

General Export Guide to the Dominican Republic



April 29, 2015



Disclaimer

May 15, 2015

This document was produced for the United States Department of Agriculture/Foreign Agriculture Service (USDA/FAS) in Santo Domingo, Dominican Republic by the law firm Headrick, Rizik, Álvarez & Fernández, (<http://www.hrafdom.com>) under the ***Emerging Markets Project (EMP)/DR Import Requirements for Food & Agricultural Products.***

The author's views in this publication do not necessarily reflect the views of the USDA/FAS Santo Domingo office.



Contact

Please do not hesitate to contact the offices below with questions or comments regarding this study or to request assistance.

The US Embassy in Santo Domingo

Office of Agricultural Affairs (OAA-USDA/FAS)

Attn: **Mr. Luis C. González B.**

Tel: (809) 567-7775; Ext. 7683

E-mail: gonzalezlx@state.gov

Avenida República de Colombia # 57, Altos de Arroyo Hondo

Santo Domingo, D.N. 10605



Project Purpose

The present project aims to catalogue all administrative procedures and legal requirements to export food products to the Dominican Republic, including:

- Identification of legal and administrative requirements involved in each step from door-to-door export process to Dominican Republic.
- Estimates of governmental fees related to the fulfillment of each request.
- Indication of standard documents generated during the export process.
- Highlight of existing differences in procedures/time/cost between the legal (theoretical) and practical course of actions throughout the import process.



Methodology

- Data based on a survey and research conducted in conjunction with third party to capture standard export procedures for food products.
- Companies surveyed are distributors/retailers, domestically owned of limited liability.
- Government agencies considered are those involved in whichever stage of the import process for food products, including policy makers.
- The study includes all necessary documents, permits, licenses, authorizations and notifications required by Dominican authorities.
- Procedures are considered only when interface with a third party (government or non-government) is made necessary. Each procedure is separated by its nature.
- Time is calculated in calendar days. The calculation is made from the moment it is initiated and lasts until it is completed.
- Costs measure fees, taxes, tariffs, services of third parties required to complete the clearance process.



Dominican Agencies

The Ministry of Agriculture and the Ministry of Public Health and Social Assistance are the primary government regulators of food and beverages. Their jurisdiction follows:

| Ministry of Agriculture | Ministry of Public Health and Social Assistance |
|---|---|
| <p>Consumer-oriented products</p> <p>Food:</p> <ul style="list-style-type: none"> ▪ Animal origin products (red meats and by-products, poultry meat and by-products, fish, seafood products, dairy products and eggs) ▪ Plant origin products (fruits and by-products, vegetables and by-products) | <p>Consumer-oriented products</p> <p>Food:</p> <ul style="list-style-type: none"> ▪ All pre-packaged (processed) <p>Beverages:</p> <ul style="list-style-type: none"> • Mineral water, flavored waters, energy drinks, hydroelectrolitic beverages and soy beverages |
| <p>Departments</p> <ul style="list-style-type: none"> •Department of Agricultural and Livestock Promotion •Department of Animal Health •Department of Plant Protection •General Directorate of Livestock | <p>Departments</p> <p>General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS)</p> |
|  <p>MINISTERIO DE AGRICULTURA</p> |  <p>MINISTERIO DE SALUD PUBLICA</p> |



Case Studies

- **Fresh Fruits and Vegetables**
- **Poultry**
- **Pork**
- **Cheese**
- **Yogurt**
- **Breakfast Cereal**
- **Tree Nuts**
- **Wine and Beer**
- **Prepared Foods**
- **Condiments**
- **Sauces**
- **Snack Foods**



PRE-EMBARKATION

1. Trademark Registration
2. Technical Form (when applicable)
3. Marketing Authorization Approval
4. Phytosanitary and Zoonitary Guidance Letters and Authorizations
5. Certificate of Origin
6. Product Labeling
7. Pro-Forma Invoice
8. Tariff Quotas and Concessions Processes

EMBARKATION

9. Bill of Lading or Airway Bill
10. Import Declaration

IMPORT CLEARANCE

11. Inspection Request to Quarantine Office at Port of Entry / Quarantine Controls (when applicable)
12. Import Taxes
13. Standard Documents
14. Customs' Valuation
15. Product Release

- Legislation
- Timeframe
- Cost
- Procedure
- Number of Documents
- Process Initiator
- Inquiries

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

1. Trademark Registration

2. Technical Form (when applicable)

3. Marketing Authorization Approval

4. Phytosanitary and Zoosanitary Guidance Letters

Government Agency

National Office of Industrial Property (ONAPI, per its Spanish acronym)

Documents

One original version and one hard copy of the letter addressed to the Director of the Department of Distinctive Signs, requesting the registration of the trademark in question and indicating the following information: applicant's name and address; mercantile registry number and national taxpayer number (in case of a Dominican applicant); goods and/or services to be protected pursuant to the International Nice Classification of Goods and Services; and printed versions of the trademark's design (when applicable).

Procedure

The application process begins with the filing of the trademark application.
If the mark is approved in the substantive evaluation stage, publication fees must be paid.
Afterwards, the trademark is published in the Official Gazette of the ONAPI.
As from said publication date, third parties have 45 days to file for opposition against the application.
If no third party contests the application within this period, the registration certificate is issued which is renewable for subsequent periods of ten (10) years each.

Process Initiator

It should be carried out by the owner of the trademark or by the distributor if the latter has a Power of Attorney for these matters.

Timeframe

Approximately 3 to 4 months.

Governmental fees

Depends on whether the trademark in question is a word or a design application and/or amount of classes requested. A word application under one international class amounts to RD\$5,735.00. These expenses do not include attorney's fees.

Inquiries

National Office of Industrial Property (ONAPI)

Av. Los Próceres No. 11
Santo Domingo, National District, Dominican Republic
Tel.: (809) 567-7474
Fax: (809) 732-7758
E-mail: servicioalcliente@onapi.gob.do
Home Page: <http://www.onapi.gob.do>

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

1. Trademark Registration

2. Technical Form (when applicable)

3. Marketing Authorization Approval

4. Phytosanitary and Zoosanitary Guidance Letters

The technical form is a document generally required only for the first import of agricultural products. Once said product has been imported, the technical form may no longer be required. ■

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

1. Trademark Registration

2. Technical Form (when applicable)

3. Marketing Authorization Approval

4. Phytosanitary and Zoosanitary Guidance Letters

Government Agency

Ministry of Public Health and Social Assistance (MISPAS, per its Spanish acronym)

Documents

One original version and one hard copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic, requesting the marketing authorization approval of the product, indicating:

- name and address of the applicant;
- name of the product;
- type of product and trademark;
- name or company name of the manufacturer;
- country of origin and address of the manufacturer;
- qualitative and quantitative product formulas;
- list of ingredients; description of the product's manufacturing process;
- characteristics of the product's container or package.

