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Committee on Import Licensing

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REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES¹

NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON
IMPORT LICENSING PROCEDURES (2023)

BRAZIL

The following communication, received on 10 August 2023, is being circulated at the request of the delegation of Brazil.

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¹ See document G/LIC/3, Annex, for the Questionnaire.

INTRODUCTION (SISCOMEX)

SISCOMEX, short for Sistema Integrado de Comercio Exterior, is the Integrated Foreign Trade System in Brazil. It is an online platform developed by the Brazilian government to facilitate and streamline the country's foreign trade operations. SISCOMEX serves as a comprehensive database and digital system that encompasses all stages of the import and export process.

This innovative system is designed to enhance efficiency, transparency, and security in international trade activities. It provides a centralized platform for businesses, customs authorities, and other stakeholders to manage and exchange trade-related information. Through SISCOMEX, companies can submit and track their import/export documentation, such as customs declarations, import and export licenses, invoices, and shipping details, electronically.

One of the key objectives of SISCOMEX is to simplify trade procedures and reduce bureaucratic hurdles. By digitizing and automating various trade processes, it aims to expedite customs clearance, minimize paperwork, and improve accuracy in trade data. The system also enables real-time monitoring and control of goods entering or leaving the country through import and export licenses. In general, licensing is not mandatory for imports in Brazil. However, when an import license is necessary, it must be processed through the Foreign Trade Integrated System (SISCOMEX).

In addition to its operational benefits, SISCOMEX plays a vital role in collecting trade statistics and generating valuable insights for policymakers and researchers. It provides a wealth of data on Brazil's international trade flows, including import and export volumes, partner countries, goods classifications, and tariff rates. This information is crucial for evaluating trade policies, analysing market trends, and making informed decisions regarding foreign trade strategies.

Overall, SISCOMEX serves as a cornerstone of Brazil's foreign trade infrastructure, offering a digital platform that promotes efficiency, transparency, and data-driven decision-making. Its implementation has significantly transformed the way trade is conducted in Brazil, making it a pivotal tool for businesses and the government alike in navigating the complexities of international commerce.

Products subject to automatic licensing are listed in SISCOMEX and can also be found on the web page of the Ministry of Industry, Foreign Trade and Services – MDIC. Products under the special customs regime of duty drawback are also subject to automatic licensing. The purpose of automatic licensing is mainly to collect statistics.

Products subject to non-automatic licensing are listed in the Administrative Treatment of SISCOMEX (<https://www.gov.br/siscomex/pt-br/informacoes/tratamento-administrativos/tratamento-administrativo-de-exportacao-1/tratamento-administrativo-de-exportacao> and <https://www.gov.br/siscomex/pt-br/informacoes/tratamento-administrativos/tratamento-administrativo-na-importacao/tratamento-administrativo-na-importacao>) and can also be found on the web page of MDIC. In their majority, they are products which may cause damage to human, plant or animal health; products capable of causing environmental damage; products classified as weapons or made for warlike purpose; products subject to tariff quotas; and products subject to trade remedy measures established in accordance with the WTO agreements.

The Brazilian import licensing regime is based on the following legislation:

- Decreto No. 660 of 25 September 1992, altered by Decreto No. 8.229 of 22 April 2014 instituting Brazil's Foreign Trade Integrated System (SISCOMEX);
- Portaria Interministerial MF/MICT No. 291 of 12 December 1996 on processing import operations within SISCOMEX

All rules, as well as their updates and amendments, are available online at the SISCOMEX website (<https://www.gov.br/siscomex/pt-br/legislacao>).

The importer is required to obtain an authorization from the Federal Revenue of Brazil (Receita Federal do Brasil) in order to operate within SISCOMEX.

1 AGÊNCIA NACIONAL DO CINEMA [NATIONAL FILM AGENCY] (ANCINE)

1. The National Film Agency has competence related to the consent of Import Licenses of cinematographic films for entry into Brazil through Customs.

The request for consent is made by means of an Import License (LI) or Simplified Import License (LSI), which are documents that combine information regarding the goods and the operation. To obtain consent, the importer, or his legal representative, formulates an LSI or LI in the SISCOMEX and transmits it to the Central Base in the SERPRO network, where these licenses receive specific numbering and are available to ANCINE, examining and issuing the opinion on import.

Due to the digitalization of the Brazilian exhibition park (movie theatres), import license applications for cinematographic films have had an exacerbated decline in the last years, reaching only one request in 2021. The trend is that the import of this type of good no longer occurs.

2. The release of these licenses by ANCINE takes place in the SISCOMEX acting in two codes of the Common Nomenclature of Mercosur (NCM), namely: NCMs 37061000 and 37069000- Printed and developed cinematic films that contain sound recording or contain sound recording only.

3. ANCINE's consent applies to cinematic films from any country in the world.

4. There is no restriction on quantity or on the value of the imported goods. The sole purpose of ANCINE's consent to the import of films is to comply with a legal determination or administrative decision.

5. Provisional Measure No. 2228/-1 of 6 September 2009.

6.I-XI: Not applicable.

7.(a) There is no minimum time limit for the application of licenses for the import of cinematic films, i.e. the importer may obtain an Import License at any time, even if the goods have already arrived at Customs.

(b) Yes, provided LI is formulated via the SISCOMEX.

(c) There is no limitation on the period of the year for the importation of cinematic films.

(d) Import Licenses for cinematic films are analysed and released only by ANCINE.

8. To date no license application has been refused or made by ANCINE in order to comply with additional requirements.

9. Anyone is eligible. Regarding ANCINE's competencies, there is no requirement to pay registration fees. The payment of the corresponding taxes and fees is due to the Federal Revenue and not to ANCINE and is calculated based on the physical support and not on the content of the imported material. There is also no list of authorized importers.

10. By ANCINE, there is no specific or complementary form to be filled out, the applicant only needs to fill in the import license in the information contained in the SISCOMEX. The required information is those in the system mentioned previously.

11. As far as ANCINE's competencies are concerned, there is no list of documents required for actual import.

12. In relation to ANCINE, no fee or charge is due. The payment of the corresponding taxes and fees is due to the Federal Revenue and not to ANCINE and is calculated based on the physical support and not on the content of the imported material.

13. ANCINE does not require a deposit or payment of advance fees and charges for the import of cinematic films.

14. The expiration date of a cinematic film import license is up to 90 days, with no provision for extension. There is the possibility of restriction of boarding, however, until now, all requests submitted to ANCINE have been granted "no restriction of boarding".

