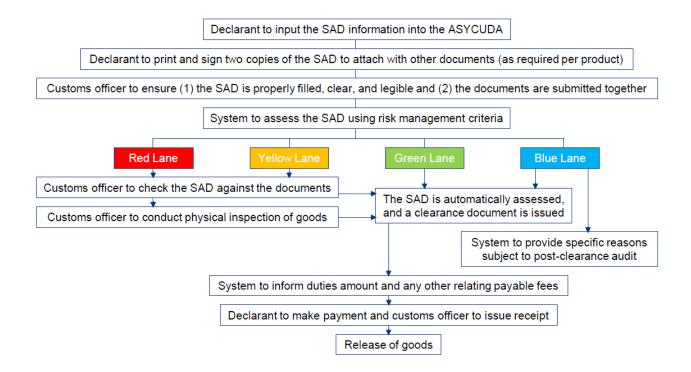
According to Article 7 of Cambodia's GI Law, a Geographical Indication Association or relevant producers' group can apply for geographical indication registration. This registration is managed by the association, which must operate non-profit and be recognized by authorities. Interested parties must form an association based on specific goods and geographical areas, ensuring compliance with legal specifications and obligations. Membership in the association is open, and its statutes must be submitted to the Ministry of Commerce. More information on GI can be downloaded at: GI Law

# **Section IX: Import Procedures**

Cambodia adopted a Customs Law in June 2007 to bring it into conformity with the terms of GATT/WTO Codes on Customs Valuation. Cambodia became the 155th member of the World Customs Organization (WCO) in June 2011. GDCE is the agency responsible for import and export inspections. The GDCE requires importers and exporters to lodge declarations accompanied by such documents as a bill of lading/airway bill, packing list, invoice, proof of insurance, inspector report of finding, if applicable, and other documents as required. In recent years, Cambodia has made substantial progress in reforming and modernizing its import, export, and transit operations, including streamlining and harmonizing customs procedures with international standards.

The government has encouraged the use of a <u>single administrative document (SAD) system</u> and one-stop service mechanism to facilitate trade and risk management. Under the one-stop-service mechanism, there is only one inspection by the inter-ministerial joint body, which streamlines customs procedures and reduces bureaucracy and paperwork requirements. The Automatic System for Customs Data (<u>ASYCUDA</u>) is now in operation at all international checkpoints to facilitate customs procedures as part of the country's one-stop service implementation. More information about import formalities can be found at: Import Procedures

The standard import clearance flowchart is as the following:



The Time Release Study (TRS) conducted in 2023 is a special tool developed by the World Customs Organization to measure the relevant aspects of the effectiveness of operational procedures carried out by Customs, other regulatory agencies, and private sector stakeholders in the standard processing of imports and cross border movements. The objective is to find out the average time taken from the clearance of consignments from the arrival until the physical release of cargo. The 2023 TRS shows that the whole clearance process from the arrival of cargo until its physical release from the ports/checkpoints takes on average 1.3 days. The document is not yet available online. Once available, it can be downloaded at: GDCE Publications.

# **Section X: Trade Facilitation**

#### **Advance Rulings**

According to Prakas 002 by the Ministry of Economy and Finance, advance rulings have been issued since 2013. An advance ruling is a written statement issued by the GDCE to a person upon his/her written request on (1) the tariff classification, (2) the interpretation and application of the law and regulations relating to the customs valuation, or (3) the origin of the goods to be imported. The advance rulings are binding for customs from the effective date of the ruling. The Department of Planning, Technique, and International Affairs of the GDCE oversees the advance ruling procedures.

To request an advance ruling, the applicant must submit a signed advance ruling application form in Khmer or English.

Requested forms for Advance Ruling are listed below:

- AR-TC Form 1 for Tariff Classification
- AR-CV Form 1for Customs Valuation
- <u>AR-OG Form 1</u> for determination of Origin of Goods

An advance ruling request is restricted to individual goods (one HS code), or an individual import transaction. Applicants must deliver the request with the necessary documents, in person, to the office in charge. An authorized individual can also deliver the documents but is required to include an authorization letter in the file.

Additional information and documents required are:

- A certified copy of the document on the identification of the requesting company and the applicant such as VAT Registration Certificate, Annual Patent, ID card, or passport.
- A sample of goods with other supporting documents indicating specifications in the product catalogue, production formula, usage, composition, and production process.
- Buy-and-Sell documents and reference of import transaction such as purchase order, sale contract, a pro forma invoice, or a letter of credit (LC).