Accompanied by:

- three original samples of the product, in the same presentation (package or container) in which it will be sold in the market (in case of liquids, each sample must contain a minimum of 250mL; in case of solids, each sample must contain a minimum of 250gr);
- copy of the Trademark Registration Certificate granted by the National Office of Industrial Property (ONAPI);
- copy of the importer's Industrial Registry Certificate granted by the Development Center and Industrial Competitiveness (PROINDUSTRIA);
- Free-Sale Certificate issued by the exporting country, duly legalized under the Hague Convention ("Apostille");
- copy of the importer's Mercantile Registry Certificate; and,
- copy of the importer's Sanitary License (granted by the Ministry of Public Health and Social Assistance);
- authorization granted in favor of the legal representative of the product in the country, duly legalized under the Hague Convention ("Apostille").

Labeling must comply with the format established in the norm NORDOM 53 (3rd Revision), regarding the Labeling for Pre-Packaged Foods.

All ingredients contained in pre-packaged foods and beverage items should meet the requirements specified in Decree 528-01, regarding the Rules for the Control of Risks in Food and Beverages.

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

1. Trademark Registration

2. Technical Form (when applicable)

3. Marketing Authorization Approval

4. Phytosanitary and Zoosanitary Guidance Letters

Procedure

The application process begins with the filing of the application.

Afterwards, the samples provided along with the application are sent by the Ministry of Public Health and Social Assistance to the National Laboratory "Dr. Defilló" or to another authorized laboratory by the Ministry, to run a health analysis on the product, namely: "Instituto de Innovación en Biotecnología e Industria (IIBI)" and the "Laboratorio Agroempresarial Dominicano (LAD)." Once the analysis and the application are approved, the Ministry issues a Marketing Authorization Certificate with a registration number. The authorization can be renewed every five (5) years and can be renewed indefinitely.

Process Initiator

Generally, it is carried out by the legal representative/local distributor of the product in the country, but can also be done by the manufacturer. For such purposes, the foreign manufacturer has to appoint a local distributor before the application is submitted to the Ministry of Public Health and Social Assistance.

Timeframe

Approximately 3 months, however, it may take longer because there is no timeframe established by law.

Governmental fees

Amount to a total of RD\$4,000.00. This payment must be separated.

A certified check must be made in the name of "Dirección General de Salud Ambiental" for the sum of RD\$1,600.00 and another one must be made in the name of "Ministerio de Salud Pública y Asistencia Social" for the sum of RD\$2,400.00.

These expenses do not include attorney's fees.

Inquiries

Ministry of Public Health and Social Assistance (MISPAS)

C/ Héctor Homero Cruz esq. Tiradentes

Ensanche La Fe

Santo Domingo, National District, Dominican Republic

Tel.: (809) 541-3121

E-mail: correo@salud.gob.do

Home Page: <http://www.sespas.gov.do>

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

1. Trademark Registration

2. Technical Form (when applicable)

3. Marketing Authorization Approval

4. Phytosanitary and Zoosanitary Guidance Letters

Government Agency

Ministry of Agriculture



Documents

Fruits and Vegetables:

-Application is made through a form ("Formulario de Solicitud Guía de No Objeción Fitosanitaria") which must be completed and filed before the Department of Plant Protection, with the following information: name of the importer; address; telephone and fax numbers; goods to be imported; quantity; unit of measurement; port of origin; port of departure; port of entry; use; and transportation.

-In addition, a written request must be addressed to the Division of Plant Quarantine accompanied by the invoice or pro-forma invoice, certificate of origin, and Phytosanitary or Zoosanitary Certificate issued by the exporting country.

For Animals products and by-products:

-Application is made through a written letter (one original and three hard copies) filed before the General Directorate of Livestock, indicating the following information: name of the importer; address; telephone and fax numbers; goods to be imported; quantity; unit of measurement; country of origin and country of export, port of origin; port of departure; port of entry; use; transportation; value of the goods, animal species with which the product is made. This application must be accompanied by the commercial invoice or pro forma invoice.

Once the shipment arrives to the Dominican Republic, it shall be accompanied by the original International Sanitary Certificate (in Spanish) and the original Certificate of Origin.



PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

1. Trademark Registration

2. Technical Form (when applicable)

3. Marketing Authorization Approval

4. Phytosanitary and Zoosanitary Guidance Letters

Procedure

Prior to loading any shipment, the local importer must request an authorization for the importation of goods.

If there are phytosanitary or zoosanitary requirements, a Phytosanitary or Zoosanitary Guidance Letter is issued by the Department of Plant Protection or the General Directorate of Livestock, respectively, with the requirements for the importation. (If there are no requirements, the request is sent to the Unit of Pest Risk Analysis. The Unit of Pest Risk Analysis will issue its recommendation, when applicable.)

After the Guidance Letter is issued, the Department of Agricultural and Livestock Promotion will issue the authorization. ■

Important Notes

The goods must have an expiration date and should not be close to its expiration date (maximum 6 months of duration).

The animals from which the products come from, are natives from the exporting country or have remained for at least 90 days prior to slaughter and/or export.

In the case of meat products, the exporting country must also certify that: (i) the meat comes from a slaughterhouse with an address and veterinarian authorization number, and in the case of meat cuts, the same conditions are required; (ii) meats and packs must have bear stamps that certify that they come from animals slaughtered in slaughterhouses authorized by official veterinarian services; (iii) meats have been recognized as suitable for human consumption; (iv) meats have been butchered in an authorized facility for cutting and with inspections of official veterinarian services.

The timeframe for issuance of these guides is subject to significant variance and administrative discretion. It is not unusual for one to be issued in 48 hours, but it is also not unusual for one to take several months to be issued. ■

Process Initiator

The US exporter must work with the local importer in order to obtain said authorizations. ■

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

1. Trademark Registration

2. Technical Form (when applicable)

3. Marketing Authorization Approval

4. Phytosanitary and Zoosanitary Guidance Letters

Timeframe

The Phytosanitary and Zoosanitary Guidance Letters may take up to two to three days, so long as no level of risk is involved in the importation of the goods in question.

The permit issued by the Department of Agricultural and Livestock Promotion may take an additional two to three days as well.

Governmental fees

In order to obtain the Guidance Letter before the Department of Plant Protection, government fees amount to RD\$200.00. These expenses do not include legal fees.

In order to obtain the Guidance Letter before the Department of Animal Health, government fees amount to RD\$2,000.00. These expenses do not include legal fees.

After this phase is completed, the Department of Promotion for Agriculture and Livestock will then issue the Phytosanitary authorization for a cost of RD\$2,000.00 (for dairy products, fruits, vegetables and tree nuts), RD\$3,000.00 (for meat products) and RD\$5,000.00 (for pork).

