

# VIGIAGRO MANUAL



MINISTRY OF  
AGRICULTURE, LIVESTOCK  
AND FOOD SUPPLY



MINISTRY OF AGRICULTURE, LIVESTOCK AND FOOD SUPPLY  
Secretariat of Animal and Plant Health

# VIGIAGRO MANUAL

Brasilia  
MAPA  
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## OFFICE OF THE MINISTER

### NORMATIVE INSTRUCTION No. 39, dated 27 November 2017

THE MINISTER OF STATE FOR AGRICULTURE, LIVESTOCK AND FOOD SUPPLY, using the powers conferred upon him by article 87, sole paragraph, item II of the Constitution, as set forth in Decrees no. 24,114, enacted 12 April 1934; no. 24,548, enacted 3 July 1934; no. 9,013, enacted 29 March 2017; no. 86.955, enacted 18 February 1982; no. 5.741, enacted 30 March 2006; no. 5,759, enacted 17 April 2006, and no. 8,852, enacted 20 September 2016; Decree-Law no. 467, enacted 13 February 1969, and Laws no. 1,283, enacted 18 December 1950; no. 6,198, enacted 26 December 1974; no. 6,446, enacted 5 October 1977; no. 6,894, enacted 16 December 1980; no. 7,678, enacted 8 November 1988; no. 8,171, enacted 17 January 1991; no. 8,918, enacted 14 July 1994; no. 9,972, enacted 25 May 2000; and no. 10,711, enacted 5 August 2003: taking into consideration the need to establish operational procedures for the International Agricultural Surveillance System, and the contents of Case File no. 21000.048713/2016-08, resolves TO:

Article 1. Approve the operations of the International Agricultural Surveillance System—Vigiagro, as well as its rules and technical, administrative and operational procedures for control and inspection as carried out in trading operations and the international movements of products of agricultural concern.

## CHAPTER I

### PRINCIPLES AND OBJECTIVES

Article 2. Vigiagro will execute activities laid down by the Secretariat of Animal and Plant Health (SDA) concerning the international movements of products of agricultural concern that are regulated by the Ministry of Agriculture, Livestock and Food Supply (MAPA).

Article 3. The working of Vigiagro will be guided by the following principles:

- I - to prevent and mitigate risks for Brazil, above all to the country's agriculture and livestock-raising, and to the health of its population at large;
- II - to harmonize and simplify inspection procedures;
- III - to make its activities transparent and predictable;
- IV - to exploit information technologies as much as possible;
- V - to manage risk in inspection operations;
- VI - to enable safe international trade in products of agricultural concern;

VII - to make decision-making in, and completion of, inspection activities more rapid and efficient; and

VIII - to intervene in a coordinated fashion with other agencies of public administration.

Article 4. The objectives of Vigiagro are:

I - to prevent the introduction, dissemination and establishment of pests and diseases;

II - to ensure that imports do not jeopardize the health of the population at large, of animals, and plant health;

III - to protect the safety, quality and identity of merchandise, goods and materials of agricultural concern;

IV - to harmonize inspection procedures among Vigiagro units;

V - to introduce and carry out working processes that aim to enhance and modernize the services rendered;

VI - to integrate its working processes with those of other regulatory bodies in foreign trade;

VII - to manage and control information on products of agricultural concern in international trade;

VIII - to facilitate access to international markets for exports of Brazilian agricultural products; and

IX - to ensure that products of agricultural concern intended for export meet the sanitary, zoosanitary and phytosanitary demands, as well as the requirements of origin, identity and quality established by importing countries in international agreements.

## **CHAPTER II** **THE SCOPE OF APPLICATION**

Article 5. The ingress into, egress out of, movements within and period of stay within the territory of Brazil and areas of integrated control, of products of agricultural concern, with or without commercial value, coming from or intended to go to overseas, are subject to control and inspection by MAPA, by means of Vigiagro.

Article 6. The control and inspection addressed by article 5 will be carried out by applying risk-management tools.

Paragraph 1. In accordance with the nature, origin, and destination of products of agricultural concern, a range of levels of risk; of mechanisms for control and inspection; and of activities for the control of trade and international transportation, may be established.



Paragraph 2. The definition of levels of risk addressed in the head provision of this article will also apply to products that have been seized, and to the residues from vehicles coming in from overseas: technical and scientific expertise as well as international conventions to which Brazil is a signatory, shall be taken into consideration.

Article 7. For the purposes of the present normative instruction, the following are deemed to be products of agricultural concern:

I - animals and plants, animal and plant products, by-products, derivatives and parts, including beverages;

II - animal and plant organs, tissues and fluids;

III - genetic material used for breeding animals, and for propagating plants;

IV - veterinary products and animal feed products, components, and the like;

V - fertilizers, correctives, inoculants, stimulants and biofertilizers;

VI - agricultural chemicals, components and related products;

VII - soils, composts and substrates;

VIII - foods capable of carrying pests and diseases;

IX - animal or plant residues, with or without commercial value, coming from, intended for, or resulting from international transport and trade;

X - kits, reagents and inputs intended for animal and plant diagnostics;

XI - immunobiologicals and their active substances of animal origin;

XII - etiological agents, their by-products, parts and derivatives, of agricultural, sanitary, phytosanitary or zoosanitary concern;

XIII - unprocessed wooden packaging, dunnage, and packing materials used in international trade to protect merchandise of any nature;

XIV - agricultural machinery, vehicles and tools that have already been used in their country of origin; and

XV - any other products posing a risk in terms of public health, animal health, plant health, origin, identity and quality.

Article 8. The provisions of the present normative instructions apply to domestic or foreign natural persons or legal entities, their agents and legal representatives, performing the following international trading and transportation activities for products of agricultural concern:

I - importing;

II - exporting;

III - postal or express packages or consignments;

IV - free shops;

V - transit;

VI - loading (animals);

VII - unloading (animals);

VIII - immediate transshipment;

IX - transshipment after a period of storage;

X - loading (goods);

XI - unloading (goods);

XII - deposit, consignment and warehousing;

XIII - movement and transportation; and

XIV - the collection, packing, treatment and disposition of residues that may pose a sanitary, phytosanitary and zoosanitary risk.

Sole paragraph. The provisions of the present normative instruction apply regardless of the means of transportation, of the intended purpose (commercial or otherwise) of the means of packaging (whether as cargo, baggage, parcel or international postal remittance), and of the application or otherwise of special customs regimes.



# CHAPTER III

## THE INTERNATIONAL AGRICULTURAL SURVEILLANCE SYSTEM

### Section I – Organization

Article 9. Vigiagro, having its structure within the scope of the Secretariat of Animal and Plant Health, will comprise:

- I - General Coordination of the International Agricultural Surveillance System - Vigiagro - (Portuguese acronym: CGVigiagro);
- II - Technical Departments of the Secretariat of Animal and Plant Health;
- III - consultative bodies:
  - a) Executive Committee; and
  - b) Airport, Port, Frontier Post and Special Customs Subcommittees;
- IV - Animal and Plant Health Divisions located in state-level Federal Superintendencies of Agriculture, Livestock and Food Supply (Portuguese acronym hereinafter: SFA - UF); and
- V - The International Agricultural Surveillance System's Services and Units, Regional Technical Units operating within the International Agricultural Surveillance System.

Article 10. The duties of the components of Vigiagro are as follows:

- I - CGVigiagro shall coordinate all activities of the control and inspection of the international movements of merchandise, goods and materials of agricultural concern;
- II - the Technical Departments of the Secretariat of Animal and Plant Health Shall put forward the definition of specific technical standards and regulations;
- III - the consultative bodies shall draft proposals to enhance and guarantee the efficient working of Vigiagro;
- IV - the Animal and Plant Health Divisions located in state-level Federal Superintendencies of Agriculture, Livestock and Food Supply shall instruct, oversee and cooperate in the application of specific technical standards and regulations in the decentralized Units of their areas of jurisdiction; and
- V - the decentralized Units of Vigiagro shall carry out the technical, administrative and operational procedures to control international trade and transportation operations of products of agricultural concern.

## **Section II - The Functioning of the International Agricultural Surveillance System**

Article 11. Vigiagro shall operate by carrying out intelligence, risk management, control and inspection activities, enforcing the provisions laid down in the legislation.

Article 12. The control and inspection activities addressed by the previous article shall be carried out in places where international trade and movements of products of agricultural concern take place, including:

I - ports, and their warehouses, terminals or facilities;

II - airports, and their warehouses, terminals or facilities;

III - border posts and crossing points, and their warehouses, terminals or facilities;

IV - warehouses, terminals and authorized facilities, and those located outside the primary zone of the territory of Brazil;

V - postal and express consignment facilities; and

VI - Integrated Control Areas.

Paragraph 1. The controls and inspection activities addressed in the head provision of this article also apply, at the discretion of the General Coordination of Vigiagro, to any other places where the ingress, egress, movement, transit or deposit of products of agricultural concern, coming from, or intended for overseas, may occur.

Paragraph 2. Provisions laid down in the present Normative Instruction, operational measures may be taken in integrated control areas to supplement and enable the operations of sanitary, zoonitary and phytosanitary controls, given that they may be carried out jointly by authorities of the host country and of the neighboring country.

Article 13. Vigiagro may also operate in other places within Brazil in order to carry out special intelligence and suppression operations against illegal acts, to control and inspect international transit and customs movements for products of agricultural concern entering or leaving Brazil.

Sole paragraph. The operation that is addressed in the head provision shall be carried out strategically and in compliance with MAPA's intelligence and risk management activities, and to this end may be performed jointly with other authorities of public power.

Article 14. Control and inspection activities carried out on international trade and transit operations for products of agricultural interest are the responsibility of Federal Agricultural Inspector/Auditors (Portuguese acronym: AFFA, i.e. Government veterinary medical officers).

Paragraph 1. The administrative procedures concerning Siscomex are the responsibility of Federal Agricultural Inspector/Auditors.

Paragraph 2. Public servants in MAPA technical careers and federal agricultural inspection auxiliaries, in accordance with the limitations on their duties laid down by the Law, may carry out technical and operational activities in the intermediate stages of the oversight, inspection and sample taking procedures, pursuant to restrictions laid down in specific legislation.

### **Section III - Installation and Implementation of International Agricultural Surveillance System (Vigiagro) Units**

Article 15. Vigiagro Units may be installed in airports, ports and border posts, both public and private, as well as in other warehouses, terminals and facilities in the primary or secondary zone of Brazil's territory, wherever activities of international trade and movement of products of agricultural concern are carried out.

Paragraph 1. The following conditions are necessary for setting up Vigiagro Units:

- I - geographical location, and strategic interest on the part of MAPA;
- II - location outside the area of operations of an existing Vigiagro Unit;
- III - provision and maintenance of suitable conditions by the administrations of such areas;
- IV - already-functioning customs operations, or customs operations in the process of being set up, by Brazil's Inland Revenue Secretariat (*Secretaria da Receita Federal do Brasil—SRF*);
- V - significant movements, or the expectation of such, warranting uninterrupted, rather than on-demand, service; and
- VI - availability of MAPA human resources to work at those sites and compliance with the remaining requirements to be an official administrative unit of MAPA.

Paragraph 2. Advanced posts may be set up at MAPA's discretion in areas where existing Vigiagro Units operate.

Article 16. The request to set up a Vigiagro Unit must be filed by the representation of the administration of the port, airport, border post, warehouse or customs-controlled facility and stamped by the respective state-level Federal Superintendency of Agriculture, Livestock and Food Supply.

Sole paragraph. The request addressed by the head provision of this article will be made to the General Coordination of Vigiagro, and will be accompanied by a technical opinion issued by the Division of Animal and Plant Health of the respective Federal Superintendency of Agriculture, Livestock and Food Supply.

Article 17. The technical and operational requirements for setting up a Vigiagro Unit will comply with provisions set forth in the Appendices to the present Normative Instruction.

Article 18. The conditions stipulated in this Section also apply to existing and functioning Vigiagro Units, if necessary by means of re-evaluation.

Article 19. The setting-up of a Vigiagro Unit does not exempt the administration of each warehouse or terminal from carrying out the eligibility actions needed for the intended type of operation and in accordance with the characteristics of the product of agricultural concern that is intended to be moved.

#### **Section IV - Eligibility Document for Warehouses, Terminals and Facilities**

Article 20. The approval (“eligibility”) document for warehouses, terminals and facilities is the administrative instrument used by Vigiagro to ensure that international operations for the movement of products of agricultural concern are carried out in physical spaces suitable for the said operations, possessing the necessary built facilities and equipment for MAPA to perform its controls and inspection.

Article 21. Eligibility means the authorization given by MAPA for activities pertaining to the international trade and movement of products of animal and plant interest addressed in Article 7 of the present Normative Instruction.

Sole paragraph. The eligibility approval may be specific for the intended operation, as well as for the products that will be moved, while its scope may be extended or reduced at the request of the warehouse, terminal or facility, and at the discretion of MAPA.

Article 22. Products of agricultural concern for import or export and international transit may only be authorized when such operations are carried out by MAPA-licensed warehouses, terminals and facilities.

Paragraph 1. Those responsible for licensed terminals and facilities, whether from the private sector or indirect public administration, shall shoulder the costs of the setting-up, maintenance and preservation of the administrative and operational facilities, as well as of equipment and support staff needed for the performance of international agricultural surveillance activities.

Paragraph 2. The responsibility addressed in paragraph 1 of this article applies also to the collection, treatment and final disposition of seized merchandise, goods and materials of agricultural concern and residues, coming from overseas and posing a sanitary, phytosanitary or zoonosanitary risk.

Paragraph 3. Entities of direct public administration are excluded from the responsibility addressed in paragraphs 1 and 2 above.



# CHAPTER IV

## CONTROL OF PRODUCTS OF AGRICULTURAL CONCERN

### Section I - Administrative Controls

Article 23. The practice of international trade and movements of products of agricultural concern addressed in the present Normative Instruction is subject to the prior registration and licensing of those natural persons and legal entities responsible for these operations under Vigiaagro.

Paragraph 1. Procedures for registering and licensing those natural persons and legal entities addressed in the head provision will be carried out in accordance with a specific Appendix of the present Normative Instruction.

Paragraph 2. At the discretion of MAPA, administrative controls may be waived for certain import, export or transit operations that do not have a commercial purpose.

### Section II - Management Controls

#### Subsection I - Procedures in Computerized Systems

Article 24. Vigiaagro shall use computing systems for its technical, administrative and operational management, seeking to introduce intelligence and automation tools in order to make federal agricultural inspection procedures safer, more efficient, more agile and more transparent as well as enhance their quality.

Sole paragraph. Vigiaagro's official communications shall preferably use computing systems.

Article 25. At the discretion of the General Coordination of Vigiaagro, an interface with the computing systems of the locations approved by CGVigiaagro, as well as those of other systems including other public administration entities, may be authorized.

Article 26. Use of the official computing systems of MAPA is mandatory when they are available; the use of unofficial systems is forbidden both for communication and for international agricultural declarations, authorizations and certification.

#### Subsection II - International Plant and Animal Movement Declaration

Article 27. Agricultural control and inspection procedures will be carried out in accordance with an administrative procedure beginning with registration of the International Plant and Animal Movement Declaration (Portuguese acronym: DAT) by the importer, exporter or any other party interested in agricultural clearance of products of agricultural concern.

Paragraph 1. The DAT is to be presented at the Vigiaagro Unit of ingress, egress or clearance, as the case may be, in accordance with ways and conditions laid down in the Appendices to the present Normative Instruction.

Paragraph 2. When the DAT is registered, the documentation required for the specific product, and for the trading and transport operation defined in the Appendices to the present Normative Instruction must be presented.

Paragraph 3. At the discretion of MAPA, registration of the DAT may be waived for certain import, export or movement operations that do not have a commercial purpose.

### **Subsection III - International Certification**

Article 28. MAPA shall issue international certificates in accordance with the specific standards, and pursuant to the guidelines, of the Technical Departments of the Secretariat of Animal and Plant Health.

Sole paragraph. When necessary, the interested party may request that international certificates issued by MAPA be re-issued in accordance with the provisions appended to the present Normative Instruction.

### **Subsection IV - Management of Agricultural Risk**

Article 29. The management of agricultural risk shall be applied to those control and inspection activities performed during operations of the international trade and movement of products of agricultural interest, whatever the means of transport, intended purpose (whether commercial or otherwise), manner in which they have been packed, whether as cargo, baggage, parcel or postal remittance, and the application or otherwise of special customs regimes.

Paragraph 1. The existence of specific programs or distinct inspection regimes defined by MAPA may be taken into consideration when applying the risk-management.

Paragraph 2. The management of agricultural risk shall take into consideration any suspected irregularity liable to provisional remedy or sanction as laid down in agricultural legislation, regardless of whether the process of agricultural inspection has commenced or been completed.

Article 30. The following criteria are to be evaluated in performing the management of agricultural risk:

- I - origin;
- II - point of shipping;
- III - destination;
- IV - route by which moved;
- V - sanitary, zoonosanitary and phytosanitary alerts;



- VI - activity of the international trading or transportation operator;
- VII - track record of compliance and conformity;
- VIII - nature and quantity of merchandise;
- IX - type of operation;
- X - intended use;
- XI - means of transport;
- XII - storage, packaging and transport conditions;
- XIII - commercial and customs regime;
- XIV - infrastructure, facility and equipment conditions required for the operation;
- XV - significant data, information and documents for inspection;
- XVI - accusation or suspicion of wrongdoing;
- XVII - profile of the traveler, importer, exporter, transporter, legal representative, warehouse, terminal or facility;
- XVIII - profile of the baggage, parcel or consignment;
- XIX - evidence provided by cameras and other non-invasive inspection devices;
- XX - suspicions raised by sniffer dogs;
- XXI - random selection, if appropriate;
- XXII - volume and frequency of ingress or egress;
- XXIII - seasonal occurrence; and
- XXIV - other criteria laid down by Vigigagro or specific technical standards.

Article 31. The following suspicious circumstances raise questions as to wrongdoing or other possibilities:

- I - a document presented as proof seems inauthentic, as a result of misrepresentation or forgery;
- II - documents are missing, important information is missing, or doubtful, in the demanded documentation;

III - the product of agricultural concern is false or an essential characteristic has been tampered with;

IV - banned or unauthorized import or export;

V - the import or export of products of agricultural concern in volumes or having characteristics incompatible with the physical facilities, or with the importer's, purchaser's or exporter's operational capacity, activity, approval or registration—whichever is the case;

VI - fraudulent or misleading concealment of intervening parties in the operation;

VII - actual existence of the importing or exporting establishment, or of any person involved in the commercial transaction;

VIII - purchase of merchandise from a supplier that does not manufacture it;

IX - misrepresentation of nature or content, including in documents and in computing systems;

X - questionable choice of a given Vigiagro Unit to the detriment of others that theoretically ought to be more advantageous to the interested party, given the location of their domicile, the route and means of transport used, or the logistics of the operation; and

XI - any other information deemed important.

### **Subsection V - Selection of, and Levels of, Agricultural Inspection**

Article 32. After the DAT has been registered, those articles of agricultural concern, and activities regarding their international movements and trade as addressed in the present Normative Instruction will be liable to official agricultural analysis and selection for one of the following levels of agricultural inspection:

I - Simplified (Green): Waiver of document checking, visual inspection, physical checking, and sanitary, phytosanitary and quality inspections;

II - Intermediate (Yellow): Mandatory document check; and where no non-compliance is found, waiver of visual and physical checking, and sanitary, phytosanitary and quality inspection;

III - Complete (Red): Mandatory document check, visual inspection, physical check, and sanitary, zoosanitary, phytosanitary and quality inspections; and

IV- Special (Gray): Special Auditing and Investigative Procedure.

Paragraph 1. DATs selected for simplified or intermediate levels of agricultural inspection may, at the discretion of the inspection service, undergo a change in level, and become the target of document-related checking and of sanitary, phytosanitary and quality inspection and enforcement.

Paragraph 2. DATs selected for simplified or intermediate levels of agricultural inspection may have one or more inspection procedures, as the case may be, waived, without prejudice to administrative and management controls.

Article 33. The DAT having been waived, the determinations of the previous article are applied, including the inspection of international movements of travelers.

Article 34. Even if other levels of official agricultural inspection have been selected, the finding of evidence of wrongdoing may require the opening of a Special Auditing and Investigational Procedure, as laid down in the present Normative Instruction and in specific standards.

Article 35. The fact that a DAT has been selected for a given level of risk in the agricultural inspection, does not prevent the Federal Agricultural Inspector/Auditor who is responsible for agricultural clearance from ordering relevant inspection at any moment, if a factor or signs are brought to his or her attention leading to a need for a careful check or inspection of the merchandise, or the application of a given special procedure.

### **Section III - Operational Controls**

#### **Subsection I - Inspection Procedures**

Article 36. Inspection encompasses document analysis procedures, the inspection of products of agricultural concern, and the visual checking of vehicles, containers, premises, warehouses, terminals or facilities, as well as cargo and baggage compartments.

Sole paragraph. The inspection and visual checking procedures addressed in the head provision will be carried out at scheduled times and places, under suitable technical, hygiene and sanitary, and operational conditions for federal agricultural inspection.

Article 37. Document checks are a mandatory condition for the agricultural clearance of products of agricultural concern.

Paragraph 1. There must be a match between the documents underpinning international trade and movement operations for products of agricultural concern, and the information contained on the DAT.

Paragraph 2. The document checking addressed in the head provision of this article is waived in those operations selected for the simplified level of inspection, as laid down in article 32 of the present Normative Instruction.

Paragraph 3. The inspection of merchandise, goods and materials of agricultural concern will only take place if the documentation demanded by the present Normative Instruction is presented.

Article 38. In order to carry out the checking of documentation, the Federal Agricultural Inspector/Auditor responsible for the agricultural inspection may request additional documentation.

Article 39. The visual check is an inspection procedure performed on vehicles, containers, premises, warehouses, terminals or facilities, and cargo and baggage compartments, and encompasses:

I - verification of the identification of the transporting vehicle or container;

II - verification of the identification and integrity of seals, ties and other cargo or storage compartment safety devices;

III - verification of the hygiene and sanitary conditions, temperature and operating conditions, as the case may be, necessary to maintain the conditions demanded for products of agricultural concern;

IV - verification that further demands of importing countries or those laid down in specific legislation are met; and

V - the verification of transport vehicles, containers, warehouses, facilities and cargo or baggage compartments intended for intercepting banned, unauthorized or hidden products of agricultural concern.

Article 40. Inspection is a document-based investigation procedure that may or not require sampling, and encompasses:

I - verification of the quantity, packaging and packing conditions, identity and labeling of the product of agricultural concern, as the case may be;

II - verification of hygiene and sanitary conditions, quality, phytosanitary and zoosanitary conditions of the product of agricultural interest, as the case may be; and

III - verification of whether further demands of importing countries or those laid down in specific legislation are met.

Article 41. The owner of the warehouse, terminal or licensed facility, the driver of the transport vehicle, and the person responsible for the product of agricultural concern, or their legal representatives, shall, in order to carry out the inspection procedures performed by MAPA, provide:

I - immediate access to the target of the inspection, including moving it, positioning it, and making it available for a sufficient and necessary period;

II - Suitable operational conditions, such as organization, lighting, shelter from weathering and from temperature, as the case may be; and

III - operational support for carrying out the inspection procedures.

Article 42. Real-time images from the warehouses', terminals', and facilities' monitoring systems, or any other non-invasive means authorized by the General Coordination of Vigiaagro, may be used in order to perform inspection tasks.

Sole paragraph. Whenever deemed necessary, sniffer dogs from the National Sniffer Dog Center (*Centro Nacional de Cães de Detecção—CNCD/Vigiaagro*) may be used in inspection procedures.

Article 43. Public servants in MAPA technical careers and federal agricultural inspection auxiliaries, in accordance with the limitations on their duties laid down by the Law, may provide operational support in the intermediate stages of the oversight, inspection and sample taking procedures, pursuant to restrictions laid down in specific legislation.

Paragraph 1. Public servants in MAPA technical careers and federal agricultural inspection auxiliaries must record their performance by means of a verification report, preferably in electronic form.

Paragraph 2. If non-compliances or suspicious activities are identified during the inspection activity described in the head provision, the public servant in a technical or inspection auxiliary career must record the occurrence on the verification report and immediately notify the Federal Agricultural Inspector/Auditor responsible for the inspection procedure so that the proper measures may be taken and the process may continue.

Article 44. The finding of non-compliances or of irregularities during the course of inspection proceedings will lead to the drafting of an Agricultural Enforcement Notification (Portuguese acronym: NFA) for cases where corrections can be made, or agricultural ban applied, pursuant to the present Normative Instruction.

Paragraph 1. The rules of the head provision also apply to situations where agricultural clearance has been granted and in cases where the DAT has been selected for the simplified or intermediate levels addressed in article 32, provided that agricultural inspection is aware either of the existence of, or of signs of, non-compliances or irregularities.

Paragraph 2. A finding of a violation will subject the offender to the penalties laid down in the legislation in force.

Article 45. The inspection procedures set forth in this Section will be performed in accordance with the Appendices to the present Normative Instruction.

### **Subsection II - Sample-taking**

Article 46. Sampling will be performed with the following objectives:

I - to clarify queries or diagnose sanitary, zoonitary or phytosanitary occurrences;

II - to clarify queries or identify identity- and quality-related occurrences in products of agricultural concern;

III - to address sanitary, zoosanitary, phytosanitary, identity- and quality-related demands laid down in official agreements in force; and

IV - to meet the provisions set forth in the legislation.

Paragraph 1. The possessor of the product of agricultural concern, or their responsible individual, must provide the necessary conditions for sampling, and bear the costs involved in sample taking, packaging, transportation, and laboratory analysis of the required samples.

Paragraph 2. In cases where it is impossible for the possessor or agent to provide the necessary conditions for sampling as addressed in paragraph 1 of this article, such responsibility falls on the administration of warehouses, terminals and authorized facilities.

Article 47. The Federal Agricultural Inspector/Auditor, or the MAPA technical staff under the supervision of the AFFA, must take the sample, in the presence of the interested party.

Paragraph 1. A third party may handle and open volumes and packaging, remove samples, and perform other similar procedures that are necessary for the accurate identification, quantification and analysis of the products of agricultural interest when under the command or guidance of the MAPA personnel indicated in the head provision.

Paragraph 2. In the case of demands laid down in official agreements for export operations, sample-taking may be performed by a MAPA-authorized company, pursuant to specific legislation.

Paragraph 3. If the interested party is not present, sampling may be carried out in the presence of the depositary or agent representing the interested party in this case.

Article 48. Sampling may be taken for on-the-spot analysis within the premises of warehouses, terminals and authorized facilities coming within the jurisdiction of the Vigiagro Unit, or for laboratory analysis in the official and accredited laboratories making up the National Network of MAPA Agricultural Laboratories (LANAGRO).

Paragraph 1. For on-the-spot analysis, a sample taking document does not need to be issued; however, the sampling does need to be registered on the DAT.

Paragraph 2. Material left over and discarded from the samples addressed under paragraph 1 of this article will remain available for the interested party to collect from the Vigiagro Unit, for a period of 24 (twenty-four) hours counting from the time and date of the sampling.

Paragraph 3. When sampling is for laboratory testing, data regarding the product of agricultural concern, depending on the nature and presentation of the product, and on the tests themselves, will be recorded on printed or electronic forms produced by the computer system.

Article 49. Sampling will be carried out in order to obtain a representative sample of the batch, and the sample will be taken at a location that has been authorized by the agricultural inspection service, in accordance with what is laid down by specific legislation for each product.

Paragraph 1. In order to ensure that the sample is representative, as addressed in the head provision of this article, the method to be adopted for sample-taking will depend on the nature and presentation of the product.

Paragraph 2. In cases where sampling is performed for sanitary, phytosanitary or zoosanitary purposes, or for quarantine purposes, the sampling will be targeted, rather than random, and must be carried out on the basis of inspection, seeking to identify signs or symptoms of sanitary, phytosanitary or zoosanitary occurrences, and in this case it is not necessary to take a B sample.

Article 50. Samples taken for analysis in specific laboratories must be placed in suitable packaging and transported likewise, with due identification of the batches to be analyzed.

Article 51. The sample-taking procedure and the sample size will obey provisions laid down in specific instructions.

Sole paragraph. Where there is no specific instruction to define sampling procedures and sample sizes, the provisions contained in the Appendices and tables to the present Normative Instruction must be observed.

Article 52. Interested parties must formally request the Vigiagro Unit to return discarded materials, and the responsible MAPA employee must record the quantities returned, affirming return by signature, and ask the legal representatives of the importer or exporter likewise to sign, affirming that they have received them: preferably electronically.

Sole paragraph. If the party of interest does not assert that they wish to collect the discarded products, then after 24 (twenty-four) hours any merchandise not testing positive for non-compliances may be donated to philanthropic institutions registered with the Unit, and a Donation Document will be issued.



# CHAPTER V

## AGRICULTURAL CLEARANCE, NOTIFICATION AND PROHIBITION, AND COMMUNICATION OF RETURN TO OVERSEAS

### Section I - Agricultural Clearance

Article 53. Once control and inspection procedures have been completed, and if the operation complies with what is set forth in the present Normative Instruction, the agricultural clearance procedure will be performed on the International Plant and Animal Movement Declaration (Portuguese acronym: DAT).

Sole paragraph. Agricultural clearance is the prerogative of the Federal Agricultural Inspector/Auditor.

Article 54. In cases where mandatory or supplementary laboratory tests have been demanded, the interested party may request agricultural clearance before the inspection process has been concluded, unless a contrary provision has been set forth in specific standards.

Paragraph 1. The request addressed in the head provision will be based upon a document in which the importer assumes the role of depositary of the merchandise.

Paragraph 2. The agricultural clearance addressed in the head provision will also be subject to appreciation by the Federal Agricultural Inspector/Auditor: issues to be taken into consideration include the management of the sanitary, phytosanitary or zoosanitary risk, and the traceability conditions of the products of agricultural concern.

Article 55. Failure to comply with the duties of the depositary as signed by the interested party, at any Vigiagro Unit, will expose the importer, exporter or legal representative to the sanctions set forth in specific legislation.

### Section II - Agricultural Inspection Notification (Portuguese acronym: NFA)

Article 56. In the event of signs, suspicions or queries as to the identity, quality, compliance, hygiene, health, primary origin, recent origin, destination, proposed use, as well as other document-related or physical non-compliances liable to correction, adjustment, or supplementary testing, the importer, exporter or their legal representative may be issued with an Agricultural Inspection Notification - NFA.

Paragraph 1. Such an NFA shall indicate:

- I - the reason;
- II - the legal or normative grounds;
- III - the prescribed demands or measures; and
- IV - the deadline for compliance or for lodging an appeal.



Paragraph 2. Agricultural inspection notifications will not be issued in cases not amenable to correction, and the importer, exporter or their legal representative will be notified of an Agricultural Prohibition, which will be recorded on the corresponding International Plant and Animal Movement Declaration.

Paragraph 3. In the cases described in the head provision, where correction, adjustment or supplementary testing have not been performed within the established deadline, for any reason other than inspection-related, an Agricultural Prohibition will be issued and recorded on the corresponding International Plant and Animal Movement Declaration.

Paragraph 4. The deadline for the compliance addressed in item IV of paragraph 1 of this article may be up to 15 (fifteen) days, at the discretion of the Federal Agricultural Inspector/Auditor, beginning from the date when the Agricultural Enforcement Notification is acknowledged on the physical document or is electronically received.

Paragraph 5. The deadline given in paragraph 4 may be extended one single time, at the discretion of the Federal Agricultural Inspector/Auditor, upon duly justified appeal.

Paragraph 6. At the end of the deadline addressed in paragraphs 4 and 5, if the non-compliance has not been corrected, an Agricultural Prohibition will be recorded on the corresponding International Plant and Animal Movement Declaration (DAT).

Article 57. An Agricultural Enforcement Notification will be issued on an ad hoc basis for cases where there is no registration of an International Plant and Animal Movement Declaration, in order to summons natural persons and legal entities, for the same reasons as listed in Article 56.

Article 58. The notified party is thereby made aware of the demands imposed by the agricultural inspection authority, once the Agricultural Enforcement Notification has been issued electronically.

Article 59. If, at any one of the steps of the inspection procedures described in the operational controls in the present Normative Instruction, an Agricultural Enforcement Notification is issued, it will entail suspension of the ongoing process until the demands have been met or the prescribed measures have been complied with.

Sole paragraph. A finding of non-compliance at subsequent steps will lead to the issuing of a new NFA.

Article 60. The interested party or their legal representative will be solely responsible for the merchandise, and for compliance with the measures set forth in the NFA by the Federal Agricultural Inspector/Auditor, including costs deriving therefrom, within the determined deadline and conditions.

### **Section III - Agricultural Prohibition**

Article 61. If all possibilities to comply with document-related, sanitary, zoonitary, phytosanitary, product origin, identity and quality demands and requirements have been exhausted, then the import, export or the granting of any special customs regime will be banned and the Federal Agricultural Inspector/Auditor will deny the International Plant and Animal Movement Declaration.

Article 62. If the DAT is denied, the Federal Agricultural Inspector/Auditor may also order that the products of agricultural concern, depending on their nature and the associated risk, be:

I - returned overseas, to the location of primary origin or most recent origin;

II - reexported;

III - destroyed; or

IV - euthanized.

Sole paragraph. Without prejudice to the measures set forth in this article, the Federal Agricultural Inspector/Auditor may order sanitary, phytosanitary or zoosanitary treatment, in accordance with guidance given by the competent Technical Department.

Article 63. The Federal Agricultural Inspector/Auditor must notify the customs authority of his or her order, and supply information on the measure that has been prescribed in conformity with article 62.

Article 64. MAPA shall take necessary steps to prevent the ingress into, or egress out of, Brazil of rejected or refused batches, as set forth in legislation.

Article 65. The parties responsible for the merchandise, goods and materials of agricultural concern shall meet the expenses stemming from the denial of the DAT.

#### **Section IV - Notice of Return to Overseas**

Article 66. In cases where foreign merchandise is returned overseas, a Notice of Return to Overseas shall be issued in compliance with the template contained in the Appendix to the present Normative Instruction.

Sole paragraph. The Notice of Return to Overseas shall not replace the official notifications determined in international conventions that are the competency of other MAPA Administrative Units.



# CHAPTER VI

## PROVISIONAL REMEDIES AND VIOLATIONS

### Section I - Provisional Remedies

Article 67. Jointly with the Technical Departments of the Secretariat of Animal and Plant Health; and in compliance with specific regulations, the following provisional remedies may be adopted either preceding or incidentally to an enforcement procedure, in isolation or cumulatively, whenever there is a sign or a suspicion of wrongdoing, breach of law or sanitary, zoosanitary or phytosanitary risk: Actions TO

I - seize, seal and apply other safety devices to volumes, recipients, baggage, cargo compartments, premises, equipment and vehicles in cases of violation or imminent sanitary, zoosanitary or phytosanitary risk;

II - order animals, plants, inputs, including feed for animals, and products of plant and animal origin to receive a different disposition from that for which they were originally intended, depending on the associated risk;

III - order treatment or transformation that will bring the animals, plants, inputs including animal feed, animal and plant products into line with the requirements of Brazilian legislation, including decontamination, if necessary, but not including dilution;

IV - transform by any other suitable means toward other purposes than animal or human consumption, providing it meets relevant legislation;

V- ban and order as a plant and animal health measure the isolation of vehicles, premises and places where merchandise, goods and materials of agricultural concern enter, exit, pass through or remain, in the case of a breach of relevant legislation, imminent risk, or also in cases where bioterrorism is suspected and phytosanitary and zoosanitary emergencies occur;

VI - intercept, hold and prevent vehicles from entering or leaving, from pulling up or from pulling away, as well as the loading, unloading, immediate transshipment or transshipment after storage, of suspicious products or those posing a phytosanitary or zoosanitary risk, and in cases where the legislation in force is breached;

VII - seize products of agricultural interest and take samples for enforcement-related laboratory tests: imported, exported or international and customs transit batches may be held for the time needed to obtain the laboratory results determining their conformity or otherwise; and

VIII - order their return to the place of origin or point of shipping, prescribe sanitary and phytosanitary measures, quarantine, treatment, euthanasia or destruction of products of agricultural concern, that have been seized and that pose an imminent sanitary or phytosanitary risk.

Article 68. Expenses stemming from the measures set forth in article 67 will be borne by the person responsible for the product, vehicle or item of equipment, as the case may be, as well as any individual provoking the application of the provisional remedy.

## **Section II - Infractions**

Article 69. Violations of legislation identified during an inspection procedure will be investigated in an administrative process, in compliance with procedures and deadlines set forth in specific legislation.

Sole paragraph. It is the prerogative of the Federal Agricultural Inspector/Auditor to draw up the notice of infraction and to initiate the administrative process.

# **CHAPTER VII** **FINAL PROVISIONS**

Article 70. The Appendices to the present normative instruction are hereby approved, and may be consulted at the MAPA Internet site: <http://www.agricultura.gov.br/vigiagro/normas>.

Sole paragraph. The Secretary for Animal and Plant health may amend, include, exclude or reorder the Appendices to the present Normative Instruction, and within the scope of his or her mandate, draft supplementary standards needed for the application of what is provided for in the present Normative Instruction.

Article 71. The General Coordination of Vigiagro may, within the scope of its mandate, perform legal acts that are necessary in order to:

- I - guide the application of the provisions contained in the present Normative Instruction;
- II - draft technical manuals, supplementary notes and support materials for internal and external target audiences;
- III - establish and update templates for the documents described in the present Normative Instruction; and
- IV - amend the computerized systems managed by Vigiagro, and propose adjustments to computerized systems managed by other Administrative Units of MAPA.

Article 72. Within the scope of the General Coordination of Vigiagro, Virtual Animal and Plant Health Technical Units (Portuguese acronym: UTVDA) may be established.

Paragraph 1. These virtual technical units shall be set up by order of the Secretary for Animal and Plant Health when so requested by the General Coordinator of Vigiagro.

Paragraph 2. The activities to be performed by a UTVDA and the appointment of personnel to work in these Units shall be put forward by the General Coordinator of Vigiagro at the same time as the request for setting-up is made.

Article 73. The Steering Committee and Subcommittees of Vigiagro for Airports, Ports, Border Posts and Special Customs Facilities are hereby created.

Sole paragraph. The Secretariat of Animal and Plant Health shall publish supplementary standards in order to define the bylaws of the Vigiagro Steering Committee and the Subcommittees.

Article 74. Locations and facilities already in operation, and served by a Vigiagro Unit, shall have a period of 2 (two) years as of the date of publication of the present Normative Instruction in which to comply with all the technical requirements for eligibility established in it.

Article 75. In order to enforce the provisions contained in the present Normative Instruction, MAPA shall operate in close cooperation, collaboration and integration with other public bodies responsible for the control of international trade and movements of goods and travelers.

Article 76. The present Normative Instruction shall come into force 120 (one hundred and twenty) days after publication in Brazil's Official Gazette (*Diário Oficial da União*).

Article 77. MAPA Normative Instruction 36, dated 10 November 2006; MAPA Normative Instruction no. 4, dated 16 March 2005; and Ordinance no. 26, dated 7 April, 2016 are hereby revoked.

BLAIRO MAGGI



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## APPENDIX I - REPRESENTATION IN THE VIGIAGRO SYSTEM

### 1. The Registration of Users and Intervening Parties

1.1. The practice of the activities addressed in the present Normative Instruction is dependent upon the registration and authorization of natural persons and legal entities by MAPA.

1.2. The registration addressed in this Appendix will include the accreditation of an interested legally responsible individual and the authorization of natural persons who may act on their behalf, in practicing these activities.

1.3. Interested parties can appoint legally responsible individuals to be accredited to carry out procedures and activities laid down in the Management Information System for the International Transit of Agricultural Products and Inputs (Portuguese acronym: SIGVIG).

1.4. Accreditation in SIGVIG is valid nationwide within Brazil, and the interested party or its legally responsible individual will be entitled to operate in any Vigiagro Unit.

1.5. For the purposes of the present Normative Instruction, natural persons and legal entities carrying out activities related to the international movement of products of agricultural concern will be deemed interested parties.

1.6. The documentation necessary for registration must be presented—preferably in electronic form—to a state-level Federal Superintendency of Agriculture (Portuguese acronym: SFA-UF) or to one of the units of the Vigiagro system:

- a) digitized documents will be accepted if their original authenticated copies are presented, simply for checking, and the physical copies will be returned to the interested party when the registration process is completed; the interested party must keep the original document under their control for the duration of the validity of the registration;
- b) presentation of a physical copy is waived for digitized documents signed using a electronic certificate valid in the ICP-Brasil standard; and
- c) in the event of doubt or query as to the integrity and/or authenticity of the content of digitized or electronically signed documents the interested party may, at any moment, be required to present the original documents for checking.

