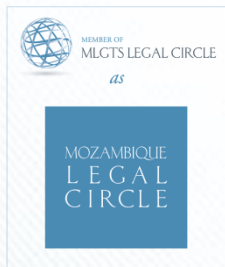




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PACKAGING AND LABELLING IN MOZAMBIQUE

IN ASSOCIATION WITH GREENFIELD TRAINING

30TH NOVEMBER 2017



TRAINING PROGRAM

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IMPORT FROM SOUTH AFRICA TO MOZAMBIQUE

GENERAL TRADE ISSUES



Steps to comply with in order to be able to import:

- Attainment of a commercial permit (“*Alvará*”)
- Registration as Import Operator
- Coordinating with Supplier
- Attainment of special licenses (when applicable)
- Attainment of certification from foreign authorities
- Pre-boarding inspection (when applicable)
- Attainment of applicable documentation
- Customs clearance process
- Payment

IMPORT FROM SOUTH AFRICA TO MOZAMBIQUE

GENERAL TRADE ISSUES



IMPORT TAXES

Exemptions Reductions (e.g.)

SADC (total exemption of customs duties):

- Originally produced (subject to certification)
- Transformed

China

European Union

African Growth and Opportunity Act (AGOA)

Other bilateral agreements

Non-Exempt

Mozambican Customs Tariff available online on:
<https://www.mcnet.co.mz/HS Codes.aspx>

VAT applies

IMPORT FROM SOUTH AFRICA TO MOZAMBIQUE

GENERAL TRADE ISSUES

Special Licensing (e.g. by MICOA)

Live animals

Meat

Frozen fish

Vegetables

Fresh fruits

Milk, yogurts, eggs, butter, powder milk and custard
(milk derived products)

Ice cream

Wood

Etc.

Positive List

Pre-boarding inspection (minimum quantities apply):

Meat and poultry

Flour

Oil (to consume)

Cement

Chemical products

Tyres

Silk fabrics; Cotton fabrics

Pharmaceuticals

Vehicles

Etc.



IMPORT FROM SOUTH AFRICA TO MOZAMBIQUE

GENERAL TRADE ISSUES



SANCTIONS FOR NON-COMPLIANCE WITH DUE PROCEDURES

Examples:

→ Importation of fresh meat without special license = fine of 100 MZN per total quantity of goods imported + confiscation of goods

→ Non compliance with pre-boarding inspection = fine of 10% of CIF value indicated in the respective invoice + new inspection in Mozambique (may take up to 4 days)

IMPORT FROM SOUTH AFRICA TO MOZAMBIQUE

GENERAL TRADE ISSUES



PROHIBITED GOODS TO BE IMPORTED

- Counterfeit goods (books, art, CDs, and others similar products);
- Photographs, CDs, audio and video recordings and tapes that may have offensive content;
- Copies of postage items used in Mozambique;
- Pharmaceutical products and foodstuffs harmful to public health;
- Alcoholic beverages that include chemicals harmful to health, such as absinthe, ether, hyssop, etc.;
- Narcotic drugs and psychotropic substances (save for hospital usage);
- Other goods (e.g.: recently meat was temporarily banned from being imported)

SPECIFIC PACKAGING REQUIREMENTS –PRE-MEASURED PRODUCTS



Packages for pre-measured products must contain a clear and unambiguous indication of the quantity contain a clear and unambiguous indication of the quantity expressed in Legal Units of Measure

The products pre-measured in units of mass shall indicate the net quantity, excluding the weight of the packaging

In enclosed packages, the inclusion of any product other than the product for which it was intended for packaging is not permitted

LABELING/MARKING REQUIREMENTS

BROAD ARRAY OF LEGISLATION PERTAINING TO THE MARKING, LABELING AND PACKAGING



Foodstuffs

- a) Decree no. 15/2006 of June 22
- b) Ministerial Diploma no. 80/87 of July 1
- c) Ministerial Diploma no. 247/2011 of November 2
- d) Decree no. 9/2016, of April 18

Alcohol and Cigarettes

- a) Decree no. 11/2007 of May 30
- b) Decree no. 54/2013 of October 7

General/Non foodstuffs

- a) Decree-Law no. 2/2010 of December 31
- b) Ministerial Diploma no. 141/2013 of September 23

