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Morocco

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

The Food and Agricultural Import Regulations and Standards (FAIRS) report provides an overview of the food laws and regulatory environment in Morocco as it relates to U.S. food and agricultural exports.

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

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

Please contact this office, if you have any comments, corrections or suggestions about the material contained in this report. Our e-Mail address is Agrabat@usda.gov

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Section I. Food Laws

Morocco's food law is <u>Law #28-07</u>, published in <u>Official Bulletin #5822</u>, which is implemented through <u>Decree #2-10-473</u> (August 15, 2011) to address general food safety principles and traceability assurances through the food chain and <u>Decree #2-12-389</u> (May 16, 2013) to address food labeling.

Article 48 of Decree #2-10-473 states:

"In order to ensure that an agricultural product, a food product, or an animal feed, imported into Morocco is safe for human health or animal health in accordance with the provisions of Article 4 of the aforementioned Law #28-07, the importer must, prior to its import, ensure that the product:"

- "Comes from a country, a zone or a region not subject to sanitary or phytosanitary restrictions;"
- "Meets the hygiene and sanitary requirements of food safety provided by this decree and other regulations specific to the product or food;"
- "Comes from an establishment or company that has implemented a HACCP or an equivalent system;"
- "Accompanied by documents or other certificates required by a specific regulation to the product or food issued by the competent authority of the country for exporting and certifying, in particular, that it is in conformity with the legislation in force and without danger to human health or animal health."

Article 5 of Decree #2-12-389 states:

"In accordance with Article 16 of the aforementioned Law #28-07, any product imported into Morocco, must be labeled in accordance with the provisions of this Decree and must be accompanied, at all stages of its marketing or its distribution of the corresponding health and commercial documents containing information relating in particular to its nature, identity, quantity and country or place of provenance in accordance with its labeling."

The primary law in effect for food quality control and fraud prevention is <u>Law #13-83</u>, published in <u>Official Bulletin #3777</u> (March 20, 1985). This law defines the procedures that inspectors should follow to investigate fraudulent products. In particular, it describes food sampling procedures, appeals system, and procedures to seize and prevent sales of unsafe products.

The main regulatory agency responsible for food safety issues in Morocco is the National Office for Food Safety (ONSSA), an independent agency under the supervision of Ministry of Agriculture established by <u>Law #25-08</u> (March 5, 2009), published in Official Bulletin #5714. ONSSA is in charge of regulating, implementing, and controlling conformity of products with local regulations, including standards, labeling, and packaging, and all imported agricultural and food products must go through ONSSA inspection and control before they can clear Customs. The Ministry of Health carries out inspection of food products that have specific health or dietary claims.

Section II. Food Additives Regulations

Morocco generally follows Codex Alimentarius (Codex) recommendations for food additives and preservatives.

In view of Law #28-07 and Decree #2-10-473, <u>Decree #1795-14</u> (May 14, 2014) sets out the approved list and limits of use of additives, premixes, complementary foods, and food coloring. For food additives not mentioned in the Decree but considered by Codex, their presence is permitted in food products imported or locally produced within the limits provided by Codex.

Approval of New Additives

Pre-market approval is required for food additives. Before marketing an additive in Morocco, a petition must be submitted to ONSSA. In addition to the explicit request, include the following information:

- Name, address, phone, and contact of the organization making the request.
- Designation of the substance to be approved:
 - a. Nature of the substance (chemical name, usual name, chemical formula expressed in international standards).
 - b. Commercial name of the substance, name of the producer
 - c. Identity and purity criteria of the substance. Indicate also the percentage of impurities.
 - d. Daily admissible dose (indicate name of the organization that issued it).
 - e. Any other physical or chemical information deemed useful.
- Information on the food to which the additive is going to be added:
 - a. Definition of the food(s) for which the approval is requested
 - b. Procedure and dose to use the substance
 - c. Description of the fabrication procedure with all necessary details on the mode of incorporation of the additive.
 - d. Justification of the use of the additive: purpose, expected effect, advantage of its use for the manufacturer, user, and consumer. Determination of the necessary dose to obtain the expected effect. Proofs of the effectiveness of the suggested doses. Criteria used to determine the effectiveness of the substance and conditions under which the effectiveness trial was conducted (temperature, pH, duration, etc...). Mention also any other procedures used to obtain similar results. Results of comparative trials where already one or more approved additive(s) play the same role.
 - e. If the substance is capable of affecting the hygienic characteristics of the food, provide results of the microbiological analysis showing that the hygienic quality of the final product has been preserved.
 - f. Method of analysis to control the additive doses in the product.
- Data on approval by other countries indicating the authorized doses, conditions under which the substance is to be used, and the food product(s) for which the authorization has been granted.
- Provide if possible:

- a. Attach copies of the official authorizations
- b. Evaluation of the quantities of the substance absorbed by the consumer as a function of the doses included in the food products and the estimated quantity of consumed food.
- c. Statistical information on the consumption of the food product. Evaluation of excessive use by particular groups of consumers.
- Provide list of joint documents.
 - a. Any physiological, toxicological, nutritional information on animal or human that may support the request.
 - b. Toxicological & Physiological information:
 - 1. Information on methods used to determine experimentally:
 - o Toxicity
 - o Effect on reproductive functions
 - o Carcinogenic/mutagenic effects
 - o Allergenic properties and effect on immune functions.
 - o Nutritional effect, whether favorable or not.
 - o Provide results of the methods used.
 - 2. Any physiological or toxicological information on use on humans.
 - 3. Any other relevant information that is deemed to be useful.

Section III. Pesticides and Other Contaminants

ONSSA is responsible for regulations concerning pesticides and other contaminants, including determining and approving the Maximum Residue Limits (MRLs) for residues as well as Maximum Levels (ML) or Alert Thresholds (AT) for contaminants. Morocco has also designed <u>surveillance plans</u> in an attempt to conform with the European Union directive 96/23/EC "on measures to monitor certain substances and residues thereof in live animals and animal products."

Pesticides

Decree #156-14 (Jan 17, 2014) contains MRLs for pesticides.