### 2. Special Registration:

2.1. Natural persons or legal entities carrying out the operations listed below will be subject to special registration:

- a) the entry or exit from Brazil of domesticated or pet animals when accompanied by their owner and holders of the Travel Movement Passport for cats and dogs, or International Animal Health Certificate;
- b) the import, export or inclusion in an accompanied or unaccompanied baggage protocol by a natural person, with or without a commercial purpose;
- c) the import, export or bringing in by the Brazilian Post Office (*Empresa Brasileira de Correios e Telégrafos*—ECT);
- d) the import, export or bringing in by an international express transportation company;
- e) special customs protocols for free shops, certified bonded warehouses, and customs cold storage;

- f) the approved movement, deposit and warehousing of goods of agricultural concern being imported, exported, or in international and customs transit; and
- g) the collection, packing, treatment and disposition of residues that may pose a sanitary, phytosanitary and zoonotic risk.

2.2. The special registration will be carried out in accordance with the technical specifications of SIGVIG, using a specific module for the above-mentioned controls.

### 3. Access to SIGVIG:

3.1. In order to access SIGVIG, interested parties or their legally responsible individuals must register in the MAPA portal, following instructions given in the registration system.

3.2. When available, access to SIGVIG will be provided by means of an electronic certificate issued by a certifying authority, and will be personal and nontransferable, and the holder shall be held responsible for the information provided, and for each and every operation performed within the system.

3.3. If access is lost or misuse is suspected, the user must immediately notify the Vigiagro unit in writing for appropriate measures to be taken.

3.4. Mandatory electronic certification is waived for the following operations:

- a) the import, export, and international transit of goods of agricultural concern when carried as accompanied or unaccompanied baggage, without a commercial purpose, and by natural persons; and
- b) the import, export, and international transit of goods of agricultural concern where the responsible individual accredited by the legal entity can prove they are unable to produce an electronic certificate.

### 4. Accreditation of the Responsible Person by a Legal Entity or Natural Person:

4.1. Accreditation of the legally responsible individual by a legal entity can be requested as a specific function in SIGVIG, analysis of which can be requested at any SFA/UF or Vigiagro Unit, and must be based upon the following documents:

- a) a simple copy of an identification document bearing a photograph, presenting the original for a MAPA officer to check, or an authenticated copy;
- b) a power of attorney to represent a legal entity, when applicable; and
- c) a copy of the act of appointment of the legal representatives of a direct public administration body, semi-autonomous organization, public foundation, autonomous public agency, international organization, or other institution, as well as the corresponding personal identification, as the case may be.

4.2. After all the documentation has been presented and no legal impediments have been found, accreditation may be approved by the SFA/UF or Vigiagro Unit.

4.3. If any inconsistency is found in the documentation, the legally responsible individual may be asked to present other documents to underpin and prove the information given.

4.4. The following conditions, whether the person seeking accreditation has been summonsed or otherwise, will lead to denial of the request for accreditation:

- a) when presented not in accordance with the contents of the present Normative Instruction;
- b) when underpinned by a false declaration or document;
- c) when containing a clause restricting the nationwide scope of such representation; and
- d) when presented by a legal entity that fails to comply with the summons to present supplementary documentation within 15 (fifteen) days or that fails to put right any outstanding issues found.

## 5. Registration of a Legal Entity

5.1. In order to register a legal entity in SIGVIG, the legally responsible individual must present MAPA with:

- a) a copy of the legal entity's bylaws and proof of trading from Brazil's Inland Revenue Secretariat (*Receita Federal do Brasil*); and
- b) a copy of proof of approval to operate in the Integrated Foreign Trade System (*Sistema Integrado de Comércio Exterior—Siscomex*) or Traceability System for Operations of Intervening Parties in Customs (*Sistema de Rastreamento da Atuação dos Intervenientes Aduaneiros—Radar*).

5.2. If the legally responsible individual is replaced, their successor must seek new approval within the system, by presenting the same documentation as laid down in item 5.1.

5.3. For the purposes of the provisions of this Appendix, the records, registries and information of legal entities in the official information systems of other Direct or Indirect Public Administration Bodies and Entities may be shared.

## 6. Registration of a Natural Person:

6.1. Registration of a natural person may be requested using a function available in SIGVIG; analysis of the solicitation of registration may be requested at any SFA or Vigiagro Unit, and must be underpinned by the following documents:

- a) a simple copy of an identification document bearing a photograph, presenting the original for a MAPA officer to check, or an authenticated copy; and
- b) authorization of a representative and a copy of his or her identification, when applicable.

6.2. Request for accreditation will be denied when presented otherwise than in accordance with the contents of the present Normative Instruction;

6.3. SIGVIG shall provide simplified access to the system for non-commercial operations related to the international movement of products of agricultural concern that are carried out by a natural person.

## 7. Authorization of Legal Representatives:

7.1. When SIGVIG makes it available, the accredited legally responsible individual may allow his or her authorized representatives to perform agricultural approval activities directly in the system.

7.2. The following persons may be authorized to carry out the activities of the present Normative Instruction:

- a) a director or employee of the represented legal entity, who has been duly approved in Brazil's Inland Revenue Secretariat;
- b) an employee of a company that is affiliated to, or controlled by, the represented legal entity, when duly approved in Brazil's Inland Revenue Secretariat;
- c) a specially appointed employee or collaborator in the case of operations carried out by a federal, state or municipal agency of direct public administration or quasi-autonomous body, diplomatic mission or consular office of a foreign country, or representation of international bodies; and
- d) a Customs agents or assistant customs agent, duly approved in Brazil's Inland Revenue Secretariat.

7.3. When they are the beneficiaries, the transporter or transport operator are the equivalent of the interested party in clearance procedures for customs transit, and for postal and express remittance regimes.

7.4. The legally responsible individual for the natural person or legal entity, accredited under the provisions of the present Normative Instruction, must ensure that people who will act as customs agents and assistant customs agents are correctly registered.

7.5. The authorized representative will keep possession of the respective document granting power of attorney, to be produced when demanded by agricultural inspection.

7.6. The authorized representative, as provided for in this Appendix, will be able to act on behalf of the natural person or legal entity they represent in any MAPA unit.

7.7. The interested party or legally responsible individual is obliged to notify the Vigigro Unit responsible for their registration of any change in the situation via SIGVIG, such as:

- a) the change of address of the interested party or their agents;
- b) changes to the articles of organization or bylaws when they lead to changes in the terms of accreditation;
- c) dismissal or leave of absence of any employee, collaborator or authorized servant; and
- d) revocation of mandate.

7.8. The customs agent or substitute must also communicate any change in address, situation or employment via SIGVIG.

7.9. Cancellation of authorization to act as representative of a natural person or legal entity in regard to agricultural approval activities in SIGVIG must be communicated in SIGVIG by the respective accredited responsible individual using a specific module.

## 8. Mandate of Representation:

8.1. The mandate of representation document must explicitly contain a clause authorizing the person to sign the documents demanded by MAPA in compliance with legislation, including the Depositary Agreement and the Commitment Agreement.

8.2. In the event of subagency, this authorization shall be expressly described in the original power of attorney by the grantor.

8.3. The mandate may not contain a clause exempting the grantor of liability for commission or omission by the grantee.

8.4. The document or agreement of mandate of representation must explicitly contain a clause authorizing such person to interact directly with MAPA in any State of Brazil.

## 9. Validity of Accreditation and Authorization:

9.1. Accreditation of a natural person or of a legally responsible individual by a legal entity in SIGVIG will be valid for the term indicated by the interested party, as indicated in the mandate of representation.

9.2. Authorization to act as the legal representative will be valid for as long as the accreditation of the natural person or legal entity being represented remains valid, or for a term defined in the mandate of representation.

9.3. The commencement of the term of accreditation and authorization will begin on the date of approval of accreditation by the Vigiagro Unit, always respecting the term laid down in the mandate.

## APPENDIX II - REQUIREMENTS AND PROCEDURE FOR AUTHORIZING WAREHOUSES, TERMINALS AND FACILITIES.

### 1. General Remarks:

1.1. The approval of warehouses, terminals and facilities is an effort to ensure that the inspection of international movements of goods of agricultural concern be carried out in physical spaces offering suitable conditions for such inspection, which includes the necessary built facilities and equipment.

1.2. The goal is to ensure a Federal Agricultural Inspection of quality, making sure that Brazil has the rapid response that international trade demands of the country.

1.3. This approval is granted by MAPA by means of a specific procedure, and only upon verification of the availability of minimal conditions for the operation.

1.4. It is important to stress that such approvals have a specific scope, and are exclusive to the intended operation, for which reason they must meet specific demands for the goods to be moved.

1.5. Therefore in this Appendix the general, and more specific, requirements for the approval of warehouses, terminals and facilities, are laid down:

a) the general requirements do not depend on the type of operation or category of products to be moved. These general requirements must be met by each and every warehouse, terminal or facility performing the operations of the international movement of goods of agricultural concern, when expressly waived by the authority of MAPA owing to the specific characteristics of a place or facility; while

b) the specific requirements address the particular conditions for each category of product moved, such as import and/or export of live animals, or of chilled or frozen cargoes. Where there is no specific requirement, only the general requirements for approval will be demanded.

### 2. General Requirements for the Approval of Warehouses, Terminals and Facilities

#### 2.1. Administrative Buildings:

2.1.1. The administrator of the place or facility must have access to a duly identified administrative office, without financial burden to the Vigiagro Unit, throughout the term of approval with Brazil's Inland Revenue Secretariat (Portuguese acronym: RFB).

2.1.2. In an area set apart from, but close to, areas where International Agricultural Surveillance operations are carried out, and equipped as follows:

a) Facilities must be supplied with electricity, drinking water and sewerage;

b) Telephony, telephone lines and devices;

c) Internet connection and equipment such as modems, routers and switches enabling the secure traffic of data, as well as information technology (IT) backup and maintenance;

d) Access to the World Wide Web, to a database information management system for travelers, vehicles and cargoes, to a database for local storage, and access to other official computerized systems for approval and control of import, export, international movements, and customs clearance;

e) The facilities are to be climate-controlled in accordance with the size of the Vigiagro team

working in the Unit;

- f) IT equipment such as stabilizers, no-breaks, servers and printers in accordance with the technical specifications and in sufficient number to meet the demand for inspection; plus IT backup and equipment maintenance services;
- g) Multifunctional printers for copying and scanning documents;
- h) Bar code and microchip scanners;
- i) Furniture, including desks, chairs, armchairs and sofas in the waiting room area, office cabinets, as well as individual lockers with padlocks, shelving and files that enable operating and in sufficient quantity for the size and goals of the team that will be working on the site; and
- j) other specific devices and equipment as needed by the operation.

2.1.3. Additional conditions demanded for the administrative facilities supporting Vigiagro activities in the Unit are:

- a) a suitable and duly identified space for the parking of official vehicles and those of the personnel working in the warehouse, terminal or facility, sufficient to meet the demand;
- b) kitchen/galley equipped as needed;
- c) changing rooms and restrooms (male and female) as well as suitably furnished sleeping quarters for international units of the Vigiagro (International Agricultural Surveillance) system demanding seamless round-the-clock work;
- d) a suitable area to act as a deposit for permanent and consumable materials;
- e) meeting room;
- f) a properly furnished and equipped space in which users can be seen;
- g) 24/7 security, monitoring and surveillance of the premises; and
- h) an IT room to house the network server, when applicable.

2.1.4. The sizing, internal layout, suitability of partitions within the administrative office, and other resources must all be designed and presented for prior analysis by the Vigiagro Unit as early as possible, taking into consideration the activities to be carried out on the premises or facilities, the demand for inspection, and the particular features of interactions with the public at large.

2.1.5. Maintenance expenses for the premises, including cleaning, water supply, electricity and telephony, as well as other municipal taxes, will be the responsibility of the administration of the facility as approved by RFB.

2.1.6. The administrative areas of the Vigiagro Unit, when set up in ports, airports and border posts and administered by legal entities of Direct Public Administration, will be subject to pro rata distribution of ongoing cleaning, water supply, electricity and telephony expenses. In this pro rata distribution, only the premises of the administrative office used exclusively by the Vigiagro Unit for performing its activities are to be taken into consideration, rather than the inspection procedures involving oversight or inspection of goods of agricultural concern that are transported as cargo or travelers' baggage.

2.1.7. The administration of the warehouse, terminal or facility must make premises and equipment available to enable the public at large to be served satisfactorily on the premises, guaranteeing suitable conditions of safety, comfort, hygiene and convenience.

2.1.8. The following are deemed to be areas where the public at large is served:

- a) the document receiving, stamping and issuance section;
- b) workstations possessing IT equipment, printers, terminals with access to the MAPA information management databases; and
- c) a room for serving the public at large and holding meetings.

2.1.9. In cases where the service attends to the public at large in order to inspect domestic pets, the demands contained in a specific Appendix for the inspection of live animals must be met.

2.1.10. One or more items of the demands addressed in the present Appendix may be waived at the discretion of the Vigiagro Unit if a need to do so is identified.

## 2.2. Separation and Physical Protection of the Warehouse, Terminal or Facility area:

2.2.1. The area of the warehouse, terminal or facility must be set apart in such a way as to enable its perimeter to be defined, and to provide suitable isolation and protection for the activities carried out in it.

2.2.2. Operations performed on the site must be sufficiently isolated for the following goods of agricultural concern. Those:

- a) coming from overseas;
- b) for export;
- c) coming under a special customs protocol;
- d) domestic goods in domestic transportation;
- e) with special end purposes;
- f) demanding special biosecurity and animal welfare conditions;
- g) requiring specific temperature and storage conditions;
- h) posing a sanitary, phytosanitary or zoosanitary risk;
- i) confiscated, held, or where authorization is prohibited;
- j) hazardous loads; and those
- k) intended for sanitary, zoosanitary or phytosanitary treatment.

2.2.3. The separation between areas intended for goods of agricultural concern must be provided in such a way that it ensures suitable isolation conditions between them, taking into consideration the characteristics of the operation, the merchandise, and the risk involved.

2.2.4. The dimensions, location, and the means of isolation of the segregated areas within the warehouse, terminal or facility may be altered by the administration at its convenience in accordance with the volume of loads to be stored, provided that the effectiveness of Federal Agricultural Inspection is preserved.

2.2.5. In those cases where the effectiveness of Federal Agricultural Inspection is not jeopardized, segregation may be waived, taking into consideration the specific characteristics of the warehouse, terminal or facility.

## 2.3. General requirements for Warehouses, Terminals or Facilities moving cargoes:

2.3.1. Any RFB-approved warehouse, terminal or facility receiving goods of agricultural concern inside containers, trucks, vans, railroad wagons or on air-transport pallets, must keep aside a specific area for federal agricultural inspection, providing the following characteristics: it must be

- a) covered, adequate for the inspection demand, protecting the cargo and personnel involved in the Federal agricultural inspection;
- b) of suitable size for the volume of cargo moved, and enabling the federal agricultural inspectors to have proper access;
- c) well-lit and ventilated;
- d) designed to have a flat paved floor capable of withstanding the movements of forklift trucks or cargo shifting equipment; and
- e) monitored, protected, isolated and identified in order to ensure the necessary conditions for operational safety.

2.3.2. The administrator of the approved warehouse, terminal or facility is responsible for maintaining adequate conditions of safety, cleanliness, hygiene and maintenance in the inspection area.

2.3.3. Areas set aside for operations involving goods of agricultural concern that demand special precautions in transportation, handling, treatment or storage must be conveniently placed with regard to flow lines in the space or facility so as to facilitate agricultural controls.



2.3.4. The administrator of the warehouse or facility must make the following devices, instruments and conditions available—even if sharing this task with other bodies and provided the effectiveness of agricultural inspection is not jeopardized, and without cost to the Vigiagro Unit, even in terms of maintenance:

- a) non-invasive inspection equipment (scanners) for cargoes, vehicles, cargo units and volumes, allowing the Vigiagro Unit to have access to the images of the inspection, or making them available to Vigiagro;
- b) scales with calibration certificates for weighing loads that are being inspected, including highly accurate scales for small quantities and samples, that can be integrated to computers, in sufficient quantity for the need, and in compliance with the specifications that are demanded;
- c) bar code readers, microchip readers and infrared thermometers with calibration certificates, and other equipment that may be necessary for inspection;
- d) IT workstation compatible with the number of staff in the unit, with broadband access to the World Wide Web, to the Vigiagro Unit's intranet, and to Siscomex, possessing a printer and consumables to make it fully operational, as well as IT support and equipment maintenance;
- e) telephones and lines for the exclusive use of the Vigiagro unit, in sufficient number and in accordance with the demanded specifications, enabling rapid communication between the terminal's administrative sectors;
- f) broadband and router to provide wi-fi connection at a speed compatible with the demanded specifications; and
- g) forklift trucks, manual pallet trucks and other cargo moving equipment.

2.3.5. The scales and non-invasive inspection instruments must enable transmission and integration of information into computerized systems.

2.3.6. The number and quantity of materials, premises and equipment will comply with nominal capacities, and be sufficient to enable inspection of all cargo units subject to agricultural inspection on site or in the premises.

2.3.7. The administration of the warehouse, terminal or facility, even in passenger terminals, is responsible for maintenance, hygiene, cleanliness and disinfection of the facilities listed in this Appendix, during their use as well as before and after they have been used.

2.3.8. The following conditions must also be ensured:

- a) There must be an area for inspection with bench tops and/or tables for picking, in compliance with, and sufficient quantity for, the appropriate specifications for inspection, providing consumables such as paper, cutting tools, gloves, tweezers, masks, filters, sticking tape and other consumables defined by each unit;
- b) an on-site laboratory for testing, sampling, and packing diagnostic samples, and identifying goods of agricultural concern, as well as plant pests and the etiological agents of animal diseases, supplied with material to be listed by the General Coordination of Vigiagro, for each case;
- c) an area set aside for sampling and packing "A" and "B" samples used in the MAPA official programs, depending on the nature of the merchandise, goods and materials of agricultural concern;
- d) an area suitable for holding seized, confiscated or agriculturally banned cargoes for durations and under conditions defined by the legislation in force;
- e) duly identified and restricted parking area, adjacent or nearby, for the official vehicles of the Vigiagro unit, making available a number of spaces compatible with the number of vehicles;
- f) an area for operational procedures and sanitary measures to be taken in the event of sanitary emergencies;
- g) a kennel for sniffer dogs, to be used in International agricultural surveillance activities, with stalls and other built facilities in a suitable number, and in compliance with established specifications; and

h) a place for cleaning and disinfecting vehicles and containers that have carried goods of agricultural concern, where their operation demands technical, hygienic and sanitary conditions that are suitable for inspection purposes.

2.3.9. The administration of the cargo terminal or facility is obliged to provide support staff to make operational the equipment, movements, storage and disposition of goods of agricultural concern in the interests of inspection.

2.3.10. The specifications concerning premises, parking space for operational vehicles, lodgings, kennels, equipment and other items must be provided in accordance with the National Commission of Airport Authorities (*Comissão Nacional de Autoridades Aeroportuárias—CONAERO*)'s Manual for Assigning Areas in Airport Cargo Terminals for Public Body Members of CONAERO, and recent updates to it.

2.3.11. One or more demands may be waived, depending on the specificities of the cargo terminal or facility, in accordance with the demand for inspection, and subject to an opinion provided by the Vigiagro Unit.

### 3. Specific Requirements for the Approval of Warehouses, Terminals and Facilities

#### 3.1. Movement of Chilled and Frozen Cargoes:

3.1.1. The climate-controlled premises provided by the administrations of warehouses, terminals, or facilities where import and export operations for chilled or frozen goods of agricultural concern are carried out, must:

- a) be of suitable size for the movement of chilled or frozen cargoes; and
- b) provide a temperature compatible with the preservation of technical, hygienic, sanitary and storage conditions required for the maintenance and execution of inspection, reinspection and sampling procedures.

3.1.2. The facilities to be used for inspection and reinspection of chilled and frozen products must comprise at least:

- a) a climate-controlled room, for specialized use, depending on the nature of the merchandise, goods or materials of agricultural concern;
- b) boot and hand wash facilities; and

c) changing rooms for the use of staff involved in the operation, when necessary.

3.1.3. The climate-controlled room must have:

- a) suitable lighting to carry out reinspection procedures; and
- b) a room thermometer.

3.1.4. The loading bays of the climate-controlled room must allow the container to dock perfectly with as little temperature exchange as possible between the room and the outside environment, and also allow efficient sanitation.

3.1.5. The container docking area must be covered so as to prevent rainwater entering during the inspection and reinspection procedures.

3.1.6. The walls of the room must be surfaced with an easily cleaned and sanitized lining material.

3.1.7. The floor must be built of waterproof, smooth, nonslip, impact and friction resistant material enabling easy cleaning and sanitizing.

3.1.8. The climate-controlled room may only be reached through the boot and hand washing facility, which must be equipped with a sink, liquid soap dispensers, disposable paper towels and a waste bin with a hinged or pedal-actuated lid.

3.1.9. The changing rooms must have lockers, uniforms, boots and caps for staff to use when inspecting.

3.1.10. The administration must take the necessary steps to ensure suitable hygienic, technological and sanitary conditions in the premises, before, during and after operations, and

control the access of personnel to the premises, in accordance with the demands of the Vigiagro Unit.

3.1.11. A specific area may be required for the segregation of goods of agricultural concern that have been damaged, confiscated, seized, or held over till inspection is completed.

3.1.12. Some or all of the demands may, at the discretion of the Vigiagro Unit, be waived, or additional demands may be made for terminals or facilities moving chilled and frozen cargoes, depending on the particularities of the terminal facility, and in accordance with the demand for inspection.

### 3.2. Moving Live Animals:

3.2.1. The import and export of live animals may only be authorized at ports, airports and border posts possessing approved locations, terminals or facilities and with the suitable organization, equipment and premises to carry out identification, inspection and clinical examination procedures. Premises and equipment will be demanded in order to enable:

- a) the detection of animals that are sick or suspected of being so;
- b) the taking of biological samples for laboratory testing;
- c) the isolation of animals; and
- d) the performance of other procedures laid down by MAPA or demanded for the issuing of an International Certificate.

3.2.2. Facilities for the import and export of live animals may not be used for simultaneous importing and exporting procedures.

3.2.3. If an approved site, terminal or facility carries out both import and export, it must have specific independent built facilities for each modality, or carry them out at different moments, provided that cleaning, disinfection and disinfestation are performed in accordance with the demands laid down in the specific legislation.

3.2.4. Until disinfection and disinfestation of the premises and equipment are completed, under the supervision of the Vigiagro Unit, a new animal handling operation will not be authorized.

3.2.5. The loading and unloading of animals at ports, airports, border posts and special customs facilities may be executed either using fixed or mobile equipment, provided that it is made of rugged material ensuring the safety of the personnel and animals involved in the operations, and guaranteeing animal welfare conditions as laid down in the legislation in force, and in the guidelines of the World Animal Health Organization (OIE).

3.2.6. Sites, terminals or facilities for animal import and export operations must present protocols with allowance made for the suitable separation and disposition of dead animals, their remains and any other solid wastes resulting from the vehicles and facilities used.

3.2.7. The following are facilities required for international movements of ruminants, equidae and suidae:

- a) structures for loading and unloading that have been sized in accordance with the species;
- b) raceways for the separation, deviation and return of animals to the vehicle;
- c) raised platforms with covering and lighting suitable for inspection and animal identity verification procedures; and
- d) a climate-controlled space near the ship's mooring-place exclusively intended for the federal inspection service, equipped with suitable lighting, bench top for working, sink and restroom.

3.2.8. Facilities for international travel involving animals must be built or assembled using material that enables suitable washing, cleaning and disinfection, while other facilities such as platforms, pens, crushes for restraining and separating animals may be demanded, at the discretion of Vigiagro, according to the operational needs of the inspection procedures.

3.2.9. For the international transport of poultry and fertile eggs, all premises, terminals or facilities must be located within a customs area and provide:

- a) cargo conveyor belts;
- b) climate-controlled rooms;
- c) administrative offices; and
- d) a place for receiving and screening.

3.2.10. Areas intended for the import and export of birds and fertile eggs must possess independent (physically separated) structures.

3.2.11. For the international transport of pigs, the location, terminal or facility must be located in a customs-controlled area and provide natural or artificial shade, ventilation systems, as well as water jets and sprays to cool the animals.

3.2.12. International transport and trade operations involving pets require areas intended for clinical inspection, and an area to separate and isolate the animals.

3.2.13. Areas for clinical inspection must be set apart, in order to mitigate stressful conditions for the animal.

3.2.14. The area for inspecting pets for export must be outside the customs-controlled area, near to the area where the public at large is served, while the area for inspecting animals for import must preferably be located within the Restricted Customs-Controlled Area of the approved room.

3.2.15. The area for inspecting pets to be imported must be equipped with counter tops or bench tops for the clinical inspection of the animals, a hand-washing basin and support tables for MAPA personnel.

3.2.16. The area for holding and isolating pets must be located within the restricted customs-controlled area, and be covered, climate-controlled, with litter bedding, drinking fountains, eating troughs and other equipment of the size and nature compatible with the body sizes of groups of animal species.

3.2.17. Some of these demands may be waived, or other additional demands may be added in order to approve the premises, terminals or facilities where live animals are moved, in accordance with the particularities of the place, and the needs of the animal species and the inspection thereof.

### 3.3. Areas for Phytosanitary Treatment for Quarantine Purposes:

3.3.1. Phytosanitary treatments for quarantine purposes may only be performed in places suited to this purpose, enabling the isolation and separation of cargoes for inspection and for such treatment.

3.3.2. Areas intended for phytosanitary treatments for quarantine purposes must be at a suitable distance from any area where people not involved in the phytosanitary treatment are moving about, in accordance with specific federal, state-level or municipal standards and, if this is the case, with the information contained on the package insert of the products used and must be clearly identified, isolated and delimited.

3.3.3. Areas intended for phytosanitary treatments for quarantine purposes must possess the following specifications:

- a) flat, level and paved area;
- b) restricted and controlled access;
- c) closed off to the passage of people not involved in the treatment;
- d) ventilated, in order to facilitate airing after fumigation, when applicable;
- e) lighting;
- f) enable access to the vehicle involved in the treatment; and
- g) when necessary, be signposted to warn people of the hazard of the agricultural chemical that has been used.

3.3.4. Phytosanitary treatments for quarantine purposes must be applied in accordance with the specific legislation addressing the issue.

3.3.5. The total area to be prepared for carrying out the treatment must be made available by the administration of the customs-controlled warehouse, terminal or premise, and validated by MAPA

as to operational security in carrying out the phytosanitary treatments for quarantine purposes.

### 3.4. International movements of travelers:

3.4.1. The administration of terminals or facilities where the movements of travelers coming in from, or departing for, overseas are processed must possess a specific area for performing inspection, in accordance with the following specifications:

- a) there must be an area intended for the voluntary disposal of goods of agricultural concern coming from overseas, located after the baggage reclaim area and before the split into channels for the declaration of goods, and duly signposted with information and guidance as to the ban on the entry of agricultural products;
- b) containers for disposing of goods of agricultural interest;
- c) the area must be duly identified with workstations in sufficient number intended for the declaration of goods of agricultural concern contained in the baggage;
- d) there must be an area for the non-invasive inspection of the baggage of travelers coming from overseas, which must possess a sufficient number of baggage scanners to meet inspection demands;
- e) there must be an area intended for the direct inspection of the baggage of travelers from overseas;
- f) there must be a specific facility for the inspection and temporary custody of live animals accompanied by documents that contain problems for immediate correction; this facility must be lockable and provide a clinical inspection table or workbench, hand-washing basin, wastepaper baskets, paper towels, disinfectants, electricity, ventilation, lighting and sanitary connection, of the right size and in accordance with specifications and the demand for inspection;
- g) an on-site laboratory for testing, sampling, and packing diagnostic samples, and identifying goods of agricultural concern, as well as plant pests and the etiological agents of animal diseases, supplied with the necessary materials and equipment for sampling biological materials for laboratory testing, wash basin, bench top, stereoscopic microscope (magnifying glass) and refrigerator, if necessary;
- h) a lockable facility for holding animals, where additional testing is necessary, for durations and conditions laid down by the legislation in force, containing shelves and refrigeration equipment;
- i) duly identified and restricted parking area, adjacent or nearby, for the official vehicles of the Vigiagro unit, making available a number of spaces compatible with the number of vehicles;
- j) an area for operational procedures and sanitary measures to be taken in the event of sanitary emergencies; and
- k) a kennel for sniffer dogs, to be used in international agricultural surveillance activities, with stalls and other built facilities in a suitable number, and in compliance with established specifications.

3.4.2. The installation of non-invasive inspection equipment may be demanded in the area outside travelers' baggage reclaim, in cases where, at the discretion of the Vigiagro Unit, this layout is more suitable owing to operational flows.

3.4.3. The area for direct inspection of travelers' goods must provide:

- a) a workstation possessing IT equipment in accordance with demanded specifications, having access to the Internet and the Vigiagro Unit's intranet, when appropriate, in sufficient numbers for the number of staff and the inspection demand;
- b) printers meeting the specifications demanded, with access to the Vigiagro Unit intranet, provided with consumables for full operability;
- c) telephones and lines for the exclusive use of the Vigiagro unit, in sufficient number and in accordance with the demanded specifications, enabling rapid communication between the terminal's administrative sectors;
- d) radio transmitters or some other suitable means, in numbers and in accordance with the

specifications demanded for communication among personnel;

e) broadband Internet with a router in order to provide Wi-Fi connectivity, at a speed compatible with the specifications demanded;

f) monitor with on-line access to information on the status of international flights;

g) space and furniture for document management of the right size and in accordance with the inspection needs;

h) sufficient bench tops in accordance with suitable specifications for inspection;

i) a sufficient number of scales to weigh merchandise, goods and materials subject to inspection, including precision scales for small quantities, samples and materials that have been confiscated; these will be integrated to computers so as to meet the specifications demanded;

j) mobile tank to denature foodstuffs, coupled or otherwise to a grinder;

k) material for disinfection;

l) monitoring by security camera so as to cover all the direct inspection areas of the International Agricultural Surveillance station;

m) containers for disposing of, and transporting, confiscated material, in a sufficient number and in accordance with the specifications and demand of inspection; and

n) plastic packaging to pack and seal seized materials.

3.4.4. The Administration of the international passenger terminal is responsible for the maintenance, cleaning and disinfection of the premises listed in this Appendix, before, during and after use.

3.4.5. One or all of the demands may, at the discretion of the Vigiagro Unit, be waived for international passenger terminals, depending on the particularities of the terminal or facility, and in accordance with the demand for inspection.

3.4.6. The Administration of the location or facility must present an operational flow plan for the removal and destruction of seized products of agricultural concern.

3.4.7. Administrators of MAPA-approved international passenger terminals or facilities must:

a) in places with suitable visibility, post MAPA informational materials on goods of agricultural concern that are authorized to enter, or banned from entering, Brazil and the respective sanctions for violations;

b) broadcast audio and audiovisual media containing informational material produced by MAPA on goods of agricultural concern that are authorized to enter, or banned from entering, Brazil and the respective sanctions for violations, so as to guide travelers passing through the international terminals and raise their awareness, with the frequency, and at given times, determined by the Vigiagro Unit.

c) provide security and support staff to man the non-invasive inspection equipment, handle baggage, take, pack and dispose of seized goods of agricultural concern; and

d) provide signage on horizontal and vertical surfaces so as to guide travelers through the inspection flow upon international arrival.

3.4.8. The specifications concerning facilities, parking spaces for operational vehicles, lodgings, kennels, equipment and other items must be provided in accordance with the National Commission of Airport Authorities (*Comissão Nacional de Autoridades Aeroportuárias—CONAERO*)'s Manual for Assigning Areas in Airports for Public Body Members of CONAERO, and recent updates to it.

3.5. Postal and Express Remittances:

3.5.1. The same demands as for administrative areas, for the separation and physical protection of storage areas, in addition to the general and specific demands for cargo terminals, apply to Postal and Express Remittance facilities; and the Administration of the Facility will take responsibility for the maintenance, hygiene, sanitation and disinfection of the premises.

3.5.2. One or all of the demands may, at the discretion of the Vigiagro Unit, be waived for facilities

operating postal and express remittances, depending on the particularities of the flows in the facility, and in accordance with the demand for inspection.

3.5.3. A specific area or place must be made available, to enable non-invasive inspection by sniffer dogs to be performed.

3.5.4. The administration of the MAPA-approved facility is obliged to provide support staff to make operational the equipment, movements, storage and disposition of goods of agricultural concern in the interests of inspection.

3.6. Dissemination of Information from Monitoring and Surveillance Systems and Control of Access:

3.6.1. The administrator of the approved warehouse, terminal or facility will, when required by the Vigiagro Unit, make available, in real time when possible, the data from monitoring and surveillance, from the control of access of personnel and vehicles, from the movements of cargoes and of storage of merchandise as well as the equipment and software needed to provide access to the information.

3.7. Waste Treatment Area:

3.7.1. Ports, airports, and border posts authorized to import goods of agricultural concern must have locations, terminals or facilities approved for the treatment of solid residues and residues posing a sanitary, zoonosanitary or phytosanitary risk, within the primary zone of the national territory.

3.7.2. Procedures and treatments to manage solid waste, to be applied in the approved facility, are given in an Appendix to the present Normative Instruction.

3.7.3. When warehouses, terminals and facilities of ports, airports or border posts are administered by direct public administration entities, MAPA will be responsible for the Solid Waste Management Plan (*Plano Gerencial de Resíduos Sólidos—PGRS*) for goods of agricultural concern, while respecting the competent jurisdiction of other direct public administration entities and bodies.

4. Procedure for the Approval of Warehouses, Terminals and Facilities

4.1. A representative of the administration of the customs-controlled premise or facility, or of a premise or facility that intends to become customs-controlled, must file and stamp a request for approval for Warehouses, Terminals and Facilities, at the local Vigiagro Unit, by means of an official letter addressed to the head of the local Vigiagro Unit.

4.1.1. The following data must be attached to the request, as a minimum:

- a) the geographical location of the premise or facility;
- b) a detailed description of the area, buildings and access roads;
- c) a description of the types of cargoes and product that the facility is intended to operate with;
- d) proof from the RFB that the facility will be customs-operated or that the process to make it so has begun;
- e) a report on current movements and/or future expectations of movement;
- f) a description of the administrative facilities to be granted to MAPA as based on the present Appendix; and
- g) description of the premises and technical and operational materials and necessary to meet the general and specific requirements for the facility to receive either general or specific agricultural approval.

4.2. The head of the Vigiagro Unit will define the personnel to carry out advance assessment within 15 (fifteen) days. If any irregularity is found in the documentation, or in the physical premise, the personnel responsible for the evaluation will order the interested party to put it right within 30

(thirty) days.

4.3. The head of the Vigiagro Unit will analyze the advance evaluation and issue a technical opinion on the request, taking into consideration the administrative facilities, materials and equipment offered by the administration of the facility and the items (s)he deems necessary for the Unit to operate, including the availability of staff to meet the demand, as well as possible schedules or routines for attending clients, and will forward the case file for evaluation by the Animal and Plant Health Division of the Secretariat for Animal and Plant Health in the respective state.

4.4. After evaluation, CGVigiagro will decide whether the request is to be approved or otherwise, and return the case file to the SFA/UF, either asking for the necessary corrections and/or adaptations, or announcing publication of the Approval of Warehouses, Terminals and Facilities.

4.5. CGVigiagro may at any moment review the approval process for Warehouses, Terminals and Facilities, and may order readjustments, suspend operations, or even cancel services provided by MAPA.

4.6. The individual responsible for the Vigiagro/Unit or for that state's Animal and Plant Health Division (Portuguese acronym: DDA) of the state-level Superintendency of Agriculture (Portuguese acronym: SFA) may also request a review of the approval process, so as to order adjustments to new technical and operational needs, suspend operations, or close the unit, notifying the administration of the Warehouse, Terminal or facility of this decision.

4.7. At the end of the deadline, if the non-compliances have not been solved, the unit will send a request for delisting to DDA which will forward it to the General Coordination of Vigiagro.

4.8. CGVigiagro will keep an up-to-date list of approved establishments on the MAPA website.

#### 5. Temporary Provisions:

5.1. In order not to negatively impact the international movement of goods of agricultural concern in Brazil, the standard lays down that premises and facilities already in operation and already being served by a Vigiagro Unit shall have a deadline of 2 (two) years as of the date of publication of the present Normative Instruction in which to comply with all its technical requirements for approval.

5.2. During this period such Warehouses, Terminals and Facilities must take all necessary measures for conditions in their premises to be made suitable in terms of constructions and equipment. The administration of the premise or facility must file and stamp with the International Agricultural Surveillance Unit a formal request for approval, attaching all documents deemed necessary and convenient to demonstrate and prove compliance with the requirements established herein.



## APPENDIX III - INTERNATIONAL PLANT AND ANIMAL MOVEMENT DECLARATION (DAT)

### 1. General Remarks:

1.1. Importing and exporting companies, and any parties interested in requesting agricultural approval for the movement of goods of agricultural concern, must notify the Vigiagro Unit of the operation, at the point of ingress or egress of such goods, using the International Plant and Animal Movement Declaration (DAT), or the International Agricultural Movement Declaration regarding Wooden Packaging and Dunnage (Brazilian acronym: DAT/ EM) or the International Agricultural Movement Declaration regarding Natural Persons (Brazilian acronym: DAT/PF) on the computerized system provided by MAPA and in accordance with the Appendices of the present Normative Instruction.

1.2. It will not be necessary to issue a DAT/EM when issuing a DAT for import processes concerning agricultural goods that may contain wooden packaging and dunnage.

1.3. The mandatory information to be declared will be put into the system in accordance with the type of product, intended use, and overseas trade operation.

1.4. The Head of Vigiagro shall, in an official communication, disclose the time when documents are to be received and submitted at the headquarters of the Unit.

1.5. The DAT must be presented as a single copy, and validated in the system by a MAPA employee; the importer, exporter or its legal representative will officially be cognizant of the commencement of the inspection process as of that moment.

1.6. In order to validate the DAT, all the documentation demanded in the specific Appendices of the present Normative Instruction must be attached, in accordance with procedures laid down in Normative Instruction no. 39, dated 27 October, 2015.

1.7. With the exception of documents that must necessarily be presented in original copies of their physical format, the remaining documentation in the case file may be presented in electronic format.

1.8. For batches comprising merchandise subject to both animal and plant inspection, the importer, exporter or its legal representative must declare them independently of each other, presenting one DAT for each area of professional competence.

1.9. For the specific cases given in the preceding item, agricultural approval will necessarily depend on analysis and opinion put forth by Federal Agricultural Inspector/Auditors from each of the competent areas.

1.10. Should the specific field entitled "IDENTIFICAÇÃO DAS MERCADORIAS/PRODUTOS" (*Identification of Merchandise/Products*) in the DAT not be sufficiently large to allow description of all the merchandise, then the form entitled "Dados Complementares da DAT" (*Supplementary DAT Data*) must be used in order to include all the information concerning the merchandise.

1.11. The field entitled INFORMAÇÕES COMPLEMENTARES (*Supplementary Information*) of the form entitled "Dados Complementares da DAT" (*Supplementary DAT Data*), must be used to record the additional information of federal agricultural inspection concern.

1.12. If a single DAT is presented for merchandise with more than one Import License (LI) or more than one Export Registration (RE), the Agricultural Approval can only happen if all the LIs or REs are compliant.

1.13. If the importer or exporter wants partial approval of the LIs or REs listed on a single DAT, or if this is determined by the inspection, then the original DAT must be converted into new documents and the new DATs concerning the LIs or REs must be presented so that agricultural approval or prohibition can occur.

1.14. Once the DAT has been validated, formal and duly justified requests to change it, convert it into new documents, consolidate it or cancel it shall be made by attaching the documents that prove the need for the change, conversion, consolidation or cancelation, whenever necessary.

1.15. The DAT shall remain under analysis until the date of issuing of the inspection report or, when applicable, until the date of delivery or return of the documents issued or requested by the Vigiagro Unit.

1.16. For the purpose of completing the procedures and registering the inspection report, the DAT shall be valid for 30 (thirty) days as of the date of its submission at the headquarters of the Vigiagro Unit. This deadline can be extended, at the discretion of the Federal Agricultural Inspection, for the same period, by means of a formal and duly justified request by the interested party.

1.17. If an agricultural ban occurs owing to the return or destruction of the merchandise of agricultural concern, the Vigiagro Unit will notify Brazil's Inland Revenue Secretariat of the measure taken by agricultural inspection.

1.18. The DAT will be denied in the following situations:

- a) when the importing, exporting, international transit or customs transit of the product of agricultural concern are prohibited;
- b) after 30 (thirty) days as of the receiving date at the headquarters of the Vigiagro Unit, if no extension request has been filed or on completion of the inspection report on the DAT;
- c) after the expiry of the validity of the goods or products to be imported or exported;
- d) when there has been unloading, border crossing, or the start of customs transit for export without due authorization by the Vigiagro Unit; and
- e) in the event of failure to comply with other legal, regulatory and normative acts in force.



## APPENDIX IV - THE REPLACEMENT, LOSS, DESTRUCTION, CORRECTION AND RECTIFICATION OF OFFICIAL CERTIFICATES

### 1. General Remarks:

1.1. The procedures laid down in specific standards of the Departments must be complied with.

1.2. If there is no specific technical standard, then for the purposes of remission or substitution of official certificates due to change, rectification, conversion into new documents, destruction or misplacement, the measures laid down in the present Appendix may be taken.

