

Voluntary Report – Voluntary - Public Distribution

Date: December 11,2020

Report Number: GA2020-0001

Report Name: Food and Agricultural Import Regulations and Standards
Report 2020

Country: Gambia - The

Post: Dakar

Report Category: FAIRS Annual Country Report

Prepared By: Fana Sylla

Approved By: Jasmine Osinski

Report Highlights:

This report provides an overview of The Gambia's regulations for food and agricultural products. It includes information on applicable laws and standards, import procedures, and contact details of key regulatory agencies involved in trade. Exporters are advised to thoroughly research the laws and regulations applicable to their products across all relevant regulatory agencies.

Table of Contents

Executive Summary	3
Section I: Food Laws	4
A. Food Safety Regulatory Bodies	4
Section II: Labeling Requirements	6
A. General Requirements	6
B. Requirements Specific to Nutritional Labeling	6
Section III: Packaging and Container Regulations	6
Section IV: Food Additive Regulations	6
Section V: Pesticide and Other Contaminants	7
Section VI: Other Requirements, Regulations, and Registration Measures	7
Section VII: Other Specific Standards	8
A. Vitamin and Mineral Enrichment Requirements	8
B. Other Standards	8
Section VIII: Trademarks, Brand Names and Intellectual Property Rights	8
Section IX: Import Procedures	8
Section X: Trade Facilitation	10
Appendix I: Key Government Regulatory or Agency Contacts	11
Appendix II: Other Import Specialist Technical Contacts	13
Figure 1. The Gambia: Food Safety and Quality Authority Organizational Chart	5
Figure 2. The Gambia: Food Safety and Quality Authority Desk Workflow Chart	9

Disclaimer: This report was prepared by U.S. Embassy Dakar’s Office of Agricultural Affairs (OAA) to serve as reference guide for stakeholders wishing to export food and agricultural products to The Gambia. While the OAA makes every effort to describe existing regulations accurately, exporters are strongly advised always to verify import requirements with their customers prior to shipment. THIS REPORT HAS NOT BEEN OFFICIALLY ENDORSED BY THE GOVERNMENT OF THE GAMBIA. IMPORT APPROVAL FOR ANY PRODUCT IS SUBJECT TO LOCAL RULES AND REGULATIONS AS INTERPRETED BY GAMBIAN BORDER OFFICIALS AT THE TIME OF ENTRY.

Executive Summary

The Gambia has a population of 2 million, 57 percent of which is concentrated in urban and peri urban areas. The Gambia is a small, open economy that has become increasingly known as a trade hub, exporting on average \$100 million a year, mostly re-exported goods. Its coastal location and diverse ecosystems make it an attractive investment and tourist destination. Most of The Gambia's gross domestic product (GDP) is generated by services (60 percent), wholesale and retail trade, and tourism which is the fastest growing sector in the economy. The Gambia imports almost all its food needs, especially for its growing hospitality industry. For calendar year (CY) 2019, the U.S. exported \$23.16 million of food and agricultural products to The Gambia, representing 5.77 percent of total food and agricultural product exports to the Gambian market. With the government prioritizing the development of the tourism sector, there is a growing need for imported food and beverages geared for the hospitality industry and an opportunity to increase U.S. market share for consumer-oriented food products.

Laws pertaining to food and agricultural products imported into The Gambia are under the jurisdiction of the Food Safety & Quality Authority. However, other ministries are also involved in regulating the importation of agricultural products, such as the Plant Protection Service of the Ministry of Agriculture which oversees pest control, fumigation and phytosanitary certification. Exporters are advised to thoroughly research the laws and regulations applicable to their products across all relevant regulatory agencies.

