

**REPLIES TO THE QUESTIONNAIRE ON
IMPORT LICENSING PROCEDURES¹**

Notification Under 7.3 of the Agreement
on Import Licensing Procedures

ECUADOR

Addendum

The following communication, dated 15 April 2010, was received from the delegation of Ecuador.

TABLE OF CONTENTS

	Page
III. Animal Health Law	1

III. ANIMAL HEALTH LAW

Outline of systems

1. Livestock products of animal origin appearing in Annex I of Resolution 465 of the Foreign Trade and Investment Council (COMEXI) require an Animal Health Import Permit (PZI) which contains the animal health requirements to be met by the exporting country prior to the shipment of such products.

Purposes and coverage of licensing

2. Article 17 of the Animal Health Law states that health requirements in relation to the importation of animals and birds are established by the Ministry of Agriculture, Livestock Aquaculture and Fisheries (MAGAP).

Article 18 states that the Regulations to the Animal Health Law should establish the requirements to be met by importers of products and by-products of animal origin.

The procedure for obtaining PZIs for products of animal origin is automatic, provided the animal health requirements can be found in Annex I of AGROCALIDAD Resolutions 010 and 011, published in Official Register 118 of 22 April 2009, and in the updates published on the

¹ The questionnaire appears in Annex to document G/LIC/3.

website: <http://www.agrocalidad.gov.ec>. Where there are no animal health requirements for a product from a new origin, the user is informed that a Disease Risk Analysis (DRA) must be performed prior to importation.

3. The system of animal health import permits applies to all animals and products and by-products of animal origin from all countries.

4. The PZI requirement does not restrict the quantity or value of imports, but rather, it protects the country against the introduction and/or spread of exotic or emerging diseases.

5. The PZI is governed by the Animal Health Law and its Regulations. The administrative procedure is based on Resolutions 010 and 011, published in the Official Register and on the AGROCALIDAD website www.agrocalidad.gov.ec.

Designation of products that require a PZI is not left to the discretion of AGROCALIDAD.

The national government, through COMEXI, may determine or modify the list of products requiring a PZI subject to the submission of the technical report.

Procedures

6. AGROCALIDAD does not apply restrictions as to quantity or value of imports of livestock products from other countries.

7. (a) The PZI must be obtained prior to the shipment of the product. Applications are submitted to the appropriate office at the Ministry of Agriculture, Livestock, Aquaculture and Fisheries of Ecuador, and must be addressed to AGROCALIDAD, the agency responsible for conducting the technical analysis of the product to be imported and for issuing the PZI or rejecting the product within a maximum limit of ten working days.

(b) A PZI cannot be granted earlier than mentioned in the previous paragraph.

(c) There are no limitations as to the period of the year during which an application for a PZI may be made.

(d) No, all of the import applications for products of animal origin are sent to AGROCALIDAD through the Ministry of Agriculture, Livestock, Aquaculture and Fisheries.

8. The PZI may be refused if the animals or the products or by-products of animal origin present a risk of introducing and/or spreading exotic diseases in the territory of Ecuador. It can also be refused if the product to be imported does not meet animal health requirements established through a DRA.

The importer is informed of the refusal, and as stated in the Animal Health Law and its Regulations, there is no appeal procedure.

Eligibility of importers to apply for licence

9. (a) Not applicable.

- (b) Before importing any animals or products and by-products of animal origin, the natural or legal person in question must register as an importer of livestock products with AGROCALIDAD, as stipulated in Resolution 010, published in Official Register 571 of 16 April 2009. There is a fee for the registration of importers of livestock products, animals, or products and by-products of animal origin which is established in Resolution 010. The official list of importers registered with AGROCALIDAD can be found on the website: www.agrocalidad.gov.ec.

Documentational and other requirements for application for licence

10. The application for a PZI must be submitted in writing, signed and dated by the applicant, and must contain the following information:

- (a) Name and address of the importer;
- (b) description of the product to be imported;
- (c) quantity of the product to be imported;
- (d) name and address of exporter;
- (e) country of origin of the product to be imported;
- (f) name of the port of entry and exit of the product to be imported;
- (g) means of transport of the product;
- (h) use to be made of the product.

The above must be accompanied by: a copy of the order form, a copy of the pro forma invoice, a copy of the customs document, and proof of payment to AGROCALIDAD of the officially established fees (see paragraph 12).

11. Upon importation, the following documentation is required: the PZI, the importer registration certificate issued by the AGROCALIDAD, the animal health export certificate issued by the national animal health protection organization of the country of origin, a certificate of origin for the product, and a certificate of treatment of the product where necessary. These documents are examined during the animal health inspection which takes place upon entry of the product into the country.

12. The charges for importation are based on the AGROCALIDAD schedule of fees (Resolution 001), published in Official Register 331 of 10 May 2004.

13. The issue of a PZI is not subject to any deposit or advance payment. However, as stipulated in the AGROCALIDAD schedule of fees (Resolution 001), full payment in advance is required to obtain a PZI.

Conditions of licensing

14. PZIs are valid for a period of three months (90 days), as stipulated in CAN Resolution 240 and AGROCALIDAD Resolutions 010 and 011. They are valid for only one shipment, and in case of expiry, the importer may ask, 48 hours in advance, for an extension of 30 days. If the PZI is not utilized during the stipulated time, the importer must apply for a new one.

15. There is no penalty for total or partial non-utilization of a PZI.

16. PZIs are not transferable between importers.

17. The issue of the licence is not subject to any other conditions.

Other procedural requirements

18. AGROCALIDAD does not require any administrative procedures other than those set forth in Resolutions 010 and 011.

19. Not applicable.