### 2. Procedures and Demands:

2.1. The interested party may request the remission or substitution of Certificates. This request must be made formal using the form entitled 'Request for Remission of Official Documents', giving the reasons, and attaching the documents that prove the need for amendments along with the original certificate to be reissued, changed or replaced.

2.2. If the document to be replaced is still held overseas and it is not possible to present the original Certificate, the interested party shall submit a Formal Undertaking (*Termo de Compromisso*) with a deadline determined by the Inspection for the submittal of the original document.

2.3. Failure to comply with the Formal Undertaking described in item 2.2 will entail rejection of further "formal undertaking" documents without prejudice to the sanctions set forth in specific legislation.

#### 2.4. Documents:

- a) the request for remission or substitution form;
- b) documents proving the need for amendment or rectification;
- c) registration of misplacement via formally filed police report or declaration of destruction, as the case may be, when applicable; and
- d) a Formal Undertaking, when applicable;

2.5. When requested by the interested party, and in compliance with the specific regulation, a rectifying document may be issued in the same language as the original Certificate, explicitly referring to the number of the original Certificate.

### 3. Related legislation and other Regulatory Acts:

#### 3.1. Concerning Plants:

Normative Instruction no. 29, dated 25 July, 2013.

## APPENDIX V - POSTAL REMITTANCE AND EXPRESS REMITTANCE

### 1. General Remarks:

#### 1.1. Postal Remittance:

International postal remittance is understood to be any package or volume delivered for postage that may contain goods of agricultural concern for international transportation, under the responsibility of Brazil's Postal Service (Portuguese acronym: ECT), including correspondence, parcels, remittances, gifts or samples.

#### 1.2. Express Remittance:

Express remittances are gifts, goods, produce or merchandise carried by international express transportation companies, also denominated courier companies. The courier company itself ensures clearance of the parcel through Brazil's Inland Revenue Secretariat and consenting bodies.

For the purposes of this document, goods for personal use are those not intended for resale or for manufacturing operations.

Heads of Vigiagro Units that have express remittance rooms must obtain approval from the local Inland Revenue Secretariat for the Federal Agricultural Inspector/Auditors in the Siscomex Express Remittance System.

### 2. Requirements:

#### 2.1. Import:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) original, or electronic import authorization issued by the competent technical sector of MAPA for the products that require import authorization owing to the nonexistence of import licensing;
- c) Sanitary and Phytosanitary Certificates, in accordance with the specific demands for the merchandise;
- d) supplementary documentation if needed to match the merchandise with the certification (e.g. invoice, laboratory test certificates, packing list);
- e) bill of lading; and
- f) other documentation in accordance with the provisions described in the specific Appendices of this Normative Instruction, depending on the nature of the products of agricultural concern.

#### 2.2. Export:

- a) International Plant and Animal Movement Declaration (DAT);
- b) authorization for issuance of certification provided by the competent technical sector of MAPA, when appropriate;
- c) the underpinning documentation and guarantees for the issuance of sanitary and phytosanitary certification, in accordance with specific demands for the merchandise;
- d) supplementary documentation if needed to match the merchandise with the certification (e.g. invoice, laboratory test certificates, packing list);

- e] bill of lading; and
- f) other documentation in accordance with the provisions described in the specific Appendices of this Normative Instruction, depending on the nature of the products of agricultural concern.

### 3. Procedures:

#### 3.1. Selection:

The remittances to be inspected may be selected in three different ways:

- a) selection by Brazil's Inland Revenue Secretariat, or another consenting body;
- b) selection by Vigiagro at non-invasive inspection while remittances are being received, jointly with Brazil's Inland Revenue Secretariat; and
- c) selection of the remittance in the Express Remittance System, before or after receipt of the remittances.

Selection in the manner addressed in line "c" must be based on the description given by the sender and identification of the receiver or sender. This description is not always accurate and the NCM (Mercosur Commercial Nomenclature) is not always used as standard.

#### 3.2. Inspection:

- a) inspection will always be carried out according to the requirements and demands relevant to each product present in the remittance;
- b) The documentation necessary must be presented by the courier operator along with the International Plant and Animal Movement Declaration (DAT);
- c) when requirements are not met, the remittance must be returned to origin;
- d) after physical and document verification according to the specificity of each product, approval will be granted in the Siscomex Express Remittance System; and
- e) for postal remittances the DAT does not need to be presented, inspection is summary, and compliant parcels are approved while non-compliant parcels are banned, and their return to origin is ordered.

#### 3.3. Notification of non-compliances:

The Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances amenable to correction are found, and these will be sent electronically to the express remittance company; the NFA will describe the non-compliance that has been identified and give the legal basis.

### 4. Documents issued:

- a) inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) Sanitary, Phytosanitary or Zoosanitary Certificate, when applicable.

### 5. Related legislation and regulatory acts:

- a) Decree no. 24,114, enacted 12 March, 1934;
- b) Decree no. 24,548, enacted 3 July, 1934;
- c) Normative Instruction no. 29, dated 25 July 2013; and
- d) RFB Normative Instruction no. 1,073, dated 1 October 2010.

## APPENDIX VI - INTERNATIONAL TRANSPORTATION OF ACCOMPANIED BAGGAGE

### 1. General Remarks:

Ingress of goods of agricultural concern brought by international travelers, regardless of the means of transportation used, will follow the inspection procedures laid down in this Appendix.

Inspection of international movements of accompanied baggage will be performed by Federal Agricultural Inspector/Auditors (Portuguese acronym: AFFAs) or employees following technical careers within the Federal Agricultural Inspection, in accordance with the law.

### 2. Requirements:

2.1. International transporters carrying people from overseas, or their authorized agents, must inform the local Vigiagro Unit in ports, airports and border posts, of the arrival of vehicles:

- a) at least 6 (six) hours ahead of arrival for air transport;
- b) agencies or their representatives must periodically notify Vigiagro of the shipping plan in the case of maritime transportation; and
- c) for border crossings, the driver of the vehicle must notify Vigiagro at the moment of arrival.

2.2. The information that the preceding item addresses must be communicated preferably using a computerized system or electronic data transmission, and may be updated or corrected until the actual arrival of the vehicle, and must include the following data:

- a) the operator, shipowner, representative agency for the means of transportation;
- b) the estimated date and time of arrival;
- c) the point of departure;
- d) stopovers and transit countries;
- e) the destination;
- f) the presence of live animals;
- g) the number of crew and passengers; and
- h) the number and weight of items of baggage transported.

2.3. Aircraft of general aviation, vessels, and terrestrial transportation vehicles if not defined as the regular transportation of passengers, will, when coming in from overseas, also be subject to the standards laid down in this Appendix.

### 3. Procedures:

3.1. Agricultural inspection procedures for goods brought by travelers from overseas, at customs-controlled ports, airports and border posts will comply with the provisions laid down in this Appendix, and will be carried out by means of the selection and of direct and indirect physical inspection in compliance with the following guidelines:

- a) selection for inspection will be carried out on the basis of risk management, taking into consideration the need for control that is the responsibility of MAPA;
- b) objectivity and efficiency in performance, in order to maintain conditions of comfort for travelers, without prejudice to the inspection itself;
- c) the integration of controls with further public administration bodies and entities that carry out

inspection, whenever possible eliminating the repetition of procedures;

- d) the sharing of equipment, instruments and information with other public administration bodies and entities that carry out inspection; and
- e) joint capacity-building with other public administration bodies and entities for the coordinated exercise of inspection procedures.

### 3.2. Management of Agricultural Risk

3.2.1. The information given by the International transporter addressed in items 2.1 and 2.2, as well as the baggage declaration provided by the traveler, will be analyzed by agricultural inspectors, for the purposes of agricultural risk management.

3.2.2. Travelers entering Brazil may have their baggage selected for document checking and/or physical inspection of the goods, as a result of the analysis of the information described in items 3 and 4, or in accordance with selection criteria defined by the inspection service.

3.2.3. For the purposes of the Management of Agricultural Risk, and in order to update the criteria for evaluating and suspecting irregularities, the following information must be given by travelers undergoing inspection, when demanded:

- a) name and passport number, or failing this some other official identification document;
- b) gender and age;
- c) nationality;
- d) traveling from;
- e) country of residence;
- f) flight number or vehicle identification;
- g) starting point of flight;
- h) reason for traveling;
- i) number of items of baggage;
- j) origin of product, if there is identification;
- k) place where product was acquired;
- l) description of product (of animal or plant origin, degree of processing);
- m) intended use;
- n) means of packaging, and conditions of preservation (chilled, frozen, room temperature);
- o) location of destination (rural area, farming or livestock production, or urban area); and
- p) other information, in the interests of the inspection.

### 3.3. Selection of Vehicles, Travelers and Baggage:

3.3.1. The Vigiagro Unit will inform the customs operation responsible for the facility of the vehicles, travelers and baggage that will undergo agricultural inspection, taking into consideration the following criteria which may be used in isolation or jointly to assess the risk:

- a) area of origin or point of shipping;
- b) advance identification of the traveler;
- c) profile of the traveler;



- d) type and number of items of baggage;
- e) past history of being stopped; and
- f) random selection.

3.3.2. Flights, travelers or items of baggage in a situation that might be deemed low-risk, at times when there is a high intensity of arrivals, and in accordance with established risk management criteria, may be exempt from inspection of accompanied baggage.

3.3.3. The signaling of sniffer dogs or the use of detectors may be taken into consideration for the purposes of searching for other banned, controlled, or high-risk goods of agricultural concern.

3.3.4. For the selection addressed in this item, minimal percentages of vehicles, travelers and items of baggage to be inspected may also be observed.

3.3.5. Recommendations provided by other bodies and entities responsible for specific controls may also be taken into consideration for such selection.

3.3.6. Indirect physical inspection of selected items of baggage may occur before direct inspection, thus covering the largest number of items possible, coming close to the operating capacity of the available means, and when feasible should be carried out before baggage is returned to the travelers.

#### 3.4. Physical Inspection of Accompanied Baggage:

3.4.1. For the purposes of this Appendix, physical inspection is deemed to be any means by which the inspection service can identify goods of agricultural concern carried by the traveler.

3.4.2. The physical inspection addressed in the preceding item may be carried out as follows:

- a) indirect inspection, when performed by sniffer dogs or using non-invasive inspection equipment; or
- b) direct inspection, when carried out by means of direct observation and handling.

3.4.3. Indirect inspection using sniffer dogs may be performed before, during or after the return of the baggage to be reclaimed by passengers, and may be used even while the travelers and baggage are still on or in the transportation vehicles.

3.4.4. The operators of the non-invasive inspection equipment must be instructed to identify goods of agricultural concern in accordance with guidelines given to them by the agricultural inspection service.

3.4.5. Jointly with entities responsible for federal public administration bodies and entities, and the administrators of approved terminals, warehouses and facilities, the Heads of Vigiagro Units must agree on the operational instructions and suitable capacity-building programs for non-invasive inspection equipment operators.

#### 3.5. Direct Inspection of Volumes:

3.5.1. Direct inspection of travelers' goods must be carried out in the following circumstances:

- a) when upon indirect inspection there is evidence of the presence of products of agricultural concern;
- b) when the traveler explicitly declares the presence of products of agricultural concern;
- c) at the discretion of the agricultural inspection service, when there has been a tip-off, when the presence of products of agricultural concern is suspected; and
- d) by indication from authorities of other federal public administration bodies and entities.

3.5.2. During direct inspection, the volumes of baggage must be opened and the items of agricultural concern made visible.

3.5.3. Goods under the responsibility of the transporter may be checked in the presence of agents, waiving the demand for the presence of the traveler.

3.5.4. If goods subject to inspection under the competent jurisdiction of other federal public administration bodies and entities are found, the Federal Agricultural Inspector/Auditor will notify the competent body or instruct the traveler immediately to go to those bodies.

### 3.6. Procedures for Seizing and Confiscating:

3.6.1. When goods of agricultural concern are identified during direct inspection, the following documents must be presented:

- a) passport or other official identification document;
- b) zoosanitary or phytosanitary certificate, when applicable;
- c) import authorization and appropriate certificates demanded for authorization, depending on the case; and
- d) other necessary documentation, in accordance with the type of product of agricultural concern.

3.6.2. Travelers carrying goods of agricultural concern in their baggage, identified during direct inspection procedures, where their entry into Brazil is not authorized, or when the document demands are not met, shall have those items seized.

3.6.3. When the goods of agricultural concern do not meet DOCUMENT REQUIREMENTS and when they can be corrected or complied with subsequently, the Federal Agricultural Inspector/Auditor may retain the merchandise, and ask a representative of Brazil's Inland Revenue Secretariat to remove the volumes to a cargo terminal or the equivalent, in which case the interested party must shoulder the cost of this order.

3.6.4. Under no circumstances must the Vigiagro Unit become a depositary for goods of agricultural concern.

### 3.7. Searching Individuals:

- a) When there is a suspicion that merchandise, goods or materials of agricultural concern are being carried in the traveler's clothes, including for this purpose signs given by sniffer dogs, the agricultural inspection service may ask a law-enforcement authority to help in carrying out a personal search; and
- b) A search of the individual may be waived in cases where non-invasive verification equipment is available for use with people.

## 4. Documents issued:

4.1. The following documents will be issued during the inspection of accompanied baggage:

- a) Accompanied baggage inspection map;
- b) Inspection Document for Accompanied Baggage; and
- c) Destruction Form, when applicable.

4.2. The document described in line "b" of item 4.1. must be issued whenever merchandise, goods or materials of agricultural concern are seized or when the traveler so requests.

4.3. The information gathered in the accompanied baggage inspection map must be keyed into the computerized control system, when such is available.

## 5. Related legislation and regulatory acts:

- a) Decree no. 24,114, enacted 12 March, 1934;

- b) Decree no. 24,548, enacted 3 July, 1934.
- c) Decree no. 5,741, enacted 30 March, 2006;
- d) Decree no. 6,759, enacted 5 February, 2009 (articles 493 to 498);
- e) Joint RFB/SDA/MAPA Normative Instruction no. 819, dated 8 February, 2008;
- f) Normative Instruction RFB No. 1,059, dated 2 August, 2010; and
- g) MAPA Normative Instruction no.11, dated 10 May, 2016.



## APPENDIX VII - VEHICLES IN TRANSIT

### 1. General Remarks:

The import of plant- or animal-based goods of agricultural concern will be authorized upon proof of sanitary, zoosanitary or phytosanitary certification, in accordance with the requirements in force.

The passenger transport company, when using the remaining space in the vehicle to transport parcels, will be responsible for their entry into Brazil, as well as for all procedures and demands laid down by the agricultural authority.

### 2. Requirements:

#### 2.1. Vehicles exiting:

Only if there are international sanitary or phytosanitary agreements, or by determination of the Technical Departments of the Secretariat of Animal and Plant Health, will vehicles leaving Brazilian territory be inspected, and the demands must be met according to what is laid down.

#### 2.2. Vehicles entering:

The demands will be the same as those contained in the Appendix entitled "International Movements of Accompanied Baggage".

### 3. Procedures:

Procedures for selection and physical inspection will follow those defined in the Appendix entitled "International movements of accompanied baggage".

There may be a greater focus on vehicles bearing license plates for cities distant from the region in question, in order to avoid a greater spread of pests and diseases of agricultural concern.

### 4. Documents issued:

- a) Inspection map;
- b) Inspection Form; and
- c) Destruction Form, when applicable.

The document described in line "b" must be issued whenever merchandise, goods or materials of agricultural concern are seized or when the traveler so requests.

The information gathered in the inspection map must be keyed into the computerized control system, when such is available.

### 5. Related legislation and regulatory acts:

- a) Decree no. 24,114, enacted 12 March, 1934; and
- b) Decree no. 24,548, enacted 3 July, 1934.

## **APPENDIX VIII - THE IMPORT OF GOODS OF AGRICULTURAL CONCERN DELIVERED PIECEMEAL**

### 1. General Remarks:

The import of plants, plant products, plant by-products and parts, plant sub-products and residues with economic value, when carried out by means of terrestrial transportation in the context of international movements between Brazil and neighboring countries, and when owing to volume or weight it is impossible to transport them in one single vehicle or batch, must be carried out by means of the methodology of splitting up the cargo.

Only the splitting up of cargoes of plant-based merchandise, goods and materials of plant origin excused from prior import authorization and subject to checking, examination and inspection at the point of ingress when arriving, and before customs clearance, will be authorized.

The methodology of splitting up a cargo will only be allowed when the import of products of agricultural concern cumulatively complies with the following prerequisites:

- a) a single Import License (LI);
- b) a single type of merchandise, product or material of agricultural concern;
- c) a single intended use; and
- d) a single Bill of Lading.

The import of products of agricultural concern delivered piecemeal can only be carried out by an approved warehouse, terminal or facility when expressly authorized by a Federal Agricultural Inspector/Auditor.

### 2. Requirements:

2.1. The following documents will be demanded of the first portion of the cargo:

- a) International Plant and Animal Movement Declaration - DAT for the amount of merchandise in the fraction to be inspected;
- b) a copy of the commercial invoice for the entirety of the import;
- c) the Import License for the entirety of the import;
- d) a copy of the Bill Of Lading;
- e) a copy of the cargo manifest for the cargo(es) making up the fraction to be inspected;
- f) the Phytosanitary Certificate (Portuguese acronym: CF) when relevant; and
- g) other documentation in accordance with the specific Appendices of this Normative Instruction, depending on the nature of the products of agricultural concern.

2.1.1. It must be stated in the field of the LI entitled "INFORMAÇÕES COMPLEMENTARES" (*Supplementary Information*) that the importation operation will be carried out piecemeal, with the following declaration: "Comprometo-me a disponibilizar todas as frações correspondentes à importação, para as inspeções e exames estabelecidos pelo MAPA e que, no caso de proibição agropecuária, acato as exigências e providências impostas pela legislação vigente, sem ônus para o Ministério da Agricultura, Pecuária e Abastecimento." (*"I hereby undertake to make all fractions of the import available for inspections and examinations established by MAPA and that in the event of prohibition, I will abide by the requirements and actions imposed by the legislation in force, without burden to the Ministry of Agriculture, Livestock and Food Supply."*)

2.2. For subsequent fractions, the following documents must be presented:

- a) a DAT for the amount of merchandise making up the fraction to be inspected, and in the field entitled "INFORMAÇÕES COMPLEMENTARES" (*Supplementary Information*), the DAT number

referring to the first imported fraction and the number of the Bill of Lading.

b) a copy of the cargo manifest for the cargo(es) making up the fraction to be inspected;

c) the Phytosanitary Certificate (Portuguese acronym: CF) when relevant; and

d) other documentation in accordance with the specific appendices of this Normative Instruction, depending on the nature of the products of agricultural concern.

2.2.1. For those cases where the importer does not bring in the entirety of the merchandise stated on the LI, the interested party is obliged to register a replacement LI to correct the quantity: direct rectification on the Import Declaration (Portuguese acronym: DI) is forbidden.

### 3. Procedures:

3.1. Each fraction will be inspected individually, and will have to comply with the requirements for documents, phytosanitary demands, and identity and quality standards laid down in specific legislation, for each case.

3.2. The Import License will be granted at the moment that agricultural approval is granted to the first DAT, and entry to Brazil for each further fraction of the merchandise, product or material of agricultural concern will be authorized upon registration of the agricultural approval for the corresponding DAT.

3.3. In the case of products of phytosanitary risk 1 and 2, at the discretion of the inspection service, approvals from the second fraction onwards may be granted remotely by the Federal Agricultural Inspector/Auditor on the basis of the verification report set forth in article 43 of the present Normative Instruction. Such approval shall be compulsorily registered in a computerized system.

3.4. The authorization for each fraction of merchandise corresponding to the approved LI will be given upon explicit registration of the authorization granted by the Federal Agricultural Inspection Service by means of an amendment to the Cargo Manifest to be presented by the interested party to Brazil's Inland Revenue Secretariat for the purposes of processing the Import Declaration (DI) and for the customs facility to authorize the clearance of the fraction.

3.5. If a fraction fails to meet the demands, document requirements, phytosanitary requirements and the demands of compliance with standards of identity and quality laid down in specific legislation, its agricultural banning will be recorded on the corresponding DAT, and entry into Brazil will be denied.

3.6. Local representation of Brazil's Inland Revenue Secretariat, and the administrator of the warehouse, terminal or facility will immediately be notified of an agricultural import ban by the sending of the DAT, so that appropriate measures can be taken.

3.7. For cases predicted in subitem 2.2.1 of this Appendix, the Federal Agricultural Inspector/Auditor will approve the replacement LI on the basis of a justification for its replacement given by the interested party.

3.8. The Vigiagro Unit will establish a mechanism for controlling piecemeal deliveries,

until a specific computerized function is made available.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification when applicable,
- c) Communication of the Return to Overseas, when applicable;
- d) Sample-taking and Sending Document, when applicable;
- e) Imported Plant Product Classification Certificate, when applicable; and
- f) Amendments to Cargo Manifests for each fraction.

5. Related legislation and regulatory acts:

- a) Decree no. 24,114, enacted 12 March, 1954;
- b) Decree no. 5,741, enacted 30 March, 2006; and
- c) Normative Instruction no. 51, dated 4 November, 2011.



## APPENDIX IX - DIPLOMATIC AND CONSULAR BAGS

### 1. General Remarks:

Any volume containing the following is deemed to be a diplomatic or consular bag:

- a) diplomatic or consular documents, in any physical medium; or
- b) materials, objects and equipment for the official use of the representation of the accredited State, to wit: headed paper, envelopes, postage stamps, stamps, passport forms, the insignia of decorations, and ICT devices.

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Since diplomatic and consular bags are exempt from customs clearance for import and export, they will be released by the customs authority in a summary procedure, in sight of the identification elements, and may not be held or opened.

Any accompanied or unaccompanied baggage brought in by a representative of a Foreign State, but not identified as a diplomatic or consular bag, is the personal baggage of a diplomatic agent or consular agent and of members of their family. Such baggage may only be held or opened if there are serious well-founded reasons to believe that they contain merchandise posing an agricultural risk.

### 2. Procedures:

Where there are serious well-founded reasons to suspect that such volumes, despite being duly identified as such, are not in fact diplomatic bags, then non-invasive inspection must be carried out.

The following constitute serious well-founded reasons for the performance of non-invasive inspection of volumes identified as diplomatic bags:

- a) tip-offs regarding the content of the diplomatic bag; and
- b) suspicion of the contents of a diplomatic bag by the customs or law enforcement authority.

#### 2.1. Diplomatic Bag:

When a suspicious image is identified on non-invasive inspection of a diplomatic bag, the agricultural authority shall keep a record of the image, issue an Agricultural Inspection Notification (NFA), and communicate such suspicion to a member of the diplomatic/consular representation.

Since it is expressly forbidden to open or seize a DIPLOMATIC BAG, it is only possible to give guidance to the diplomatic representative on phytosanitary and zoosanitary restrictions.

However, regarding PERSONAL BAGGAGE OF DIPLOMATIC AGENTS, if there are serious and well-founded reasons to believe that it contains animal or plant products whose import or export is prohibited by the legislation, or subject to the quarantine regulations, the inspection shall be performed in the presence of the diplomatic agent or his/her authorized representative.

## 2.2. Consular Bag:

If there are serious and well-founded reasons to believe that a CONSULAR BAG contains products of animal or plant origin that pose a zoonosanitary or phytosanitary risk to Brazil, then, after non-invasive inspection, permission may be requested of the authorized representative of the State that is sending it, for the bag to be opened the bag in his/her presence.

The treatment defined in the general standards for the baggage of travelers coming from overseas, as well as the procedures defined in the standards, apply to THE PERSONAL BAGGAGE OF CONSULAR EMPLOYEES.

## 2.3. Notification of non-compliances:

The Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances are found, and these will be given to the representative of that State: the NFA will describe the non-compliance that has been identified and give the legal basis.

When non-compliances are identified in the inspection procedures described in this chapter, copies of the Notification of Agricultural Inspection (NFA) will be sent to the General Coordination of Vigiagro/SDA/MAPA, to notify the following bodies of the non-compliances found and inform them of Brazilian phytosanitary and zoonosanitary restrictions:

- a) to the Ministry of Foreign Affairs (Portuguese acronym: MRE), with a copy to the diplomatic representation of that country in Brazil; and
- b) to the National Phytosanitary Protection Organization (NPPO) or to the Veterinary or Public Health Authority of the country whose diplomatic staff is involved, depending on the case.

## 3. Documents issued:

- a) Inspection Document for Accompanied Baggage; and
- b) Federal Agricultural Notification when applicable.

## 4. Related legislation and regulatory acts:

- a) Decree no. 24,114, enacted 12 March, 1934;
- b) Decree no. 24,548, enacted 3 July, 1934;
- c) Decree no. 56,435, enacted 8 June, 1965;
- d) Decree no. 61,078, enacted 26 July, 1967; and
- e) SRF Normative Instruction no. 338, dated 7 July, 2003.



## APPENDIX X - INTERNATIONAL HUMANITARIAN AID AND THE SUPPLY OF MILITARY BASES OVERSEAS

APPENDIX  
X

### 1. The export of goods of agricultural concern for the purposes of Humanitarian Aid:

#### 1.1. General Remarks:

For the purposes of the present Normative Instruction, export for humanitarian aid encompasses Brazilian Government actions to provide products of agricultural concern to vulnerable populations, the victims of natural catastrophes, the victims of man-made events such as wars and conflicts, and the victims of similar exceptional circumstances.

#### 1.2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) a Declaratory Letter issued by Brazil's Ministry of Foreign Affairs (Portuguese acronym: MRE), or by another Government Institution making clear the interest of the Brazilian Government in sending merchandise and goods to the destination country, identifying the sanitary requirements to be met; and
- c) other documentation needed to meet phytosanitary, sanitary or zoosanitary requirements, when applicable.

Exports of products of agricultural concern are exempt from export authorization owing to the non-commercial nature of such exports for humanitarian aid.

#### 1.3. Procedures:

The product of agricultural concern will be inspected in accordance with the need for issuance of certification expressed by the importing country, and the guarantees to be certified.

#### 1.4. Documents issued:

- a) Agricultural Enforcement Notification (Portuguese acronym: NFA), in the event of an identified non-compliance;
- b) International Plant and Animal Movement Declaration (DAT), in order to conclude the agricultural inspection procedure, recording agricultural approval or banning; and
- c) International Health Certificate or Phytosanitary Certificate, when demanded by the importing country.

### 2. The Import of Products of Agricultural Concern for Humanitarian Aid:

#### 2.1. General Provisions:

Imports for humanitarian aid will be authorized in order to provide products of agricultural concern to vulnerable populations, the victims of natural catastrophes, the victims of man-made events such as wars and conflicts, and the victims of similar exceptional circumstances. The same principle applies to situations and locations where the economic, zoosanitary, phytosanitary, climate or public safety conditions jeopardize the food supply for the population.



Imports of goods of agricultural concern will be authorized when they meet requirements and procedures laid down by MAPA in officially declared emergencies.

## 2.2. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

## 3. Supplying Military Bases Overseas:

### 3.1. The Export of goods of agricultural concern for the Supply of Military Bases:

#### 3.2. General Remarks:

Exportation to supply military bases encompasses the export of products of agricultural concern to supply Brazil's military bases overseas.

See below the conditions for such export of products of agricultural concern:

- a) free trade and movement within the territory of Brazil;
- b) registration, listing or licensing in MAPA, depending on the case, for animal products, and agricultural and livestock inputs;
- c) sanitary status of live animals complies with regulations;
- d) phytosanitary status of plants, plant products and material for use in plant propagation complying with regulations; and
- e) suitable conditions of preservation, packaging, identification, labeling and shelf life, depending on the case, and on domestic legislation demands.

#### 3.3. Requirements:

- a) International Plant and Animal Movement Declaration (DAT);
- b) Declaratory Letter issued by the competent authority for the Armed Forces of Brazil, making clear the interest in sending products of agricultural concern to the country of destination, and identifying the sanitary requirements to be met; and
- c) other documentation needed to meet phytosanitary, sanitary or zoosanitary requirements, when applicable.

Exports of products of agricultural concern are exempt from export authorization owing to the non-commercial nature of such exports for the supply of military bases.

#### 3.4. Procedures:

The product of agricultural concern will be inspected in accordance with the need for issuance of certification expressed by the importing country, and the guarantees to be certified.

#### 3.5. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) International Sanitary Certificate or Phytosanitary Certificate, when applicable.

## APPENDIX XI - MANAGEMENT OF SOLID WASTE

### 1. General Remarks:

Solid wastes of federal agricultural inspection concern are deemed to be those entering Brazil from overseas and which—owing to the potential or actual presence of biological agents, and taking into consideration their characteristics of virulence, pathogenicity, concentration or power of dispersal—pose a risk of producing, causing or spreading animal diseases, zoonoses or pests in plants.

In the following situations solid wastes entering the country from overseas are deemed to be of agricultural inspection concern:

- a) seizures of goods of agricultural concern transported as baggage or as parcels;
- b) the removal of on-board garbage, leftovers and remnants of food from aircraft, vessels and land vehicles, as well as other means of transportation; and
- c) the sweeping up and removal of waste, food remains, litter and forage of live animals, as well as other materials in a lump form from inside containers, aircraft, vessels and land vehicles, as well as other means of transportation.

The concept of solid waste is not applied to the imports of goods of agricultural concern with a commercial purpose that are subject to import licensing, or to other customs protocols.

Solid wastes of federal agricultural inspection concern may not be recycled, reused or repurposed.

When a sanitary emergency is decreed, or in cases where there is an imminent sanitary, zoosanitary or phytosanitary risk, a more rigorous disposition of waste may be adopted than previously established, provided that it is authorized and overseen by the competent environmental agencies.

### 2. Requirements:

The administration of the facilities must possess a Solid Waste Management Plan in compliance with specific legislation, and the Vigiagro Units must make sure that agricultural risks associated with the solid wastes are being mitigated effectively.

### 3. Approved Treatments:

Solid wastes of federal agricultural inspection concern must undergo the following methods of treatment:

- a) incineration;
- b) autoclaving (133°C/3 bar/20 min); and
- c) other MAPA-approved treatments or disposals.

### 4. Related legislation and regulatory acts:

- a) Law no. 12,305, enacted 2 August, 2010;

- b) Decree no. 7,404, enacted 23 December, 2010;
- c) Decree no. 5,741, enacted 30 March, 2006;
- d) Decree no. 24,114, enacted 12 April, 1934;
- e) Decree no. 24,548, enacted 3 July, 1934; and
- f) CONAMA Resolution no. 5, dated 5 August, 1993, amended by Resolution no. 358, of 2005





## APPENDIX XII - INSPECTION OF UNACCOMPANIED BAGGAGE

### 1. General Remarks:

The procedures for the importing of unaccompanied baggage apply to the goods of travelers who are moving to Brazil, defined as cargo, covered by a bill of lading, and entering a customs territory, in accordance with specific legislation.

For all situations where unaccompanied baggage is imported, the respective International Plant and Animal Movement Declaration (DAT) must be registered.

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The inspection for the import of unaccompanied baggage will be carried out by Federal Agricultural Inspector/Auditors or by Federal Agricultural Inspection technical personnel under the supervision of the AFFA.

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Copy of the Bill of Lading or Cargo Manifest;
- c) a List of Goods;
- d) International Phytosanitary or Sanitary Certificate, if applicable; and
- e) when applicable, a power of attorney granting power to a legal representative.

Travelers bringing in unaccompanied baggage and their legal representatives are exempt from registration in SIGVIG.

### 3. Procedures:

The DATs selected for inspection under agricultural risk management will undergo document analysis and, in accordance with that, and at the discretion of the Federal Agricultural Inspector/Auditor, the goods may undergo physical checking and inspection.

If requested, physical inspection shall verify the presence of materials posing a sanitary, phytosanitary and zoonosanitary risk and banned from entering Brazil, the same will be seized upon issuance of an NFA.

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

## APPENDIX XIII - CONFISCATED GOODS OF AGRICULTURAL CONCERN

### 1. General Remarks:

In the event of the following non-compliances (document-related, sanitary, zoosanitary or phytosanitary, those of origin, identity and quality) that are not amenable to correction, or not actually corrected within determined deadlines, regarding the international movement of goods of agricultural concern, such goods will be seized and destroyed, rendered useless, or returned to origin, the cost to be borne by the person responsible for the merchandise, as laid down in the legislation in force.

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### 2. Procedures:

2.1. The Federal Agricultural Inspector/Auditor will determine that the goods of agricultural concern that are held or seized depending on the nature of the associated risk, are to be:

- a) submitted to sanitary, phytosanitary or zoosanitary treatment;
- b) submitted to treatment or transformation so that they comply with the requirements of domestic legislation, or with those of a country of destination;
- c) submitted to transformation, by any other suitable means, into other purposes than animal or human consumption, provided that this complies with relevant legislation;
- d) returned to the location of origin or point of shipping;
- e) reexported;
- f) destroyed; and
- g) euthanized.

2.2. In order to take a decision and order treatment and transformation measures, the Federal Agricultural Inspector/Auditor may consult the responsible technical sectors of the SFA-UF.

2.3. The interested party for the merchandise shall ensure that the treatments or transformations be carried out in authorized establishments, and in accordance with the conditions laid down in the legislation in force.

2.4. When it is determined that the merchandise be returned, the deadlines for this must comply with the procedures of Law no. 12,715 of 2012.

2.5. Those responsible for the goods of agricultural concern shall bear the costs resulting from the decisions taken by the agricultural authority.

2.6. When applicable, a Destruction Document (*Termo de Destruição*) for the seized material is prepared, with two copies, one for the Vigiaagro Unit and the other for the company responsible for destroying the merchandise.

### 3. Product seized in the primary zone:

3.1. Foreign merchandise seized in the primary zone, that is not re-exported or submitted to sanitary, phytosanitary or zoosanitary treatment or

transformation, shall, when applicable, be destroyed in accordance with the provisions defined in a specific Appendix to the present Normative Instruction concerning the management of solid wastes, or in accordance with guidance given by the technical departments of the state-level Federal Superintendency of Agriculture, Livestock and Food Supply of the state in question (SFAs).

4. Product seized outside the customs zone:

4.1. The disposition of such products will be assessed after consultation with, or guidance from, the competent technical service of the SFA-UF.

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5. Documents issued:

- a) Inspection report in computerized system(s), when applicable;
- b) Notification of Agricultural Inspection, when applicable; and
- c) Communication of Return Overseas or Destruction Document, when applicable;

6. Related legislation and regulatory acts:

- a) Decree no. 24,114, enacted 12 March, 1934;
- b) Decree no. 24,548, enacted 3 July, 1934;
- c) CONAMA Resolution no. 5, dated 5 August 1993; and
- d) Law no. 12,715, enacted 17 September, 2012.

## APPENDIX XIV- CUSTOMS TRANSIT FOR PRODUCTS OF AGRICULTURAL CONCERN

### 1. General Remarks:

Customs transit is characterized by the movement of merchandise between warehouses, terminals and facilities under the customs control of Brazil's Inland Revenue Secretariat (Portuguese acronym: RFB), and the application of this regime to goods of agricultural concern is dependent upon control by MAPA.

In order to grant any customs transit protocol to goods of agricultural concern, the criteria for agricultural risk management must be complied with, and MAPA may, by means of a normative act, for reasons of sanitary emergency or other reasons at its discretion, ban such permission for given products, or specific situations.

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Customs transit will only be authorized for goods of agricultural concern between warehouses, terminals and facilities under the control of customs, and approved by MAPA.

#### 1.1. Definitions:

- a) Place of ingress: MAPA-approved warehouses, terminals or facilities located in ports, airports or border posts where the product enters Brazilian territory, and under the competent jurisdiction of the Vigiaagro Unit;
- b) Place of egress: MAPA-approved warehouses, terminals or facilities located in ports, airports or border posts where the product leaves Brazilian territory, and under the competent jurisdiction of the Vigiaagro Unit; and
- c) Place of shipping: MAPA-approved warehouses, terminals or facilities located in ports, airports or border posts in the primary or secondary zone of the territory of Brazil, and under the competent jurisdiction of the Vigiaagro Unit, where inspection procedures are carried out in order to determine agricultural approval or prohibition.

#### 1.2. Restrictions on transit:

Customs transit on the import of goods of agricultural concern may not be granted in the case of:

- a) live animals and hatching eggs;
- b) animal products posing an animal-health risk, to be transported in open or tarpaulin-covered trucks or railway wagons, or on sider trucks, or flat-rack, open-top and similar containers, as well as unsealed loads;
- c) plants and products defined as being in categories 2 (two), 3 (three) or 4 (four) and 5 (five) for phytosanitary risk, intended to be transported in open or tarpaulin-covered trucks or railway wagons, or on sider trucks, or flat-rack, open-top and similar containers, as well as unsealed loads;
- d) any other products placed in packaging or dunnage of raw wood, intended to be transported in open or tarpaulin-covered trucks or railway wagons, or on sider trucks, or flat-rack, open-top and similar containers, as well as unsealed loads; and
- e) other products whose movements are restricted by order of the Technical Departments of the Secretariat of Animal and Plant Health.

Customs transit may be granted for items listed in lines a and b, mentioned above, when transported in conditions where mitigation of the zoosanitary or phytosanitary risk of escape is sufficient, as well as in packaging that does not allow exchange with the external environment.

Import-related customs transit may be granted without restriction for all other cases differing from the description given in the preceding items.

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1.3. Inspection:

Inspection may also, in the following situations, be carried out at the place of ingress or egress, regardless of whether there is a restriction or otherwise:

- a) in the event of doubt or suspicion as to the legality of the operation;
- b) in the event of a broken seal or loss of load integrity; and
- c) in other situations, at the discretion of the Federal Agricultural Inspector/Auditor.

2. Requirements:

2.1. Export of products in customs transit:

I - At the place of Shipment: Meet the requirements described in the specific Appendices to the present Normative Instruction, depending on the nature of the goods of agricultural concern; and  
II - At the place of Egress: Inspection controls at the place of egress will only take place in the case of international agreements, official demand of the country of destination, or by order of the Technical Departments of the Secretariat of Animal and Plant Health.

2.2. Import of products in customs transit:

I - At the place of Ingress:

- a) For the customs transit of goods without restrictions, agricultural clearance may be given automatically without intervention by the Vigiagro Unit; and
- b) for cases of restricted customs transit, inspection will be carried out by the agricultural inspection in accordance with the demands described in specific Appendices to the present Normative Instruction, and depending on the nature of the goods of agricultural concern; and

II - At the place of Shipment: Meet the requirements described in the specific Appendices to the present Normative Instruction, depending on the nature of the goods of agricultural concern.

3. Procedures:

3.1. Agricultural approval procedures will comply with the operational controls of document-related checks, visual and physical checks, inspection and provisions contained in the specific Appendices to the present Normative Instruction, depending on the nature of the goods of agricultural concern.

3.2. Notification of non-compliances:

The Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if the following are found:



non-compliances amenable to correction, and communicated electronically to the importer and its legal representative.

The NFA will describe the non-compliance that has been identified and give the legal basis.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification when applicable,
- c) Sanitary, Phytosanitary or Zoosanitary Certificate, when applicable. and
- d) other documents in accordance with the type of merchandise, defined in the present Normative Instruction.

5. Related legislation and regulatory acts:

- a) Decree no. 5,741, enacted 30 March 2006;
- b) Decree no. 6,759, enacted 5 February, 2009; and
- c) SRF/MF Normative Instruction no. 248, dated 25 November, 2002.



## APPENDIX XV - CUSTOMS FOR GOODS IN TRANSIT

### 1. General Remarks:

For the purposes of the provisions of the present Normative Instruction, customs for goods in transit means the transportation through the national territory of Brazil of merchandise from overseas and intended for overseas.

Transit may only be applied to merchandise declared for the purpose of transit on the corresponding Bill of Lading, or on the manifest, or other declaration with equivalent effect, for the vehicle that transported it to the place of ingress into Brazil.

MAPA may define cases in which conclusion of customs transit will be automatic, or dependent upon proof of conclusion of transit with the local representation of Brazil's Inland Revenue Secretariat (RFB).

MAPA will define the Vigiagro Units, as well as the MAPA-approved, customs-controlled warehouses, terminals and facilities by means of which customs of goods in transit may be applied.

The list of Vigiagro Units will be published on the official MAPA website at [www.agricultura.gov.br/Vigiagro](http://www.agricultura.gov.br/Vigiagro) taking into consideration the availability of MAPA-approved warehouses, terminals and facilities specifically for this modality of customs movements.

MAPA shall publish a list of products of agricultural concern for which the customs modality of goods in transit may be allowed, as well as the need for authorization prior to loading or crossing of the border.

1.1. Customs transit on the import of goods of agricultural concern may be granted

- a) with restrictions when subject to inspection at the place of entry into Brazil; and
- b) without restriction when exempt from inspection at the place of entry into Brazil.