Veterinary Drugs

Morocco has not established a list of approved veterinary drug MRLs. However, ONSSA also maintains a list of approved veterinary drugs on its <u>website</u> as well as a list of substances prohibited from use as published in Decree #4620-12 (December 31, 2012), including:

- thyrostatic;
- stilbenes, derivatives of stilbenes, their salts and esters;
- 17β-estradiol and its ester derivatives;
- β-agonist substances;
- bovine somatotropin;
- chloramphenicol;
- nitrofurans;

- arsenical and antimonial substances, except those authorized as veterinary medicinal products;
- antibiotics for purposes or species other than those provided for in their marketing authorizations;
- any other medicinal substances for purposes or species other than those provided for in their marketing authorizations.

Environmental Contaminants

<u>Decree #1643-16</u> (May 30, 2016) contains MLs and ATs for contaminants, several of which have been reviewed and determined to be at stricter levels than Codex standards or in the absence of Codex standards. Where Morocco has deviated from Codex, it has often harmonized itself with the European Union.

Microbiological Requirements

<u>Decree #624-04</u> (April 8, 2004), published in <u>Official Bulletin #5214</u> (May 20, 2004), establishes Morocco's microbiological requirements for meat, dairy, poultry, and egg products:

- Aerobic microorganisms
- Coliforms
- Fecal coliforms
- Staphylococcus aureus
- Sulfite-Reducing Anaerobes (Clostridia)
- Salmonella
- Listeria monocytogenes
- Beta-hemolytic streptococci
- E.coli

• Enterobacteriaceae

Section IV. Packaging and Container Regulations

For some commodities, Morocco requires product be sold in predetermined package sizes. The package size requirement is generally included in the regulations that are specific to the product. See the following link for additional information.

Section V. Labeling Requirements

<u>Decree #2-12-389</u> (April 22, 2013), published in <u>Official Bulletin # 6152</u> (May 16, 2013), addresses food labeling regulations, which abrogates and amends all preview decisions, including:

- <u>Decree 2-01-1016</u> of (June 4, 2002) on labeling conditions
- Decision of June 24, 1930 on preserved food
- Decision of January 2, 1915 on marketing conditions and how products should be presented to consumers

In general, Decree #2-12-389 requires the imported food, whether sold or distributed freely, be labeled in such a way that it is not confusing to the consumer, especially regarding the nature, identity, species, quality, quantity, composition, useful products contents, durability, conservation, origin, and processing methods. In particular, the label should not claim that the product has special characteristics if these are common to all similar products. Except as specified by the prevailing regulations for mineral water and foods for special use, the labeling of food products must not state any property of prevention, treatment, or cure of human diseases. Also, the presentation of food products including their shape, aspect, packaging material and its disposition, as well as to the environment in which they are being exhibited should not suggest any preventive, treating or curing properties. Items on the label should be easily understood, in Arabic, and, if necessary, in any other language and with no abbreviations except those provided by the current regulations or international conventions. Items have to be printed in readily seen places and be visible, clearly readable, and ineffaceable. In no case can the labels be hidden or separated by any other indications or images.

Arabic Labeling Requirement

The implementation of the Arabic labeling requirement has been facing some difficulties, which has made the government to be more flexible of enforcing the regulations during the first few years of implementation since 2010. However, it is noticeable that Arabic labeling has become more common in the market and exporters should try hard to meet this requirement.

Stick-on Labels

For most products, stick-on labels are accepted to comply with the Arabic label requirement. Stick-on labels must be approved by ONSSA and are to be put on products upon their arrival to Morocco in the importer's facility. Their use is subject to the following conditions:

- The importer must provide evidence that his supplier cannot print Arabic labeling on the imported goods.
- The importer presents a sample of the stick-on label to ONSSA for approval.
- The importer has adequate facilities and technical and human capabilities to put the complementary stick on labels.

- The importer must provide evidence that the complementary labeling unbreakable, non-detachable and indelible.
- The importer must provide a written commitment that the product will be marketed only after having complied with the prevailing labeling requirement.

The authorization to use sticker are typically delivered annually, and the importer has to file a request before the DCQ (*Quality Control Directorate*) at the port of Entry and ONSSA, which will supervise the re-labeling operation. Importers who fail to meet these requirements will be deprived from future possibilities of using stickers.

To the best of our knowledge, no U.S. product has been refused entry because of the Arabic labeling, and many importers of U.S. products are regularly using the stickers. For new products, the exporter and the importer could, in advance, contact the DCQ at the port of entree and ONSSA to discuss the possibilities of remedying to the Arabic Stickers.

Exceptions for Arabic Labeling

The government of Morocco published an amendment to the regulation that exempts some products from the Arabic labeling requirement in September 2010. A list of products has been published by a Ministry of Agriculture Decree #1379-10 on August 11, 2010 based on the decree 2-06-226 of June 28, 2007 in the Official Bulletin # 5010.

Products that are exempt from Arabic labeling include the following:

- Alcoholic Beverages;
- Products imported as raw material to be processed or packed locally;
- Food supplements
- Goods for the diplomatic Community resident in Morocco;
- Donation Goods
- Products for sport, cultural, commercial events during the period of the event
- Products for hotels and restaurants and food service
- Local and imported products that are distributed or exhibited as samples and are not for sale and for which the professional must provide evidence.
- Food and beverages for special uses for which a pre-registration by the Consultative Technical Committee is required.
- Products imported under special customs regimes (temporarily admission and re-exportations).

List of Food Label Requirements

- **The lot number:** A lot is defined as a set of food products exhibited for sale that were produced, processed, or packaged under similar conditions.
- Depending on whether the product is imported, locally packaged, or locally manufactured; the label should include the **name and address of the importer**, local packager, or the local manufacturer.
- The type and the name or code of the additives used (Colorant, emulsifier, antioxidant, preservative, etc.)

Explicitly, the food labeling regulation in Morocco requires the following:

- **Denomination of the product:** as set by the prevailing legislation, by Codex Alimentarus, or by prevailing trade practices. If there are no regulation regarding the denomination, it must describe the food, and if necessary, its use and be as accurate as possible to allow the final buyer to recognize the nature of the food and distinguish it from other products with which it might be confused. The denomination should also include the physical state of the products or the process it went through if omitting it might potentially be confusing to the buyer.
- List of all ingredients sorted by decreasing weight at the time of packing. If the label claims an unusually low/high amount of one or several ingredients the minimal/maximal quantity of the ingredient (s) must be indicated unless the ingredient is used exclusively in low amounts (as a flavoring).