Section I. General Food Laws

The 2011 Food Safety and Quality Act outlines structures and control mechanisms to ensure the safety and quality of food and feed for import, export, and domestic use. The 2011 Food Safety and Quality Act defines the authority of the Food Safety and Quality Authority (FSQA) as well as the duties of the scientific committee and the food control advisory committee. The scientific committee develops and proposes scientific opinions to the FSQA authority, including assessment of food safety risks, while the food control advisory committee provides the FSQA authority advice on the preparation and implementation of food and feed laws and regulations. The food control advisory committee also advises the Government on food safety and quality policy and the performance of the FSQA, its structures, and the responsibility of other related bodies. The Gambia uses a precautionary approach when possible harmful effects on human health are identified without scientific certainty. However, the law also states that measures taken by authorities should be no more restrictive than is required to achieve the appropriate level of health protection within a reasonable period depending of the nature of the risk to life or health. The law discusses various elements, including: a) food and feed safety; b) labelling; c) the importation and exportation of food and feed; d) the registration, licensing, and responsibilities of commercial operations; e) the traceability of food and feed; and f) the control of food safety hazards.

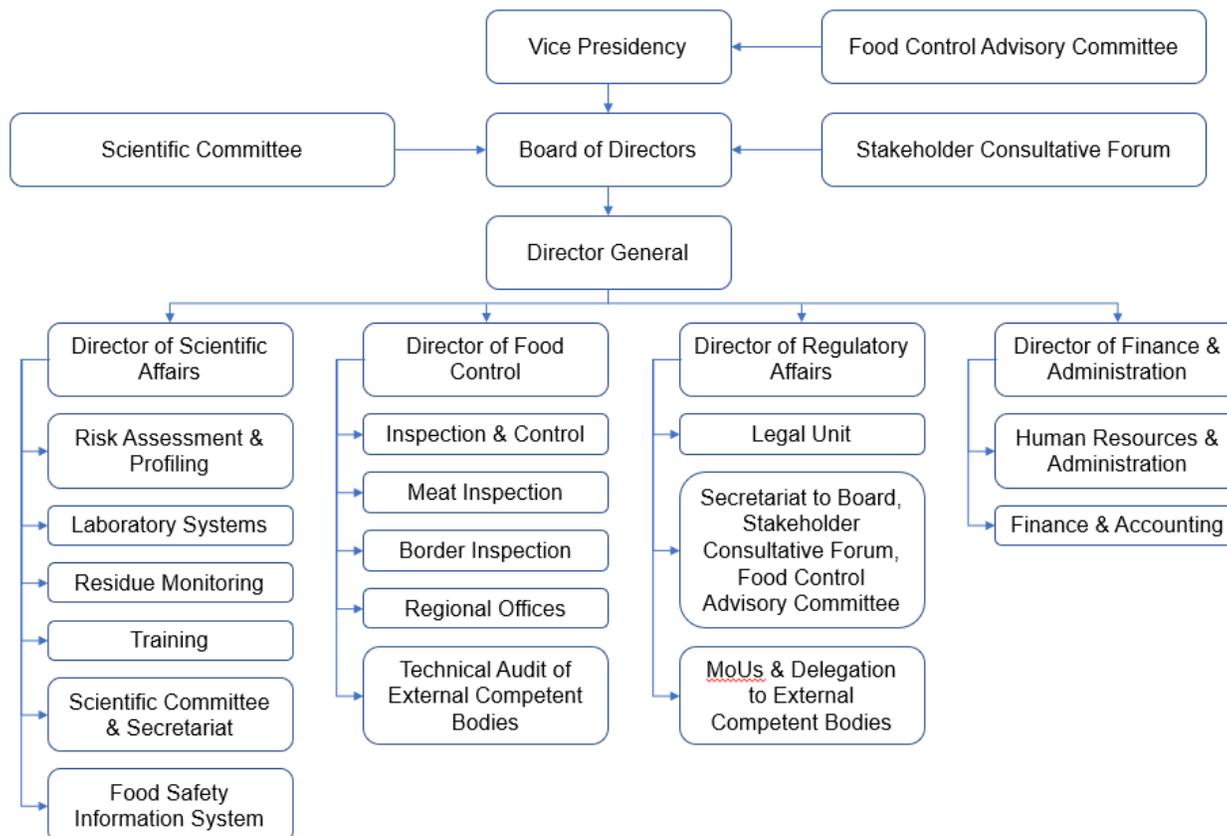
A. Food Safety Regulatory Bodies

The Gambia's Food Safety and Quality Authority (FSQA) was established by the Food Safety and Quality Act in 2011 and became operational in July 2018. FSQA is under the President's office and is the competent authority in charge of regulating the safety of all food and agricultural products, whether locally produced, imported, or destined for export. FSQA also has the authority to draft and develop food safety regulations and standards which are sent to Parliament for approval and then the Vice President for final approval. Once the Vice President signs a regulation or standard, it becomes obligatory. There are currently nine standards pending approval by Parliament. These nine standards include labelling on prepackaged foods, onions, potatoes, fortified edible oils, cashew, sesame seeds, groundnut, and fortified wheat flour.

