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Report Highlights:

The FAIRS Annual Country Report maintains the baseline information for Bangladesh as it relates to all food for human and animal consumption. In addition to an overview of the Government of Bangladesh's (GoB's) regulatory infrastructure and import control policies, this report includes FAS Dhaka's assessment of laws and requirements for food and agricultural products imposed on imports. This report is not meant to be a catalogue of all additive and pesticide regulations for all products nor an attempt to list all the GoB food laws. For further information, please contact AgDhaka@usda.gov.

Executive Summary

In calendar year (CY) 2019, Bangladesh was the 32nd largest market for U.S. agricultural product exports (by value), reaching nearly US\$1 billion. Approximately 89 percent of U.S. agricultural exports to Bangladesh are bulk products (e.g., wheat, soybeans, cotton). Intermediate products (e.g., soymeal, distillers grains, and feed and fodder) represent approximately 10 percent. Consumer oriented products, as well as agricultural related products (e.g. fish and forest products), are minimal.

Bangladesh, with a population of 163.7 million people, is the third largest Muslim-majority country in the world. With India to the west and Myanmar to the east, Bangladesh is strategically located at the crossroads between South and Southeast Asia. Despite rapid economic growth and great potential for agriculture production and trade, the implementation, oversight, and enforcement of Bangladesh's agriculture food safety regulations continues to be an area of concern for consumers, as well as businesses involved in agricultural trade, production, and processing. There are approximately 15 federal ministries and 18 agencies involved in food, feed, and veterinary drug safety, including the Ministry of Food, Ministry of Agriculture, and the Ministry of Fisheries and Livestock.

Bangladesh's food safety policies and regulations are relatively new. In partnership with the international community, Bangladesh has undertaken major food policy reforms in the recent past. Implementation, enforcement, and development of Bangladesh's food and agriculture policy has been fragmented but is steadily progressing. In terms of legislation, the 2013 Food Safety Act is the key over-arching legislation for food safety in Bangladesh. The 2015-18 Import Policy Order is the key legislation for regulating imports.

https://www.dpp.gov.bd/upload_file/gazettes/16173_23175.pdf%22http://nbr.gov.bd/regulations/policy/eng%22Bangladesh has significant overlap in oversight responsibilities, particularly in regulatory response (i.e. enforcement of inspection, standards, testing). The redundancy often leads to confusion amongst private sector companies, as well as frustration and friction amongst governing agencies. Furthermore, this overlap has led to a set of conflicting standards and inspection protocols that are enforced by the various ministries and agencies, ultimately creating weaknesses in the regulatory response to the food sector. There is a great need and desire to improve coordination in regulatory oversight and to clearly define the roles and responsibilities of all ministries and agencies in managing food safety systems.

DISCLAIMER: This report has been prepared by the Office of Agricultural Affairs, USDA/Foreign Agricultural Service in Dhaka, Bangladesh 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 unavailable. It is highly recommended that U.S. exporters verify the full set of import requirements with their Bangladeshi partners, 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 BANGLADESH'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.

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Section I: Food Laws

The Food Safety Act, 2013 (FSA), which was enacted in February 2015, led to the establishment of the Bangladesh Food Safety Authority (BFSA). The BFSA is housed within the Ministry of Food and for reference purposes can be considered similar to the United States Food and Drug Administration (FDA). BFSA was created to "regulate and monitor the activities related to manufacture, import, processing, storage, distribution and sale of food so as to ensure access to safe food through exercise of appropriate scientific methods, and to coordinate the activities of all the organizations concerned with food safety management." (Food Safety Act, 2013).

Although the 2013 FSA assigned coordination authority for food safety to the BFSA, the GoB has divided the responsibilities of food safety governance, implementation, enforcement, and oversight among 15 federal ministries and 18 agencies. This has created a level of confusion and duplication in responsibilities, particularly in terms of food safety communication, management, and regulatory oversight.

According to Chapter II. 3 of the FSA, the National Food Safety Management Advisory Council (NFSMAC) was formed to advise and guide the BFSA. The council is comprised of 29 members, including the Minister from the Ministry of Food (MoF) and a member of the Parliament nominated by the Speaker of the House of the Nation. The council is responsible for meeting twice a year at a date and time determined by the MoF Minister. The last meeting held by NFSMAC was on February 13, 2020.

The 13 duties of the BFSA, according to the 2013 FSA and as directed by the NFSMAC, are as follows:

- 1. to scientifically define all the available foods from plants, animals, and other major sources and provide support to the concerned authorities or organization in updating quality parameters, and monitor the implementation of their activities to ensure food safety;
- 2. to render necessary support to the concerned authorities or organizations in updating and upgrading the food standards or guidelines to the highest level of safety done by the same under existing laws;
- 3. to specify food standards and formulate guidelines, where no quality and safety parameter or guideline of such food is determined under existing laws;
- 4. to provide the concerned authority or organization with necessary support in updating or upgrading the permissible limit at its highest safety level for use of contaminants, microbial contaminants, fertilizer, residue of insecticides and pesticides, residue of veterinary and fishery drugs, heavy metals, processing aids, additives or preservatives, mycotoxin, antibiotics, medicine related active substances and growth promoters in the food product determined by any other authority or organization under the existing laws, and monitor implementation thereof;
- 5. to determine permissible limit of use of contaminants through exercise of scientific methods, where the permissible limit of contaminants, microbial contaminants, fertilizers, residue of insecticides or pesticides, residue of veterinary and fishery drugs, heavy metals, processing aid and, food additive or preservatives, mycotoxin, antibiotic, medicine related active substances and growth promoters is not determined under any existing law;
- 6. to provide necessary support to the relevant authority or organization in specifying permissible limit of radiation in food and implementation monitoring thereof;

- 7. to provide necessary support to the concerned authority or organization in formulating and implementing accreditation policies to be followed by the certification bodies having authority for issuing certificate of food safety management system to carry out food business;
- 8. to provide necessary support to the concerned authority or organization in formulating procedural guidelines for accrediting food testing laboratories and implementation monitoring thereof;
- 9. to provide necessary advice to the concerned authority in monitoring and taking immediate corrective measures to remove the non-conformance observed during monitoring of laboratories engaged in measuring food adulterants and quality;
- 10. to specify standards and prescribe testing procedures, if not otherwise done, of any food to be imported under existing laws, and accordingly provide necessary support to the concerned authority or organization to ensure adherence to acceptable quality parameters of food and implementation monitoring thereof;
- 11. to prescribe the procedure relating to packaging and expressing claims on health, nutrition, special dietary uses and categorization of packaged food and provide necessary support to the concerned authority or organization for its implementation;
- 12. to prescribe the procedure for assessment, analysis, communication and management of probable risk, and to identify increasing risk and introduce regular food alert system; and
- 13. to collect food samples and conduct analysis and exchange of information with the law enforcing agencies.

