

PRE-SHIPMENT INSPECTION OF IMPORTS FOR THE DEMOCRATIC REPUBLIC OF CONGO (DRC)

1. Pre-Shipment Inspection (PSI) mandate

IS THE COUNTRY A MEMBER OF THE WTO?: ☒ Yes ☐ No

MANDATE AUTHORISED BY: DGDA (Direction Générale des Douanes et Accises) and OCC (Office Congolais de Contrôle), Ministry of Commerce.

APPLICABLE REGULATION(S): Interministerial decree No. 106/CAB/MIN/FINANCES/2006 and No. 004/CAB/140/MIN.CE/2006 dd. 16/10/2006.
 DG/DCI/AKM/ABB/MM/1263/2011 dd. 09/05/2011 detailing OCC quality and labelling requirements for PSI inspections.
 Ministerial Decree No. 1250/CAB/MIN/SP/009/CJ/2013 dd. 18/07/2013, concerning the renewal of the ban on importation of pharmaceuticals;
 Instruction No. DGDA/DG/DV/DGA.T/DG/006/2013 dd. 17/10/2013, concerning the valuation of motor vehicles imported into DRC.
 Exchange regulation dd. 24/09/2014
 Letter No. 5011/1497/SG/AGRI.PEL/2014 dd. 08/11/2014 from the ministry of Agriculture and Rural Environment, listing hazardous chemicals and pesticides prohibited to importation.

APPOINTED PSI COMPANY (IES): BUREAU VERITAS BIVAC BV

SCOPE OF DUTIES: ☒ Quality, Quantity
☒ Export market price (for foreign exchange purposes)
☒ Export market price (for Government information purposes)
☒ Customs classification per item
☒ Value for Customs purposes (based on GATT Valuation Code)
☐ Assessment of import duties and taxes
☐ Import eligibility (done by the OCC)

MINIMUM VALUE SUBJECT TO PSI: USD 2 500 FOB.

PART SHIPMENTS: Allowed.

EXEMPTIONS FROM PSI: YES (see the attached list, section 7).

2. Pre-Shipment Inspection Order (P.I.O.) - The instruction for BIVAC to inspect

P.I.O. NAME: LIB (Licence d'Importation de Biens).

ISSUED BY: Banque Centrale du Congo (all commercial banks can register PIOs).

VALIDITY: 1 year, renewable once for 6 months.

AMOUNT BY WHICH P.I.O. VALUE MAY BE EXCEEDED: An excess of 5 % in the FOB value/Quantity compared to the LIB is tolerated.

2. Pre-Shipment Inspection Order (P.I.O.) - The instruction for BIVAC to inspect (Cont'd)

CHANGES FROM SEA TO AIR:	<i>With the importer's agreement. An amendment of the LIB is required if the change of transport mode takes place from the very first shipment.</i>
DESTINATION INSPECTION:	<i>Not allowed (currently performed only by the Office de Contrôle Congolais – OCC, but without issuance of a PSI certificate).</i>

3. Inspection requirements/restrictions

SEALING OF F.C.L.CONTAINERS	YES.
SECOND-HAND GOODS:	<i>Allowed, provided it is described as such in the LIB. See sections 7 and 8.</i>
PROHIBITED IMPORTS:	<i>See Section 8.</i>
RESTRICTED IMPORTS:	<i>See Section 9.</i>
LABELLING REQUIREMENTS:	<p># <i>Pre-packaged foods: labelling to comply with the CODEX STAND 1-1985, Rev. 1-1991 of the Codex Alimentarius, Vol. 1A. The following information shall appear on the label: i) Name of the food; ii) List of ingredients; iii) Nets contents and drained weight; iv) Name and address of the manufacturer, packer, distributor, importer, exporter or vendor; v) Country of origin; vi) Lot identification; vii) Date marking and storage instructions; viii) Instructions for use.</i></p> <p># Non-food Pre-packaged manufactured goods: <i>labelling to comply with provisions of Recommendation R79 from the OIML (Organisation Internationale de Métrologie Légale) (Interministerial Decree No. 004/CAB/MIN/IND/2007 and no. 1250/CAB/MIN/SP/011/37/2007 dd. 31/07/2007.</i></p> <p># Pharmaceuticals: <i>Individual packages must show the Name of the product, Qualitative and Quantitative composition per dose or in percentage, Batch number, Name and address of the manufacturer, Manufacture and expiry dates, Storage instructions if any (Ministerial Order n°1250/CAB/S/C12/RM/2004 dd. 24/04/2004).</i></p> <p><i>The following information shall be declared on each ampoule and small pharmaceutical container: Product name, Quantity of active principle, Route of administration, Manufacture and expiry dates.</i></p> <p><i>Instructions for use: must be at least in French or English.</i></p> <p>Pharmaceuticals manufactured in India <i>must necessarily be identified by the Name of the manufacturer and the Manufacturer's licence number (Ministerial Decree 1253/P/DNM/461/2010 dd. 24/09/2010).</i></p> <p># Toothpaste: <i>individual packages must show i) Name of the product as 'Pâte dentifrice' or its equivalent; ii) Trademark; iii) Name and address of the manufacturer or authorized distributor; iv) Batch number; iv) List of ingredients; v) Net volume in millimetres and/or Net weight in grams; vi) Expiry date where the shelf-life is 30 months and less.</i></p>