1.2. Except for those cases where the granting of customs transit is forbidden, this modality of movement will be allowed without restriction in the following situations:

- a) live animals and hatching eggs;
- b) animal products posing an animal-health risk, to be transported in open or tarpaulin-covered trucks or railway wagons, or on sider trucks, or flat-rack, open-top and similar containers, as well as unsealed loads;
- c) plants defined as being in phytosanitary risk categories 2 (two), 3 (three) or 4 (four) and products defined as being in Category 5 (five), intended to be transported in open or tarpaulin-covered trucks or railway wagons, or on sider trucks, or flat-rack, open-top and similar containers, as well as unsealed loads; and
- d) any other products placed in packaging or dunnage of raw wood, intended to be transported in open or tarpaulin-covered trucks or railway wagons, or on sider trucks, or flat-rack, open-top and similar containers, as well as unsealed loads.

1.3. Customs transit may be granted without restriction for items listed in lines 1.2.b and 1.2.c, when transported in conditions where mitigation of the zoosanitary or phytosanitary risk of escape is sufficient, as well as in packaging that does not allow exchange with the external environment.

1.4. Customs transit may be granted without restriction for all other cases differing from the description given in items 1.2 and 1.3 above.

1.5. Inspection may also be carried out at the place of destination, regardless of whether there is a restriction or otherwise, in the following situations:

- a) in the event of doubt or suspicion as to the legality of the operation;
- b) in the event of a broken seal or loss of load integrity; and
- c) in other situations, at the discretion of the competent agricultural authority.

2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Sanitary, Zoosanitary or Phytosanitary Certificate, when applicable. and
- c) Copy of the International Transportation Bill of Lading or Cargo Manifest.

2.1. When entry into Brazil is by highway, both the International Transportation Bill of Lading and the Cargo Manifest must be shown.

2.2. Advance authorization by MAPA for customs transit, detailing the itinerary of such movements, when applicable, may also be demanded.

2.3. The beneficiary of the customs transit regime, immediately upon approval by the customs authority, will show the route, vehicle seals and deadline for the arrival of the merchandise at the place of destination on the DAT, by electronically attaching a copy of the Certificate of Clearance for Customs Transit (*Certificado de Desembaraço para Trânsito Aduaneiro*—CDTA), or another document defined by RFB for such purpose.

3. Procedures:

3.1. Procedure for Agricultural Approval at the Place of Entry into Brazil:

- a) in the case of customs transit without restriction, agricultural approval may be given automatically;
- b) in cases where customs transit is approved with restrictions, the agricultural authority will carry out inspections, or this will be performed by a competent employee under its supervision, and inspect the transportation vehicle or equipment, observing whether it provides satisfactory safety conditions for performing such movements;
- c) in the case of unauthorized products of agricultural concern, customs transit will be forbidden and the goods will return to origin;
- d) in the case of goods of agricultural concern for which the means of transportation or packaging does not provide total protection against the spread of pests or diseases, the Federal Agricultural Inspector/Auditor may deny authorization for customs transit; and
- e) in cases where customs transit is denied, as addressed in the previous item,

substitution of, or adaptations to, the transportation vehicle or equipment may be authorized.

3.2. The commencement of customs transit transport will be authorized upon registration of agricultural approval in the DAT.

3.3. Unloading and transshipment operations (direct or with storage) at warehouses, terminals or facilities not approved for this purpose, are banned in Brazil in the case of goods of agricultural concern in customs transit.

3.4. The operations addressed under item 3.3 when performed at other warehouses, terminals and facilities approved for other purposes, may exceptionally be authorized provided that the Technical Departments of the Secretariat of Animal and Plant Health (SDA) give express authorization.

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3.5. In the event of zoosanitary, phytosanitary or document non-compliance, or when it is impossible to carry out the procedures laid down in the present Normative Instruction, measures must be taken to ensure return of the product to origin or its destruction, at the expense of the party responsible for the merchandise.

3.6. Procedure for Agricultural Approval at the Place of Egress out of Brazil:

- a) the beneficiary must show, on the DAT, the arrival of the vehicle at the place of egress from Brazil, and the conclusion of customs transit at which moment the customs document proving the end of the transit protocol must be presented;
- b) when any zoosanitary or phytosanitary non-compliance is shown at the moment of arrival at the place of destination, or any adulteration of the safety devices applied to the vehicle is identified, measures must be taken to ensure destruction or treatment of the merchandise, when possible, without prejudice to the application of penalties and at the expense of the beneficiary of the regime, or whomsoever may have caused such non-compliances;
- c) if during the customs transit trajectory an event occurs leading to a change in route, deadline or the integrity of the cargo and seal, the beneficiary of the regime must immediately inform the agricultural authority in the Vigiagro Unit at the place of exit from Brazil; and
- d) the event must be communicated by the following documents, according to the case:
  - d.1) police report;
  - d.2) photograph or video image;
  - d.3) proof of the breakage and replacement of the seal, by a competent authority;
  - d.4) report of an expert from a specialized company; and
  - d.5) other documents relevant to this purpose.

3.7. Except for the cases described in the preceding item, customs transit may be completed automatically by giving the transit completion information.

3.8. The DATs for customs transit operations that have commenced and are not yet completed, will undergo constant monitoring by the Vigiagro Units of entry and exit, in order to take the necessary steps.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification when applicable;
- c) Sanitary, Phytosanitary or Zoosanitary Certificate, when applicable. and
- d) Transit Document when applicable.

5. Related legislation and regulatory acts:

- a) Decree no. 5,741, enacted 30 March 2006;
- b) Decree no. 6,759, enacted 5 February, 2009; and
- c) SRF/MF Normative Instruction no. 248, dated 25 November, 2002.

## APPENDIX XVI - MERCHANDISE IMPORTED BY ONE COUNTRY AND RE-EXPORTED TO BRAZIL

### 1. General Remarks:

Goods of agricultural concern imported by a given country and subsequently exported to Brazil are subject to the same inspection procedures adopted in the specific Appendices to the present Normative Instruction, depending on the nature of the goods of agricultural concern.

The same criteria apply to the provisions in this Appendix for managing agricultural risk and selecting the levels of inspection laid down in the present Normative Instruction.

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Brazil's sanitary, zoosanitary and phytosanitary demands must be met for the import of goods of agricultural concern where it is mandatory to present an official export certificate.

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Original Sanitary, Phytosanitary or Zoosanitary Certificate, as the case may be; or
- c) Original Phytosanitary Re-Export Certificate and copy of the Phytosanitary Certificate of the country of origin, meeting the requirements of Brazil, when applicable; and
- d) other demands described in the specific Appendices to the present Normative Instruction, depending on the nature of the goods of agricultural concern.

### 3. Procedures:

3.1. If the re-exporting country does not require a Phytosanitary Certificate, whereas Brazil does demand one, and the requirements can be met by physical inspection or laboratory testing, the reexporting country may issue a Phytosanitary Export Certificate with the country of origin shown between parentheses.

3.2. For animal products of agricultural concern, the importer must, along with the DAT and other mandatory import documents, present the original Sanitary or Zoosanitary Certificate from the exporting country and an authenticated copy of the Sanitary or Zoosanitary Certificate of the country of origin, thus complying with the demands of Brazil.

3.3. If there are specific Brazilian requirements concerning the place of origin or of manufacture, these must be given on the certificate issued by the country of origin.

3.4. On the Phytosanitary Re-Export Certificate, the exporting country must show:

- a) whether the certificate is accompanied by the original phytosanitary certificate or an authenticated copy of it;
- b) whether the remittance has or has not been repackaged;
- c) whether the packaging is original or new; and
- d) whether additional inspection has been carried out.

3.5. If the consignment has been split and the resulting batches are exported separately, Phytosanitary Reexport Certificates and authenticated copies of the original phytosanitary certificate must accompany each shipment.

3.6. The Phytosanitary Reexport Certificate (Portuguese acronym: CFR) will be accepted even if the shipment has been stored, split, combined with other shipments or repackaged in the

exporting country, provided that it has not been exposed to infestation or contamination by pests:

- a) If the shipment has been exposed to infestation or contamination by pests, or has lost its integrity or identity, or has been processed to change its nature, the CFR will not be accepted, and a Phytosanitary Certificate (CF) issued by the exporting country must be presented; and
- b) in cases where a phytosanitary certificate has been issued, as laid down in the previous item, the country of origin must be shown on the certificate; the phytosanitary requirements both of the country of origin and of the exporting country on the List of Plant Products Authorized for Importation (Portuguese acronym: PVIA) of the National Phytosanitary Protection Organization (NPPO) of Brazil, must be given.

3.7. When plant-based goods of agricultural concern are not exposed to infestation or contamination by pests in the exporting country, and are accompanied by a CFR, their import may only be authorized when the phytosanitary requirements for the country of origin are laid down and given on the List of Products Authorized for Import (Portuguese acronym: LPIA).

4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

## **APPENDIX XVII MERCHANDISE IMPORTED BY BRAZIL AND RE-EXPORTED TO ANOTHER COUNTRY**

### 1. General Remarks:

Goods of agricultural concern imported by Brazil and subsequently re-exported to another country are subject to the same procedures described in the specific Appendices to the present Normative Instruction in accordance with their nature and type.

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT); and
- b) other demands described in the specific Appendices to the present Normative Instruction, depending on the nature of the goods of agricultural concern.

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### 3. Procedures:

Inspection of the product of agricultural concern shall be in accordance with the provisions described in the specific Appendices of this Normative Instruction, depending on the nature of the products of agricultural concern.

### 4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) Sanitary, Phytosanitary or Zoosanitary Certificate, when applicable.





## APPENDIX XVIII - CERTIFIED BONDED WAREHOUSING

Version 2 - IN NO.12/2018

### 1. General Remarks:

Certified Bonded Warehousing (Portuguese acronym: DAC) is a regime that, for all fiscal, credit and exchange purposes, deems domestic merchandise deposited in a bonded warehouse, sold to a person headquartered overseas under the terms of a contract for delivery within Brazil at the order of the purchaser, to be exported.

The provisions laid down in this Appendix also apply to goods of agricultural concern that, once the DAC regime has been extinguished, will be transferred or admitted under other customs regimes.

For the purposes of this Appendix the following definitions apply:

- a) seller: the person appearing as the exporter on the Declaration for Export Clearance (Portuguese acronym: DDE) registered in the Integrated Foreign Trade System (Siscomex), or another document that may replace it;
- b) purchaser: the person appearing as the importer on the DDE registered in Siscomex, or another document that may replace it;
- c) mandatary: the natural person or legal entity appointed by the purchaser, domiciled or established in the territory of Brazil, with a mandate to operate on his or her behalf, possibly even being the seller or depositary; and
- d) depositary: the administrator of the place or facility authorized by Brazil's Inland Revenue Secretariat (SRF) to operate the regime.

The DAC regime for goods of agricultural concern shall only be authorized when it is operated in MAPA-approved warehouses, terminals or facilities, and only products of agricultural concern without restriction for export may be admitted into the DAC regime.

### 2. Requirements:

2.1. For the purposes of the provisions of this Appendix, goods of agricultural concern subject to export authorization prior to loading or crossing the border, may only be allowed into the DAC regime upon prior authorization by the competent technical sector.

2.2. For cases where export authorization is not required, granting of the DAC regime for goods of agricultural concern may be given automatically.

2.3. The following documents must be attached to the DAT:

- a) Bill of Bonded Deposit (*Conhecimento de Depósito Alfandegado*—CDA), issued by the concessionaire or permissionaire administering the bonded facility;

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- b) Export Authorization in cases where such is demanded prior to loading or crossing of the border;
- c) International Health Certificates or Phytosanitary Certificates when issued by MAPA representative at origin;
- d) Domestic Health Certificates, Certificates of Conformity, or Certificates of Sanitary Inspection, for animal products, whether edible or otherwise, as the case may be;
- e) Plant Transportation Permit when required for interstate transportation;
- f) Other documents when described on the Export Authorization; and

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- g) the same documents demanded for each type and nature of product of agricultural concern, laid down in the specific chapters of the present Normative Instruction, must be attached to the DAT, except for the bill of lading and cargo manifest, which are to be presented as proof of embarkation or crossing of border.

2.4. The actual loading of the goods of agricultural concern intended for overseas, or the resulting placement in a different customs regime, must be proven by attaching documents to the corresponding electronic dossier, in order to control the balance of the merchandise initially admitted into the regime.

2.5. The failure to comply with the provisions of this Appendix, omission of information, or the provision of inaccurate or incorrect information will all subject the beneficiary of the transit regime to the sanctions laid down in current legislation in force.

### 3. Procedures:

Inspection of the product of agricultural concern shall be carried out in accordance with specific procedures for the products of agricultural concern contained in the present Normative Instruction.

Inspection procedures shall commence with registration of the DAT and presentation of the documents that are demanded, and will be carried out at the location of the DAC of the product of agricultural concern.

3.1. Said inspection may also be carried out at the place of egress of the product of agricultural concern, if different from the location of the DAC, in the following situations:

- a) in the event of doubt or suspicion as to the regularity of the operation, or as to the preservation of the integrity and the technical, hygienic and sanitary conditions of the cargo; and
- b) in other situations, at the discretion of the competent agricultural authority.

### 3.2. Procedures for Agricultural Approval:

- a) after the inspection process has been completed, as with those cases where the DAT does not require any new manifestation by the agricultural authority, the beneficiary of the regime will announce the loading of the merchandise or the crossing of the border, by attaching the bill of lading or cargo manifest to the electronic dossier.

- b) in cases where the DAC is extinguished, in order to enter into another customs modality or regime, the beneficiary of the regime must present document-based proof in the electronic dossier;
- c) in cases where the DAC is extinguished, in order to totally or partially bring into Brazil goods of agricultural concern that have not in fact been loaded or have not crossed the border to go overseas, the procedures laid down for reimport must be followed;
- d) for cases in which sanitary, zoosanitary or phytosanitary certification is not issued by the MAPA representation at origin, such certification must be issued by the Vigiagro Unit at the place of shipping;
- e) agricultural approval must be granted in the International Plant and Animal Movement Declaration - DAT, in order to conclude the agricultural inspection procedure, recording agricultural approval or banning; and
- f) in cases where agricultural approval is given in the DAT by the Vigiagro Unit at the place where the product of agricultural concern is shipped, customs transit to the place of egress is automatically authorized, for cases where this place is different from the location of the DAC.

### 3.3. Notification of non-compliances:

- a) in the case of a non-compliance or the occurrence of an event during its stay under the DAC regime, the beneficiary will immediately inform the agricultural authority in the Vigiagro Unit at the place of shipping of this fact.
- b) Failure to comply with the provisions of the present Regulation, the omission of information, or the provision of inaccurate or incorrect information will subject the beneficiary of the regime to the sanctions laid down in the legislation in force.
- c) At any moment, the agricultural authority may prohibit the customs clearance of products of agricultural concern allowed into the DAC regime that may subsequently have acquired export restrictions.

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

### 5. Related legislation and regulatory acts:

- a) Decree no. 5,741, enacted 30 March 2006;
- b) Decree no. 6,759, enacted 5 February, 2009 (articles 493 to 498); and
- c) SRF/MF Normative Instruction no. 266, dated 23 December, 2002.



## APPENDIX XIX - FREE DEPOSIT

### 1. General Remarks:

1.1. Free deposit is a special customs regime allowing storage of foreign goods of agricultural concern in a bonded facility to cater to the commercial flow of neighboring countries with third countries.

1.2. Only the storage of goods of agricultural concern coming from other countries, in warehouses, terminals and facilities duly approved by MAPA will be allowed, provided that the regime is authorized in accordance with an international agreement to which Brazil is a signatory.

1.3. The authorization addressed in the preceding item is dependent on proof of the segregation of the goods of agricultural concern entering the special regime of free deposit in conditions of isolation from domestic merchandise to be exported from, or foreign merchandise to be imported into, Brazil.

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### 2. Requirements:

2.1. The movement of foreign goods coming from, or intended for, neighboring countries, covered by the Free Deposit regime, is subject to registration of the DAT and to other procedures laid down for the authorization of goods in transit, as per Appendix XVI.

2.2. The goods of agricultural concern remaining in Free Deposit for a period of more than 90 (ninety) days after entering that facility, and presenting a sanitary, zoosanitary or phytosanitary risk, are subject to agricultural inspection, which is also the case when there is a well-founded suspicion of misleading declaration of content.

2.3. The same demands for documents and inspection procedures as laid down for customs transit and contained in Appendix XVI apply to the special regime of Free Deposit.

### 3. Procedures:

3.1. Goods of agricultural concern intended for a neighboring country, or coming in from a neighboring country, not posing a sanitary, zoosanitary or phytosanitary risk to Brazil, may be exempted from inspection, provided they do not breach the provisions of specific legislation.

3.2. The application of the special customs regime Free Deposit will be communicated by registering and forwarding the International Plant and Animal Movement Declaration (Portuguese acronym: DAT).

3.3. The DAT may stem from or originate in another DAT, as the case may be, and the correspondence between the two declarations must be kept for the purposes of control by the agricultural authority.

3.4. If pests or diseases are found to be present, then sanitary or phytosanitary measures laid down for similar situations in the case of import into, or export out of, Brazil, may be applied.

4. Related legislation and regulatory acts:

- a) Decree no. 5,741, enacted 30 March 2006;
- b) Decree no. 6,759, enacted 5 February, 2009 (articles 499 to 503); and
- c) SRF Normative Instruction no. 38, dated 19 April, 2001.

## APPENDIX XX - TEMPORARY ADMISSION

### 1. General Remarks:

For the purposes of this Appendix, the special customs regime entitled “temporary admission” allows the importation of merchandise, goods, and materials of agricultural concern that will remain in Brazil for a restricted period of time.

1.1. The following may be submitted to the temporary admission regime:

- a) products of agricultural concern intended for commercial promotion, including not-for-sale samples and sales representatives’ sets of samples;
- b) live animals, domestic pets, not for sale;
- c) animals intended for pasture, training, breeding and veterinary medical treatment;
- d) animals intended for participation in exhibitions, agricultural fairs, sporting events and international competitions, as well as veterinary products and feedstuffs for the above-mentioned animals;
- e) agricultural machinery, equipment and tools that have already been used in the country of origin, for the purpose of commercial promotion or rendering of service in Brazil; and
- f) products of agricultural concern intended for other purposes, provided that the sanitary, zoosanitary and phytosanitary risks involved do not rule out the granting of such regime.

1.2. The contents of this Appendix do not apply to:

- a) live animals coming from countries whose sanitary risk does not allow them to be brought into Brazil, even temporarily;
- b) materials for animal breeding;
- c) plants and plant products coming from countries whose sanitary risk does not allow them to be brought into Brazil, even temporarily;
- d) plant propagation materials; and
- e) other products of agricultural concern, transported as baggage, or in other situations, at the discretion of MAPA.

1.3. The duration of time allowed for temporary admission will be restricted to that during which the event, operation or service will take place: this must be described on the international agricultural movement declaration (DAT) taking into consideration the time allowed for the inbound and outbound journeys.

1.4. Natural persons and legal entities that promote the importation of the product of agricultural concern will be the beneficiaries of this regime.

1.5. The regime may also be granted to the following natural persons and legal entities:

- a) the promoter of the event for which the assets are intended; and
- b) a legal entity hired to be responsible for logistics and customs clearance of the assets.

1.6. Beneficiaries of the temporary admission regime must be registered with Vigiagro, and their registration must remain valid throughout the period during which the regime is in force, under penalty of refusal to grant the request.

1.7. The following conditions must be complied with if the temporary admission regime is to be granted and applied:

- a) the import must be proven to be temporary by any means deemed suitable;
- b) the goods must be fit for the purpose for which they are being imported;
- c) the goods must be used in accordance with the duration of time given in granting permission; and
- d) the identification of the goods.

## 2. Requirements:

2.1. The temporary admission regime for products of agricultural concern is to be requested by registering the International Livestock Movement Declaration (Portuguese acronym: DAT).

2.2. Inspection procedures will commence after the DAT is registered and after any documents proving the suitability of the request to the proposed legal situation have been attached, as well as any other documents required in the specific Appendices to this Normative Instruction.

2.3. To import products of agricultural concern within the temporary admission regime, the requirements of the following documents may be waived:

- a) certificate of listing, registration, or licensing with MAPA of the importing establishment, or the eligibility of the foreign exporting establishment for the merchandise, goods or materials of agricultural concern;
- b) certificate of listing, registration, licensing or granting of eligibility by MAPA of such products; and
- c) others, when not concerning matters of health.

2.4. The following documents must be attached to the DAT or assembled in a dossier, beyond those documents demanded for each type of product of agricultural concern:

- a) Instrument of Accountability, in which the beneficiary takes responsibility for keeping and maintaining the merchandise throughout the period of time given in the DAT, at a described location and under described conditions;
- b) for those cases addressed in lines "a", "d" and "e" of item 1.1, proof of enrollment in, or invitation letter to participate in, and schedule for, the event;
- c) contract for the rendering of services, in those cases addressed in lines "c", "e" and "f" of item 1.1; and
- d) other documents proving the suitability of the request to the proposed described event.

2.5. The documents described in lines "a" to "d" of item 2.4, must prove the nature of the operation, service or event and identify and list the products of agricultural concern addressed within the request for granting of the regime.

2.6. Failure to comply with the Instrument of Accountability will lead to the beneficiary of the regime being subject to the same enforcement penalties as given in the Custody Form.

2.7. For the temporary exportation of agricultural machinery, equipment and tools, the Instrument of Accountability may be waived.



2.8. Agricultural machinery, equipment and tools, when already used in their country of origin, intended for temporary entrance to the country, must be accompanied by a declaration issued by the National Phytosanitary Protection Organization (NPPO) of the exporting country, stating that this set of implements has been cleaned, disinfested and disinfected, identifying the product used, dosage, and form of treatment.

2.9. The temporary admission regime for merchandise, goods or materials of agricultural concern may only be granted by a statement given on the corresponding DAT by the Federal Agricultural Inspector/Auditor (Portuguese acronym: AFFA).

2.10. Vigiagro Units involved in granting such regime must keep suitable control over the ingress and egress of the merchandise, goods and materials of agricultural concern, exercising particular caution concerning the ending of the regime and the validity granted to such.

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### 3. Procedures:

3.1. Agricultural inspection will be carried out in accordance with the management of the agricultural risk, which shall show the levels of inspection to be adopted, and the temporary admission operations for products of agricultural concern shall be subject to inspection procedures that shall include, on a case-by-case basis:

- a) Document Check; and
- b) the physical check or inspection, depending on the nature of the products of agricultural concern.

3.2. Authorization and clearance for agricultural machinery, equipment and tools, when they have already been used in their country of origin, will depend upon the necessary phytosanitary inspection and tests that will be carried out by the agricultural authority or agricultural inspection agents (technical career public servants) under his or her supervision, and if the phytosanitary condition of such implements is not deemed satisfactory, the batch shall be submitted to cleansing, disinfestation and disinfection.

3.3. The costs of laboratory tests, of cleansing and treatment, when necessary, as well as the sending of samples, shall be met by the interested parties.

3.4. Agricultural inspection and clearance shall be in accordance with the provisions described in the specific Appendices of this Normative Instruction, depending on the nature of the products of agricultural concern.

3.5. After agricultural inspection and clearance, the beneficiary of the regime shall attach to the dossier a copy of the document granting the temporary admission regime by the customs authority, and failure to do so will preclude the granting to the same beneficiary of future temporary admissions anywhere in Brazil until the irregularity is put right, without prejudice to the application of suitable penalties.

3.6. If the beneficiary of the regime is interested in extending the deadline of the stay in Brazil, the beneficiary of the regime must request such extension by the Vigiagro Unit closest to the place where the merchandise is located.

3.7. This extension may be authorized automatically, for those cases in which there is no sanitary, phytosanitary or zoonosanitary risk posed to Brazil by the product of agricultural concern remaining in the country, or where there is no suspected deviation from the previously authorized purpose.

3.8. The AFFA (Federal Agricultural Inspector/Auditor) may refuse the request for extension of the temporary admission regime if the beneficiary cannot prove a reason for such extension, or if there is deviation from the previously authorized purpose, or a sanitary or phytosanitary emergency, suspected fraud, or breach of agricultural legislation.

3.9. During the period in which the regime is in force, one of the following steps may be taken against the products of agricultural concern to extinguish the application:

- a) return to origin;
- b) reexport;
- c) destruction;
- d) internalization; and
- e) others, when authorized by a Federal Agricultural Inspector/Auditor.

3.10. Steps may be taken to extinguish the temporary admission regime by a Vigiagro unit other than that which granted the regime, and the beneficiary must show the agricultural authority the DAT that authorized admission to the product of agricultural concern, along with documentation demanded for this step to be taken.

3.11. Goods may be returned to origin, and re-exported on a piecemeal basis, provided that the final operation takes place within the validity of the regime, and is duly authorized by the agricultural authority.

3.12. The same inspection procedures laid down in the specific Appendices must be carried out by the agricultural authority, as applicable, in order to inspect and clear products of agricultural concern for such exportation at the end of the temporary admission regime.

3.13. In the case of products that require issuance of a sanitary, zoonosanitary or phytosanitary certificate, the specific demands for the type of product, and the provisions laid down in the specific legislation, must be complied with.

3.14. Destruction shall only be authorized under approved biosecurity conditions and at sites eligible for this purpose, indicated by a Federal Agricultural Inspector/Auditor, in compliance with demands laid down in the environmental legislation, and with the present Normative Instruction.

3.15. In order definitively to bring a good into Brazil, the specific demands for each type of product must be observed, and all the required administrative procedures complied with, including presentation, if necessary, of import authorization.

3.16. Should the product of agricultural concern not meet domestic standards and demands for internalization, it will be returned, reexported or destroyed, and the cost borne by the beneficiary.

3.17. While the temporary admission regime is in force, a request may be made to substitute the beneficiary or change the purpose, for all or some of the products of agricultural concern admitted temporarily. This request must be backed up by the respective DAT or dossier, and authorization to replace the beneficiary or change the purpose will depend upon:

- a) a favorable opinion given by the competent technical sector for those products subject to

- importation authorization; and
- b) authorization by the customs authority.

3.18. The Federal Agricultural Inspector/Auditor may take any of the precautionary steps described in the present Normative Instruction and laid down in specific legislation when suspecting irregularity or violations of agricultural legislation, as well as in the case of imminent risk of or actual sanitary, zoosanitary or phytosanitary emergencies.

- 4. Documents issued:
  - a) Inspection report in computerized system(s); and
  - b) Notification of Agricultural Inspection, when applicable.
  
- 5. Related legislation and other regulatory acts:
  - a) Decree no. 5,741, enacted 30 March 2006;
  - b) Decree no. 6,759, enacted 5 February, 2009;
  - c) Normative Instruction RFB No. 1,600, dated 14 December, 2015; and
  - d) MAPA Normative Instruction no. 14, dated 1 July, 2004.



## APPENDIX XXI - RE-IMPORTED BRAZILIAN MERCHANDISE

### 1. General Remarks:

Goods of agricultural concern re-imported by Brazil shall be subject to agricultural inspection and clearance, which shall be in accordance with the provisions described in the specific Appendices of this Normative Instruction, depending on the nature of the products of agricultural concern.

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) other documentation in accordance with the provisions described in the specific Appendices of this Normative Instruction, depending on the nature of the products of agricultural concern; and
- c) a Declaratory Letter from the interested party justifying the return of the merchandise.

### 3. Procedures:

Presentation of the Certificate of Origin shall not be demanded when goods of agricultural concern are re-imported.

If the Original International Sanitary Certificate is held in the importing country, it shall be necessary to provide an official document from the country that returned the goods with a justification of the act translated into Portuguese by a sworn translator.

Inspection of the merchandise, goods or materials of agricultural concern shall be carried out in accordance with the specific Appendices attached to the present Normative Instruction.

At the discretion of the Service of Inspection of Animal Products of the state-level Federal Superintendency of Agriculture, Livestock and Food Supply (Portuguese acronym: SFA-UF) edible animal products intended for establishments with oversight by the Federal Inspection Service may be exempt from physical inspection at the point of ingress.

### 4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) Transportation documentation for the merchandise, when applicable.

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## APPENDIX XXII - DUTY FREE SHOPS

### 1. General Remarks:

The import of goods of agricultural concern subject to the special customs regime of “duty-free shops” will only be authorized for customs-controlled establishments located in the primary zone of ports and airports, as well as at border locations, within the area of jurisdiction of Vigiagro Units.

Only establishments specifically approved for the purpose will be authorized to operate in the duty-free shop regime with goods of agricultural concern.

Duty-free store operators handling goods of agricultural concern must comply with the same registration and accreditation requirements as laid down in the present Normative Instruction.

Duty free stores will not be allowed to import live animals or animal breeding materials.

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#### 1.1. The Import of Goods of Agricultural Concern for Sale in the Duty Free Shop Regime:

- a) MAPA will not intervene in the case of plant products in phytosanitary risk categories 0 and 1;
- b) plant products in phytosanitary risk categories 2, 3 and 4 must meet the specific requirements for each product and origin;
- c) beverages in general, wines, grape and wine products will not be inspected by MAPA; and
- d) animal products must meet the specific sanitary requirements.

### 2. Requirements:

The demands for documents regarding goods of agricultural concern for sale in duty-free shops will be the same as those laid down in specific Appendices to the present Normative Instruction, depending on the type of merchandise.

### 3. Procedures:

The agricultural inspection shall be in accordance with the provisions described in the specific Appendices of the present Normative Instruction, depending on the nature of the products of agricultural concern.

Customs transit operations as well as transfer between establishments operating the duty-free shop regime with goods of agricultural concern, when still pending conclusion of the procedure for agricultural approval, will be subject to control by the agricultural authority.

MAPA-approved duty-free shop operators will assume the responsibility of depositaries of the foreign merchandise admitted under the regime.

### 3.1. Notification of non-compliances:

The Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances amenable to correction are found, and these will be sent electronically to the importer and legal representative; the NFA will describe the non-compliance that has been identified and give the legal basis.

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable;

### 5. Related legislation and other regulatory acts:

- a) Decree no. 24,114, enacted Monday, March 12, 1934;
- b) Decree no. 24,548, enacted 3 July, 1934;
- c) MF Ordinance no. 112, dated 10 June, 2008; and
- d) MF Ordinance no. 307, 17 July, 2014.



## APPENDIX XXIII - CUSTOMS COLD STORAGE

Version 2 - IN NO.12/2018

### 1. General Remarks:

Customs cold storage is a special customs regime applied to import and export operations, with the warehousing of merchandise at a location authorized by the Brazil's Internal Revenue Secretariat.

Customs cold storage of goods of agricultural concern may only occur in locations that are accredited or approved by MAPA, and which must comply with these same provisions for the approval of warehouses, terminals and facilities.

Only the following activities are allowed in the customs cold storage regime:

- a) for export: goods of agricultural concern that are not restricted for export; and
- b) for import: goods of agricultural concern whose import is authorized by MAPA, pursuant to specific legislation.

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Goods of agricultural concern subject to import or export authorization prior to shipping or transposition will only be admitted into the customs cold storage regime upon advance authorization by the competent technical sector of SFA-UF.

In those situations where import authorization is not required, the customs cold storage regime will be granted automatically upon the act of registration of the International Plant and Animal Movement Declaration - DAT.

One condition for customs cold storage of goods of agricultural concern is non-restriction by MAPA of a customs transit operation when necessary between the point of entry and the place of customs cold storage.

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Admission Declaration drafted by the beneficiary of the Integrated Foreign Trade System (Siscomex) or equivalent document;
- c) Export Authorization or Import Authorization in cases where such is demanded prior to loading or crossing of the border;
- d) Domestic Health Certificates, Certificates of Conformity, or Certificates of Sanitary Inspection, for animal products, whether edible or otherwise, for the purpose of cold storage intended for export, as the case may be;

- e) Sanitary, Phytosanitary or Zoosanitary Certificate, whichever the case may be, for cold storage for import;
- f) Plant Transportation Permit when required for interstate transportation;
- g) Bill of Lading or Cargo Manifest, for cold storage for import; and
- h) other documents when described on the Export Authorization or Import Authorization.

The same documents demanded for each type and nature of product of agricultural concern, laid down in the specific Appendices of the present Normative Instruction, must be attached to the DAT, except for the bill of lading and cargo manifest for the case of cold storage before export, which are to be presented as proof of embarkation or crossing of border.

The actual loading of goods of agricultural concern intended for overseas, or their subsequent inclusion in another customs regime, must be attached to the corresponding electronic dossier for the control of the balance of merchandise initially admitted into a regime, and any non-compliance, omission, or the furnishing of inexact or incorrect information will subject the beneficiary of the transit regime to the sanctions laid down in the legislation in force.

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### 3. Procedures:

Agricultural inspection, oversight and approval shall be in accordance with the provisions described in the specific Appendices to this Normative Instruction, depending on the nature of the products of agricultural concern.

In the case of customs cold storage for export, said inspection may also be carried out at the place of egress of the merchandise, product or material of agricultural concern, if different from the location of the cold storage, in the following situations:

- a) in the event of doubt or suspicion as to the legality of the operation;
- b) in the event of a broken seal or loss of load integrity; and
- c) in other situations, at the discretion of the competent agricultural authority.

After the inspection process has been completed, as with those cases where the DAT does not require any new manifestation by the agricultural authority, the beneficiary of the regime will announce the loading of the merchandise or the crossing of the border, by attaching the bill of lading or cargo manifest to the electronic dossier.

For cases in which the sanitary, zoosanitary or phytosanitary certification is not issued at the establishment of origin, such certification must be issued by the Vigiagro Unit at the place of shipping.

The agricultural approval must be carried out in the International Plant and Animal Movement Declaration - DAT, in order to conclude the agricultural inspection procedure, recording agricultural approval or banning;

in cases where agricultural approval is given in the DAT by the Vigiagro Unit at the place where the merchandise, product or material of agricultural concern is shipped, customs transit for export to the place of egress is automatically authorized in those cases where this place is different from the location of cold storage.

In the case of a non-compliance or event occurring during the period of the customs cold storage regime, the beneficiary must immediately inform the Vigiagro Unit at the place of shipping, ingress or egress, depending on the location of the merchandise.

4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

5. Related legislation and other regulatory acts:

- a) Decree no. 5,741, enacted 30 March 2006;
- b) Decree no. 6,759, enacted 5 February, 2009 (articles 404 to 419); and
- c) SRF/MF Normative Instruction no. 241, dated 6 November, 2002.

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## APPENDIX XXIV - DRAWBACK

### 1. General Remarks:

The import of goods of agricultural concern, underpinned by the special customs regime “drawback” in any of its modalities, shall comply with the same demands and procedures for import as laid down in the present normative instruction, as well as in other normative acts of MAPA, in accordance with the type and nature of the goods of agricultural concern, including those that may be imported to replace merchandise that has been returned overseas or destroyed.

The drawback regime may not be granted for goods of agricultural concern whose import has been banned or suspended by MAPA.

If other public administration entities have granted the drawback regime, this does not ensure authorization by MAPA or exempt such goods from mandatory compliance with the demands for import of goods of agricultural concern addressed in the agricultural legislation.

If merchandise imported or purchased under the special customs regime “drawback” has been used to process, manufacture, supplement or package goods of agricultural concern for export, such export shall comply with the same demands and procedures for export as laid down in the present Normative Instruction and other specific standards prepared by MAPA, in accordance with each type and nature of product of agricultural concern.

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### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT); and
- b) other documents required for each type and nature of product of agricultural concern, as laid down in the specific Appendices to the present Normative Instruction.

### 3. Procedures:

Inspection and oversight of the product of agricultural concern shall be carried out in accordance with the specific chapter for the products of agricultural concern contained in the present Normative Instruction.

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

### 5. Related legislation and other regulatory acts:

- a) Decree no. 5,741, enacted 30 March 2006;
- b) Decree no. 6,759, enacted 5 February, 2009 (articles 383 to 403); and
- c) SECEX/MDIC Ordinance no. 11, dated 25 August, 2004.



## APPENDIX XXV - TEMPORARY EXPORT

### 1. General Remarks:

The special customs regime entitled “temporary export” allows Brazilian merchandise or merchandise brought into Brazil to leave the country, depending upon re-import within a given deadline in the same state in which it was exported.

The following may be submitted to the temporary export regime:

- a) products of agricultural concern intended for commercial promotion, including not-for-sale samples and sales representatives’ sets of samples;
- b) domestic pets without commercial value;
- c) animals intended for pasture, training, breeding and veterinary medical treatment;
- d) animals intended for participation in exhibitions, agricultural fairs, sporting events and international competitions, as well as veterinary products and feedstuffs for the above-mentioned animals;
- e) agricultural machinery, equipment and tools that have already been used in the country of origin, for the purpose of commercial promotion or rendering of service overseas; and
- f) products of agricultural concern intended for other purposes, provided that the sanitary, zoosanitary and phytosanitary risks involved do not rule out the granting of such regime.

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The temporary export regime may not be applied to:

- a) live animals intended to go to countries whose sanitary risk does not allow such animals to be reintroduced into Brazil, even if exported temporarily;
- b) materials for animal breeding;
- c) plants and plant products intended to go to countries whose sanitary risk does not allow such products to be brought back into Brazil, even if exported temporarily;
- d) plant propagation materials; and
- e) other products of agricultural concern, transported as baggage, or in other situations, at the discretion of MAPA.

The temporary export of goods of agricultural concern, if their definitive export is banned, will not be allowed except in cases where there is express authorization from the competent Technical Sector of SFA-UF, or from another central body of MAPA.

Natural persons or legal entities exporting goods of agricultural concern will be the beneficiaries of the regime, and such beneficiaries must be registered in SIGVIG and their registration must be maintained valid throughout the entire period of validity of the regime, on pain of denial of the request for granting.

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) other documents required for each type and nature of product of agricultural concern, as laid down in the specific Appendices to the present Normative Instruction;
- c) Instrument of Accountability, in which responsibility is assumed for keeping and maintaining the merchandise throughout the period of time given in the DAT, at a described location and under described conditions;
- d) proof of enrollment, invitation letter, schedule of the event, when the intention is participation in events;

- e) a service rendering contract, when applicable;
- f) a copy of a document proving customs clearance by the customs authority at completion of the customs process, for the purpose of definitive export;
- g) authorization or permission to bring into the country of destination the product of agricultural concern, for the purpose of definitive export; and
- h) document proving the suitability of the request and the proposed Customs condition.

2.1. For the export of products of agricultural concern within the temporary export regime, the requirements of the following documents may be waived:

- a) those not referring to sanitary, phytosanitary or zoosanitary matters; and
- b) those demanded only for operations where export is carried out with a commercial purpose.

2.2. For the temporary exportation of agricultural machinery, equipment and tools, the Instrument of Accountability may be waived.

2.3. Vigiagro Units involved in granting such regime must keep suitable control over the egress and return of the merchandise, goods and materials of agricultural concern, exercising particular caution concerning the ending of the regime and the term of validity granted to such.

### 3. Procedures:

The agricultural oversight and inspection shall be in accordance with the provisions described in the specific Appendices to the present Normative Instruction, depending on the nature of the products of agricultural concern.

If the beneficiary is interested in extending the deadline of the regime, he or she must request extension from the Vigiagro Unit that granted the regime, describing the reasons for extension of the deadline and presenting documents underpinning the extension of the deadline and length of stay overseas.

This extension may be authorized automatically, for those cases in which there is no sanitary, phytosanitary or zoosanitary risk posed to the foreign country by the product of agricultural concern remaining in the country, or where there is no suspected deviation from the previously authorized purpose.

During the period in which the regime is in force, one of the following steps may be taken against the products of agricultural concern to extinguish the application:

- a) reimportation; or
- b) definitive export of the good accepted into the regime.

Steps may be taken to extinguish the temporary export regime by a Vigiagro Unit other than that which granted the regime, when the responsibility for concluding the regime falls to another Unit, and the beneficiary must show the Vigiagro Unit the DAT that authorized export of the product of agricultural concern, along with documentation demanded for this step to be taken.

The definitive export of goods of agricultural concern may not be granted for goods whose definitive export is banned.

During the term of temporary export, there may be a request for the beneficiary to be replaced, or



for the purpose to be changed for the entirety of, or for part of, the goods of agricultural concern exported temporarily, and the request must be underpinned by presentation to the Vigiagro Unit of the DAT, with authorization of replacement of the beneficiary or change of purpose depending upon:

- a) a favorable opinion issued by the sanitary, zoosanitary or phytosanitary authority of the importing country;
- b) a favorable opinion of the competent technical sector for goods of agricultural concern liable to export authorization or issuance of a sanitary, zoosanitary or phytosanitary certificate; and
- c) authorization by the customs authority.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) Sanitary, Phytosanitary or Zoosanitary Certificate, when applicable.

5. Related legislation and other regulatory acts:

- a) General Remarks:
- b) Decree no. 5,741, enacted 30 March 2006;
- c) Decree no. 6,759, enacted 5 February, 2009 (articles 431 to 448); and
- d) RFB Normative Instruction no. 1,600, dated 14 December, 2015.



## APPENDIX XXVI - EXPORT OF PLANTS, PLANT PARTS, AND PLANT BY-PRODUCTS

Version 2 - IN NO.12/2018

### 1. General Remarks:

1.1. Inspection and certification of plant products for export will take place by request of the exporter, and follow procedures and criteria for issuing the Phytosanitary Certificate (PC) and Reexport Phytosanitary Certificate (RPC) established under MAPA Normative Instruction no. 29, dated 25 July, 2013.

