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## Spain

# Food and Agricultural Import Regulations and Standards

## 1999

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**Report Highlights:** This report updates Post's 1998 FAIRS report. Updated information is provided in the following sections: C. Food Additive Regulations; F. Other Specific Standards; H. Import Procedures; and Appendix A.

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**SPAIN: FOOD AND AGRICULTURAL IMPORT REGULATIONS AND STANDARDS (FAIRS)****Last Updated: July 1999****Section(s) Last Updated: C. Food Additive Regulations; F. Other Specific Standards; H. Import Procedure; Appendix A.**

**DISCLAIMER:** This report has been prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in (Madrid, Spain) 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.**

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## **A. FOOD LAWS**

The major Spanish legislation governing food products is the 1974 Food Code (Codigo Alimentario) which has been subsequently amended by a number of decrees, orders, and particularly by specific food product technical-sanitary regulations (Reglamentos Tecnico Sanitarios) as well as by all the European food legislation which has been transposed into the Spanish legislation.

## **B. LABELING REQUIREMENTS**

Royal Decree 212/92 (State Gazette No. 72 of March 24) and its amendments regulates standard specifications on labeling, advertising and presentation of packaged food products. Royal Decree 930/92 (State Gazette No. 187 of August 5) regulates nutritional labeling. These two royal decrees are transpositions into Spanish legislation of EU Directives 89/395 and 90/496, respectively. A summary is provided below.

### **GENERAL LABELING REQUIREMENTS (Royal Decree 212/92)**

All labeling information must be in Spanish. Stickers are allowed.

The following mandatory information must be shown on the food container labels and markings in the SPANISH language. The product name, net weight or net volume, expiration date and alcoholic content, where applicable, must be placed in the label in the same field of vision.

1) Product name must be that provided by Spanish Standards or other food laws. In its absence, product name must be the customary name or a description of the food product indicating the true nature of the product. When the food product is regulated by specific provisions, quality standards must be indicated.

- Product name can not be a brand name or an imaginary name that misdefines the product.
- Label should include the physical condition of the product or the specific treatment given (whether it is in powder or dry-freezing form, frozen, concentrate, smoked), if omission of this description may confuse the buyer.
- Any foodstuff which has been treated with ionizing radiation must bear the following indication: "IRRADIADO" or "TRATADO CON RADIACION IONIZANTE".

2) Ingredients: (Sp. INGREDIENTES...) list of ingredients in decreasing order, by weight, upon their incorporation into the manufacturing process; except added water if its content does not exceed 5 percent in weight of the finished product.

2.1. Natural and artificial flavors. Natural and artificial flavor(s) must be called "AROMAS(S)" and have to be accompanied by the flavor name or a more specific description. Royal Decree 1477 of November 2, 1990 lists the maximum content allowed in food and beverages of certain aromatizing substances.

The Decree also includes lists of plants (or part of the plant) forbidden in the elaboration of natural flavoring; positive and limited lists of artificial substances; positive lists of additives, diluents and carriers authorized in the elaboration of aromas, and positive list of diluents.

2.2. Food additives: The ingredient list must also include food additives at its end. Food additives which belong to one of the groups listed in the Annex II (see overleaf) must be named with the group's name followed by their specific name or EEC number (E number).

If the product contains artificial sweeteners, added sugars and artificial sweeteners, aspartame, and polyols (in a proportion of more than 10 percent), labels must bear the following indications: "CON EDULCORANTE(S)", "CON AZUCAR(ES) Y EULCORANTE(S)", "CONTIENE UNA FUENTE DE FENILAMINA", and "UN CONSUMO EXCESIVO PUEDE TENER EFECTOS LAXANTES", respectively.

3) Alcoholic beverages: For products with an alcoholic degree exceeding 1.2 percent in volume, it must be shown and expressed as follows: "Alcohol" (or "Alc.") followed the figure with one decimal maximum and followed by "% vol."

4) Net weight/volume: net weight (Sp. PESO NETO) for solids or net volume (Sp. VOLUMEN NETO) for liquids, expressed under the metric system: liters (Sp. LITROS), centiliters (Sp. CENTILITROS), milliliters (Sp. MILILITROS), kilograms (Sp. KILOGRAMOS) and grams (Sp. GRAMOS). For those canned solid food products in water, in syrup, brined, in vinegar, and in fruit, legume or vegetable juices, both net weight (Sp. PESO NETO) and drained weight (Sp. PESO ESCURRIDO) must be shown.

