

GOVERNMENT NOTICE No. 113 published on 25/8/2006

THE TANZANIA FOOD, DRUGS AND COSMETICS  
(IMPORTATION AND EXPORTATION OF FOOD)  
REGULATIONS, 2006

*(Made under section 122(1)(e))*

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FIRST SCHEDULE

SECOND SCHEDULE

THE TANZANIA FOOD, DRUGS AND COSMETICS ACT, 2003  
(No. 1 OF 2003)

REGULATIONS, 2006

(Made under section 122(1)(e))

THE TANZANIA FOOD, DRUGS AND COSMETICS (IMPORTATION AND EXPORTATION  
OF FOOD) REGULATIONS, 2006

- Citation 1. These Regulations may be cited as the Tanzania Food, Drugs and Cosmetics (Importation and Exportation of Food) Regulations, 2006 and shall come into operation on the date of publication in the *Gazette*.
- Application 2. These Regulations shall apply in the manner in which the Minister may, from time to time, by order in the *Gazette*, direct and the order or orders may either apply throughout the Tanzania Mainland or to certain areas or premises or category of premises or in any other way and may specify different dates in periods for the application of different provisions of these Regulations.
- Interpretation Act No. 1 of 2003 3. In these Regulations, unless the context otherwise requires—  
“Act” means the Tanzania Food, Drugs and Cosmetics Act, 2003;  
“Authority” means the Tanzania Food, Drugs Authority or its acronym “TFDA” established by section 4(1) of the Act;  
“import permit” means a permit issued to a food importer by the Authority under these Regulations, authorizing him to import food items specified therein;  
“Minister” means the Minister for the time being responsible for health;  
“port of entry” means one of those places listed in the First Schedule of these Regulations;  
“prepackaged food” means a food that is processed and packaged to extend its shelf life to at least two weeks at normal stage conditions, labelled, and complying with prescribed standards ready for offer to the consumer
- Restriction on importation of food 4.—(1) No person shall import food into the Tanzania Mainland unless he is a holder of a valid import permit issued by the Authority in respect of the food.

(2) A fresh import permit shall be obtained from the Authority on every occasion the food importer places a fresh order even for foods which are included in his original or previous orders.

5.-(1) Subject to sub-regulation (2) of this regulation, an application for registration as food importer or for food import permit as the case may be, shall be made to the Authority in Form prescribed in the Second Schedule to these Regulations and shall be accompanied by fee as prescribed under Fees and Charges Regulations made under the Act.

(2) The Authority shall grant an import permit if it is satisfied-

- (a) in case of pre-packaged food, that the food item intended to be imported has been registered with the Authority;
- (b) in case of un pre-packaged food, the food item intended to be imported complies with specifications prescribed by the Authority;
- (c) that the food item for which permit is being sought has not been banned or does not contain an ingredient which has been banned in the country of origin.

(3) The Authority may withdraw, cancel or suspend any registration certificate or import permit issued by it or cancel any food item specified therein if-

- (a) it is discovered that false information was given in obtaining the import permit or registration of the food importer or of the food item in question;
- (b) it is reasonably suspected that a food item specified therein is likely to cause health hazards to consumers.

6.-(1) No food shall be imported into Tanzania Mainland through ports of entry other those listed in the First Schedule to these Regulations.

(2) Notwithstanding the provision of sub-regulation (1) of this regulation, food may, in special circumstances, be imported into Tanzania Mainland through ports of entry other than those listed in the First Schedule to these Regulations if the food importer makes prior arrangement consented to by the Tanzania Revenue Authority, and the Tanzania Food and Drugs Authority and any other relevant institution as the case may be.

7.-(1) No imported food shall be removed out of the customs area before it is inspected or examined, as the case may be and certified as fit for human consumption in writing by the Inspector.

Imported food to enter the country through approved ports of entry only

Inspection and examination of imported food

(2) Before its arrival, or soon after its arrival, the food importer or the captain of the vessel or his agents shall give the inspector a copy of food cargo manifest, stating the kind and amount of food, packaging unit used and the name of country of origin.

(3) Any importer of food shall ensure that the imported food is labelled in Kiswahili or English or both Kiswahili and English.

(4) Any other language may be used in labelling of food provided that language is used together with Kiswahili, English or both Kiswahili and English.

(5) Each imported food consignment shall be accompanied by a health certificate issued by a competent Authority in the country of origin acceptable to the Authority showing—

- (a) that the food is fit for human consumption at the time of exportation; and
- (b) that it meets the standards prescribed for it by the food control Authority of the country of origin, stating such standards.

Taking of samples

8.—(1) Any Inspector who has procured or taken a sample of imported food shall, as soon as he receives the results of analysis inform the customs officer of his decision regarding the fate of the imported food and both the inspector and the customs officer shall, where necessary, work in co-operation to effect that decision, that is, to release, or order re-exportation to the country of origin or dispose, of, as the case may be, the imported food as soon as reasonably possible.

(2) Cost for re-exportation or disposal of food found unfit for human consumption on inspection at port of entry shall be borne by the importer of that food.

Certificate of food exports

9.—(1) When deemed necessary or upon request from an exporter of food or importing country, the Authority shall issue health certificate to accompany food exports.

- (2) The Authority shall issue health certificate if it is satisfied that—
- (a) the food has been registered and manufactured under licence issued by it or the food consignment has been inspected and found in compliance with specifications prescribed by it.
  - (b) the food does not contravene any provisions of the Tanzania Food, Drugs and Cosmetics Act, 2003 or Regulations made thereunder.