1.2. The PC and the RPC will be issued on condition that the phytosanitary requirements laid down by the National Phytosanitary Protection Organization (NPPO) of the importing country have been met, in order to attest to the phytosanitary condition of the transport of plants, plant parts, plant products and other products of agricultural concern exported to Brazil.

1.3. Plants, their parts, products and by-products of the Brazilian flora protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) shall be previously authorized by IBAMA (the Brazilian Institute for the Environment and Renewable Natural Resources).

1.4. The requirements regarding quality and safety of goods for export and the applicability of procedures laid down in APPENDIX XXIX shall also be complied with when applicable.

1.5. The export of plant propagation material shall comply with the provisions in the Regulation of Law no. 10,711 enacted 5 August 2003, approved by Decree no. 5,153, enacted 16 December, 2004, and the criteria laid down by Normative Instruction no. 25, dated 27 June, 2017, in compliance with the requirements of agreements and treaties that govern international trade or agreements with the importing country.

1.6. This guidance does not apply to seeds and seedlings exported for research and experimentation purposes.

1.7. The export of plant propagation material may only be carried out by a grower or trader enrolled in Brazil's National Registration of Seeds and Seedlings (Portuguese acronym: RENASEM), and the species or cultivar must be enrolled in the National Registry of Cultivars (Portuguese acronym: RNC).

1.8. The export of any quantity of seeds or saplings from any point of the country is dependent on agreement provided by the Ministry of Agriculture, Livestock and Food Supply - MAPA), after the interested party has so requested the technical body for seeds and saplings. Including seeds and saplings sent by post, as well as seeds and saplings carried by passengers in international travel.

1.9. The Integrated Foreign Trade System (Siscomex) and the Integrated Foreign Trade Vision (Vicomex), both of which are part of the Single Portal for Foreign Trade - Portal Siscomex, are the formal instruments for the export of seeds and saplings. All documentation to be presented to MAPA when exporting must be part of the Vicomex dossier along with documentation issued by the inspection.

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1.10. The Communication for the Export of Seeds and Saplings must be completed in Vicomex by the interested party, and accompanied by the respective documentation. The Vicomex Dossier number will be sent electronically by the exporter to the technical body for seeds and saplings of the decentralized MAPA unit in the state of Brazil in which the exporter is established.

1.11. After analysis and after legal demands have been complied with, the technical body for seeds and saplings will authorize the export of Seeds and Saplings. Exporter and decentralized MAPA unit at the point of exit of the product will be notified of export authorization. For the purposes of loading, the authorization will be valid for 180 (one hundred and eighty) days without extension. In the case of seeds or saplings intended for re-export, the authorization will be used as authorization for transportation to the point of exit.

1.12. At the point of exit, the exporter will request customs clearance by presenting the International Plant and Animal Movement Declaration (DAT) after including the documentation demanded by specific legislation into the Vicomex.

1.13. For the export of untreated seeds to countries allowing this operation without the need for the respective seed certificate, the exporter must present a declaration by a Technically Responsible Person that the seeds have come from fields registered in MAPA and have been harvested with approval by the TRP after the inspections provided for in the legislation have been carried out.

1.14. Seeds exported with a non-definitive production certification, underpinned by rules and international agreements to which Brazil is a signatory or member, must be accompanied by a respective certificate and the Seed Analysis Document (*Boletim de Análise de Sementes*) is waived.

1.15. For the export of plant products to countries in the MERCOSUR, the Harmonized Phytosanitary Requirements shall be followed, per Risk Category, as established in MAPA Normative Instruction no.23, dated 2 August, 2004, in accordance with the following definitions:

a) Products in Category 0 (zero):

Category 0 (zero) plant products are those products that despite being of plant origin, due to their degree of processing, do not require any type of phytosanitary control and are not able to transmit pests in packaging material, or in means of transportation, and therefore do not require an intervention by the National Plant Protection Organizations (NPPOs) .

This category includes: oils, alcohols, fruits in syrup, gums, sugars, charcoal, cellulose, juices, shellac, molasses, colorings, frozen, canned, vacuum bottled, toothpicks, ice lolly sticks, match sticks, essences, purées, processed plant fibers and fabrics, sublinguals, pastes (e.g. cocoa, quince), pulps, resins, pre-cooked and cooked vegetables and greens, vinegar, pickles, canned products.

b) Products in Category 1:

Category 1 products are those products of plant origin that have been processed and have undergone any technological process of denaturation that transforms them into products unable to be directly affected by crop pests, but may carry pests in storage, packaging material and means of transportation. They are products for consumption, direct use or processing.

Class 6: includes processed wood, barks and corks: saw dust; barrels, laths and slivers of toasted

wood; brickets; wooden musical instruments; stripped wood plates thinner than 5 mm; oven-dried wood; wood impregnated by vacuum/pressure, immersion or diffusion with creosote or other active ingredients authorized in the importing country; profiled or slotted wood including wood for flooring and parquet; furniture, parts of furniture manufactured with oven-dried wood or with agglomerated, pressed or restored fiber plats; crushed cork plates and cork planks; particle, pressed and restored fiber planks.

Class 10: comprises any other product that does not fit the previous classes: parboiled rice; polished white rice; plant handicrafts; products from cereals, oilseeds and pulses (artificially deactivated, pellets, pies); dry and dyed flowers; artificially dried fruits: peach, apple, plum, etc.; flours, starches, semolinas; herbs and ground spices; dried plants and parts of plants; processed and semi-processed matte.

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c) Products in Category 2:

Category 2 products are those semi-processed plant products (that have undergone drying, cleaning, separation, husking, etc.) and that may harbor pests. They are products for consumption, direct use or processing.

Class 5: Flowers for cutting and ornamental foliage: cut plant parts, including inflorescences for decoration, not for breeding, cut and dried flowers and ornamental foliages.

Class 6: The following forest products are comprised: wood, cork and semi-processed products; slivers; wood packaging and dunnage (declared as cargo); lumber and pallets; profiled or carved wood; wooden joists.

Class 7: Comprises the packaging material and dunnage, and is defined as products of plant origin and any other material used to transport, protect and secure plant and non-plant products.

Class 10: Includes any other product that does not fit the previous classes: pressed seedless cotton; brown rice (husked); cocoa beans; products from cereals, oilseeds and pulses (meals, industrial residues, etc.); spices in dry corns or dried leaves; naturally dried fruits: raisins, figs and dates; dehulled dried nuts (almonds, hazelnuts, etc.); husked, clean, chopped and separated grains (rice straw and husks); semi-processed plant material and fibers (linseed, agave, jute, cane, bamboo, reed, withies, raphia, sorghum, etc.), dried plants and parts of plants, dried tobacco leaves, natural tree fern fiber.

d) Products in Category 3:

Category 3 products are fresh plant products for consumption, direct use or processing.

Class 4: They include fruits and vegetables: fresh parts of plants for consumption or processing, and not to be planted.

Class 5: They include flowers for cutting and ornamental foliage, cut plant parts, including inflorescences, for decoration, not for breeding.

Class 6: They include non-processed wood, barks and corks: natural cork (blades, strips); bark; logs; branches and foliage; logs with or without barks.

Class 9: They include grains, that is, seeds of cereals, oilseeds, pulses for consumption and other seeds for consumption and not for propagation.

Class 10: They include any other product that does not fit the previous classes: pressed cotton with seeds; linters, cotton seed residues (grains); raw, non-toasted coffee beans; spices in fruit or fresh leaves; dried fruit with hulls; forage roots; hay, bales of alfalfa, etc.; fresh tobacco (in bunches or residues).

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e) Products in Category 4:

Category 4 products are seeds, plants or other material of plant origin for propagation or reproduction.

Class 1: comprises plants to be planted, except the underground parts and the seeds;

Class 2: comprises bulbs, tubers and roots - underground parts for propagation;

Class 3: comprises true seeds for propagation - seeds of vegetables, fruits, cereals, fodder plants, oilseeds, pulses, forest trees, flowers and spices.

f) Products in Category 5:

Any other plant or non-plant product not considered in the categories above that may pose a phytosanitary risk, and that may be proved with the corresponding Pest Risk Analysis (PRA).

Class 8: Soil, peats and other support material

Class 10: Miscellaneous: biological control agents; botanical collections; botanical specimens; inoculants and inocula for pulses and other cultures of microorganisms; pollen; substrates.

2. Documents required:

### 2.1. Products in Category 0 (zero):

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Document that proves the official requirement by the importing country, if applicable; and
- c) Copy of the Bill of Lading or definitive Cargo Manifest, to be produced subsequently on physical inspection and when the DAT is approved.

### 2.2. Products in Category 1:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Document that proves the official requirement by the importing country, if applicable.
- c) Copy of the Export Registration (ER) or equivalent document; and
- d) Copy of the Bill of Lading or definitive Cargo Manifest, to be produced subsequently on physical inspection and when the DAT is approved.

### 2.3. Products in Categories 2 and 3:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Plant movement permit (Portuguese acronym: PTV) when the phytosanitary requirement for the pest is related to the product production area comprising the dispatch;
- c) Treatment Certificate, if applicable;
- d) Laboratory report issued by a MAPA-accredited laboratory including data enabling identification of the consignment.
- e) Document proving the official phytosanitary requirements of the importing country, if applicable;
- f) Copy of the Export Registration (ER) or equivalent document;
- g) Copy of the Bill of Lading or definitive Cargo Manifest, to be produced subsequently on physical inspection and when the DAT is approved; and
- h) Copy of the authorization by IBAMA (the Brazilian Institute for the Environment and Renewable Natural Resources) for plants, parts of plants, plant products and by-products of the Brazilian flora at risk of extinction (CITES) if applicable.

### 2.4. Products in Category 4:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Communication for Export of Seeds and Saplings granted by the Technical Sector of the SFA-UF (Appendix II of Normative Instruction no. 25, dated 27 June, 2017);

- c) Certificate of Genetic Origin; or Certificate of Seed or Seedling; or Document on Seed or Seedling Compliance; except when the purpose is experimental;
- d) Plant movement permit ( Portuguese acronym: PTV) when the phytosanitary requirement for the pest is related to the product production area comprising the dispatch;
- e) Treatment Certificate, if applicable;
- f) Laboratory report issued by a MAPA-accredited laboratory, to meet the demands of the importing country, including data enabling identification of the consignment, when applicable;
- g) Document proving the phytosanitary requirements of the importing country, if applicable;
- h) Copy of the Trade Bill or Tax Invoice;
- i) Copy of the Export Registration (ER) or equivalent document (Single Export Declaration— Portuguese acronym: DUE);
- j) Copy of the Bill of Lading or definitive Cargo Manifest, to be produced subsequently on physical inspection and when the DAT is approved. and
- k) Copy of the Packing List, if applicable.

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#### 2.5. Products in Category 5:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Document that proves the official requirement by the importing country, if applicable.
- c) Export Permit of IBAMA (The Brazilian Institute for the Environment and Renewable Natural Resources) for products in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), if applicable;
- d) Export Registration (ER) or equivalent document, if applicable; and
- e) Copy of the Bill of Lading or definitive Cargo Manifest, to be produced subsequently on physical inspection and when the DAT is approved.

#### 3. Procedures:

##### 3.1. Products in Category 0 (zero):

- a) Document Check; and
- b) the PC or PRC is not to be issued for a processed plant product or one that, owing to the processing to which it was subjected, poses no risk of carrying a pest. However, if the National Phytosanitary Protection Organization (NPPO) of the importing country so demands, or upon authorization by DSV/MAPA, the PC or PRC shall be issued.



### 3.2. Products in Category 1:

- a) Document Check; and
- b) the PC or PRC is not to be issued for a processed plant product or one that, owing to the processing to which it was subjected, poses no risk of carrying a pest. However, if the National Phytosanitary Protection Organization (NPPO) of the importing country so demands, or upon authorization by DSV/MAPA, the PC or PRC shall be issued.

### 3.3. Products in Categories 2 and 3;

- a) Document Check;
- b) phytosanitary inspection and sampling, when appropriate:
  - b.1) phytosanitary inspection of the product shall be carried out in order to verify phytosanitary compliance of the batches with the importing country's phytosanitary requirements; and
  - b.2) sampling, when necessary, will be carried out in accordance with parameters laid down by DSV/MAPA and if such are not present, in accordance with the inspection and sampling tables contained in the present Normative Instruction;
- c) if pests are found in the sample, an NFA will be issued giving, when applicable, a prescription for the phytosanitary treatment to be carried out.
- d) treatments for quarantine purposes, when prescribed, may only be carried out by a company or entity that has been duly approved and accredited by MAPA, in accordance with the legislation in force; the following must be observed:
  - d.1) The Technically Responsible Person from the service rendering company must compulsorily be present at the moment of the application of the treatment;
  - d.2) the phytosanitary treatments may be overseen in accordance with operational availability;
  - d.3) If the Federal Agricultural Inspector is absent, the beginning of treatment is authorized automatically;
  - d.4) the phytosanitary treatment must be announced in accordance with procedures laid down in a specific standard; and
  - d.5) in the event of supervision of phytosanitary treatment, the procedures laid down in the Manual of Procedures For Phytosanitary Treatments (Portuguese acronym: MPTF) must be complied with; and
- e) other treatments complying with the legislation, when demanded by the importing country or approved by the Plant Health Department (DSV) shall be supervised by agricultural inspection.

### 3.4. Products in Category 4:

- a) Document Check;
- b) when material for plant propagation is exported, the category of material as established in the National System for Seeds and Seedlings (Portuguese acronym: SNSM) must be observed, and the category must be listed on the tax invoice and in the "Communication for Export of Seeds and Seedlings";
- c) the batch of the material must be identified on the tax invoice and on one of the following documents:
- c.1) Genetic Seed: Genetic Origin Declaration;
  - c.2) S1 seed and S2 seed: Seed Compliance Document;
  - c.3) Basic Certified Seed: Seed Certificate;
  - c.4) Basic Plant: Genetic Origin Declaration;
  - c.5) Parent Plant and Seedling: Seedling Compliance Document;
  - c.6) Certified Seedling: Seedling Certificate; and
  - c.7) materials for propagation carried by a natural person as baggage or cargo must comply with the rules laid down in this Appendix.

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3.5. Products in Category 5:

- a) Document Check;
- b) phytosanitary inspection and sampling
- b.1) phytosanitary inspection of the product shall be carried out in order to verify phytosanitary compliance of the batches with the importing country's phytosanitary requirements; and
  - b.2) sampling, when necessary, will be carried out in accordance with parameters laid down by DSV/MAPA and if such are not present, in accordance with the inspection and sampling tables contained in the present Normative Instruction.

3.6. Remarks:

3.6.1. In the specific case of bulk cargo, a tolerance of up to 5% between the net weight of the merchandise on the bill of lading and the value declared at the start of loading shall be accepted.

3.6.2. Procedures for phytosanitary certification of scientific research and experimental materials shall follow the procedures laid down in accordance with the product's risk category.

4. Documents issued:

4.1. Products in Categories 0 and 1;

- a) Inspection report in computerized system(s); and
- b) Phytosanitary Certificate - PC or Reexport Phytosanitary Certificate, when applicable (except for Mercosur countries).

4.2. Products in Categories 2, 3, 4 and 5;

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) Phytosanitary Certificate - PC or Reexport Phytosanitary Certificate, when applicable.

5. Related legislation and other regulatory acts:

- a) Legislative Decree no. 885/2005, dated 31 August, 2005;
- b) Law no. 10,711, enacted 5 August, 2003;
- c) Decree no. 5,153, enacted 23 July, 2004;
- d) Decree no. 5,759, enacted 17 April, 2006.
- e) Normative Instruction no. 9, dated 2 June, 2005;
- f) Normative Instruction no. 24, dated 16 December, 2005;
- g) Normative Instruction No. 25, dated 27 June 2017;
- h) Normative Instruction no. 66, dated 27 November, 2006;
- i) Normative Instruction no. 29, dated 25 July 2013; and
- j) Normative Instruction no. 23, dated 2 August, 2004.



## APPENDIX XXVII - EXPORT OF PLANT PRODUCTS, BY-PRODUCTS, AND RESIDUES OF ECONOMIC CONCERN - QUALITY AND SAFETY REQUIREMENTS

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### 1. General Remarks:

1.1. Inspection and enforcement activities regarding plant products, by-products and residues of economic value, standardized by the Ministry of Agriculture, Livestock and Food Supply (MAPA) and carried out by international agricultural surveillance at export, shall be performed when various specific legal provision or unofficial demand by the importing country for control of loading of the merchandise;

1.2. To this end the exporter or its legal representative must present the documentation proving compliance with the official demands of the importing country to the Vigiagro Unit through which it is exporting;

1.3. In order to export the plant products laid out in Table 2, to the destinations described there, the establishment must be registered in the Registration System for Agents of the Production Chain of Plants and Plant Products (Portuguese acronym: SICASQ) in the Ministry of Agriculture, Livestock and Food Supply (MAPA).

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a) The list of establishments registered in SICASQ to export plant products is available for consultation on the MAPA website.

1.4. The Federal Agricultural Inspector/Auditor at the Vigiagro Unit at the point of egress of the product will issue an export health certificate on a template made available by the technical sector of SFA-UF;

1.5. The Technical Sector of SFA-UF will issue a Certificate of Free Sale or a Declaration of Compliance;

1.6. In order to export soy:

1.6.1. Prior to issuing a Phytosanitary Certificate, a Report of the Test of Hygiene and Sanitary Conditions of Soy in Grain Form must be demanded;

1.6.2. In accordance with the country of destination a duly filled out Declaration.

### 2. Documents required:

In addition to the documentation set forth in Appendix XXVI, a Report of the Test of Hygiene and Sanitary Conditions must be presented, when applicable.

### 3. Procedures:

The inspection and enforcement provided for in this section will be carried out by the federal agricultural inspection service at the Vigiagro Unit through which the merchandise will be exported, and aims to check the hygiene, health, packaging, storage and product-identification conditions on loading the merchandise.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Sanitary Certificate when applicable;
- b) Federal Agricultural Notification when applicable.

5. Related legislation and other regulatory acts:

- a) Law no. 9,972, enacted 25 May, 2000;
- b) Decree no. 6,268, enacted 22 November, 2007;
- c) SDA/MAPA Normative Instruction no. 66, dated 11 September, 2003.
- d) MAPA Normative Instruction no.15, dated 9 June, 2004;
- e) MAPA Normative Instruction no. 3, dated 28 January, 2009;
- f) MAPA Normative Instruction no. 11, dated 22 March, 2010;
- g) CAMEX Resolution no. 29, dated 24 March 2016; and
- h) Technical Regulations that approve the Official Standards for Classification of Plant Products

## APPENDIX XXVIII - EXPORT OF BEVERAGES, ACETIC FERMENTATIONS, WINES, AND GRAPE AND WINE BY-PRODUCTS

### 1. General Remarks:

1.1. The inspection and oversight of beverages, acetic fermentations, wine, and grape and wine products performed by international agricultural surveillance for export operations shall only be carried out when there is an official demand by the importing country concerning the control of loading of the merchandise;

1.2. To this end the exporter or its legal representative must provide the documentation proving compliance with the official demands of the importing country to the Vigiagro Unit through which it is exporting.

1.3. In order to export beverages, acetic fermented beverages, wine, and grape and wine products, the establishment and the products shall be registered with the Ministry of Agriculture, Livestock and Food Supply (MAPA);

1.4. Beverages exclusively for export may be prepared, named and labeled in accordance with the legislation, uses and habits of the country of destination, except in the case of typical Brazilian beverages, which shall comply with the Brazilian standards;

1.5. The certificate of origin for export or certificate for free trade shall be issued by the technical department of the SFA-UF.

### 2. Documents required:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Certificate of Origin or Certificate for Free Sale to export beverages in general, wines, and grape and wine products issued by the corresponding Technical Department of SFA-UF, as the case may be;
- c) for cases of export of beverage samples, it is not necessary to submit the Certificates, unless this is required by the importing country;
- d) Export Registration (ER) or equivalent document;
- e) Copy of tax invoice or Invoice; and
- f) Copy of the Bill of Lading or Cargo Manifest.

### 3. Procedures:

The inspection and enforcement provided for in this section will be carried out by the federal agricultural inspection service at the Vigiagro Unit through which the merchandise will be exported, and aims to check the packaging, storage and product-identification conditions on loading the merchandise.

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

### 5. Related legislation and other regulatory acts:

- a) Law no. 7.678, enacted 8 November, 1988;
- b) Law no. 8.918, enacted 14 July, 1994;
- c) Decree no. 6,871, enacted 4 June, 2009;
- d) Decree no. 8,918, enacted 20 February, 2014; and
- e) Ordinances (*Portarias*) and other supplementary regulatory acts.





## APPENDIX XXIX - EXPORT OF AGRICULTURAL CHEMICALS, COMPONENTS AND THE LIKE

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### 1. Documents required:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Register Exclusively for the Export of Agricultural Chemicals (Portuguese acronym: REX);
- c) Copy of the Registration Certificate of the Product in Brazil for the export of products with the same trade mark registered in Brazil;
- d) Customs Documents for the Product (RE);
- e) Copy of the tax invoice (*nota fiscal*);
- f) Copy of the commercial invoice (*fatura*);
- g) Copy of the Bill of Lading or Cargo Manifest.

### 2. Procedures:

2.1. Document-related analysis to check the data in the Registration Certificate and in the International Plant and Animal Movement Declaration (DAT) to verify the commercial brand, holder of the registration and address, manufacturer and address, active ingredient, concentration of the active ingredient, class, form of presentation, type of formulation and physical state.

2.2. When the information on the supporting documentation and the labeling matches the Registration Certificate, the product may be authorized for export.

2.3. If the information does not match that in the Registration Certificate, or if there is no Registration Certificate, the product cannot be cleared, and shall undergo inspection and issuance of the agricultural enforcement notification (NFA), and this fact shall be immediately communicated to the SFA-UF of the jurisdiction of the exporter for the appropriate actions to be taken.

2.4. In those cases when the information on the documents submitted matches the Registration Certificate, the label of the packaging exclusively in the foreign language shall be accepted as long as the lot can be identified.

### 3. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable;

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4. Related legislation and other regulatory acts:

- a) Law no. 7,802, enacted 11 July, 1989; and
- b) Decree no. 4,074, enacted 4 January, 2002.
- c) Joint Normative Instruction no.1, dated 27 September, 2006.

## APPENDIX XXX - EXPORT OF FERTILIZERS, CORRECTIVES AND INOCULANTS

### 1. General Remarks:

1.1. The export of fertilizers, correctives, inoculants and biofertilizers must meet Brazilian legislation as well as the demands of official agreements and treaties governing international trade.

1.2. When there is no requirement from the importing country, MAPA shall not intervene;

### 2. Documents required:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Copy of the Certificate of Analysis, when requested by the importing country;
- c) Copy of the Certificate of Registration of the Producing Establishment or exporter;
- d) Copy of the Certificate of Registration of the Product, when requested by the importing country;
- e) Customs Documents for the Product (ER);
- f) Copy of the Tax Invoice;
- g) Copy of the trade invoice;
- h) Copy of the Bill of Lading or Cargo Manifest.

### 3. Procedures:

#### 3.1. Document Check.

3.2. When the importing country so demands it, a Phytosanitary Certificate may be issued for the export of inoculants, biofertilizers, organic fertilizers, organic correctives, mixtures containing organic material or other products that may harbor pests.

3.3. For the case of the re-export or return of merchandise owing to a quality problem, the interested party may prove reloading of the merchandise to the inspection authorities at the point of egress of the merchandise, and thus formalize the export process, by presenting the following documents:

- a) Certificate of Inspection Analysis (Portuguese acronym: CAF) or Certificate of Analysis by Expert (Portuguese acronym: CAP); and
- b) Product Destination Document.

### 4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) Phytosanitary Certificate when applicable;

### 5. Related legislation and other regulatory acts:

- a) Law no. 6.894, enacted 16 December, 1980;
- b) Decree no. 4,954, enacted 14 January, 2004;
- c) SARC Normative Instruction no. 8, dated 4 July, 2003;
- d) SARC Normative Instruction no. 14, dated 17 October, 2003;
- e) SDA Normative Instruction no. 14, dated 6 May, 2008; and
- f) Specific supplementary Normative Instructions.



## APPENDIX XXXI - EXPORT OF ANIMALS

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### 1. General Remarks:

1.1. Animal health activities for exportation within the scope of International Agricultural Surveillance encompass steps taken to ensure the international movements of animals in compliance with the international health requirements agreed between countries.

1.2. Live animals may only be exported through ports, airports and border posts with the minimum suitable administrative and physical infrastructure to receive, inspect, identify, intervene and temporarily house the animals while clearing them, in accordance with the species and number of individual animals being exported.

1.3. Owing to the nature of the sanitary risk, the customs transit for export of animals may only be carried out in exceptional cases at the discretion of the competent Technical Department of the Secretariat of Animal and Plant Health.

1.4. In the case of issuance of an International Veterinary Certificate (Portuguese acronym: CVI) for pets, interested parties must contact the Vigiagro Unit in advance to schedule the delivery of documentation, and also obtain information on specific deadlines for the issuance of this documentation.

1.5. The list of Vigiagro units issuing CVIs is available on the MAPA portal at [www.agricultura.gov.br/Vigiagro](http://www.agricultura.gov.br/Vigiagro).

1.6. At the discretion of the General Coordination of Vigiagro, the CVI maybe issued electronically over the Internet and signed electronically by a Federal Agricultural Inspector/Auditor and the documentation transmitted electronically by means of the Federal Government Services Portal - <http://servicos.gov.br>

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### 2. Requirements:

#### 2.1. Pets (cats and dogs):

- a) Advance scheduling at the Vigiagro Unit, when applicable;
- b) Plant and Animal Movement Declaration for Natural Persons - DAT-PF or On-line request through the Services Portal;
- c) Health Documentation issued by a Veterinarian, valid between normative dates, meeting the specific sanitary requirements of the country of destination;
- d) Bill of lading or cargo manifest, when applicable; and
- e) Power of attorney, when applicable, and at the discretion of the sanitary authority.

## 2.2. Pets (others):

- a) Advance notification of the arrival and unloading of the animals for export;
- b) Authorization of Issuance of the International Veterinary Certificate by the Animal Health Service of the animal's state of origin, with the sanitary demands, preferably electronically;
- c) Correctly filled-out International Veterinary Certificate in accordance with the authorization given by the competent technical sector of the SFA-UF;
- d) Animal Movement Permit (Portuguese acronym: GTA)
- e) Plant and Animal Movement Declaration for Natural Persons - DAT-PF;
- f) Health Documentation issued by a Veterinarian, valid up until normative deadlines, meeting the specific sanitary requirements of the country of destination;
- g) Bill of lading or cargo manifest, when applicable; and
- h) Power of attorney, when applicable, and at the discretion of the sanitary authority.

## 2.3. Animals for commercial purposes:

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- a) Advance notification of the arrival and unloading of the animals for export;
- b) Authorization for issuance of the International Veterinary/Zoosanitary Certificate by the Animal Health Service of the animal's state of origin, with the sanitary demands, preferably electronically;
- c) Correctly filled-out International Veterinary Certificate in accordance with the authorization given by the competent technical sector of the SFA-UF;
- d) Animal Movement Permit (GTA)
- e) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- f) Health Documentation issued by a Veterinarian, valid between normative dates, meeting the specific sanitary requirements of the country of destination;
- g) Bill of lading or cargo manifest; and
- h) Supplementary documentation, if necessary, to match the merchandise with the health certification; this must be in electronic form (e.g. RE, DSE, invoice, test results, packing list).

## 3. Procedures:

### 3.1. Document Check;

#### 3.1.1. Animals without a commercial purpose (cats and dogs)

- a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by standards in force;
- b) check whether the health documentation presented underpins the sanitary requirements in force and the specific deadlines for the destination; and
- c) verify the correlations between the documents presented;

#### 3.1.2. Other animals without a commercial purpose, and with a commercial purpose

- a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by standards in force;
- b) check whether the CVI/CZI has been authorized by the competent technical sector;
- c) check whether the sanitary documentation presented meets the sanitary requirements determined by the authorization of issuance of CVI/CZI; and
- d) check whether the completed CVI/CZI complies with what has been authorized by the competent technical sector; and
- e) verify the correlations between the documents presented;

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### 3.2. Physical check:

- a) check the characteristics/identification of the animals as presented in the documentation;
- b) inspect and verify cargo seals, when applicable; and
- c) check the sanitary conditions of the animal when demanded by the country of destination;

### 3.3. Specific procedures according to modality (waterway, terrestrial and air):

When exporting animals for slaughter, check the minimally acceptable infrastructure of the means of transportation to provide animal welfare and nutrition.

### 3.4. Impossibility of special customs and transportation regimes:

Export of live animals through the Customs Transit regime will be assessed by the competent technical sector upon authorization for issuance of CVI/CZI.

### 3.5. Notification of non-compliances:

The Notification of Agricultural Inspection (NFA) will be issued if the following are found:

non-compliances that are amenable to correction and are communicated electronically to the exporter and its legal representative.

3.5.1. If animals are found with clinical signs of diseases, in contradiction to the documentation presented, export will be denied, and issuance of the CVI/CZI will be banned;

3.5.2. If errors, missing information, and/or non-compliance with sanitary requirements are found in the documentation that is presented, when they are amenable to correction an NFA will be issued ordering the exporter to present such corrections within the shortest possible space of time, so as to provide animal welfare;

3.5.3. If non-compliances are impossible to correct immediately, the animals must be returned to their point of origin.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) International Veterinary Certificate - (Portuguese acronym: CVI) or International Animal Health Certificate - (Portuguese acronym: CZI).

5. Related legislation and other regulatory acts:

- a) Decree no. 24,548, enacted 3 July, 1934;
- b) Decree no. 5,741, enacted 30 March 2006;
- c) Decree no. 7,140, enacted 29 March, 2010;
- d) Decree no. 9,094, enacted 17 July, 2017;
- d) MAPA Normative Instruction no. 61, dated 30 August, 2004;
- e) MAPA Normative Instruction no. 80, dated 11 November, 2004;
- f) MAPA Normative Instruction no. 9, dated 28 March, 2008;
- g) MAPA Normative Instruction no. 4, dated 7 February, 2013;
- h) MAPA Normative Instruction no. 5, dated 7 February, 2013;
- i) MAPA Normative Instruction no. 21, dated 20 June, 2013;
- j) MAPA Normative Instruction no. 54, dated 18 November, 2013; and
- k) SDA/MAPA Normative Instruction no. 17, dated 10 April, 2003.



## APPENDIX XXXII - EXPORTING ANIMAL REPRODUCTION MATERIALS

### 1. General Remarks:

1.1. Animal health activities for exportation within the scope of International Agricultural Surveillance encompass steps taken to ensure the international movements of animals in compliance with the international health requirements agreed between countries.

1.2. Animal reproduction material may only be exported through ports, airports and border posts with a Vigiagro Unit set up and sufficient physical infrastructure to receive, inspect, identify, intervene and temporarily hold while customs clearance is processed, in accordance with the species and amount of merchandise being exported.

1.3. By reason of the nature of the sanitary risk, customs transit for the export of animals may not be allowed, and inspection must compulsorily be carried out at points of egress (ports, airports and borders).

### 2. Requirements:

- a) Prior notification of the arrival and unloading of the merchandise for export;
- b) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- c) Authorization for issuance of the International Veterinary Certificate by the competent technical service of the SFA of the State of origin of the animal breeding material, with the sanitary demands, preferably electronically;
- d) Correctly filled-out Draft of the International Veterinary Certificate in accordance with the authorization given by the competent technical sector of the SFA-UF;
- e) Animal Movement Permit (Portuguese acronym: GTA—*Guia de Trânsito Animal*), when applicable (embryos, hatchable eggs);
- f) Health Documentation issued by a Veterinarian, valid between normative dates, meeting the specific sanitary requirements of the country of destination;
- g) Bill of lading or cargo manifest; and
- h) Supplementary documentation, if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. ER, DSE, invoice, test results, packing list).

### 3. Procedures:

#### 3.1. Document Check:

- a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by standards in force;
- b) check whether the International Veterinary Certificate has been authorized by the competent technical sector;
- c) check whether the sanitary documentation presented underpins the sanitary demands laid down for authorization of issuance of CVI;
- d) check whether the completed CVI complies with what has been authorized by the competent technical sector; and
- e) verify the correlations between the documents presented.

#### 3.2. Check and Inspection:

- a) check the characteristics or identifying marks of the merchandise, the physical conditions of the vehicle (when applicable), packing within the packaging, as presented in the documentation;

- b) inspect and verify cargo seals, when applicable; and
- c) check the sanitary condition of the merchandise when applicable.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification when applicable;
- c) Animal Movement Permit (Portuguese acronym: GTA) when being returned to origin; and
- d) International Veterinary Certificate - (Portuguese acronym: CVI) or International Animal Health Certificate - (Portuguese acronym: CZI).

5. Related legislation and other regulatory acts:

- a) Decree no. 24,548, enacted 3 July, 1934;
- b) Decree no. 187, enacted 9 August, 1991;
- c) Decree no. 5,741, enacted 30 March 2006;
- d) MAPA Normative Instruction no. 6, dated 2 June, 2003; and
- e) MAPA Normative Instruction no. 2, dated 14 January 2004.

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## **APPENDIX XXXIII - EXPORTING ANIMAL RESEARCH MATERIALS**

### 1. General Remarks:

1.1. Only research material needing an international health certificate (CSI) will be inspected, for export, by the International Agricultural Surveillance System (Vigiagro). The certificates will comply with templates defined by the Competent Technical Department (CTQA/DSA).

1.2. The International health certificate will be issued by the Vigiagro Unit at the egress of the merchandise, underpinned by the authorization for issuance of the CSI as issued by the competent technical service of the SFA in the state of origin of the products.

### 2. Requirements:

- a) Prior notification of the arrival and unloading of the material to be exported;
- b) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- c) Authorization for issuance of the International Health Certificate by the competent technical service of the SFA of the state of origin of the animal breeding material, with the sanitary demands, preferably electronically;
- d) Correctly filled-out Draft of the International Health Certificate in accordance with the authorization given by the competent technical sector of the SFA-UF;
- e) Animal Movement Permit (Portuguese acronym: GTA), when applicable;
- f) Health Documentation issued by a Veterinarian, valid up until normative deadlines, meeting the specific sanitary requirements of the country of destination;
- g) Bill of lading or cargo manifest; and
- h) Supplementary documentation, if necessary, to match the merchandise to the health certification; this must be in electronic form (e.g. RE, DSE, invoice, test results, packing list).

### 3. Procedures:

#### 3.1. Document Check;

- a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by standards in force;
- b) check whether the International Health Certificate has been authorized by the competent technical sector;
- c) check whether the health documentation presented underpins the sanitary requirements in force and the specific deadlines for the destination; and
- d) verify the correlations between the documents presented.

#### 3.2. Physical check:

- a) check the characteristics / identification of the material as presented in the documentation; and
- b) assess the physical condition of the outer and inner packaging.

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

### 5. Related legislation and other regulatory acts:

- a) Decree no. 24,548, enacted 3 July, 1934.



## **APPENDIX XXXIV - EXPORTING ANIMAL PRODUCTS**

### 1. General Remarks:

1.1. Inspection for export of edible and inedible animal products will check whether the certification meets the requirements when demanded by the importing country.

1.2. Animal merchandise bearing international certification issued by other units of MAPA or without any specific certification requirements, is exempt from official intervention at the point of egress from the territory of Brazil, whatever its transportation modality.

1.3. When sending samples of animal products without commercial value to fairs, congresses, laboratory tests, commercial tests and the like, the merchandise must be accompanied by international certification issued by the Federal Inspection Service.

### 2. Requirements:

a) International Plant and Animal Movement Declaration (DAT), for products requiring international certification issued by MAPA;

b) the original International Sanitary Certificate (CSI and CO);

c) Supporting documentation for those cases where international sanitary certification is issued by Vigiagro: original Movement Permit (GT), original Brazilian Domestic Health Certificate (Portuguese acronym: CSN) and Template E Sanitary Inspection Certificate (Portuguese acronym: CIS-E); and

d) Tax documents (ER and/or Digital tax invoice NF-e), at the discretion of the agricultural inspection authority.

### 3. Procedures:

3.1. For cases where the merchandise is already accompanied by international certification previously issued by other MAPA units, DAT declarations will be automatically selected on the basis of electronic checking of the declared data, and in suitable cases there may be official intervention for a document-related and physical check. DATs in which inconsistencies have been found are liable to document analysis, and the exporter will be responsible for rectification.

#### 3.2. Document Check:

a) check whether the documentation demanded has been keyed in by the interested party to a computerized system as laid down by the current standard; and

b) check whether the agricultural movement declaration matches the international sanitary certification that has been issued.

#### 3.3. Physical check:

Reinspection of animal products (Portuguese acronym: POA - *products of animal origin*) will be carried out if demanded by the sanitary authorities of importing countries, if there are signs of tampering with containers, or other forms of wrongdoing, when formally requested by exporters, or by demand of inspection agencies performing activities at points of shipping or of egress from Brazilian territory, and the following aspects must be checked:

a) Whether the seals put on the container at origin, and numbering, remain intact;

b) whether the international sanitary certificate and the merchandise match, taking into consideration

the nature of the products, quantity of volumes/weight, labeling; and

c) the specific aspects agreed on with the sanitary authorities of the importing countries or other inspection agencies, when applicable.

3.4. Where international certification is issued by the Vigiagro Units at points of shipping or egress, the following supporting documentation must be taken into consideration: original Movement Permit (GT), original Brazilian Domestic Health Certificate (Portuguese acronym: CSN) and Template E Sanitary Inspection Certificate (Portuguese acronym: CIS-E) and/or fiscal document. A document check and physical inspection shall be mandatory.

3.5. Document Check:

a) check whether the documentation for conversion into an international certificate is correct, assessing whether it complies with the sanitary underpinning already keyed into SIGSIF; and

b) the tax documents will be demanded only in cases where that information is expected in the agreed International Health Certificate (CSI) template. Check to see whether the information matches the Certificate to be issued;

3.6. Physical check:

a) check whether the seals put on the container at origin remain intact, and the identification of the container is correct;

b) check whether the merchandise matches the international health certificate, taking into consideration the nature of the products, quantity of volumes/weight, labeling;

c) check conditions of preservation and packing, whether the packaging is intact, and the temperature of the products; and

d) check, when applicable, aspects agreed on with the sanitary authorities of importing countries or other inspection agencies.

3.7. Notification of non-compliances:

An Agricultural Enforcement Notification (NFA) will be issued if non-compliances are found that are amenable to correction, and the exporter or its legal representative will be notified electronically.

The NFA will describe the non-compliance that has been identified and give the legal basis.

If the DAT is denied or the NFA is not complied with before the legal deadline, and loading is banned, return or destruction of the merchandise will be at the discretion and liability of the exporter.

4. Documents issued:

a) Inspection report in computerized system(s);

b) Federal Agricultural Notification, when applicable; and

c) International Health Certificate (CSI or CO).

5. Related legislation and regulatory acts:

a) Law no. 1,283, enacted 18 December, 1950;

b) Decree no. 24,548, enacted 3 July, 1934;

c) Decree no. 30,691, enacted 29 March, 1952;

d) Decree no. 5,741, enacted 30 March 2006;

e) Normative Instruction no. 34, dated 6 November, 2009;

f) Normative Instruction no.10, dated 1 April, 2014;

g) DSA Internal Standard no. 1, dated 12 January, 2010; and

h) Vigiagro/DSA Internal Standard no. 1, dated 16 October, 2009.

## **APPENDIX XXXV - EXPORT OF VETERINARY PRODUCTS/BIOLOGICAL PRODUCTS**

### **1. General Remarks:**

1.1. Because veterinary products do not currently require issuance of International Health Certificates (CSIs), this merchandise will not be inspected by the Agricultural Surveillance System at points of export.

1.2. If international sanitary agreements come into being in future to demand such certification, the inspection procedures for export may be standardized according to requirements defined by the Technical Departments.

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## APPENDIX XXXVI - EXPORT OF ANIMAL FEED PRODUCTS

### 1. General Remarks:

1.1. The exportation of animal feed products will be inspected by the Agricultural Surveillance System units at points of egress or of shipping, only in cases where there are sanitary agreements in which an International Sanitary Certificate is demanded.

1.2. This merchandise will be inspected at export in order to insure compliance with international sanitary agreements entered into with the countries of destination in order to maintain international trade.

### 2. Requirements:

#### 2.1. For products with International Certificates:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Certificate of Compliance and/or Health issued by the competent technical sector of SFA-UF;
- c) Duly completed International Health Certificate;
- d) Bill of lading or cargo manifest; and
- e) supplementary documentation if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. Invoice, laboratory test certificates, packing list).

#### 2.2. For products needing International Phytosanitary Certificates, when applicable:

- a) specific documentation for each product in compliance with specific Appendices to the present Normative Instruction.