15. With regard to ANCINE's competencies, there are no penalties for the non-use of a license.
16. The licenses are not transferable.
17. With regard to ANCINE's competencies, there are no conditions associated with issuing a license.
18. There is no need for additional administrative procedures with ANCINE to obtain the import license of cinematic films. Only the license requirement in the SISCOMEX.
19. Not applicable.

2 AGÊNCIA NACIONAL DE ENERGIA ELÉTRICA [NATIONAL ELECTRIC ENERGY AGENCY] (ANEEL)

1. The National Electric Energy Agency (ANEEL) does not have its own system. The licensing system used is the SISCOMEX.
2. The only system used is SISCOMEX and the licensing has the coverage of a single product, electricity.
3. The licensing shall apply to the import and export of electricity from the Argentine Republic and the Eastern Republic of Uruguay.
4. No, licensing is not intended to restrict the quantity or value of imports. The restrictions established are a step prior to licensing: the import and export of electricity are subject to restrictions resulting from the application of the guidelines established by the Ministry of Mines and Energy (MME) through Ordinance MME No. 339 of 15 August 2018 (Import of electricity) and MME Ordinance No. 418 of 19 November 2019 (export of electricity).
- 5.(i) The import and export of electricity shall be governed by the following regulatory acts:
 - Law No. 9.427 of 26 December 1996.
 - Decree No. 7.246 of 28 July 2010;
 - Ordinance MME No. 596 of 19 October 2011;
 - Ordinance MME No. 339 of 15 August 2018;
 - Ordinance MME No. 418 of 19 November 2019; and
 - ANEEL Regulatory Act No. 225.
- (ii) Yes, licensing is mandatory by law.
- (iii) It is not applied to the product electricity.
- (iv) No, it is not possible for the government (or executive) to abolish the system without legislative approval.
6. The procedures are established by the Ministry of Mines and Energy (MME), including the aspects of quantity of energy to be imported or exported.
- 6.I – XI: Not applicable.
7. Not applicable.
8. Not applicable.
9. Only agents authorized by the MME are eligible to carry out the import and export of electricity according to the guidelines set by the Ministry itself.
10. The required documents are as follows: (1) copy of the commercial invoice; (2) copy of the energy export or import contract; and (3) copy of the export or import authorization. There is no form to fill in.
- 11.(a)commercial invoice; (b) electric power import or export contract; and (c) export or import authorization.

12. No.

13. No.

14. Not applicable. The license (consent) is granted after the import or export operation, which means that the imported or exported electricity has already been consumed.

15. Yes, the Agent will be subject to the opening of punitive administrative proceedings, with the possibility of a fine.

16. No.

17. No.

18. To carry out the import or export of electricity, it is necessary to obtain, in advance, an authorization, a kind of public service delegation, from the MME.

19. This subject is not part of ANEEL's competencies.

3 AGÊNCIA NACIONAL DE MINERAÇÃO [NATIONAL MINING AGENCY] (ANM)

1. The National Mining Agency (ANM) does not have its own licensing system for the administrative handling of imports of raw diamonds, a procedure which is carried out entirely in the SISCOMEX.

2. Imports of rough diamonds (NCM 71021000, 71022100 and 71023100).

3. Only among the member countries of the Kimberley Process International Agreement. Namely: Angola; Armenia; Australia; Bangladesh; Belarus; Botswana; Cambodia; Cameroon; Canada; Central African Republic; China; Congo (DRC); Congo (ROC); Cote d'Ivoire; Eswatini (formerly Swaziland); European Union; Gabon; Ghana; Guinea; Guyana; India; Indonesia; Israel; Japan; Kazakhstan; Lao PDR; Lebanon; Lesotho; Liberia; Malaysia; Mali; Mauritius; Mexico; Namibia; New Zealand; Norway; Panama; Russian Federation; Sierra Leone; Singapore; South Africa; South Korea; Sri Lanka; Switzerland; Tanzania; Thailand; Togo; Turkey; Ukraine; United Arab Emirates; United Kingdom; United States of America; Venezuela; Viet Nam; Zimbabwe.

4. The purpose of the licensing is to verify the mandatory presentation of the Kimberley Process Certification (CPK) and to verify compliance of the information contained in the CPK with the data declared by the importer in completing the Import License (LI), as well as the Consignment Invoice data. The certification procedure for raw diamonds, through CPK, aims to prevent the financing of conflicts for their trade. No alternative methods to achieve the objectives were considered.

5.

- Law No. 10.743 of 9 October 2003. It establishes in Brazil the Kimberley Process Certification System - SCPK regarding the export and import of rough diamonds and provides other measures: http://www.planalto.gov.br/ccivil_03/LEIS/2003/L10.743.htm. Article 7 - Imports of raw diamonds will be accompanied by the Kimberley Process Certification, issued by the competent authorities of the country of origin, and the submission of such a certification shall be compulsory at the time of non-automatic licensing by the DNPM.
- Ordinance No. 192 of 25 May 2007 of the General Director of DNPM. It regulates the issuance of the Kimberley Process Certification – CPK for export and consent for imports of rough diamonds, establishes the National Register of Raw Diamonds Trade, the Transaction Report on the Production and Commercialization of Raw Diamonds and provides other measures: <https://www.legisweb.com.br/legislacao/?id=201278>.
- Joint Ordinance DNPM/SRF No. 397 of 13 October 2003 - It establishes the Kimberley Process Certification System in the national territory: <http://normas.receita.fazenda.gov.br/sijut2consulta/link.action?visao=anotado&idAto=27416>.

Article 2 The prior consent will be requested: II - through the use of the non-automatic licensing module of SISCOMEX, in the case of import.

Yes, licensing is mandatory by law (Law No. 10.743 of 9 October 2003), which states that imports of raw diamonds will be accompanied by the Kimberley Process Certification issued by the competent authorities of the country of origin, and the submission of such a certification shall be compulsory at the time of non-automatic licensing by the DNPM.

Yes, the legislation is subject to administrative discretion of the designation of the products subject to licensing.

No, it is not possible for the government (or executive) to abolish the system without legislative approval.

6. I-XI. Not applicable.

7.(a) Application for a license shall be made preferably before the goods have landed in Brazil. The license shall be granted to the extent that the importer has submitted all compulsory documentation duly regularized. There is no specific regulation for cases of goods arriving at the port without a license.

(b) The license is performed digitally by an authorized public agent of ANM. It is not performed automatically via the system.

(c) No.

(d) Yes, only by ANM. No, the request is not forwarded to other bodies for signature, note or approval.

8. Not applicable.

9.(b) Persons or companies authorized to make imports must be duly registered and qualified in the National Diamond Trade Register System (CNCD) of ANM, an instrument for monitoring the commercialization of rough diamonds throughout the national territory. <https://app.anm.gov.br/CNCD/site/cadastro/aceso.aspx>.