In an effort to meet the above defined duties, the BFSA has written a number of new policies in the past five (5) years. Bangladesh, although an active member of the World Trade Organization (WTO), has not notified the international trading community of changes to existing regulations or the development of new regulations that impact trade. FAS Dhaka continues to encourage the appropriate departments within the GoB to notify such regulations to the WTO.

The U.S. Agency for International Development (USAID), U.S. Department of Agriculture, and other international organizations have joint programs with BFSA to support the GoB's effort to improve food safety, develop food policy in-line with international standards, and enhance the GoB's effort to enforce such regulation.

Table 1: Policies related to food and agricultural products in Bangladesh

Agricultural Produce Market Act, 1964 (revised in 1985) (English)
Animal Disease Act, 2005 (Act No. 5 of 2005) (Bengali)
Animal Disease Rules, 2008 (Bengali)
Animal Feed Rules, 2013 (Bengali)
Animal Slaughter and Meat Quality Control Act, 2011 (Act No. 6 of 2011) (Bengali)
Animals Slaughter (Restriction) and Meat Control (Amendment) Ordinance, 1983

Bangladesh Animal and Animal Product Quarantine Act, 2005 (Bengali) Bangladesh Hotel and Restaurant Act, 2014 (Act No. 15 of 2014) (Bengali) Bangladesh Pure Food Ordinance (amendment) Act, 2005 (Partly Repealed) (Partly English) Bangladesh Standard and Testing Institution (Amendment) Act, 2003 (English) Bangladesh Standards and Testing Institution Ordinance, 1985 (English) (Repealed) Bangladesh Standards of Weights and Measures (Packing and Commodities) Rules, 2007 (Bengali) Biosafety Rules, 2012 (Bengali) Breast-Milk Substitutes (Regulation of Marketing) Ordinance, 1984 (English) Breast-Milk Substitutes, Baby Foods, Commercially Manufactured Supplementary Baby Foods and Its Equipment (Regulation of Marketing) Act, 2013 (Act No. 35, 2013) (Bengali) Essential Commodity Act 1957, 58, 64; (English) Fish and Fish Products (Inspection and Control) Ordinance, 1983 (Part 1 and Part 2) Fish Feed and Animal Feed Act, 2010 (Act No. 2 of 2010) (English) Fish Feed Rules, 2011 (English) Fish Products (Inspection and Quality Control) Rules, 1997 (English) Fish Protection and Conservation Act, 1950 (latest amendment in 1995) (English) Food (Contaminants, Toxins and Harmful Residues) Regulations, 2017 (Bengali) Food Grain Supply (Prevention of Prejudicial Activity) Ordinance, 1956 (English) Food Safety (Food Hygiene) Regulations, 2018 (Bengali) Food Safety (Food Tactile/Contact Materials) Regulations, 2019 (Bengali) Food Safety (Food Processing and Administration System) Rules, 2014 (Bengali) Food Safety Act, 2013 (Act No. 43 of 2013) (English and Bangla) Food Sample Collection, Testing and Analysis Regulations, 2017 (Bengali) Formalin Control Act, 2015 (Act No. 5 of 2015) (Bengali)

Import Policy Order, 2015-18 (English, Bengali) Iodine Deficiency Disorders Prevention Act, 1989 Marine Fisheries Ordinance 1983 and Rules, 1983 Mobile Court Ain, 2009 [Mobile Court Act, 2009] (Act No. of 2009) (Bengali) Nuclear Safety and Radiation Control Rules 1997, SRO No. 205 (English) Packaged Food Labeling Regulations, 2017 (Bengali) [author's translation] Pant Quarantine Act, 2011 (Act No. 5 of 2011) (Bengali and English) Pesticide Act, 2018 (Bengali) Pesticide Ordinance, 2007 (Bengali) Pesticide Rules, 1985 (Amendment) and 2010 (Bengali) Plant Quarantine Rules, 2018 (Bengali, partially English) Special Powers Act, 1974: Substitute Act, 2013 (English) Standards of Weights and Measures Ordinance, 1982 (Ordinance No. XII of 1982) (English) Sthanio Sarkar (City Corporation) Ain, 2009 [Local Government (City Corporation) Act 2009] [author's translation] Sthanio Sarkar (Paurashava) Ain, 2009 [Local Government (Paurashava) Act, 2009] (Bengali) The Food (Special Courts) Act, 1956 (English) Use of Food Additives Regulations, 2017 (Bengali) Vitamin A Fortification in Edible Oil Act, 2013 (Act No. 65 of 2013) Vokta Odhikar Songrokkhon Ain, 2009 (Act No. 26 of 2009) (Bengali) [Consumer Rights Protection Act 2009] (Act No. 26 of 2009) (English)

Section II: Labeling Requirements

A. General Requirements

The Packaged Food Labeling Regulations, 2017 (Bengali) issued by BFSA and the Bangladesh Standards of Weights and Measures (Packaging and Commodities) Rules, 2007 (Bengali) (<u>link</u>) issued by the Bangladesh Standard and Testing Institute (BSTI) are the two primary policies related to food labeling.

The Packaged Food Labeling Regulations, 2017 establishes technical standards for labeling of domestic and imported packaged food products, raw materials such as additives, flavoring and coloring substance, allergenic food, baby food, genetically engineered food, and milk products for human consumption. The Packaged Food Labeling Regulations, 2017 state that, "For imported products to sell in the local market a label or sub-label in Bengali should be added." While BFSA is not currently enforcing this requirement, USDA encourages all U.S. exporters to comply with official Bangladeshi regulations and laws.

