



Voluntary Report - public distribution

Date: July 31, 1999

GAIN Report #GT9015

## **Guatemala**

# **Food and Agricultural Import Regulations and Standards Report 1999**

Prepared by: **Suzanne Heinen**  
U.S. Embassy  
Drafted by: Edith Vásquez  
Marketing Assistant

---

### **Report Highlights:**

**This is an update of the Food and Agricultural Import Regulations and Standards, which contains: Food laws (updated), labeling requirements, pesticide and other contaminants, copyright and trademarks laws, import procedures (updated), tariffs and quotas (updated.)**

---

Includes PSD changes: No  
Includes Trade Matrix: No

Annual Report  
Guatemala, Guatemala

## GUATEMALA: FOOD AND AGRICULTURAL IMPORT REGULATIONS AND STANDARDS (FAIRS)

**Last Updated: July 31 1999**

**Section(s) Last Updated: ALL**

**DISCLAIMER:** This report has been prepared by the Office of Agricultural of the USDA/Foreign Agricultural Service in (Guatemala City, Guatemala) 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 be no longer complete nor precise as some import requirements are subject to frequent change. It is highly recommended that U.S. exporters ensure that all necessary customs clearance requirements have been verified with local authorities through your foreign importer before the sale conditions are finalized. **FINAL IMPORT APPROVAL OF ANY PRODUCT IS ALWAYS SUBJECT TO THE RULES AND REGULATIONS AS INTERPRETED BY THE COUNTRY OF IMPORT AT THE TIME OF PRODUCT ENTRY.**

A.	FOOD LAWS .....	2
B.	LABELING REQUIREMENTS .....	2
	Sample of label .....	3
D.	PESTICIDES AND OTHER CONTAMINANTS .....	3
E.	OTHER REGULATIONS AND REQUIREMENTS .....	4
F.	OTHER SPECIFIC STANDARDS .....	4
G.	COPYRIGHT/TRADEMARK LAWS .....	5
H.	IMPORT PROCEDURE .....	5
I.	TARIFFS / QUOTAS .....	5
APPENDIX A	MAJOR REGULATORY AGENCIES .....	7
APPENDIX B	OTHER CONTACTS .....	8
APPENDIX C	GUATEMALAN CONSULAR OFFICES .....	10
	EMBASSY OF GUATEMALA IN THE UNITED STATES .....	10

## A. FOOD LAWS

The Division of Registration and Control of Medicines and Foodstuffs of the Ministry of Health, hereafter referred to as Food Control is the main authority for food products legally imported or manufactured in Guatemala. The Health Code which regulates Food Control was established in 1979 by Government Decree # 45-79. Title II Chapter Two of the Health Code refers to food products. Food Control, under authority of Ministerial Decree 132-85, is responsible for upholding food product norms set by the Guatemalan Ministry of Economy's Commission of Standards (COGUANOR). The Commission of Standards is governed by the Executive Advisory Committee which is made up of representatives from the Ministry of Health, Ministry of Economy, Ministry of Labor, School of Engineers and Chambers of Agriculture, Industry and Commerce.

In addition, all imported foods of animal or vegetable origin must comply with the following requirements: present a phytosanitary and zoosanitary certificate, certificate of origin, import licence and commercial invoice. All of these requirements are controlled by the Unit of Norms and Regulations from the Ministry of Agriculture, Livestock and Food.

There are many specifications, rules, legislation and other requirements regulating food products. These requirements are quite complicated and often subject to different interpretations. However, there is a considerable lack of resources in Food Control to effectively enforce the Health Code. As a result, currently, some imported food products are marketed in Guatemala without a registration number or a Spanish-language label as the food-law requires. This trend is changing and more importing companies are complying with the law in anticipation of more strict enforcement by the Ministry of Health. A retailer who violates the food laws as interpreted by Food Control can be fined up to half the value of the previous day's total sales.

Recently, the Ministry of Agriculture established the unit of Rules and Regulations with the purpose of having more rigorous control. This office is in charge of regulating the import of agricultural products.