As stated in Ordinance No. 192 of 25 May 2007 - Article 6, every producer or trader of rough diamonds in the national territory, including importer and exporter, must register on the CNCD.

As stated in Ordinance No. 192 of 25 May 2007 - Article 7, the registration on the CNCD will be accompanied by the following information and evidence:

- (i) in the case of a natural person, certified copies of an official identity document with photo and of the CPF or CNPJ; or simple copies, with presentation of the original documents;
- (ii) in the case of a legal entity, original of the articles of incorporation or certified copy with due registration in the Board of Trade; and
- (iii) Instrument of mandate in original or certified copy, in case the applicant is represented by a third party.

When filling out the CNCD, sales made by the applicant from 1 October 2005 in the domestic market shall be informed.

The confirmation of the registration will be effective with the protocol of the form printed in accordance with the caput of this article, after which the user's access to the system will be released, with the credentials provided in the registration.

There is no registration fee. The list with the information of the importers registered in the CNCD is not public, it is used only for internal consultation of ANM.

10. In addition, to carrying out the import procedure, the importer must initiate an administrative process in the Electronic Information System (SEI) of ANM, through which the entire process will be carried, including the annexation of the Kimberley Certification of the country of origin and other required documentation.

Also, the importer should issue the payment slip for the "Prior Consent For Diamond Import" in the ANM collection system (https://sistemas.anm.gov.br/dipar_externo/cobranca/emolumentos.asp), pay it and the attachment of the respective proof of payment among the documentation required in the ANM SEI process.

As stated in Ordinance No. 192 of 25 May 2007 - Article 7, the registration in the CNCD will be requested by means of its own form, available on the DNPM website, addressed to the General Director of DNPM, which, after being sent over the Internet, will be printed in three counterparts (DNPM - District; DNPM - Headquarters and applicant) and filed in any DNPM District, accompanied by instruction and evidence.

A sample form is available at <https://app.anm.gov.br/CNCD/site/cadastro/aceso.aspx>.

11. The procedure for importing rough diamonds begins with the importer or legal guardian opening proceedings in the ANM's SEI. In the SEI process, the importer should make the following mandatory documents available for the consent process:

1. Official communication sent to the ANM Director requesting authorization for import;
2. Copy of the Import License Statement – LI (SISCOMEX);
3. Copy of the CPK of the exporting country;
4. Consignment Invoice;
5. SEI protocol electronic receipt of ANM;
6. Proof of the bank slip payment.

12. There is a mandatory payment of the fee "Prior Consent For Diamond Import" in the amount of R\$ 120.49 requested through the site:

https://sistemas.anm.gov.br/dipar_externo/cobranca/emolumentos.asp.

13. No.

14. The validity period of the License is conditional on the validity period of the CPK accompanying the imported batch of raw diamonds. The validity period of CPK is 60 days from its issuance. The license validity cannot be extended, since, after expiration of the CPK, it becomes impossible to complete the administrative handling of the import.

15. No.

16. No.

17. No.

18. Yes, only the registration of the importer with the National REGISTER OF DIAMOND TRADE (CNCD) system of ANM.

19. Not applicable.

4 AGÊNCIA NACIONAL DO PETRÓLEO [NATIONAL OIL AGENCY] (ANP)

1. The National Oil Agency (ANP) aims to promote the regulation, contracting and supervision of the economic activities of the oil, natural gas and biofuels industry, and it is up to it, among others, to require regulated agents to send information regarding import operations of products subject to their regulation, in accordance with the Oil Law. ANP's import licensing system is based on ANP Resolution No. 777 of 5 April 2019.

2. The ANP import licensing system applies to the import of biofuels, oil and its derivatives and natural gas and its derivatives.

3. The systems does not make distinction as to the origin or provenance of the goods.

4. The ANP import licensing system does not aim to restrict quantity or value, but to combat fraud.

5. ANP's import licensing system is based on ANP Resolution No. 777 of 5 April 2019.

6. I-XI. Not applicable.

- 7.(a) The average period for granting licenses is five days. The requests are analysed after they are sent by the system. The request for consent must be submitted in advance to ANP, since SECEX Ordinance No. 23 of 2011, establishes a period of up to 60 days to the acceptance of the application.
- (b) The licenses are reviewed as soon as there is an opportunity, following the requests entry queue. The requests that do not involve sensitive products tend to be faster.
- (c) There is no limitation or restriction.
- (d) The licenses are payable on the basis of RANP No. 777/2019. In cases of sensitive products or in the occurrence of operations with goods whose classification cannot be specified under the terms of the NCMs approved by the ANP, there may be consultation with the company that imports or internal sectors of the ANP.

8. The analysis of requests follows the strict legality of ANP Resolution No. 777/2019 and that of SECEX Resolution that deals with the subject. There is no prediction of refusal without the proper motivation, which needs to be foreseen in the current set of rules. There is no appeal, but there is no impediment to the submission of a new request for consent.

9. Yes, all persons, firms and institutions are eligible to apply for licences. For the import and export operations of products whose NCMs, the ANP consents, Resolution ANP No. 777/2019 provides for authorization procedures for economic agents that do not still perform activity regulated by ANP, as well as hypotheses of operation in which authorization is not required.

10. As the case may be, it is necessary:

- Confirmation of the acquirer by email, the registration number of the product;
- Confirmation of the purchase interest of the requested volume;
- Purpose of the use of the solvent by the acquirer;
- Information of the main customers of the acquirers of the products produced from the solvent;
- Information of all the products that will be formulated from the imported product and referral of MSDS (Material Safety Data Sheet) of these products;
- Submission of proof of tank capacity for storage of the imported product and documentation demonstrating ownership of the tanks or a third-party tank storage contract, along with photos of the tanks at the company's industrial plant;
- Information from previous suppliers of the product used for the production process indicated by the company;
- Address of website.

11. ANP does not take care of the import operation, only consents the license application for the NCMs of products regulated by it.

12. There is no charge for a licensing fee or administrative charge.

13 No deposit or advance payment requirement.

14. The license is valid for 90 days, extendable for the same period.

15. There is no penalty for the non-utilization of a license or a portion of a license.

16. No, licenses are consented on an individual basis.

17. The conditions are those laid down in the legislation.

18. There are no other administrative procedures, apart from import licensing and similar administrative procedures, required prior to importation.