### 3. Procedures:

#### 3.1. Document Check:

- a) check whether the information demanded has been keyed into the electronic system by the interested party (except for natural persons), as required by the standard in force;
- b) evaluate the sanitary and compliance documentation presented; and
- c) verify the correlations between the documents presented.

#### 3.2. Physical check:

- a) check the identity and traceability characteristics of the merchandise, as given in the documentation and the Standard in force; and
- b) the physical condition and packing of the packaging/wrappings.

#### 3.3. Notification of non-compliances:

- a) The Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances amenable to correction are found, and these will be sent electronically to the importer and legal representative; the NFA will describe the non-compliance that has been identified and give the legal basis.

### 4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) International Health Certificate.

5. Related legislation and other regulatory acts:

- a) Law no. 6,198, enacted 26 December, 1974;
- b) Decree no. 6,296, enacted 11 December, 2007; and
- c) Decree no. 7,045, enacted 22 December, 2009.

## **APPENDIX XXXVII - EXPORT OF HUNTING TROPHIES AND TAXIDERMY**

### 1. General Remarks:

1.1. Only hunting trophies and stuffed animals requiring an International Health Certificate (CSI) will be inspected on export by Vigiagro Units. These certificates will comply with templates defined by the Competent Technical Department (DSA).

1.2. The International Health Certificate (CSI) will be issued by the Vigiagro Unit at the point of egress of the merchandise, underpinned by the Authorization for Issuance of the CSI provided by the competent technical service of the SFA in the state of origin of the products.

### 2. Requirements:

- a) Advance notification of the arrival and unloading of the merchandise for export;
- b) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- c) Authorization for Issuance of the International Health Certificate by the competent technical service of the SFA of the state of origin of the material, with the sanitary demands, preferably electronically;
- d) Correctly filled-out Draft of the International Veterinary Certificate in accordance with the authorization given by the competent technical sector of the SFA-UF;
- e) Health Documentation issued by a Veterinarian, valid up until normative deadlines, meeting the specific sanitary requirements of the country of destination;
- f) Bill of lading or cargo manifest; and
- g) Supplementary documentation if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. RE, DSE, invoice, taxidermy certificates, packing list).

### 3. Procedures:

#### 3.1. Document Check:

- a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by the standard in force;
- b) check whether the issuance of the CSI has been authorized by the competent technical sector;
- c) check whether the health documentation presented underpins the sanitary requirements in force and the specific deadlines for the destination; and
- d) verify the correlations between the documents presented.

#### 3.2. Physical check:

- a) check the characteristics/identification of the material as presented in the documentation; and
- b) assess the physical condition of the outer and inner packaging.

### 4. Documents issued:

- a) Inspection report in computerized system(s);
- b) International Health Certificate; and
- c) Federal Agricultural Notification when applicable.

### 5. Related legislation and other regulatory acts:

- a) Decree no. 24,548, enacted 3 July, 1934.

## APPENDIX XXXVIII - IMPORT OF PLANTS, PLANT PARTS, AND PLANT BYPRODUCTS

Version 2 - IN NO.12/2018

### 1. General Remarks:

1.1. The import of plant species, plant parts, by-products and sub-products of phytosanitary risk categories 2,3,4 and 5 is dependent upon publication of the specific phytosanitary requirements in Brazil's Official Gazette (*Diário Oficial da União*—DOU), established by means of a pest risk analysis (Portuguese acronym: ARP) and which must be on the list of List of Plant Products Authorized for Importation (Portuguese acronym: PVIA) available at the MAPA website.

1.2. The import of plant propagation material must comply with the provisions in the Regulation of the Law no. 10,711 enacted 5 August 2003, approved by Decree no. 5,153, enacted 16 December, 2004, and the criteria laid down by Normative Instruction no. 25, dated 27 June, 2017.

1.3. The import of plant propagation material may only be carried out by a grower or trader enrolled in Brazil's National Registration of Seeds and Seedlings (Portuguese acronym: RENASEM), and the species or cultivar must be enrolled in the National Registry of Cultivars (Portuguese acronym: RNC).

1.4. Natural persons or legal entities may import seeds or seedlings for personal use on their own property, or another property in their possession, and are exempt from enrollment in RENASEM.

1.5. The import of any quantity of seeds or seedlings through any point in the country's territory is dependent on agreement provided by the Ministry of Agriculture, Livestock and Food Supply, upon request by the interested party made to the technical body for seeds and seedlings. This includes seeds and saplings sent by post, as well as seeds and saplings carried by passengers in international travel.

1.6. The Integrated Foreign Trade System (Siscomex) and the Integrated Foreign Trade View (Vicomex), both of which are part of the Single Portal for Foreign Trade (Siscomex Portal) are the formal documents for the import of seeds and seedlings.

1.7. All documentation to be presented to MAPA upon import must be part of the Vicomex dossier along with documentation issued by the inspection.

1.8. Authorization for import must be obtained before the material is brought into Brazil.

1.9. After analysis and after legal demands have been complied with, the technical body for seeds and saplings will authorize the import through the Siscomex Portal. The authorization will be valid for an equal period of time to the validity of the IL on the Siscomex Portal.

1.10. In the event of substitution of the IL owing to changes in the exchange rate, or alterations to the quantity or other items not relevant to inspection, renewed agreement will not be necessary.

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1.11. This guidance does not apply to seeds and seedlings imported for research and experimentation purposes. (Normative Instruction no. 52, dated 1 December, 2016).

1.12. Normative Instruction no. 23, dated 2 August, 2004, establishes categories of risk, and harmonized phytosanitary requirements for each of the risk categories, applied by the National Phytosanitary Protection Organizations (NPPO) of the Mercosur member-states to the ingress of Plant Products, as shown below:

a) Products in Category 0 (zero):

Category 0 (zero) plant products are those products of plant origin that do not require any type of phytosanitary control, due to their degree of processing, and are not able to transmit pests in packaging material, or in means of transportation, and therefore do not require an intervention by the National Phytosanitary Protection Organizations (NPPOs) .

By way of example, we list below some products pertaining to this category: oils, alcohols, fruits in syrup, gums, sugars, charcoal, cellulose, juices, shellac, molasses, colorings, frozen, canned goods, vacuum-bottled goods, toothpicks, ice lolly sticks, match sticks, essences, purées, fibers and tissues of sublinguals, pastes (e.g. cocoa, quince), processed plant fibers, pulps, resins, pre-cooked and cooked vegetables and greens, vinegar, pickles, canned products.

b) Products in Category 1:

Category 1 plant products are those products that have been processed and have undergone a technological denaturation process that transforms them into products unable to be directly affected by crop pests, but which may carry pests in storage, packaging material and means of transportation. They are products for consumption, direct use or processing.

Class 6: includes processed wood, barks and corks: saw dust; barrels, laths and slivers of toasted wood; brickets; wooden musical instruments; stripped wood plates thinner than 5 mm; oven-dried wood; wood impregnated by vacuum/pressure, immersion or diffusion with creosote or other active ingredients authorized in the importing country; profiled or slotted wood including wood for flooring and parquet; furniture, parts of furniture manufactured with oven-dried wood and/or with agglomerated, pressed or restored fiber planks; crushed cork plates and cork planks; particle, pressed and restored fiber planks.

Class 10: comprises any other product that does not fit the previous classes: parboiled rice; polished white rice; plant handicrafts; products derived from cereals, oilseeds and pulses (artificially deactivated, pellets, pies); dry and dyed flowers; artificially dried fruits: peach, apple, pear, plum, etc.; flours, starches, semolinas; herbs and ground spices; dried plants and parts of plants; processed and semi-processed yerba mate.

c) Products in Category 2:

Category 2 products are those semi-processed plant products (that have undergone drying, cleaning, separation, husking, etc.) and that may harbor pests. They are products for consumption, direct use or processing.

Class 5: Flowers for cutting and ornamental foliage: cut plant parts, including inflorescences for decoration, not for breeding, cut and dried flowers and ornamental foliages.

Class 6: The following forest products are comprised: wood, cork and semi-processed products; slivers; wood packaging and dunnage (declared as cargo); lumber and pallets; profiled or carved wood; wooden joists.

Class 7: Comprises the packaging material and dunnage, and is defined as products of plant origin and any other material used to transport, protect and secure plant and non-plant products.

Class 10: Includes any other product that does not fit the previous classes: pressed seedless cotton; brown rice (husked); cocoa beans; products from cereals, oilseeds and pulses (meals, industrial residues, etc.); spices in dry corns or dried leaves; naturally dried fruits: raisins, figs and dates; dehulled dried nuts (almonds, hazelnuts, etc.); husked, cleaned, chopped and separated grains (rice straw and husks); semi-processed plant material and fibers (linseed, agave, jute, cane, bamboo, reed, withies, raphia, sorghum, etc.), dried plants and parts of plants, dried tobacco leaves, natural tree fern fiber.

d) Products in Category 3:

Category 3 products are fresh plant products for consumption, direct use or processing.

Class 4: They include fruits and vegetables: fresh parts of plants for consumption or processing, and not to be planted.

Class 5: They include flowers for cutting and ornamental foliage, cut plant parts, including inflorescences, for decoration, not for breeding.

Class 6: They include non-processed wood, barks and corks: natural cork (blades, strips); bark; logs; branches and foliage; logs with or without barks.

Class 9: They include grains, that is, seeds of cereals, oilseeds, pulses for consumption and other seeds for consumption and not for propagation.

Class 10: They include any other product that does not fit the previous classes: pressed cotton with seeds; linters, raw, non-toasted coffee beans; spices in fruit or fresh leaves; dried fruit with hulls; forage roots; hay, bales of alfalfa, etc.; fresh tobacco (in bunches or residues).

e) Products in Category 4:

Category 4 products are seeds, plants or other material of plant origin for propagation or reproduction.

Class 1: comprises plants to be planted, except the underground parts and the seeds;

Class 2: comprises bulbs, tubers and roots - underground parts for propagation;

Class 3: comprises true seeds for propagation - seeds of vegetables, fruits, cereals, fodder plants, oilseeds, pulses, forest trees, flowers and spices.

f) Products in Category 5:

Any other plant or non-plant product not considered in the categories above that may pose a phytosanitary risk, and that may be proved with the corresponding ARP.

Class 8: Soil, peats and other support material

Class 10: Miscellaneous - biological control agents; botanical collections; botanical specimens; inoculants and inocula for pulses and other cultivation of microorganisms; pollen; substrates.

2. Documents required:

2.1. Products in Category 1:

a) International Plant and Animal Movement Declaration (DAT);

b) Import permit, if applicable;

c) Import License - IL or Simplified Import License - (Portuguese acronym: LSI), when applicable; and

d) Copy of the Bill of Lading or Cargo Manifest.

2.2. Products in Category 2 and Category 3:

a) International Plant and Animal Movement Declaration (DAT);

b) Import permit, if applicable;

c) Phytosanitary Certificate or Re-export Phytosanitary Certificate;

d) Import License - IL or Simplified Import License -

(Portuguese acronym: LSI), with authorization for embarkation when applicable; and

e) Copy of the Bill of Lading or Cargo Manifest.

### 2.3. Products in Category 4:

a) International Plant and Animal Movement Declaration (DAT);

b) The original Phytosanitary Certificate or Re-export Phytosanitary Certificate;

c) Import License (IL) or Simplified Import License (Portuguese acronym: LSI), with authorization by the technical sector of SFA/UF for embarkation when applicable;

d) in the case of seeds, the original Seed Analysis Report issued by the country of origin or point of shipping, containing identity and quality information, in accordance with MAPA-approved methodologies and procedures;

e) in the case of saplings, the original Sapling Analysis Report (or equivalent document) issued by the country of origin or point of shipping, containing identity and quality information, in accordance with MAPA-approved methodologies and procedures;

f) Custody Document, when applicable, before the result of phytosanitary testing and in cases of sampling at destination for the purpose of identity and quality analysis;

g) Copy of the trade invoice;

h) Copy of the Bill of Lading or Cargo Manifest;

i) Copy of the Packing List, if applicable; and

j) based upon the results expressed in the documents mentioned under items "2.3.d" and "2.3.e", the interested party must declare that the batches comply with domestic standards brought in by MAPA, except in the case of an imported cultivar for VCU assays, or for re-export, or when there is no standard laid down for the species.

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### 2.4. Products in Category 5:

a) International Plant and Animal Movement Declaration (DAT);

b) Import permit, if applicable;

c) Phytosanitary Certificate when applicable,

d) Import License (IL) or Simplified Import License (Portuguese acronym: LSI), with authorization for embarkation or import when applicable; and

e) Copy of the Bill of Lading or Cargo Manifest.



### 3. Procedures:

#### 3.1. Products in Category 0:

- a) Document Check; and
- b) there is no phytosanitary control for products in Category 0, they are exempt from phytosanitary inspection;

#### 3.2. Products in Category 1:

- a) Document Check;
- b) phytosanitary inspection; and
- c) sample-taking and sending for phytosanitary diagnosis if applicable.

#### 3.3. Products in Category 2 and Category 3:

- a) document analysis, including the checking of the Plant Products Authorized for Importation list (Portuguese acronym: PVIA), available on the MAPA website;
- b) phytosanitary inspection.
- c) sample-taking and sending for phytosanitary diagnosis if applicable; and
- d) when authorized by agricultural inspection, the Custody Document ("*Termo Depositário*") maybe accepted for agricultural approval of the merchandise when sent for phytosanitary diagnosis:

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- d.1) the technical sector for plant health at the SFA in the state of destination for that batch must immediately be notified by the Vigiagro Unit of the forwarding of samples for phytosanitary diagnosis.

#### 3.4. Products in Category 4:

- a) document analysis, including the checking of the Plant Products Authorized for Importation list (Portuguese acronym: PVIA), available on the MAPA website;
- b) checking to see if the batch complies with the Import Authorization granted by the technical area;
- c) physical inspection and sampling: every seed or sapling that has a standard established by MAPA shall be sampled and tested in an official analytical laboratory, following the established official methods and procedures to prove that they are compliant with the identity and quality standards;

d) sampling for analysis of identity and quality parameters described in the standards for the species may be waived, without prejudice to the provisions in the phytosanitary legislation, to seeds or saplings, when:

d.1) such waiver is laid down in international agreements and treaties;

d.2) seeds when the imported batch is accompanied by a seed analysis report issued by a laboratory using the International Seed Testing Association (ISTA) methodology, or that of the Association of Official Seed Analysts (AOSA);

d.3) they are species for which the analytical methods and procedures are not officialized by MAPA;

d.4) there is no standard established for the species; and

d.5) import is for testing of the crop value and use (Portuguese acronym: VCU) or for re-export;

e) sampling for analysis of the identity and quality parameters stated in the standards for the species shall be done by filling out the Sampling Form, according to the template established by Appendix II of MAPA Normative Instruction no. 15, dated 12 July, 2005, and shall be performed at the point of entry to Brazil, in Special Customs or at the place of destination of the product, without prejudice to the provisions of phytosanitary legislation.

f) sampling for phytosanitary testing: Sampling of the seed or sapling for phytosanitary testing must be carried out at the point of entry into Brazil. All propagation material will be subject to sampling for phytosanitary testing, the sample being sent to an official or accredited laboratory for phytosanitary diagnosis or for quarantine;

g) the technical sector for plant health at the SFA in the state of destination for that batch must immediately be notified by the Vigiagro Unit of the forwarding of samples for phytosanitary diagnosis;

h) the interested party shall bear the cost of phytosanitary testing and of forwarding the samples;

i) a depositary agreement may be issued for the merchandise removed from the customs area before receiving the result of the phytosanitary test issued by the laboratory. In this case, the depositary agreement must state that the “use of the merchandise is dependent upon authorization of the depositary agreement by the technical sector for plant health in the SFA of the state of destination of the batch”.

j) it must be stated on the Sample-Taking Forms for phytosanitary diagnostic testing and analysis of identity and quality parameters, that: “the Test Report must be sent to the corresponding technical sector of SFA in the state of destination for the plant propagation material”.

k) the following procedures must be complied with when the sampling of seeds or saplings is carried out at the place of destination:

k.1) the Vigiagro Unit, after customs clearance, shall within 5 (five) working days send the case file electronically to the technical sector of the SFA in the state of destination for the plant propagation material, which will be responsible for sampling;

k.2) the importer shall inform in writing the technical sector of the SFA in the state of destination for the plant propagation material, within 5 (five) working days of the arrival of the product; and

k.3) once the plant propagation material has been approved, all documentation must be attached to the case file within 5 (five) working days and forwarded to the plant health technical sector. A DAT with an opinion in favor of agricultural approval must be included in this documentation.

### 3.5. Products in Category 5:

a) document analysis, including the checking of the Plant Products Authorized for Importation list (Portuguese acronym: PVIA), available on the MAPA website;

b) phytosanitary inspection;

c) if a quarantine prescription is issued, the Vigiagro Unit must immediately notify the plant health technical sector of the SFA of the state in which the quarantine station is located of such issue.

d) In the event that the material arrives at a point of entry different from the point of entry declared to the Department of Plant Health (DSV), the information on the issuing of the permit shall be checked with the Central Authority and, in that case, a Permit for Customs Transit may be issued for clearance at the Vigiagro Unit in the State of destination, previously authorized;

e) Possible mistakes or imperfections in the phytosanitary certificates shall not prevent the entry of material for scientific research into Brazil provided that the Import Permit has been granted, and that they are subject to final analysis by the Department of Plant Health (DSV); and

f) the Depositary Agreement signed by the interested party may be demanded in order to enable the transportation of the product to the place of quarantine or warehouse.

### 4. Documents issued:

#### 4.1. Products in Category 0:

a) Inspection report in computerized system(s);

b) Federal Agricultural Notification, when applicable; and

c) Communication of Return to Overseas, when applicable.

#### 4.2. Products in Category 1, Category 2 and Category 3.

a) Inspection report in computerized system(s);

b) Federal Agricultural Notification when applicable,

c) Sample Taking and Sending Certificate, when samples are sent for phytosanitary diagnosis;  
and

d) Communication of Return Overseas, when applicable.

#### 4.3. Products in Category 4:

a) Inspection report in computerized system(s);

b) Federal Agricultural Notification when applicable,

c) Sample Taking Agreement, when samples are sent for identity and quality;

d) Sample Taking and Sending Certificate, when samples are sent for phytosanitary diagnosis;  
and

e) Communication of Return to Overseas, when applicable.

#### 4.4. Products in Category 5.

a) Inspection report in computerized system(s);

b) Federal Agricultural Notification when applicable;

c) Sample Taking and Sending Certificate, when samples are sent for phytosanitary diagnosis;

d) Quarantine Prescription, when applicable; and

e) Communication of Return to Overseas, when applicable.

#### 5. Related legislation and other regulatory acts:

a) Law no. 10,711, enacted 5 August, 2003;

b) Decree no. 24,114, enacted 12 March, 1934;

c) Decree no. 3,664, enacted 17 November, 2000;

d) Decree no. 5,153, enacted 23 July, 2004;

e) Normative Instruction no. 23, dated 2 August, 2004;

- f) Normative Instruction no. 6, dated 16 May, 2005;
- g) Normative Instruction no. 9, dated 2 June, 2005;
- h) Normative Instruction no. 24, dated 16 December, 2005;
- i) Normative Instruction no. 25, dated 27 June, 2017;
- j) Normative Instruction no. 51, dated 4 November, 2011;
- k) Normative Instruction no. 52, dated 1 December, 2016.
- l) Normative Instructions and Ordinances (*Portarias*) specific for plant propagation with established phytosanitary requirements; and
- m) Normative Instructions regarding specific standards for the importing of plant propagation material.

## APPENDIX XXXIX - INSPECTION OF WOODEN PACKAGING AND DUNNAGE

### 1. General Remarks:

1.1. Those wood packaging and dunnage materials used in order to secure and protect other materials imported into Brazil are not classified as merchandise and do not have commercial value, are not considered NCMs. Only in those cases where the consignment is made up only of wood packaging and dunnage, comprising a commercial transaction, will they be considered merchandise, and shall be included in the NCM.

1.2. Normative Instruction no. 32, dated 23 September, 2015 establishes phytosanitary inspection and certification procedures for raw wood packaging and dunnage, or untreated wood to be used as material to make packaging and dunnage to pack merchandise imported or exported by Brazil.

1.3. It is the responsibility of the importer or its legal representative to notify the Vigiagro Unit via DAT-EM of all bills of lading or cargo manifests, loose cargoes, vehicles or containers for analysis as to the possibility of containing wooden packaging and dunnage:

1.3.1. the customs-controlled space, in order to approve the clearance of the cargo, must confirm Agricultural Approval by DAT-EM, except for the cases allowed for in the Customs Transit regime;

1.3.2. the communication addressed in item 1.3., when feasible, is to be announced to the Vigiagro Unit before the cargo, vehicle or container arrives.

1.4. The Vigiagro Unit must adopt procedures to ensure that all imported consignments undergo Federal Agricultural Inspection testing, where the inspection and oversight actions on imported consignments possibly containing wooden packaging and dunnage will be carried out by sampling, in accordance with criteria laid down in a specific standard.

1.5. The selection of import consignments for phytosanitary inspection by document or by system will take place before the consignment arrives in Brazil, when this is operationally possible.

1.6. The following materials are excluded from the provisions of the standard:

a) wooden packaging and dunnage entirely made from wood equal to or narrower than 6 (six) millimeters;

b) wood packaging and dunnage made entirely of processed woods such as plywood, particle board, strand board or wood laminates created using glue, heat, pressure or a combination of such;

c) barrels for wine and alcoholic beverages that have been heated during manufacture;

d) gift boxes for wine, cigars and other commodities made from wood that has been processed or manufactured in such a way that it is unable to carry pests;

e) sawdust, wood shavings, wood chips and wood wool, when used

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for packing and support; and

f) wooden components permanently attached to freight vehicles and containers for the transportation of merchandise.

1.7. The exporter/importer, in all export/import operations using wooden packaging and dunnage, is responsible for complying with Normative Instruction no. 32, dated 23 September, 2015.

1.8. In the export of merchandise addressed in the Appendices to the present normative instruction, the Agricultural Federal Inspection must comply with requirements laid down in Normative Instruction no. 32, dated 23 September, 2015 and only the IPPC mark is authorized for use in complying with the standard.

1.9. Wooden packaging and dunnage for consignments exported by Brazil and returned from the country of destination must undergo phytosanitary inspection, and the importer must present a letter describing the reason why such material is being returned, along with the remaining documentation issued by the National Phytosanitary Protection Organization (NPPO) of the country of destination. Copy of the documentation, the inspection results, and the photographic report when there is a Brazilian IPPC mark on the packaging, must all be sent to the competent technical sector of SFA-UF.

## 2. Documents required:

2.1. At Vigiagro Units that do not use computerized systems, or when the system is down:

- a) Plant and Animal Movement Declaration/Wooden Packaging - DAT-EM;
- b) Phytosanitary Certificate or Certificate of Treatment stamped by the National Phytosanitary Protection Organization (NPPO) of the exporting country, when applicable, and
- c) Copy of the Bill of Lading or Cargo Manifest.

2.2. At Vigiagro Units that use MAPA computerized systems, information must be provided only in electronic form, according to technical specifications given.

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## 3. Procedures:

3.1. Document analysis when computerized systems are not used;

3.2. Analysis and application of sampling criteria to choose the cargoes for physical inspection;

3.3. The following must be checked in cargoes selected for phytosanitary inspection:

- a) presence of raw wood packaging and dunnage;
- b) presence and compliance of IPPC mark;
- c) presence of signs of active pest infestation; and
- d) presence of live pests.

3.4. The following procedures must be taken when non-compliances are found at phytosanitary inspection:

3.4.1. If the IPPC mark is missing or defective, or the Phytosanitary Certificate or Certificate of Treatment stamped by the National Phytosanitary Protection Organization (NPPO) of the country of origin is absent, an Agricultural Inspection Notification (NFA) must be issued ordering the return of wooden packaging and dunnage, and in this case the importer or its legal representative may:

- a) request removal of wooden packaging and dunnage provided this is not associated with the presence of live quarantine pest or signs of active pest infestation;
- b) formally request reinspection within 10 (ten) consecutive days, beginning on the first working day after reception of the Agricultural Enforcement Notification, with its justification, and the final opinion on reinspection shall be definitive.

3.4.2. If there are active signs of pest infestation, inspection must be intensified so as to find the pest for the purposes of identification. If the pest cannot be located, the presence of signs of active infestation is sufficient to trigger the phytosanitary measure of returning the consignment, based on the provisions of Normative Instruction N<sup>o</sup> 32, dated 23 September, 2015. In cases where it is possible to indicate that the pest captured is responsible for the signs of active infestation, identification of the pest will trigger definition of the phytosanitary measure to be taken.

3.4.3. If a live organism is present, the Federal Agricultural Inspector/Auditor may order identification at a national agricultural laboratory, or at a public or private accredited phytosanitary diagnostic laboratory belonging to the Brazilian Network of Animal and Plant Laboratories, and the costs of this operation will be borne by the importer, transport or administrator of the customs areas, as the case may be:

- a) when a live quarantine pest is identified by diagnostic report or visual inspection, an agricultural enforcement notification must be written prescribing a phytosanitary treatment and the return of the consignment overseas;
- b) when cosmopolitan organisms are identified by diagnostic report or visual inspection, the consignment may be cleared without phytosanitary treatment; and
- c) when organisms without a reported occurrence in Brazil are identified by diagnostic report or visual inspection, a formal consultation of the competent technical service in the SFA-UF must take place in order for there to be guidance as to the measures to be prescribed.

3.5. When the phytosanitary measure prescribed is the return of the packaging or the cargo overseas, the Vigiagro Unit must give notice to Brazil's Inland Revenue Secretariat (RFB) of the banned entry to Brazil, providing the reasons for banning entry, and communicating whether the measure adopted applies to the entire consignment or only the non-compliant wooden packaging and dunnage.

3.6. When only the wooden packaging and dunnage are returned, the merchandise may be delivered to the importer, provided that the non-compliant material has been duly removed, once a copy of the Notification Document from Brazil's Inland Revenue Secretariat has been presented to the Vigiagro Unit with due cognizance on the part of the importer or person responsible for the wooden packaging/dunnage.



3.7. For Vigiagro Units serving the airway modality, phytosanitary inspection will preferably occur at the moment of unloading and prior to storage of the cargo, and the document processing may take place after the moment of inspection.

3.8. Loads in customs transit intended for customs facilities in another municipality or another state of Brazil, where Vigiagro does not provide service, must be inspected at point of entry.

3.9. To conclude the inspection, the importer or person responsible for the cargo, or wooden packaging or dunnage that has been ordered to return overseas, must, within 10 (ten) consecutive days from compliance with such order, present the Vigiagro Unit with the bill of lading for the returned material and if appropriate its Certificate of Phytosanitary Treatment.

3.10. After inspection has been concluded, where non-compliances have been detected in the treatment marks for wooden packaging and dunnage, or when live insects, insect damage, insect exoskeletons or other phytosanitary problems have been found, the Plant Health Service of the state-level Federal Superintendency of Agriculture, Livestock and Food Supply (Portuguese acronym: SFA-UF) must be notified of such events, in order to communicate the fact to the Department of Plant Health (Portuguese acronym: DSV) which will notify the exporting country's National Phytosanitary Protection Organization (NPPO).

4. Documents issued:

- a) Inspection report in computerized system(s); or
- b) Inspection report on the International Plant and Animal Movement Declaration/Wooden Packaging (DAT/EM), for those cases where a Vigiagro Unit does not use official computerized systems, or where the system is not available;
- c) Notification of Agricultural Inspection, when applicable; and
- d) Communication of Return Overseas, when applicable.

5. Related legislation and other regulatory acts:

- a) Law N° 12,715, enacted 17 September, 2012;
- b) International Standards for Phytosanitary Measures (ISPMs) 15, FAO;
- c) Joint IBAMA/ANVISA/SDA Normative Instruction no. 2, dated 14 December, 2015;
- d) MAPA Normative Instruction no. 66, dated 27 November, 2006; and
- e) MAPA Normative Instruction no. 32, dated 23 September, 2015.

## APPENDIX XL - IMPORT OF AGRICULTURAL CHEMICALS, COMPONENTS AND THE LIKE

Version 2 - IN NO.12/2018

### 1. General remarks:

1.1. The import of agricultural chemicals, technical products and the like precludes advance import authorization, and is subject to document analysis and checking, and inspection of products, upon clearance.

1.2. Only companies possessing registration for a product, or their subsidiaries, and in the case of third parties, when authorized by means of a piece of legislation published by MAPA in Brazil's Daily Gazette - (DOU), may request authorization for the import of agricultural chemicals, technical products and the like.

1.3. MAPA may use its inspection intelligence criteria to determine that certain imports must receive compulsory manifestation from the competent technical sector in the state of Brazil having competent jurisdiction over the importer in the SISCOMEX system.

1.4. Raw materials, inert ingredients and additives, considered to be the components of agricultural chemicals, as well as adjuvants, except for technical products, will not be subject to MAPA inspection at points of entry, and do not need to be registered in SISCOMEX as receiving approval by MAPA.

1.5. The competent technical sector of MAPA, based on intelligence criteria and risk analysis, may ask VIGIAGRO to take samples for quality control purposes of formulated products.

1.6. The General Coordination of VIGIAGRO may define an inspection methodology based on sampling, and adopt operational programs of Brazil's Inland Revenue Secretariat (RFB) so as to optimize customs procedures at import.

### 2. Documents required:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Import License (IL) or Simplified Import License (Portuguese acronym: LSI);
- c) Copy of the product's Certificate of Registration;
- d) Updates of registration granted by MAPA and published in the DOU, when applicable;
- e) Authorization for the type of packaging declared on the IL, for the case of ready-to-sell formulated products;
- f) Copy of the Special Temporary Registration, when applicable;
- g) Copy of the invoice;

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- h) Copy of the Bill of Lading or Cargo Manifest; and
- i) Custody Form, when applicable.

### 3. Procedures

#### 3.1. Document Check:

Check the compliance of the documents presented with the information declared on the IL with special attention to the following:

a) For ready-to-sell formulated product, in the field entitled "INFORMAÇÕES COMPLEMENTARES" (*Supplementary Information*) on the IL, there must be the destination address for the merchandise, and in the field entitled "DESCRIÇÃO DO PRODUTO" (*Product Description*) the following information:

a.1) Brand name;

a.2) Registration number with MAPA;

a.3) Composition (active ingredient and concentration);

a.4) Physical state;

a.5) Type of formulation;

a.6) Type of authorized packaging, declaring the material and the packing capacity—for products with Temporary Special Registration (Portuguese acronym: RET) merely declare the packaging;

a.7) Full name of manufacturer of the technical product, showing country of origin (location of manufacture); and

a.8) Full name of formulator, indicating country of origin (place of formulation).

b) For formulated product intended for portioning, in the field entitled "INFORMAÇÕES COMPLEMENTARES" (*Supplementary Information*) on the IL, there must be the destination address for the merchandise, and in the field entitled "DESCRIÇÃO DO PRODUTO" (*Product Description*) the following information:

b.1) Brand name;

b.2) Registration number with MAPA;

b.3) Composition (active ingredient and concentration);

b.4) Physical state;

b.5) Type of formulation;

b.6) Full name of manufacturer of technical product, indicating country of origin (place of manufacture).

b.7) Full name of formulator, indicating country of origin (place of formulation).

c) For technical products, in the field entitled "INFORMAÇÕES COMPLEMENTARES"

(*Supplementary Information*) on the IL, there must be the destination address for the merchandise and the type of packaging in which the product will be packed, and in the field entitled "DESCRIÇÃO DO PRODUTO" (*Product Description*) the following information:

- c.1) Brand name;
- c.2) Registration number with MAPA;
- c.3) Composition (active ingredient and concentration);
- c.4) Physical state;
- c.5) Type of formulation; and
- c.6) Full name of manufacturer of technical product, indicating country of origin (place of manufacture).

### 3.2. Physical checking and inspection:

a) Check whether the label and the packaging are suitable and in compliance with with the registration of the product.

b) For products with Temporary Special Registration (RET), the inspection authority may ask for the original RET to be presented at the moment of physical inspection of the merchandise if necessary.

c) Technical products must present at least the following information on the labeling in Portuguese:

- c.1) Name of product;
  - c.2) Name of registering party and/or importer;
  - c.3) Chemical and/or common name in accordance with the Certificate of Registration;
  - c.4) Class of use as described in the Certificate of Registration;
  - c.5) MAPA Registration Number and CAS number;
  - c.6) Minimum concentration in accordance with the Certificate of Registration;
  - c.7) Full name and address of manufacturer, indicating country of origin (place of manufacture);
  - c.8) Lot number, in accordance with the template to Appendix VI of Decree no. 4,074, dated 2002 (e.g.: 001 - 89 - 1.600. NUMBER / YEAR / QUANTITY of batch);
  - c.9) Manufacturing date and shelf life, giving MONTH and YEAR, the month being printed with the first three letters;
  - c.10) Amount of product that the packaging contains, expressed in units of weight or volume, as the case may be;
  - c.11) Indication that the product is intended for industrial use; and
  - c. 12) Toxicological Class as described in the Certificate of Registration.
- d) Products formulated for portioning in an industrial setting must present the following

minimum information on the labeling in Portuguese:

- d.1) Name of product (trading name);
  - d.2) Name of registering party and/or importer;
  - d.3) Chemical and/or common name in accordance with the Certificate of Registration;
  - d.4) Class of use as described in the Certificate of Registration;
  - d.5) Registration number with MAPA;
  - d.6) Type of formulation;
  - d.7) Percentage and/or indication of concentration of each active principle, in accordance with the Certificate of Registration;
  - d.8) Full name and address of manufacturer of Technical Product, indicating country of origin (place of manufacture);
  - d.9) Full name and address of formulator, indicating country of origin (place of formulation);
  - d.10) Lot number, and manufacturing date in accordance with the standard demanded in Decree no. 4,074, dated 2002 (e.g.: 001 - 89 - 1.600. NUMBER / YEAR / QUANTITY of batch);
  - d.11) Amount of product that the packaging contains, expressed in units of weight or volume, as the case may be; and
  - d.12) Indication that the product is not intended for sale or for the end user.
- e) Products with Temporary Special Registration must give the following minimum information on their labels:
- e.1) Product name or code;
  - e.2) Name of holder of registration;
  - e.3) RET number;
  - e.4) Name of active chemical ingredient, or if lacking, of chemical group;
  - e.5) Concentration of active ingredient;
  - e.6) Name and address of the manufacturer;
  - e.7) Name and address of the formulator;

e.8) Amount, expressed in units of weight or volume, as the case may be;

e.9) Manufacturing date; and

e.10) Expiry date.

3.3. If any non-compliance is found in the documentation, packaging, labeling or physical aspect, the following procedures must be taken, on a case-by-case basis:

a) Where non-compliances may be amenable to correction of the IL, adjustment must be given a deadline of 15 days and the reason for the demand recorded in the field entitled DIAGNÓSTICO (“*Diagnosis*”);

b) Where non-compliances are not amenable to correction of the IL, the cargo must be refused and returned overseas, and in the field entitled DIAGNÓSTICO (“*Diagnosis*”) the reasons for the denial must be given.

3.4. If a non-compliance is found in the labeling, information for use, or packaging of the product, the Vigiagro Unit may, upon request by the interested party, and taking into consideration operational matters, authorize correction of the non-compliances:

a) Within the customs area itself, without the need for a technical opinion given by the competent technical sector of the representation of MAPA, and in this case the technical sector of the SFA-UF in the state having jurisdiction over the importer must be notified immediately when agricultural clearance is given.

b) Outside the bonded area, upon request by the interested party, and after receiving a favorable opinion from the competent technical sector of the representation of MAPA, in the state having jurisdiction over the importer, and in this case agricultural clearance will be given upon presentation of the Custody Form.

3.5. Without prejudice to the corrections cited in item 3.4, the non-compliances found by the Vigiagro Unit when carrying out import inspection must be communicated to the competent technical sector in the state having jurisdiction over the importer, so that the sector can take the necessary enforcement actions when investigating the irregularities.

a) The communication cited in item 3.5 may be forwarded electronically using the SEI system, or e-mail, or import dossier (Vicomex).

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3.6. The following procedures, in addition to those laid down in Appendix XXI to the present Normative Instruction and the import procedures contained in the present Appendix, must be followed for the re-import of agricultural chemicals:

a) Re-import may take place at any time within the product’s shelf life, and the registering company will be responsible for ensuring the quality and stability of the product.

b) Agricultural clearance of re-imported agricultural chemicals will be granted on presentation of the custody form in which the importing company assumes responsibility for custody of the product and its repackaging to comply with Brazilian legislation, and must await inspection and clearance of the product by

the competent technical sector of the MAPA representation in the state having jurisdiction over the importer.

c) Products outside their shelf life may be re-imported exclusively for neutralization, upon presentation of the custody form in which the company takes responsibility for custody over the product, and must await oversight of the inspections by the competent technical sector of SFA-UF for approval and for the neutralization procedure.

d) In addition to the documentation demanded for import, the following export documents that gave rise to the re-import must be presented:

d.1) Customs document proving clearance of the export (e.g.: Export registration (ER) and the respective Export Clearance Declaration (Portuguese acronym: DDE), or alternatively the Single Export Declaration (Portuguese acronym: DU-E cleared);

d.2) Copy of the tax invoice for egress;

d.3) Copy of the commercial invoice;

d.4) Copy of the shipping list; and

d.5) Test certificates provided by the manufacturer and the exporter giving at least the lot identification, dates of manufacture and validity, concentration of the active ingredient, and test results for physical and chemical characteristics.

e) When re-importing through the SISCOMEX administrative approach, the person responsible will state that the process is for re-import, and that the product has been cleared upon presentation of a custody form in order to make adjustments to the packaging, declaring on the IL either the granting, denial, or determination of the status of pending.

3.7. Cases of denial: agricultural prohibition must be recorded on the DAT and the competent technical sector of the SFA-UF having jurisdiction over the importer must be notified immediately for the appropriate steps to be taken.

4. Documents issued:

a) Inspection report in computerized system(s);

b) Federal Agricultural Notification when applicable;

c) Sample-taking and Sending Document, when applicable.

5. Related legislation and other regulatory acts:

a) Law no. 7,802, enacted 11 July, 1989;

b) Decree no. 4,074, enacted 4 January, 2002;

c) SDA/MAPA Normative Instruction no. 36, dated 24 November, 2009.

d) SDA/MAPA Normative Instruction no. 51, dated 4 November, 2011.

e) SDA/MAPA Normative Instruction no. 26, dated 20 July, 2017.

## **APPENDIX XLI - IMPORT OF BEVERAGES, ACETIC FERMENTATIONS, WINES, AND GRAPE AND WINE PRODUCTS**

### 1. General Remarks:

1.1. In order to import beverages, acetic fermented beverages, wine, and grape and wine products, the establishment shall be registered with the Ministry of Agriculture, Livestock and Food Supply (MAPA), except in the cases provided for in the legislation.

1.2. The physical inspection of the merchandise, when applicable, regarding the labeling of the products, must make sure to verify the identity of the products as to denomination and composition, except for when decided otherwise by the Technical Department, which will inform the General Coordination of Vigiaagro of the labeling parameters to be evaluated, and the standards to be complied with in the case of the respective parameters.

1.3. Imported beverages, wines, and grape and wine products that do not meet Brazilian standards for identity and quality will only be approved for sale if it can be proved that they have a geographical indication, or by official proof of the following requirements:

- a) they possess typical, regional, and particular characteristics of the country of origin;
- b) the wine, or grape or wine product, is covered by the legislation of the country of origin; and
- c) their name and composition is time-honored, and their consumption in the region of the country of origin is commonplace and daily.

1.4. Beverages, wines, and grape and wine products, even those that are typical and regional, containing additives, residues of organic and inorganic contaminants, or other contaminants banned by Brazilian legislation, may not be imported.

1.5. The import of beverages, wines, and grape and wine products containing an ingredient not used in human nutrition in Brazil, will depend on evaluation by the competent Brazilian health agency.

1.6. When such import does not require registration in Siscomex, procedures will take place by means of the computerized system made available by Vigiaagro.

### 2. Documents required:

- a) Certificate of Registration of the importing establishment, when automatic electronic verification is not available;
- b) Certificate of Origin, and Certificate of Analysis of the product;
- c) Aging Time Certificate, if applicable;
- d) Importing Inspection Certificate that authorized the sale of the product within the period when it is exempted from sampling, when applicable;
- e) Custody Form, when applicable;
- f) Authorization for exemption from analysis issued by the Technical Sector of SFA/ UF, in those situations laid down in line "a" of item 3.5 of the present Appendix;
- g) Proof that the product is typical and regional, if applicable;
- h) Proof of geographical indication of the product, if applicable;
- i) Customs Documents for the Product (Import Permit - LI, Simplified Import Permit - LSI or DSI);

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- j) Trade Invoice;
- k) Bill of lading or cargo manifest; and
- l) International Plant and Animal Movement Declaration (DAT).

2.1. The documents mentioned in letters “b”, “c”, “g” and “h” of Item 2 of this Appendix are those in the specific legislation for beverages, acetic fermented beverages, wines, and grape and wine products, and shall be originals or copies notarized at the agency responsible for issuing the original document, or shall be electronically signed by means of a recognized certificate.