Advance rulings are effective for three years from the date of issuance. However, they become invalid when the information provided is different from that of the actual imported good. Importers need to attach a copy of advance ruling document with the SAD.

#### **Pre-Arrival Processing**

Pre-arrival processing, a step that allows the release of products prior to the issuance of GDCE's completed release document, is only available for companies under the Best Trader Group (BTG), Qualified Investment Project (QIP), Express Consignments, and Perishable Goods mechanisms. BTG is a trade incentive mechanism with the privilege to transport goods without transportation documentation and customs seals, among other incentives. More information on how to apply for BTG can be found here: Best Trader Group Requirements. QIP is an incentive scheme provided by the Council for Development of Cambodia (CDC) that covers different tax incentives and import expedition. More information on how to apply for QIP can be found here: QIP Application Process. More information about pre-arriving processing can be found here: Pre-Clearance Procedures

On May 7, 2024, Cambodia launched the National Single Window (NSW), also referred to as the "National One-Stop-Shop Window", aimed at improving trade and administrative procedures. This system enables businesses to apply electronically for permits, licenses, and customs clearances in a streamlined process, significantly reducing time and bureaucratic hurdles. The NSW is connected with the ASEAN Single Window, which includes five member countries: Indonesia, Malaysia, Singapore,

Thailand, and Vietnam, thus enhancing regional trade. This initiative is part of the government's commitment to digitizing public services and fostering economic efficiency, with participation from over 16 institutions. More information can be found at: <a href="Mattender-National-Single Window">National Single Window</a>

#### **Fees**

2018 <u>Prakas 1608</u> on public service fees of the GDCE describes fees associated importations of various products.

Туре	Service fee	Duration (Business days)	Validity Period
Fees for TH-Scan			
- Below 40-feet	\$20	1-2 days	
- Above 40-feet	\$32	1-2 days	
<b>Customs Processing Fee</b>			
- Below 20-feet	\$10	1-2 days	
- Above 20-feet	\$15	1-2 days	
<b>Customs Commission</b>	\$500	90 days	2 years
Advance Ruling	\$50	30 days	3 years

Processes for sea freight, airfreight, and overland freight are required to first report the shipment to the Customs Administration before the arrival of goods into Cambodian customs territory. For sea freight, the Customs officer in charge and other relevant officers, such as the office of autonomous port and immigration, may enter the ship and conduct the review. Some documents to be submitted by the crew master include but are not limited to crew and passenger lists, ship registration certificates, and other documents for customs clearance.

For goods arriving by air, the unloading of goods must be at a designated location and must be approved and inspected by a Customs officer in cooperation with the crew or the aircraft representative.

When the goods need to enter customs temporary storage or customs bonded warehouse storage, the operators are liable for import duties and taxes and other fees. Customs temporary storage refers to the storage of goods under customs control in approved premises pending the completion of customs formalities. Customs bonded warehouses are facilities where goods may be placed for a specified period under customs control.

For full container load cargo, a Customs officer issues the transportation permit after completing the customs declaration. The authorized maximum duration for storage is 45 days from arrival and storage fees will be applied following the approved period. Goods that are not removed from storage within three months shall be considered unclaimed.

Container scanning is done separately from the processing of the SAD, in order to compare the goods declared with those found in the scanning. Scanning applies to ship and land cargos.

# Scanning fee:

\$32 for container with size from 40 feet up \$20 for container with size below 40 feet

For imported goods in containers, which are normally exempt from scanning, the scanning fee could be revised if GDCE requires the shipment to be scanned. After the ASYCUDA assesses the SAD, the system will calculate the amount for duties, taxes, and any other relevant fees to be paid via a notice of assessment. The document is used as a reference document for payment.

Starting July 2023, the Royal Government of Cambodia issued Sub-Decree 122 on the Adjustment to Customs Tariff, Specific Tax, and Export Tax Rates on certain goods. The Sub-Decree 122 is designed to tackle inflation and enhance trade activities in Cambodia. The adjustments in tariffs will prioritize the growth of key sectors, including agriculture, transportation, health, education, industry and production, as well as environmental protection. This Sub-Decree took effect on **July 1, 2023**. Please find more information on the reduced tariffs at: Key Tariff Adjustments Under Sub-Decree 122

# **Appendix I: Government Regulatory Agency Contacts**

#### **General Department of Customs and Excise (GDCE)**

Address: No. 6-8, Preah Norodom Blvd., Sangkat Phsar Thmei III, Khan DaunPenh, Phnom Penh,