Information should be printed on the package label as stated in the Packaged Food Labeling Regulations, 2017:

- 1. Name of the producer, supplier
- 2. Type of food (natural and processed)
- 3. Batch, code or lot number
- 4. Net weight, size or number and total weight
- 5. Date of manufacture
- 6. Date of packing
- 7. Date of expiry
- 8. Use best before date
- 9. Nutritional information
- 10. Food additive info
- 11. Instruction of use

B. Other Specific Labeling requirements

As per the Packaged Food Labeling Regulations, 2017, nutritional labeling is mandatory. The standard U.S. nutritional fact panel is acceptable. The nutritional components that must be in the label are energy value, fat, saturates, glucose, sugar, protein, and salt. The other optional nutritional components that can be added are monounsaturates, polyunsaturates, transfat, cholesterol, polyol, fiber, related vitamins and minerals. The 2017 labeling regulation does not include any clause related to implied claims. The law includes mandatory labeling of genetically engineered (GE) food ingredients with the statement "GMO food". The labeling of country of origin is mandatory and details of name and contacts of the producers, importers, re-packer, and re-bottler, distributors, and agents are to be printed on the label.

Section III: Packaging and Container Regulations

The Bangladesh Standards of Weights and Measures (Packaging and Commodities) Rules, 2007 (Bengali) and Packaged Food Labeling Regulations, 2017 (Bengali) are the two main regulatory tools for packaging of food products. Neither of these rules have incorporated any conditions on the types of materials that can be used for packaging. Both rules extensively cover labeling conditions of packaging.

There are different national policies and laws in Bangladesh directed toward various types of waste management. These laws include the Factory Act, 1965 (<u>link</u>); Environmental Pollution Control Ordinance, <u>1977 (link)</u>; Environment Conservation Act, 1995 and 2000 (<u>link</u>); Environment Conservation Rules, 1997 (Ammended 2002) (<u>link</u>); Environment Court Act, 2010 (<u>link</u>); Medical Waste Act and rules (<u>link</u>); and Ozone Depletion Substance Rules 2014 (<u>link</u>). There is no specific waste disposal law or product recycling regulations which can

regulate imported product packaging and recycling. Rules, restrictions, or limitations on the use of any packaging materials are not found in any of the ordinances.

Section IV: Food Additive Regulations

The Use of Food Additives Regulation, 2017 (<u>link</u>), is overseen by two agencies (i.e., BFSA, Ministry of Food and Bangladesh Standard and Testing Institute (BSTI), Ministry of Industry).

The regulations include a list of the positive additives that are permitted for use in food. The authorized use of additives are listed in English according to the category of additives such as color, preservatives, flavor enhancer, antioxidant, stabilizer, non-nutritive agent, sweetener, acid or acidity regulator, antifoaming agent, foaming agent, firming agent, thickener, anti-caking agent, sequestrant, gelling agent, emulsifier, bulking agent, flour treatment agent, glazing agent, humectant, raising agent, and propellant. The level or amount of additive to be used in food produced locally is approved by BSTI and they follow the Standards Catalogue, 2018 of BSTI, CODEX standard, and ISO standards. If new additives that are used are not available in the Bangladesh Standards (Bangladesh Standards and Testing Institution Ordinance, 1985, Section 2(1)(b)) or any other rules, then the permissible level should be followed based on Codex Alimentarius standards for Food Additive or other intentionally approved standards.

Section V: Pesticide and Other Contaminants

National standards of Maximum Residue Limits (MRLs) for pesticides are listed in the BFSA issued Food Safety (Contaminants, Toxins and Harmful Residues) Regulations, 2017 (<u>link</u>). The long list of admitted insecticides, fungicides and herbicides can be found in the regulation, which follows the Codex Alimentarius standards. The MRL level of positive pesticides are also listed in the regulations.

Pesticide registration, licensing, production, use, and quality control are regulated by the Plant Protection Wing, Department of Agricultural Extension, Ministry of Agriculture. The Ministry of Agriculture follows the Pesticide Act, 2018 (link); the Pesticide Rules, 1985 (Amendment) 2010 (link)http://www.dae.gov.bd/site/page/6ff01fbe-cb68-4e59-b273-54cc2b2db7cf/-

Section VI: Other Requirements, Regulations, and Registration measures

An inspection and certification process prior to shipment is required for various products. Per the Import Policy Order, 2015-18 (Link), inspection and disease-free certification is necessary in most cases when importing live animal and animal products. An example of necessary documents for importing cotton, Dried Distiller's Grains with Solubles (DDGS), and tree nuts can be seen on Table 3, under Appendix II.

Pre-shipment testing and certification are necessary for all processed food and agricultural products. In general, radioactivity (CS 137) testing and certification are required for food and agricultural products. Sampling, testing and certification at port of arrival are also obligatory for processed food and agricultural products outlined in the Bangladesh Standard and Testing Institute policy orders.

Several regulatory agencies oversee food standards, food quality, and sanitation for food safety in the retail, wholesale, and processing industries. The anti-adulteration and safety audits are conducted by the Ministry of Commerce, Ministry of Industries, Ministry of Local Government, Rural Development and Co-operatives, and

Ministry of Health and Family Welfare. The Officer of Dhaka City Corporation (North and South), Chief Health Officer of Dhaka District Commissioner, and/or an Officer from BSTI can visit, without prior notice, markets and food production companies with the 'Mobile Court,' to adjudicate laws for the purpose of ensuring food safety. The laws that cover market inspection are the Mobile Court Act, 2009 (link); Consumer Rights Protection Act, 2009 (link); and Safe Food Act, 2013 (link). For imported products, the mobile court checks the labels for importers contact information, expiration date, mislabeled or fake product information, and to ensure that imported products are included in the BSTI approved product list.

Importers do not have to register imported products, nor is facility registration required.

Section VII: Other Specific Standards

A. Weight and Measures

Bangladesh Standards of Weights and Measures (Packaging and Commodities) Rules, 2007 (link) include rules for packaged product selling in the retail market, wholesale market, import and export. In the case of imported product, name and contacts of importers must be labeled on the packet. Standard units of the product must be mentioned, and if the unit is not standard, the importer will convert that to a standard unit and add an extra sticker on the packet. The manufacturing date must be printed on the packet. All the additional information, including retail price, must be added with a sticker on the packet. There are no different rules for imported processed food, indicating that the exporting country will follow their packaging weight and measure rules for production and export to Bangladesh.