5) Minimum product life: this statement is to be expressed by the legend "CONSUMIR PREFERENTEMENTE ANTES DEL ..." (To be consumed preferably before...) followed by the day and month, if product life is under three months, or followed by the month and year if product life is more than three months and less than eighteen months; or by the legend "CONSUMIR PREFERENTEMENTE ANTES DE FIN DE ..." (To be consumed preferably before the end of ...) followed by the year, if product life is over eighteen months.

- In the case of food products which from the microbiological point of view, are highly perishable and are therefore likely after a short period to constitute an immediate danger to human health, the date of minimum durability shall be replaced by the "FECHA DE CADUCIDAD" (use by date). These words shall be accompanied by either the date itself or a reference to where the date is given on the labeling. The date shall consist of the day, the month and, eventually, the year.

Product life is not required for produce, (except for sprouts), wines, beverages containing 10% or more by volume of alcohol as well as soft drinks, fruit juices and nectars for the institutional market, bakery and pastry products to be consumed within 24 hours of their manufacture, vinegar, cooking salt, solid sugar, confectionery products consisting almost solely of flavored and/or colored sugars, chewing gums and similar chewing products and individual portions of ice-cream.

6) Directions for product preservation, where applicable.

If the product is packed with any of the approved packing gases, label must include the following indication: "PREPARADO EN ATMOSFERA PROTECTORA".

7) Nutritional labeling is compulsory where a nutritional claim appears on the label, in presentation or in advertising, with the exclusion of generic advertising. The only nutrition claims permitted shall be those relating to energy values and, to the following nutrients: protein, carbohydrate, fat, fiber, sodium, and prescribed vitamins, and to substances which belong to or which are components of a category of the above nutrients.

8) Lot marking (i.e. a lot number preceded by the letter L) is required. It must be clearly legible and it must be indelible. Lot marking can be waived in those cases where the date of minimum durability or "use by" date appears on the label, provided that the date consists of at least the encoded indication of the day and the month in that order.

9) Other - Label must also include country of origin, (Sp. PRODUCTO IMPORTADO DE LOS EE.UU. or PRODUCTO IMPORTADO DE USA), importer's name and address, and the importer's sanitary registration number (Sp. "R.S." or "REG. SAN.").

## ANNEX II: ADDITIVE GROUPS

|                              |                                     |                              |                           |
|------------------------------|-------------------------------------|------------------------------|---------------------------|
| <i>Coloring Agents</i>       | Colorantes                          | <i>Preservatives</i>         | Conservadores             |
| <i>Antioxidants</i>          | Antioxidantes                       | <i>Emulsifiers</i>           | Emulgentes                |
| <i>Thickeners</i>            | Espesantes                          | <i>Gelling Agents</i>        | Gelificantes              |
| <i>Stabilizers</i>           | Estabilizantes                      | <i>Flavoring Agents</i>      | Potenciadores del Sabor   |
| <i>Acidifying Agents</i>     | Acidulantes                         | <i>Anticaking Agents</i>     | Antiaglomerantes          |
| <i>Acidity Correctors</i>    | Correctores de la Acidez            | <i>Artificial Sweeteners</i> | Edulcorantes Artificiales |
| <i>Modified Starches</i>     | Almidones Modificados (1)           | <i>Covering Agents</i>       | Agentes de Recubrimiento  |
| <i>Gasifying Agents</i>      | Gasificantes                        | <i>Antifoaming Agents</i>    | Antiespumantes            |
| <i>Flour Treating Agents</i> | Agentes de Tratamiento de la Harina | <i>Melting Salts</i>         | Sales Fundentes (2)       |
| <i>Hardeners</i>             | Endurecedores                       | <i>Moistening Agents</i>     | Humedecedores             |
| <i>Loading Agent</i>         | Agente de Carga                     | <i>Propelling Gas</i>        | Gas Propulsor             |

(1) Specific name and number not required

(2) Only in the case of melted cheeses or products with a melted cheese base

## NUTRITION LABELING STANDARDS FOR FOODSTUFFS (Royal Decree 930/92)

### Article 1. Application and scope.

1. This Decree rules nutrition labeling for foodstuffs to be delivered as such to the ultimate consumer. It shall also apply to foodstuffs intended for supply to restaurants, hospitals, canteens and other similar mass caterers. These requirements are in addition to those established by Royal Decree 2685/1976 and 1809/1991 (sanitary-technical regulation for the preparation, distribution and trade of foodstuffs for dietetic and/or other special food).