19. Not applicable.

5 AGÊNCIA NACIONAL DE VIGILÂNCIA SANITÁRIA [NATIONAL SANITARY SURVEILLANCE AGENCY] (ANVISA)

1. The import licensing system of the National Sanitary Surveillance Agency (ANVISA) is based on Law No. 9.782 of 1999, which defines the national sanitary surveillance system and creates ANVISA. According to the law, ANVISA has the institutional purpose of promoting the protection of the health of the population, through the sanitary control of the production and commercialization of products and services submitted to sanitary surveillance, including the environments, processes, inputs and related technologies, as well as the control of ports, airports and borders. Among ANVISA's competencies are: a) to prohibit the manufacture, import, storage, distribution and marketing of products and inputs, in case of violation of relevant legislation or imminent risk to health; b) to consent the import and export of products and services that involve public health risks; c) to prohibit, as a sanitary surveillance measure, the places of manufacture, control, import, storage, distribution and sale of products and services related to health, in the event of violation of relevant legislation or imminent risk to health.

2. The import licensing system of ANVISA applies to goods and products subject to sanitary control and inspection by the Agency, namely: I - medicines for human use, their active substances and other inputs, processes and technologies; II - foods, including beverages, bottled water, their inputs, packaging, food additives, limits of organic contaminants, pesticide residues and veterinary medicines; III - cosmetics, personal hygiene products and perfumes; IV - sanitizers intended for hygiene, disinfection or disinfestation in home, hospital and collective environments; V - sets, reagents and inputs intended for diagnosis; VI - medical-hospital, dental and hemotherapy equipment and materials and image-based laboratory diagnosis ; VII - immunobiologicals and their active substances, blood and blood derivatives; VIII - organs, human and veterinary tissues for use in transplants or reconstitutions; IX - radioisotopes for in vivo diagnostic use and radiopharmaceuticals and radioactive products used in diagnosis and therapy; X - cigarettes, cigarillos, cigars and any other tobacco product, whether derived or not from tobacco; XI - any products involving the possibility of health risk, obtained by genetic engineering, by another procedure or still subjected to radiation sources.

Products subject to special control in import licensing from ANVISA are provided for in Annex I of Ordinance SVS/MS No. 344 of 1998.

(https://bvsms.saude.gov.br/bvs/saudelegis/svs/1998/prt0344_12_05_1998_rep.html)

which includes substances used in scientific research, drugs, narcotics, psychotropics, and precursors.

3. ANVISA's import licensing system applies to products originating in and coming from all countries without distinction.

4. The ANVISA's import licensing system does not aim to restrict quantity or value. Some products, however, are subject to special control.

5. The import licensing system of the National Sanitary Surveillance Agency (ANVISA) is based on Law No. 9.782 of 1999. The system is mandatory by law and cannot be abolished without legislative approval.

6.I-XI. Not applicable.

7.(a) The rules regarding import licensing are provided for in the Resolution of the Board of Directors RDC/ANVISA No. 81 of 5 November 2008 and may vary according to product characteristics.

ANVISA has a Panel available with general access on the deadline of the first step in the import process in the SISCOMEX modality (<https://www.gov.br/anvisa/pt-br/acessoainformacao/dadosabertos/informacoes-analiticas/importacao/tempo-de-analise>).

(b) The licenses analysis follows chronological order.

(c) Not applicable.

(d) The analysis is performed only by ANVISA.

8. An application for a licence will not be refused other than failure to meet the ordinary criteria. The reasons for the refusal are presented and the applicant may appeal to the body itself.

9. Companies authorized by ANVISA for such activity (import) may import the goods and products subject to sanitary surveillance, except in the case of companies importing food, raw food materials or food products, which must be presented on the arrival of the goods or products, official document of regularization of the company issued by the state or municipal authority.

10. The information required for import license applications is provided for in the Resolution of the Collegiate Board – RDC/ANVISA No. 81 of 5 November 2008 (http://antigo.anvisa.gov.br/documents/10181/2718376/RDC_81_2008_COMP.pdf/d031f6d6-3664-4d66-ae0b-d1d0ad106178), which lays down the technical regulation on imported goods and products for the purpose of health surveillance, specifically in Chapter XXXIX, on administrative procedures for framing products with the integrated system of foreign trade. Information may vary depending on product rating. In general, the following ones are requested: a) Petition for Sanitary Surveillance and Release; b) Commercial Invoice - "Invoice"; c) Bill of Lading.

11. The documents required for effective import may vary according to the product classification. The list of documents is contained in RDC/ANVISA No. 81/2008, Chapter XXXIX.

12. Yes there is a licensing fee. Law No. 9.782 of 1999, provides in Article 23, the Sanitary Surveillance Inspection Fee, and, in Annex 2, the generating facts. The rate value depends on the generating fact and size of the company and can be found in RDC ANVISA No. 222 of 28 December 2006 (http://antigo.anvisa.gov.br/documents/10181/2718376/%282%29RDC_222_2006_COMP.pdf/87ee071c-886e-47ac-94af-5590aaa2011e). For example, the consent to import and export, per individual person, of products or raw materials subject to sanitary surveillance, for the purposes of individual or own use, is exempt from charges. The consent to import, by legal entity, samples of product or raw materials subject to sanitary surveillance, for analysis and experiments, with a view to product registration, is subject to fees, the value of which may vary from R\$ 8.86 to R\$ 177.29, depending on the size of the company.

13. No deposit or advance payment requirement.

14. The license is valid for 90 days, extendable for 90 days.

15. Not applicable.

16. Licenses are not transferable.

17. The conditions are those laid down in the legislation.

18. Not applicable.

19. Not applicable.

6 CONSELHO NACIONAL DE DESENVOLVIMENTO CIENTÍFICO E TECNOLÓGICO [NATIONAL COUNCIL FOR SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENT] (CNPQ)

1. CNPQ uses SISCOMEX to analyse import licenses that do not have restrictions on value, weight or size of imported items. Ninety per cent of imports for research, in this regime, are directed to the green channel (facilitated customs procedure). SISCOMEX is used in cases of simplified licenses, valid for import of materials of a maximum value of US\$ 10,000.00, including freight. The service *Importa Fácil Ciência dos Correios* has a weight restriction (maximum 30kg). The post must be made by the official postal service of the country of origin of the goods.

Imports that make use of the exemptions of Laws No. 8.010 of 1990 and No. 8.032 of 1990, are exempt from the payment of import taxes, Industrialized Products Tax and the Additional to Freight for Renewal of the Merchant Navy Imports.

2. Imports of machinery, equipment, appliances and instruments, as well as their spares, accessories, raw materials and intermediate products, intended for scientific and technological research. Thus, CNPQ can consent an import license of any product that is intended for scientific and technological research, provided that it meets the requirements in accordance with prior accreditation of institutions, companies or natural persons.