B. Food Safety (Food Hygiene) Regulations 2018

The Food Safety (Food Hygiene) Regulations, 2018 (<u>link</u>) regulates and guides various sanitation and hygiene issues like cleanliness of food processing establishment, health guidance for health workers, rules of cleaning drainage system, equipment used for food processing, and storage. The regulation helps BFSA to raise awareness about waste management at home and processing industry, water supply to the food processing industry, food and food material transportation, use of food wrapping and packing, controlling temperature in food preservation, and conditions applicable for selling street food.

C. Novel Foods (Genetically Modified Organisms (GMOs))

Genetically Modified Organisms (i.e. "GMO", genetically engineered [GE] products) are regulated by the Bangladesh Biosafety Rules, 2012 (see GAIN Report link). The resolution that entered into force on August 29, 2012, states that a person or agency cannot produce, export, import, sale or purchase and use GE products for any commercial purpose without the permission of the Ministry of Environment, Forest and Climate Change. At present, the Biosafety Rules, 2012 is followed for imports of GE plant sample materials for government approved crop research project purposes. The Food Safety (Labeling) Regulations, 2017 (link) also states that labeling "Genetically Modified Food" must be added on the packaging of GE foods.

D. Wine, Beer and Other Alcoholic Beverages

Importing requirements for wine, beer and other alcoholic beverages are included in the Import Policy Order, 2015-18 (<u>link</u>) which is overseen by the Director General of the Narcotics Control Department, Ministry of Home Affairs. As per the Import Policy Order, 2015-18, beer and wine of all categories (H.S. Heading No. 22.03 to 22.06 and all H.S. Codes classifiable under this heading) should be imported only by international hotels. In special cases, such goods can be imported with approval from the Ministry of Commerce with prior permission from the Chief Controller, subject to specified conditions. However, in all cases, to import beer and alcoholic drinks, the importer should first obtain a license or permission from the Director General of the Narcotics Control Department.

E. Animal Quarantine

Bangladesh's Animal and Animal Product Quarantine Act, 2005 and Import Policy Order, 2015-18 covers animal quarantine issues under the Department of Livestock Services (DLS), Ministry of Fisheries and Livestock. The conditions for importing live animal, meat, day old chicks, live poultry, and eggs are included in the Import Policy Order, 2015-18. Importers must obtain Import Permit (IP) from the Department of Livestock Services (DLS) by submitting a proforma invoice and registration of the DLS. For importing meat, it is compulsory to have production and date of expiration and storing methods information on the package of imported meat. Day old chicks are importable under three conditions, a) a certificate issued by the competent authority of the exporting country, to the effect that the imported chicks are free from contagious diseases; (b) a certificate issued by the World Organization of Animal Health to the effect that the exporting country is free from Avian Influenza; and (c) at the time the Letter of Credit (L/C) is opened, the importer must submit the certificate from the director or an authorized officer of the Livestock Directorate that the importer has either a hatchery or breeding farm.

Eggs of poultry and birds (HS Code No. 0407.00 under HS Heading No. 04.07) are imported with prior permission from the Ministry of Fisheries and Livestock subject to the following conditions: (a) eggs are imported in limited quantity from a country free from Avian Influenza; and (b) for every consignment of imported eggs, there must be a certificate to the effect that the goods are free from Avian Influenza virus and harmful bacteria; this should be issued by the Ministry of Agriculture competent authority of the exporting country.

Deep frozen semen and embryos (H.S. Code No. 0511.10 classifiable under H.S. Heading 05.11), except of Friesian; Friesian Cross; Sahiwal; Sahiwal Cross, Friesian-Sahiwal Cross, Australian-Friesian Sahiwal (A.F.S.), A.F.S. Cross, Brahman, Murrah, Nili-Ravi, and Mediterranean varieties are imported. For the import of semen, a certificate shall be obtained from the competent authority of the exporting country regarding the variety of semen to the effect that it is free from any contagious and venereal diseases, and the exporting country is also free from Bovine Spongiform Encephalopathy (BSE).

F. Halal Foods

Bangladesh authorities stipulate that all meat products must be halal, and the live animal was slaughtered with proper Islamic custom as defined by the Bangladesh government. The halal requirements for food products include that the product is free of pork products and free from alcohol. This is also applicable to non-meat products.

Section VIII: Trademarks, Brand Names and Intellectual Property Rights

Bangladesh is a signatory of the Paris Convention for the Protection of Industrial Property; and the Agreement on Trade-Related Aspects of Intellectual Property Rights. The Department of Patents, Designs and Trademarks (DPDT), Ministry of Commerce is the regulatory body that applies intellectual property laws and regulations in Bangladesh. The laws and regulations of Intellectual Property Rights (IPRs) covers, Patents and Designs Act, 1911 (Act No. II of 1911) (link); Patents and Designs Act (Amended), 2003 (link) to regulate inventions by patents, distinctive shapes by designs; Copyright Act, 2000 (Link); Trademarks Act, 2009 (Act No. XIX of 2009) (link) and Trademark (Amended) Act, 2015 (link); and Trademark Rules, 2015 (link) to protect business names and trademark logos and Geographical Indication of Goods (Registration and Protection) Act, 2013 (link) to protect different goods renowned for their mass production and extraordinary qualities.

Section IX: Import Procedures

There are several laws and orders in Bangladesh pertaining to the safety and standards of imported food, including the Food Safety Act, 2013; Food Safety (Contaminants, Toxins and Harmful Residues) Regulations, 2017; Packaged Food Labeling Regulations, 2017; Food Sample Collection, Testing and Analysis Regulations, 2017; Food safety (Food Hygiene) Regulation, 2018; Food Safety (Food Tactile) Regulations, 2019; Bangladesh Standard and Testing Institution Amendment Act, 2003; Import Policy Order, 2015-18; Plant Quarantine Rules, 2018; and Bangladesh Animal and Animal Product Quarantine Act, 2005. For any questions on these regulations and/or translation of the documents please reach out to the USDA FAS Dhaka office at AgDhaka@usda.gov.

Table 1. Bangladesh Agencies involved in the customs clearing process for importing product through Chittagong Seaport, Bangladesh.

