

Guatemala

Overview

The National Standards Commission (COGUANOR) was created in Guatemala in 1962 under the direction of the Ministry of Economy under Decree # 1523. The National Standards Commission is responsible for developing standards to encourage the development of agricultural, commercial and industrial activities. COGUANOR was also established to create a favorable environment for fair competition and equitable relations between producers and consumers.

Companies or individuals interested in establishing or revising a particular standard may submit a request to COGUANOR. Specifically, it is COGUANOR's Technical Working Committee's (CCT), interdisciplinary groups made up of representatives from organized public, private, academic-scientific, and consumer sectors, which are in charge of drafting and revising national standards.

National standards drawn up by COGUANOR come into effect once they are approved by the government's executive branch and are published in the *Diario de Centro America*, the national gazette.

Standards Organizations

COGUANOR is empowered to direct and coordinate national policy regarding the setting of standards. Through the Ministry of Economy, it proposes the modification of current standards and the adoption of new standards to the government's executive branch, and oversees the application of adopted standards. Its technical committees are responsible for reviewing standards when necessary. COGUANOR also maintains communication with regional and international standards organizations.

COGUANOR is governed by an executive advisory committee, which is made up of representatives from the Ministry of Health, Ministry of Economy, Ministry of Labor, the College of Engineers, and the Chambers of Agriculture, Industry and Commerce. The Commission oversees two forms of national standards: a) NGR – Recommended Guatemalan Standards and b) NGO – Required Guatemalan Standards. NGR standards refer to quality standards relating to the production and sale of goods. NGR standards are mandatory for government entities.

According to Government Decrees 182-2000, 145-2002, and 57-2003, COGUANOR, the National Center of Metrology and the Guatemalan Accreditation Office (OGA) together form the National Quality Systems Directorate.

NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. **Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your

access to international markets. Register online at Internet URL:
<http://www.nist.gov/index.html>

Conformity Assessment

The Guatemalan Consumer Service and Support Board (DIACO) was created in 1995. In December 2003, Government Decree 777-2003 added a Testing and Inspection Department to DIACO. This department is responsible for investigating compliance with the legal requirements of COGUANOR and international treaties ratified by Guatemala. When the United States and Central America launched the free trade agreement negotiations, they initiated an active working group on Sanitary and Phytosanitary Standard (SPS) barriers to agricultural trade that met in conjunction with the negotiations to facilitate market access. The objective was to leverage the trade negotiations to seek changes to the Central American countries' SPS regimes. Through the work of this group, Guatemala has committed to resolving specific measures which affect U.S. exports to Guatemala. In particular for meat, poultry and dairy, Guatemala will recognize the equivalence of the U.S. food safety and inspection system, thereby eliminating the need for plant-by-plant inspections. For distilled spirits, U.S. industry welcomed the trade facilitating initiative of the five Central American countries, including Guatemala, to develop common standards for distilled spirits products. However, outstanding concerns remain over issues such as alcohol content, brand registration and certification requirements.

Product Certification

Any commercially-sold food products imported into Guatemala must present a phytosanitary and/or zoo-sanitary certificate, certificate of origin, commercial invoice, free sale certificate and bill of lading to receive an import license. Effective July 2006, in accordance with Article 3.10.2 of CAFTA-DR, the Guatemalan authorities at the Ministry of Health and Ministry of Agriculture no longer require that commercial invoices, bills of lading, certificates of free sale, sanitary and microbiological certificates and productspecific laboratory testing for pathogens of products exported to Guatemala be authenticated at the Guatemalan Embassy or one of its Consulates in the United States. All documents can be written in English. In addition, all packaged food products require product registration from the Division of Registration and Control of Medicines and Foods and must obtain a sanitary import certificate from the Ministry of Health.

Guatemalan norms regarding food additives are based on the Codex Alimentarius' food additives list. Any additives for placement on this list must be approved by COGUANOR's executive advisory committee. The approval process can take six months or longer.

Pesticides are regulated by the Technical Directorate of Vegetable Health of the Ministry of Agriculture. They maintain a list of prohibited pesticides. See www.maga.gob.gt for details.

Guatemala has been a correspondent member of the International Organization for Standardization (ISO) since 1997, meaning that Guatemala does not actively participate in the development of policies and standards, but is kept fully informed of such developments.

Accreditation

The Guatemalan Accreditation Body (OGA) was established in May 2002 by Government Decree 145-2002 as a technical unit of the Quality Systems Directorate within the Ministry of Economy. OGA oversees accreditation throughout the nation and grants formal approval to Guatemala's various other conformity assessment bodies, including:

- Testing and Calibration Laboratories (ISO/IEC 17025 Standard)
- Quality Management Systems (ISO/IEC Guide 61)
- Environmental Management Systems (ISO/IEC Guide 66)
- Products (ISO/IEC Guide 65)
- Inspection Bodies (ISO/IEC 17020 Standard)

OGA is a full member of the Inter-American Accreditation Cooperation (IAAC), created in 1996, consisting of various accreditation agencies from 20 Western Hemisphere countries. OGA is also a member of the International Accreditation Forum (IAF), an associate member of the International Laboratory Accreditation Cooperation (ILAC), a correspondent member of the International Organization for Standardization (ISO) and a member of the World Trade Organization (WTO).

Publication of Technical Regulations

Guatemala's national gazette is the *Diario de Centro America*, available online (see under Contacts). New national standards that have been approved by the government's executive branch become effective on the date that they are published in the *Diario de Centro America*.

Labeling and Marking

Guatemala has labeling standards for food products, pharmaceuticals, pesticides, footwear and distilled alcoholic beverages.