3. Any country.

4. The consent of the Import License consists of analysing the registered import licenses in order to authorize the continuity of import procedures by Law No. 8.010 of 1990, or Law No. 8.032 of 1990. Among other aspects, the import licensing aims to attest to the customs authority and other licensing agencies the following legal aspects:

- (a) the destination of goods to be imported in scientific and technological research programs, pursuant to Article 1 of Law No. 8.010/1990 and Article 186-E of Decree No. 6.759/2009;
- (b) the importer accreditation, pursuant to No. 2 of Article 1 of Law No. 8.010/1990 and Article 186-E of Decree No. 6.759/2009;
- (c) the distribution and control of the import annual quota, pursuant to terms of No. 2 of Article 1 of Law No. 8.010/1990 and Article 186-F of Decree No. 6.759/2009;
- (d) verification if the goods to be imported are those authorized by CNPQ when analysing the research, development and innovation project presented by the company.

5. The following laws and regulations are observed:

Law No. 8.010 of 1990, may register import licenses, researchers, Scientific, Technological and Innovation Institutions – ICT and non-profit entities, active in the promotion, coordination or execution of scientific and technological research programs, innovation or teaching and duly accredited with CNPQ. Teaching entities should prove to be active in scientific, technological and innovation research.

Normative Resolution No.041 of 2018 of the National Council for Scientific and Technological Development – CNPQ and other regulations on the subject.

6.I-XI. Not applicable.

7.(a) Not applicable.

- (b) There is a period of up to 60 days to consent an import license, but LI's are analysed daily and can be granted immediately.
- (c) There is no limitation regarding the period of the year, but the consent of Import Licenses is conditioned to the value of the global quota granted annually to CNPQ by the Ministry of Economy, and should observe the prior accreditation of the importer, pursuant to No.2 of Article 1 of Law No. 8.010/1990 and Article 186-E of Decree No. 6.759/2009;
- (d) CNPQ may give consent to the license, however, depending on the type of goods to be imported, the licensing may also be subject to the consent of other agencies such as ANVISA, CNEN, IBAMA, MAPA/VIGIAGRO, Federal Police and others.

8. CNPQ will observe the following aspects:

- Accreditation of the importer. When the importer is different from the institution executing the research, the executing institution or the coordinator of the research must be accredited at CNPQ;
- Items that are being imported and their compatibility with the referred Research Project; and
- Availability of import quota, granted annually to CNPQ by the Ministry of Finance.

In case of non-compliance with the criteria, CNPQ may reject the license or request a requirement of some documentation or additional information. The reasons for rejection are duly justified and importers may adjust the license to the requirements requested.

9. CNPQ may appraise Import Licenses, complying with the criteria of Law No.8.010/1990 and they can be registered by researchers, Scientific, Technological and Innovation Institutions – ICT and non-profit entities, active in the promotion, coordination or execution of scientific and technological research programs, innovation or teaching and duly accredited with CNPQ. Teaching entities should prove to be active in scientific, technological and innovation research.

Companies can also benefit from Law No. 8.032/1990, provided that they:

- (a) are duly accredited by CNPQ;
- (b) are exclusively for use in the execution of research, development and innovation projects;

- (c) have their research projects analysed and qualified by CNPQ, for the acquisition of goods abroad. In addition, the similarity examination will be necessary.

10. In possession of a Proforma Invoice, the importer makes the electronic import registration in the SISCOMEX. To do so, the importer needs to select one of the Import Arrangements (normal arrangements or simplified arrangements) provided for by the legislation. The Import Regime determines, among others, the set of documents that must be provided, as well as the procedures for the goods supervision.

11. Import accreditation for the researcher acknowledgment and the requesting institution (valid), Proforma Invoice, commercial invoice, packing list, airway bill of lading (House Air Waybill and/or Master airway bill), Mantra statement (Manifest of Transit), dispatch slip.

12. Administrative charge: SISCOMEX utilization rate (R\$ 214.00 on average); storage (variable), international freight (variable), national freight (variable) and insurance (variable). It should be noted that CNPQ does not require any type of payment and that the items described refer to charges for import procedures.

13. Not applicable.

14. Import licenses have a period of 90 days of validity and may be extended for the same period at the request of those who register it in the system. Importers must observe the effective date of accreditation with CNPQ, if the accreditation is close to maturity, adjustment of the term of validity of the given license may be given.

15. No, if the importer does not use the deferred license, he or she must cancel himself or herself.

16. No.

17. Not applicable.

18. The importers must be previously accredited pursuant to No. 2 of Article 1 of Law No. 8.010/1990 and Article 186-E of Decree No. 6.759/2009.

19. Not applicable.

7 DIRETORIA DE FISCALIZAÇÃO DE PRODUTOS CONTROLADOS [CONTROLLED PRODUCTS INSPECTION BOARD] (DFPC/ARMY)

1. The import licensing regime is implemented by the DFPC and all import licenses must be requested by SISCOMEX. The administrative procedures are electronic.

2. The products covered are those listed in Annex O of Ordinance No. 1.729 of 29 October 2019 of the Army Command, as amended by Ordinance No. 1.880 of 12 November 2019 of the Army Command, which can be consulted at: <http://www.dfpc.eb.mil.br/index.php/legis-menu>. List of products can be found on the following web page, on administrative processing at import: <https://www.gov.br/siscomex/pt-br/informacoes/tratamento-administrativos/tratamento-administrativo-na-importacao/tratamento-administrativo-na-importacao>.

3. The system applies to goods of all origins, without distinction.

4. The system aims to control the import of products related to public and/or national security and is not intended to restrict the quantity or total value of imports. There is a restriction on the quantity to be imported, according to the authorization to be imported in the previous register of the importer, made by the respective military organization, according to Ordinance No.56.

5. Import licensing is mandatory by law and is not subject to administrative discretion. Licensing cannot be abolished without legislative approval. The inclusion or exclusion of specific products may be subject to administrative discretion if there is legal provision in this regard.

The legal grounds for licensing are: Law No. 10.826 of 22 December 2003; Law No. 10.834 of 29 December 2003; Decree No. 9.847 of 25 June 2019. Ordinance of the Army Commander No.1.729

of 29 October 2019 (updated by Ordinance No. 1.880 of 12 November 2019), establishes the regulatory rules for administrative procedures related to the Foreign Trade of Products Controlled by the Army (PCE).

6. The DFPC applies quantitative restriction to implement prohibition on imports, except under certain conditions, of firearms of prohibited use, as provided for in Article 3, single paragraph, item III, paragraphs "a" and "b" of Annex I to Decree No. 10.030 of 30 September 2019 (Regulation of controlled products). DFPC does not allocate quotas for imports of these goods.