LABELING/MARKING REQUIREMENTS

PACKAGED FOODS AND BEVERAGES

The labels of packaged foods and beverages must indicate in perfectly legible characters and in Portuguese language the following elements:

- name or brand of the Product;
- name or business name of the producing undertaking;
- indication of the headquarters of the producing company;
- indication of production establishments;
- indication of nutritional content;
- indication of the ingredients in descending order of quantities present, by weight or volume;
- indication of the additives;
- indication of the net weight contained in the package;
- indication of “artificially coloured” in the case of foodstuffs subject to dying or any treatment;
- indication of date of manufacture;
- indication of the period of validity for human consumption;
- lot number.

Any scientific names on the label shall be accompanied by the corresponding common name.

The Ministry of Health shall publish the list of foodstuffs which do not need to indicate the date of manufacture and/or the period of validity.



LABELING/MARKING REQUIREMENTS

IMPORTED FOODS



Pre-packaged foodstuffs with labels in foreign languages shall also contain their total or partial translation into Portuguese.

Perishable pre-packaged food shall contain on its label the instructions for storage, use, date of manufacture and expiry date.

LABELING/MARKING REQUIREMENTS

PACKED FOOD OF AQUATIC ORIGIN



The labelling shall not mislead the consumer, in particular as regards to:

The characteristics of the product, including its nature, identity, qualities, composition, quantity, durability, origin or provenance, method of manufacture or production

Suggestions that the product has special characteristics, when all similar products have these same characteristics

Attributions to the product of effects or properties that it does not have, in particular, attribution of properties for the prevention, treatment and cure of human diseases, which cannot be mentioned

LABELING/MARKING REQUIREMENTS

PACKED FOOD OF AQUATIC ORIGIN



It is mandatory that the labelling of foodstuffs of aquatic origin include the following essential information:

- sales description of the product, including or accompanied by the physical state of the product or treatment to which it was subjected;
- nature of the product;
- net quantity, in the case of pre-packaged products;
- minimum durability date or, in the case of highly micro-perishable products, the “use by” date;
- list of ingredients, if applicable;
- ingredients belonging to one of the categories listed in Annex I, when used;
- ingredients considered as allergens;
- quantity of the ingredients or categories of ingredients, if applicable;
- conditions of storage and use;

LABELING/MARKING REQUIREMENTS

PACKED FOOD OF AQUATIC ORIGIN



- identification of the production unit, containing the name and address of the producer or manufacturer, or packer, or distributor of the product, or exporter, or importer and sanitary approval number (sanitary approval code); indication establishing the relationship between the marketing company and the product, as “**produced for**”, “**produced by**” or “**distributed by**”;
- place of origin or place of provenance, where the omission of this indication is liable to mislead the consumer;
- mention of the words “**Do not re-freeze**” in the case of frozen/deep-frozen products;
- mention of “**modified atmosphere conditioning**” when the product has its prolonged durability by packing gases;
- indication enabling the lot to be identified under, which shall be preceded by the letter “**L**” unless it is clearly distinguishable from the other indications on the labelling;
- reference to the country of origin.

LABELING/MARKING REQUIREMENTS

PACKED FOOD OF AQUATIC ORIGIN



The labelling and the wrapping of the packaging itself may present any information or graphic representation, as well as written, printed or graphic materials, provided that it does not conflict with the mandatory labelling requirements of these standards.

The presentation of nutrition labelling shall be optional and shall not constitute an impediment to the marketing of the products*.