Inquiries

Ministry of Agriculture

Autopista Duarte Km. 6½

Jardines del Norte

Santo Domingo, National District, Dominican Republic

Tel.: (809) 547-3888 / (809)547-1692

E-mail: info@agricultura.gob.do

Home Page: <http://www.agricultura.gob.do>

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

5. Certificate of Origin

6. Labeling

7. Invoice or Pro Forma Invoice

8. Tariff Quotas and Concessions Processes

A certificate of origin is an international trade document attesting that goods in a particular export shipment are wholly obtained, produced, manufactured or processed in a particular country. In this case, the certificate of origin should be issued by the United States. ■

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

5. Certificate of Origin

6. Labeling

7. Invoice or Pro-Forma Invoice

8. Tariff Quotas and Concessions Processes

Legislation requires the following information on the product's packaging materials:

- name of the product;
- list of ingredients;
- net weight;
- manufacturer and importer's name and address;
- the importer's industrial registry number (granted by PROINDUSTRIA);
- marketing authorization number (granted by the Ministry of Public Health and Social Assistance);
- country of origin;
- batch identification number;
- manufacturing date;
- expiration date;
- instructions for conservation of the product; and,
- instructions for use.

The text must be in Spanish language; it must be legible and intelligible for consumers. For products whose label is not in the Spanish language, an adhesive sticker can be used on the original label, containing all of the required information.

In addition, in case of alcohol, the label should have a disclaimer that reads: "El consumo de alcohol perjudica la salud" (the consumption of alcohol damages the user's health).

The US exporter should forward a sample of the package to the importer to facilitate label development. ■

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

5. Certificate of Origin

6. Labeling

7. Invoice or Pro-Forma Invoice

8. Tariff Quotas and Concessions Processes

Before shipment, an invoice or pro forma invoice must be sent to the Dominican importer given that this document is used for obtaining the Guidance Letters and authorizations before the Ministry of Agriculture and initiates the import clearance process.

Upon arrival of the goods, the importer must have received the original invoice since it will be used to clear the goods and for payment of tariffs, duties and taxes. ■

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

5. Certificate of Origin

6. Labeling

7. Invoice or Pro-Forma Invoice

8. Tariff Quotas and Concessions Processes

Currently, they are two different and separate processes to request tariff quotas in the Dominican Republic:

- Allocation of Tariff Quotas granted to the United States of America, under DR-CAFTA; and
- Tariff Quotas to products listed in the Technical Rectification of List XXIII made by the Dominican Republic before the World Trade Organization (WTO) (regulated agricultural products).

Tariff Quota Allocations under DR-CAFTA

Any individual or legal entity, residing in the Dominican Republic, may request the allocation of tariff quotas, with the exception of industry associations or nongovernmental organizations, of the tariff concessions granted to the United States.

Government Agency

Office of Agricultural Trade Agreements (OTCA, per its Spanish acronym)

Tariff Quota Application and Documents

- Written application to participate in the allocation process of tariff quotas, with the following documents:
- In case of Individuals:
 - copy of identification card;
 - copy of the National Taxpayer Registry as an individual;
 - description of individual's economic activity;
 - certification issued by the General Director of Customs, which guarantees the import history of the goods requested;
 - information on physical infrastructure (i.e., copy of deed or lease, including additional photos of physical space);
 - current safety certificate or marketing authorization approval, issued by the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) of the Ministry of Health and Social Assistance, certifying the safety conditions for handling the goods requested; and,
 - designated address, phone, mobile and fax for notifications.

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

5. Certificate of Origin

6. Labeling

7. Invoice or Pro-Forma Invoice

8. Tariff Quotas and Concessions Processes

Tariff Quota Application and Documents

- In case of Legal Entities:
 - copy of National Taxpayer Registry number;
 - copy of the Mercantile Registry Certificate issued by the competent Chamber of Commerce and Production;
 - certification issued by the General Directorate of Customs, guaranteeing the import history of the goods requested;
 - copy of the last General Assembly of Shareholders, duly registered by the competent Chamber of Commerce and Production;
 - designation of the legal representative of the company, duly notarized and legalized by the Attorney General of the Dominican Republic;
 - copy of the identity card of the legal representative of the company;
 - information on infrastructure, (i.e., copy of deed or lease, including additional photos of physical space);
 - current safety certificate or marketing authorization approval, issued by the General Directorate of Drugs, Food and Sanitary Products (DIGEMAPS) of the Ministry of Public Health and Social Assistance), certifying the safety conditions for handling the goods requested; and,
 - designated address, phone, mobile and fax for notifications.



Allocation Process

- The Commission (integrated by the Minister of Industry and Commerce, the Director of the Customs' House and the Minister of Agriculture) publishes in at least one national newspaper and on the websites of the Ministry of Agriculture (www.agricultura.gob.do) and the Office of Agricultural Trade Agreements (www.otcasea.gob.do), the information on Tariff Quotas available for the next calendar year, no later than October 1st of each year.
- The deadline for submitting Tariff Quota applications will be fifteen (15) business days after the date of publication of the Notice of Availability.
- The allocation of the volumes of tariff quotas will be based on:
 - historical record of the total imports of agricultural goods carried out by the interested party during the past three (3) consecutive calendar years, preceding the calendar year in which the tariff quota is available;
 - the quantities requested by the interested parties, provided they are commercially viable; and,
 - the quantities available for Traditional Importers and New Importers, in the corresponding calendar year.
- The tariff quotas shall be allocated as follows: (a) eighty percent (80%) to Traditional Importers and (b) twenty percent (20%) to New Importers.
- After the allocation has been granted and published in a national newspaper by the Commission, the importer must obtain a Phytosanitary Guidance Letter, prepared by the Department of Plant Protection or a Zoosanitary Guidance Letter, prepared by the Department of Animal Health of the General Directorate of Livestock. The aforementioned process is done so by inter-agency cooperation. In other words, the importer does not have to go through the process of obtaining the Phytosanitary nor the Zoosanitary Guidance Letters. The Guidance Letters are then delivered to the Department of Agriculture and Livestock Promotion along with the commercial or pro forma invoice, for issuance of the authorization.



Import authorization process for regulated agricultural products and by-products of plant and animal origin, protected by the Technical Rectification of List XXIII made by the Dominican Republic before the World Trade Organization

Under the provisions of Article XXVIII of the General Agreement on Tariffs and Trade (GATT) of 1994, the Dominican Republic made a Technical Rectification of its List XXIII of Tariff Concessions for eight (8) agricultural products. In particular: garlic, rice, sugar, chicken meat, onions, beans, powdered milk and corn.