- 7.(a) In cases of non-automatic licensing, importers shall be instructed to obtain the license before the products are shipped. For the automatic license, the request must be made at any time before the start of customs clearance.
- (b) The average period for granting import licenses by DFPC is 72 hours.
- (c) There is no period limitation of the year. It can be done at any time.
- (d) Once the *Portal Único de Comércio Exterior* is fully operational, the application will be made online, will be reviewed by the competent administrative authorities and will not have to be transmitted to other authorities. For certain operations, DFPC consults other security agencies, such as municipal guards.

8. License applications may be refused if they do not comply with the requirements of applicable law. The reasons are presented to the applicant. There is no possibility of administrative appeal if the license is rejected, but a new license may be required.

9.(b) Any person, company or institution may apply for import licensing. The only requirement is the registration in SISCOMEX. Only the Armed Forces may apply for a license to import prohibited products.

10. Brazilian Federal Revenue Collection Slips (GRU); GRU Payment Proof (except exemptions provided for by law); Contract for provision of storage service, import (if applicable); Letter of commercial representation (in cases of exhibition, demonstration, test, repair, display and advertisement); Prior authorization of CMT of RM where the event will occur (in the cases of exhibition, demonstration and advertisement); Bill of Lading; Invoice/Proforma; Inspection Report.

The number of documents required to perform the license is variable, depending on who is requesting (natural or legal entity) and the purpose of the import. For green lane products, for example, the inspection report is not required.

11. DFPC operates on effective import for physical inspection. If it is a green lane product, the bill of lading and payment of the two fees are required and does not need a physical inspection. For red lane products, a physical inspection is required: Bill of Lading; Invoice/Proforma; Inspection Report.

There is a second GRU to be paid for physical inspection, related to customs clearance.

Green lane products, in case of denunciation, may be subjected to physical inspection. Due to the possibility of police power, physical inspection fee of all products is charged, but the requirement is deferred. If there is no physical inspection, the requirement of both fees is in licensing. If there is physical inspection, the second GRU is required at clearance.

12. Yes, R\$ 320.00 as provided for in Law No. 10.834 of 29 December 2003.

13. Deposits of advances or guarantees relating to the issuance of licenses are not necessary.

14. The license shall be valid until the end of the import process, as provided for in Article 38, paragraph 2 of Decree No. 9.847 of 25 June 2019.

15. There is no penalty.

16. The licenses are not transferable.

17. In both cases, there are no other conditions to be observed for the issuance of licenses other than those related to automatic and non-automatic licensing.

18. The importer must obtain authorization from the Federal Revenue of Brazil to operate in SISCOMEX.

19. There is no relation between the licensing regime and the foreign currency exchange regime.

8 POLÍCIA FEDERAL DO BRASIL [FEDERAL POLICE OF BRAZIL] (DPF)

1. The licensing system of the Federal Police meets the provisions of the regulations in force, namely Law No. 10.357 of 2003 and Ordinance MJSP No. 240 of 2019. According to these laws, a natural or legal person must be registered and licensed by the Federal Police and request prior authorization whenever he or she wishes to import or export controlled chemicals.

2. The import or export of controlled chemicals.

3. There is no distinction of this kind in the control of the Federal Police.

4. There are no restrictions of this type, the objective of PF control is to combat the deviation of substances that can be used in the production of drugs.

5. Law No. 10.357/2003 and Ordinance MJSP No. 240/2019, therefore licensing is mandatory by law, the designation of products subject to licensing is an administrative discretion given by law and the system cannot be abolished without legislative approval.

6.I-XI. Not applicable.

7.(a) There is no time in advance for license application. Currently, the deadlines between the application for a license and its approval have been very short. In the case of goods arriving without a license, it is important to note that the DPF competency licensing must by law be authorized before boarding.

(b) There are no impediments to that.

(c) No, there are no limitations as to the period of the year during which application for licence and/or importation may be made.

(d) In the case of PF control, the license analysis is performed only by the agency.

8. There are no such circumstances.

9.(b) Yes, the Chemical Control System – Siproquim 2; Natural Persons or legal entities that operate with products controlled by PF, there is a registration fee in the system and a service for public consultation of authorized importers.

10. Request for Prior Authorization: with registration data of the companies involved, information about the product, form of shipment, model of transport; Proforma invoice copy: with product information.

11. Delivery of the operation map, ratifying its effectiveness. It shall be forwarded by the fifteenth day of the month following that of the operation.

12. No.

13. No.

14. Ninety days, extendable for another 90 days, upon request of the interested party.

15. No.

16. No.

17.(a)No.

(b) No.

18. Registration and licensing of the company to operate with products controlled by PF.

19. Not applicable.

9 INSTITUTO BRASILEIRO DO MEIO AMBIENTE E DOS RECURSOS NATURAIS RENOVÁVEIS [BRAZILIAN INSTITUTE OF THE ENVIRONMENT AND RENEWABLE NATURAL RESOURCES] (IBAMA)

1. IBAMA has, among its purposes, the supervision, monitoring and environmental control. The IBAMA import licensing system aims to control the import of:

- Wood preservatives, as provided for in Interministerial Ordinance No. 292 of 28 April 1989 available in http://www.ibama.gov.br/phocadownload/qualidadeambiental/preservativos_de_madeira/2017-registrados/areas%20tematicas_produtos%20preservativo%20de%20madeiras_2.pdf;
- Persistent organic pollutants, as provided for in Decree No. 5.472 of 20 June 2005 available in http://www.planalto.gov.br/ccivil_03/ato2004-2006/2005/decreto/d5472.htm;
- Pesticides, as provided for in Law No. 7.802 of 11 July 1989 available at: http://www.planalto.gov.br/ccivil_03/leis/l7802.htm;
- Environmental remediator, as provided for in CONAMA Resolution No. 463 of 29 July 2014 available at http://conama.mma.gov.br/?option=com_sisconama&task=arquivo.download&id=679.

2. See answer to question 1.

3. There is no distinction as to the origin or provenance of the goods.

4. In the case of products regulated by the Stockholm Convention on Persistent Organic Pollutants (Decree No. 5.472 of 20 June 2005), by the Montreal Protocol on Substances that Destroy the Ozone Layer (Decree No. 99.280/1990) and by the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Storage (CONAMA Resolution No. 452/2012), import licensing aims to restrict the quantity by means of a complete prohibition or prohibition with specific exceptions.

5. See answers to questions 1 and 4.

6.I-XI. Not applicable.

7.(a) The average period for granting licenses is ten days.

(b) The licenses are analysed in chronological order.

(c) Not applicable.

(d) Brazilian Institute of the Environment and Renewable Natural Resources (IBAMA).