2. This Decree shall not apply to:

- a) Natural mineral waters or other waters intended for human consumption.
- b) Diet integrators/food supplements.

### Article 2. Mandatory labeling requirements

Labeling on nutritional properties will be mandatory when label states that product is of nutritional value, excluding promotional campaigns on generic products. In other cases, labeling on nutritional properties is optional.

### Article 3. Definitions

For the purpose of this Decree:

1. "Nutrition labeling" means any information appearing on labeling and relating to:

- (a) Energy value
- (b) The following nutrients:

Proteins

Carbohydrates

Fats

Fiber

Sodium

Vitamins and minerals listed in the Annex and present in significant amounts as defined in that Annex.

2. "Nutrition claims" means any representation and any advertising message which states, suggests or implies that a foodstuff has particular nutrition properties due to:

- (a) The energy value it provides, at a reduced or increased rate, or does not provide.
- (b) The nutrients it contains, at a reduced or increased rate, or does not contain.

A reference to qualities or quantities of a nutrient does not constitute a nutrition claim in so far as it is required by legislation.

3. "Protein" means the protein content calculated using the formula:  
$$\text{protein} = \text{total Kjeldahl nitrogen} \times 6.25.$$
4. "Carbohydrates" means any carbohydrate which is metabolized in man, and includes polyalcohols.
5. "Sugars" means all monosaccharides and disaccharides present in food, but excludes polyalcohols.
6. "Fat" means total lipids, and includes phospholipids.
7. "Saturates" means fatty acids without double bond.
8. "Mono-unsaturates" means fatty acids with one cis double bond.
9. "Polyunsaturates" means fatty acids with cis, cis-methylene interrupted double bonds.
10. "Fiber" means the material to be defined in accordance with the procedure laid down by the EC and measured by the method of analysis to be determined in accordance with that procedure.
11. "Average value" means the value which best represents the amount of the nutrient which a given food contains, and reflects allowances for seasonal variability, patterns of consumption and other factors which may cause the actual value to vary.

#### Article 4 - Admitted claims

The only nutrition claims permitted shall be those relating to energy, to the nutrients listed in paragraph 1.b), Article 3, and to substances which belong to or which are components of a category of those nutrients.

#### Article 5 - Labeling information options

1. Where nutrition labeling is provided, the information to be given shall consist of either group 1 or group 2 in the following order:

(A) Group 1

- (a) Energy value
- (b) The amounts of protein, carbohydrates and fat.

(B) Group 2

- (a) Energy value
- (b) The amounts of protein, carbohydrates, sugars, fat, saturates, fiber and sodium.

2. Where a nutrition claim is made for sugars, saturates, fiber or sodium, the information to be given shall consist of group 2.

3. Nutrition labeling may also include the amounts of one or more of the following:

Starch

Polyalcohols

Mono-unsaturates

Polyunsaturates

Cholesterol

Any of the minerals or vitamins listed in the Annex and present in significant amounts as defined in that Annex



4. The declaration of substances which belong to or are components of one of the categories of nutrients referred to in paragraphs 1 and 3 of this article 5 shall be compulsory where a nutrition claim is made.

In addition, where the amount of polyunsaturates and/or mono-unsaturates and/or the cholesterol rate is given, the amount of saturated shall also be given, the declaration of the latter not constituting - in this case - a nutrition claim within the meaning of paragraph 2 of this article.