The list of ingredients is not required for a) Fresh fruits and vegetables, b) Sparkling water if denominated explicitly c) Vinegar derived from one product, d) Cheese, butter, milk and cream when only dairy products, enzymes, and micro-organism culture have been added e) Products made of a single ingredient, and f) Flavoring agents, including additives and should be indicated.

- **Net quantity**: The Net Weight or Net Volume must be indicated. It is not necessary for food products when the quantity is less than 5 grams or 5 milliliters except for spices and aromatic plants. When a food product is presented in cover liquid the net drained weight must be mentioned.
- Production and expiry date
- Indication of any special storage conditions.
- Name and address of the manufacturer, the packager, or the importer depending whether the product is imported, locally manufactured, or locally packaged.
 - a. Name of the importer for imported products;
 - b. Name of the manufacturer for locally made products;
 - c. Name of the packager for the locally packaged products.
- Place of origin, if omitting it would generate confusion for the buyer as to the origin.
- **Notice of use and special conditions of use**, including precaution of use if omitting it would not allow appropriate use).
- Additional labeling requirements for specific products as stipulated in other prevailing regulations.
- **Alcohol volume title** for drinks that are over 1.2 % of alcohol in volume.

In addition to the general Decree above that sets the basic rules for labeling, there are rules that are specific to some products.

Metric measurements are mandatory. Moroccans are not familiar with U.S. measurement standards such as ounces, lbs., cups, servings, etc. However, unlike in Egypt and other Middle East countries, Moroccans tend to use western style numbers.

Production and Expiration date

Production and expiration dates are mandatory on pre-packed food and feed products, including canned products and beverages. U.S. exporters should be aware that, unlike in the United States, when using dates in the format (xx/xx/xx), the date format should be (dd/mm/yy) instead of (mm/dd/yy).

The printing of the dates varies according to the shelf life:

- For products with a shelf life of less than 3 months, the day and the month must be indicated.
- If shelf life is between 3-18 months, the month and the year should be given.
- For products with more than 18 months' shelf life the full date should be given.

The implementing decree for production and expiration date <u>Decree 2-95-908 May 5, 1999 published in</u> Official Bulletin # 4692 defined two lists of products:

• **List I:** Products for which the shelf life and the maximum temperature of storage are set by the government. This list includes refrigerated/ frozen/ processed meat and poultry, refrigerated/frozen/smoked/dried fish, milk, processed milk, ice-cream, cheese, cream, prepared meals, egg products and egg-made pasta, pasta stewed with meat, mineral water, fruit juice, drinks, and lemonades.

The expiration date for products in List I must be printed in the form of "To be consumed by:" or "To be consumed by the date shown on..." followed by the date and the maximum storage temperature. On April 2001, the Government of Morocco published a table with a list of products, their maximum shelf life and the maximum temperature for their storage <u>Decision 440-01 of February 26, 2001</u> published in the Official Bulletin 4888 of April 5, 2001.

• List II: Non-perishable products for which the expiration date is not mandatory. This list includes fresh fruits and vegetables, wine, sparkling wine, wine obtained from fruit other than grapes, beverages of more than 10 percent alcohol, vinegar, salt, solid sugar, confectionary products made almost only from colored or aromatized sugar, chewing gums, and individual servings of ice cream.

Products that are NOT on the List I must have their expiration date printed in the format: "To be consumed preferably by..." or "To be consumed preferably by the date shown on..." The production and expiration date should be printed in apparent, perfectly readable, and indelible manner.

For pre-packed food products that are not on Lists I and II, the packager is responsible for indicating the date by which the products keep their specific properties and the conditions under which they should be stored. The printing of the expiration date for these products is not mandatory.

Annex I to Decree #2-120-389 details the list of allergens which require labeling:

- 1. Cereals containing gluten
- 2. Crustaceans and crustacean-based product
- 3. Eggs and egg-based products
- 4. Fish and fish-based product, except fish gelatin used a support for vitamins or as a clarification agent for wine and beers
- 5. Peanuts and peanut-based product

- 6. Soybean and soybean-based product, except completely refined oil, tocopherol, phytosterols, and stanol
- 7. Milk and milk-based products (including lactose), except lactitol and lactoserum used as an alcoholic distillate
- 8. Nuts
- 9. Celery and celery-based products
- 10. Mustard and mustard-based product
- 11. Sesame and sesame-based product
- 12. Anhydride sulfurous and sulfite
- 13. Lupin and lupin-based product
- 14. Molluscs and marine mollusk-products

Annex II to Decree #2-120-389 details products which require labeling:

- 1. Product for which the shelf life (durability) was extended with packaging gas
- 2. Food product containing colorant and/or sugar, aspartame, or polyols.
- 3. Product containing glycyrrhizinic acid or ammonium salt
- 4. Drinks with high caffeine concentration
- 5. Food products to which was added: phytosterols, phytosterols esters, phytostanol esters
- 6. Frozen meat, preparation of frozen meat, and frozen fishery product none processed

Annex IV to Decree #2-120-389 details products which do not require nutritional labeling:

- 1. Unprocessed products that include a single ingredient or category of ingredients;
- 2. Processed products which have only been matured and which comprise a single ingredient or a single category of ingredients;
- 3. Water intended for human consumption including those whose only added ingredients are carbon dioxide and / or flavorings;
- 4. Aromatic plant, spices or mix of spices
- 5. Salt or salt substitute
- 6. Color additive
- 7. Product under the regulation of coffee and chicories and tee
- 8. Infusions
- 9. Vinaigrette and substitute
- 10. Flavor
- 11. Food additives
- 12. Processing Aids
- 13. Food enzyme
- 14. Gelatin
- 15. Jellification substance
- 16. Yeast
- 17. Chewing gum
- 18. Food ingredients packaged in packaging lower than 25 cm²
- 19. Products, including home-made products, supplied directly by the manufacturer, in small quantities, to the final consumer or to local retail establishments directly supplying the final consumer



Section VI. Other Specific Standards

Dietetic or Special Use Food

These products are consumed for special nutritional purposes. They include baby formulas, infant food, dietetic food, food with a guaranteed amount of vitamins, amino-acid, or magnesium, food particularly high or low in energy, lipids or proteins, low sodium, and low calorie diet food, etc.

