

USDA Foreign Agricultural Service

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## **Honduras**

### **Food and Agricultural Import Regulations and Standards - Narrative**

#### **FAIRS Country Report 2016**

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**Report Highlights:**

The National Plant, Animal Health and Food Safety Service (SENASA) of the Secretariat of Agriculture and Livestock has requested and seeks to enforce that the products display the production date, lot number and expiration date on the shipping carton(s) upon arrival at the port. The requested dates must be provided in the Day/Month/Year format. If the products do not comply with this requirement, they are not allowed entry and must be returned.



## **Section I. Food Laws:**

The Honduran Government (GOH) institutions that are responsible for food and agricultural imports are the Secretariat of Agriculture and Livestock (SAG) and the Secretariat of Health (MOH). SAG has as its main regulatory agency the National Plant, Animal Health and Food Safety Service (SENASA). SENASA establishes regulations, procedures, and oversees compliance regarding plant, animal health, and food safety of agricultural products imported and exported. This includes diagnosis and epidemiological surveillance of pests and diseases, quarantine control and coordination of various activities related to agricultural products. SAG is governed through the Phytosanitary and Zoosanitary Law (Congressional Decree 157-94, modified via Decree 344-2005) and its implementing regulations.

SENASA issues the import permits for plant, animal, processed, consumer ready food products, agricultural chemicals, veterinary products; and inputs used in food processing for human or animal consumption that enter Honduras.

The MOH agency responsible for sanitary registration, surveillance, and inspection of foods products approved to be sold at the retail and wholesale level was previously known as the Sanitary Regulation Directorate (SRD). The GOH changed the name to the “General Directorate of Surveillance of the Health Normative Framework” (Dirección General de Vigilancia del Marco Normativo en Salud - DGVMN) through Executive Decree PCM-061-2013. The MOH’s authority is governed by its health code, which is spelled out in Congressional Decree 65-91 and Executive Decree 06-2005 which is titled, “Sanitary Control of Products, Services and Establishments of Sanitary Interest Regulation.”

The DGVMN applies the following regulations in order of precedence:

1. Honduran regulations:
  - a) Health Code.
  - b) Sanitary Control of Products, Services, and Establishments of Sanitary Interest.
  - c) Quality of Bottled Water and Ice for Human Direct or Indirect Human Consumption.
  - d) Honey Processing.
2. Central America Customs Union (CACU) Regulations.
3. CODEX Alimentarius Regulations.
4. The U.S. Federal Code (U.S. Food and Drug Administration [FDA] regulations).
5. Pan-American Health Organization (PAHO) guidelines.

The Consumer Protection Law and the Municipalities Law also address food safety issues to some extent. The aforementioned food and agricultural imports legislations and regulations are geared toward: a) protecting plant, animal and consumer health; b) avoiding fraud in transactions which deal with food and agricultural products; and c) protecting Honduras’ economic interests in both domestic and international food and agricultural trade.

The scope of the food laws and regulations in Honduras are also developed by the Central American Customs Union (CACU). The major objectives of the CACU are the harmonization of the rules of origin of goods, tariff harmonization, and sanitary registration regionally. These objectives are reaffirmed by the Presidents of the CACU countries during their Summits; and developed by the Ministers Council of Economic Integration (COMIECO). They issue Resolutions to approve or modify the Central America Technical Regulations (RTCA in Spanish), which are agreed upon unanimously by member countries. COMIECO is composed of the Ministers of Economy of Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica and Panama.

RTCAs are developed according to guidelines provided in COMIECO’s Resolution No. 162-2006 - Procedures to Develop, Adopt and Approve Technical Regulations and Evaluation Processes. The Resolution can be found at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=796>

As is the case with limited resources, enforcement of existing laws and regulations is not always consistent. At times, the GOH lacks the basic infrastructure and the necessary human and economic resources to adequately enforce its regulations in the commercialization stage. Entrance inspection of food and agricultural products imports into the country is done at major ports and border crossings. However, it is common knowledge that many products enter unchecked as they go through illegal channels. This situation, in turn, forces the DGVMN to inspect processed food products at the wholesale and retail levels. The GOH is making an effort; nevertheless, to strengthen enforcement through increased inspection, laboratory testing in terms of both quantity and quality.