Article 6 - The conversion factors to calculate energy value to be shown on label are as follows:

|                                       |                      |
|---------------------------------------|----------------------|
| - Carbohydrates (except polyalcohols) | 4 kcal/g = 17 KJ/g   |
| - Polyalcohols                        | 2,4 kcal/g = 10 KJ/g |
| - Protein                             | 4 kcal/g = 17 KJ/g   |
| - Fat                                 | 9 kcal/g = 37 KJ/g   |
| - Alcohol (ethanol)                   | 7 kcal/g = 29KJ/g    |
| - Organic acid                        | 3 kcal/g = 13KJ/g    |

Article 7 - Quantitative presentation of the information

1. The declaration of the energy value and of the proportion of nutrients or their components shall be numerical. The units to be used are the following:

|                         |                                  |
|-------------------------|----------------------------------|
| Energy                  | KJ and kcal                      |
| Protein                 | Grams (g)                        |
| Carbohydrates           | Grams (g)                        |
| Fat(except cholesterol) | Grams (g)                        |
| Fiber                   | Grams (g)                        |
| Sodium                  | Grams (g)                        |
| Cholesterol             | Milligrams (mg)                  |
| Vitamins and minerals   | The units specified in the Annex |

2. Information shall be expressed per 100 g or per 100 ml. In addition, this information may be given per unit as quantified on the label or per portion, provided that the number of portions contained in the package is stated.

3. The amounts mentioned shall be those of the food as sold. Where appropriate, this information may relate to the foodstuff after preparation, provided that sufficiently detailed preparation instructions are given and the information relates to the food as prepared for consumption.

4. Information on vitamins and minerals must also be expressed as a percentage of the recommended daily allowance (RDA) given in the Annex shown below and for the amounts specified in paragraph 2, Article 7.

The percentage of recommended daily allowance (RDA) for vitamins and minerals may also be given in graphical form.

5. Where sugars and/or polyalcohols and/or starch are declared, this declaration shall immediately follow the declaration of the carbohydrate content in the following manner:

\*Carbohydrates/g, of which

- Sugars g
- Polyalcohols g
- Starch g

6. Where the amount and/or type of fatty acid and/or the cholesterol rate is declared, this declaration shall immediately follow the declaration of total fats in the following manner:

\*Fats/g, of which:

- Saturates g
- Mono-unsaturates g
- Polyunsaturates g
- Cholesterol mg

7. The declared values shall, according to the individual case, be average values based on:

- (a) manufacturer's analysis of the food
- (b) a calculation from the known or actual average values of the ingredients used.
- (c) a calculation from generally established and accepted data.

#### Article 8 - Label structure information

1. The information covered by this Decree must be presented together in one place in tabular form, with the numbers aligned if space permits. Where space does not permit, the information shall be presented in linear form.

It shall be printed in legible and indelible characters in a conspicuous place.

2. The mandatory labeling declaration of nutrition value of foodstuffs marketed in Spain will be indicated in the way established by Article 20 of the General Labeling Requirements, Presentation and Publicity of Food Products approved by Royal Decree 212/1992, dated March 6.

3. In the case of non-prepackaged foodstuffs put up for sale to the ultimate consumer and to restaurants, hospitals, canteens and other similar mass caterers, or foodstuffs packed at the point of sale at the request of the purchaser, there must be a sign next to the products with all the information that should be included in the label of a prepackaged product, in accordance with Article 5, expressed and structured according to Articles 7 and 8.

4. The products prepackaged by the owners of the retail trade with a view to immediate sale will be accompanied by a label, in accordance with the requirements in paragraph 3 of this article.

## Annex

Vitamins and minerals which may be declared and their recommended daily allowance (RDA)

|            |     |     |                  |     |      |
|------------|-----|-----|------------------|-----|------|
| Vitamin A  | ug: | 800 | Vitamin B12      | ug: | 1    |
| Vitamin D  | ug: | 5   | Biotin           | mg: | 0.15 |
| Vitamin E  | mg: | 10  | Pantothenic acid | mg: | 6    |
| Vitamin C  | mg: | 60  | Calcium          | mg: | 800  |
| Vitamin B1 | mg: | 1.4 | Phosphorus       | mg: | 800  |
| Vitamin B2 | mg: | 1.6 | Iron             | mg: | 14   |
| Vitamin B3 | mg: | 18  | Magnesium        | mg: | 300  |
| Vitamin B6 | mg: | 2   | Zinc             | mg: | 15   |
| Vitamin B9 | ug: | 200 | Iodine           | ug: | 150  |

As a rule, 15 percent of the recommended allowance specified in this Annex supplied by 100 g or 100 ml or per package if the package contains only a single portion should be taken into consideration in deciding what constitutes a significant amount.