Agencies	Activities
Chittagong Port Authority	Manages and operates the port in which the shipment is off-loaded and stored
Clearing and Forwarding Agent	Supports importers through collecting all the necessary documents, does all necessary customs clearances and releases products from port and transports to private container depot
Chittagong Customs House, Bangladesh Customs	Receives import tariff payments, verifies all certificates, inspects product, and gives release

	orders
Bangladesh Atomic Energy Commission,	Tests radiation level and gives release order if
Chittagong Office	cleared
Bangladesh Standard and Testing Institute,	Checks the standards of processed food and gives
Chittagong Office	release order if no objections found.
Plant Quarantine Office, Department of	Checks the presence of insect, pest and disease
Agricultural Extension	of agricultural products, checks the exporter's
	phyto-certificate (when needed) and gives
	release order.
Commercial Bank	Provides services to open and settle Letter of
	Credit, and endorse all the documents submitted
	to the customs for clearance and the paying
	import tariff

English is widely used in every trade office. Most of the documents are prepared in English and provided by local government offices, banks, and customs offices. Therefore, it is not necessary to translate documents into Bengali but it could be helpful. In general, imported processed food product requires 3-4 weeks to clear customs and release the container from port.

Customs Clearance Procedures for Import

Example Import procedure (customs and seaport clearance) in Bangladesh for processed food and other agricultural products including livestock and fisheries products

- 1. Importer and exporter confirm the transaction by exchanging price quotation(s) and terms of the contract.
- 2. Importer applies for an import permit from the appropriate ministry (Agriculture or Fisheries and Livestock). (e.g., the import permit for plant-based agricultural product is issued by the Plant Quarantine Wing, Dhaka Office; the import permit for fisheries or livestock product is issued by the Department of Fisheries and Department of Livestock)
- 3. Exporter sends Pro-forma Invoice/Commercial invoice to the importer
- 4. Importer opens Letter of Credit (L/C) in a local bank. For opening the L/C, the importer provides the following documents to the bank (varies based on agreement with exporter and financial institution):
 - a) Pro-forma Invoice (PI)/Buyer and Seller Agreement
 - b) Import Registration Certificate
 - c) Tax Identification Number (TIN) Certificate
 - d) Membership certificate of recognized chamber of commerce and industries or registered trade association

- e) Insurance cover note with money receipt
- f) Value added tax (VAT) registration certificate
- 5. Importer's bank sends L/C to exporter's bank
- 6. Exporter's bank sends confirmation letter of L/C to the importer's bank
- 7. Exporter sends the shipment of documents to the importer's bank
- 8. Exporter's bank sends a package of documents to the importer's bank as per listed in L/C (depending on product type and agreement)
 - a) Bill of exchange (invoice of the product)
 - b) Certificate of analysis (description of product)
 - c) Country of Origin Certificate issued by any trade association of the exporting country
 - d) Health Certificate i.e. (Fit for Human Consumption) for any kind of food
 - e) Radiation Certificate issued by competent laboratory of exporting country
 - f) Phyto-Certificate issued by agricultural department of the exporting country
 - g) Animal Health Certificate for live animals
 - h) Certificate of weight and quality condition
 - i) Packing list/container list
 - j) Insurance Certificate
 - k) Others may be needed also depending on the product type, such as Fumigation certificate, Technical datasheet of Description of product
- 9. The bank releases the document package to the importer after receiving full payment of exporter's bills.
- 10. After the arrival of the shipment at seaport, the importer authorizes clearing and forwarding (C&F) agent to complete all activities required for customs clearance and seaport release.
- 11. The shipping agent submits the Import General Manifest (IGM) (containing description of imported goods by ship) online.
- 12. Customs checks the manifest online and approves the manifest, and enters information into the ASYCUDA World system.
- 13. The C&F agent completes 'noting', which is entering all the required information to the ASYCUDA World system to submit Bill of Entry (BE).

Documents submitted to the customs house:

- a) Letter of power of attorney of the C&F agent issued by the importer
- b) IMP form
- c) Import permit
- d) Bank endorsed Letter of Credit Authorization for customs copy
- e) Bank endorsed Letter of Credit for customs copy
- f) Bank endorsed invoice/PCI invoice
- g) Bank endorsed packing list
- h) Bank endorsed copy of CRF certificate of bank
- i) Bank endorsed original copy of Bill of Lading
- j) Insurance cover note and insurance policy document
- k) Bill of exchange (invoice of the product)

- I) Certificate of analysis (description of product)
- m) Country of origin certificate issued by any trade association of the exporting country
- n) Certificate of weight and quality condition
- o) Packing list/container list
- Others may be needed also depending on the product type:
 Other types of special documents are submitted as per the product type
 - 1) Data sheet duly signed by the C&F agent
 - 2) Health certificate (Fit for Human Consumption) for any kind of food
 - 3) Radiation certificate issued by competent laboratory of exporting country
 - 4) Phyto certificate issued by agricultural department of the exporting country
 - 5) Animal health certificate for live animal
 - 6) Fumigation certificate
 - 7) Conformity certification
- 14. The customs house reviews and approves the Bill of Entry (BE) and put a C number (Registration number/noting) into the system.
- 15. The agent submits the printed copy of the BE to the product wise customs group or section Assistant Revenue Officer (ARO), Customs House, Chattogram (CHC) for preliminary assessment.
- 16. The ARO section of the customs house assesses all the information, as per the BE and supporting documents. The ARO takes the official approval of physical examinations, informs the customs officer for tariff assessment.
- 17. The customs officer assesses the tariff of the product as per the BE and approves the tariff assessment notice online. The officer sends the section and gives the tariff assessment report to the C&F agent.
- 18. The C&F agent manages the containers to be ready for physical assessment at the port.
- 19. With the help of the C&F agent, the examining inspector conducts physical examination, and the C&F agent collects samples for in country testing and certification.
- 20. The C&F agent submits a sample to the respective laboratories of government agencies for conducting laboratory testing and gives certificates to the agent and customs house. The following certificates are generated in country (based on product type).
 - a) Radiation certificate from Bangladesh Atomic Energy Commission.
 - b) Quarantine certificate, fumigation certificate from plant quarantine office (for cotton and where necessary).
 - c) Formalin test certificate from BSTI.
 - d) Bangladesh standard certificate from BSTI.
- 21. After assessing all the supporting certificates, the examining officer gives the approved physical assessment notice/report.
- 22. The C&F agent pays the tariff to the authorized bank as per the tariff assessment notice.
- 23. The bank gives a red mark in the ASYCUDA World system after receiving the tariff payment and sends release order to the Treasury Speed Section.
- 24. After confirmation of tariff payment through the ASYCUDA World System, the treasury section gets the receive number and writes on the bill of entry. With the taxed bill of entry and assessment notice, the C&F agent gives deliver order to the One Stop Service section of Seaport authority.