The FSQA is organized into four departments: (see Figure 1.)

- Scientific Affairs, which conducts risk assessments
- Regulatory Affairs, which works on a) legal issues; b) developing policies, laws, regulations, standards, and MOUs; and c) reviewing the laws of The Gambia's trading partners
- Food Control
- Finance and Administration

Figure 1. The Gambia: Food Safety and Quality Authority Organizational Chart



Source: The Gambian Food Safety and Quality Authority

Other government bodies also have a hand in regulating food safety. FSQA delegates responsibilities such as border inspection to several ministries. FSQA works closely with the Port Authority and has signed MOUs with the Ministry of Health and the Department of Fisheries. It also works with several committees within the Ministry of Trade, including the Trade Facilitation Committee, the Trade Policy Committee, and the Market Access Committee. FSQA is in the process of signing an MOU with Livestock Services to supervise national abattoirs and slaughterhouses.

The Gambia Standards Bureau (GSB), housed under the Ministry of Trade, can initiate the development of national food standards. Every three years the GSB develops a national standard strategy that includes all standards it plans to develop within a certain timeframe. In developing standards, GSB technical subcommittees and committees draft and review standards; technical committees include 25 members that include various government officials (Ministry of Agriculture, FSQA), farmers, traders, and the general public. After a standard is developed, it remains “recommended” and unenforceable until FSQA decides to formally adopt the standard. The GSB works closely with Senegal in developing standards and strives to harmonize them with other Economic Community of West African States (ECOWAS) countries. To date all standards have been based on CODEX guidelines.

FSQA inspectors ensure that imported processed foods, feed, fish and seafood products, and poultry and meat products meet Gambian food safety standards. Other border inspectors include the Ministry of Livestock and the Ministry of Agriculture which oversee live animal and viable plants and seeds respectively. Controls are done at all ports of entry (air, land and sea). The Gambia Investment and Export Promotion Agency (GIEPA) and the Gambian Chamber of Commerce and Industry (GCCCI) issue certificates of origin and transit export goods.

For WTO issues, the Ministry of Trade is the national notification authority. The FSQA is the sanitary and phytosanitary enquiry point and the Codex focal point. For technical barriers to trade issues, the GSB is the enquiry point.

Section II. Labeling Requirements

A. General Requirements

There is no regulation on food labelling in The Gambia but the GSB has a voluntary standard on labelling based on the CODEX guidelines: GAMS CODEX STAN 1 – 1985 *General Standard for the Labelling of Pre-packaged Foods*. Pre-packaged foods should be labelled with clear instructions and the writing must be legible enough to enable users to read, handle, display, store, and use the product safely. In addition, Part XII section 42 (1) of the Food Safety and Quality Act states:

- “A food business operator shall not use labels and methods for labelling food that has a tendency to mislead the purchaser to a material degree...”
- “It is mandatory that labelling should be in English otherwise the product will be rejected. Additional labels in any other language may also be used.”

GSB recommends certain products such as wheat flour to be labelled as “fortified.”

For more information on voluntary labelling requirements, please contact the GSB.

B. Requirements Specific to Nutritional Labeling

GSB follows the CODEX requirement for nutritional labelling.

Section III. Packaging and Container Requirements

The Gambia does not have national standards on packaging and container requirements.

For more information or questions on packaging, please contact the [GSB](#) or your importer.

Section IV. Food Additive Regulations

The Gambia does not have food additives standards and follows the Codex General Standards for Food Additives (192-1995).