### C. FOOD ADDITIVE REGULATIONS

EU additive lists have already been transposed into the Spanish legislation, as follows:

- 1) Spain's Royal Decree 2001/95, Regulation 1387 on Colors (E.U. Directive 36/94, E.U. Official Journal L 237, 09/10/94)
- 2) Spain's Decree 2001/95, Regulation 767 on Artificial Sweeteners (E.U. Directive 35/94, E.U. Official Journal L 237, 09/10/94).
- 3) Spain's Royal Decree 145/97 on Food Additives Other Than Colors and Sweeteners, E.U. Official Journal L 61, 03/18/95)

As any other EU law, EU additive lists can be obtained through Internet at any of the following three addresses:

<http://www.eudor.eu.int/>  
<http://europa.eu.int/eur-lex>  
<http://europa.eu.int/celex/>

In addition, copies of EU laws can be purchased in both the Madrid EU Commission Office as well as in the United States at the following locations:

Comisión Europea  
 Representación en España  
 Paseo de la Castellana, 46

E-28046 Madrid  
Phone: (34-91) 423-8000  
Fax: (34-91) 432-1764  
<http://www.euroinfo.cce.es/>

UNITED STATES OF AMERICA :

Advanced Information  
Databases Inc.  
23205 Gratiot Avenue  
MI 48021 Eastpointe  
Tel. (519) 539-1297, (800)890-1692 (toll free)  
Fax (519) 539-3176  
E-mail: [adinfo@adinfo.com](mailto:adinfo@adinfo.com)  
URL: <http://www.adinfo.com>

Bernan Associates  
4611-F Assembly Drive  
Lanham MD20706  
Tel. (800) 274-4447 (toll free)  
Fax (800) 865-3450 (toll free)  
E-mail: [query@bernan.com](mailto:query@bernan.com)  
URL: <http://www.bernan.com>

Copies of the Spanish regulations can be purchased at the following address:

La Libreria del BOE  
Trafalgar, 27  
28010 Madrid  
Phone: 34-91 538-2111  
Fax: 34-91 538-2121  
E-mail: [clientes@com.boe.es](mailto:clientes@com.boe.es)

#### D. PESTICIDE AND OTHER CONTAMINANTS

**Pesticides:** Annex II of Royal Decree 280/1994 lists pesticide residue on vegetable products, establishing maximum allowances by compound and groups of vegetable species. It has been amended by several ministerial orders, as follows: Order of February 27, 1996, Order of December 5, 1996, Order of September 25, 1997, and Order of May 14, 1998.

The Spanish Ministry of Agriculture is responsible for monitoring and sampling imported vegetable products. The Ministry of Health is responsible for monitoring and sampling drug and pesticide residues on imported animal foodstuffs. The primary focus is on growth promoters and antibiotics. Poultry products are not sampled for residues. Meat offal are randomly sampled for residues, depending on the availability of the appropriate tissue.

A special commission composed of representatives from the central Ministries of Health and Agriculture is responsible for the registration and approval of new drugs, as well as pesticides. Lists of approved drugs and pesticides are maintained. Pesticide making, marketing and utilization in Spain are governed by Royal Decree 3349/83. There is currently in force a harmonized system for authorization, utilization and marketing of pesticides as established under EU Directive 414/91. Applications for authorization must be submitted by the responsible person of the first marketing of the product in Spain or its representative to the Direction General for Plant Health, Ministry of Agriculture. From this

agency, an U.S. exporter can obtain information on approved pesticides.

**Other contaminants:** EU Commission Regulation 194/97 set maximum levels for certain contaminants in foodstuffs, including nitrogen in fresh lettuces as well as in fresh and processed spinachs. It has been amended by EU Commission Regulation 1528/98 that includes aflatoxins and its maximum allowances in peanuts, nuts and dried fruit, cereals and milk. In addition, EU Commission Directive 53/98 establishes the sampling and analysis methods for aflatoxins in foodstuffs.

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

### **1. Registration:**

Imported foodstuffs are not subject to registration in the Food Register (Registro). Only drinking water and the diet and/or special food products listed below need registration:

- Baby foods
- Low calorie products-food products to control weight
- Diet food of special medical uses
- Low sodium foods including low/no sodium salt
- Non-gluten foods
- Special foods for sportsmen
- Foods for diabetics
- Foods products enriched with vitamins, minerals or gin-seng
- Other food products of special uses

To register diet/special food products and drinking water the importer must submit a form accompanied by a copy of the label to the Registro.