25. The One Stop Section of seaport assesses IGM, prepares bill payable to the port authority, receives bill payment, endorses bill and gives delivery order. Usually, it takes two days to deliver in a full container load and one day for less than a container load.

Section X: Trade Facilitation

Trade barriers continue to be a significant obstacle to further increasing U.S. agricultural exports to Bangladesh. Despite recent Government of Bangladesh (GoB) reforms to improve the business and trading climates,

Bangladesh's overall implementation of modern trade supporting initiatives and adoption of regulations in-line with international standards has been slow. Bangladesh ratified WTO's Trade Facilitation Agreement (TFA) on the September 27, 2016. Bangladesh continues to have a limited World Trade Organization (WTO) notifications record, has not submitted trade data to the WTO, and the National Enquiry Point for the Ministry of Commerce, Customs, and the Bangladesh Standard and Testing Institute (BSTI) remain uncoordinated and disconnected. FAS continues to encourage the GoB to modernize its export and import processes to position itself as a regional market and take advantage of new opportunities presented in the post-COVID global trade environment. In June, USDA announced it would allocate \$25.8 million over five years to address barriers specific to agricultural trade with Bangladesh through its Food for Progress Program (FFPr).



Figure: 1 Based on Bangladesh's notification for its Trade Facilitation Agreement (TFA) implementation commitments, 36.1 percent of its commitments have been implemented to date (Category A), 36.6 percent will be implemented between June 2021 to December 2023 without capacity-building support (Category B), and 27.3 percent will be implemented subject to technical assistance being provided (Category C). *Source:* WTO-TFA Database

In April 2017, the World Bank approved a \$170 million project for Bangladesh to improve trade conditions by improving connectivity, reducing logistical bottlenecks, and supporting the adoption of modern approaches to border management and trade facilitation. A major element of this project is the establishment of Bangladesh's

National Single Window and Customs Modernization plan, estimated to be completed in 2022. The system will automate procedures for all trade-related declarations, licenses, and certificates and will integrate information from relevant GoB entities into a single system. GoB trade agencies currently inspect agricultural imports and exports using manual documentation processes, which increase the time and cost to clear goods at the ports of entry. Agricultural traders must physically collect import certificates before the arrival of goods as a part of the pre-arrival process; once consignments arrive, traders deliver them in person to Customs points. These procedural obstacles add days if not weeks to the transit of goods and increase the likelihood of corruption by local Customs officials. https://www.unescap.org/sites/default/d8files/knowledge-products/BGD-CBPT FINAL report.pdf%22

Advance Ruling System (ARU)

Bangladesh National Board of Revenue (NBR) implemented the Advance Ruling System (ARU) since June 2016 regulated by the Customs Ruling (advance) Rules, 2016. The system works only on classified goods (<u>link</u>) and enables traders to apply for a ruling that specifies the H.S Code for a specific goods or item. The ruling system supports importers and exporters to ensure the goods are evaluated according to regulation by the customs department. To avail the system, importers must submit several documents (<u>link</u>). So far, 17 rulings have been issued and posted on the website of the NBR, but in most cases requested H.S. codes are accepted for a certain period (i.e 18 months). There is no judicial review and appeal system in this ARU.

Fees at port

The Chattogram Sea Port is the largest seaport in Bangladesh with maximum permissible draft of vessel ranges from 8.50m to 9.50m and ships with maximum length 170 meter can berth. According to the liner shipping connectivity index 2019, Chattogram port is ranked 90th of 178. Chattogram port authority published its 2008 tariff chart for commodity and shipping (Link). The port charge for full container loads (FCL) loading and offloading is US\$43.40 (less than 21 feet) and US\$65.10 (higher than 21 feet) and LCL (less than container load) container US\$130 (less than 21 feet) and US\$195 (higher than 21 feet). The storage charges for loaded 21 feet container is US\$12 for within 7 days after the free period and 41 feet container is US\$18 within 7 days after the free period (4-5 days). The port processing time is approximately 3 days for all ships and 5.77 days dry bulk carriers. The processing time at Chattogram is approximately 3 times higher than most developed ports, which average around one day.

Common Delays

The most common delay is the result of product quality and standard testing certificates. Customs officials also spend a considerable amount of time examining import permits for fraudulent permits.

Congestion at the port also leads to processing delays. The Port of Chittagong, which handles 92 percent of trade for Bangladesh, is overcrowded and operating at capacity. The Port Authority is hopeful current expansion plans will alleviate congestion and help reduce processing times in the future. For more information on port expansion plans, please contact FAS Dhaka.

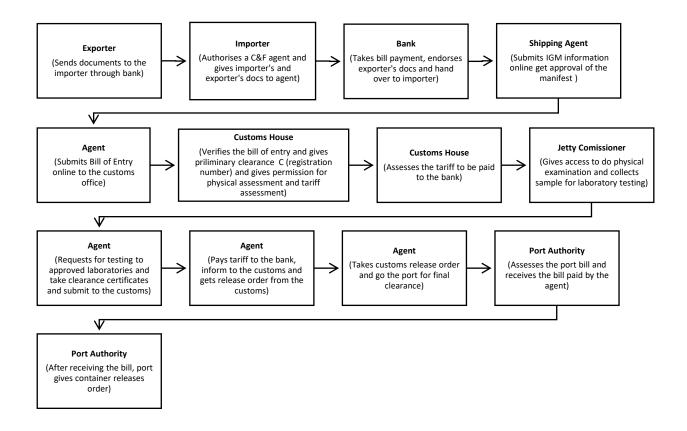
Electronic Certificate or filing

The Chattogram Customs House (CHC) introduced a computerized customs management system, the automated system for customs data (ASYCUDAWorld), developed by the United Nations Conference on Trade and Development (UNCTAD) at four inland ports, the National Board of Revenue's headquarters, and Customs House of Chattogram. However, only one of its six modules was activated, and the system currently permits only 50 percent of importers to clear cargo within 24 hours. The overall implementation of paperless trade and cross-border paperless trade remains below the other ports in the Asia-Pacific region. Chattogram Port is also in transition from paper-based terminal management to modern electronic terminal operations and document processing, but there is no definite date to reach the goal.