**Section II. Labeling Requirements:**

**A. General Requirements**

Labels must comply with MOH labeling requirements, the CODEX Alimentarius and the following CACU’s Central America Technical Regulations (RTCA):

COMIECO’s Resolution Number	Title	RTCA Number
280-2012	General Labeling for Pre-packed Foods	67.01.07:10

The RTCA can be found in the Annex of Resolution 280-2012 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=657>

The DGVMN carries out local enforcement of labeling regulations. A general guide of the labeling requirements for national and foreign food products is provided below:

- a) Name of the product, which is normally specific, must indicate the true nature of the product. The name of the product should not mislead the buyer or consumer. For example, the label should indicate if the product is dehydrated, concentrated, reconstituted, smoked or pasteurized among others. In the case of imitation products, the word “imitation” should be displayed as the same size of the product’s

name.

b) Name of the manufacturer or distributor of the product.

c) Country of origin of the product.

d) List of ingredients. The list should be clearly marked and must be in descending order by initial weight at the time the product was manufactured. Foodstuffs must declare ingredients assessed as potential allergens from the following list: cereals that contain gluten, shellfish, eggs, fish, soy, peanuts, milk (lactose), nuts and sulfite in concentrations of 10 mg. The list must specify if water had been added, except in cases when water is part of an ingredient such as brine, syrup or broth.

e) Net content. The net content must be specified in units using the International System of Units (metric system) in the following manner: volume for liquid food products, weight for solid food products, and either weight or volume for semi-solid or viscous food products.

f) Production and Expiration dates. The dates must appear in Spanish on the shipping carton(s). The dates must be written in the Day/Month/Year format (DD/MM/YYYY). The manufacturer must ensure that the dates are displayed with indelible ink and it must be printed in such a way that it cannot be erased or easily changed. The expiration date must be easy for consumers to read. The order of day and month can be changed only when written in letters or month abbreviations.

g) Lot number. This number must be engraved or printed in a permanent manner and may be placed on any external surface of the package.

h) Complementary Labeling. Stick-on labels are allowed to comply fully with Honduran labeling requirements on product information, but not to indicate the manufacturing or expiration date. The label must be translated into Spanish with the same information that is given in the foreign language label. The complementary labels are authorized by the DGVMN. The DGVMN checks to see that the information in the label matches the description in the foreign language.

i) Sanitary Registration Number. The requirements for the Sanitary Registration Number (SRN) of a product are the same for food, natural products and chemical substances. The steps needed to obtain a SRN are described in Section VII: Product Registration.

j) Sample-size products or institutional packed product destined for the food service sector do not need special labeling requirements.

### **Additional Labeling Requirements:**

In addition to the aforementioned, the following labeling requirements indicated by CODEX apply:

1. Labels may be made of paper or any other material that can be attached or permanently printed on the package.

2. All writing on labels has to be clear and legible, and should not fade under normal use.
3. Labels that are attached to a container may have text on the reverse side as long as it is clearly visible through the container.
4. When the product requires refrigeration, it must be labeled accordingly.
5. When the product is easily contaminated and requires refrigeration after opening or must be consumed immediately, the label must state either: "For immediate consumption after opening" or "Refrigerate after opening", whichever the case may be.
6. When the product is artificial, it must be labeled accordingly.
7. Labels are not permitted on the internal part of a package or container where they would come into contact with the product itself.
8. Required labeling information should not be displayed on strips, bands, lids, tops, covers, caps, or any other part of the package which is used to open the product.

Any exceptions to the above requirements, with regard to products donated for humanitarian purposes, must be approved by the DGVMN.