All wine importers must be registered at a Spanish Customs special register called "Registro Especial de Gestion Aduanera". In Madrid, this register is located in the Customs headquarters at the following address: Direccion General de Aduanas, Ministerio de Economia y Hacienda, Guzman El Bueno, 132; 28003 Madrid.

### **2. Container Size Requirements:**

Royal Decree 1472/89 and its amendment Royal Decree 151/94 establish Container Size Standards for a number of packaged food products. These two laws are transpositions of EU Directives 88/316 and 89/676.

### **3. Laboratory testing:**

Food products imported into Spain are not subject to approval prior entry, label and ingredients clearance or laboratory testing other than random sampling and testing for residues.

### **4. Samples and Mail Order Shipments:**

The pertinent health certificates and invoices are required for samples and mail order shipments. Invoices for sample shipments must carry the statement “Muestras Sin Valor Comercial” (“Samples Without Commercial Value”). Sample shipments can be made under a “Temporary Importation Under Bond” basis. Bonds are reimbursed when product samples are re-exported to the U.S. Consumable items and give-away samples, however, are subject to regular import tariffs.

## 5. Certification Requirements:

- For Fresh fruit and vegetables: generally need a phytosanitary certificate issued by the Animal and Plant Health Inspection Service (APHIS-USDA).
- For Canned fruit and vegetables, sauces, and other processed foodstuffs not containing meat, fish, egg or dairy products: official certificate from U.S. governing authority indicating that the producing plant is authorized to produce these products for local consumption as well as for exports.
- For Processed food products containing meat, fish, egg or dairy products: need special health certificates provided by U.S. authorities as follows: the Food Safety Inspection Service (FSIS-USDA) for meat products, the Food & Drug Administration (FDA) in conjunction with the U.S. Fish and Wildlife Inspection for fish products and seafood, and the Agricultural Marketing Service (AMS-USDA) for dairy and egg products.

## 6. Meat and Meat Products:

Meat and meat products can only be imported in Spain from U.S. plants approved by the E.U. This system, however, will be in place until the U.S.-EU veterinary equivalence agreement will become effective. This will permit the U.S. health authority to approve plants to export to the E.U.

## F. OTHER SPECIFIC STANDARDS

**Consumer Packaging:** Packages destined to end consumers must carry the “eco-packaging” logo. However, if the product is processed and repacked in other packages, they do not have to carry such a logo since they are not destined to end consumers.

**Novel Foods:** In May 1997, the EU’s Novel Foods Regulation went into force which called for labeling of products derived from GMOs. However, this regulation is ambiguous and is proving to be very difficult to implement as written. Given the the ambiguity of the Novel Food Regulation, and in the face of growing demands from consumer groups for labeling of products derived from transgenic raw materials, end-users are increasingly demanding GMO-free raw materials. Nestle-Spain, Burger King, as well as Pryca and Alcampo (two major supermarket chains) are among the large food distributors requesting product free from transgenic material.

## G. COPYRIGHT/TRADEMARK LAWS

Spain is a signatory to the Paris Convention for the Protection of Industrial Property. Both the Trademark Law of November 1988 (Law 32) and the Intellectual Property Law 1750/87 address protection for brand names and trademarks. Spain is also a party to the Madrid Agreement on Trademarks. These laws follow E.U. standards. The

Intellectual Property Law of November 1987 offers copyright protection.

c) Trademarks

The Industrial Property Registry provides protection of trademarks for a 10-year period from the date of application. Trademarks must be registered for protection and may be renewed. Protection is not granted for generic names, geographic names, those that violate Spanish customs, or other inappropriate trademarks.

d) Copyrights

The law extends copyright protection to all literary, artistic, or scientific creations, including computer software. Spain and the United States are members of the Universal Copyright Convention. For protection, U.S. authors must register with this organization.

The Office for Harmonization in the Internal Market (OHIM) for the registration of community trademarks in the European Union started its operations in 1996 and has its headquarters in Alicante (Spain):

Oficina de Armonización del Mercado Interior  
-Office for Harmonization in the Internal Market-  
Avenida Aguilera, 20  
03080 Alicante  
Tel: (34 96) 513-9100  
Fax: (34 96) 513-9173

## **H. IMPORT PROCEDURE**

Importers may be any individual or company with an address in Spain and having a fiscal I.D. from the Ministry of Finance (Ministerio de Economía y Hacienda). They should also be registered at the Public Health Unit of the Autonomous Region's Government where they are located.