The Assigned Quotas to the Products of the Technical Rectification are as follows:

| Products of the Technical Rectification | | | | |
|--|---------------------------------|--------------------|-----------------------|---------------------------|
| Products | Headings and Subheadings | Volume T.M. | Basic Tariff % | Non-Quota Tariff % |
| Rice | 10.06 | 17,810 | 20 | 99 |
| Garlic | 0703.20 | 4,500 | 25 | 99 |
| Sugar: Refined / Brown | 17.01 | 30,000 | 20/14 | 85 |
| Chicken Meat | 0207.10, 0207.21 and 0207.41 | 11,500 | 25 | 99 |
| Onion | 0703.10 | 3,750 | 25 | 97 |
| Beans | 0713.31, 0713.32 and 0713.33 | 18,000 | 25 | 89 |
| Milk | 0402.10, 0402.21 and 0402.29 | 32,000 | 20 | 56 |
| Corn | 10.05 | 1,091,000 | Does Not Apply | Does Not Apply |

Import authorization process for regulated agricultural products and by-products of plant and animal origin, protected by the Technical Rectification of List XXIII made by the Dominican Republic before the World Trade Organization

- The Commission for Agricultural Imports (integrated by the Minister of Industry and Commerce, the Director of the Customs' House and the Minister of Agriculture) publishes an Annual Calendar for the Import of Tariff Quotas of the products listed in its Technical Rectification.
- These products are placed for public auction organized by the Exchange Agribusiness of the Dominican Republic (BARD, per its Spanish acronym). The Commission and the BARD publish, in a national newspaper, the calendar for the import of the tariff quotas and organize the public auction on the set date.
- After those products have been awarded, the BARD issues an auction certification to be used before the General Directorate of Customs, for the import clearance.
- Additional quantities can be placed for auction in a calendar year.
- After the tariff quotas have been assigned, the importer must obtain a Phytosanitary Guidance Letter or a Zoosanitary Guidance Letter.
- The Guidance Letter is then delivered to the Department of Agriculture and Livestock Promotion along with the commercial or pro forma invoice, for issuance of the authorization.
- Depending on the product and if it is pre-packaged, when applicable, the importer must obtain a marketing authorization approval. ■

9. Bill of Lading or Airway Bill

10. Import Declaration

Shipping instructions advise all the details of the cargo and exporter's requirements for its physical movement. It contains the information related to the sale and the merchandise's conditions upon embarkation, such as the quantity of product, form of payment, transport temperature, packaging, pallet used, among others.

In the Dominican Republic, depending on the product in question, several conditions must be met:

- The ship's containers must be cleaned and disinfected before placing the products for shipping.
- Imported fruits and vegetables must be free of plague or symptoms of diseases, and must not have soil, sawdust or foreign matters, with the exception of mosses, previously disinfected, for its packaging.
- All wood packaging must comply with the International Standard for Phytosanitary Measures (ISPM) No. 15, to reduce the risk of introduction and spread of forest pests and diseases.
- Fruits and vegetables should not be packaged or covered in jute bags.
- Fresh fruits must arrive in refrigerated containers, with temperatures between 0° C (32° F) and 2.20° C (36° F).

The importer must prepare the Import Declaration through the Automated System for Customs Management (SIGA, per its Spanish acronym). Nonetheless, only companies can present the Import Declaration through the SIGA. Individuals must file directly before the General Directorate of Customs.

The process for the importation is initiated when the shipping company presents the import cargo manifest. The Import Declaration is presented electronically through the SIGA and the following information must be provided: goods to be imported, quantity, description, value, tariff code, weight, and must contain attached scanned copies of the documents related to the importation.

The following documentation must be scanned:

- commercial invoice;
- bill of lading or airway bill;
- marketing authorization certificate;
- phyto-sanitary or zoosanitary Guidance Letters and authorization;
- certificate of origin;
- custom agent's ID card;
- auction certificate issued by the BARD (for products included in the Technical Rectification),
- among other documents.

The governmental authority reserves the right to require additional documentation. These will be required in original upon arrival of the goods along with the bill of lading or the airway bill.

To declare the goods through SIGA, the Single Customs Declaration Form (DUA, per its Spanish acronym) must be completed. Both the importer and the customs agent have the authorization in a Token previously supplied by the General Directorate of Customs (DGA, per its Spanish acronym). The Token is an electronic device able to access the DGA's database for the details related to the import declaration in question.

Importers have ten days counting from the date of arrival of the goods to present the Import Declaration. Failure to do so will result in sanctions for late declaration.

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

11. Inspection Request to Quarantine Office at Port of Entry / Quarantine Controls (when applicable)

12. Import Taxes

13. Standard Documents

14. Customs' Evaluation

15. Product release

After the import declaration process has been carried out, the consignee can request the physical inspection, under the governmental authority's discretion, of the goods through the SIGA. This is done along with the customs inspectors and the supplementary control staff, which may include personnel from the Ministry of Agriculture, through the Divisions of Plant and Animal Protection, and the Ministry of Public Health and Social Assistance, among other competent authorities.

Depending on the products in question, an inspection is made by the inspector of the quarantine office of the port of entry whom will verify the documentation and perform a physical inspection of the shipment in order to search for possible plagues and to take samples for its remittance to the diagnostics laboratory. (If the pest is common, the goods could be released with a treatment, depending on the level of infestation. If the pest is of quarantine concern, the goods may be returned to its place of origin, confiscated or incinerated.)

Once the physical inspection has been verified with the declaration and the original documents (which had been previously scanned), the file is revised by the Technical Department for verification of the tariff codes, value, commercial agreement, technical rectification, safeguard measurements, and tariff quota allocations, among others. Once the file has been approved and closed, payment can be made and the goods may be cleared.

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

11. Inspection Request to Quarantine Office at Port of Entry / Quarantine Controls (when applicable)

12. Import Taxes

13. Standard Documents

14. Customs' Evaluation

15. Product release

The General Agreement on Tariffs and Trade (GATT) of 1994, establishes that the customs value must be based as far as possible in the price actually paid or payable, generally indicated in the commercial invoice for the goods being valued. This price is called transaction value and is the primary basis for determining the customs value. If this does not exist, or if the price paid or payable could not be accepted as the basis for valuation, this Agreement provides five other procedures on the faculty of the importer to request reversal of the application of the method for valuation.

To liquidate the goods, it is necessary to take into account several aspects:

- The proper tariff code must be assigned.
- The calculation of tax settlement is obtained by subtracting the tariff quota percentage from the CIF value, this amount is called Tariff; afterwards, both quantities (CIF + Tariff) are added, the 18% of ITBIS is applied to its sum. The ITBIS is also collected by Customs for encumbered goods.
- In addition, Selective Tax on Consumption may be applied to certain products, such as alcohol.

Payment can be made physically through a certified check or administration check. Payment of duties and taxes must be made out to "Colector de Aduanas" and tariffs for customs services must be made out to "Dirección General de Aduanas". All payments can be paid in any of the local customs offices. However, the person carrying out the payment must be certified as such by the importer.

Payment can also be made electronically, through the e-banking pages of the following local banks: Banco Popular Dominicano, City Bank, BHD-León and Nova Scotia (Scotiabank). An access pin, administered by the commercial bank, must be obtained.

