

Food and Food Standards (Import and Export) Regulations, 2015

IT is hereby notified that the Minister of Health and Child Care has, in terms of section 27 of the Food and Food Standards Act [Chapter 15:04], made the following regulations:—

*Title*

1. These regulations may be cited as the Food and Food Standards (Import and Export) Regulations, 2015.

*Interpretation*

2. (1) In these regulations—

“competent authority” means an appropriate government institution authorised to carry out any function referred to in these regulations;

“equivalence agreement” means an agreement between countries indicating that food standards control systems in the respective countries achieve each other’s acceptable levels of protection for consumers;

“GMO” means Genetically Modified Organism;

“Food Sanitary Certificate” means a sanitary certificate issued in terms of the Food and Food Standards (Inspection and Certification) Regulations, 2015.

*Application*

3. These regulations shall apply to all food imported or exported for sale in or outside Zimbabwe.

*Pre-shipment requirements*

4. (1) Subject to these regulations, any food imported into or exported from Zimbabwe shall be subject to inspection, analysis and, where necessary, to detention, disposal or destruction in terms of the Act at any port of entry into or out of Zimbabwe unless the importer or exporter concerned holds a Food Sanitary Certificate issued in respect of the food concerned. A Food Sanitary Certificate is issued in accordance with procedure outlined in the Food and Food Standards (Inspection and Certification) Regulations, 2015.

(2) A pre-shipment inspection shall ensure that any food intended for importation or exportation is in compliance with the Act or any relevant regulations made in terms of the Act or any other enactment.

(3) Where any food is not specifically covered by the Act, or any regulations, provisions of the CODEX relevant to the food concerned may apply.

(4) Where an importer or exporter fails to produce a Food Sanitary Certificate, the food shall be subject to inspection and analysis in terms of the Act and for that purpose, shall be detained at the port of entry, a designated warehouse or as may otherwise be directed by the competent authority at the said port pending the inspection and analysis.

(5) Inspection shall be carried out by at least two inspectors.

(6) The cost of inspection, analysis and detention of any food shall be borne by the importer or exporter, as the case may be.

(7) Detained food shall not be disposed of in any way or removed from detention except on the written authority of an inspector or an order of a competent court in Zimbabwe.

#### *Exemption*

5. Where an exporter has the prior approval of the competent authority of the importing country for the export of any specified food without a Food Sanitary Certificate, the requirements of section 4 may be waived.

#### *Other export and import requirements*

6. A Food Sanitary Certificate shall not exempt an exporter or importer from complying with any other pre-shipment veterinary, biotechnological, plant quarantine, phyto-sanitary and GMO requirements under the law.

#### *Equivalence agreements*

7. (1) Where Zimbabwe has an equivalence agreement with any country, a certificate equivalent to a Food Sanitary Certificate issued

by a competent authority of any such country may be accepted at a port of entry and a pre-shipment inspection may, unless specifically demanded by a competent authority on good cause shown, not be required.

(2) A competent authority in Zimbabwe may seek verification of any certificate equivalent to a Food Sanitary Certificate issued by a competent authority of any country.

*Offences*

8. Any person who—

- (a) contravenes section 4; or
- (b) provides false information in connection with these regulations;

shall be guilty of an offence and liable to a fine not exceeding level 5 or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

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