## **B. Requirements for Other Specific Labeling**

Nutritional Labeling is required in Honduras. The standard U.S. nutritional fact panel is acceptable. The DGVMN uses the guidelines stated in CODEX and the following CACU's regulations:

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
281-2012 and 277-2011	Nutritional Labeling of Pre-Packed Foods for Human Consumption of Population over Three Years Old	67.01.60:10

The RTCA can be found in the Annex of Resolutions 281-2012 and 277-2011 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=655>

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=662>

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
273-2011	Pesticides. Pesticides for Domestic and Professional Use. Labeling Requirements	65.03.57:10

The RTCA can be found in the Annex of Resolution 273-2011 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=672>

COMIECO's Resolution Number	Title	RTCA Number
332-2013	Liquor. Labeling Requirements.	67.01.05:11 67.01.06:11

The RTCAs can be found in the Annex of Resolution 332-2013 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3488>

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3491>

The DGVMN treats nutrient content claims (e.g., “low in saturated fat”), absolute descriptors (e.g., “high fiber or low fat”), relative descriptors (e.g., “light” or “reduced sugar”), and other implied claims, on a case-by-case basis when complaints are received from the public.

Labels should not indicate the product has therapeutic, healing, or any other attributes not normally associated with the product. While enforcement of such health claims is often difficult, the DGVMN takes special care in ensuring this is the case with products that are widely used by the population and require added ingredients to increase their nutritional value such as the case of flour, salt, and sugar. By law, sugar for human consumption must be fortified with vitamin A. Salt must be fortified with iodine, and wheat flour with iron, folic acid, vitamins B1 and B2, and niacin. The DGVMN oversees that these products are properly labeled as fortified.

The “Recommended Daily Allowance” (RDA) of certain additives may be included on the label. RDA standards may vary from those in the United States since Honduras follows those of Codex.

All food products which have been treated with radiation (ionizing energy) must have specified on the label (close to the name of the product) the nature of the treatment. When a radiated product is used as an ingredient in another product, it must be specified in the list of ingredients. Honduras does not require mandatory GMO labeling.

When a product contains preservatives, color, emulsifiers and other type of food additives, the label must specify the generic name or international code, purpose, and concentration of each. When a product contains enriched nutritious substances such as vitamins, mineral salts, and proteins the label should read: “Enriched Food Product” or “Enriched Artificial Food Product,” whichever the case may be. The label should also specify the name and the content per serving or consumption unit.

The following products are excluded from specifying the expiration date: alcoholic beverages containing 10 percent or more of alcohol by volume, bakery products, which due to their nature, are generally consumed within 24 hours of the time they were produced (it is, however, common practice for bakeries to put an expiration date on products), vinegar, chewing gum, and fresh fruits and vegetables.

### **Section III. Packaging and Container Regulations:**

Containers can be of plastic, metal, glass, paperboard or any other materials which comply with

requirements to maintain the quality and safety of the product. The packaging materials or containers should not absorb or transfer to the product components which will change the stability or quality of the product, or might cause content loss.

The quality control of the materials in contact with the food products is applied on a case-by-case basis. The controls can be applied in an official laboratory or in an international lab recognized by the Ministry of Health. New or unusual packaging/containers are usually analyzed prior to product registration. The amount of product in pre-packed foods is regulated by the following CACU's regulation:

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
291-2012	Modification to Resolution 168-2006. Amount of product in pre-packed foods	01.01.11:06

The RTCA can be found in the Annex of Resolution 291-2012 at:  
<http://www.sieca.int/Portal/Pagina.aspx?PaginaId=1041&q=RTCA%2001.01.11:06>

**Section IV. Food Additives Regulations:**

Honduras's regulatory authorities recognize the guidelines stated in CODEX, FDA and the following CACU's regulation:

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
283-2012	Processed Food and Beverages: Food Additives	67.04.54:10

The RTCA can be found in the Annex of Resolution 283-2012 at:  
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=651>

When a product contains preservatives, coloring, emulsifiers and other type of food additives the label must specify the generic name or international code, purpose, and concentration of each.

The DGVMN accepts as safe the following seven colorings in foods:

- Yellow #5                      Yellow #6                      Red #2                      Red #3
- Blue #1                         Blue #2                         Red #40

U.S. exporters can obtain further information (in Spanish) on permitted or prohibited food additives at the following DGVMN's e-mail: [direcciongvmn@gmail.com](mailto:direcciongvmn@gmail.com) or contact the USDA/FAS Tegucigalpa Office at [AgTegucigalpa@fas.usda.gov](mailto:AgTegucigalpa@fas.usda.gov)

**Section V. Pesticides and Other Contaminants:**



Pesticides and veterinary drugs are regulated by SENASA's Plant and Animal Health Sub-Directorates. Ministerial Decree No.642-98 establishes the requirements for registration, importation, manufacturing, formulation, re-packaging, re-bottling, transportation, storage, sale, use and management.