**Product Registration is required** for all packaged food products in Guatemala. Food Control is responsible for all registrations. Food Control issues a registration number after a laboratory test has been performed on the product. This registration number is valid for five years and takes between four and six weeks to obtain. In addition to the Laboratory analysis done to the product at the time of registration, the law requires inspections at the point of entry, wholesale and retail level for the wholesomeness of the product. There is no environmental legislation that affects the importation of food products.

The cost of registration and analysis of a product is about \$100 U.S. Dollars.

## B. LABELING REQUIREMENTS

Labeling requirements are set by COGUANOR'S labeling standard #34039. It sets 40 requirements with respect to the appearance of the label, what information should be on the label and that it be written in Spanish. However, importers negotiated with COGUANOR and reached an agreement for a stick-on label to be used with the following information written in Spanish:

1. Product definition/description
2. Name of the product(*This should be the official name as noted on the U.S. Certificate of free sale*)
3. Physical characteristics, Including ingredients (This has to be a qualitative composition, which was indicated in the back of the registration form). If this information is in English, please translate literally.
4. Net weight/volume

5. List of ingredients and additives and the percentage of total for each
6. Name, address and telephone number of Guatemalan distributor
7. Food Control registration number (D.G.S.S.-D.R.C.A. \_\_\_\_\_) --*Sanitary license; obtained at a Center of Sanitation; the original license has to be presented. Cost of about Q.630.00 for each product).*
8. Expiration date
9. If applicable "Keep Frozen"
10. If applicable "Form of Preparation"

### **Sample of label**

Nombre del Producto: Puré para bebés; postre, sabor chocolate  
 Ingredientes: Harina de trigo, leche entera reconstruida,  
 azúcar, vitaminas, colorantes naturales, cocoa.  
 12 oz. Netas  
 Distribuidor: Importaciones Guatemala, S.A.  
 Dirección: Avenida Las Estrellas, 0-01, Zona 24,  
 Guatemala, Ciudad  
 Teléfono: (502) 555-1212 y (502) 555-2121  
 D.G.S.S.-D.R.C.A. 123-456-789  
 Fecha de vencimiento: 31-02-99

It is recommended that importers comply with food product registrations and labeling requirements. Imported sample-size products, under current law, must comply with existing labeling laws. Bulk-packed food products do not require labeling, unless they are to be sold at the retail level as an individual unit. Nutritional labeling in Guatemala is not required nor are there special shelf-life requirements. All use-by dates are set by the industry. However, there have been problems with distributors importing goods with the use-by date removed or already expired. The law on use-by date is ambiguous and leaves room for interpretation. U.S. exporters are strongly encouraged to not ship product with a nearing expiration date. This problem has led to poor relationships for more than one U.S. company.

## **C. FOOD ADDITIVE REGULATIONS**

COGUANOR maintains a list of additives that are permitted for use in food products. The Codex Alimentarius food additives list was used in creating the Guatemalan norm. However, all new additives accepted by the Codex are not automatically accepted by COGUANOR. COGUANOR requires a vote by the Executive Advisory Committee to add a new additive to the list. This process takes approximately six months.

## **D. PESTICIDES AND OTHER CONTAMINANTS**

Pesticides are regulated by the Technical Directorate of Vegetable Health of the Ministry of Agriculture hereafter referred to as Vegetable Health. Vegetable Health was established by Government Decree # 43-74 and regulates all agriculturally related chemical use by Authority of Ministerial decree 377-90. There are no Guatemalan standards for tolerance levels of pesticides in food products. The GOG uses the tolerance-level standards developed by Codex Alimentarius. Vegetable Health maintains a list of pesticides that are not permitted to be used in Guatemala. This list is based on publications by EPA, Codex Alimentarius and FAO among others. All pesticides must be registered at Vegetable Health.