***Where a nutrition claim appears on the label, presentation or advertising of the product, with the exception of collective advertising, nutrition labelling shall be compulsory.**

LABELING/MARKING REQUIREMENTS

FORTIFIED FOODSTUFFS



Fortified foodstuffs shall contain on their labelling information regarding the chemical composition and shall bear the fortification seal

The labelling of fortified foodstuffs shall be in accordance with the provisions of the following Mozambican Standards:

- NM 15 for the General Requirements for Labelling of Pre-packaged Products
- NM 80 for Tolerance Allowed for Pre-Measured Products

The label and any changes to the same shall be subject to a communication to the Ministry of Health and to INNOQ for approval

LABELING/MARKING REQUIREMENTS

ALCOHOL



Containers whose contents are alcoholic and for consumption must have the following phrases inscribed in well-legible and upper-case letters on the labels: **“The sale and consumption of alcoholic beverages to persons under 18 years of age is prohibited”**

All warning messages on the labels of containers of alcoholic beverages shall be broad, clear, legible and in capital letters, and state the alcoholic content of the drink

Each label shall contain information on the ingredients or components of the content and the health effects of the early and harmful consumption of alcoholic beverages and shall be written in Portuguese language

LABELING/MARKING REQUIREMENTS

CIGARETTES



All tobacco products must be accompanied by a warning or a message stating that smoking is a health hazard or by a indication of the health hazards associated with smoking

Each unit pack and packs of tobacco products and each outer packaging and label of such products shall contain warnings describing the harmful effects of tobacco consumption and may include other appropriate messages

Health warnings on unit packs and packs of tobacco products should:

- be comprehensive, clear, visible and legible
- occupy 30% or more of the front of the packaging and 25% of the back

LABELING/MARKING REQUIREMENTS

CIGARETTES

Each unit pack and pack of tobacco products, and each outer packaging and label of such products shall contain information on the components and relevant emissions of the products

Warnings describing the harmful effects of tobacco consumption shall be written in Portuguese and warnings on packs or packs imported in addition to being in Portuguese language may never have less illustrative and clear inscriptions than those provided for in the Regulation

LABELING/MARKING REQUIREMENTS

GENERAL/NON FOODSTUFFS - PRE-MEASURED PRODUCTS



Pre-measured products to bear a clear indication of the name of the entity responsible for the packaging

The identification of products destined for Mozambique must be written in Portuguese

LABELING/MARKING REQUIREMENTS

GENERAL/NON FOODSTUFFS - PRE-MEASURED PRODUCTS

The labelling of pre-measured products follows the subsequent rules:

When the sealed package has to bear the indication of the gross quantity, it can only be made in characters of smaller size and less prominence, in relation to the characters indicating the net quantity.

Pre-measured products must not contain the word “**approximately**” when entering their quantity

Pre-measured products without their own packaging shall bear the corresponding quantitative indication on a label, on a recording made on their own surface or by another suitable means or process, which conveys easily, accurately and satisfactorily to the consumer the information

The quantitative inscription on the packaging of pre-measured products shall be in compliance with the metrological legislation in force, and with the Mozambican standards NM 15 and NM 80

The package shall include the date of manufacture, with the indication of the day, month and year, preceded by the word “Date” on the outside of the collective packaging. The “**this packaging must remain closed in its original form until the act of exposure for the retail product**” inscription should appear on the collective packaging

The number of sample units making up the sample shall be shown on the collective packaging

All the indications shall be printed in alphanumeric characters greater than 5 mm.

LABELING/MARKING REQUIREMENTS

GENERAL/NON FOODSTUFFS - LIQUEFIED PETROLEUM GAS (“LPG”)



Containers intended for the packaging of LPG shall be marked with the following mandatory particulars:

Identification of the LPG
distribution company

Nominal quantity or net mass

Tare and the respective mass unit
symbols, which shall be
expressed in kilograms with a
resolution of 10

Mandatory entries must be made in an indelible and visible manner, with characters no smaller than 5 mm in size.



Mandatory marks

- Fortified foodstuffs
- Alcohol
- Cigarettes

As a general rule, it is prohibited to use stickers to cover up or amend original labels

Possible negotiation
process before the
INNOQ

GAINING LABEL APPROVAL

ILLEGAL LABELLING



The non-compliance with the applicable labelling provisions may result in:

application of a fine, depending of the type of goods

aprehension of the goods

ban of entry into the country, for imported goods

loss of the good in favour of the Mozambican State

GAINING LABEL APPROVAL

REQUIRED APPROVAL PROCEDURE

The procedure involves several entities (but mainly the INNOQ and INAE)

The provisions regulating the specific layout aspects of the labels, such as size, lettering, colours, are contained in the Mozambican Norms (NM)

The NM are standards and technical regulations, inspired in provisions approved by Standards Organizations, such as ISO, OIML, SADCSTAN, SADCMET, SADC MEL

GAINING LABEL APPROVAL

PRODUCT CERTIFICATION



Certification is not mandatory, except for cement

- the certification procedure begins with the initiative of the producer/distributor before INNOQ;
- if it is proven that the product complies with the applicable standard regulation, the product label will be able to include the INNOQ logo on its label for 3 years;
- There is no consequence for product not being approved after the certification. INNOQ issues a list of recommendations.