SENASA uses a list of pesticides approved for use in Honduras and applies the Maximum Residue Levels (MRL's) for imported food products set forth by CODEX. If the tolerance levels are not covered by CODEX, SENASA applies the MRLs from the U.S. Environmental Protection Agency (EPA).

The importer and the pesticide must be registered with SENASA's Plant Health Sub-Directorate. SENASA follows international regulations for its registration process. An application for pesticide registration must be submitted with documents such as: Certificate of a Registered Pesticide Product issued by EPA or USDA and Certificate of Qualitative and Quantitative Composition issued by the producer or manufacturing company of the product.

In addition, other documents required are toxicological and ecotoxicological studies. After the product and the importer are registered with SENASA, the importer requests a permit from SENASA in order to import the product. Among the data required for the import permit are: Pro-form invoice, location and name of the manufacturer, lot number of the product and amount to import. An import permit request for the use and control of pesticides can be obtained at:

<http://www.senasa-sag.gob.hn/formulario-y-solicitudes-de-importacion/>

<http://www.senasa-sag.gob.hn/wp-content/uploads/2014/09/SOLICITUD-DE-PLAGUICIDAS-CORREGIDO-08-07-2015.pdf>

In order to regulate pesticide residue in foodstuffs, SENASA has acquired equipment via USDA's Food for Progress Program for analysis. SENASA's Personnel has been trained. It is expected that such services will be provided at the beginning of 2017.

U.S. exporters can obtain information on approved pesticides and allowed MRL's at SENASA's Plant Health Sub-Director's Office. Aflatoxin levels for corn in Honduras can be obtained at SENASA's Food Safety Sub-Directorate. Honduras defers to CODEX standards for aflatoxin levels on food products. Please write to contacts data at Appendix II.

**Pesticides** are regulated by SENASA's Plant Health Sub-Directorate and the following CACU's regulations:

COMIECO's Resolution Number	Title	RTCA Number
346-2014	Botanical Pesticides for Agricultural Use. Requirements for Registration	65.05.62.11

The RTCA can be found in the Annex of Resolution 346-2014 at:

<http://www.sieca.int/Portal/Pagina.aspx?PaginaId=1041&q=RTCA%2065.05.62.11>

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
297-2012	Microbiological Pesticides for Agricultural Use. Requirements for Registration	65.05.61:11

The RTCA can be found in the Annex of Resolution 297-2012 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3099>

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
258-2010	Pesticides. Pesticides for Domestic and Professional Use. Registration Requirements. Procedure to Recognize Registration	65.03.44:07

The RTCA can be found in the Annex of Resolution 258-2010 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1954>

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
118-2004	Various procedures, forms and requirements to register and use of pesticides	Annexes: 3, 4, 6, 7, 8, and 10

The Annexes can be found at:

Annex No.3 Commercial Registration of Botanical Pesticides:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=2029>

Annex No.4 – Procedure to include an active ingredient to the harmonized list of prohibited pesticides

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=2030>

Annexes 6, 7 and 8 - Forms to certify the registration and technical grade active ingredient; registration and free sale certificates of agricultural pesticides

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=2032>

Annex No.10 - Technical requirements for the commercial registration of microbiological pesticides for agricultural use

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=2033>

**Veterinary drugs** are regulated by SENASA's Animal Health Sub-Directorate and the following CACU's regulations:

<b>COMIECO's</b>	<b>Title</b>	<b>RTCA</b>
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<b>Resolution Number</b>		<b>Number</b>
257-2010	Veterinary Medicines and Related Products.	65.05.51:08
326-2013	Requirements for Sanitary Registration and Control	
362-2015		

The RTCAs can be found in the Annexes of Resolutions 257-2010, 326-2013 and 362-2015 at:  
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=696>  
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3480>  
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=5185>

## **Section VI. Other Regulations and Requirements:**

Honduras does not require any inspection procedures or testing of products prior to shipment. The official certificates or special documents that must accompany shipments can be found on the following GAIN Reports for Honduras: Food and Agricultural Import Regulations and Standards (FAIRS) – Export Certificate Report Number HO1607, and Exporter Guide Report Number HO1605.

