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Dominican Republic

Food and Agricultural Import Regulations and Standards

Labeling Requirements

2007

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Report Highlights:

DIGENOR (Dominican Norms and Standards Directorate) announced recently that the Spanish labeling requirement will be enforced. Apparently, the current date set for enforcement is November 18, 2007. Industry representatives believe that the Dominican Government will be imposing this measure.

Includes PSD Changes: No
Includes Trade Matrix: No
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[DR]

SUMMARY

On March 14, 2007, the Norms and Standards Organization (DIGENOR) issued a press release to inform importers and distributors of foreign food and feed products of the implementation in 60 days of the Labeling Standard under Dominican Norm 53 (NORDOM 53 –see details in section II, including no provisions for GMO products). DIGENOR verbally extended the due date for implementation to November 18, 2007.

The NORDOM 53 has been in place for ten years, but has not generally been enforced.

Post believes it is important to inform U.S. companies that there will be an effort to enforce the ruling.

According to DIGENOR the following must be in Spanish:

1. Name of the food product
2. Ingredient list
3. Net and drained weight using the Metric system (grams, kg, etc.)
4. Industrial and Sanitary registration number or its equivalent.
5. Usage instructions

Please note that any numerical requirements should be noted on the standard itself that follows.

Here is the text of the labeling requirements repeated for your information, except for the last paragraph on Irradiated Foods.

Section II. LABELING REQUIREMENTS

1. Labeling of Prepackaged Foods

The label on prepackaged foods, issued by DIGENOR (Norms and Standards Bureau) must contain the following information on the product labeled. The current national standard (NORDOM 53), which is in place but not enforced, requires Spanish language and follows the *Codex Alimentarius* standard and is described below:

1. Food Name
2. The name of the product must indicate its true nature, and usually should be specific, not generic.
3. When, according to the Codex or to a national norm, there are several names for the same product, at least one of these names must be used.
4. In other cases, the name prescribed by the National Legislation must be used.
5. When the above names are not available a common name should be used, as long as it does not deceive the consumer.
6. In the label, any phrase or sentence needed to clarify the nature of the product, such as kind of covering, presentation of the product or any special treatment (like dehydration, reconstitution or smoked), must be placed close to the name of the product.

2 Ingredients list

In all cases, except when the product has only one ingredient, an ingredient list must appear in the label.

- The list must have an appropriate title with the word "ingredient" included.
- The ingredient list should be given, in a decreasing order, by the weight of the ingredient, when the food was manufactured.
- When an ingredient is a combination of two or more product additives, this ingredient (compound ingredient) can be listed as one, as long as it goes with a list (in parenthesis) of its individual constituents in decreasing order of proportions. When a compound ingredient, which has a name from the Codex or from a national norm, has a 25 percent share (or less) of the total product, its ingredient list does not need to be specified, except for the food additives that have a technological function in the final product.
- If water is added, it must be indicated in the list of ingredients, except when the water is part of ingredients, such as broth in a food product, and declared as such in the list of ingredients. It is not necessary to declare water or other volatile ingredients that may evaporate during the production process.
- As an alternative to the general dispositions of this section, for dehydrated or condensed foods destined for reconstitution, the ingredients can be listed by order of proportions in the reconstituted product, as long as the list includes a sentence, such as "Product ingredients when prepared following the instructions on the label."
- The following generic names for the ingredients that belong to the corresponding classes can be used (see table below):

Ingredient Class	Generic Names
Refined oils different than Olive oil	Oil, with the word vegetable or animal, and classified as hydrogenated or partially hydrogenated
Refined fats	Fat, with the word vegetable or animal
Starch, different than chemically modified starch	Starch
All fish, when it is an ingredient for other product and as long as the label does not refer to a specific kind of fish	Fish
All poultry meat, when it is an ingredient for other products as long as the label does not refer to a specific kind of poultry meat	Poultry meat
All cheese, when it is an ingredient for other products as long as the label does not refer to a specific kind of cheese	Cheese
All spices or their parts (no more than 2 percent weight), alone or mixed with the food	Spice or spice mix
All aromatic herbs or their parts (no more than 2 percent weight), alone or mixed with the food	Aromatic herbs or aromatic herb mix Gm based
All gum preparations used in the manufacture of the bubble gum base	Gum based
All sucrose	Sugar
Anhydrous dextrose and monohydrated dextrose	Dextrose or glucose
Refined or extracted cocoa butter	Cocoa butter
Candy covered fruits (no more than 10 percent of the product's weight)	Candy covered fruits

As an exemption, the following products must be specified by their specific names: pork fat, butter and bovine fat.

When listing food additives belonging to different classes, the following generic names (together with the specific name according to the Codex or to the National Legislation) must be used: Agglutinant(s); Antioxidant(s); Dyes(s); Emulsifier(s); Aroma enhancer(s); Glossy agent(s); Preserving substance(s); Stabilizer(s); Thickener/gel agent(s); Antisparkling(s); Flour treatment agent(s); Artificial sweetener(s); Acidity regulator(s); Propellant(s); Yeast(s); and Emulsifier salt (Only in case of melted cheese and its by-products).