Importers, however, may also be any EU firm though not having a domicile in Spain. In this case, they can only be those registered with the Central Government's Ministry of Health at the following address:

Registro Sanitario de Alimentos  
Direccion General de la Salud Publica  
Subdireccion General de Higiene de los Alimentos  
Ministerio de Sanidad y Consumo  
Paseo de Prado, 18-20  
28071 Madrid  
Phone: (34) 91 596-1966 and 91 596-1950  
Fax: (34) 91 596-4487

Importers must have a sanitary registration number which, along with their names and addresses, must appear on the label.

The following documentation is required for customs clearance of food products:

- 1) Bill of lading
- 2) Certificate of Origin
- 3) An original Commercial Invoice with a copy
- 4) An import declaration
- 5) Health Certificates (as described under the section for Certification)

A customs agent or broker is normally involved in clearing products at customs. Import declarations are made at the State Secretariat of Commerce or its branch delegations in major port cities throughout the country. Declarations must use the exact terminology of the tariff classification under which the goods are being imported. A three-month grace period is allowed for U.S.-origin goods arriving without proper documentation, subject to a written guarantee by the customs agent.

The Ministry of Agriculture has offices at Customs for the sanitary and phytosanitary inspection of live animals, agricultural commodities, fresh produce, planting seed and forest products as well as the Ministry of Health for the veterinary/sanitary inspection of meat, fish and processed food products.

## **APPENDIX A- MAJOR REGULATORY AGENCIES**

### **MINISTRY OF PUBLIC HEALTH**

#### **Imported Foodstuffs, Infections and Compound Residues, Health Certification**

Subdireccion General de Sanidad Exterior  
Ministerio de Sanidad y Consumo  
Paseo del Prado, 18 y 20  
28014 Madrid  
Phone: (34-91) 596-2040  
Fax: (34-91) 596-2047

#### **Food Hygiene, Labeling, Ingredients, Additives**

Subdireccion General de Higiene de los Alimentos  
Ministerio de Sanidad y Consumo  
Paseo del Prado, 18  
28014 Madrid  
Phone: (34-91) 596-1964  
Fax: (34-91) 596-4409

### **MINISTRY OF AGRICULTURE, FISHERIES AND FOOD**

#### **Plant Health Unit, inspection and certification**



Subdirección General de Sanidad Vegetal  
Ministerio de Agricultura, Pesca y Alimentación  
Velázquez, 147  
28002 Madrid  
Phone: (34-91) 347-8258  
Fax: (34-91) 347-8263

**Animal Health Unit, inspection and certification**

Subdirección General de Sanidad Animal  
Ministerio de Agricultura, Pesca y Alimentación  
Velázquez, 147  
28002 Madrid  
Phone: (34-91) 347-8295  
Fax: (34-91) 347-8299

**Planting seeds and Nursery Products**, governing several seed trade aspects such as import requirements, seed registration and certification, and the commercial seed catalog.

Instituto Nacional de Semillas y Plantas de Vivero  
Ministerio de Agricultura, Pesca y Alimentación  
Jose Abascal, 4  
28003 Madrid  
Phone: (34-91) 347-6600  
Fax: (34-91) 593-2546

**APPENDIX B- LOCAL CONTACTS****EMBASSY CONTACTS**

**Office of Agricultural Affairs, Madrid** <http://www.embusa.es>

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Robert Wicks, Counselor **e-mail: AgMadrid@fas.usda.gov**

Christopher Rittgers, Attache **e-mail: RittgersC@fas.usda.gov**

Diego Pazos, Agricultural Specialist **e-mail: PazosD@fas.usda.gov**

Diego Perez de Ascanio, Agricultural Specialist **e-mail: PerezD@fas.usda.gov**

Magdalena Escudero, Marketing Specialist **e-mail: EscuderoM@fas.usda.gov**

**Foreign Commercial Service, Barcelona:** <http://www.embusa.es>

Pesticide Authorization and Registration:

Monserrat Canela **e-mail:** [mcanela@doc.gov](mailto:mcanela@doc.gov)