## **E. OTHER REGULATIONS AND REQUIREMENTS**

All packaged food products that are sold at the retail level need to be registered at Food Control. The requirements to register food products are as follows:

1. Application for registration of food products
2. Certificate of free sale
3. Receipt of payment for laboratory analysis (\$110.00)
4. Provide the applicable amount of samples
5. Example of label design as it will appear on the product
6. All paper work must be translated by an official translator. Documents from foreign countries must be authenticated by a Guatemalan consular official.

It takes approximately six weeks for Food Control to provide applicants with a registration number. The registration must be done by the importer or a Guatemalan legal representative of the exporter.

There are a number of regulations for special food groups. Decree 66-83 regulates the commercialization of substitutes for maternal milk. Beer, wine and other liquors do not need a registration number. Products labeled as “diet” must be registered as medicinal products. All products that apply for registration must be tested by LUCAM, the Ministry of Health’s only laboratory. Product samples must be provided at time of registration.

## **F. OTHER SPECIFIC STANDARDS**

The Ministry of Agriculture requires that all food products of either plant or animal origin obtain a sanitary import certificate as provided in Government Decrees # 34-84 and 479-84. Decree 34-84 mandates that manufacturing facilities of products of animal origin must be inspected by Ministry officials prior to issuance of a sanitary import certificate at the expense of the importer.

The requirements to obtain a sanitary import certificate from the Technical Director of Sanitary Inspection and Control of Food Products are as follow:

1. Complete an application for Sanitary Import Certificate
2. Present food handler’s license
3. Be registered at Sanitary Inspection as an importer
4. Certificate of free sale
5. Certificate of origin
6. Proof of purchase
7. Product specific laboratory testing for pathogens
8. All documents translated into Spanish and authenticated by the Guatemalan consulate in the country of origin.
9. Prior to first import, manufacturing plant must be inspected by Ministry of Agriculture officials at importer’s expense.

## **G. COPYRIGHT/TRADEMARK LAWS**

No international trademarks and brand names are protected under Guatemalan law. However, Guatemala, as a signatory to the Uruguay Round agreement of the WTO, has accepted the new Trade-Related Aspects of Intellectual Property Rights (TRIPS). Trade marks and brand names should be registered at “Registro de la Propiedad Industrial” at the Ministry of Economy. Some individuals register trade marks and brand names with no desire to actually import the product and then sell the registration to whomever wants to import the product into Guatemala. This practice of registering “well known brands” has created problems for a few importers and U.S. companies. Technically, importers wanting to import a food product that has been registered by another person may have to pay royalties to that person. All product registrations can be contested in the Guatemalan court system, however, this process can be time consuming and costly.

## **H. IMPORT PROCEDURE**

All imported products from animal or vegetable origin are inspected by the “ventanilla unica” from the Unit of Norms and Regulations of the Ministry of Agriculture. The documents required are: phytosanitary or zoosanitary certificate, commercial invoice, import licence and certificate of origin. In order for the regulating entity to extend an import licence, they request an original phytosanitary or zoosanitary certificate to continue with the import process. Whether the imported product comes by air, land or sea, inspectors from SEPA (The Inspection Entity from the Ministry of Agriculture) will be on sight to reassure that the proper paper work is in order. Then, inspectors perform an ocular inspection of the imported products in order to release them from customs. Packaged foods are regulated by the Office of Food Control at the Ministry of Health, the procedure is similar to the one at the Ministry of Agriculture with the difference that the sanitary certificates are extended by the LUCAM which is the laboratory in charge of sanitary inspection.

## **I. TARIFFS / QUOTAS**

Tariffs and quotas vary depending on the product. Tariffs could be anywhere from 0 percent for raw materials, up to 42 percent in some products, 15 percent being the usual tariff on finished products. Guatemala, along with other Central American countries, has made a tariff reduction agreement. The agreement is intended to maintain lower costs of imported products.