Products are monitored at the retail/wholesale distribution levels by the DGVMN, SENASA’s Plant Health Sub-Directorate for pesticides residues, and Animal Health Sub-Directorate for veterinary products. Inspectors of the DGVMN check if the expiration date of the product is displayed, if it is not expired, the lot number and the organoleptic conditions of the product, among others.

**General Food and Beverages** CACU’s regulations are the following:

<b>COMIECO’s Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
243-2009	Food. Microbiological Criteria for Food Safety	67.04.50:08

The RTCA can be found in the Annex of Resolution 243-2009 at:  
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1498>

In reference to RTCA 67.04.50:08 Microbiological Criteria for Food Safety mentioned above, please note that poultry was excluded from the Resolution. Each Central American country applies its national regulation, while the CACU countries reach an agreement.

<b>COMIECO’s Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
176-2006	Processed Food and Beverages Industry. Good Manufacturing Practices	67.01.33:06

The RTCA can be found in the Annex 4 of Resolution 176-2006 at:  
<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1981>

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
226-2008	Processed Food and Beverages. Fruit Nectars	67.04.48:08

The RTCA can be found in the Annex of Resolution 226-2008 at:

<http://www.sieca.int/Portal/Pagina.aspx?PaginaId=1041&q=RTCA%2067.04.48:08>

**Dairy products** are regulated by the following CACU's regulations:

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
312-2013	Use of Dairy Glossary	67.04.65:12

The RTCA can be found in the Annex of Resolution 312-2013 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3347>

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
337-2014	Pasteurized Milk	67.04.66:12

The RTCA can be found in the Annex of Resolution 337-2014 at:

<http://www.sieca.int/Portal/Pagina.aspx?PaginaId=1041&q=RTCA%2067.04.66:12>

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
366-2015	Dairy Products. Cheeses. Specifications	67.04.70:14

The RTCA can be found in the Annex of Resolution 366-2015 at:

<http://www.sieca.int/Portal/Pagina.aspx?PaginaId=1041&q=RTCA%2067.04.70:14>

**Agricultural inputs such as seeds** are regulated by the following CACU's regulations:

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
259-2010	Agricultural Inputs. Requirements for the Production and Commercialization of Certified Basic Grain and Soy Seeds.	65.05.53:10

The RTCA can be found in the Annex of Resolution 259-2010 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1953>

Additional CACU's regulations are the following:

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
201-2007	Flours. Fortified Wheat Flour. Specifications	67.01.15:07

The RTCA can be found in the Annex of Resolution 201-2007 at:

<http://www.sieca.int/Portal/Pagina.aspx?PaginaId=1041&q=RTCA%2067.01.15:07#>

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
215-2007	Prepared Food and Beverages. Oils and Fats. Specifications	67.04.40:07

The RTCA can be found in the Annex of Resolution 215-2007 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1968>

## **Section VII. Other Specific Standards:**

### **Facility Registration:**

U.S. facilities do not need to be registered with a Honduran regulatory authority prior to export. Under the United States-Central America-Dominican Republic Free Trade Agreement (CAFTA-DR), Honduras recognizes the U.S. inspection services as equivalent. This equivalence eliminates the requirement of a certification by Honduras of the U.S. plant to export to the Honduran market.

### **Product Registration:**

The procedures to register products produced or processed in Central America have been officially codified within Honduras with the following CACU's regulation:

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
325-2013	Processed Food. Procedure to Grant Sanitary Registration and Sanitary Inscription	67.01.31.07

The RTCA can be found in the Annex of Resolution 325-2013 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=3479>

All imported food and cut meat products - processed or raw - must have a Sanitary Registration Number (SRN) to be sold at the retail level. Containers of food inputs waiting to be processed, labeled, or repacked, do not need SRNs. The label in the boxes with the raw product should display the number. Only food samples to be used for the registration process are allowed to do not display the SRN.

Processed products must have the SRN requested by the importer and issued by the DGVMN. The importer is allowed to place the complementary level with the SRN prior to be sold to the consumer.