Guatemalan law requires that food products sold in the domestic market be tested, registered and labeled in Spanish. While labeling standards for domestic food products are very strict, importers negotiated with COGUANOR and reached an agreement for the use of stick-on labels. Products sold in bulk are exempt from the labeling requirements unless they are to be sold at the retail level. Enforcement of product registration and labeling requirements has been inconsistent but is improving.

See: www.mspas.gob.gt

Food Labeling

Labeling requirements are set by COGUANOR Labeling Standard #34039. It establishes 40 requirements with respect to the appearance of the label. The specified information must be written on the label, and in the Spanish language. However, importers negotiated with COGUANOR and reached an agreement for a stick-on label to be used with the following information written in Spanish:

1. Product definition/description
2. Name of the product (This should be the official name as noted on the U.S. Certificate of free sale)
3. Physical characteristics, including ingredients (This has to be a qualitative composition, which is indicated on the back of the registration form). If this information is in English, it must be fully and correctly translated.

4. Net weight/volume
5. List of ingredients (including allergens) and additives and the percentage of total for each
6. Name, address and telephone number of Guatemalan distributor
7. Food Control registration number (D.G.S.S.-D.R.C.A. _____)-Sanitary license obtained at a Center of Sanitation). The original license has to be presented. Approximate cost for each product: Q1,650 (USD 206)
12. Country of origin
13. Lot production identification number
14. Expiration date
15. If applicable, "Keep Frozen" or "Form of Preparation"

Sample:

Nombre del Producto: Puré para bebés; postre, sabor chocolate

Ingredientes: Harina de trigo, leche entera reconstruida, azúcar, vitaminas, colorantes naturales, cocoa.

12 oz. Netas

Distribuidor: Importaciones Guatemala, S.A.

Dirección: Avenida Las Estrellas, 0-01, Zona 24, Guatemala, Ciudad

Teléfono: (502) 555-1212 y (502) 555-2121

D.G.S.S.-D.R.C.A. 123-456-789

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Contacts

- COGUANOR – Standards Commission: www.coguanor.gob.gt
-Licenciado, Hector Herrera, Secretario Ejecutivo: mbeteta@mail.mineco.gob.gt
- DIACO – Consumer Assistance Center: www.diacogob.gt
-Licenciado, Monica Gramajo, Directora: diacoquejas@mail.mineco.gob.gt
- OGA - Accreditation Office: http://oga.org.gt/ambito_internacional.html
-Sistema Nacional de Calidad: info-oga@mineco.gob.gt
- National Gazette -Diario de Centro America: www.diariodecentroamerica.gob.gt
-Ana Maria Rodas, Directora: lborrayo@dca.gob.gt, info@dca.gob.gt
- PROAM - Healthcare Services: www.mspas.gob.gt
- Agriculture: www.maga.gob.gt
- Import procedures at the Ministry of Agriculture: www.maga.gob.gt/

Trade Agreements

The United States, the Dominican Republic and five Central American countries (Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua), signed the Dominican Republic-Central American-United States Free Trade Agreement (CAFTA-DR) in August 2004. The Agreement entered into force in Guatemala on July 1, 2006, after the country completed all the commitments necessary for implementation.

CAFTA-DR liberalizes bilateral trade between the United States and the region and promotes regional integration. It also requires the Central American countries to undertake needed reforms to alleviate systemic problems in such areas as customs administration, protection of intellectual property rights, services, investment, financial services, market access, and government procurement, as well as sanitary and phytosanitary and other non-tariff barriers.

Aside from CAFTA-DR, Guatemala has signed, bilaterally or in conjunction with other Central American countries, free trade agreements with Chile, Mexico, Colombia, Taiwan and Panama, and is currently negotiating a free trade agreement with Canada. Guatemala has also signed partial scope agreements with Belize, Ecuador, Cuba and Venezuela. The agreements with the European Union and Peru are pending Congressional approval.

Central America established a common external tariff schedule in 1998. Six Central American countries signed a revised protocol for economic integration and macroeconomic coordination in October 1993. The integration protocol allows Central American countries to advance at varying rates toward more open trade. The “Northern Triangle” countries (Guatemala, El Salvador and Honduras) have moved the most rapidly to eliminate trade barriers among themselves. In January 2009, the Presidents of Guatemala and El Salvador signed an amendment to the framework agreement that facilitates the establishment of a custom union between the two countries. Honduras joined the agreement in May 2009. Guatemalan ratified the amendment to the framework agreement in February 2011, but it is pending ratification from El Salvador and Honduras. The three countries need to ratify the agreement before it is implemented.

For more information on how U.S companies can take advantage of those agreements please consult the links listed below.

Web Resources

- Guatemalan Superintendence of Tax Administration: www.sat.gob.gt
- Guatemalan Ministry of Economy: www.mineco.gob.gt
- Secretariat for Central American Economic Integration: www.sieca.int
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- Office of the United States Trade Representative: <http://www.ustr.gov>
- Foreign Agricultural Service: www.fas.usda.gov
- Guatemalan Administration of International Commerce: <http://dace.mineco.gob.gt/mineco/tlc/index.htm>
- Guatemalan Investment Office: www.investinguatemala.org
- Guatemalan e-procurement system: <http://www.guatecompras.gt>
- Guatemalan Exporters' Association: <http://www.export.com.gt>
- Guatemalan Chamber of Commerce: <http://www.negociosenguatemala.com>
- Guatemalan Chamber of Industry: <http://www.industriaguatemala.com>
- American Chamber of Commerce: <http://www.amchamguatemala.com>
- Ministry of National Defense of Guatemala: www.digecam.mil.gt