3. Inspection requirements/restrictions (Cont'ed)

- # **Tobacco products:** *The tar and the nicotine contents shall be declared on the label, as well as the following health warning: "Smoking is dangerous for health" (Fumer est préjudiciable à la santé),*
- # **Alcoholic beverages:** *the alcohol content in volume or percentage shall be declared on the label.*

OTHER SPECIAL REQUIREMENTS:

- # **Salt** *intended for human consumption must be iodised in the following proportion at production level: at least 40 ppm of iodine or 66 mg/Kg of potassium iodate (Interministerial Decree n° CAB/MIN/ECO/ICPME/SP/APE/2003 dd. 16/05/2003). Iodine content shall be confirmed by a certificate of analysis. Potassium iodate (KIO₃) to be used mandatorily as component for the iodization of salt.*
- # **Dried and salted fish** *should comply with the following specifications in pursuance of Presidential Decree n° 86/121 dd. 18/04/1986. A chemical analysis certificate shall be supplied to confirm the humidity, TVBN and Moisture contents.*
 - **Low fat fish:**
*Humidity <= 35%;
Total Volatile Basic Nitrogen (TVBN) <= 100 mg %
Absence of mould*
 - **Fatty fish:**
*Humidity <= 40%
Total Volatile Basic Nitrogen (TVBN) <= 100 mg %
Absence of mould*
 - **Selachian fish:**
*Humidity <= 30%
Total Volatile Basic Nitrogen (TVBN) <= 500 mg %
Absence of mould*
- # *Foods and beverages must be free from saccharin, dulcin or sodium cyclamate (Ministerial Decree no. 13/CAB/NCB/96 dd. 11th October 1996). The list of ingredients shall be declared on the label.*
- # *Cosmetics must be free from hydroquinone (Interministerial Decree no. 004/CAB/MIN/IND/2007 and no. 1250/CAB/MIN/SP/011/JT/2007 dd. 31st July 2007). The list of ingredients shall be declared on the individual package.*
- # *All import of chemicals or biological products must be accompanied by its corresponding Material Safety Data Sheet (MSDS).*
- # *All alcoholic beverages with an alcohol content of more than 45 degree in volume shall be mandatorily packaged in bottles suitable for alimentary use, in glass and/or polyethylene terephthalate (PTE) as per Interministerial Decree No. 003/CAB/MIN-ECONAT/2010 and 014/CAB/MIN-COMPME/2010 dd. 21st August 2012.*
- # *Automotive vehicles must observe the legal requirements of safety, manufacture and roadworthiness. They must enter the customs territory of the Democratic Republic of Congo with the documents proving ownership and age of the vehicle.*

4. Price verification/Seller's invoice requirements

BUYING/CONFIRMING COMMISSIONS: *No restriction. Must be declared whenever applicable.*

INSURANCE: *No restriction.*

FINANCIAL INTEREST: *No restriction.*

FINAL INVOICE TO SHOW: *Breakdown of FOB, freight and insurance charges (where applicable).
By line item: detailed product description, including product name, trademark, model and characteristics (where applicable), origin and expiry date of products commonly traded with expiry dates.*

5. Reporting requirements

FINAL DOCUMENTS REQUIRED BY
BUREAU VERITAS TO ISSUE REPORT: *Final invoice, Packing List and transport documents (BL/LTA) plus any other specific documents that may be requested from exporters for specific goods: Sanitary certificate, Analysis certificate, Certificate of origin, Vehicle papers (Police declaration, Registration Card etc. as the case may be) for motor vehicles, proving ownership and age of the vehicle. Exporter's declaration for chemicals, confirming that exported chemicals do not contain any of the hazardous substances prohibited to importation (see Section 8).
For road shipments, Consignment Note is not required.*

TYPE OF REPORT ISSUED: *AV (Attestation de Vérification) or ARA (Avis de Refus d'Attestation), certified invoice.*

REPORT PURPOSE:

- *A certified invoice is given to seller/exporter for payment purposes upon his request.*
- *An AV is delivered to the importer or his representative (if authorized) and transmitted to OCC and DGDA for authentication and clearance of goods.*
- *An ARA is delivered to the importer or his representative (if authorized) and transmitted to OCC and DGDA for authentication and clearance of goods.*

It is issued after 30 days following the date of inspection in case of:

- i) Unsolved quality/quantity discrepancies*
- ii) Required final documentation not delivered by the exporter*
- iii) LIB quantity and/or FOB value exceeded by more 5 %.*

6. Inspection fees

Paid by the IMPORTER to the bank. Payment to BIVAC ordered by OCC.