SUPERVISING ENTITIES

INNOQ (NATIONAL INSTITUTE FOR NORMALIZATION AND STANDARDS)



The INNOQ is a public institute of national scope, supervised by the Ministry of Industry and Commerce, created in 1993 with the fundamental objective of boosting and coordinating the National Quality Policy, through the implementation of standardization, metrology, certification and quality management activities.

SUPERVISING ENTITIES

INNOQ (NATIONAL INSTITUTE FOR NORMALIZATION AND STANDARDS)



The INNOQ
has the
following
powers

- Coordinate and develop standardization activities in the country in conjunction with other stakeholders;
- Manage the national conformity mark;
- Recognize the technical competence of conformity assessment bodies;
- Create the Technical Commissions for Standardization and Certification;
- Edit the Mozambican standards and to publish the homologation list in the Official Gazette;
- Act as a point of inquiry and notification of technical barriers to trade;
- Manage the legal metrological control system of the measuring instruments;
- Recognize the entities responsible for the exercise of metrological control, ensuring effective coverage at national level;
- Decide on the delegation of powers to other public and private entities, through a process of prior qualification;
- Recognize benchmarks;
- Certify the compliance of management systems, products, services and persons, with Mozambican standards and, in the absence thereof, with international standards;
- Apply, in coordination with quality managers in specific areas, the quality standards and procedures, in accordance with the objectives previously set for the quality area;
- Promote the establishment of a national network of metrology laboratories, to manage the national laboratory, ensuring the achievement, maintenance and development of national measurement standards and their traceability.

The INNOQ is also responsible for approving the Mozambican standards on the general rules for the labeling of prepacked products.

SUPERVISING ENTITIES

INAE (NATIONAL INSPECTION OF ECONOMIC ACTIVITIES)



INAE is a public institution, created in 2009, with legal personality and administrative autonomy, supervised by the Minister who oversees the areas of Industry and Commerce.

SUPERVISING ENTITIES

INAE (NATIONAL INSPECTION OF ECONOMIC ACTIVITIES)



INAE has
the following
powers:

- Supervise all places where any industrial, commercial or service activity is carried out;
- Promote preventive actions in respect of infringements of quality, authenticity, composition, food additives and other substances and the labeling of foodstuffs for human consumption and feed;
- Supervise the legality of the exercise of the activity of slaughter, preparation, treatment and storage of products of animal origin;
- Supervise, in coordination with other competent bodies, the supply of products and services, to prevent actions of hoarding in goods considered essential to the supply;
- Verify the legality of undertakings that may cause damage to the environment and ensure compliance with laws and regulations relating to the environment;
- Supervise the legality of the exploitation of the energy in electrical installations and in stations of supply of fuels and to seize illegal activities.
- Supervise the legality of the mining activity and the commercialization of mining products;
- Supervise the conservation and sale of fishery products in the national market;
- Fight the production and sale of pirated or counterfeit products;
- Ensure compliance with laws, regulations, dispatches and other rules that govern economic activity;
- Promote, together with the interested parties, actions to disseminate legislation on the exercise of economic activities which supervision is attributed to it.

SUPERVISING ENTITIES

TESTING AND INSPECTION



The inspection process has yet to began, but the adaptation process is undergoing

It will be a joint effort between INNOQ and INAE

WHAT ELSE DO YOU NEED TO THINK ABOUT?

FINAL CONSIDERATIONS



- Applicable legislation is not recent but it hasn't been enforced yet
- Open channel with local authorities
- Inspection process expected to start in 2018
- Mandatory certification of all products expected to start in 2019

THANK YOU

For any questions, please contact:

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