These products must be registered at the Ministry of Health before they can clear customs. Since the registration process might take several weeks, it is advisable to apply for registration of the product by sending small samples, get the product approved, and then proceed with the shipment. The importer applies for registration by submitting a request to the Ministry of Health, including the following:

- Detailed information on the ingredients, on the production and control process, and on the stability of the product.
- An export certificate provided by US FDA stating that the product is legally marketed for human use.
- Laboratory analysis certificate provided by official authorities of the exporting country. The result of the analysis should include information on the ingredients, toxicological and bacteriological analysis, and provide reference of the relevant prevailing regulations in the country of origin.
- Result of the scientific work and experiments made to show the advantage of using the products.
- A sample of the item to be marketed.

Based on the decision of the joint commission from the Ministry of Health and the Ministry of Agriculture, the Ministry of Health issues the Registration Certificate that can be used to clear customs. The certificate is valid for 5 years and is renewable upon request from the importer. Infant powder milk can only be sold in pharmacies.

Products included in this group can be sold as "Dietetic Food" or "Diet Food" except baby formulas and infant food used by healthy children. The labels of these products should include:

- Name of the product.
- Qualitative and quantitative information or the production process that gives the food its special characteristics.
- List of ingredients and additives.
- Net weight.
- Name and address of the importer.
- Lot number.
- Production and expiration dates (mention the year) and, if needed, limit date for optimal use.
- Precaution measures for its use.
- Special storage conditions if any.
- Energy content expressed in Kilo-Joules (KJ) or Kilocalorie (Kcal) as well as sugar, protein and fat content per 100 grams or 100 milliliters and daily recommended intake. When the energy

content of the food is less than 50 KJ (12 Kcal) the exact energy content may be replaced by the expression "Energy Value Lower Than 50 KJ (12 Kcal) for 100 Grams Per 1000 Milliliter".

For this special group of food, the label should not include any mention of prevention, treatment, or recovery.

Coffee

On July 2012, the Moroccan government amended its regulation to tolerate up to 2 percent of spices of the coffee net weight. The Moroccan government amended its regulation and procedures for labeling "Spiced Coffee" for roasted and ground coffee tolerates the mixed with spices such as canella, ginger, cardamom, clove, nutmeg, white pepper and coriander. The decree formalizing this regulation was published on the official bulletin <u>Decree 2-12-281</u>, <u>August 1</u>, <u>2012</u> (May 21, 1951) issued in the Official Bulletin #6074.

Butter

The prevailing regulation governing the marketing of butter has been issued in 1995 <u>Decree 2-93-179</u>, <u>Dec. 12, 1995</u>, (March 15, 1996) issued in the Official Bulletin #4338 of April 18, 1996 and as modified by the <u>Decree 2-99-940 of November 22, 1999</u>,(November 22, 1921) Official Bulletin #4748 of December 12, 1999.

Morocco defines butter as having a minimum of 82 percent fat and 16 percent water. The United States require the standard butter to have 80 percent minimum fat. The Ministry of Agriculture is amending its regulation on fat content to meet the CODEX requirements. Meanwhile, a waiver on the 80 percent fat content was given to some importers provided the butter is sold to food processors (and not directly to the public). Butter must also comply with the <u>microbiological requirements</u> as specified by the Ministry of Agriculture.

When the butter is not from cows, the species from which it is issued must be indicated. Butter with an acidity of over 15 (number of cc of normal potash for each 100 grams of finished products) is considered not suitable for consumption.

In addition to the minimum labeling requirement, imported butter labels must bear the statement "Pasteurized Butter", and indicate the country of origin, name of producer and its address, net weight, production date, and the shelf life.

The microbiological, physical, and chemical specifications are required for local and imported butter can be found in the Ministry of Agriculture Decision #699-93 of March 1996 published in the Official Bulletin #4370. This decision sets the maximum tolerated germ concentration and stipulates that the imported butter must fulfill the additional following requirements:

- 1) Imported Butter must be pasteurized and labeled as "Pasteurized Butter";
- 2) Butter must not be renovated or regenerated;
- 3) Butter must be stored at less than 15 centigrade.

Chocolate

The regulation governing cocoa and chocolate products is <u>Decree #2-06-517</u> (December 11, 2009), issued in Official Bulletin #5802 (January 7, 2010). Under the current regulation, the standard is set to 25% cocoa powder or paste for the label chocolate and at least 14% of solid matter of lactic origin for the label "*Milk chocolate*".

Section VII. Facility and Product Registration Requirements

Morocco has no facility or product registration requirements that are in addition to those mentioned in other sections of this report.	

Section VIII. Other Certification and Testing Requirements

ONSSA has instituted standardized tests and norms as follows in the <u>link</u>.

- A. Methods of Analysis and Sampling (pg 1-26)
- B. Milk and Milk Products (pg 27-45)
- C. Meat and Meat Products (pg 46-50)
- D. [reseved]
- E. Poultry (pg 50)
- F. Honey (pg 51)
- G. Animal Feed (pg 51-55)
- H. [reseved]
- I. [reseved]
- J. Feed Additives (pg 56-57)
- J. Hygiene and Food Safety (pg 58)
- K. Fruits and Vegetables (pg 59-64)
- L. Fertilizing Materials and Crop Materials (pg 65-71)

Samples and Mail Order Shipments

Samples and mail order shipments of food products are subject to the full import regulations.

Biotechnology Products

Morocco freely imports genetically-engineered (GE) agricultural products with no additional certification or testing requirements; however, such products are not allowed for human consumption or planting seeds. For consumer products entering Morocco, a GE-free label may be included to avoid potentially being asked to provide a GE-free certificate. See FAS/Rabat's <u>Agricultural Biotechnology</u> <u>Annual 2017</u> for additional information.

Organic Products

Morocco's legal framework for organic products is <u>Law #39-12</u> (January 16, 2013), published in <u>Official Bulletin #6128</u> (February 21, 2013). The law regulates the production, processing, marketing, and labeling of organic products. To apply for organic product labeling, producers have to file a request (*Cahier des Charges*) to a national commission (Article 19 of the law). Imported organic products should comply with the following:

The exporting country's organic production process and control system are equivalent to that of Morocco (Article 27).