Section V. Pesticide and Other Contaminants

The Gambia applies control measures adopted through the Phytosanitary Convention for Africa and the Sahelian Pesticides Committee, which is a part of the Permanent Interstate Committee for Drought Control in the Sahel (CILSS). Pesticides should be registered at the CILSS and be listed in the country or ECOWAS list of approved pesticides. Pesticides are required to be pre-registered first at the National Environment Agency and Plant Protection Services before being submitted to the CILSS.

The Gambia applies recommended Codex guidelines concerning maximum residue levels for pesticides or veterinary drugs. The Plant Protection Services enforces the regulation. They also respect the European LMR especially for Aflatoxin.

Section VI: Other Requirements, Regulations, and Registration Measures

Facility Registration Requirements

Foreign facilities are not required to be registered. However, all local food business operators including importers must register with the FSQA.

Product Registration Requirements

The Gambia does not require product registration.

Other Certification and Testing Requirements

The Gambia requires import certificates or other certification/accreditation for imported processed food, animal products, live animals, plants and plant products, fish and seafood products, and feed.

Food and agricultural products that enter the Gambian market are subject to inspections performed by the relevant government ministries or bodies (please see Section I to understand responsibilities).

A live animal certificate is required from the competent authority of the country of origin that includes a list of vaccinations and attests that the animal is free of disease and healthy.

For poultry and poultry products and meat and meat products, these documents are requested: veterinary certificates from the competent authority of the country of origin and laboratory analysis.

For plant and plant products, these documents are requested: certificate of origin and a phytosanitary certificate issued from the competent authority of the country of origin attesting that the products are free of any and all parasites, fumigation certificate, and laboratory analysis.

For manufactured food, these documents are requested: export health certificate from the competent authority of the country of origin and laboratory analysis results.

For products of biotechnology, The Gambia does not have a biosafety law in place and defers to the Cartagena Protocol.

Section VII. Other Specific Standards

A. Vitamin- and Mineral- Enrichment Requirements

The Gambia has standards on fortified edible oil, fortified wheat flour, and iodized salt that follow the *East African Community (EAC)* regulation.

B. Other Standards

The standards listed below are not obligatory. Detailed information and guidance on Gambian standards and their applications can be provided by the GSB and FSQA upon request.

- GAMS CODEX STAN 227/2001 Gambian standards for bottled packaged drinking water
- GAMS CODEX CAC-RCP 1/1969 Gambian standards on Food Hygiene
- GAMS CODEX STAN 19/1981 Gambian standards for Edible Fats and Oils
- GAMS CODEX STAN 108/1981 Gambian standards for Natural Mineral Water
- GAMS CODEX STAN 198/1985 Gambian standards for Rice
- GAMS CODEX STAN 200/1995 Gambian standards for Peanuts (groundnuts)
- GAMS CODEX STAN 1/1985 Gambian standards for the Labelling of prepackaged Foods
- GAMS CODEX STAN 212/1999 Gambian standards for Sugars
- GAMS CODEX STAN 152/1985 Gambian standards for Wheat Flour
- GAMS CODEX STAN 57/1981 Gambian standards for Processed Tomato Concentrates

Section VIII. Trademarks, Brand Names and Intellectual Property Rights

The Gambia is a member of the World Intellectual Property Organization since 1980 and acceded to the Paris Industrial Property Convention in 1991. The Gambia is also a member of the African Intellectual Property Rights Organization.

In The Gambia, the government body responsible for managing intellectual property rights is the Office of the Registrar General Attorney General's Chambers at the Ministry of Justice.

The Property and Technology Service, housed within the Ministry of Industries and Mines, regulates trademarks, industrial designs, and patents. National legislation based on the Banjul Agreement on Trademarks, Patents, and Industrial Designs of 1997 (revised in 1999) covers these.