Processed food for exhibition and tasting is regulated by the following CACU regulation:

<b>COMIECO's Resolution Number</b>	<b>Title</b>	<b>RTCA Number</b>
176-2006	Requirements for Import of Processed Food for Exhibition and Tasting	67.01.32:06

The RTCA can be found in the Annex 3 of Resolution 176-2006 at:

<http://www.sieca.int/Documentos/DocumentosMostrar.aspx?SegmentoId=2&DocumentoId=1980>

The procedure for registration of a product can be done by the importers or distributors (any person or company). It is not necessary to have a legal representation; however, it is suggested that if there is a problem during the process of registration, the importer should utilize a lawyer. The importer's representative should regularly check with the DGVMN to verify the status of the process—regular checking will insure that importers know if a document is missing or if the DGVMN requires further information.

The registration of a product is approximately US\$10.00. The following information must be submitted to the DGVMN for the registration process:

- **Applicant's information:** Name, Honduran ID or passport number (in the case of Honduras), name of legal representative, Honduran ID or passport number, address, phone, fax, e-mail, and address, phone, fax, and e-mail of the warehouse or distributor.
- **Sanitary License:** A document which certifies a business to store or process food. A Sanitary License is provided to the distributor or the importer's business by the DGVMN.
- **Manufacturer's information:** Name of factory or warehouse in the United States, address, phone, fax, and e-mail.
- **Product Information:** Name of product to be registered, product trademark, type of product, net content, sanitary registration number for renewals, and country of origin.

- **Certificate of Free Sale (CFS).** This annual certificate indicates that the exporter has permit to produce, manufacture, distribute and pack food products for human consumption. It states that the plant where the product has been produced or processed is regularly inspected for compliance with all health and sanitation requirements. It also certifies that the products are freely sold and consumed in the United States, as well as exported. The certificate is issued by the appropriate federal or state-level health authorities.

The certificate is requested to register the processed food product with the DGVM. For registration purposes, the CFS should be accompanied by a document that provides an endorsement of the signatures that appear on the CFS. This document can be an Apostille or an “*Autentica*” – notarized document. For further information please see the Honduras GAIN Report: Food and Agricultural Import Regulations and Standards (FAIRS) Export Certificate Report Number HO1607.

- **Original label of the imported product.** If the label is not in Spanish, a complementary label with the translation must accompany.
- **Proof of payment** of the laboratory analysis.
- **Sample of the product for laboratory analysis.** Products are divided in three risk areas:

Category “A” for products is the highest risk. These products are the easiest to contaminate and are consumed by a high level of the population. The category includes the following products: raw and processed meats of all kinds, eggs (powder and liquid), milk (powder and liquid), cheese, cream, butter, yogurt, bottled water, ice, and raw and processed seafood of all kinds.

Category “B” is medium risk, such as flour, sugar, and salt.

Category “C” has the least risk, such as candy and cookies.

The laboratory analysis is conducted only on Category “A” products. The analysis is required in order to receive a sanitary registration. The registration of category “B” and “C” products does not require a sample of the product. Samples are required only in cases when there is an alert or outbreak of a “B” or “C” category product.

- **Product Registration.** The DGVMN regulations allow up to 30 working days to provide a SRN. As part of the registration process, the DGVM reviews the product's technical and legal

aspects. When the opinion is given that the product complies with the requirements, the DGVM assigns a registration number. At this stage, the importer can request to the DGVMN a letter that certifies that the registration is in process; and that the product has already a number assigned. This letter allows import of the product during two months while the final resolution is issued for five years. The importer will need to pay about US\$10.00 per product for the issuance of the letter.

- **Validity Period.** The Sanitary Registration Number is valid for five years, during which time the product can be sold with a complementary label. However, when the SRN expires after five years, the number of the sanitary registration must be renewed and printed on the package. The DGVMN monitors retail stores to check if the product displays the expiration date and the SRN.
- CACU members agreed that for the products produced or processed in a CACU country, when a product obtains a SRN, it does not need to be registered in another. Products produced in the United States are not eligible for the registration exemption. It is important to note that the origin of the product is considered to be a CACU country if the product is processed in a CACU country, even if the raw material is not from a CACU member country.