The competent authority of the exporting country certifies that organic products comply with its domestic requirements, which are equivalent to that of Morocco (Article 22).

Halal Products



Morocco's Institute for Normalization (IMANOR) established the Halal standard and certification procedures for food products. The certification requirements are available under the following <a href="https://link.ncm.nih.google.com/link.ncm.nih.g

Alcoholic Beverages

The marketing, sale, storage, and handling of alcohol is under strict government control. Marketing of wine at the wholesale and retail levels is subject to a special license from the Ministry of Agriculture and to the local authorities Ministry of Interior. Alcoholic beverages can be sold only at licensed retail and wholesale points.

According to Ministry of Finance <u>Decision #723-96</u> (April 12, 1996), published in <u>Official Bulletin</u> <u>4383</u>, alcoholic beverages of more than 25 cc, except wine, whiskey, and beer, whether produced locally or imported, cannot be distributed to retailers or end-users unless a "Control Stamp" is stuck on the cap of each bottle. The stamp should be long enough to cover part of the bottleneck and should be stuck so that the stamp number remains readable.

Wine

Wines of all origins received in bulk by traders may be sold to retailers or the public only in bottles corked, capped and labeled in advance bearing the name and address of the trader who proceeded to this bottling as well as the nature of the product offered for sale. Bottled wines for sale on the domestic market may be held, offered for sale or sold only in packaging that meet specific characteristics detailed in Decree #275-321 (August 12, 1977). Generally speaking, most wine may be sold at retail in 375 ml or 750 ml bottles and sparkling wine sold in 400 and 800 ml bottles.

Morocco's regulations recognize four categories of wine:

- "Old Wine" that is over 25 months old and "Selected Wine" that is over 13 months old.
- "Vintage Wine": includes the "Guaranteed Vintage Wine", the "Controlled Vintage Wine" and the "Local Wine" which are produced under conditions and areas determined by the Ministry of Agriculture.
- "Sparkling Wines"
- "Ordinary wines": Alcoholic content must be at least 12 percent in order to be imported and marketed in Morocco. The law also explicitly prohibits the sale of wines that have alcohol content of less than 12 percent (of volume). The characters specifying the type of wine must be at least 5 millimeters high. The labels "Red Wine", "White Wine", "Rosé", "Table Wine", and "Mixed Wine" can be used.
- The origin labeled wines can be imported into Morocco if they comply with the regulations prevailing at the country of origin. Ministry of Agriculture Decision #736-96, of June 27, 1996, in Official Bulletin #4384.

In addition, the Ministry of Agriculture published a regulation that defines the conditions that wine must meet before it can include the denomination of "*Chateau*" on the label (Ministry of Agriculture Decree #815-04 (October 14, 2004) in Official Bulletin #5266 (November 18, 2004).

Labeling and marketing of wine is subject to Ministry of Agriculture Decree #2-75-321 (August 12, 1977). Alcohol content must be specified in unit or half units and should not differ by more than 0.5 percent of the content determined by analysis. Non-origin labeled sparkling wines cannot be sold unless the label "Sparkling Wine" is indicated on the bottle. The size of the characters should be at least half of the size of the largest characters used on the label.

Origin labeled wines must have the following information on their label:

- Geographical denomination,
- Labels "Origin label guaranteed" or "Guaranteed vintage wine"
- Brand name printed in readable characters.
- Alcohol content
- Name and address of the bottler printed in characters not exceeding two-thirds the size of the characters used to print the geographical denomination.

Bottling of wine is subject to strict requirements. Ordinary wines and common wine can be sold in 1 liter glass bottle or 1.5 liters PVC bottle. Guaranteed vintage wines, old wine, origin labeled wines can be marketed only in glass bottles of specific sizes (75 cc, 37.5 cc, 72 cc and 18 cc) (Article 19 of the Decree #2-75-321 on wine marketing). Sparkling wine bottles must have a capacity of 80 cc or 40 cc.

A certificate of origin and a certificate of laboratory analysis are required by the Ministry of Agriculture for imported of origin labeled wines.

Other Alcoholic Beverages

The Ministry of Agriculture amended the regulation regarding the marketing of spirits and similar products in the decision #1628-07 dated August 22, 2007, modifying the May 16, 1916 decision, in Official Bulletin #5558 (September 6, 2007, pg 1028). Major additions and changes are:

- The denomination "Mahia" that can be used only for brandy issued from fermented figs/dates and aniseed with no ethylic alcohol being added.
- Marketing of alcoholic drinks using designations such as "type", "style", "taste", "brand", "fantasy" is prohibited.
- Imports, processing, bottling, and trading of alcoholic beverages is subject to a license from ONSSA that will be delivered following authorization of the local authorities (prefecture or province level).
- The Minimum alcohol content by volume must be in %: Whisky, pastis and Mahia 40; Rum, Wine Brandy, raisin brandy, Fruits Brandy, Gin, Vodka 37.5; Brandy 36; and spirits from grains 35; spirits drinks from fruit 25; aniseed spirits 15; and spirits called "Mixed Drinks" 5 percent.
- Packaging requirements (see Packaging and Container Regulation Section above).
- The labeling of spirits must include:
 - Commercial Name,

- Net Volume;
- Acquired alcoholometry volume;
- Name and address of the importer for imported products);
- List of ingredient for the spirits drinks other than natural brandies.
- Validity date for drinks having less than 10 percent of alcohol in volume.
- Processing Lot number.
- Place of origin if omitting it creates confusion in the buyers' mind as to the origin of the product.

Dairy Products

The current regulation for production and marketing of dairy products is <u>Decree #2-00425</u> (December 7, 2000) in <u>Official Bulletin # 4862</u> (January 4, 2001), which provides definitions of various milk products and sets the hygienic and sanitary conditions for milk production, processing, and sale. The Decree also stipulates that milk reconstitution from sterilized or UHT milk requires an authorization from the Ministry of Agriculture. Reconstitution of milk from pasteurized milk is prohibited. The addition of starch to imported milk powder for industrial use is no longer required.