In case of disputes, parties may refer themselves to the administrative tribunals of the Dominican Republic, may recur to arbitration or may appeal to the Dispute Settlement Body of the WTO.

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

11. Inspection Request to Quarantine Office at Port of Entry / Quarantine Controls (when applicable)

12. Import Taxes

13. Standard Documents

14. Customs' Evaluation

15. Product release

US Exporters and local importers will deal with 16 different documents, generated during the import process.

- 1.Trademark Certificate;
 - 2.Free-Sale Certificate;
 - 3.Manufacturing process diagram;
 - 4.Qualitative and quantitative formulas;
 - 5.Authorizations granted to the local importer or third parties;
 - 6.Product Label;
 - 7.Certificate of Origin;
 - 8.Phytosanitary or Zoosanitary Certificate issued by the exporting country / International Health Certificate issued by the exporting country;
 - 9.Phytosanitary or Zoosanitary Guidance Letters issued by the Ministry of Agriculture;
 - 10.Phytosanitary or Zoosanitary Authorization issued by the Ministry of Agriculture;
 - 11.Pro Forma Invoice;
 - 12.Commercial Invoice;
 - 13.Import Declaration;
 - 14.Bill of Lading or Airway Bill;
 - 15.Marketing Authorization Approval; and.
 - 16.Petition for sanitary inspection (for quarantine purposes) and clearance;
- 

PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

11. Inspection Request to Quarantine Office at Port of Entry / Quarantine Controls (when applicable)

12. Import Taxes

13. Standard Documents

14. Customs' Evaluation

15. Product release

The inspectors of the Customs' Agency will proceed to verify that the quantities and requirements of the Guidance Letters have been met.

Furthermore, the inspectors will confirm that the goods that require Marketing Authorization Approval, have their corresponding certificate.

The Customs' inspectors will also verify that the goods are accompanied by the documentation that was electronically submitted through SIGA.



PRE-EMBARKATION

EMBARKATION

IMPORT CLEARANCE

11. Inspection Request to Quarantine Office at Port of Entry / Quarantine Controls (when applicable)

12. Import Taxes

13. Standard Documents

14. Customs' Evaluation

15. Product release

Once the Customs' inspectors have verified that all the documentation requested is present, that the quantities have been met and that the taxes have been paid, they will proceed to release the products. ■



REQUIREMENTS BY PRODUCT CATEGORIES



Fresh Fruits and Vegetables / Processed Vegetables

Phyto-sanitary requirements for the Import of fresh fruit

- An original Phyto-sanitary certificate must be obtained from the country of origin.
- An original Certificate of Origin must also be obtained.
- The goods must be shipped in refrigerated containers at a temperature of 32-36° F.
- Fruits must meet 14-day quarantine.
- Certification that the ship was sanitized and disinfected before the goods were loaded.
- Certification that the goods have been produced and packaged in areas free of *Ceratitis Capitata* (Mediterranean Fruit Fly).
- Authorization issued by the Department of Promotion for Agriculture and Livestock along with the original Phyto-sanitary Guidance Letter issued by the Department of Plant Protection must be presented to the inspector of quarantine control at the port of entry.
- In order to obtain the Guidance Letter before the Department of Plant Protection, government fees amount to RD\$200.00, and before the Department of Agricultural and Livestock Promotion, government fees amount to RD\$2,000.00. These expenses do not include legal fees.

Phyto-sanitary requirements for the Import of fresh or processed vegetables

- Phyto-sanitary Certificate or Health Certificate issued by the authorities of the country of origin.
- Certification that the ship was sanitized and disinfected before the goods were loaded.
- If jute bags are used, these must be new.
- The goods must be free of pests and soil.
- The goods must be free of mites, whiteflies and aphids.
- In case of wood packaging, it must comply with NIMF Resolution No. 15.
- The goods will be inspected upon arrival into the Dominican territory and examined by the Phyto-sanitary Diagnostics Laboratory.
- Authorization issued by the Department of Promotion for Agriculture and Livestock along with the original Phyto-sanitary Guidance Letter issued by the Department of Plant Protection must be presented to the inspector of quarantine control at the port of entry.
- In order to obtain the Guidance Letter before the Department of Plant Protection, government fees amount to RD\$200.00, and before the Department of Agricultural and Livestock Promotion, government fees amount to RD\$2,000.00. These expenses do not include legal fees.



Poultry

- The products shall be covered by an **International Health Certificate** (in Spanish), issued by the Official Authority of Animal Health from the country of origin, stating compliance with the following requirements:
 - That they come from poultry born and raised in the exporting country;
 - The site of origin of the eggs, remain under official animal health control;
 - The site is free of infectious or communicable diseases affecting the species;
 - The site of origin of the eggs is located within a 30km radius free of salmonella;
- The animals, from which the animal products derive from, must be natives of the exporting country or must have remained in it for at least ninety (90) days prior to slaughter and/or export.
- The goods must contain the expiration date and must be good for consumption for at least six (6) months.
- Official certificate of Origin.
- In the case of meat products, the exporting country must also certify that:
 - That the meat comes from a slaughterhouse with address and approval number of a veterinarian, and if they are cut, with the same conditions;
 - The meat and packaging should bring a stamp certifying that they come from animals slaughtered in approved slaughterhouses and approved by the official veterinary authority;
 - Acknowledgment that the meat is fit for human consumption; and,
 - That the meat was cut in an accredited establishment under the inspection of the official veterinary organ;
 - When the authority considers it necessary, a veterinary commission, designated by the General Directorate of Livestock, will visit the country of exportation to recognize the epidemiological surveillance system and certify slaughterhouses and / or processing plants.
 - In order to obtain the Guidance Letter before the Department of Animal Health, government fees amount to RD\$2,000.00, and before the Department of Agricultural and Livestock Promotion, government fees amount to RD\$3,000.00. These expenses do not include attorney's fees.



Pork

Zoosanitary requirements for the Importation of pork

- The products shall be covered by an **International Health Certificate** (in Spanish), issued by the Official Authority of Animal Health from the country of origin. The certificate shall contain the name and address of the consignor, consignee, and the number and species of products to be exported.
- Technical form (in case of first imports).
- Original official certificate of origin.
- The animals, from which the animal products derive from, must be natives of the exporting country or must have remained in it for at least ninety (90) days prior to slaughter and/or export.
- The goods must contain the expiration date and must be good for consumption for at least six (6) months.
- In the case of meat products, the exporting country must also certify that:
 - That the meat comes from a slaughterhouse with address and approval number of a veterinarian, and if they are cut, with the same conditions;
 - The meat and packaging should bring a stamp certifying that they come from animals slaughtered in approved slaughterhouses and approved by the official veterinary authority;
 - Acknowledgment that the meat is fit for human consumption; and,
 - That the meat was cut in an accredited establishment under the inspection of the official veterinary organ; ■
 - When the authority considers it necessary, a veterinary commission, designated by the General Directorate of Livestock, will visit the country of exportation to recognize the epidemiological surveillance system and certify slaughterhouses and / or processing plants.
- In order to obtain the Guidance Letter before the Department of Animal Health, government fees amount to RD\$2,000.00, and before the Department of Agricultural and Livestock Promotion, government fees amount to RD\$5,000.00. These expenses do not include attorney's fees.