8. The licenses are refused due to non-compliance with ordinary requirements and the reasons are presented to the applicant. There is a possibility of appeal to the body itself.

9. Yes, provided that the legal requirements are met.

10. The requirements vary according to the characteristics of the good.

11. The requirements vary according to the goods characteristics.

12. It varies according to the product characteristics.

13. Not applicable

14. Ninety days, extendable for the same period.

15. Not applicable

16. The licenses are not transferable.

17. The conditions are those laid down in the legislation.

18. There are no other administrative procedures, apart from import licensing and similar administrative procedures, required prior to importation.

19. Not applicable

10 INSTITUTO NACIONAL DE METROLOGIA, QUALIDADE E TECNOLOGIA [NATIONAL INSTITUTE OF METROLOGY, STANDARDIZATION AND INDUSTRIAL QUALITY] (INMETRO)

1. INMETRO uses only SISCOMEX. According to Law No.9933 of 1999, INMETRO has the competence "to consent the process of importing products regulated by it that are subject to non-automatic licensing regime or other administrative control measures prior to the dispatch for consumption". Also in line with that standard, INMETRO is responsible for issuing "technical regulations in the areas of conformity assessment of products, inputs and services, provided that they do not constitute the subject of the competence of other bodies or entities of the federal public administration, covering the following aspects: (a) safety (b) protection of human, animal and plant life and health; (c) protection of the environment; and (d) prevention of misleading trade practices."

2. INMETRO uses only SISCOMEX. The products subject to import licensing by INMETRO can be found at:

<https://www.gov.br/siscomex/pt-br/informacoes/tratamento-administrativos/tratamento-administrativo-na-importacao/tratamento-administrativo-na-importacao>.

3. There is no distinction among the countries' origin

4. Licensing is not intended to restrict quantity or value.

5. The import license conducted by INMETRO is mandatory by law. It is not possible for the government to abolish the licensing system without legislative approval. Import licensing conducted by INMETRO is maintained based on Law No. 9.933/1999, as amended by Law No. 12.545/2011.

6.I-XI. Not applicable.

7.(a) There is no specific time in advance, but prior consent is required for the goods to enter Brazil.

(b) License applications are examined on a case-by-case basis.

(c) There is no limitation.

(d) The analysis of license applications is done only by INMETRO.

8. INMETRO can only reject a license if there is legal provision. The reasons are presented and there is possibility of an appeal.

9. The requirements vary according to the goods' characteristics.

10. The importer must provide the following documents together with the request: Statement of the import license; Certificate of Conformity issued by Product Certification Body (OCP); Term of authorization for use of the Certificate of Conformity (where applicable).

11. INMETRO does not participate in customs clearance.

12. Yes, in the amount of R\$ 53.53.

13. No.

14. The license is valid for 90 days.

15. There are no sanctions for non-use of the license.

16. The licenses are not transferable. To change the importer in the license, one must cancel the license and make a new request.

17.(b)The conditions are those laid down in the legislation.

18. There are no other administrative procedures.

19. Not applicable.

11 MINISTÉRIO DA AGRICULTURA, PECUÁRIA E ABASTECIMENTO [MINISTRY OF AGRICULTURE AND FOOD SUPPLY] (MAPA)

1. MAPA only uses the licensing system of SISCOMEX.

2. The products subject to map licensing are those provided in the Annex to Normative Instruction No. 51 of 4 November 2011 (<https://www.gov.br/agricultura/pt-br/assuntos/vigilancia-agropecuaria/importacao-e-exportacao/anexos-in-51>).

3. There is no distinction among the countries' origin

4. MAPA's licensing is not intended to restrict quantity or value.

5. The import licensing carried out by MAPA has as a legal basis the following regulations:

- Law No. 1.283 of 18 December 1950;
- Law No. 7.889 of 23 November 1989;
- Law No. 6.198 of 26 December 1974;
- Law No. 6.446 of 5 October 1977;
- Law No. 6.894 of 16 December 1980;
- Law No. 7.678 of 8 November 1988;
- Law No. 8.918 of 14 July 1994;
- Law No. 9.972 of 25 May 2000;
- Law No. 10.711 of 5 August 2003.

Normative Instruction No. 51/2011 establishes criteria and procedures for the control and supervision of products of agricultural interest subject to import licensing in SISCOMEX.

Licensing is mandatory by law. The administrative authority has the discretion to designate the products subject to licensing. The government cannot abolish the system without legislative approval.

6.I-XI. Not applicable.

- 7.(a) There is no specific time in advance, but prior consent is required for the goods to enter Brazil.
(b) All the license applications are analysed a case-by-case basis, in chronological order.
(c) There is no limitation.
(d) MAPA's import licensing is independent of forwarding or consulting other bodies.

8. MAPA can only reject a license if there is a legal provision. The applicant has the right to administratively refer to MAPA.

9.(b) Only legal persons are eligible to apply for licenses. All legal entities are eligible to apply for the license, but for some product registration is required with MAPA.

There is an importer establishment record for some products. The registration of the establishment authorized to import may be published in a specific system or in the Federal Official Gazette of Brazil.

10. The specific documentation is provided for in the Annex to Normative Instruction No. 39 of 27 November 2017 available at <https://www.gov.br/agricultura/pt-br/assuntos/insumos-agropecuarios/insumos-pecuarios/produtos-veterinarios/legislacao-1/instrucoes-normativas/instrucao-normativa-sda-mapa-no-39-de-27-11-2017.pdf/view>.

11. The specific documentation is provided for in the Annex to Normative Instruction No. 39 of 27 November 2017.

12. There is no licensing fee. For some plant-derived products that have national classification standard, a fee is required for importing the product.

13. No deposit or advance payment is required.

14. SISCOMEX Standard Term.

15. No.

16. No.

17.(b)No, there are the conditions normally required by the SISCOMEX.

18. For some agricultural products, in addition to licensing, MAPA may require some administrative procedures prior to importation, such as: pests risk analysis, export establishment qualification, product registration, importer establishment registration.

19. Not applicable.

12 MINISTÉRIO DA CIÊNCIA, TECNOLOGIA E INOVAÇÕES [MINISTRY OF SCIENCE, TECHNOLOGY AND INNOVATION] (MCTI)

1. MCTI uses only the SISCOMEX.

2. Sensitive goods and chemicals.

3. There is no distinction among the countries' origin.

4. Licensing is not intended to restrict quantity or value.

5. Ministerial order MCTI No. 436 of 14 June 2012.

6.I-XI. Not applicable.

7.(a) There is no specific time in advance, but prior consent is required for the goods to enter Brazil.

(b) All license applications are examined on a case-by-case basis.

(c) There is no limitation.

