



Foreign Agricultural Service

GAIN Report

Global Agriculture Information Network

Voluntary Report - public distribution

Date: 8/14/1998

GAIN Report #8010

Nigeria

Food and Agricultural Import Regulations and Standards

Nigeria Food Import Regulations 1998

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Report Highlights:

Nigeria is the largest market for US food products in sub-Saharan Africa. The bulk of Nigeria's food imports is from the European Union(EU). However, the US has the highest market share of about 15 percent.

Nigeria has a pre-shipment inspection policy which requires all imports to be inspected in the country of origin by designated Inspection Agents.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
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IMPORT REGULATIONS FOR FOOD PRODUCTS TO NIGERIA

Introduction

Nigeria is the largest market in Africa with a population of 100 million plus. An estimated \$650 million worth of consumer-ready food products are imported into Nigeria every year. Imports fill the gap for consumer-ready food product needs in Nigeria. The bulk of consumer-ready products entering the Nigerian market comes from the European Union (EU). However, on a country by country basis, the US has the highest market share of about 15 percent.

Product Registration

The National Agency for Food and Drugs Administration and Control (NAFDAC) is the regulatory body for food product manufacturing, importation, advertisement and distribution in Nigeria. Imported food products must be registered by NAFDAC for sale, distribution and advertising in Nigeria. Manufacturers and exporters wishing to sell their food products in Nigeria should be familiar with the relevant custom requirements and other regulations guiding food product imports into Nigeria.

The following are the regulations governing food product imports into Nigeria:

- Manufacturers/exporters must be represented by a company registered in Nigeria.
- upon applying to register any food products, the US exporters must file an evidence of power of attorney through their representative Nigerian firm which has to be notarized identifying the Nigerian firm.
- The Nigerian firm will assist Manufacturers/exporters to apply and process registration with NAFDAC.
- fifteen samples of the product(twenty in the case of dairy products) must be submitted along with the completed registration form for physical / laboratory analysis and vetting which takes about four to seven weeks.
- US manufacturers/exporters must show evidence that the company is licensed to manufacture the imported food product for sale in the US(Manufacturer's Certificate). Such evidence of free sale in US must be issued by the responsible Health Authority in US and authenticated by the Nigerian Mission in US.
- the products must have a certificate of analysis which NAFDAC will examine to assure absence of radioactive contaminants (potassium bromate as bread improver and use of non-nutritive sweeteners, particularly saccharin and cyclamate in food products are not permitted).
- products must be labeled. Labeling must be informative and accurate and include the following minimum requirements:-
 - ::Name of product-brand name or common name(where applicable), must appear in bold letters.
 - :: Full location address of the manufacturer
 - :: Batch number, date of manufacture and best before date
 - :: Net contents of essential ingredients in metric weight units in case of solids, semi-solids and aerosols and metric volume in case of liquids.
 - :: the ingredients must be listed by their common names in order of their prominence by weight
 - :: Food additives and colors must be declared on the label. Spices, flavors and colors may be listed as such, without naming the specific material, but any artificial color or flavor must be identified as such.
 - :: Food for special dietary uses with claims of disease prevention, treatment, mitigation, cure or diagnosis must

comply with the guidelines for drugs and be registered as medicinal products. The label must contain direction for safe use where appropriate or necessary on the information panel (IP) or on the package insert (PI).

:: Language of labeling must be English or an English translation on the label and package insert (where applicable).

NAFDAC issues a Certificate of Registration with a validity period of five (5) years to successful applicants. This however, does not automatically confer an advertising permit for such product(s). A separate application and approval by the Agency is required for any product to be advertised.

Advertisement Requirements

NAFDAC's requirements for advertisement permit are as follows: -

- evidence of the product's registration with NAFDAC
- a unit of the relevant advertisement/promotion materials - TV scripts, story boards, radio scripts, Press artwork, etc, and
- two(2) units of the product's samples.

These would be vetted to ensure compliance with requirements and policy directives for advertisement and promotion of regulated products in Nigeria.

Pre-shipment Inspection

Nigeria has a pre-shipment inspection policy which requires all imports into the country to be inspected by designated agents before shipment. The pre-shipment inspection agent for all U.S. goods destined to Nigeria is:-

Swede Control / Intertek Services International
3741 Red Bluff Road, Pasadena, Texas 77503
P. O. Box 5666, Pasadena, Texas 77503
Tel: (713) 475-2082
Fax: (713) 475-2083
Telex: 6868854ISI UW

Import Procedures and Documentation

US food product manufacturer/exporters intending to ship product to Nigeria must follow the following procedures:-

- Modified Form M is used for all imports ; completed in sextuplicate and three copies sent to Swede Control/Intertek Services International(the PIA) and one each to the importer's bank, the Nigeria Customs Service and National Maritime Authority(Nigeria).
- Form M is the Government of Nigeria document designation for the application, registration and documentation of imports into Nigeria. Form M can be obtained from all the offices of the Swede Control/Intertek, the Nigerian Embassy in U.S., Nigerian banks, branches of Nigerian banks overseas and their correspondent Banks.

- The completed Modified Form M originating from the US will be returned through Swede Control/Intertek to any of the banks designated by the Government of Nigeria for payment of import duties (designated banks) or any bank of importer's choice in Nigeria. Pro forma invoice, signed and dated and showing separately, unit prices, cost prices and freight; and, insurance certificate covering the value of the goods will be forwarded along with such completed Form M.
- Names and addresses of the designated banks can be obtained from the offices stated above.
- All payments for imports must be made with Letters of Credit or Cash Payments
- Issuance of Clean Report of Finding (CFR) and Import Duty Report (IDR) is mandatory for all imports including accompanied personal effects
- Swede Control/Intertek must forward a copy of the Import Duty Report (IDR) directly to the importer's local bank or the bank to which the form M was originally sent, another copy to the designated bank for import duties, and a third copy to the Nigeria Customs Service.
- The importer's bank or the bank to which the form M was sent issues a certified check to Federal Government Import Duty Account in respect of the amount stated on the IDR to the customer who must pay such check to any of the designated banks and the check must clear before the original IDR and shipping documents are released to the importer to start processing the clearing of the goods.

Exporters to Nigeria are advised to insist on confirmed irrevocable letters of credit from Nigerian banks with correspondent banks in U.S. prior to shipment to avoid payment default. Exporters may also wish to contact the Agricultural Affairs Office of the USDA in Lagos for assistance in locating representatives and/or importers for their products.