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Caribbean Basin

Food and Agricultural Import Regulations and Standards Report

FAIRS Annual Country Report The Bahamas

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Report Highlights:

This report outlines the current regulatory situation in The Bahamas for imported food and agricultural products. U.S. suppliers should be aware, however, that The Bahamas is undergoing a transition in terms of its regulatory environment. The country has enacted several new laws in order to modernize its Sanitary and Phytosanitary (SPS) regime as it moves ahead toward WTO accession. Therefore, U.S. suppliers can expect regulatory changes in the years ahead as The Bahamas implements new laws and regulations. However, this report highlights the current regulations for imports of food and agricultural products.

NOTE: This report was prepared by the Caribbean Basin Agricultural Trade Office (CBATO) of the Foreign Agricultural Service (FAS)/U.S. Department of Agriculture (USDA) in Miami, Florida for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY’S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

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Section I: General Food Laws

The following sections of this report outline the current regulatory situation for imported food and agricultural products. However, the regulatory situation is likely to change as soon as 2019 as the

Bahamas undertakes measures to change its Sanitary and Phytosanitary regulatory framework as part of its process to accede to the World Trade Organization (WTO). These include passage of new legislative measures that are still pending implementing regulations and the establishment of two new organizations: (1) The Bahamas Bureau of Standards and Quality (BBSQ), which began operations in 2015 as the country's main standards setting body, and; (2) the inception of The Bahamas Agricultural Health and Food Safety Authority (BAHFSA) in 2018. BAHFSA is governed by a board and is under the Minister of Agriculture's portfolio. As the new lead SPS regulatory agency, BAHFSA will be responsible for overseeing the administration and enforcement of the new legislative measures. The CBATO will report any changes to the following regulatory standards.

Section II: Food Additive Regulations

The Bahamas accepts the U.S. standards for food additives and the internationally accepted Codex list of approved additives. The Bahamas does not maintain its own positive or negative list of additives.

Section III: Pesticide and Other Contaminants

Local authorities do not have their own regulations on pesticide and other contaminant residues in foods. Instead, they rely on U.S. maximum residue limits (MRL's) and tolerance levels for pesticides as well as on Codex MRL's. Pesticide registration is not required. For the most part, authorities follow U.S. standards, particularly those relating to pesticide use in the State of Florida.

Section IV: Packaging and Container Requirements

No special packaging or container sizes are required or preferred. Packaging materials that meet U.S. standards are accepted.

Section V: Labeling Requirements

Bahamian labeling requirements are quite broad and deal mainly in general terms with protecting consumers from false product descriptions and misleading information regarding the nature, substance or quantity of foods. The Bahamas fully accepts all standard U.S. labeling including the standard U.S. nutritional fact panel. Meat and poultry products from the United States must have the USDA inspection seal and must be from a federally inspected U.S. facility.

The following general labeling requirements, which are not yet in force, were introduced with the new Food Safety and Quality Act, 2016. "No person shall offer for sale in The Bahamas any package of food unless the label thereon: (a) is written in English; (b) specifies the product name; (c) specifies the date of manufacture and expiration; (d) permits the traceability of the food as prescribed in regulations; and (e) sets out such particulars as may be prescribed in regulations."

Section VI: Other Specific Standards:

Since becoming operational in 2015, the new BBSQ has begun to set forth new standards in the area of food and agricultural products. So far, the following two standards have been established. It is

important to note that while these standards apply to domestic as well as imported products, the standards are *voluntary*.

- BNS CRS 28:2012 - Specification for Poultry and Poultry Products

This national standard specifies requirements for primary processed poultry consisting of carcasses, poultry parts and poultry products for human consumption. It defines and distinguishes between the market classes of poultry.

- BNS CRS 29:2011 - Specification for Poultry feed and feed ingredients

This national standard establishes specifications for nutrient requirements in the rations fed to poultry. It provides guidance on good manufacturing practices for the production of poultry feeds and good on-farm feeding practices. It applies to the production and use of all materials designed for poultry feed and feed ingredients at all levels, whether produced industrially or on farm.

More information on the subject is available from BBSQ. Contact information for BBSQ is provided in Appendix I.

Section VII: Facility and Product Registration Requirements

Like the majority of Caribbean nations, The Bahamas does not require facility registration of foreign establishments or sanitary registration of food products.

Section VIII: Other Certification and Testing Requirements

Phytosanitary certificates from the country of origin must accompany imported fresh produce and plants. Health certificates must accompany live animals. The Bahamas has no quarantine facilities. The Bahamas Department of Agriculture is the main regulating agency for meat and dairy products. Because of their confidence in the meat inspection procedures in the United States, U.S. meat products are usually not inspected. When food-related health threats arise, the regulating agencies will monitor imports and work with local distributors to ensure that affected products are removed from the distribution system. Certain items may be restricted if the government decides they pose a risk to food safety or plant and animal health.

Section IX: Import Procedures

Bahamian importers are very knowledgeable of the import requirements and clearance procedures and are essential in guiding U.S. exporters through the process. The customs clearance procedure is generally efficient and focused on customer service. Bahamian law allows the importer to begin the import clearance of goods before arrival in the Bahamas using standard shipping documents. Depending on the size and nature of the shipment, the clearance process can usually be completed within two to 24 hours after submission of the documents.

When a shipment arrives into The Bahamas, the importer or licensed Customs broker designated by the owner or consignee will file entry documents for the goods with the Customs Department at the port of entry. The importer/broker is required to present a completed customs declaration form. The majority of goods imported in The Bahamas are entered on form C-13 (Home Consumption Entry). The goods

are not legally entered until after the shipment has arrived at the port of entry, delivery of the merchandise has been authorized by Customs, and estimated duties have been paid. It is the responsibility of the importer/broker to arrange for the proper declaration and payment of the proper amount of duty prior to the examination and release of goods.