Section IX. Import Procedures

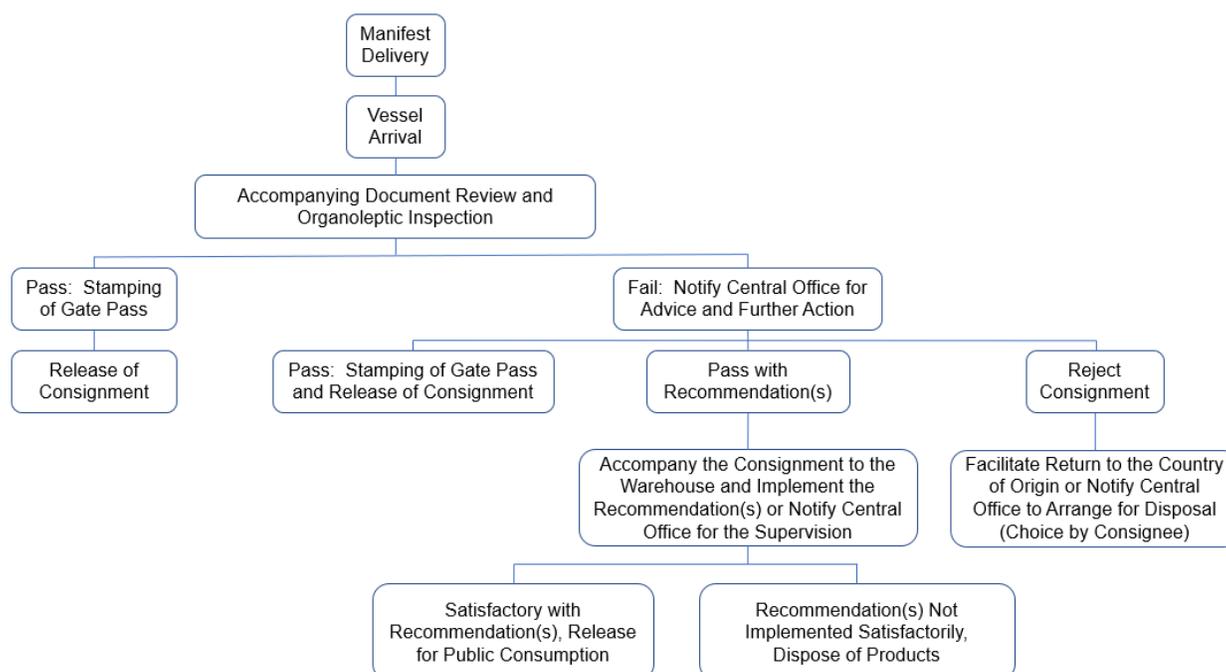
The Food Safety and Quality Act (FSQA) created guidelines for import procedures and documentation. Although the guidelines are not formally adopted, ASQA reportedly follows these procedures at the border. The guidelines can be downloaded online at www.fsqa.gm, and some highlights include the following:

- A) Documentation to be presented for imported products:
- Bill of lading
 - Certificate of origin
 - Delivery order
 - A gate pass
 - Other export certificates depending on the imported product
- B) For labelling, please Section V.

Imported food arriving in The Gambia by sea, land, or air can reportedly be cleared within 24 to 48 hours. The Gambia Ports Authority (GPA), Customs and Excise Department (Gambia Revenue Authority), and shipping agencies are involved in the clearance process. They work together to offer a single window to assist importers and exporters. **The recognized points of entry include the following: seaport, airport, and land borders/posts (Tanjai, Amdalai, Farafenni, Soma, Bansang, Basse, and Jeboro).**

The chart below describes the general steps to clear all imported food and agricultural products such as manufactured food, poultry and poultry products, meat and meat products, fish and seafood, and plant and plant products:

Figure 2. The Gambia: Food Safety and Quality Authority Desk Workflow Chart



Source: FSQA, The Gambia

Please visit the following link for Gambian import guidelines and requirements:

<https://www.fsqa.gm/guidelines>

Section X: Trade Facilitation

The Gambia does not allow advance rulings yet. All imported goods are inspected upon arrival by Customs for classification, origin and/or the value of the goods. In addition, e-certificates are not currently being accepted, and the country does not use the Global e-phyto hub created by the International Plant Protection Convention. Once the importer/agent declares the products to Customs and submits all documentation for verification (e.g. certificates, proof of payment, etc.), goods should be released from Customs after completion of all formalities within 24 hours.