The Decree requires various defined milk products include the following indications in their label:

- Name of the product.
- Brand name or company name.
- Expiration date.
- Fat content.
- Volume or net weight.
- The citation: "to store at..." followed by the appropriate storage temperature as set by the current regulations.
- In addition to the label "Pasteurized Milk", "Sterilized Milk", or "UHT Sterilized Milk", indicates "Whole", "semi-skimmed", or "skimmed milk".
- Registration number of milk pasteurization/sterilization plant.
- The mention "Refrigerate after opening" or "use rapidly".

The specifications for processed milk fat content are regulated by Decree #2-02-94 (June 6, 2002) in Official Bulletin # 5010.

For the latest voluntary list of Moroccan standards regarding milk and milk products can be found under the following link: http://www.onssa.gov.ma/fr/images/Normalisation/SITE-WEB-liste-des-normes-homologuees-Aout-2017-18-08.pdf (Page 27).

Honey

<u>Decree #2-17-463</u> (November 14, 2017) regulates the quality and safety of honey. It also specifically requires honey imported for repackaging in Morocco be destined exclusively to processing establishments or packaging facilities.

The name "Honey" can be used exclusively for the honey produced by bees. When the bees are fed sugar or other sweet feed, except honey, the products should be designated as "Sugar Honey". The label

"honey" cannot be used for honey caramelized by heat or containing over 25 percent of water. (Article 5, Minister's Decision March 5, 1928)

Products that look like honey and that can be used for similar purposes cannot be imported, produced, or held for sale under any name unless they fulfill the conditions above (Article 6, Minister's Decree May 16, 1961).

The word "*Pure*" can be used only for the honey issued from bees and not for honey from sugar. The country of origin must appear in the honey product label. It should be printed in indelible characters of at least 5 millimeters. The name of the region may also be indicated on the label of "*Pure honey*". Mixing honey of different origins is prohibited (Article 7, Minister's decision February 6, 1950).

Marmalade, Jelly, Jams

The denomination "Marmalade, Jelly, and Jams" followed by the name of one or several fruits or printed with the indication "Pure Fruit and Sugar", can be used only for the products issued from refined sugar, white crystallized sugar, brown sugar, fresh or dried fruit, or fruit juice. They must be conserved without addition of any antiseptic except Sulfur Anhydride.

Milk replacers containing non butyric are prohibited for imports into Morocco.

The label for milk replacers must have:

- Brand Name, company name and the Import Authorization Number
- The label "Milk for feed use"
- Expiry date

Fruit and Vegetable Juices

The basic regulation controlling the production, marketing, and labeling of fruit and vegetable juice is the joint <u>circular #005/97</u> issued by the Ministry of Agriculture and the Ministry of Health. The circular defines which products can have the label "*Vegetable Juice*" and when to use the name of the vegetable, or the words "*Fresh*", "*Pure*", and "*Salted*". It also defines under what conditions mixing and concentration of juice is permitted. Dilution of vegetable juice is prohibited except when it is done right before consumption in presence of the consumer or using adequate mixing machines verified by the Government. It is also prohibited to add alcohol, antiseptics, lactic acid as well as any non-authorized substance.

Juice labels should indicate the name of the importer and the net weight in centiliters.

Mixed Feeds

In April 2004, the Ministry of Agriculture issued a decision that amends the original 1948 decision related to mixed feed for animals. The recent decision has, for each type of animals (i.e. cattle, sheep and goats, laying hens, poultry breeding stock, broiler, turkey, quail, ducks, rabbit, ostrich), new minimum nutritional characteristics that must be met depending on the production phases (Ministry of

Agriculture Decision #1239-03 of December 29, 2003, published in Official Bulletin #5200 issued April 1, 2004).

A license from the Ministry of Agriculture is required to market mixed feed in the Moroccan Market. <u>Decision of August 7, 1946</u>, published in the <u>Official Bulletin #1766 of August 30, 1946</u>. Another decision of the Ministry of Agriculture <u>Decision of January 1947</u>, published in <u>Official Bulletin #1788</u>, <u>January 31, 1947</u> stipulates that:

- The Ministry of Agriculture issues a license once the Official Laboratory approves the products and assigns a registration number to it.
- The label of the feed must include: the brand, the name and address of the manufacturer, the name of the product, the specie for whom the feed is made, the official laboratory registration number, the manufacturing date.
- The label should be of one of the following colors:
 - a. Red with black printing for mixes
 - b. Blue with black printing for nitrogen concentrate and mineral supplements
 - c. White with printing of different colors according to the targeted species for balanced mixed feed.

The indications on the label should be also printed on promotional material.

The label for feed mixes, defined as 2 or 3 well-mixed feed ingredients whether added or not with minerals or vitamins, must indicate the names of the ingredients and the percentage of each ingredient in the mix.

The label of balanced mixed feed must include also the name and the percentage of the ingredient, the content in digestible protein, the dry matter content in grams per kilogram, and the feed value expressed in Scandinavian Feed unit per kilogram.

The protein meals cannot be sold without a certificate showing their protein and fat content (Decision of June 9, 1950, published in the <u>official bulletin #1965 of June 23, 1950</u>).

The most current positive list of feed and premix additives can be found on the following link: http://onssa.gov.ma/fr/images/reglementation/reglementation-sectorielle/Animaux-et-produits-dorigine-animales/Produits-dorigine-animales/Alimentation_animale/ARR.1490-13.FR.c2.pdf

Mineral and Nitrogen Supplement for feed

In addition to the labeling required for mixed feed, the labels should include (Article VII, <u>Decision of January 1947</u>, published in the Official Bulletin #1788 (January 31, 1947):

- The amounts at which the supplement is to be incorporated in the rations according to the species, age of the animals and production level.
- Nitrogen concentrate label should show the percentage of digestible protein.
- The content in grams per kilogram of calcium, phosphate, chloride for mineral supplements.

Use of Estrogen, Arsenical, Antimonial Substances, Meat Meal and Animal Fats Morocco amended its regulation that prohibited imports of animals, and animal products from animals, to which hormones (estrogens) have been administered. The current regulation still prohibits imports of animal products and animals that have been fed animal origin feed (Meat and bone meals – except fish meal) and animal fat. Decree #2-05-1223 (December 2, 2005) in the Official Bulletin #5384 (January 5, 2006).