Cheese

Government Agency

General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS)

Requirements for the Import of cheese

- The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.
- The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products, the marketing authorization (or health permit) (*registro sanitario*) application of the product. Such authorization usually takes around 3 months to be approved.
- In case it is the first time a manufacturing company of the product is going to present a marketing authorization (or health permit) application, authorities may require to proceed with an *in situ* inspection of the manufacturing plant, even if the plant is not located in the Dominican Republic.
 - The costs of inspection on the manufacturing plant will not be funded by the Ministry of Public Health and Social Assistance.
- Once the marketing authorization (or health permit) (*registro sanitario*) application of the product is approved, the importer is able to request the importation of the product.
- When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (*registro sanitario*) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Health.



Cheese

Government Agency

General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS)

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported.
- Receipt issued by the Ministry of Public Health and Social Assistance. The official fees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wished to accelerate the process by using an authorized private/alternate laboratory for sample analysis.



Cheese

Government Agency

General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS)

Pre-Export Requirements

- The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of the cheese and yogurt are freely allowed in the country of origin.
- The US exporter should designate a local distributor or company, who will serve as importer and legal representative of the products in the Dominican Republic. ■
- Cheese must obtain a local marketing authorization (or health permit) (registro sanitario), issued by the Ministry of Health and Social Assistance.



Cheese

Government Agency

Department of Animal Health of the General Directorate of Livestock (DIGEGA)

Pre-Export Requirements

- The goods must be accompanied by an **International Health Certificate** (in the Spanish language), issued by the Official Authority of the country of origin. The certificate shall contain the name and address of the consignor and the consignee and the number and species of the products to be exported. ■
- Technical form (in case of first imports).
- Original Certificate of Origin.
- The products and sub-products derived from the animals, should be native of the exporting country or should have remained in the same for at least ninety (90) days prior to its sacrifice and/or export.
- The products should indicate the expiration date and should not expire soon (for at least 6 months).
- In order to obtain the Guidance Letter before the Department of Animal Health, government fees amount to RD\$2,000.00, and before the Department of Agricultural and Livestock Promotion, government fees amount to RD\$2,000.00. These expenses do not include attorney's fees.

Requirements for the Import of yogurt

- The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.
- The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (*registro sanitario*) application of the product. Such authorization usually takes around 3 months to be approved.
- In case it is the first time a manufacturing company of the product is going to present a marketing authorization (or health permit) application, authorities may require to proceed with an *in situ* inspection of the manufacturing plant, even if the plant is not located in the Dominican Republic.
 - The costs of inspection on the manufacturing plant will not be funded by the Ministry of Public Health and Social Assistance.
- Once the marketing authorization (or health permit) (*registro sanitario*) application of the product is approved, the importer is able to request the importation of the product.
- When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (*registro sanitario*) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Health and Public Assistance.





Yogurt

Government Agency

General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS)

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported.
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wished to accelerate the process by using an authorized private/alternate laboratory for sample analysis.



Yogurt

Pre-Export Requirements

- The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of the cheese and yogurt are freely allowed in the country of origin.
- The US exporter should designate a local distributor or company, who will serve as importer and legal representative of the products in the Dominican Republic.
- Yogurt must obtain a local marketing authorization (or health permit) (registro sanitario), issued by the Ministry of Health and Social Assistance. ■



Yogur

Government Agency

Department of Animal Health before the General Directorate of Livestock (DIGEGA)

Pre-Export Requirements

- The goods must be accompanied by an International Health Certificate (in the Spanish language), issued by the Official Authority of the country of origin. The certificate shall contain the name and address of the consignor and the consignee and the number and species of the products to be exported.
 - Technical form (in case of first imports).
 - Original Certificate of Origin.
- The products and sub-products derived from the animals, should be native of the exporting country or should have remained in the same for at least ninety (90) days prior to its sacrifice and/or export.
- The products should indicate the expiration date and should not expire soon (for at least 6 months).
- In order to obtain a Guidance Letter before the Department of Animal Health, the governmental fees amount to RD\$2,000.00 and before the Department for Promotion of Agriculture and Livestock the governmental fees amount to RD\$2,000.00. These expenses do not include attorney's fees.



Breakfast Cereal

Government Agency

General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) ■

General Requirements

- The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.
- The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (registro sanitario) application of the product. Such authorization usually takes around 3 months to be approved.
- Once the marketing authorization (or health permit) (registro sanitario) application of the product is approved, the importer is able to request the importation of the product.
- When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (registro sanitario) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Public Health and Social Assistance.
- The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of the breakfast cereal is freely allowed in the country of origin. ■



Breakfast Cereal

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported;
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wished to accelerate the process by using an authorized private/alternate laboratory for sample analysis. ■



Tree Nuts



| | |
|-----------------------------|---|
| Government Agency | General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) ■ |
| General Requirements | <ul style="list-style-type: none">• The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.• The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (registro sanitario) application of the product. Such authorization usually takes around 3 months to be approved.• Once the marketing authorization (or health permit) (registro sanitario) application of the product is approved, the importer is able to request the importation of the product.• When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (registro sanitario) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Public Health and Social Assistance.• The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of the tree nuts is freely allowed in the country of origin. ■ |



Tree Nuts

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported;
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wished to accelerate the process by using an authorized private/alternate laboratory for sample analysis. ■

Tree Nuts

Governmental Agency

Department of Plant Health before the Ministry of Agriculture

Pre-Export Requirements

- Original Phyto-sanitary or Health Certificate issued by the authorities of the exporting country.
- Certification that the ship was sanitized and disinfected before the goods were loaded.
- Jute bags should not be used for packaging.
- The goods must be free of plagues and diseases.
- The goods shall be inspected upon arrival to the Dominican territory and examined by the Phyto-sanitary Diagnostics Laboratory.
- In order to obtain a Guidance Letter before the Department of Plant Health, the governmental fees amount to RD\$200.00 and before the Department for Promotion of Agriculture and Livestock the governmental fees amount to RD\$2,000.00. These expenses do not include attorney's fees.