2.2. The certificates of origin, and of analysis, and must be issued by an official body, or officially accredited body, of the country of origin (in other words the country where the beverage, acetic fermented beverage, wine, or grape and wine product is produced) except when merchandise is triangulated:

I - When beverages, acetic fermented beverages, wines or grape and wine products are produced in a given country but exported by a different country, the exporters must issue a Certificate of Origin and Analysis based on data contained in the certificates issued by the official or officially accredited bodies of the countries of origin for the product, in other words, the countries where it was produced;

II - In this case, copies of the Certificate of Origin and Analysis from the country or countries responsible for the production of the product must be presented; and

III - The number of the Certificate of the country where the product was produced must appear on the Certificate of Origin and Analysis of the exporting country.

2.3. The agencies and laboratories of the countries exporting the beverage, acetic fermented beverage, wine or grape and wine product to Brazil and responsible for issuing the Certificates of Origin and Analysis must be listed in the System for Registration of Foreign Agencies and Laboratories (*Sistema de Cadastro de Organismos e Laboratórios Estrangeiros*—SISCOLE).

2.4. Information concerning the duration of aging and the geographical indication, when it exists, must appear on the Certificate of Origin and Analysis, replacing, when applicable, the documents given in lines "c" and "h" of item 2 of the present Appendix.

### 3. Procedures:

3.1. To make the procedure official, the Federal Agricultural Inspector/Auditor in the Vigiagro Unit at the point of clearance of the merchandise will, after registering the DAT, perform a document check, examining the documentation required for approval of clearance of the beverage, wine or grape and wine product at import.

3.2. The importer must ask the Vigiagro Unit to waive sampling of the products covered by the DAT, linking the description of the product to the respective Certificate of Inspection for Import.

3.3. Beverages in general, wine, or grape and wine products may fall under the following procedures:

a) simplified procedure: the Vigiagro Unit at the point of customs clearance of the merchandise into Brazil will check the documentation required in order to authorize the import of the product without the need for sampling, and the physical inspection of the load may at the discretion of the Federal Agricultural Inspector/Auditor be waived; or

b) complete procedure: the Vigiagro Unit, at the point of customs clearance of the merchandise into Brazil will check the documentation required for approval of imports of the product, carry out physical inspection of the load, the compulsory sample taking, and send the documentation to the

enforcement body having jurisdiction over the location of the warehouse of the merchandise, for analysis.

3.4. The requirements for categorizing the products in the above-mentioned procedures are:

- a) the alcoholic beverage, distilled alcoholic beverage, acetic fermented beverage, wine, and the alcoholic grape and wine products imported under the same denomination, the same commercial brand and the same producer or bottler whose sale is authorized by MAPA in the period of up to 3 (three) years before importing and that has not presented non-compliances in this period, may be included in the simplified procedure;
- b) the non-alcoholic beverage, and the non-alcoholic grape and wine products imported under the same denomination, the same commercial brand and the same producer or bottler whose sale is authorized by MAPA in the period of up to 12 (twelve) months before importing and that have not presented non-compliances in this period, may be included in the simplified procedure;
- c) when an imported product is non-compliant, and its sale is not authorized, the product will be subject to the complete procedure at all points of customs clearance for a period of 1 (one) year;
- d) when an imported product is non-compliant and its sale has not been authorized, any Importing Inspection Certificate submitted and related to this product shall be automatically canceled for the exemption of sampling, until the competent technical department issues a reply;
- e) the Certificate of Inspection for Import is the working document for proving compliance with the requirements for falling under the simplified procedure. To fall under the simplified procedure, the lot number(s) and/or the vintage of the product must be ignored; and
- f) to fall under the simplified procedure, the identification of the product (denomination, brand name and manufacturer) given on the DAT must be the same as those given on the Certificate of Origin and Analysis and the Certificate of Inspection. All the terms associated with the brand and characterizing the product (such as *Gold*, *Reserva*, *Gran Reserva* and so on), as well as the Geographical Indication (GI) when declared by a certifying body in the country of origin, must be included in the brand name.

3.5. If the product falls under the complete procedure, sampling shall be mandatory:

- a) sampling will be carried out, the Sample Taking Document will be drawn up in 2 (two) copies, one to be delivered to the laboratory along with the sample taken, and the other delivered to the interested party for attachment to the electronic dossier (Vicomex);
- b) on the Sample Taking Document, the numbers of the electronic dossier and the DAT corresponding to the products sampled must be given. Furthermore, in the field entitled OBSERVAÇÃO (*Remarks*) the following information must be given: 'The Analysis Report shall be sent to the corresponding Technical Department of the SFA-UF';
- c) The unit of the control sample for import will if necessary be identified, authenticated, and made tamper-proof by the Federal Agricultural Inspector/Auditor, in the presence of the company's legal representative;
- d) the sample shall be guaranteed not to have been tampered with by pasting a sealing tape or using a tamper-proof wrapping that completely covers the containers of the sampling unit according to a template established in a specific regulation, which shall be authenticated by the Federal Agricultural Inspector and by the company's legal representative; and
- e) after the sample has been taken, it will be handed to the company's legal representative, and the importer shall be responsible for sending the sample to be accredited laboratory of the LANAGRO network, as well as the costs of the test to be carried out.

3.6. When the time elapsed to issue the Inspection Certificate to Import the Product makes it unfeasible to keep the product in the customs area, the product may be cleared with a Custody Form.

3.7. The Custody Form shall be drafted under the name of the individual responsible for the importing company or the legal representatives thereof, in a specific template. This person shall be responsible for custody of the product until its clearance by the corresponding technical department of the SFA in the State where the product is warehoused, by issuance of the Beverage Inspection Certificate.

3.8. Approval of the IL will depend on proof of sending the samples to the accredited laboratory. The proof of sending, the Sampling and Forwarding Document, and the custody form, when presented, must be attached by the interested party to the electronic dossier.

3.9. When a physical non-compliance in the labeling of a product falling under the complete procedure is found, requiring relabeling of the packaging, the batch may be approved for release by the custody form, announcing the need for adjustment to the labeling:

- a) the technical sector of the SFA-UF of the state of destination of the merchandise must be notified and signal its agreement to the procedure; and
- b) the Inspection Certificate will only be issued after the above-mentioned document has been canceled.

3.10. For the re-import of Brazilian goods, the procedures to be adopted shall be defined by the corresponding Technical Department/SFA-UF in the state where the headquarters of the importer of the goods is located.

3.11. The data given on the Certificates of Origin and Analysis of each imported batch must be analyzed to check whether the analytical parameters meet the identity and quality standards laid down in a specific standard, and if they do not, the batch must be refused.

3.12. Sampling procedures:

- a) when sampling for import control, only one sample unit shall be collected. It shall be comprised of at least 2 (two) containers of the sampled product, containing a total volume no lower than 1000 ml (one thousand milliliters);
- b) when the beverage, acetic fermented beverage, wine, and grape and wine products with the same brand belong to one lot and are distributed in different packagings, only one sampling unit shall be taken, to be representative for the entire lot, not less than 1000 milliliters;
- c) sampling of the beverage, acetic fermented beverage, wine, and grape and wine products of the same denomination, brand-name and manufacturer, but different vintages or batches, will be carried out only on the batch that is most representative of the consignment;
- d) when the lot is comprised of containers whose capacity is lower than 1000 ml (one thousand milliliters), as many containers as are necessary shall be sampled, until the minimum volume established by the specific requirement has been ensured;
- e) when the lot is comprised of containers whose capacity is greater than 1000 ml (one thousand milliliters), at least 2 (two) containers must be sampled;
- f) it is prohibited to import wines, and grape and wine products in containers larger than 5,000 ml (five thousand milliliters);
- g) in order to sample bulk products, a single control sample no smaller than 1000 milliliters, comprised of at least two containers, shall be taken. The container from which the sample was taken shall be immediately sealed so that it is not tampered with;
- h) to sample bulk products and frozen beverages, the agricultural authority may request the presence of a technical expert from the importing company or a qualified responsible individual to perform the sampling in order to ensure suitable sampling conditions and equipment;

- i) if sampling is impossible at the point of entry, the consignment may be released, issuing a custody form for its collection from a storage facility appointed by the importer, after entry into Brazil. The competent technical sector of the SFA of the state of destination must be notified in advance of this procedure;
- j) for solid or concentrated product, except fruit pulp, as many containers as will be necessary shall be sampled to obtain a total volume no smaller than 1000 ml (one thousand milliliters), after the dilution specified by the manufacturer; and
- k) at the discretion of the inspection service, an additional container may be sampled for other laboratory tests, complying with the volume needed for such tests.

### 3.13. Specific procedures:

- a) products intended for exhibitions, tasting events, commercial promotion, research, personal consumption, and not intended for sale, and which may or may not be accompanied by the Certificates of Origin and Analysis may be exempt from official control in volumes up to 12 (twelve) liters;
- b) imports of beverages in the form of unaccompanied baggage not intended for sale, and which may or may not be accompanied by the Certificates of Origin and Analysis may be exempt from official control in volumes up to 30 (thirty) liters;
- c) imports of beverages in the cases given in line "a" above, in a volume over 12 (twelve) liters may only be approved for customs clearance upon advance authorization from the head of the competent technical sector of the SFA of the state of entry of the merchandise;
- d) in the case of diplomatic representation, a document check of the Simplified Import License (SIL) or Simplified Import Document (SID) ratified in advance by a specific body of the Ministry of External Relations, and physical inspection of the merchandise, will be carried out, waiving the registration of the establishment, sample taking and laboratory testing;
- e) all products imported under the special customs regime "Drawback", in accordance with specific legislation of Brazil's Internal Revenue Secretariat, shall be exempt from sampling and laboratory tests, and the importer shall state in the field for Supplementary Information on the Import License, that the product is being imported under the drawback regime, and
- f) the General Coordination Office of Wine and Beverages - CGVB/DIPOV shall inform the General Coordination of Vigiagro in the event of a change from the simplified to the complete procedure, as well as in the event of a return to the simplified procedure. CGVigiagro will notify the Vigiagro Units of changes to the procedures as well as of suspension of this determination;
- g) when the import comes from countries with which Brazil has specific international agreements, the guidance by CGVB/DIPOV shall be followed;
- h) imported beverages, wine, and grape and wine products that do not meet Brazilian standards for identity and quality will only be approved for sale if it can be officially proved that they meet the following requirements:
  - h.1) they possess typical, regional and particular characteristics, their consumption is commonplace and daily, and their name and composition is time-honored in the region of the country of origin, and they are covered in its legislation; or
  - h.2) they have a geographical indication and this is given on the Certificate of Origin and Analysis or on another official document.

### 4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) the Sampling and Sample Shipping Documents, when applicable.

5. Related legislation and other regulatory acts:
- a) Law no. 7,678, enacted 8 November, 1988;
  - b) Law no. 8,918, enacted 14 July, 1994;
  - c) Decree no. 6,871, enacted 4 June, 2009; and
  - d) Decree no. 8,918, enacted 20 February, 2014.

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## APPENDIX XLII - IMPORT OF FERTILIZERS, CORRECTIVES AND INOCULANTS

### 1. General Remarks:

1.1. The import of fertilizers, correctives and inoculants exempt from the registration of the establishment when requested for the use of the importer or member of a cooperative, must be authorized in accordance with the document entitled "Authorization of the Import of Fertilizers, Correctives and Inoculants by the End-Consumer". When an agricultural cooperative is the importer, the document issued will be the "Authorization of the Import of Fertilizers, Correctives and Inoculants by Agricultural Cooperatives". The competent technical sector of SFA-UF will be responsible for issuing both documents, pursuant to SARC Normative Instruction no. 8, issued in 2003. After the legal authorization has been granted, the interested party must follow the procedures for registration of the Import License (IL) in Siscomex.

### 1.2. Products and raw materials may be imported by:

- a) MAPA-registered producing establishments, obeying the provisions in article 9 of Normative Instruction no.53, dated 23 October, 2013;
- b) MAPA-registered importing establishments, in order to import registered products;
- c) end-consumer, whether a natural person or legal entity, for its own use, including cooperatives that are equivalent to an end-consumer, in order to import products exclusively for the use of its own members, as described in the statutes of the cooperative and in accordance with Law no. 5,764, enacted 16 December, 1971; and
- d) natural persons or legal entities in general, in order to import products and raw materials for research purposes and scientific experimentation in a laboratory, in greenhouses and in the field, complying with paragraph 6 of article 15 of the Appendix to Decree no. 4,954, enacted 14 January, 2004, or in order to evaluate the quality of the product or raw material, including samples for laboratory testing, inter-laboratory controls, industrial testing, or field demonstrations of products.

1.3. The end-consumers (natural persons or legal entities) and natural persons or legal entities in general, importing products and raw materials for research purposes and scientific experimentation in a laboratory, in greenhouses and in the field, are exempt from the registration of the establishment and of the product, and such import is dependent on advance authorization by the competent technical sector of SFA in the state having jurisdiction over the importer.

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1.4. Chelating and complexing agents, additives and concentrated ores used to manufacture products covered by Law no. 6,894, enacted 16 December, 1980 may have their loading authorized by the competent technical body of SFA-UF provided that:

- a) they are authorized by specific normative instructions; and
- b) the importer is registered in MAPA as a Producing Establishment (PE) or Importing Establishment (IE).

1.5. Industrially manufactured fertilizers and correctives, packaged at origin and labeled so as to enable identification, when for own use and in small quantities,

and transported in accompanied baggage may also have their loading authorization waived and be approved for import by the Federal Agricultural Inspector/Auditor at the moment of disembarkation.

1.6. To comply with the provisions of article 2 of Normative Instruction no. 51, dated 4 November, 2011, products and raw materials covered by the present Normative Instruction must undergo sampling for quality analysis in accordance with current legislation, to comply with the following:

- a) When the sample is taken for quality analysis the importer is responsible for holding, maintaining, and ensuring the products are not tampered with until the analysis has been completed, which must be within 45 (forty-five) days of sample-taking, unless technically justified intervening circumstances necessitate a longer deadline;
- b) if the inspection analysis cannot be carried out by an official MAPA laboratory, in the case of a least one physical, physical-chemical, chemical or biological component of the sample taken of the imported product for testing its identity, conformity and safety of use in Brazil, the sample must be forwarded to a MAPA-accredited laboratory, and the cost of sending it and testing it will be borne by the importer; and
- c) at the end of the 45 (forty-five) day term, the interested party will notify the competent inspection authority, which if it does not issue an opinion within 15 (fifteen) days of receipt of the importer's communication, will result in the automatic approval of the imported product for use or sale.

1.7. In the case of cold-stored products, as laid down in item VII, line "b" of article 2 of MAPA Normative Instruction no.51, dated 4 November, 2011, the customs cold storage facility must request authorization prior to loading from the technical sector of the SFA of the state of location of the importer, and once authorized, may internalize the merchandise for sale, following from that point on the normal import procedures.

1.8. In the case of the import of simple mineral fertilizers, the latter must compulsorily contain the guarantees expressed in Appendix I of MAPA Normative Instruction no.46, dated 22 November, 2016, the updates to which are given on the MAPA website for the area of agricultural inputs.

1.9. Organic and organomineral fertilizers, organic correctives, organic substrates and inoculants, whatever the purpose of the import, and except for when there are bilateral international agreements, will be subject to advance consultation of the competent technical sector(s) of SFA-UF concerning the feasibility of import from the phytosanitary and/or zoosanitary aspects.

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2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Certificate of Analysis, containing the technical data for the product;
- c) Copy of Import License (IL);
- d) Authorization of Import issued by the competent technical sector of SFA-UF;
- e) Phytosanitary Certificate in the case of inoculants, biofertilizers, and organic fertilizers, organic correctives, mixtures containing organic material or other products that can harbor pests, in accordance with the provisions of articles 45 and 46 of the Appendix to Decree no. 4,954, enacted 14 January, 2004; and
- f) Copy of tax invoice or commercial invoice.

### 3. Procedures:

- a) check the documentation that is presented;
- b) check whether authorization for loading has been given by the Technical Department of SFA-UF on the Import License (IL);
- c) only those ILs that have been authorized for loading by the competent technical sector of SFA-UF, except in the case of replacement ILs, which may be granted, in addition to those cases laid down in Normative Instruction no. 51, dated 4 November, 2011, when there is an increase or reduction in the imported quantity of product or raw materials, not therefore necessitating a further opinion;
- d) the following procedures shall be adopted for mineral fertilizers and non-organic agricultural correctives imported in bulk:
  - d.1) document analysis, checking the importer's data and whether the values given on the certificate of analysis match the product's registered guarantees; and
  - d.2) if upon authorization of loading there are demands made by the competent technical sector of SFA-UF for the presentation of a Certificate of Analysis for contaminants issued by the country of origin, it must be checked whether the values expressed on the Certificate of Analysis are in compliance with the maximum established limits for contaminants, pursuant to SDA Normative Instruction no. 27, dated 5 June, 2006;
- e) the following procedures shall be adopted for mineral fertilizers and non-organic agricultural correctives imported in packaging:
  - e.1) document analysis, checking imported data and whether scores given on the certificate of analysis match the product's registered guarantees;
  - e.2) when requested by the competent technical sector of SFA-UF at authorization for loading, it must be checked whether the values expressed on the Certificate of Analysis are in compliance with the maximum established limits for contaminants, pursuant to SDA Normative Instruction no. 27, dated 5 June, 2006;
  - e.3) verification of the packaging, label and sticker, which must contain wording in Portuguese regarding the number of the registration of the establishment and of the product, or the number of the specific authorization issued by the competent technical service of SFA-UF, guarantees, raw materials, and physical specifications of the product, in addition to other mandatory information laid down in the specific Normative Instructions; and
  - e.4) at the request of the importer and by the agreement of Vigiagro, removal of the merchandise may be authorized to a warehouse outside the customs bonded area for adjustments to be made to the labeling, when the interested party presents a Custody Form;
- f) for organic fertilizers, organic minerals, inoculants, biofertilizers and agricultural correctives that contain organic matter in their composition, and their respective raw material, the following procedures shall be adopted:
  - f.1) document analysis, checking the importer's data and whether the scores given on the certificate of analysis match the product's registered guarantees;
  - f.2) when requested by the competent technical sector of SFA-UF at authorization for loading, it must be checked whether the values expressed on the Certificate of Analysis are in compliance with the maximum established limits for contaminants, pursuant to SDA Normative Instruction no. 27, dated 5 June, 2006;
  - f.3) verification of the packaging, label and sticker, which must contain wording in Portuguese regarding the number of the registration of the establishment and of the product, or the number of the specific authorization issued by the competent Technical Sector of SFA-UF, guarantees, raw materials, and physical specifications of the product, in addition to other mandatory information laid down in the specific Normative Instructions;



- f.4) the sanitary and phytosanitary inspections must be carried out in accordance with standards and procedures laid down by the competent technical sector, in accordance with the nature of the raw materials and composition of the product;
- f.5) sampling for quality analysis, in accordance with articles 19 to 23 of MAPA Normative Instruction no. 53, dated 23 October, 2013, and the Sample Taking Document issued as laid down in SDA Normative Instruction no. 14, dated 6 May, 2008;
- f.6) at the request of the importer and by the agreement of Vigiagro, the removal of the merchandise to a deposit outside the customs area may be authorized upon presentation of a Custody Form showing who is responsible for custody of the product until the test result is obtained;
- f.7) when granted in Siscomex, state in the field entitled "TEXTO DIAGNÓSTICO - NOVO" (*Diagnostic Text - New*) the numbers for the DAT and the Sample Taking Document when applicable; and
- f.8) when denied, the reason for the denial must be given in the field entitled "TEXTO DIAGNÓSTICO - NOVO" (*Diagnostic Text - New*).

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Notification of Agricultural Inspection, when applicable.
- c) Custody Form, when applicable; and
- d) Sample-taking and Sending Document, when applicable.

5. Related legislation and other regulatory acts:

- a) Law no. 6.894, enacted 16 December, 1980;
- b) Law no. 6,934, enacted 13 July, 1981;
- c) Decree no. 4,954, enacted 14 January, 2004;
- d) SARC Normative Instruction no. 8, dated 2 July, 2003;
- e) SARC Normative Instruction no. 14, dated 16 October, 2003;
- f) SDA Normative Instruction no. 27, dated 5 June, 2006;
- g) SDA Normative Instruction no. 14, dated 6 May, 2008;
- h) MAPA Normative Instruction no. 5, dated 23 February, 2007;
- i) MAPA Normative Instruction no. 40, dated 30 June, 2008; and
- j) Normative Instruction no. 53, dated 23 October, 2013.

## **APPENDIX XLIII - IMPORT OF PLANT PRODUCTS FOR SCIENTIFIC RESEARCH AND EXPERIMENTATION**

### 1. General Remarks:

1.1. The following plant materials may be deemed material for scientific research and experimentation:

- a) seeds, seedlings, pollen, live plants, stakes, shoots, bulbs, stalks, tubers, rhizomes, in vitro plantules, fruits or any plant parts;
- b) organisms for biological control, phytopathogenic organisms or other agricultural organisms with a phytosanitary risk; and
- c) soil and organic substrate.

1.2. Import depends on advance Import Permission granted by the Department of Plant Health - DSV, and the importer must work at an institution or company with proven involvement in scientific research and experimentation activities.

1.3. The product of agricultural concern imported through Normative Instruction no. 52, dated 1 December, 2016, may undergo quarantine in a MAPA-accredited Quarantine Station, and the interested party will bear such costs, as laid down in the Import Permission issued by DSV/MAPA.

1.4. The Import Permission shall be valid for 24 (twenty-four) months from its issue, and if any of the information is changed in any way, a new analysis and decision by DSV will be necessary, except for a reduction in the imported quantity, change of location of unloading, and alteration of the name or address of the sending institution, provided there is no change to the countries of origin and point of shipping of the product of agricultural concern.

1.5. Exchanges between public and private institutions of botanical collections and collections of insects preserved and devitalized, and in which case the preservation process renders the spreading of pests unfeasible, are not included in these demands since no type of international phytosanitary certification is necessary.

### 2. Documents required:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Import License - IL or Simplified Import License - SLI;
- c) Copy of the Bill of Lading or Cargo Manifest;
- d) Import permit issued by DSV/MAPA; and
- e) for plant products in extinction: CITES issued by the exporting country.

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### 3. Procedures:

3.1. Document analysis and inspection of merchandise.

3.2. When quarantine is ordered in the Import Permission, the entire consignment must be transported to the indicated accredited Quarantine Station after being sealed by agricultural inspection at the point of entry.

3.3. The material must be wrapped in at least double packaging, without prejudice to other demands laid down in specific legislation. The following definitions apply:

- a) primary packaging: packaging that comes into direct contact with the product of agricultural concern; and

b) secondary packaging: packaging that wraps around the primary packaging.

3.4. The packaging must be robust and suitable for packing so that it guarantees integrity and avoids any loss of part of the product of agricultural concern, and avoids any escape of pests, and when the import is made up of more than one primary packaging, each one must present a unique identification to allow them to be distinguished from each other.

3.5. External packaging must contain an identification label, in accordance with the template established in a specific standard.

3.6. The interested party must send the Quarantine Prescription to the competent technical sector of SFA of the state in which the quarantine station is located and notify it within 5 (five) working days, electronically if possible.

3.7. If any non-compliance is detected, an Agricultural Enforcement Notification (NFA) will be issued.

4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

5. Related legislation and other regulatory acts:

- a) MAPA Normative Instruction no. 52, dated 1 December, 2016.

## APPENDIX XLIV - EXPORT OF PLANT PRODUCTS, BY-PRODUCTS, AND RESIDUES OF ECONOMIC CONCERN STANDARDIZED BY MAPA

### 1. General Remarks:

1.1. Imported plant products, their by-products and residues of economic value, that have an official standard for classification established by the Ministry of Agriculture, Livestock and Food Supply shall be compulsorily classified before internalization into Brazil, in accordance with Law no. 9,972, enacted 25 May, 2000.

1.2. Checking the compliance of plant products, their by-products and residues of economic value at the points of entry is an exclusive duty of the Ministry of Agriculture, Livestock and Food Supply (MAPA). It is performed by the Federal Superintendencies of Agriculture (SFAs) in order to check the compliance of the imported products with the official standards for classification established by this Ministry.

1.3. The Federal Superintendencies of Agriculture (SFAs) may use their own structure, and also the structure of entities approved for operational and laboratory support, to perform the services of sampling and sample preparation, product analysis and issuing the laboratory report for the tests performed.

1.4. The results of the analyses shall be written in the Certificate for the Classification of Imported Products, which is the document that certifies the compliance of the plant product, by-products and residues of economic value with the official classification standards established in the Brazilian legislation.

1.5. The Certificate of Classification of an Imported Product will only be issued when:

- a) the product has been packaged and labeled ready for consumption; and
- b) when the product is not in compliance with Brazilian standards.

1.6. At import, it is the competence of the Federal Agricultural Inspector/Auditor to issue the Certificate of Classification of an Imported Product.

1.7. For the services of classification of imported plant products, by-products and residues of economic value, a Classification Fee shall be charged and must be paid by the interested party or by its legal representative (as per Decree-Law no. 1,899, enacted 21 December, 1981, and by Inter-Ministry Ordinance no. 531, dated 13 October, 1994, or any other legislation that may replace these).

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT); and
- b) other documentation in accordance with the provisions described in the specific Appendices of this Normative Instruction, depending on the nature of the products of agricultural concern.

### 3. Procedures:

#### 3.1. Document Check:

3.2. Checking, inspection and sampling of the merchandise.

3.3. The Vigiagro Unit at the point of entry, or the accredited entity, shall collect a sample of the imported product for classification, in accordance with the sampling procedures indicated in Table 3 of the present Normative Instruction.

3.4. Where non-compliances are detected, full sampling must take place.

3.5. In the case of cotton plume, the importer or its legal representative are authorized to perform sampling, in accordance with the respective Official Classification Standard (Portuguese acronym: POC), at the destination location for the merchandise as previously communicated to MAPA and to send the sample to an accredited entity, for the mandatory classification laid down in item III of article 1 of Law no.9,972, enacted 25 May, 2000.

3.6. If the Vigiagro Unit at the point of entry or the accredited entity is able to classify on site, the sample shall be classified by a MAPA-registered professional approved for the product, who shall proceed according to the specific Official Classification Standard and enter the results of such classification in the respective Classification Report.

3.7. The Certificate of Classification of an Imported Product must be issued in accordance with the Classification Report, in a printed or electronic format, by the Federal Agricultural Inspector/Auditor or agricultural agent who is a MAPA-registered classifier of plant products.

3.8. If the product is compliant with the respective Official Standard for Classification, the merchandise shall be cleared and the process shall be completed by giving proof of payment of the classification fee for the imported product.

3.9. If the Certificate for the Classification of Imported Products attests that the product is not compliant with the respective Official Standard for Classification, the appropriate procedure established in said Standard shall be adopted.

3.10. When classification of the imported product requires additional laboratory testing, the sample will be sent to an official laboratory or MAPA-accredited laboratory, which will issue the Analysis Report.

3.11. If the time needed to verify the compliance of the product makes it unfeasible for the merchandise to stay at the point of entry, the product may be granted approval for internalization, while suspended for sale, after risk-assessment is carried out by the Federal Agricultural Inspector/Auditor who issues a Document of Application of Provisional Remedy of Suspension of Sale.

3.12. The Document of Application of the Provisional Remedy of Suspension of Sale shall be drafted in 2 (two) copies, in the name of the natural person responsible for the importing company or his/her legal representative, in a specific template.

3.13. When the technical service of the SFA of the destination state in Brazil has finalized its inspection process, it must notify the Vigiagro Unit of origin of its final opinion, in order to conclude the import process;

3.14. In accordance with specific legislation, the test results provided by foreign laboratories recognized by MAPA may be used for issuing the Certificate of Classification:

- a) at any moment, MAPA may ask the official MAPA laboratory network to perform testing to verify the test results presented by the foreign laboratories; and
- b) if there should be a discrepancy between the results given by the foreign laboratory and those of the official MAPA network, the domestic result shall prevail.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification when applicable;
- c) Document of Application of the Provisional Remedy of Suspension of Sale, if applicable; and
- d) Imported Product Classification Certificate, when applicable.

5. Related legislation and regulatory acts:

- a) Decree-law no. 1,899, enacted 21 November, 1981;
- b) Law no. 9,972, enacted 25 May, 2000;
- c) Decree no. 6,268 enacted 22 November, 2007.
- d) Inter-Ministry Ordinance no. 531, dated 13 December, 1994; and
- e) Technical Regulations that approve the Official Standards for Classification of Plant Products

## APPENDIX XLV - THE IMPORT OF ORGANIC PRODUCTS

### 1. General Remarks:

The sale of organic products in Brazil is subject to Brazilian standards, and imported or domestic products, when produced according to different standards, are not automatically recognized. Thus, products deemed to be biological, organic, natural, agricultural-ecological, ecological, or bearing some other similar form of expression and certified by non-MAPA-accredited entities, may not be sold in Brazil as organic.

In order to be sold as organic products, the latter must be certified by MAPA-accredited bodies, or come from a country that has an equivalency agreement with Brazil, or mutual recognition of organic compliance assessment systems.

The import of organic products will only be authorized if the product is guaranteed by a MAPA-accredited "OAC" (*Organic Compliance Evaluation Organization*) proven by a commercial transaction declaration, and by bearing a seal applied by the Brazilian Organic Compliance Evaluation System.

### 2. Documents required:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Declaration of Commercial Transaction;
- c) Copy of the Bill of Lading or Cargo Manifest; and
- d) Commercial Invoice.

### 3. Procedures:

- a) Document Check;
- b) inspection and verification of the presence of the SisOrg stamp (Brazilian Organic Compliance Evaluation System) on the labeling of the final or finished product;
- c) meeting the demands and procedures laid down in specific Appendices by type of product allowed in the present Normative Instruction;
- d) if phytosanitary treatment has been carried out, the imported product will no longer be deemed organic, and its labeling must be altered; and
- e) the Brazilian Registry of Organic Products, available on the MAPA web page, must be consulted, in order to check certified producers and accredited OACs.

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Notification of Agricultural Inspection (NFA), when applicable.

### 5. Related legislation and other regulatory acts:

- a) Law no. 10,831, enacted 23 December, 2003;
- b) Decree no. 6,871, enacted 27 December, 2007; and
- c) MAPA Normative Instruction no. 19, dated 28 May, 2009.





## APPENDIX XLVI - IMPORT OF ANIMALS

Version 2 - IN NO.12/2018

### 1. General Remarks:

Animal health activities within the scope of International Agricultural Surveillance encompass all actions taken to prevent the entry of disease to a given animal population, involving safeguarding it against the introduction of an exotic disease.

Generally speaking, animal health systems set up "sanitary barriers" at points of entry as a strategy to prevent the introduction of exotic or cross-border diseases.

Live animals may only be imported through ports, airports and border posts with a Vigiagro Unit set up and the suitable minimum infrastructure to receive, inspect, identify, intervene and temporarily hold them while customs clearance is processed, in accordance with the species and number of individual animals being imported.

By reason of the nature of the sanitary risk, customs transit for the import of animals may not be adopted and the inspection of animals must compulsorily be carried out at points of entry (ports, airports and borders) so as to avoid the introduction of diseases.

### 2. Requirements:

#### 2.1. Pets (cats and dogs) without a commercial purpose:

- a) Travelers' Baggage Declaration (Portuguese acronym: e-DBV), for travel with accompanied baggage, or;
- b) Natural Persons' Agricultural Movement Declaration (Portuguese acronym: DAT-PF), for travel with unaccompanied baggage or cargo;
- c) International Veterinary Certificate, or Passport for the Travel of Cats and Dogs, duly stamped by the Official Veterinary Service of the exporting country;
- d) Bill of lading or cargo manifest, when applicable (unaccompanied baggage or cargo); and
- e) Power of attorney, when applicable, and at the discretion of the sanitary authority.

#### 2.2. Pets (others) without a commercial purpose:

- a) Import Authorization by the competent technical sector of the Federal Superintendency of Agriculture, Livestock and Food Supply, for the animals' state of destination (Portuguese acronym: SFA-UF), with the sanitary requirements;

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- b) Travelers' Baggage Declaration (Portuguese acronym: e-DBV), for travel with accompanied baggage, or;
- c) Natural Persons' Agricultural Movement Declaration (Portuguese acronym: DAT-PF), for travel with unaccompanied baggage or cargo;
- d) International Veterinary Certificate duly stamped by the Official Veterinary Service of the exporting country, in accordance with the Importation Authorization;
- e) Bill of lading or cargo manifest, when applicable (unaccompanied baggage or cargo); and
- f) Power of attorney, when applicable, and at the discretion of the sanitary authority.

### 2.3. Animals for commercial purposes:

- a) Import Authorization by the competent technical sector of the Federal Superintendency of Agriculture, Livestock and Food Supply, for the animals' state of destination (Portuguese acronym: SFA-UF), with the sanitary requirements;
- b) Animal Husbandry Certification by the competent technical sector of the State-Level Agriculture Secretariat, for the animals' state of destination, with the sanitary requirements;
- c) advance notification of the arrival and unloading of the animals;
- d) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- e) Import License (IL) with authorized embarkation. Cats and dogs are exempt from advance embarkation authorization;
- f) International Veterinary Certificate duly stamped by the Official Veterinary Service of the exporting country, in accordance with the Importation Authorization;
- g) Bill of lading or cargo manifest; and
- h) supplementary documentation if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. Invoice, laboratory test certificates, packing list).

### 3. Procedures:

#### 3.1. Document Check.

#### 3.2. Animals not for commercial purposes:

- a) check whether the information demanded has been keyed into the electronic system by the interested party (except for natural persons), as required by the standard in force;
- b) check whether the sanitary documentation (CVI and/or passport) that is presented, meets

sanitary requirements in force; and

c) verify the correlations between the documents presented.

### 3.3. Animals for commercial purposes:

a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by standards in force;

b) check whether loading, as given on the Import License (Portuguese acronym: LI) has been authorized by the competent technical sector;

c) check whether the sanitary documentation (Portuguese acronym: CVI) presented meets the sanitary requirements determined by the Import Authorization; and

d) verify the correlations between the documents presented.

### 3.4. Physical check:

a) check the characteristics/identification of the animals as presented in the documentation; and

b) evaluate the sanitary condition of the animal(s).

### 3.5. Sample taking:

When laboratory tests are needed and/or demanded by the standards in force, the sample will be taken under the supervision of the Vigiagro Unit and sent to an accredited or official laboratory of the National Network of Animal and Plant Laboratories at the expense of the importer.

### 3.6. Destination of the animals:

a) when cats and dogs are in transit to other states of Brazil, they will be authorized to continue transit along with a Sanitary Note issued by Vigiagro;

b) when there is a need for official quarantine, the load will be duly sealed at point of entry by the Vigiagro Unit; and

c) in other cases, quarantine will be carried out as determined by the Import Authorization.

### 3.7. Notification of non-compliances:

An Agricultural Enforcement Notification (NFA) will be issued if non-compliances are found that are amenable to correction, and the exporter or its legal representative will be notified electronically. The NFA will describe the non-compliance that has been identified and give the legal basis.

### 3.8. Non-compliances in the import of pets (Cats and dogs):

- a) in cases where animals have no sanitary documentation, import shall be denied, and such animals must return to origin; and
- b) in cases of errors, lacking information, and/or non-compliance with sanitary requirements in the documentation presented, the animal may be sent to domestic quarantine, at the discretion of the Federal Agricultural Inspector/Auditor. Such quarantine must be supervised by a veterinarian hired at the expense of the importer in order to meet the sanitary requirements. In these cases, the privately-hired Veterinarian will issue a document assuming sanitary liability for the animal.

### 3.9. Non-compliances in the import of other animals:

- a) in cases where animals have no sanitary documentation, import shall be denied, and such animals must return to origin;
- b) if errors, missing information, and/or non-compliance with sanitary requirements are found in the documentation that is presented, that are amenable to correction, an NFA will be issued ordering the importer to present such corrections within the shortest possible space of time, so as to provide animal welfare; and
- c) the animals may be approved after the requirements have been met, or returned to origin, or even euthanized, depending on the severity of the non-compliance that is found.

3.10. If animals are found to have clinical signs of disease, import will be denied, and their return to origin will be mandatory, or they will be euthanized at the discretion of the competent Technical Department (DSA).

3.11. If animals have died during transportation, their disposition will be assessed by the competent Technical Department (DSA).

3.12. Cases not covered herein must be communicated to CGVigiagro and to the competent Technical Department (DSA) for definition of the applicable measures.

### 4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification when applicable;
- c) Movement Note for Cats and Dogs; and
- d) Animal Movement Permit (GTA).

### 5. Related legislation and other regulatory acts:

- a) Decree no. 24,548, enacted 3 July, 1934;
- b) Decree no. 5,741, enacted 30 March 2006;

- c) Decree no. 7,140, enacted 29 March, 2010;
- d) MAPA Normative Instruction no. 1, dated 14 January, 2004;
- e) MAPA Normative Instruction no. 61, dated 30 August, 2004;
- f) MAPA Normative Instruction no. 80, dated 11 November, 2004;
- g) MAPA Normative Instruction no. 9, dated 28 March, 2008;
- h) MAPA Normative Instruction no. 10, dated 28 March, 2008;
- i) MAPA Normative Instruction no. 14, dated 2 April, 2008;
- j) MAPA Normative Instruction no. 4, dated 7 February, 2013;
- k) MAPA Normative Instruction no. 5, dated Thursday, February 7, 2013;
- l) MAPA Normative Instruction no. 21, dated 20 June, 2013;
- m) MAPA Normative Instruction no. 54, dated 18 November, 2013;
- n) SDA/MAPA Normative Instruction no. 17, dated 10 April, 2003; and
- o) SDA/MAPA Normative Instruction no.17, dated 3 August, 2010.
- p) MAPA Normative Instruction no. 1, dated 28 November, 2014;
- q) Normative Instruction no. 14, dated 10 May, 2016;
- r) MAPA Normative Instruction no. 17, dated 11 May, 2016;
- s) Normative Instruction no. 9, dated 3 April, 2017.

## APPENDIX XLVII - IMPORT OF ANIMAL REPRODUCTION MATERIALS

### 1. General Remarks:

1.1. Animal health activities within the scope of International Agricultural Surveillance encompass all actions taken to prevent the entry of disease to a given animal population, involving safeguarding it against the introduction of an exotic disease.

1.2. Generally speaking, animal health systems set up "sanitary barriers" at points of entry as a strategy to prevent the introduction of exotic or cross-border diseases.

1.3. Animal reproduction material may only be imported through ports, airports and border posts that have a Vigiagro Unit set up and the suitable minimum infrastructure to receive, inspect, identify, intervene and temporarily hold the materials while customs clearance is processed, in accordance with the species and amount of merchandise being exported.

1.4. Owing to the nature of the sanitary risk, the customs transit for import of these products may be adopted at the discretion of the competent Technical Department of the Secretariat of Animal and Plant Health.

1.5. Animal breeding materials may not be imported through express remittance.

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Import Authorization by the competent technical sector of the Federal Superintendency of Agriculture, Livestock and Food Supply, for the State of destination for the material (Portuguese acronym: SFA-UF), with the sanitary requirements;
- c) Animal Husbandry certification by the competent technical sector of SFA-UF authorizing the import, when demanded by the standards in force;
- d) prior notification of the arrival and unloading of the material;
- e) Import License (IL) with authorized embarkation;
- f) International Veterinary Certificate duly stamped by the Official Veterinary Service, in accordance with the Importation Authorization;
- g) Bill of lading or cargo manifest; and
- h) supplementary documentation if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. Invoice, laboratory test certificates, packing list).

### 3. Procedures:

#### 3.1. Document Check:

- a) check whether the information demanded has been correctly keyed in by the interested party;
- b) check whether loading, as given on the Import License (Portuguese acronym: LI) has been

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authorized by the competent technical sector;

c) check whether the sanitary documentation (Portuguese acronym: CVI) presented meets the sanitary requirements determined by the Import Authorization; and

d) verify the correlations between the documents presented.

3.2. Check and Inspection:

- a) check the characteristics/identification of the material as presented in the documentation; and
- b) check the physical conditions of the vehicle (when appropriate), the loading of the packaging, official seals (when existing) and sanitary condition of the material.

3.3. Sample taking:

- a) when laboratory tests are needed and/or demanded by the standards in force, the sample will be taken under the supervision of the Vigiagro Unit and sent to an accredited or official laboratory of the National Network of Animal and Plant Laboratories at the expense of the importer.

3.4. Production destination:

- a) the disposition of the merchandise will be in accordance with the Import Authorization.

3.5. Impossibility of special customs and transportation regimes:

- a) merchandise may not be imported where there is no guarantee of suitable sanitary packing (e.g. fertile eggs and day-old chicks) for the Customs Transit modality. Other cases will be assessed by the competent Technical Department of the Secretariat of Animal and Plant Health.

3.6. If animals are found to have clinical signs of disease, import will be denied, and their return to origin will be mandatory, or they will be euthanized at the discretion of the of Animal Health).