Section IX. Import Procedures

The basic regulation for inspection of food and agricultural products imported into Morocco is the joint Ministry of Finance and Ministry of Agriculture Circular #01 (June 13, 1996). This circular gives Ministry of Agriculture inspectors of ONSSA and Customs Officials authority to inspect imported food and agricultural products.

The following documentation is normally required to clear imported products:

- 1. Bill of Lading
- 2. Certificate of Origin
- 3. Commercial Invoice
- 4. Customs Import Declaration
- 5. Gate Pass (Bon de Sortie);
- 6. Import Registration Form (engagement d 'importation);
- 7. Inspection Report (Via the quality control directorate (DCQ) for food and feed products)
- 8. Packing List

Depending on their nature (animal, plant, raw, or processed) imported products are inspected by different divisions. In major ports (Casablanca, Agadir, and Tangier), the importer deals with the quality control directorate under the regional direction ONSSA, the DCQ (Direction de Contrôle de la Qualité) and the dispatch of the file is done internally depending of the type of product. This office is responsible for controlling most food and agricultural products. In some special cases of products with dietetic or health indications, the Ministry of Health inspectors would intervene.

Typically, the clearing process through DCQ inspectors consists of up to three major steps based on the familiarity with commodity, importer's experience, and sometimes the origin.

- Checking the import documents;
- Physical control of the commodity, and
- Drawing of sample for more detailed laboratory analysis.

DCQ inspectors issue a certificate that authorizes the importer to clear customs. Customs Officers will not authorize the goods into the country without a certificate issued at the point of entry by the DCQ inspectors.

The imported product can follow three possible paths:

- Animal and animal products: this category includes live animals, animal products and byproducts, animal breeding products, sea products, fresh water products, and feedstuffs, including
 mineral complements and premixes. In this case, a Veterinarian from the Ministry of
 Agriculture/ONSSA's DCQ issues a sanitary certificate that might result in the imported goods
 being admitted or rejected.
- *Plants and plant products* are inspected by inspectors from the DCQ. Based on the results of the control, the Plant Protection inspector issues a phytosanitary certificate in which: a) allows

- the products to enter the country; b) orders that the product be fumigated at the port or in approved stations; or c) rejects the product and/or orders its destruction.
- **Laboratory analysis:** In addition to the sanitary and phytosanitary control, foodstuffs and feedstuffs are controlled by representatives from the Ministry of Agriculture's and by customs officers who have the authority to request laboratory analysis. Eventually, the designated government laboratories issue a certificate that is necessary for customs clearance.

In order to help DCQ inspector make a quick decision and not request laboratory analysis, the exporter (or local importer) should provide extensive documentation (description of the products, lab analysis result, certification of approval by the government of the exporting country, etc.). Some importers send product samples to the DCQ office before they ship the products to get a feel of what would be required to swiftly clear customs. Also, the most widely used business language in Morocco is French. Therefore, even if English documents are acceptable, it is generally a good practice to present French documents to expedite customs clearance. Normally, it takes less than a week to clear products through customs, with intense scrutiny, particularly for new-to-market items. If a sample of food is taken for laboratory analysis, the customs clearance may be delayed up to 8 days and the importers have to pay the cost of the laboratory analysis.

In order to ease the customs clearance process, it is recommended to use a seasoned customs broker/agent as a key to ensuring an adequate flow through the system; and to explore the online customs system. The Moroccan Customs administration already has in place an online system to provide more predictable information to importers. The online customs system consists of "ADIL" which provides assistance to importers on customs clearance. ADIL system helps the importer obtain the correct tariff classification for the goods they plan to import for the first time. ADIL is available under the following link: http://www.douane.gov.ma/adil/. A complementary online system "BADR" is also in place, which provides online customs clearance. "BADR" is available under the following link: http://badr.douane.gov.ma/Acceuil.html. The online systems help reducing the customs clearance formalities and will consequently reduce release times. Importers are thus encouraged to seek classification of goods well in advance of their arrival to Morocco in order to avoid delays. Interested parties should visit the online system or contact the Moroccan Customs for more information (see Appendix for contact information).

Point of Entry to Morocco for Animals and Animal Products

Imported live animals, animal products, and byproducts can enter Morocco only through specified ports and airports. Entry ports are Casablanca, Tangier, Kenitra, Safi, Agadir, Jorf Lasfar, Nador, Al Hoceima, Dakhla and Laayoune. Entry airports are Casablanca (Mohamed V), Agadir, Fes, Tangier, Oujda, Rabat-Sale, Marrakech, Laayoune, Dakhla, and Ouarzazate. (Minister of Agriculture and Minister of Finance Decision #1726-96 of September 1996, published in the Official Bulletin #4418 of October 3, 1996).

Government Approved Laboratories

The list of approved ONSSA laboratories has been set by decree as stipulated in the <u>Law #13-83</u> Fraud Repression Law. The most widely used laboratories are:

- Laboratoire Officiel d'Analyse et de Recherches Chimiques-Casablanca
- Laboratoire d'Analyse et de Recherches Vétérinaires, Casablanca
- Laboratoire du Service du Contrôle et de la Multiplication des Semences et plants-Rabat
- Laboratoire de Technologie des Céréales de l'INRA
- Laboratoire de Technologie des Céréales de l'ONICL
- Laboratoire de l'Institut Pasteur-Casablanca
- Laboratoire d'Analyse et de Recherches Vétérinaires de Tanger
- Laboratoire d'Analyse et de Recherches Vétérinaires d'Agadir
- Laboratoire de l'Institut National d'Hygiène

Appeals System

According to the <u>13-83 food law</u>, when the laboratory results provides evidence that the imported product does not comply with the prevailing regulations, the importer is notified by the chief of the competent authority at ONSSA. The importer may appeal within eight days after the receipt of the notification and may request a second laboratory analysis be made. The chief of the competent authority sends the product samples to a second approved laboratory. The results of the second analysis are also provided to the head of ONSSA.

Normally, the importer will pay a deposit to the Moroccan Treasury that will be used, if the second analysis confirms the first results, to pay additional charges such as storage of the goods, laboratory cost, and sample delivery. If the results of the second analysis don't provide any evidence of law violation, the deposit is refunded back to the importer.