For most food items, three important documents are generally required: a) the commercial invoice; b) the sanitary or phytosanitary health certificate from the country of origin; and c) the import permit issued by the appropriate GOB authority. In some cases, the import permit will specify additional documentation required for import. With all relevant documents attached, the customs declaration entry form is prepared and presented to the Customs Officer for review and entry. The Customs Officer may require the importer to produce further information or documentation relevant to the shipment before the duty is collected.

Where proper security has been lodged and agreement for random check of the importer's records has been made, a security bond can be executed to permit immediate release of the goods. In fact, importers of perishables usually establish a "security bond" through their bank from which Customs can automatically deduct duties, further expediting the clearance process. Any disputes or discrepancies are generally resolved directly with Customs Department at the time of entry. See Appendix I for contact information.

Section X: Copyright and/or Trademark Laws

In the Bahamas, trademark registration is voluntary but highly recommended in order to obtain protection against infringement. Trademarks can be registered with the Intellectual Properties Section of the Office of the Registrar General for a period of 14 years on a renewable basis. Registration must be made through a local agent (attorney). The Intellectual Properties Section of the Office of the Registrar General can be helpful in identifying a local attorney specializing in intellectual property issues (see Appendix I for contact information). The cost of a trademark registration is \$50 per class (but it can also depend on the size of the logo) plus legal fees. Searches of the trademark registry can be conducted at the Intellectual Properties Section of the Office of the Registrar General for a small fee.

The Bahamian government is taking steps to strengthen Intellectual Property Rights (IPR) protection as part of its WTO accession process. To this end, in 2015 the Government passed IPR legislation (among them the Trade Marks Act, 2015) which seeks to amend or add to the existing IPR regime. These new laws cover patents, trademarks, copyrights, integrated circuits, false trade descriptions, protection of new plant varieties, and geographical indications. Implementing regulations have not yet been promulgated, however. The Bahamian government anticipates that once implemented, the new legislation will bring The Bahamas into compliance with the terms of the WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement.

Appendix I: Government Regulatory Key Agency Contacts

Bahamas Agricultural Health and Food Safety Authority (BAHFSA)

(Contact information not yet available)

Department of Agriculture
Ministry of Agriculture and Marine Resources
Darville's Business Complex
Gladstone and Munnings Roads
P.O. Box N-3028
Nassau, New Providence
The Bahamas
T: (242) 397-7450/325-7438
F: (242) 325-3960
E-mail: minagriculturemarine@bahamas.gov.bs

Customs Department

Customs House
Thompson Blvd.
P.O. Box N-155
Nassau
New Providence, The Bahamas
T: (242) 325-6550, 326-4401/6
F: (242) - 322-6223
E-mail: customs@bahamas.gov.bs

Bahamas Bureau of Standards and Quality
P.O. Box N- 4843
The Source River Centre
1000 Bacardi Road
New Providence, The Bahamas
T: (242) 362-1748 to 55
F: (242) 362-9172
E-mail: info@bbsq.bs ; bbsq@bahamas.gov.bs

Intellectual Properties Section
Registrar General's Department
Cor. of Shirley and Charlotte Street
P.O. Box N 532
Nassau
New Providence, The Bahamas
T: (242) 397-9114/9119
F: (242) 322-5553
E-mail: RegistrarGeneral@bahamas.gov.bs

Appendix II: Other Import Specialist Technical Contacts

Caribbean Basin Agricultural Trade Office (CBATO)
Foreign Agricultural Service
U.S. Department of Agriculture
909 SE 1st Avenue, Suite 720
Miami, FL 33131
Tel: (305) 536-5300
Fax: (305) 536-7577
E-mail: atocaribbeanbasin@fas.usda.gov
Website: <https://apps.fas.usda.gov/posts/cbato/>

A. U.S. Government websites/links

1. <https://apps.fas.usda.gov/posts/cbato/>-- Caribbean Basin Agricultural Trade Office. This site offers several programs and services for U.S. suppliers seeking to export food products to the Caribbean. It

also provides a link to USDA's Foreign Agricultural Service (FAS) website (<http://www.fas.usda.gov>) providing additional information on the subject.

2. https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/export/international-standard-setting-activities-oie/regionalization/sa_by_country/sa_b/ct_animal_bahamas -- Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture. From this page, users can obtain Bahamian import requirements for live animals.

B. Non-U.S. Government websites/links

The following websites are provided for the readers' convenience; USDA does NOT in any way endorse, guarantee the accuracy of, or necessarily concur with the information contained in the websites that follow:

1. www.bahamas.gov.bs -- Official Government of The Bahamas web portal. The portal contains links to several useful webpages for the following agencies, among others:

a. [The Bahamas Ministry of Agriculture and Marine Resources](#)

b. [The Bahamas Customs Department](#) -- Webpage containing links to Customs laws, complete tariff schedule, rates on frequently imported items, Processing & Environmental Levy Fees, newly implemented VAT fees, and more.

c. [Bahamas Bureau of Standards and Quality](#). The Bureau also has its own website: <http://www.bbsq.bs/en>.

d. [The Registrar General's Department](#) -- For purposes of registering trademarks and other intellectual property issues.

e. <http://laws.bahamas.gov.bs> -- Bahamas Laws On-Line. This is a database of statutes and subsidiary legislation of the Commonwealth of The Bahamas, including the four main laws specified in Section I.