3.7. If it is found that there are no guarantees of tamper-proofing, cited on the Sanitary Certificate and of loss of suitable packing (e.g. thawing of the product) the merchandise will compulsorily be returned to origin.

3.8. Cases not covered herein must be communicated to the General Coordination of the International Agricultural Surveillance System - Vigiagro - CGVigiagro - and to the Department of Animal Health for definition of the applicable measures.

4. Documents issued:

- a) Inspection report in computerized system(s);
- b) Federal Agricultural Notification, when applicable; and
- c) Animal Movement Permit (GTA), when applicable;

5. Related legislation and other regulatory acts:

- a) Decree no. 24,548, enacted 3 July, 1934;
- b) Decree no. 187, enacted 9 August, 1991;
- c) Decree no. 5,741, enacted 30 March 2006;
- d) Ordinance (*Portaria*) no. 327, dated 10 August. 1970;
- e) MAPA Normative Instruction no. 1, dated 14 January, 2004;
- f) MAPA Normative Instruction no. 46, dated 2 September, 2008;
- g) MAPA Normative Instruction No. 1, dated 29 December, 2009; and
- h) MAPA Normative Instruction no. 1, dated 28 November, 2014.



## APPENDIX XLVIII - IMPORT OF ANIMAL RESEARCH MATERIALS

### 1. General Remarks:

Research materials may be exempted from Import Authorizations and/or the Sanitary Certificate of Origin, in accordance with criteria laid down in specific Technical Standards and assessment by the competent technical sector, in accordance with the sanitary risk and origin of the merchandise.

#### 1.1. The following products are deemed materials of negligible risk:

- a) animal biological materials, preserved or fixed at some stage of their processing in formaldehyde at a minimum concentration of 10% (ten per cent), or in alcohol at a minimum concentration of 70% (seventy per cent) or in glutaraldehyde at a minimum concentration of 2% (two per cent);
- b) synthetic or natural nucleic acids, that are not obtained from genetically modified organisms or by recombination processes, that are purified, and obtained from animals; and veterinary substances without a biological activity, that are non-toxic and not inoculated in animals or in veterinary agents;
- c) histological slides and paraffin blocks containing material for histological slices;
- d) culture media and ingredients for laboratory use, not containing blood products or materials from ruminants in their composition, except for those deemed free of risk for Bovine Spongiform Encephalopathy (BSE);
- e) antigens, antibodies and other purified animal peptides and proteins;
- f) enzymes and other purified microbial proteins; and
- g) inactivated veterinary agents.

#### 1.2. The following products are deemed materials of negligible risk when sent to the LANAGRO network:

- a) analytical standards of a drug or active veterinary substance, metals, and other organic and inorganic substances not deemed to be toxins or plant protection products and the like, where the quantity per substance does not exceed 100 (one hundred) grams;
- b) analytical standards of agricultural chemicals and the like where the quantity of the substance does not exceed 20 (twenty) grams;
- c) reagents and solvents;
- d) certified reference materials, except for veterinary agents categorized as being of significant sanitary risk;
- e) proficiency testing samples, except for veterinary agents categorized as being of significant sanitary risk; and
- f) samples of animal material, except for those categorized as being of significant sanitary risk.

#### 1.3. The following are deemed to be materials of negligible risk:

- a) animal biological materials, not preserved or fixed at some stage of their processing in formaldehyde at a minimum concentration of 10% (ten per cent), or in alcohol at a minimum concentration of 70% (seventy per cent) or in glutaraldehyde at a minimum concentration of 2% (two per cent);
- b) non-purified, non-recombinant nucleic acids with biological activity, or toxic nucleic acids or nucleic acids inoculated in animals or in veterinary agents;

- c) antigens, antibodies and other purified animal peptides and proteins;
- d) enzymes and other non-purified microbial proteins;
- e) inactivated veterinary agents;
- f) plasmids and phages; and
- g) cell lines and animal tissues.

1.4. Materials not cited in the items above possess a risk classification.

1.5. Taking into consideration the sanitary risk, customs transit is banned for research materials.

## 2. Requirements:

2.1. Negligible risk materials or those intended for sending to the National Network of Animal and Plant Laboratories:

- a) prior notification of the arrival and unloading of the material;
- b) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- c) Import License - IL, when applicable;
- d) original copy of the Declaration of Origin issued by the officer responsible for the institution from which the material comes;
- e) Authorization by Brazil's National Technical Biosecurity Commission - CTNBio/CIBio if the merchandise is made up of genetically modified organisms - GMOs;
- f) Bill of lading or cargo manifest, when applicable; and
- g) supplementary documentation if necessary to match the merchandise to the health certification; this must be in electronic form (e.g. Declaration of Composition, processing, intended use and purpose; invoice, laboratory test certificates, packing list).

2.2. Significant risk and unclassified risk materials:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Import Authorization by the competent technical sector of the Federal Superintendency of Agriculture, Livestock and Food Supply, for the State of destination for the material (Portuguese acronym: SFA-UF), with the sanitary requirements;
- c) Import License - IL, when applicable, with advance import authorization;
- d) original copy of the Declaration of Origin issued by the officer responsible for the institution from which the material comes;
- e) original International Sanitary Certificate (CSI) issued by the Official Veterinary Service of the Country of Origin, complying with the sanitary requirements, as described in the advance authorization for import, when applicable;
- f) authorization by Brazil's National Technical Biosecurity Commission - CTNBio/CIBio if the merchandise is made up of genetically modified organisms - GMOs;
- g) Bill of lading or cargo manifest, when applicable; and
- h) supplementary documentation if necessary to match the merchandise to the health certification; this must be in electronic form (e.g. Declaration of Composition, processing, intended use and purpose; invoice, laboratory test certificates, packing list).

## 3. Procedures:

3.1. Document Check:

- a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by standards in force;

- b) check whether loading, as given on the Import License (LI) has been authorized by the competent technical sector, when applicable;
- c) check whether the sanitary documentation (Portuguese acronym: DO or CSI) that is presented meets the sanitary requirements determined by the Import Authorization; and
- d) verify the correlations between the documents presented.

3.2. Physical check:

- a) check the characteristics or identification of the material as presented in the documentation; and
- b) assess the physical condition of the outer and inner packaging.

3.3. Impossibility of special customs and transportation regimes:

The import of merchandise for the Customs Transit modality is forbidden.

3.4. Notification of non-compliances:

The Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances amenable to correction are found, and these will be sent electronically to the importer and legal representative; the NFA will describe the non-compliance that has been identified and give the legal basis.

4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

5. Related legislation and other regulatory acts:

- a) Law no. 11,105, enacted 24 March, 2005;
- b) Decree no. 24,548, enacted 3 July, 1934;
- c) MAPA/MPA Inter-Ministry Normative Instruction no. 32, dated 16 August, 2013; and
- d) CTNBio Normative Instruction no.13, dated 1 July, 1998.



## APPENDIX XLIX - IMPORT OF ANIMAL PRODUCTS

### 1. General Remarks:

1.1. Import inspection for edible and inedible animal products will be based upon import licensing with loading authorized by the competent technical sector.

1.2. Samples without commercial value of animal products will be subject to import licensing with loading authorized by the competent technical sector.

1.3. Animal products not subject to advance authorization by MAPA are exempt from inspection at the point of entry or of shipping.

1.4. Animal products subject to advance authorization by MAPA must be certified by the competent authority of the exporting countries and meet agreed requirements and demands.

1.5. Inspection and sampling of animal products will comply with inspection and risk-management criteria in accordance with guidelines and programs established by the technical departments.

1.6. Warehousing costs of merchandise at points of entry or of shipping, and the cost of sending samples will be borne by the importer.

1.7. At land ports and borders, transshipment and sampling of imported chilled and frozen products will be authorized only in facilities with an installed Vigiagro Unit and with suitable infrastructure for maintaining the cold chain.

1.8. At airports and special customs facilities, the clearance of imported chilled and frozen products will be authorized only in facilities with an installed Vigiagro Unit and with suitable infrastructure for maintaining the cold chain.

### 2. Requirements:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Import License (IL) with authorized embarkation;
- c) original International Health Certificate (CSI);
- d) Bill of Lading; and
- e) supplementary documentation if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. invoice, laboratory test certificates, packing list).

### 3. Procedures:

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#### 3.1. Document Check:

- a) check whether the documentation demanded has been keyed in by the interested party to a computerized system as laid down by the current standard;
- b) check whether loading on the Import License (LI) has been authorized by the competent technical sector;
- c) check whether the agricultural movement declaration matches the International Sanitary Certification that has been issued; and
- d) check whether the sanitary certification presented complies with the established sanitary requirements and demands.

### 3.2. Physical check:

- a) check whether the bill of lading and the cargo match;
- b) check the integrity of the seals placed at origin, when mentioned on the sanitary certificates;
- c) check whether the merchandise matches the international health certificate, taking into consideration the nature of the products, quantity of volumes/weight, labeling; and
- d) check conditions of preservation and packing, and the integrity - including the temperature - of the products.

### 3.3. sample-taking and laboratory tests:

- a) when laboratory tests are needed to meet the demands of guidelines and programs established by technical departments, the sample will be taken by the Vigiagro Unit and sent to an accredited or official laboratory of the National Network of Animal and Plant Laboratories at the expense of the importer;
- b) when guidelines or programs have a Compliance Program as their focus, cargoes that are sampled will be held at the point of entry or of shipping. The Vigiagro Unit must register the Import License in the position marked "Pending" until the test result and record the reason in the "New Diagnosis Text";
- c) when cargoes from foreign companies in the Import Alert Regime are sampled, the cargoes will be held at the point of entry. The Vigiagro Unit in such cases must register the Import License in the position marked "Pending" until the test result and record the following information in the "New Diagnosis Text": "Regime of Import Alert - Awaiting laboratory test result"; and
- d) CGAL must notify the Vigiagro Unit and DIPOA of the test results immediately.

### 3.4. Destination of the cargoes:

#### 3.4.1. In cases where sample taking is not demanded at the point of entry:

- a) if the physical and document-related inspection of the cargo is in conformity, the Vigiagro Unit may authorize the merchandise to be brought into the country by entering the opinions into the official systems, in accordance with the standard in force;
- b) if a physical or document-related non-compliance is found that is amenable to correction, the Vigiagro Unit will issue an NFA laying down a deadline of up to 15 (fifteen) days that can be extended once for an equal period of time, for correction to be made;
- c) if a physical or document non-compliance is found that is not amenable to correction, or where an NFA is not complied with within notified deadlines, the Vigiagro Unit must ban the nationalization of merchandise by keying in its opinions into the official systems, in accordance with the standard in force; and
- d) any importer importing merchandise without authorization must return it within 30 (thirty) days of notification of the non-authorization.

#### 3.5. In cases where sample taking is demanded at the point of entry:

- a) if the physical and document-related inspection of the cargo is compliant, and if sampling is done for a program other than one focused on public health, the merchandise may be authorized to be brought into Brazil by entering the opinions into the official systems, in accordance with the standard in force;
- b) if a physical or document non-compliance is found in a cargo, and this is sampled for a program focusing on public health, or it is a company subject to the Import Alert Regime, the cargo must be held until the laboratory test result comes in;
- c) if the laboratory test result is compliant, the merchandise may be authorized to be brought into Brazil by entering the opinions into the official systems, in accordance with the standard in force;

- d) if the laboratory test result is non-compliant, the entry of the merchandise into Brazil will be banned by keying the opinions into the official systems, in accordance with the standard in force; and
- e) any importer importing merchandise without authorization must return it within 30 (thirty) days of notification of the non-authorization.

#### 3.6. Special customs and transit regimes:

Customs transit must be registered on the International Plant and Animal Movement Declaration specifying the point of entry and the location of shipping, and customs transit will not be granted for merchandise coming from foreign companies that are subject to the Import Alert Regime.

#### 3.7. Notification of non-compliances:

- a) the Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances amenable to correction are found, and these will be sent electronically to the importer and legal representative; the NFA will describe the non-compliance that has been identified and give the legal basis; and
- b) the denial of imports must be registered on the Import License, giving the reasons for denial in the field entitled TEXTO DIAGNÓSTICO NOVO (*New Diagnostic Text*).

#### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

#### 5. Related legislation and regulatory acts:

- a) Law no. 1,283, enacted 18 December, 1950;
- b) Law no. 12,715, enacted 17 September, 2012;
- c) Decree no. 24,548, enacted 3 July, 1934;
- d) Decree no. 30,691, enacted 29 March, 1952;
- e) Decree no. 5,741, enacted 30 March 2006;
- f) MAPA Ordinance no.183, dated 9 October, 1998; and
- g) SDA Internal Standard no. 1, dated 2 August, 2016.

## APPENDIX L - IMPORT OF VETERINARY PRODUCTS/BIOLOGICAL PRODUCTS

### 1. General Remarks:

1.1. Veterinary products in accordance with the standard in force will be inspected by Vigiaagro Units at points of entry or of shipping, assessing whether the following supplementary documents are necessary—advance loading authorization from the competent technical sector of SFA/UF on the Import License (IL), registration of the product in MAPA, and the establishment license in MAPA.

1.2. Veterinary products will be inspected at import to guarantee safety and traceability when they are sold in Brazil.

1.3. The following products will be exempt from advance embarkation authorization:

- a) duly licensed or registered products;
- b) products exempt from mandatory registration; and
- c) pharmaceutical chemicals for use exclusively by veterinary product manufacturers.

1.4. Advance embarkation authorization will be mandatory for:

- a) semi-finished veterinary products;
- b) specially controlled substances for veterinary use;
- c) pharmaceutical chemicals intended for the manufacture of a pilot batch;
- d) pharmaceutical chemicals intended for importers for sale to veterinary product manufacturers;
- e) veterinary products intended exclusively for an official entity or a private entity for research purposes, and scientific experimentation, official programs, and laboratory tests;
- f) veterinary products imported by a natural person; and
- g) biological material, infectious agents, or seeds for cell cultures intended for experimentation, the manufacture of a pilot batch, or biological veterinary products.

1.5. In accordance with the sanitary risk, customs transit for the import of veterinary products may or may not be adopted.

### 2. Requirements:

2.1. Veterinary products exempt from advance embarkation authorization:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Import License (Portuguese acronym: LI);
- c) Registration or Listing of the product, when applicable;
- d) Establishment License;
- e) Bill of lading or cargo manifest; and
- f) supplementary documentation if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. Invoice, laboratory test certificates, packing list).



## 2.2. Veterinary products with advance embarkation authorization:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Import License - IL with embarkation authorized by the Technical Department (CPV/DFIP);
- c) International Health Certificate (CSI), when indicated in the import permit;
- d) Registration or Listing of the product, when applicable;
- e) Establishment License, when applicable;
- f) Bill of lading or cargo manifest; and
- g) supplementary documentation if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. Invoice, laboratory test certificates, packing list).

## 2.3. Veterinary products imported by a natural person:

- a) Travelers' Baggage Declaration (Portuguese acronym: e-DBV), for travel with accompanied baggage; and
- b) Authorization of Import issued electronically by the competent technical sector of SFA-UF;

## 3. Procedures:

### 3.1. Document Check:

- a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by standards in force;
- b) check whether loading on the Import License (LI) has been authorized by the competent technical sector, when applicable;
- c) check whether the sanitary documentation (CSI) that has been presented meets the sanitary requirements in force, when applicable; and
- d) verify the correlations between the documents presented.

### 3.2. Physical check:

- a) check the characteristics / identification / labeling of the merchandise as presented in the documentation; and
- b) check the physical condition and packing of the packaging / wrappings.

### 3.3. Sample taking:

When laboratory tests are ordered by the competent technical sectors or demanded by the standards in force, the sample will be taken under the supervision of the Vigiagro Unit and sent to an accredited or official laboratory of the National Network of Animal and Plant Laboratories at the expense of the importer.

### 3.4. Destination of the cargoes:

#### 3.4.1. In cases where sample taking is not demanded at the point of ingress or of shipping:

- a) if the physical and document-related inspection of the cargo is in compliance, the Vigiagro Unit may authorize the merchandise to be brought into the country by entering the opinions into the official systems, in accordance with the standard in force;
- b) if a physical or document non-compliance is found that is amenable to correction, the Vigiagro Unit will issue an NFA laying down a deadline of up to 15 (fifteen) days that can be extended once

for an equal period of time, for correction to be made; and

c) if a physical or document non-compliance is found that is not amenable to correction, or where an NFA is not complied with within notified deadlines, the Vigiagro Unit must ban the nationalization of merchandise by keying in its opinions into the official systems, in accordance with the standard in force.

3.4.2. In cases where sample taking is not demanded at the point of ingress or of shipping, the procedures laid down in the standard in force must be followed:

3.5. Any importer importing merchandise without authorization must return it within 30 (thirty) days of notification of the agricultural non-authorization.

3.6. At the discretion of the Department of Inspection of Livestock Imports (Portuguese acronym: DFIP) the import of merchandise in the customs transit modality may be forbidden when so determined on the Import Authorization.

3.7. The Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances amenable to correction are found, and these will be sent electronically to the importer and legal representative; the NFA will describe the non-compliance that has been identified and give the legal basis.

4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

5. Related legislation and other regulatory acts:

- a) Law no. 12,715, enacted 17 September, 2012;
- b) Decree-Law No. 467, enacted 13 February, 1969;
- c) Decree no. 5,053, enacted 22 April, 2004;
- d) Decree no. 5,741, enacted 30 March, 2006; and
- e) Normative Instruction no. 29, dated 14 September, 2010.

## APPENDIX LI - IMPORT OF ANIMAL FEED PRODUCTS

### 1. General Remarks:

Animal feed products, in accordance with the standard in force, will be inspected by the Vigiagro Units at the points of entry or shipping, and supplementary documentation such as the registration of the product in MAPA, and registration of the establishment in MAPA.

This merchandise will be inspected at import to guarantee safety and traceability when it is sold in Brazil.

In accordance with the standards in force, animal feed products must undergo sanitary and phytosanitary risk analysis at the point of entry or at the point of shipping, in accordance with guidance from the responsible technical sectors.

### 2. Requirements:

#### 2.1. Animal feed products for commercial purposes:

- a) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- b) Import License (Portuguese acronym: LI);
- c) Opinion issued by the competent technical sector of SFA-UF concerning sanitary or phytosanitary requirements, when applicable;
- d) International Sanitary Certificate or International Phytosanitary Certificate, when applicable;
- e) Registration or Listing of the product, when applicable;
- f) Establishment Registration;
- g) Bill of lading or cargo manifest; and
- h) supplementary documentation, if necessary, to match the merchandise with the health certification; this must be in electronic form (e.g. Invoice, laboratory test certificates, packing list).

#### 2.2. Animal feed products imported by a natural person or for laboratory research or sampling:

- a) Travelers' Baggage Declaration (Portuguese acronym: e-DBV), for travel with accompanied baggage;
- b) Natural Persons' International Agricultural Movement Declaration (Portuguese acronym: DAT-PF), for travel with unaccompanied baggage or cargo;
- c) Import Authorization issued electronically by the competent technical sector of SFA-UF; and
- d) supplementary documentation if necessary to match the merchandise with the information declared (e.g. Bill of lading, invoice, laboratory test certificates, packing list).

### 3. Procedures:

#### 3.1. Document Check:

- a) check whether the information demanded has been keyed into the electronic system by the interested party (except for natural persons), as required by the standard in force;
- b) evaluate the sanitary and phytosanitary documentation presented, when applicable; and
- c) verify the correlations between the documents presented.

#### 3.2. Physical check:

- a) check the identity and traceability characteristics of the merchandise, as given in the documentation and the Standard in force; and
- b) check the physical condition and packing of the packaging or wrappings;

### 3.3. Sample taking:

When laboratory tests are ordered by the competent technical sectors or demanded by the standards in force, the sample will be taken under the supervision of the Vigiagro Unit and sent to an accredited or official laboratory of the National Network of Animal and Plant Laboratories (LANAGRO) at the expense of the importer.

### 3.4. Destination of the cargoes:

#### 3.4.1. In cases where sample taking is not demanded at the point of ingress or of shipping:

a) if the physical and document-related inspection of the cargo is in conformity, the Vigiagro Unit may authorize the merchandise to be brought into the country by entering the opinions into the official systems, in accordance with the standard in force;

b) if a physical or document non-compliance is found that is amenable to correction, the Vigiagro Unit will issue an NFA laying down a deadline of up to 15 (fifteen) days that can be extended once for an equal period of time, for correction to be made; and

c) if a physical or document non-compliance is found that is not amenable to correction, or where an NFA is not complied with within notified deadlines, the Vigiagro Unit must ban the nationalization of merchandise by keying in its opinions into the official systems, in accordance with the standard in force;

3.4.2. In cases where sample taking is not demanded at the point of entry or of shipping, the procedures laid down in the standard in force must be followed:

3.5. Any importer importing merchandise without authorization must return it within 30 (thirty) days of acknowledgment of the agricultural non-authorization.

3.6. The Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances amenable to correction are found, and these will be sent electronically to the importer and legal representative; the NFA will describe the non-compliance that has been identified and give the legal basis.

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

### 5. Related legislation and other regulatory acts:

- a) Law no. 6,198, enacted 26 December, 1974;
- b) Decree no. 7,045, enacted 22 December, 2009;
- c) Decree no. 30,691, enacted 11 December, 2007;
- d) MAPA Normative Instruction no. 15, dated 26 May, 2009;
- e) MAPA Normative Instruction no. 30, dated 5 August, 2009;
- f) MAPA Normative Instruction no. 29, dated 14 September, 2010;
- g) MAPA Normative Instruction No. 42, dated 16 December, 2010; and
- h) MAPA Normative Instruction no. 38, dated 27 October, 2015;

## APPENDIX LII - IMPORT OF HUNTING TROPHIES AND TAXIDERMY

### 1. General Remarks:

Owing to the nature of the sanitary risk, the customs transit for import of these products may be adopted at the discretion of the Department of Animal Health.

### 2. Requirements:

- a) prior notification of the arrival and unloading of the material;
- b) International Plant and Animal Movement Declaration (Portuguese acronym: DAT);
- c) Import Authorization by the competent technical sector of the Federal Superintendency of Agriculture, Livestock and Food Supply, for the State of destination for the material (Portuguese acronym: SFA-UF), with the sanitary requirements;
- d) International Veterinary Certificate duly stamped by the Official Veterinary Service, in accordance with the Importation Authorization;
- e) Import License - IL with authorized embarkation, when applicable;
- f) Bill of lading or cargo manifest; and
- g) supplementary documentation if necessary to match the merchandise with the health certification; this must be in electronic form (e.g. Invoice, taxidermy certificate, packing list).

### 3. Procedures:

#### 3.1. Document Check:

- a) check whether the information demanded has been keyed into the electronic system by the interested party, as required by standards in force;
- b) check whether loading, as given on the Import License (Portuguese acronym: LI) has been authorized by the competent technical sector;
- c) check whether the sanitary documentation (Portuguese acronym: CSI) presented meets the sanitary requirements determined by the Import Authorization; and
- d) verify the correlations between the documents presented.

#### 3.2. Physical check:

- a) check the characteristics / identification of the material as presented in the documentation; and
- b) evaluate the sanitary condition of the material.

#### 3.3. Notification of non-compliances:

- a) the Notification of Agricultural Inspection (Portuguese acronym: NFA) will be issued if non-compliances amenable to correction are found, and these will be sent electronically to the importer and legal representative; the NFA will describe the non-compliance that has been identified and give the legal basis; and
- b) if a sanitary risk is found, import will be denied, and the merchandise must compulsorily be returned to origin or destroyed, at the discretion of the competent Technical Department (DSA).

### 4. Documents issued:

- a) Inspection report in computerized system(s); and
- b) Federal Agricultural Notification when applicable.

### 5. Related legislation and other regulatory acts:

- a) Decree no. 24,548, enacted 3 July, 1934; and
- b) Decree no. 5,741, enacted 30 March, 2006.



## **APPENDIX LIII - STANDARDIZED FORMS**

1. The forms cited in the present normative instruction will be available on the Ministry of Agriculture, Livestock and Food Supply web page at:  
<http://www.agricultura.gov.br/vigiagro/formularios>.





## APPENDIX LIV - THE BRAZILIAN AUTHORIZED ECONOMIC OPERATOR PROGRAM

(OEA-Agro Program)

General Remarks:

1. To set up within the Ministry of Agriculture, Livestock and Food Supply the program entitled Brazilian Authorized Economic Operator Program (OEA Program), a module that is supplementary to the “OEA-Integrado” Program, as defined in RFB Ordinance no. 2,384, dated 13 July, 2017, hereinafter denominated OEA-Agro Program.

2. An Authorized Economic Operator (Portuguese acronym: OEA) is deemed to be anyone intervening in foreign trade operations and involved in the international movement of merchandise of any nature, and who, by voluntarily complying with the safety criteria applied to the logistics chain or with fiscal and customs obligations, in accordance with the certification modality, and who proves compliance with the levels of conformity and reliability demanded by the OEA Program and is certified as laid down by RFB Normative Instruction no.1,598, dated 9 December, 2015.

3. An Authorized Economic Operator (OEA-Agro) is deemed to be an “intervening party” certified in the main certification module based on the OEA Program modalities established in RFB Normative Instruction no. 1,598 published in 2015, who voluntarily meets compliance criteria for animal and plant health, proves compliance with the levels of conformity and reliability demanded by the OEA- Agro Program and who is certified as laid down in this Appendix.

4. The OEA-Agro Program is voluntary, and non-adherence by intervening parties will not result in impediment or restriction on their regular foreign trade activities.

Objectives

5. The objectives of the OEA-Agro Program are:

to enable safe international trade in products of agricultural concern;

to simplify and ensure predictability, safety, agility and transparency in the import and export processes of products of agricultural concern;

to optimize the use of the human and financial resources of the Ministry of Agriculture, Livestock and Food Supply (MAPA) in inspecting and certifying merchandise of agricultural concern in international trade;

to promote joint trade facilitation actions between MAPA and other federal agencies in the movement of goods of agricultural concern.

Intervening parties:

6. The following parties intervening in international trade may be certified as OEA-Agro:

a) the exporter of the product of agricultural concern;

b) the importer of merchandise, goods and materials of agricultural concern, including wooden packaging and dunnage.

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Criteria for certification:

7. The OEA-Agro Program is structured around a single modality, and certification is granted in accordance with the type of operation carried out by the intervening party, the category of the product of agricultural concern, and the degree of compliance of the intervening party.

8. The OEA-Agro Program's Certification consists of an assessment of the management process adopted by the applicant to minimize existing risks in matters of interest to MAPA in foreign trade operations.

9. To obtain certification in the OEA-Agro Program compliance will be observed concerning:

admissibility requirements making the operator fit to take part in the program;

a) eligibility criteria indicating the reliability of the operator; and

b) criteria of compliance with animal and plant health.

10. Certification will be granted to the CNPJ (i.e. Corporate Taxpayer's Number) of the headquarters and may be extended to all establishments unless there is a restriction upon certification.

11. The applicant must appoint an employee to liaise with MAPA and an alternate, with access to a range of departments of the company, to be able to supply the necessary information during the certification process, as well as to handle requests presented after certification.

12. Apply for OEA-Agro certification as follows:

a) formal request for OEA-Agro Program certification by filling out the electronic form of the OEA Program;

b) meet the admissibility requirements as established in the present Appendix; and

c) fill out the Self-Assessment Questionnaire (Portuguese acronym: QAA) for checking the eligibility and compliance with Animal and Plant Health criteria.

Requirements for admissibility:

13. Applicants for OEA-Agro certification must meet the general admissibility requirements:

a) having had a track record of overseas trade operations in merchandise of agricultural concern for at least 24 (twenty-four) months;

b) having had no denials of requests for certification from the OEA-Agro Program in the last 24 (twenty-four) months;

c) being certified in the Internal Revenue Service of Brazil's own Authorized Economic Operator program;

d) that the foreign trade agent should possess a specific explanation note for the category of product of agricultural concern, in accordance with items 30 and 47 of the present Appendix.

14. Based on the information provided by the applicant and on other information obtained through

consultation of MAPA systems, and if admissibility requirements are met, then the eligibility criteria and criteria of conformity with plant and animal health as covered by the present Appendix, will be analyzed.

Eligibility criteria:

15. The eligibility criteria of the OEA-Agro Program are:

- a) a track record of compliance with agricultural legislation;
- b) the management of operational procedures for the control and monitoring of animal and plant health compliance criteria in import and export processes through MAPA, including records that enable the processes to be audited;
- c) the management of risks of concern to animal and plant health, in accordance with ISO 31000;
- d) a policy for selecting trading partners; and
- e) a human resources policy.

Criteria of compliance with animal and plant health:

16. The following are criteria of compliance with animal and plant health:

- a) identity;
- b) quality;
- c) animal health;
- d) plant health;
- e) traceability;
- f) tamper-proof containers; and
- g) compliance of documents and the respective description of merchandise, goods and materials of agricultural concern used in the registration of the International Plant and Animal Movement Declaration - DAT.

17. The criteria of compliance with animal and plant health will be established in detail for each category of product of agricultural concern.

Benefits:

18. Benefits will be granted to certified operators in the OEA-Agro Program, in the control and inspection activities carried out during operations of international trade and movement of goods of agricultural concern within the scope of the Vigiagro System.

19. Benefits will be granted in accordance with the type of operation carried out by the intervening party, the category of the product of agricultural concern, and the degree of compliance of the intervening party.

20. The benefits are:

- a) a larger number of DATs directed to simplified (green) and intermediate (yellow) levels of agricultural inspection, preferably through the computerized system;
- b) official analysis will be the priority for DAT's selected to go to the simplified (green) and intermediate (yellow) levels of agricultural inspection, preferably through the computerized system;
- c) priority in the issuing of international sanitary or phytosanitary certification at Vigiagro Units;
- d) exclusive help for issuing international sanitary or phytosanitary certification at Vigiagro Units or in the certification central;
- e) international sanitary or phytosanitary certification may be applied for remotely, outside the administrative unit, within the scope of Vigiagro activities;
- f) CGVigiagro will appoint an agent as the liaison officer with OEA-Agro companies; and
- g) CGVigiagro may grant other benefits beyond those laid down in the present Appendix.

Deadlines and Priorities:

21. The deadline for concluding the analysis of the application for certification will be up to:

- a) 30 (thirty) days for the analysis of admissibility requirements;
- b) 90 (ninety) days for the analysis of eligibility criteria and of criteria for compliance with animal and plant health as of the date of the decision in favor of the admissibility of the request.

22. If it is found that the applicant does not meet the admissibility requirements, (s)he will be advised to rectify the process.

23. The deadlines for rectification, for presenting clarification, or for additional documentation may, at the candidate's request, be extended.

24. Failure to meet the demand to rectify the process within the deadline defined by MAPA will entail the process being shelved.

25. During analysis of the eligibility criteria and the criteria of compliance with animal and plant health, clarifications or additional documentation may when necessary be asked for in order to evaluate the request.

26. The deadlines mentioned in item 21 of the present Appendix may be suspended until the candidate meets any demands made by CGVigiagro as per item 25.

27. If any failure to comply with the eligibility criteria and the criteria of compliance with animal and plant health are found, the request for certification will be denied.

28. If the request for certification is denied, the decision may, within 30 (thirty) days of acknowledgment of the denial, be appealed one time only to the General Coordinator of MAPA's International Agricultural Surveillance System Vigiagro.

#### Authorization:

29. Certification will be granted provisionally, with an indeterminate validity by means of an Executive Declaratory Act (Portuguese acronym: ADE) issued by the Head of the Decentralized Unit for International Agricultural Surveillance - Management of Special Programs (Portuguese acronym: UPRO/DOF/CGVIGIAGRO) and will be published in Brazil's Official Gazette (*Diário Oficial da União*—DOU).

30. This ADE will indicate the category of products of agricultural concern and the corporate tax payer numbers (CNPJs) of the foreign trade agent.

31. Certification may be accompanied by recommendations to enhance the degree of compliance.

32. There will be follow-up of compliance with the recommendations, and it will be taken into consideration for the purposes of reducing the scope and the level of inspection at periodic review of certification.

33. The granting of certification does not entail MAPA homologation of the information provided to underpin the request for certification.

34. After the ADE has been published, the OEA-Agro Certificate will be sent.

35. If the certified agent so authorizes, its participation in the OEA-Agro Program can be disseminated on the MAPA Internet page at: <http://www.agricultura.gov.br/assuntos/vigilancia-agropecuaria/oea-agro>.

#### Conditions for Continuing:

36. In order to remain within the OEA-Agro certification program, certified agents will be responsible for maintaining their compliance with the requirements and criteria needed to obtain certification, and with further provisions laid down in the present Appendix.

37. UPRO/DOF/CGVIGIAGRO must be notified of any incident occurring to jeopardize compliance with the requirements and criteria needed to maintain certification.

38. UPRO/DOF/CGVIGIAGRO must be consulted when any query arises as to the importance of the incidents referred to in item 37.

39. The finding of a non-compliance with conditions for remaining in the OEA-Agro Program may lead to exclusion of the certified agent.

40. UPRO/DOF/ CGVIGIAGRO will oversee the certified agent, which must keep its registration data up-to-date.

41. The exclusion of the certified operator from the main module of the OEA Program, at its request or by the operator, will entail exclusion from the OEA-Agro Program.

Review of Certification:

42. Companies certified as OEA-Agro will undergo review of certification every 3 (three) years.

43. After the periodical review if it is found that the intervening party has enhanced its degree of compliance, the interval before the next review may be extended to 5 (five) years.

Final and temporary provisions:

44. Acts of the OEA-Agro pilot project that were practiced before the publication of the present Appendix and which represent auditing and inspection based on MAPA standards will be incorporated to the OEA-Agro.

45. A company that took part in the OEA-Agro pilot project after publication of the Joint RFB/SDA Ordinance will receive provisional OEA-AGRO certification, and must fill out the OEA-Agro Program Self-Assessment Form (QAA), preferably electronically, and submit it to CGVigiagro within 90 days, and will remain provisionally certified until completion of the analysis of the admissibility requirements, eligibility criteria, and the criteria of compliance with animal and plant health.

46. When the analysis of the admissibility requirements, eligibility criteria, and the criteria of compliance with animal and plant health has been completed for companies that have taken part in the pilot project, definitive certification will be provided by the publication of a new ADE for those proving their compliance with conditions for OEA-Agro certification.

47. The Self-Assessment Form (QAA) is hereby approved, and may be consulted at the MAPA Internet site: <http://www.agricultura.gov.br/vigiagro/formularios>.

48. Evidence must be gathered to underpin the information presented in the self-assessment form (QAA).

49. Explanatory notes will be published for each category of product on the MAPA Internet page at: <http://www.agricultura.gov.br/assuntos/vigilancia-agropecuaria/oea-agro>.

Related legislation and other regulatory acts:

50. RFB Normative Instruction no. 1,598, dated 9 December, 2015;

51. RFB Ordinance no. 2,384, dated 13 July, 2017;

52. MAPA Ordinance no. 562, dated 11 April, 2018.

## SELF-ASSESSMENT QUESTIONNAIRE FOR THE BRAZILIAN AUTHORIZED ECONOMIC OPERATOR PROGRAM (OEA-Agro Program)

### 1. GENERAL INFORMATION

#### a) Operational Units

i) Identify the headquarters;

ii) Identify the existence of possible branches, with their CNPJs, explaining whether the request for certification is specific to one single operational Unit or covers the entire company.

iii) State whether the company structure is by establishments and explain which of them is/are requesting certification in the OEA-Agro Program.

#### b) Company relations with MAPA

i) State whether the applicant is registered in the Ministry of Agriculture, Livestock and Food Supply, and if so, what type of registration it has.

#### c) Scope of request for OEA-Agro Program Certification

i) For the purposes of analysis of the certification request, identify the exact scope of the activities carried out by the company, giving a break-down of the type of operation executed by the intervening party and the category of agricultural product.

### 2. ELIGIBILITY CRITERIA

#### a) Track record of compliance with agricultural legislation.

i) Give the recent history (24 months) of possible non-compliances with agricultural legislation, in accordance with the scope of certification requested by the company.

ii) Show measures taken to address each possible registered non-compliance.

#### b) Management of operating procedures dedicated to controlling and monitoring compliance with animal and plant health.

i) State whether there is a system for the management of operating procedures dedicated to controlling and monitoring compliance with animal and plant health.

ii) Describe how control and monitoring procedures are carried out, the security of the information, the available audit mechanisms, personnel responsible for company procedures, and other important details.

c) Management of risks of concern to animal and plant health in accordance with ISO 31000.

i) State whether the candidate possesses a risk management process defining actions to identify, analyze, evaluate, prioritize, address and monitor incidents with a potential negative impact on compliance with the requirements of the criteria of concern for animal and plant health.

ii) Present records and proof of the process.

d) Trading partner selection policy:

i) Describe procedures, criteria and records adopted in selecting trading partners in order to mitigate risks relating to criteria of animal and plant health concern for the scope (type of operation performed by the intervening party and category of agricultural product) intended for OEA-Agro Certification.

e) Human resources policy:

i) Indicate sensitive positions involved in the company's management of risk of agricultural concern, the technical criteria adopted for selection, training policy, and respective records on the matter.

### 3. CRITERIA OF COMPLIANCE WITH ANIMAL AND PLANT HEALTH

a) Identity: the set of parameters or features that enable identification or characterization of a product of agricultural concern in regard to its nature, appearance, sensory characteristics, composition, guarantees, type of processing and mode of presentation.

i) Indicate the mandatory formal (written) procedure, that is employed, addressing the control, monitoring, and risk-mitigation inherent to the product IDENTITY of the product of agricultural concern that is indicated within the intended scope of the OEA-Agro certification.

ii) Indicate the procedure for recording non-compliances.

iii) Indicate the procedure for addressing non-compliances, responsible individuals, and possible notifications of competent authorities.

b) Quality: a set of parameters that enable the specifications of a product of agricultural concern to be characterized in regard to a defined desirable standard, concerning intrinsic and extrinsic factors, measurements or contents of health, hygiene and technology.



i) Indicate the mandatory formal (written) procedure, that is employed, addressing the control, monitoring, and risk-mitigation inherent to the product IDENTITY of the product of agricultural concerns that is indicated within the intended scope of the OEA-Agro certification.

ii) Indicate the procedure for recording non-compliances.

iii) Indicate the procedure for addressing non-compliances, responsible individuals, and possible notifications of competent authorities.

c) Animal Health: set of parameters of agricultural concern regarding the health of terrestrial and aquatic animals.

i) Indicate the mandatory formal (written) procedure, that is employed, addressing the control, monitoring, and risk-mitigation inherent to the ANIMAL HEALTH and ZOOSES of the product of agricultural concerns that is indicated within the intended scope of the OEA-Agro certification.

ii) Indicate the procedure for recording non-compliances.

iii) Indicate the procedure for addressing non-compliances, responsible individuals, and possible notifications of competent authorities.

d) Plant Health: set of parameters of agricultural concern related to the health of plant populations, above all as regards regulated quarantine and non-quarantine pests.

i) Indicate the mandatory formal (written) procedure, that is employed, addressing the control, monitoring, and risk-mitigation inherent to the PLANT HEALTH of the product of agricultural concerns that is indicated within the intended scope of the OEA-Agro certification.

ii) Indicate the procedure for recording non-compliances.

iii) Indicate the procedure for addressing non-compliances, responsible individuals, and possible notifications of competent authorities.

e) Traceability: set of parameters related to the traceability of the product of agricultural concern, and to criteria of identity, quality, animal health and plant health.

i) Indicate the mandatory formal (written) procedure, that is employed, addressing the control, monitoring, and risk-mitigation inherent to the product TRACEABILITY of the product of agricultural concerns that is indicated within the intended scope of the OEA-Agro certification.

ii) Indicate the procedure for recording non-compliances.

iii) Indicate the procedure for addressing non-compliances, responsible individuals, and possible notifications of competent authorities.

f) Tamper-proof status of container or shipment: set of parameters regarding

the anti-tampering condition of the product of agricultural concern, and to criteria of identity, quality, animal health and plant health.

i) Indicate the mandatory formal (written) procedure, that is employed, addressing the control, monitoring, and risk-mitigation inherent to the INTACT CONDITION OF THE CONTAINER of the product of agricultural concern that is indicated within the intended scope of the OEA-Agro certification.

ii) Indicate the procedure for recording non-compliances.

iii) Indicate the procedure for addressing non-compliances, responsible individuals, and possible notifications of competent authorities.

g) Compliance of documents: set of parameters related to the compliance of documents concerning and describing the product of agricultural concern, and related to criteria of identity, quality, animal health and plant health.

i) Indicate the mandatory formal (written) procedure, that is employed, addressing the control, monitoring, and risk-mitigation inherent to the DOCUMENT COMPLIANCE AND DESCRIPTION of the product of agricultural concern that is indicated within the intended scope of the OEA-Agro certification.

ii) Indicate the procedure for recording non-compliances.

ii) Indicate the procedure for addressing non-compliances, responsible individuals, and possible notifications of competent authorities.” (New Wording)





MINISTRY OF  
AGRICULTURE, LIVESTOCK  
AND FOOD SUPPLY