Cambodia

Tel: (855) 23 722 767 / 722 768 Email: <u>info-pru@customs.gov.kh</u> Website: <u>www.customs.gov.kh/en</u>

#### **Ministry of Economy and Finance (MEF)**

Address: Street 92, Wat Phnom, Phnom Penh, Cambodia

Tel: (855) 23 890 666 Email: admin@mef.gov.kh Website: www.mef.gov.kh

#### **Cambodia National Single Window (NSW)**

Address: Building 6-8 Preah Norodom Blvd (41), Phnom Penh, Cambodia

Tel: (855) 12 823 777 / (855) 12 285 750

Email: <a href="mailto:support@nsw.gov.kh">support@nsw.gov.kh</a>
Website: <a href="mailto:www.nsw.gov.kh">www.nsw.gov.kh</a>

# **Council for the Development of Cambodia (CDC)**

Address: Government Palace, Sisowath Quay, Wat Phnom, Phnom Penh, Cambodia

Tel: (855) 23 427 597 / (855) 23 428 954

Email: <a href="mailto:info@cdc.gov.kh">info@cdc.gov.kh</a> Website: <a href="mailto:www.cdc.gov.kh">www.cdc.gov.kh</a>

## **Consumer Protection, Competition and Fraud Repression Directorate General (CCF)**

Address: St.18, Kdey Takoy Village, Sangkat Veal Sbov, Khan Chbar Ampov, Phnom Penh, Cambodia

Tel: (855) 23 231 856 / (855) 92 830 85692 830 8

Email: <a href="mailto:contact.info@ccfdg.gov.kh">ccfdg.gov.kh</a> Website: <a href="mailto:www.ccfdg.gov.kh/en">www.ccfdg.gov.kh/en</a>

# **Ministry of Commerce (MOC)**

Address: No. 19-61, Confederation de la Russie Blvd (110) Phnom Penh, Cambodia

Tel: (855) 23 866 188

Email: <a href="mailto:cabinet.info@moc.gov.kh">cabinet.info@moc.gov.kh</a>
Website: <a href="mailto:www.moc.gov.kh">www.moc.gov.kh</a>

## **Ministry of Agriculture Forestry and Fisheries (MAFF)**

Address: No. 200, Preah Norodom Blvd. (41), Sangkat Tonle Bassac, Khan Chamkarmon, Phnom Penh,

Cambodia

Tel: (855) 23 726 128 / 23 726 129 / 97 76 66 989

Email: <a href="mailto:info@maff.gov.kh">info@maff.gov.kh</a> Website: <a href="www.maff.gov.kh">www.maff.gov.kh</a>

## Ministry of Industry, Science, Technology, and Innovation (MISTI)

Address: Preah Norodom Boulevard, Sangkat Phsar Thmey III, Khan DaunPenh, Phnom Penh,

Cambodia

Tel: (855) 23 211 141 Email: <u>info@misti.gov.kh</u> Website: <u>www.misti.gov.kh</u>

#### **Ministry of Health (MOH)**

Address: No. 80, Samdach Penn Nouth Blvd (289), Sankat Beoungkak2, Tuol Kork District, Phnom

Penh, Cambodia

Tel: (855) 23 885 970 / 884 909

Email: <u>info@moh.gov.kh</u>
Website: www.moh.gov.kh

# **Ministry of Tourism (MOT)**

Address: Czech Repulic Blvd (169), Phnom Penh, Cambodia

Tel: (855) 23 213 741

Email: <a href="mailto:info@tourismcambodia.org">info@tourismcambodia.org</a>
Website: <a href="mailto:www.tourismcambodia.org">www.tourismcambodia.org</a>

# **Appendix II: Other Import Specialist Contacts**

# **ASI Logistics (Cambodia) Limited**

Address: #420, Street 271, Phnom Penh, Cambodia

Tel: (855) 23 964438

Email: cambodia@group-asi.com

Website: https://group-asi.com/contact-us/

# **Pandora Logistics**

Address: #431, Street 230, Phnom Penh, Cambodia

Tel: (855) 16 616154

Email: mng@pandora-logistics.com

Website: <a href="https://www.pandora-logistics.com/">https://www.pandora-logistics.com/</a>

## **Cambodia Logistics Association**

Address: #374A, Street 596, Phnom Penh, Cambodia

Tel: (855) 23 884 990

Email: <a href="mailto:secretary@cla.org.kh">secretary@cla.org.kh</a>
Website: <a href="mailto:http://www.cla.org.kh/">http://www.cla.org.kh/</a>

#### **Attachments:**

No Attachments