Wine

| | |
|-----------------------------|--|
| Government Agency | General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) ■ |
| General Requirements | <ul style="list-style-type: none">• The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.• The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (registro sanitario) application of the product. Such authorization usually takes around 3 months to be approved.• Once the marketing authorization (or health permit) (registro sanitario) application of the product is approved, the importer is able to request the importation of the product.• When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (registro sanitario) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Public Health and Social Assistance.• The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of the wine is freely allowed in the country of origin. ■ |

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported;
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wishes to accelerate the process by using an authorized private/alternate laboratory for sample analysis.
- For alcoholic beverages, the label must declare the following disclaimer: "El consumo excesivo de alcohol es perjudicial para la salud" in Spanish ("The excessive consumption of alcohol carries health risks"). ■



Beer

| | |
|-----------------------------|--|
| Government Agency | General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) ■ |
| General Requirements | <ul style="list-style-type: none">• The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.• The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (registro sanitario) application of the product. Such authorization usually takes around 3 months to be approved.• Once the marketing authorization (or health permit) (registro sanitario) application of the product is approved, the importer is able to request the importation of the product.• When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (registro sanitario) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Public Health and Social Assistance.• The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of the beer is freely allowed in the country of origin. ■ |

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported;
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wishes to accelerate the process by using an authorized private/alternate laboratory for sample analysis.
- For alcoholic beverages, the label must declare the following disclaimer: "El consumo excesivo de alcohol es perjudicial para la salud" in Spanish ("The excessive consumption of alcohol carries health risks"). ■



Prepared Foods

| | |
|-----------------------------|--|
| Government Agency | General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) ■ |
| General Requirements | <ul style="list-style-type: none">• The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.• The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (registro sanitario) application of the product. Such authorization usually takes around 3 months to be approved.• Once the marketing authorization (or health permit) (registro sanitario) application of the product is approved, the importer is able to request the importation of the product.• When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (registro sanitario) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Public Health and Social Assistance.• The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of prepared foods is freely allowed in the country of origin. ■ |



Prepared Foods

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported;
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wished to accelerate the process by using an authorized private/alternate laboratory for sample analysis. ■



Condiments

| | |
|-----------------------------|--|
| Government Agency | General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) ■ |
| General Requirements | <ul style="list-style-type: none">• The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.• The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (registro sanitario) application of the product. Such authorization usually takes around 3 months to be approved.• Once the marketing authorization (or health permit) (registro sanitario) application of the product is approved, the importer is able to request the importation of the product.• When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (registro sanitario) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Public Health and Social Assistance.• The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of condiments is freely allowed in the country of origin. ■ |



Condiments

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported;
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wished to accelerate the process by using an authorized private/alternate laboratory for sample analysis. ■



Sauces

| | |
|-----------------------------|--|
| Government Agency | General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) ■ |
| General Requirements | <ul style="list-style-type: none">• The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.• The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (registro sanitario) application of the product. Such authorization usually takes around 3 months to be approved.• Once the marketing authorization (or health permit) (registro sanitario) application of the product is approved, the importer is able to request the importation of the product.• When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (registro sanitario) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Public Health and Social Assistance.• The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of sauces is freely allowed in the country of origin. ■ |

Sauces

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported;
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wished to accelerate the process by using an authorized private/alternate laboratory for sample analysis. ■



Snack Foods

| | |
|-----------------------------|---|
| Government Agency | General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS) ■ |
| General Requirements | <ul style="list-style-type: none">• The exporter company from the United States should designate a local distributor or company who will serve as the legal representative of the product before the governmental authorities of the Dominican Republic.• The importer must first request before the General Directorate of Drugs, Foods and Sanitary Products (DIGEMAPS), the marketing authorization (or health permit) (registro sanitario) application of the product. Such authorization usually takes around 3 months to be approved.• Once the marketing authorization (or health permit) (registro sanitario) application of the product is approved, the importer is able to request the importation of the product.• When the shipment of product arrives to the country, the customs agents may, at their discretion, proceed to inspect the shipment/container with the products. The marketing authorization (or health permit) (registro sanitario) certificate of the product will be required by the customs agents to verify if the product has been authorized by the Ministry of Public Health and Social Assistance.• The US Exporting Company should obtain a Free Sale Certificate of the product, issued by the Health Authority of the country of origin. This Certificate should certify that the manufacture, sell and consumption of snack foods is freely allowed in the country of origin. ■ |

Snack Foods

Application Requirements for marketing authorization (or health permit)

- One original version and one copy of the letter addressed to the Minister of Health and Social Assistance of the Dominican Republic requesting the marketing authorization (or health permit) (*registro sanitario*) application of the product and indicating:
 - Name, Address and Phone Number of the Requester;
 - Name of the Product;
 - Type of Product and Commercial Name;
 - Name or Company Name of the Manufacturer;
 - Location and Address of the Manufacturer;
 - Characteristics of the Container and/or Package.
- Two Copies of the Mercantile Registry of the Importer;
- Qualitative and Quantitative Formula of the product;
- Three original samples of the product, with the same presentation in which it be sold in the market for human consumption;
 - For solid products, 250 grams
 - For liquid products, 250 milliliters
- Labeling Format in Accordance to NORDOM 53: Labeling for Pre-Packaged Foods;
- Legalized Document (Power of Attorney) designating the legal representative of the product in the country.
- Free Sale Certificate (FSC - "*Certificado de Libre Venta*"), duly legalized, when the product is imported;
- Receipt issued by the Ministry of Public Health and Social Assistance. The official frees RD\$4,000.00.
 - Other expenses are to be expected, especially if the interested party wished to accelerate the process by using an authorized private/alternate laboratory for sample analysis. ■



Feedback from Interviews with Dominican Importers

- Enforcement problems encountered by Dominican importers.
- Lack of uniformity and duplicate requirements in required procedures.
- Procedures without legal basis or in conflict with legal requirements. ■



Feedback from Interviews with Dominican Importers

Enforcement problems encountered by Dominican Importers

- Requests made by authorities for payments that are not contemplated in the applicable regulations, particularly for purposes of expediting, or, in some cases, issuing authorizations that are required by law or in order to release products.
- Irregularities in the tariff quota allocation process and how these are assigned.
- Delays on the publication of the tariff quota allocations.
- The General Directorate of Custom's Automated System for Customs Management (SIGA, per its Spanish acronym) normally does not work on payroll days.
- Delays in the Aphis Inspection Certificate since the inspection is performed once the goods are about to be shipped (which causes the delay).
- Delays of the General Directorate of Customs in the dispatch of goods being imported under tariff quotas.
- Unreasonable delays in obtaining the Phytosanitary Guidance Letter (for sensible products).
- Fruits and vegetables cannot be shipped in the same container because fruits must comply with fifteen (15) day quarantine. Hence, a second container must be rented in order to divide these goods.
- The General Directorate of Customs' Technical Norms ("Normas Técnicas") are ambiguous.
- Fifteen (15) day quarantine for fruits does not make sense given that the Dominican Republic is one of very few countries to apply this measure.
- The General Directorate of Customs applies different criteria in relation to juices considered 100% natural (which are those freshly squeezed without sugar added). Given that this product is free of tariff, after some time has passed, periodically the General Directorate of Customs will audit the importer to determine if such goods are in fact 100% natural or not, and apply fines. ■