In order to receive this CACU's benefit, the only procedure that a CACU country has to carry out is to request a "Registration Acknowledgment" which is the same throughout Central America excluding Costa Rica. The acknowledgment lasts the length of time that the product is registered, which is five years.

The Sanitary Inscription is the authorization granted to an importer or distributor of a previously registered product. For additional information U.S. exporters should contact DGVMN's at the following e-mail: [direcciongvmn@gmail.com](mailto:direcciongvmn@gmail.com) or refer to the Secretariat of Health's DGVM contact data at Appendix I.

### **Section VIII. Copyright and/or Trademark Laws:**

The GOH has taken actions to improve Intellectual Property Rights (IPR). Historically, well-known trademarks were subject to infringement, and protection under local law did not approach international standards. However, in 1993 Honduras passed a comprehensive IPR law. The GOH has since complied with the requirements of this legislation by creating an IPR Office within the Economic Development Secretariat.

As a signatory to the Uruguay Round agreements and member of the World Trade Organization (WTO), Honduras has accepted the Trade-Related Aspects of Intellectual Property Rights (TRIPS) standard. In addition, Honduras has signed CAFTA-DR, which contains a chapter on IPR. To be protected under Honduran Law, trademarks must be registered with the Economic Development Secretariat. Trademark registrations are valid for 10 years starting from the registration date. "Notorious marks" are protected



under the Pan-American Convention (1917) of which Honduras is a member. Illegal registration of a notorious mark, however, must be contested in court by the original holder.

### **Section IX. Import Procedures:**

1. SENASA requires that prior to issuing an import permit, the importer that handles and stores food products of animal origin must first be registered with SENASA's Food Safety Sub-Directorate (known as SGIA). SGIA has a registry of Honduran import establishments, which they have inspected and have made eligible for the importation of these products. The Honduran import establishments must comply with all the requirements to keep the product under food safety conditions.
2. The importers of food products of animal origin should submit the import permit request with copy of the following documents to SENASA: Zoosanitary Certificate, Certificate of Origin and Pro-form Commercial Invoice. Further information can be found at the Honduras GAIN Report: Food and Agricultural Import Regulations and Standards (FAIRS) – Export Certificate Report Number H01607.
3. Importers of plant products do not need to register their facilities with SENASA's SGIA. The import permit request must be submitted only with the Pro-form Commercial Invoice. However, when the product arrives to the port of entry in Honduras the original Phytosanitary Certificate, Certificate of Origin and invoice are required for the inspection.
4. The above mentioned documents and the import request must be clear, with consistent information about the importer and exporter, amounts, product description, origin and point of shipping. SENASA requires that the certificates be filled out completely with the name, date and signature of the official issuing the certificate.
5. The importer can obtain the permit application form at the SENASA office. The import permit process in SENASA takes from 24 to 48 hours if all documents are in order. The permit is applied to one shipment and is valid for 30 days. In case the permit is not used within 30 days of issuance, the importer should request a renewal five days before or five days after the expiration date of the import's permit. SENASA will renew the import permit for an additional 30 days. However, after five days of the expiration date the importer has to submit a new import permit application.

SENASA is working towards the use of the electronic signatures to authorize the import permits on/line. Honduras, however, does not yet have a law implementing this new standard.

### **Other Documents Required:**

**Shipping Documents.** The documents that should accompany a shipment which are required at the port of entry are the original of the Bill of Lading, Commercial Invoice, Phyto or Zoosanitary Certificate and Packing list.

**Photocopy of Import License.** Importers of dairy products with the Harmonized Code from 04.01 to 04.06 and 1901.10.1 and 1901.90.20 must have an import license issued by the Secretariat of Economic Development (SDE) (previously named Secretariat of Industry and Trade - SIC).

The harmonized codes are for milk, cream, butter, yogurt, cheeses, baby formula and powdered milk. Importers will need to register only once. The license will have 60-day validity and can be extended at the request of the importer. SDE has five working days to issue the import license; SDE will assign a number to be used for the import procedure. The Honduran Customs Authority (DARA in Spanish) SARAH's system requests the number of the Import License when the importer registers the dairy import in the system.