Duplicative inspections

Duplicative inspection is very common problem in three types of border ports of Bangladesh. Lack of coordination and regulation among the border management agencies leads to multiple inspection and sample collection which delays the customs and port clearance process. In the trading process, several border and regulatory agencies are involved (e.g., Customs, Immigration, Chief Controller of Import and Export, Plant Quarantine, Land Port/Sea Port/Civil Aviation Authority, Border Guard, Bangladesh Standard and Testing Institute, Bangladesh Atomic Energy Commission, Drug Administration, Bangladesh Bank, Commercial Banks, Department of Livestock, Department of Fisheries, Bangladesh Food Safety Authority, and Trade Association).

Figure 1: Bangladesh: Flowchart of customs clearance procedure



Appendix I: Government Regulatory Key Agency Contacts

Agency	Major Activities and Related Rules/Regulation/Act
Secretary	Publishing import and export policy order
Ministry of Commerce	
Building#3, Bangladesh secretariat, Dhaka	Import Policy Order, 2015-18 (English) is available <u>here.</u>
E-mail: secy@mincom.gov.bd	
Phone (Office): +88-02-9545006	
Phone (Res): +88-02-9137475	
Fax: +88-02-9545741	
Website: https://mincom.gov.bd/	
Director General	WTO Enquiry Point / Notification Authority
WTO Cell	
Ministry of Commerce	SPS-TBT Enquiry Points, click <u>here</u>
E-mail: dg.wto@mincom.gov.bd	
Phone (Office): +88 02 9545383	
Fax: +88 02 9540213	
Director, Plant Quarantine Wing (PQW), Department of Agricultural Extension (DAE),	Issuing Import Permit and Phytosanitary Certificate
Ministry of Agriculture (MOA), Khamarbari, Dhaka-1215, Bangladesh;	Plant Quarantine Rules, 2018 (Bengali, Partly English)
Tel: +88-02-9131296; Email: dpqw@dae.gov.bd	Available <u>here</u> .
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Agency	Major Activities and Related Rules/Regulation/Act
Website: https://goo.gl/3PQJct	Import permit and online phyto issue and check, click here
	SPS-TBT Enquiry Points, Available <u>here</u>
	Note: There is no National Plant Protection Organization (NPPO)
Director, Plant Protection Wing	Approving pesticide registration
Department of Agricultural Extension (DAE), Ministry of Agriculture (MOA), Khamarbari, Dhaka-1215, Bangladesh	The Pesticide Rules, 1985 (Amendment) 2010 (Bengali) The Pesticide Act, 2018 (Bengali)
Tel: +88-02-9131295 Mail: dppw@dae.gov.bd	The Pesticide Ordinance, 2007 (Bengali) The Pesticide Rules 2019 (Draft)
	Available <u>here</u> .
Animal Quarantine and Livestock product Director General and Chief Veterinary Officer Department of Livestock Services (DLS)	Issuing import permit of live animal and animal feed related products
Ministry of Fisheries and Livestock	Animal Feed Act, 2010 (Bengali) Animal Disease Rules, 2008 (Bengali)
Farmgate, Dhaka-1215, Bangladesh Mail: dgdls16@gmail.com ,	Animal Disease Act, 2005 (Bengali)
Office: +88-02-9101932 Fax: +88-02-9110326	Bangladesh Animal and Animal Product Quarantine Act, 2005 (Bengali)
	Available <u>here</u>

Agency	Major Activities and Related Rules/Regulation/Act
Assistant Director (Training)	
Department of Livestock and Services	
Farmgate, Dhaka-1215, Bangladesh	
Office: +88 02 9115936	
Website: http://www.dls.gov.bd/	
Chairman and Additional Secretary	Coordinating issues of food safety and quality with all
Bangladesh Food Safety Authority (BFSA)	government agencies
Police Convention Center, Ramanar Thana,	
Probasi Kollan Bhaban, 71-72, Iskaton Garden,	The Food Safety Act, 2013 (Bengali)
Dhaka, Bangladesh	The Food Safety Act, 2013 (English) Food Safety (Food processing and administration
Phone: +88-02-55138000 (Office Desk),	system) Rules, 2014 (Bengali)
+88-02-55138603	Food Safety (Contaminants, Toxins and Harmful Residues) Regulations, 2017 (Bengali)
Mail: chairman@bfsa.gov.bd	Packaged Food Labeling Regulations, 2017 (Bengali)
Website: http://www.bfsa.gov.bd/	Use of Food Additives Regulations, 2017 (Bengali)
	Food Sample collection, testing and analysis Regulations, 2017 (Bengali)
	Food Safety (Food Hygiene) Regulations, 2018 (Bengali)
	Food Safety (Food Tactile) Regulations, 2019 (Bengali)
	Available <u>here</u> .
	Certifying of standard and quality, Inspection, and
Director General	Standardization and represent local Codex office
Bangladesh Standard and Testing Institute	
Ministry of Industry	List of mandatory products under import policy, available here
Maan Bhaban, 116-A, Tejgaon Industrial Area,	

Agency	Major Activities and Related Rules/Regulation/Act
Dhaka, Bangladesh	
Phone: +880-2-8870275	The Standards of Weights and Measures Ordinance,
E-Mail: <u>bsti@bangla.net</u>	1982 Ordinance No. xii of 1982-English Version, available here
FAX: +880-2-9131581	
Website: http://www.bsti.gov.bd/	The Bangladesh Standards of Weights and Measures (Packaging & Commodities) Rules, 2007 (Bengali) (Link)
	Vitamin A Fortification in Edible Oils Act, (2013)
Chairman Bangladesh Atomic Energy Commission (BAEC) Ministry of Science and Technology E-12/A, Agargaon, Shere-e-bvangla Nagar, Dhaka- 1207 Phone: +88-02-8181806, Mail: chairman@baec.gov.bd Website: http://baec.gov.bd/	Testing and certifying the present radiation level in food and agricultural products Import Policy Order, 2015-18 Nuclear Safety and Radiation Control Rules 1997, SRO No. 205 (English)
Director Atomic Energy Centre, Chittagong and Principal Scientific Officer Bangladesh Atomic Energy Commission (BAEC) Office: 1018/A Bayezid Bostami Road, East Nasirabad	Testing and certifying the present radiation level in food and agricultural product Import Policy Order, 2015-18 Nuclear Safety and Radiation Control Rules 1997, SRO No. 205 (English)