Feedback from Interviews with Dominican Importers

Enforcement problems encountered by Dominican Importers

- The guidance letter is obtained much faster from the Department of Plant Protection than from the Department of Animal Health.
- Response from the laboratories in the different ports of entry may delay up to three (3) weeks. Some importers prefer to incinerate the goods or allow the Customs Agency to confiscate them as some products may perish before receiving the results from the lab.
- Term established in the Guidance Letters issued by the Department of Plant Health and the Department of Animal Health differs from the term granted in the authorization issued by the Department of Agricultural and Livestock Promotion of the Ministry of Agriculture. That is to say, the Guidance Letters may be valid for thirty (30) to forty five (45) days and the second valid for only thirty (30) days.
- All United States issued phytozoosanitary certificates must contain the following information: "The poultry and poultry products were derived from birds raised, slaughtered, processed, and stored in a zone free from infection of poultry by highly pathogenic avian influenza since they were hatched for at least the past 21 days, and did display signs of the disease upon ante-and postmortem inspection. We will also indicate that the product from the following States are not eligible as follows: **B) Ineligible Products. 1) Effective December 19, 2014, poultry and poultry products derived from birds originating or slaughtered in the States of Oregon or Washington are ineligible for export**". This last portion must be contained in every certificate issued in the United States, including poultry products originating or slaughtered in States other than Oregon and Washington. However, other States are not applying it and this is unknown by most US exporters. Consequently, it is blocking the export-import process.





Feedback from Interviews with Dominican Importers

Lack of uniformity and duplicate requirements in required procedures

- The General Directorate of Customs is not recognizing the origin of certain canned tuna, e.g. label reads "caught in Fiji, canned in USA". Although the fish is caught in Fiji, the product is processed and packaged in the USA. Nonetheless, the Ministry of Health considers the product to have a USA origin.
- The General Directorate of Customs is not recognizing the origin of this importer's cheese because the label reads "cheese type swiss" and "cheese type dutch". Nonetheless, the Ministry of Health and Public Assistance considers the product to have a USA origin.

Procedures without legal basis or in conflict with legal requirements

- The General Directorate of Customs ("Dirección General de Aduanas" is charging the ITBIS to fresh fruits and infant formula (which is the tax over the transfer and import of industrialized goods and the rendering of services).
- As of October 2014, the Fisheries and Agricultural Council ("Consejo Dominicano de Pesca y Agricultura" or "CODOPESCA") is now charging an import tax of 0.5% ad-valorem on all processed and unprocessed fishery products.
- Unreasonable banning of certain products without notification.
- Safeguarding measures applied to bacon and pork.
- The USA, specifically in Iowa, does not allow the export of meat products if the animal was older than 30 months due to a supposed Dominican regulation.



Identification of Inconsistencies or Contradictions in Legal Framework and Recommendations

Inconsistencies and/or contradictions in Legal Framework

- The 0.5% ad-valorem charged by CODOPESCA may be considered to be an “import tax” and may thus be inconsistent with the DR-CAFTA.
- Discretionary timeframe for the issuance of marketing approval authorizations for pre-packaged foods and beverages should be regulated.

Recommendations

- Unified system for the payment of fees before the Ministry of Agriculture.
- One-stop Services Facility (“Ventanilla Única de Servicios”) for agricultural products.
- More transparency in the assignment of tariff quota allocations. ■
- Performance of market research in order to assign tariff quota allocations.
- Regulation on timeframe for the issuance of marketing approval authorizations for pre-packaged foods and beverages.
- Study the possibility of repealing Article 26 of Law 307-04, which creates the “Dominican Council of Fisheries and Aquaculture (CODOPESCA)”.
- Study the possibility to combine efforts with the Directorate of Foreign Trade and Administration for International Commercial Agreements (DICOEX) to ensure respect of the content of treaties by Dominican laws, specially regarding Article 26 of Law No. 307-04.
- Study the possibility of eliminating the 15-day quarantine control for fruits.
- More transparency with the procedure of issuing Phytosanitary and Zoosanitary Guidance Letters issued by the Department of Agriculture and Livestock Promotion.
- Study the possibility of being provided to users a copy indicating the format of the Phytosanitary and Zoosanitary Guidance Letters issued by the Department of Agriculture and Livestock Promotion. ■
- Study the possibility of repealing the consistent practice of requiring that animals which animals products are derived to be less than thirty (30) months old at the moment of slaughter.



Legal Framework

Law 4990 dated September 3rd, 1958, regarding Plant Protection.

Law 4030 dated January 12th, 1955, that Declares of Public Interest the Sanitary Defense of Cattle.

Law 3489 dated February 14, 1953, on Customs.

Law 42-01 dated February 21st, 2000, regarding General Health.

Law 146-00 dated December 27th, 2000, regarding Tariff Reform.

Law 358-05 dated September 9th, 2005, regarding Protection of Consumers and Users' Rights.

Presidential Decree No. 705-10 that establishes the Regulations for the Assignment and Administration of the Tariff Quotas granted by the Dominican Republic under the DR-CAFTA.

Presidential Decree No. 569-12 dated September 11, 2012, regarding the Procedure for Allocation of Tariff Quotas for the Products in the Technical Rectification of List XXIII of the Dominican Republic before the World Trade Organization (WTO).

Presidential Decree No. 505-99 dated November 24, 1997, regarding the Regulation for the Import of the Agricultural Products in the Technical Rectification of List XXIII of the Dominican Republic before the World Trade Organization (WTO).

Presidential Decree No. 244-10 dated April 27, 2010, which establishes the Technical Regulations regarding the Maximum Residue Levels of Pesticides in Fruits, Vegetables, and related thereto.

Presidential Decree 528-01 dated May 14th, 2001, regarding the Rules for the Control of Risks in Food and Beverages.

Congressional Resolution No. 92-99 dated October 13, 1999, that approves the Technical Rectification of List XXIII of Tariff Concessions of the Dominican Republic before the World Trade Organization (WTO) and orders the Adjudication of said Tariff Concessions through Public Auction.

Resolution No. 024/2006 dated November 22nd, 2006, given by the Ministry of Agriculture, regarding the Phytosanitary Certificate.

Resolution No. 84/96 dated September 17, 1996, given by the Ministry of Agriculture ("Ministerio de Agricultura), regarding Fresh Fruit.

The World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) Agreement.

NORDOM 53 (3rd Revision), regarding the Labeling for Pre-Packaged Foods.

Presidential Decree 82-15 dated April 6th, 2015, that created the General Directorate of Drugs, Foods and Sanitary Products ("Dirección General de Medicamentos, Alimentos y Productos Sanitarios (DIGEMAPS)").