**Tariff rate quotas are in place for the following products as of 1999**

Description	QUOTA (Metric Tons)	Tariff
Poultry meat and edible poultry meat byproducts, fresh, frozen, or refrigerated (with some exceptions)	7,000	15%
	Outside quota	45%
Fresh and frozen red meat	1,595	0%
	Outside quota	30%
Apples and pears	7,500	12%
	Outside quota	25%
Wheat Hard Wheat Other	391,322	1.20%
	Outside quota	6%
Yellow corn	401,820	5%
	Outside quota	35%
Rice	29,000 paddy	0%
	milled	20.0%
	Outside quota	40%
Wheat flour	17,984	8.28%
	Outside quota	15%

\* Information from the Bank of Guatemala

**Tariffs for 1999**

Complying with the tariff reduction agreement, and the Governmental Agreement 483-96, the Ministry of Economy of Guatemala has reduced the tariffs as follows:

In 1999	For products with a tariff of:	the tariff was reduced to:
	7 %	5 %
	12 %	10 %
	17 %	15 %
Any product marked with a tariff 1 a, which had a tariff of 1% ("1 a" was for products from El Salvador, Honduras and Nicaragua.)		0 %
Any product marked with a tariff 1 b, which had a tariff of 1%		0 %
	20 %	no change (1)

(1) The Ministry Council is still working on this tariff adjustment to comply with the Governmental Agreement 483-96.

**APPENDIX A MAJOR REGULATORY AGENCIES**

## List of Major Regulatory Agencies

1.     Name:       M.V. Marco Tulio Cueva López  
       Title:     Jefe  
       Institution: Departamento de Regulaciones y Control de Alimentos  
       Address:   11 Avenida “A” 11-57, Zona 7. Finca La Verbena  
                  Guatemala, Guatemala 01001  
       Telefax:   (502) 475-2121
  
2.     Name:       Ing. Manuel Lezana  
       Title:     Director  
       Institution: Dirección General de Regulación, Vigilancia y Control de la Salud  
                  (Health Services General Office, Ministry of Public Health)  
       Address:   6 Avenida 3-45, Zona 11, 3 Nivel, Escuela de Enfermería  
                  Guatemala, Guatemala 01011  
       Tel/Fax:   (502) 475-2121
  
3.     Name:       Licda. Azucena Lizama de Zúñiga  
       Title:     Directora  
       Institution: Laboratorio Unificado de Control de Alimentos y Medicamentos (LUCAM)  
       Address:   Km. 22 Carretera al Pacífico  
                  Bárcenas, Villa Nueva  
       Tel/Fax:   (502) 631-2017/18
  
4.     Name:       Ing. Eddy Díaz  
       Title:     Director  
       Institution: Unidad de Normas y Regulaciones/Ministerio de Agricultura  
       Address:   7 Avenida 3-67 Zona 13  
                  Guatemala City, Guatemala  
       Telephone: (502) 475-3054 / 68 / 74 / 84  
       Fax:       (502) 475-3058



## **APPENDIX B          OTHER CONTACTS**

1.      Name:        Mariano Ventura  
         Title:        Ministro  
         Institution: Ministry of Agriculture, Livestock and Food  
         Address:    7 Avenida 3-67 Zona 13  
                         Guatemala City, Guatemala  
         Telephone: (502) 332-4756 / 362-4758  
         Fax:         (502) 332-8302
  
2.      Name:        Lic. Carlos Illescas  
         Title:        Director  
         Institution: Registro de la Propiedad Industrial  
         Address:    5 Calle 4-33, Zona 1  
                         Edificio Plaza Rabi, 7o. Niv. Oficina 701  
                         Guatemala City, Guatemala  
         Telephone: (502) 230-1822 / 230-1693 to 5  
         Fax:         (502) 230-1694
  
3.      Name:        Ing. Hector Herrera  
         Title:        Jefe de Normas  
         Institution: Comision Guatemalteca de Normas (COGUANOR)  
         Address:    8 Avenida 10-43, Zona 1  
                         Guatemala City, Guatemala  
         Telephone: (502) 253-3547 / 251-7593  
         Fax:         (502) 253-3547
  