### **Import Process at Port of Entry:**

SAG/SENASA delegated the responsibility of all quarantine inspections and treatments of agricultural imports to the International Regional Organization for Plant and Animal Health (OIRSA). OIRSA's Plant and Animal Protection Service (SEPA) inspectors are located at the borders, ports, and airports. They follow SENASA's instructions to enforce the import requirements of raw animal and plant products, processed and consumer ready foods, as well as inputs used in food processing at the time of entry. DARA officials review that the invoice complies with the GOH's revenue tariff

SEPA and inspectors from DARA are involved in clearing imports of food and agricultural products. They evaluate documents and conduct an inspection for the compliance of requirements indicated on the import permit and import documents such as:

- The original import permit approved by SENASA, the original Phyto or Zoosanitary Certificate and Commercial Invoice are submitted.
- Additional Declarations requested are included in the Phyto or Zoosanitary Certificates, if the country of origin of the product is the one authorized on the import permit; and if it is the same origin in the label of the product entering the country.
- Expiration date, lot number and production date appear in Spanish on the shipping carton(s). The dates must be provided in the Day/Month/Year format (DD/MM/YYYY). SENASA requested that FSIS meet this requirement in May 2015. If a first-time exporter does not comply with this requirement, the product is retained and SENASA/SEPA allows a label to be applied. However, if the exporter has not repeatedly had the required labels, the product is not allowed entry.
- Documents submitted for the import process are clear, filled out completely, with the name, date and signature of the official issuing the certificates. The information and names of the importer, exporter, shipment's content, amounts, product description, origin, point of shipping, are consistent across all documents. This help to streamline the entry process.

- A Suppliers or Manufacturers Export Declaration as proof of compliance is not accepted.
- Prior to granting customs clearance, the SEPA inspector conducts an inspection of the product. The entry of animal products and by-products depends on the food safety conditions of the product itself. It also depends on the exporting country's current animal health and pest's status.
- Product sampling is done randomly. It is taken from animal products origin, seeds that the import permit requires it, and when bacteria or fungi are found. Samples are submitted to laboratory analysis to check the physical, chemical, and biological characteristics of the product. If the laboratory analysis indicates that the product does not meet acceptable standards, the product may be confiscated and later destroyed or re-exported depending on its condition and characteristics as determined by the authorities.
- In cases that a quarantine pest is found, a treatment will be applied prior allowing the product to enter the country. SENASA indicates that the exception is with pests that due to their biology could enter in a diapause stage, such as the Trogoderma Granadium and Trogoderma Glabrun. In this situation, the treatment is not applied and the product is returned to the country of origin
- SENASA modified its Quarantine Procedures Manual through Resolution No. 250-14 in March 2014. The new Manual indicates that when a non-quarantine pest is found alive or dead, the quarantine treatment will not be applied. The modification saves importers time and money that would have been used on the treatment.
- In the case of the arrival of shipments that did not go through SENASA's import permit process, they are detained at the port of entry. The entrance is authorized until all the requirements of the import permit are completed and complied with.
- The customs clearance is usually granted within a short period of time; however, depending on the work load at the port and whether or not all of SENASA's requirements are complete, the time period can range from a few hours to five days.

- The new specialized container and cargo terminals in Puerto Cortes, took over the operations of loading and unloading cargo. The “Operadora Portuaria Centroamerica (OPC) loads and unloads containers in dock No.4. The “Terminal Especializada de Honduras” (T.E.H) manages the bulk cargo in dock No.3.

## **Appendix I. Government Regulatory Agency Contacts:**

### **Secretariat of Agriculture and Livestock (SAG):**

#### **National Plant, Animal Health and Food Safety Service (SENASA)**

Name: Ing. Ricardo Paz  
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### **Secretariat of Health (MOH):**

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## **Appendix II. Other Import Specialist Contacts:**

### **National Plant, Animal Health and Food Safety Service (SENASA)**

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Phone: (504) 2238-5114, Ext. 4544, 4354

Fax: (504) 2236-8342

E-mail: [AgTegucigalpa@fas.usda.gov](mailto:AgTegucigalpa@fas.usda.gov)

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