When the importer does not appeal within eight days, and the results of the second analysis confirm the results of the first one, the Directorate of Quality Control (DCQ) delivers to the Customs Service a sanitary certificate of non-admission into the national territory, in order to proceed with rejecting the product. A copy of the certificate is sent to the importer or to his representative. Rejected products are not allowed entry and all transshipment or re-export must be through a written request to the DCQ.

Section X. Copyright and/or Trademark Laws

Morocco is a member of the World Intellectual Property Organization (WIPO).

<u>Law #31-05</u> (December 14, 2005), amending and supplementing <u>Law #17-97</u>, published in <u>Official Bulletin #5397</u> (February 20, 2006) concerns the protection of industrial property. This law comprises provisions, which reinforce the system of the industrial property in Morocco, in particular those relating to the opposition system of trademarks, measurements at the borders and the national register of the geographical indications and appellations of origin. Under Law #31-05, all food and agricultural products with a distinctive signs of origin and quality are protected. The Moroccan Office of the Industrial and Commercial Property (OMPIC) is a key member of the distinctive signs National Commission (See Article 17).

Trademarks

U.S. companies enjoy trademarks and brand protection in Morocco under the Madrid Protocol (April 14, 1891) and need not apply through a resident in Morocco to have their trademarks and brand names registered. Detailed guides for registration can be obtained from OMPIC.

Geographic Indications and Appellations of Origin

On June 19, 2008, Morocco published <u>Law #25-06</u> in <u>Official Bulletin #5640</u>, which regulates Morocco's geographic indications and appellations of origin as as provided for a national commission with certification authority. The National Commission thus far certified ten products.



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Geographical Indications

- «Argane» Official Bulletin #5806 (Jan 21, 2010)
- «Dattes Majhoul de Tafilalet» Official Bulletin #5862 (Aug 5, 2010)
- «Clémentine de Berkane» Official Bulletin #5862 (Aug 5, 2010)
- «Grenade Sefri Ouled Abdella» Official Bulletin #5958 (Jul 7, 2011)
- «Goat cheese Chefchaouen» Official Bulletin #5978 (Sep 15, 2011)
- «Fig de Barbarie d'Ait Baamrane» Official Bulletin #5978 (Sep 15, 2011)

Appellation of Origin

- «Safran de Taliouine» Official Bulletin #5862 (Aug 5, 2010)
- «Tyout Chiadma» olive oil Official Bulletin #5806 (Jan 21, 2010)
- «Rose de Kelaat M'gouna-Dades» Official Bulletin #5978 (Sep 15, 2011)

Agricultural Label

• «Agneau Laiton» - Official Bulletin #5862 (Aug 5, 2010)

Since May 2, 2013, the certification authority has resided with the private company <u>Ecocert Maroc SARL</u> – see <u>Decree #964-13</u>, published in <u>Official Bulletin #6148</u>. Products undergoing the approval

process are listed on the following <u>link</u>. Information regarding the EU-Morocco agreement on the protection of Geographical Indications may be found in the following <u>link</u>.

Protection of New Plant Varieties

Morocco is a member of the International Union for the Protection of New Varieties of Plants (UPOV) and patterned <u>Law #9-94</u> (January 21, 1997) on the protection of new plant varieties off the 1991 UPOV Convention. Morocco followed this with the publication of various implementing orders on October 28, 2002.

The Moroccan law provides breeders from other countries reciprocal treatment – that is, the protection is granted if the country of origin provides at least the same protection to Moroccan breeders. Protection is granted to the breeder if the variety is deemed new, distinct, uniform, stable, and has the appropriate denomination. A variety is considered new if, at the implementation date, the material to protect has not been sold or given to third parties for use for over 1 year in Morocco and for 4 years abroad (for trees and vineyards, 6 years). The variety has to be distinguishable from any commonly known variety, sufficiently uniform in its relevant characteristics, and have stable characteristics even after repeated propagation. The Ministry of Agriculture has established a list of organizations (local and foreign) that are able to evaluate the variety to protect.

Appendix I. Government Regulatory Agency Contacts:

Ministère de l'Agriculture et de la Pêche Maritime

Office National de la Sécurité Sanitaire des Produits Alimentaires (ONSSA)

Avenue Haj Ahmed Cherkaoui- Agdal-Rabat- Morocco

Phone: (212 5) 37 67 65 00/ Fax: (212 5) 37 68 20 49

Web Site: http://www.onssa.gov.ma/

Direction du Contrôle de la Qualité (DCQ) - Port Casablanca

Port de Commerce de Casablanca, Morocco

Phone: (212-2) 231-7047 Fax: (212-2) 231-8648

Email: dcqcasa@yahoo.fr

Ministère de la Santé (Ministry of Health) Direction du Médicament et de la Pharmacie

B.P. 6202, Rabat Institut, Morocco

Tel: (212-53) 777 0645 Fax: +212 537 76 38 95 E-mail: Contact@sante.gov.ma Web Site: http://www.sante.gov.ma/

Office Marocain de la Propriété Industrielle et Commerciale (OMPIC)

Route Secondaire 114, Km 9.5, route de Nouaceur, Sidi Maarouf, Casablanca

Tél: (212-52) 233-5486 Fax: (212-52) 233-5480

Web Site: http://www.ompic.org.ma

Institut Marocain de Normalisation (IMANOR)

Angle Avenue Kamal Zebdi et Rue Dadi, Secteur 21, Hay Riyad, Rabat, MAROC

Tél: (212 53) 771 6214 Fax: (212 53) 771 1798 Web Site: http://www.snima.ma/IMANOR/

Administration de la Douane Marocaine (Customs)

Avenue Annakhil, Hay Riad- Rabat-Morocco

Phone: 212 (0)5 37 57 90 01/02/03 Web Site: www.douane.gov.ma

Appendix II. Other Import Specialist Contacts:

Agricultural Affairs Office

American Embassy-Rabat Km 5.7, Avenue Mohamed VI Suissi Rabat 10170, Morocco. Phone: (212-5) 3776-5987

Fax :(212-5) 3776-5493 Email: AgRabat@usda.gov

Web: https://www.fas.usda.gov/regions/morocco