5.      Name:        Licda. Rosa Elena Ruiz  
         Title:        Public Relations  
         Institution: Ministry of Public Health  
         Address:    6 Avenida 3-45, Zona 11, 3 Nivel, Escuela de Enfermería  
                         Guatemala, Guatemala 01011  
         Telephone: (502) 475-2121 ext. 131  
         Fax:         (502) 475-3787

6.     Name:       Lic. Juan Carlos Ovando  
       Title:     Registrador  
       Institution: Valuables and Merchandise Registry (From the Ministry of Economy)  
       Address:   6 Avenida 10-43 Zona 1  
                  Guatemala City, Guatemala  
       Telephone: (502) 221-4988, Ext. 236  
       Fax:       (502) 232-9388
  
7.     Name:       Licda. Maura de Muralles  
       Institution: Ventanilla Unica para Inversiones  
       Address:   8 Avenida 10-43 Zona 1  
                  Guatemala City, Guatemala  
       Telephone: (502) 253-9640  
       Fax:       (502) 251-5055
  
8.     Name:       Licda. Victoria Meza  
       Institution: Direccion de Integracion Economica (Economic Integration Office)  
       Address:   8 Avenida 10-43 Zona 1, Nivel 3  
                  Guatemala City, Guatemala  
       Telephone: (502) 238-4181 / 238-3330 to 39, Ext. 212 and 256  
       Fax:       (502) 251-6708
  
9.     Name:       Lic. Raul Trejo  
       Title:     Director  
       Institution: International Trade Negotiation Office (Ministry of Economy)  
       Address:   8 Avenida 10-43, Zona 1  
                  Guatemala City, Guatemala  
       Telephone: (502) 221-4983  
       Fax:       (502) 221-4989
  
10.    Name:       Lic. Juan Ortega  
       Title:     Departamento de Valoraciones  
       Institution: Direccion General de Aduanas  
       Address:   12 Avenida y 10 Calle, Zona 1  
                  Guatemala City, Guatemala  
       Telephone: (502) 238-0651 to 53  
       Fax:       (502) 221-4668

## **APPENDIX C            GUATEMALAN CONSULAR OFFICES**

### **EMBASSY OF GUATEMALA IN THE UNITED STATES**

Ambassador: Mr. William Stixrud  
2220 R. Street North West  
Washington D.C. 20008  
Phone            (202) 745-4952 to 54  
                      (202) 462-3152  
                      (202) 745-3873  
Fax.              (202) 745-1908

### **ATLANTA, GEORGIA**

Mrs. María Teresa Andreu de Fraser, Consul  
4772 East Conway Drive, N.W.  
Atlanta, Georgia 30327  
Phone            (404) 255-0023

### **CHICAGO, ILLINOIS**

(General Consulate for Illinois, North Dakota, South Dakota, Wisconsin, Michigan, Indiana, Iowa, Ohio, Minnesota and Missouri)  
Mrs. Rosa María Mérida de Mora, Consul General  
230 North Michigan Avenue, Suite 1000  
Chicago, Illinois 60601  
Phone            (312) 332-3504 / 1587 / 3170 / 2609 / 3410 / 3504  
Fax.              (312) 332-4256

### **FORT LAUDERDALE, FLORIDA**

Mr. John P. Bauer, Consul  
2200 South Ocean Lane, Room 1750, Fort Lauderdale, Florida  
Phone            (305) 476-1700  
Fax.              (305) 764-5110

### **HOUSTON, TEXAS**

(General Consulate for Texas, Oklahoma, Kansas, Nebraska, Arkansas, Louisiana, Mississippi and New Mexico)  
Mr. Alfredo Aguilar Gálvez, Consul General  
3600 South Gessner, Suite 200  
Houston, Texas 77063  
Phone            (713) 953-9531 / 1227 / 1512 / 7447 /  
Fax.              (713) 953-9383