For food additives belonging to the same class, which are listed in the Codex and authorized for use, the following generic names can be used:

Aroma(s)

Chemically modified starch.

The "aromas" can be classified as: naturals, similar to naturals, artificial or a mix of them.

Food Preparation, cooperator and food additive transfer

Any food additive that has been used as a part of the ingredients of a compound ingredient or in the product's raw materials, and that has a technological effect in the final product, must be included in the list of ingredients.

The food additives transferred to the food in small quantities, and the elaboration should be completed properly.

Net weight and drained weight

The net weight must be in units of the International System.

The net weight must be declared as follows:

- i. Volume, for liquid foods
- ii. Weight, for solid foods
- iii. Weight, for semi-solid and viscous foods

In foods preserved in a liquid environment, in addition to the net weight, the drained weight must also be declared. Liquid environment will be understood as: water, sugar or salty water based solutions, fruit and vegetable juices and vegetables preserved in vinegar.

Name and Address

The name and address of the producer, wholesaler, importer, exporter or retailer must be written on the label.

Country of Origin

The country of origin must be printed on the label. When a product's nature is changed in a second country because of any process change, the second country must be reported as the country of origin.

Lot Identification

Each container must have a clear and distinct identification specifying the manufacturing company and a lot number.

Date and Preserving Instructions

Unless the Codex, or one individual national norm specifies it, the date declaration should include:

- 1) The "best before" date (minimum duration date) should be used.
- 2) This date must have at least the following:
 - Month and day for products with a minimum shelf life of less than three months.
 - Month and year for products with a minimum duration of more than three months. If the month is December use only the year.
- 3) The date declaration must have the words "Best if consumed before...", for cases other than the ones in 2.
- 4) The sentence must be accompanied by:
 - The date itself.
 - A reference to the place where the date is printed.
- 5) The day, month and year must be numbers not code. The month can be abbreviated using letters in countries where this practice does not confuse the consumers.
- 6) As an exception to 4.7.1 (I) the following products will not need the minimum duration date:
 - a. Fresh fruits and vegetables, including fresh potatoes (not peeled or cut);
 - b. Wine, sparkling wines, fruit wines and sparkling fruit wines;
 - c. Alcoholic beverages with more than 10 percent of alcohol by volume;

- d. Bakery products that must be consumed within 24 hours;
- e. Vinegar;
- f. Salt (for food);
- g. Solid sugar;
- h. Candy products;
- i. Bubble gum;
- j. Specific products, as determined by the Products Committees, national or Codex;
- k. Any special instructions in order to preserve the product until that date must be printed on the label.

User Instructions

Instructions on how to use the product must be printed on the label (especially if the product needs to be reconstituted).

Quantitative Labeling of the Ingredients

When an important ingredient is printed on the label, the percentage of this ingredient used in the elaboration of the product (wt./wt.) must be indicated. In addition, when the label indicates that a product has a low level of an ingredient, the percentage of this ingredient in the final product must be indicated.

If the product name refers to an ingredient, this will not indicate (by itself) that the ingredient has special importance. This also applies for ingredients such as aromas (or used in small quantities) on the product label.

Exemptions to the Mandatory Labeling Requirements

Except for spices and aromatic herbs, units of product smaller than ten square centimeters (their largest surface) are exempted of the labeling requirements specified by the previous sections.

Optional Labeling

The labeling of products can have any desired information, as long as it does not violate the obligatory requisitions of this standard, including the requisitions regarding declaration of properties and fraud, as of Section 3 (General Principles).

Quality Designations

- When quality designations are used, they must be easily understandable and not deceptive in any way.
- The data on the label must be clear, so that consumers will be able to read all the information printed.
- When a container is wrapped, the wrapping must have all the required information, or the container's label must be readable through the wrapping.
- The food's name and net weight must be placed in a prominent place and at the same level.
- All labels must be in Spanish. For cases when the label is not in this language, a complementary label containing the information translated into Spanish must be added.
- When a new label (or a complementary label) is added to the container, the obligatory information must reflect the information printed on the original label.

Radiated Foods

Labels of products that have been irradiated must indicate such treatment in a place near the product name. The use of the international sign is optional, but whenever it is used, it must be placed near the product name.

When an irradiated product is used as an ingredient, it must be declared in the list of ingredients. Also, when a product is made of only one ingredient and this is prepared with irradiated raw materials, the undergone treatment must be specified on the label.

GMO type foods and feeds (ADDITION)

This last ruling will be an addition to the current 1998 edition. According to the DIGENOR Director, for bulk type of GMO products (ie. corn, rice, soybean, etc.), these were exempted from the general food labeling requirements. The label requirement in NORDOM 53 does not specifically require to categorize GMO products or to be stated as such in the label.