(d) As a rule, the analysis is only from the MCTI. The MCTI may, at its discretion, consult other bodies, but there is no obligation.

8. MCTI can only reject license if there is legal provision.

9.(b) It does not suffice to be registered with SISCOMEX. MCTI has an electronic system (Sensitive Goods Management System - SGBS). Companies have to register in the system to apply for the import license.

10. Technical data sheet of the product to be imported; safety sheet of the product to be imported; CAS number (Chemical Abstract Service) and IUPAC nomenclature.

In imports of chemicals, for countries that are not members of the Convention of Prohibition of Chemical Weapons, government guarantees are required for substances listed in Tables 1 and 2 of the CPAQ.

11. MCTI does not participate in customs clearance.

12. No.

13. No.

14. Ninety days.

15. There are no sanctions for the non-use of the license.

16. Licenses are not transferable. To change the importer in the license, one must cancel the license and make a new request.

17.(b)The conditions are those laid down in the legislation.

18. There are not any other administrative procedures.

19. Not applicable.

13 MINISTÉRIO DA DEFESA [MINISTRY OF DEFENSE] (MD)

1. The import licensing system of the Ministry of Defense is based on Decree No. 9.607 of 12 December 2018 (http://www.planalto.gov.br/ccivil_03/ato2015-2018/2018/decreto/d9607.htm) which establishes the National Policy for Export and Import of Defense Products (Pnei-Prode).

2. The Ministry of Defense import licensing system applies to Defense Products, which are listed in SEPROD/SG-MD Ordinance No. 5.216 of 17 December 2021 (<https://www.in.gov.br/web/dou/-/portaria-seprod/sg-md-n-5.216-de-17-de-dezembro-de-2021-369376126>). As provided for in this standard, the update of the list of defense products will be carried out once a year or whenever necessary.

3. The import licensing system of the Ministry of Defense applies to products originating in and coming from all countries without distinction. As the case may be, filters are applied based on United Nations Security Council resolutions.

4. The import licensing system of the Ministry of Defense does not aim to restrict quantity or value. Pnei-Prode aims, among others, to contribute to the control of exports and imports of Defense Product (PRODE). Agents involved in PRODE export and import activities, in the exercise of their duties, shall observe, among others, the following assumptions: the imperatives of national defense; the international treaties to which the Federative Republic of Brazil is a party and the international commitments assumed by the country; the existence of embargoes applied by the United Nations Security Council; the possibility that arming may be used in acts of genocide, crimes against humanity or war crimes; the possibility that weapons may be used to facilitate human rights violations or to promote international law on armed conflict; the possibility that weapons may be employed in acts of terrorism or used by transnational organized crime; the risk that weapons will be diverted in the correctly established course of the corresponding trade operation.

5. The import licensing system of the Ministry of Defense is based on the Decree No. 9.607 of 12 December 2018 (http://www.planalto.gov.br/ccivil_03/ato2015-2018/2018/decreto/d9607.htm).

6.I-XI. Not applicable

- 7.(a) The average period for granting licenses is three days.
(b) The licenses requests are analysed in chronological order.
(c) Not applicable.
(d) Ministry of Defense.

8. An application for a licence will not be refused other than failure to meet the ordinary criteria. The reasons are presented and there is possibility of appeal.

9. The eligible importers are provided for in Decree No. 9.607 of 12 December 2018 available in http://www.planalto.gov.br/ccivil_03/ato2015-2018/2018/decreto/d9607.htm.

10. Import license requests are processed electronically and do not require document analysis.

11. The documents requested are provided for in Decree No. 9.607 of 12 December 2018 available in http://www.planalto.gov.br/ccivil_03/ato2015-2018/2018/decreto/d9607.htm.

12. There is no charge for a licensing fee or administrative charge.

13. No deposit or advance payment requirement.

14. The license is valid for 90 days until shipment and for 180 days until customs clearance.

15. Not applicable.

16. The licenses are not transferable.
17. The conditions are those laid down in the legislation.
18. There are no other administrative procedures.
19. Not applicable.

14 DEPARTAMENTO DE OPERAÇÕES DE COMÉRCIO EXTERIOR [DEPARTMENT OF FOREIGN TRADE OPERATIONS] (DECEX)

1. Currently, the following import operations are subject to DECEX licensing:
 - (a) subject to obtaining tariff and non-tariff quotas;
 - (b) subject to similarity examination, pursuant to Article 118 of Decree No.6.759 of 5 February 2009;
 - (c) of used material;
 - (d) originating in countries with restrictions contained in United Nations (UN) Resolutions; and
 - (e) under the Special Drawback Customs Regime.
2. Goods under the Department of Foreign Trade Operations (DECEX). As licensing covers import operations, several products, classified in under different positions, are included.
3. The import licensing system of DECEX applies to products originating in and coming from all countries.
4. The DECEX's import licensing system does not aim to restrict quantity or value. Some products, however, are subject to a total import ban or with exceptions. The total import ban applies to products subject to United Nations Security Council resolutions, and the exception ban applies to used consumer goods pursuant to SECEX Ordinance No. 23 of 14 July 2011.
5. DECEX's import licensing system is based on SECEX Ordinance No. 23 of 14 July 2011 susceptible of amendments without legislative approval.
- 6.I-XI. Not applicable.
- 7.(a) The average period for granting import licenses by DECEX is less than ten days.
 - (b) Requests are analysed in chronological order.
 - (c) There are no limitations as to the period of the year during which application for licence and/or importation may be made.
 - (d) With regard to DECEX's competences, the analysis is carried out by a single body.
8. All situations that require the rejection of the request for LI are contained in the regulation. In case of rejection, it is possible to appeal to the body itself, according to provisions of Law No. 9.784/99.
9. All importers are eligible to apply for licensing only sufficing to be qualified at SISCOMEX. The registration is not specific to DECEX, but for all the consenting organs.
10. For most products subject to DECEX licensing, there is no requirement for documents. For products subject to similarity examination, it is necessary to obtain a technical catalogue or descriptive memorial of the product to be imported, and for used goods, additionally, a declaration by the manufacturer or the company responsible for reconditioning parts, parts and accessories relating to the guarantee and price of new goods, identical to the intended reconditioned one.
11. The documents required in the actual import are DECEX's competence.
12. There is no charge for licensing fee or administrative charge.
13. No deposit or advance payment requirement.
14. The import license is valid for 90 days, extendable for the same period.

15. There is no penalty for the non-utilization of a licence or a portion of a licence.
 16. The import licenses are not transferable.
 17. The conditions are those laid down in the legislation.
 18. There are no other administrative procedures, apart from import licensing and similar administrative procedures, required prior to importation.
 19. Not applicable.
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