Since January 1st, 2017, The Gambia has been implementing the ECOWAS Common External Tariff (CET) whose tariffs on imports fall into five categories: 0%, 5%, 10%, 20% and 35% of CIF. Other taxes include:

- a) Excise Tax (see table below)
- b) Environment Tax (see table below)
- c) ECOWAS Levy 1% of CIF
- d) Processing Fee 1.55% of CIF
- e) AU Levy 0.20% of CIF
- f) Import VAT 15% of CIF and Duty

Excise and environmental taxes on beverages apply as follows:

PRODUCT	EXCISE TAX	ENVIRONMENTAL TAX
BEER	D100/LTR	None
WINE	D150 / LTR	None
SPIRIT	D175/LTR	None
SOFT DRINKS	D5/LTR	None
JUICE	D5/LTR	None
MINERAL WATER	D5/LTR	None

\$1= 51.80 Dalasi (D)

Charges for inspection of consignments is 30 Dalasi per metric ton.

For more information, please visit <http://www.gra.gm/sites/forms>

Appendix I. Key Government Regulatory or Agency Contacts

Food Safety and Quality Authority (FSQA)

P.O. Box 2047 Kotu East

Banjul, Serrekunda – The Gambia

Tel: + (220) 446-6797

Email: info@fsqa.gm

Codex Contact Point

The Director General

Food Safety and Quality Authority

P.O. Box 2047 Kotu East

Banjul, Serrekunda – The Gambia

Tel: + (220) 446-6797

E-mail: ccp_gambia@fsqa.gm

Gambian Standards Bureau (GSB)

Kotu East

Banjul, Serrekunda – The Gambia

Tel: (+220) 446-4210 / 213-5856

Email: info@tgsb.gm

TBT Enquiry Point

The Gambia Standards Bureau (GSB)

Contact Person: Mrs. Isatou Cham

Kotu East

Banjul, Serrekunda – The Gambia

Tel: (+220) 446-4210 / 213-5856

Email: icham@tgsb.gm

Sanitary and Phytosanitary (SPS) National Notification Authority

Ministry of Trade, Industry and Employment

Independence Drive - Banjul

The Gambia

Tel: +(220) 422-8392/420-1432

Email: baturuc@yahoo.com; yaingui@hotmail.com

Sanitary and Phytosanitary (SPS) Enquiry Point

The Food Safety and Quality Authority (FSQA)

Dr. Zainab Jallow, Director General FSQA

P.O. Box 2047 Kotu East

Banjul, Serrekunda – The Gambia

Tel: + (220) 446-6797

Email: gambiaspsenquiry@fsqa.gm

Gambia Ports Authority
Address: 34 Liberation Avenue P O Box 617
Banjul, The Gambia
Tel: +(220) 422-9940
Email: info@gamport.gm
Website: www.gambiaports.com

Ministry of Agriculture
Banjul capital office
The Quadrangle
Banjul, The Gambia
Tel: +(220) 422-8270
Email: info@moa.gov.gm

Department of Livestock
Ministry of Agriculture
Abuko - Kanifing municipality
Banjul, The Gambia
Tel: +(220) 995-6980 / 234-1040

Ministry of Trade, Industry, Regional Integration and Employment
Independence drive
Banjul, The Gambia
Tel: +(220) 422-7395 / 422-8392 / 422-8868
Email: info@motie.gov.gm
Website: www.motie.gov.gm

Gambia Chamber of Commerce and Industry (GCCCI)
Senegambia Hwy
Banjul, Serrekunda – The Gambia
Tel: +(220) 446-3452
Website: <https://gcci.gm/>

Gambia Investment and Export Promotion Agency
Kairaba Ave
Banjul, Serrekunda – The Gambia
Tel: +(220) 437-7377
Website: <https://www.giepa.gm/>

Gambia Revenue Authority
Banjul, The Gambia
Tel: +220 422-3131
Website: <http://www.gra.gm/>

Appendix II: Other Import Specialist Technical Contacts

Food Technology Services
Ministry of Agriculture
Banjul capital office
The Quadrangle
Banjul, The Gambia
Tel: +(220) 422-8270
Email: info@moa.gov.gm

National Agricultural Research Institute (NARI)
PO Box 526
Banjul, Serrekunda – The Gambia
Website: <http://www.narigambia.org>
Email: nari@ganet.gm

Attachments:

No Attachments.