### **LOS ANGELES, CALIFORNIA**

(General Consulate for Arizona, Colorado, N. Mexico, Hawaii, Washington, Oregon, Idaho, Montana, Wyoming, Alaska, California, and Nevada)  
Mr. Jorge Erdmenger Pérez, Attached General Consul  
Lic. German Cerezo, Commercial Attache  
1605 W. Olympic Boulevard, Suite 422,  
Los Angeles, California 90015  
Phone            (213) 365-9251 / 9252  
Fax.              (213) 365- 9245

### **LEAVENWORTH, KANSAS**

Mr. Ralph E. Dix, Consul  
409 Delaware Street,  
Leavenworth, Kansas 66048  
Phone (913) 682-0342

**MEMPHIS, TENNESSEE**

Mr. George E. Withworth, Consul  
Jefferson Plaza, Suite 900, 147  
Jefferson Avenue, Memphis, Tennessee 38103  
Phone (901) 527-8466

**MONTGOMERY, ALABAMA**

Mr. Jose Ortega, Consul  
2153 Meadowlane Drive,  
Montgomery, Alabama 36106  
Phone (205) 269-2756

**MIAMI, FLORIDA**

(General Consulate for Florida, Alabama, Georgia, North Carolina and South Carolina)

Mr. Maximo Augusto Santa Cruz Anchissi, Consul General

Lic. Dunia Miranda Morales, Commercial Attache

300 Sevilla Avenue, Suite 210

Coral Gables, Florida 33134

Phone (305) 443-4828 / 4829

Fax. (305) 443-4830

**NEW ORLEANS, LOUISIANA**

Ing. Mario Jerez Zachrisson, Consul

Plaza Tower, Suite 2504, 1001 Howard Avenue

New Orleans, Louisiana 70113

Phone (504) 558-3777

Fax. (504) 558-3755

e-mail: [mj01.gnofn.org](mailto:mj01.gnofn.org)

**NEW YORK, NEW YORK**

(General Consulate for N.York, Maine, N.Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, Boston)

Mrs. Fabiola Fuentes Orellana, Consul General

Licda. Roberto Rossenberg, Commercial Attache

57 Park Avenue,

New York, New York 10016

Phone (212) 686-3837 / 686-8566

Fax. (212) 447-6947 / 889-5470

**PHILADELPHIA, PENNSYLVANIA:**

Dr. Roberto Rendón M., Consul

407 Lodges Elkins Park  
Philadelphia, Pennsylvania 15229  
Phone (215) 886-4656

**PITTSBURGH, PENNSYLVANIA**

Mrs. Margarita Winkikoff, Consul  
709 Washington Drive,  
North Hills Estates, Pittsburgh, Pennsylvania 15229  
Phone (412) 366-7715

**PORTLAND, OREGON**

Mrs. Marta Elizabeth Guembes González, Vice Consul  
One World Trade Center  
120 S.W. Taylor Street, Portland, Oregon 97204  
Phone (503) 224-8300 Fax. (503) 295-4010

**PROVIDENCE, RHODE ISLAND**

Mrs. Zoila Rosa Cerezo, Consul  
11 Lancashire Street  
Providence, Rhode Island 02908  
Phone (401) 751-8154

**SAN DIEGO, CALIFORNIA**

Mr. Eugene Sapper, Consul  
10405 San Diego Mission Road, Suite 205, San Diego, California 92108  
P.O. Box 600630, San Diego, California 92160  
Phone (619) 282-8127 Fax. (619) 280-5187

**SAN FRANCISCO, CALIFORNIA**

(General Consulate for North of California, North of Santa Barbara, Bakersfield to Nevada's frontier)  
Ms. Nora Eugenia Cifuentes Paiz, Consul General  
870 Market Street, Office 667  
San Francisco, California 94102  
Phone (415) 788-5651 / 5652 Fax. (415) 788-5653

**SEATTLE, WASHINGTON**

Mrs. Elsa Smith, Consul  
2001 6th Avenue, # 3300  
Seattle, Washington 98121  
Phone (206) 728-5920