Nevertheless, Bureau Veritas/BIVAC may invoice the Seller in the event of supplementary inspection visits (in vain or unsatisfactory results). The costs incurred by the Seller in presenting the goods for inspection, such as unpacking, handling, testing, sampling, repacking... are for the account of the Seller.

7. List of goods exempted from PSI

- *Imports with a FOB value below USD 2 500;*
- *Weapons, ammunitions imported by the Administration;*
- *Live animals;*
- *Fresh eggs;*
- *Fruits, vegetables, fish and meat, fresh or refrigerated (neither frozen or deep frozen);*

7. List of goods exempted from PSI (Cont'ed)

- *Current newspapers and periodicals;*
- *Re-imports without modification;*
- *Personal effects and moves, including motorised vehicles imported by residents returning to their country;*
- *Post parcels without commercial value;*
- *Commercial samples;*
- *Donations by foreign governments or international organizations to foundations, charities and humanitarian organizations declared of Public Utility;*
- *Personal gifts;*
- *Donations by foreign governments or international organizations or private persons in case of disaster;*
- *Gifts and supplies imported by diplomatic entities, by United Nations entities or other NGOs having customs taxes exemptions, for their own use.*
- *Goods purchased with donations and external resources, including loans.*
- *Used motor vehicles of more than 6 months old from the date of 1st registration to the transport document date with the exception of the following vehicles which are liable to PSI, irrespective of their age in pursuance of Instruction No. DGDA/DG/DV/DGA.T/DG/006 / 2013 dd. 17/10/2013:*
 - # Cycles, motorcycles and moped*
 - # Trailers and semi-trailers*
 - # Railway or tramway rolling-stock*
 - # 4x4, 6x6 or 8x8 trucks*
 - # Agricultural tractors*
 - # Civil engineering machinery*
 - # Specific trucks/machinery for sanitary purposes*

If the vehicle is more than 6 months old but has not been registered yet, it will be considered as new and will then be liable to Pre-Shipment Inspection.

8. List of prohibited goods

- *All foodstuff and beverages containing saccharin, dulcin or sodium cyclamate as sweeteners. (Ministerial Decree n°13/CAB/NCB/96 dated October 11th 1996)*
- *Colza oil and its fractions (Order no.23-97/CAB/MIN/FIN/95 dd. July 1995 from the Ministry of Finance)*
- *Pharmaceuticals with an expiry date < 2 years from the date of inspection (Ministerial Order n°1250/CAB/S/C12/RM/2004 dated April 24th 2004), unless special authorization is granted to the importer*
- *Quinine in capsule, tablet, syrup and liquid (Ministerial Decree No. 1250/CAB/MIN/SP/009/CJ/2013 dd. 18/07/2013)*
- *Foodstuff originated from Japan, following the earthquake and tsunami in Japan on March 11, 2011, causing radiation contamination in the regions of Fukushima, Ibaraki, Tochigi and Gunma (Official Communiqué dd. 13/4/2011 from the ministry of Commerce)*
- *Cosmetics containing hydroquinone (Interministerial Decree no. 004/CAB/MIN/IND/2007 and no. 1250/CAB/MIN/SP/011/JT/2007 dd. 31st July 2007)*
- *Imports of alcoholic beverages with an alcohol content above 45 pct.*
- *The following motor vehicles: i) Passenger cars and minibuses (less than 10 seats) of more than 10 years; ii) Commercial motor vehicles and Buses (more than 10 seats) of more than 7 years; iii) Trucks (other than 4x4, 6x6 or 8x8's and other than specific trucks/machinery for sanitary purpose), of a GVW exceeding 3.5 tons and of more than 10 years old; iv) Ambulances and hearses of more than 10 years... the age of the vehicle being computed from the date of 1st registration to the transport document date.*

8. List of prohibited goods (Cont'd)

- Cherry jam (in whole or mixed with other fruit) in glass jar under the name of 'EVERY DAY' or 'EVERYDAY' from Hungary, via Germany (official communiqué No. 001/CAB/MIN-ECO&COM/2014 dd. 19/09/2014 and No. 001/CAB/MIN-COM/2015 dd. 17/03/2015)
- Television sets **not conforming** the DVB-T2 standard for the Digital Terrestrial Television Broadcasting and the MPEG4 standard for video encoding (Interministerial Decree No. 002/TNT/CAB/MCM/LMO/2015 dd. 25/04/2015 from the Ministry of Postal Services, Telecommunication, Information and Communication New Technology and the Ministry of Communication and Media)
- Poultry meat of animals slaughtered between 1st May 2015 and 30th June 2015 and originated from the Provinces of Kastamonu, Balıkezir and Manisa in Turkey (official communiqué No. 003/CAB/MIN-COM/2015 dated 06/07/2015 from the Ministry of Trade)
- The following hazardous chemicals and pesticides listed in Annex III of the Rotterdam Convention:

Chemical	HS code Pure substance	HS code Mixtures, preparations containing substance	Category
Alachlor	2924.29		Chemical
Aldicarb	2930.90		Chemical
Endosulfan	2920.90		Chemical
2,4,5-T and its salts and esters	2918.91	3808.50	Pesticide
Aldrin	2903.52	3808.50	Pesticide
Binapacryl	2916.19	3808.50	Pesticide
Captafol	2930.50	3808.50	Pesticide
Chlordane	2903.52	3808.50	Pesticide
Chlordimeform	2925.21	3808.50	Pesticide
Chlorobenzilate	2918.18	3808.50	Pesticide
DDT	2903.62	3808.50	Pesticide
Dieldrin	2910.40	3808.50	Pesticide
Dinitro-ortho-cresol (DNOC) and its salts	2908.99	3808.91 3808.92 3808.93	Pesticide
Dinoseb and its salts and esters	2908.91	3808.50	Pesticide
1,2-dibromoethane (EDB)	2903.31	3808.50	Pesticide
Ethylene dichloride	2903.15	3808.50	Pesticide
Ethylene oxide	2910.10	3808.50 3824.81	pesticide
Fluoroacetamide	2924.12	3808.50	Pesticide
HCH (mixed isomers)	2903.51	3808.50	Pesticide
Heptachlor	2903.52	3808.50	Pesticide
Hexachlorobenzene	2903.62	3808.50	Pesticide
Lindane	2903.51	3808.50	Pesticide
Mercury compounds	2852.00	3808.50	Pesticide
Monocrotophos	2924.12	3808.50	Pesticide
Parathion	2920.11	3808.50	Pesticide

Chemical	HS code Pure substance	HS code Mixtures, preparations containing substance	Category
Pentachlorophenol and its salts and esters	2908.11 2908.19	3808.50 3808.91 3808.92 3808.93 3808.94 3808.99	Pesticide
Toxaphene		3808.50	Pesticide
Tributyltin oxide	2931.00	3808.99	Pesticide
Tributyltin fluoride	2931.00	3808.99	Pesticide
Tributyltin methacrylate	2931.00	3808.99	Pesticide
Tributyltin benzoate	2931.00	3808.99	Pesticide
Tributyltin chloride	2931.00	3808.99	Pesticide
Tributyltin linoleate	2931.00	3808.99	Pesticide
Tributyltin naphthenate	2931.00	3808.99	Pesticide
Methamidophos	2930.50	3808.50	Severely hazardous pesticides formulation
Methyl-parathion	2920.11	3808.50	Severely hazardous pesticides formulation
Phosphamidon	2924.12	3808.50	Severely hazardous pesticides formulation
Benomyl at or above 7 %		3808.92	Severely hazardous pesticides formulation
Carbofuran at or above 10 %		3808.92	Severely hazardous pesticides formulation
Thiram at or above 15 %		3808.92	Severely hazardous pesticides formulation

- *The following phytosanitary products that are harmful to health and environment:*

Chemical	HS code	Category
Dicofol	2906.29	Pesticide
Brodaficoum		Pesticide
Coumachlor		Pesticide
Diazinon	2933.59	Insecticide
Dichlorvos	2919.90	Insecticide
Carbendazim		Fungicide
Chlorothalonil		Fungicide
Malathion		Insecticide
Naphtalene		Special Health Hazard substance
Paraquat	2933.39	Herbicide

9. List of restricted goods

Items submitted to authorization:

- *Coins;*
- *Commemorative coins;*
- *Bank notes;*
- *Second-hand materials intended for investment;*
- *Weapons, ammunitions;*
- *Quinine (when part of a pharmaceutical product composition)*
- *Explosives*
- *Insecticides, fungicides, biocides, fertilizers and herbicides (with the exception of those listed in section 8 above).*

10. Geographical inspection zones

Worldwide.

The information contained herein is for the purpose of facilitating Pre-Shipment Inspection and does not relieve Exporters or Importers from their obligations in respect of compliance with the import regulations of the country of importation. Although every effort has been made to ensure the correctness of the information, as at the date of issuance of this data sheet, BIVAC International does not accept any responsibility for errors or omissions and, furthermore, the information may subsequently be subject to change as may be announced by the Authorities in the country of importation. Consequently, Exporters are advised to check with Bureau Veritas/BIVAC, prior to shipment of the goods, if there is any doubt concerning the issuance of a Clean Report of Findings.