Agency	Major Activities and Related Rules/Regulation/Act
Chittagong-4209, Bangladesh	
Tel: +880-31-25 84 895,	
Website: http://baecbd.org/baec/rtml/rtml.php	
Director General Department of Environment Ministry of Environment and Forests E/16, Paribesh Bhavan, Dhaka 1207, Bangladesh Tel: +88028181800	Approving GMO for research, production, import and export Biosafety Rules, 2012 (see Global Agriculture Information Network (GAIN) Report Link)
Mail: dg@doe.gov.bd	
http://www.doe.gov.bd/	Biosafety Guideline, 2007
	(See GAIN Report <u>Link)</u>
Commissioner	Customs clearance
Customs House, Chittagong	
National Board of Revenue,	Customs Act, 2014, available <u>here</u> .
Ministry of Finance	
Phone: +88-031-723100-02, 723106	Customs rules, available <u>here</u> .
Fax: +88-031-713988, 725331	
Port Colony rd. Chittagong	Customs statutory regulatory order (SROs), available
Mail: Customshousechittagong@gmail.com	here and here.
Website: http://chc.gov.bd/	Import and Export policy orders, available <u>here</u> .
All about trading and customs clearance	
http://www.bangladeshcustoms.gov.bd/	

Agency	Major Activities and Related Rules/Regulation/Act
Director General	Raising consumer awareness and protect consumer rights
Directorate of National Consumers Right	
Protection (DNCRP),	Consumer Rights Protection Act, 2009, is available
Ministry of Commerce (MoC)	<u>here</u> .
Mail: dg@dncrp.gov.bd	
Phone: +88-02-8189426	
Deputy Commissioners (DCs) of all districts of	Controlling formalin use in food
Bangladesh.	
Contact with:	Formalin Control Act, 2015 is available <u>here</u>
Public Relation Officer	
Ministry of Public Administration (MoPA)	
Mail: prosec@mopa.gov.bd	

Note: Accessibility of the links may vary depending on the security firewall.

Appendix II: Other Import Specialist Contacts

Customs Clearing and Forwarding Agent Association

http://cnfctg.net/

Bangladesh Freight Forwarders Association

https://www.baffa-bd.org/

Bangladesh Fresh Fruits Importers Association

http://bffia.com.bd/

The American Chamber of Commerce

http://www.amchambd.org/

Federation of Bangladesh Chamber of Commerce and Industries,

http://www.fbcci-bd.org/contactnew.php

Dhaka Chamber of Commerce and Industries

http://www.dhakachamber.com/

Bangladesh International Chamber of Commerce (ICC)

https://iccbangladesh.org.bd/

Bangladesh Trade Portal

https://www.bangladeshtradeportal.gov.bd/

Chittagong Port Authority

http://www.cpa.gov.bd/

Berthing Schedule

http://www.cpa.gov.bd/site/view/commondoc/Berthing%20Schedule/

Mongla Port Authority

http://www.mpa.gov.bd/

Bangladesh Customs

http://www.bangladeshcustoms.gov.bd/

National Board of Revenue

http://nbr.gov.bd/

Customs House Dhaka, National Board of Revenue

http://www.dch.gov.bd/

Customs House, Chattogram, National Board of Revenue

https://www.chc.gov.bd/

Chittagong Customs Clearing and Forwarding Agents Association

http://cnfctg.net/

Table 2: Bangladesh: Food & agricultural products standards brought under mandatory certification before customs clearance

Food product	Standard No.
Biscuit	BDS 383:2001
Black Tea Definition & Basic requirements	BDS ISO 3720:2008
Carbonated Beverages	BDS 1123:2013
Chips/Crackers	BDS 1556:1997, Amend1:2004
Edible Sunflower Oil	BDS CAC 23: 2002
Fruit and Vegetable Juices	BDS 513:2013,
Fruit Cordial	BDS 508:2006
Fruit Cordial	BDS 508:2006
Honey	BDS CAC 12:2007
Infant formula and formulas for special medical purposes intended for Infants	BDS CAC-72: 2008
parposes interface for mants	
Instant Noodles	BDS 1552:2007

Jams (Fruit Preserves) and Jelly	BDS CAC 79:2008
Lozenges	BDS 490:2001, Amend 1:2007
Milk Powders and Cream Powder	BDS CAC 207: 2008, Amend 1: 2009
Processed cereal based foods for infants and young children	BDS CAC 074: 2007
Sauce (Fruit & Vegetable)	BDS 512:2007
Soft Drink Powder	BDS 1586:2007
Soybean Oil	BDS 909:1979, Amend 1:2000
Sugar	BDS CAC 212:2006
Toffees	BDS 1000:2001
Tomato Ketchup	BDS 530:2002

Source: Bangladesh Standard and Testing Institute, Ministry of Industry,

Weblink: <u>Here</u>

Note: Bangladesh Standard Catalog 2018, available here

Table 3. EXAMPLE: Required documents for importing cotton, dried distiller's grains with solubles (DDGS) and nuts

Cotton	Dried distiller's grains with solubles (DDGS)
- Proforma Invoice: issued by the exporter before opening the LC	Phyto-Certificate (Exporter)
- LC copy	Radiation certificate (Exporter)
- Import Permit issued by Department of Livestock Service, Bangladesh	Chemical analysis certificate (Importer)
- LCAF (Letter of Credit Authorization Form): issued by bank	Country of origin (Exporter)
- Commercial Invoice: issued by the exporter	Fumigation certificate (Exporter)
- Packing List: issued by the exporter	Health Certificate (Exporter) (Optional)
- Bill of Lading: issued by Shipping company	Chemical analysis conducted by local laboratory
- Bill of Exchange: issued by Exporter	Commercial invoice
- Country of Origin: issued by any trade association of the exporting country	Packing list
- Phyto-Certificate: issued by agricultural department of the exporting country	Bill of exchange
Release order after fumigation of US cotton issued by Plant Quarantine Office, Bangladesh	Bill of lading
Tree nuts	
Phyto-Certificate (Exporter)	
Country of origin certificate (Exporter)	
Fumigation certificate (Exporter)	
Health certificate (Exporter)	
USDA Quality inspection certificate (Exporter)	

Weighmaster container certificate (Exporter)	
Shipping line certificate (Exporter)	
GMO certificate (Exporter)	
Ocean bill certificate (Exporter)	

Attachments:

No Attachments