

Voluntary Report – Voluntary - Public Distribution

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Report Name: Success Story - Brazil Opens Market to American Lobsters

Country: Brazil

Post: Brasilia

Report Category: Export Accomplishments - Market Access, Fishery Products

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Report Highlights:

After several years of negotiations, on April 28, 2020, FAS/Brasilia received an official response from the Ministry of Agriculture, Livestock, and Food Supply (MAPA), approving the final language for a new lobster health certificate. For six years, the FAS/Brasilia facilitated negotiations between the competent regulatory authorities: the Brazilian Ministry of Agriculture, Livestock, and Food Supply (MAPA) and the U.S. National Oceanic and Atmospheric Administration (NOAA). Both sides have agreed to final technical language to certify sanitary standards for American lobster exports to Brazil. The newly approved health certificate makes it possible for U.S. companies to export lobsters and lobster products to the Brazilian market.

Background:

After several years of negotiations, on April 28, 2020, FAS/Brasilia received an official response from the Ministry of Agriculture, Livestock, and Food Supply (MAPA), approving the final language for a new lobster health certificate. Brazil's former Ministry of Fisheries and Aquaculture (MPA) established in 2010 general procedures for importing fish, seafood products, and aquatic animals, including lobsters. Any country that desired to export live animals to Brazil, including live lobsters, had to prepare a Risk Analysis Report to be evaluated and approved by MPA. This was defined by Normative Instruction MPA# 14/2010. NOAA visited MPA regulators in Brasilia in 2014 and decided to start negotiations to open the Brazilian market for U.S live lobsters and lobster products. As of 2014, Canada had completed the Risk Analysis Report process with MPA and was the only country approved to export live lobsters of the *Homarus americanus* species (originating from extractive fishing in Canada and intended for human consumption) to the Brazilian market.

FAS worked closely with NOAA to prepare official communication, translate technical material, and simplify proposed certificate language for exports of U.S. live lobsters and lobster products to Brazil. FAS and NOAA then presented to MPA a comprehensive package with pertinent information about *Homarus americanus* lobsters, as well as NOAA's inspection protocols for these products.

In October 2015, the Brazilian government dissolved MPA and transferred some of its responsibilities to MAPA. This interrupted NOAA's negotiations with MPA, and FAS/Brasilia had to completely restart the process, including resending official communication to the newly appointed competent regulatory authority.

FAS/Brasilia and NOAA continued to work to find a way forward to establish a Brazilian health certificate for American lobsters and lobster products. Live lobster trade was the focus of negotiations, NOAA and FAS also worked to establish market access for other lobster products, such as frozen tails. Both U.S. agencies worked to progress the negotiations, promptly responding to new proposals every time MAPA took issue with technical language in the certificate.

Outcome

On April 28, 2020 Brazil gave final approval for the health certificate to enable importation of lobsters and lobster products from the United States. After six years of negotiations, regulators in Brazil and the United States agreed to final technical language to certify sanitary standards for American lobster exports to Brazil. On May 4, 2020 NOAA released the health certificate and associated guidance, clearing the way for American lobster fishers to sell their catch to Brazilian importers. The certificate will be available in NOAA's online certification system on June 11, 2020, but it will be issued via PDF in the meantime.

Attachments:

No Attachments.