(3) The Authority may withdraw, cancel or suspend any health certificate issued by it if it is discovered that false information was given in obtaining the health certificate.

10. A person who seeks or obtain services rendered under these Regulations shall be charged fees as provided for under the Fees and Charges Regulations made under the Act. Fees and charges

11. A person who contravenes or fails to comply with these Regulations or who directly or indirectly aids another person in committing an offence under these Regulations commits an offence. Offence

12.— (1) Any person found guilty of an offence under these Regulations shall be liable on conviction to a fine not less than one hundred thousand shillings or to imprisonment for a term not less than six months or to both the fine and imprisonment. Penalty

A person who is convicted under subregulation (1) shall on top of penalty prescribed under subregulation (1). be prohibited from conducting any food importation business for a period of twelve months immediately following the date of conviction.

13. The food (Control of Quality) (Importation of food) Regulations of 1982 are hereby revoked. Revoca-  
tion GN.  
No. 63  
of 1982

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FIRST SCHEDULE

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List of approved ports of entry

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*(Made under Regulation 6)*

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1. Bagamoyo Sea Port
2. Bukoba Lake Port.
3. Dar es Salaam Airport.

4. Dar es Salaam Sea Port.
5. Holili.
6. Horohoro.
7. Isaka Dry Port.
8. Itungi Lake Port.
9. Kabanga.
10. Kasanga.
11. Kassesya Lake Port.
12. Kasumulu.
13. Kemondo Bay Port.
14. Kigoma Airport.
15. Kigoma Lake Port.
16. Kilimanjaro International Airport.
17. Kiptili Lake Port.
18. Lindi Sea Port.
19. Mabamba.
20. Mafia.
21. Manyovu.
22. Murongo.
23. Musoma Lake Port.
24. Mutukula Kyaka.
25. Mwanza Airport.
26. Mwanza Lake Port.
27. Namanga.
28. Rusumo Falls Port.
29. Sirari.
30. Tanga Sea Port.
31. Tarakea.
32. Tunduma.

SECOND SCHEDULE

THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF HEALTH AND SOCIAL WELFARE

APPLICATION FOR REGISTRATION AS FOOD IMPORTER

*(Made under section 37(1) of the Tanzania Food, Drugs and Cosmetics Act, 2003 and Regulation 5(1))*

(To be filled in Quadruplicate)

To: Director General,  
Tanzania Food and Drugs Authority,  
P. O. Box 77150,  
DAR ES SALAAM.

Name of applicant.....

Postal address.....Tel. No.....

Physical address.....Street/Village

Plot No.....

I/We hereby apply for registration as food importer for the year.....

Fees paid Tshs..... Receipt No.....

Date of receipt.....

.....  
Date

.....  
Signature of Applicant

FOR OFFICIAL USE ONLY

Registration of (name).....

as food importer for the year.....is hereby granted.

.....  
Date

.....  
Registration No.

.....  
Signature of Director General  
And stamp

Serial NO.....

THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF HEALTH AND SOCIAL WELFARE

TANZANIA FOOD AND DRUGS AUTHORITY

FOOD IMPORTER REGISTRATION CERTIFICATE

*Made under section 37(1) of the Tanzania Food, Drugs and Cosmetics Act, 2003 and  
Regulation 5(1)*

M/S.....of

Postal address..... having premises at

..... Street/Village,

Plot No..... is hereby granted registration

No.....as importer of food or substances to be used in manufacture of food  
as entered in the importers register under his/her name.

This Certificate expires on 30<sup>th</sup> June 20.....

Issued on.....

.....  
Date

.....  
Signature of Director General  
and stamp

TFDA FNO.....  
Serial No.....

THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF HEALTH AND SOCIAL WELFARE

TANZANIA FOOD AND DRUGS AUTHORITY

APPLICATION FOR PERMISSION TO IMPORT REGISTRABLE PRODUCT(S)

Section 21(3) of the Tanzania Food, Drugs and Cosmetics Act, 2003 and Regulation 5(1)

(To be filled in Quadruplicate)

PART A:

Name of registered importer..... Registration  
No.....Postal address.....Tel.  
No.....  
ExportingCountry.....InvoiceNo.....Date.....  
Exporter/Sender.....Postal address.....Arrival expected  
by ship/air/motor vehicle, Via..... port of entry

I/We hereby apply for permission to import the following product(s) in accordance with the above mentioned Act and Regulations made thereunder:

S/n.	Product		Registration No.	Quantity ordered (litre/ kg/ no.)	Quantity delivered (litre/ kg/ no.)	Value of the products	For official use only
	Brand name	Common (Generic) name					

Fees Tshs..... ReceiptNo .....

Dated.....

.....  
Date

.....  
Signature of applicant and stamp

PART B:

Permission is hereby granted/not granted to import items marked approved/not approved in the last column above. The importer has to call in the Port TFDA Inspector to examine the approved product(s) for fitness for the intended use before being allowed entry into Tanzania.

.....  
Date

.....  
Signature of Director General and stamp

PART C:

I.....being TFDA inspector at.....TFDA port office has examined the above listed product(s) and have found them fit/not fit for the intended use hence allowed/not allowed entry into Tanzania.

.....  
Date

.....  
Signature of TFDA port officer and stamp  
*(The Inspector has to return immediately a completed copy of this permit together with a copy of a release certificate to the Director General)*

N.B: This form is for single consignment only.\* Delete whichever is not applicable

THE UNITED REPUBLIC OF TANZANIA

MINISTRY OF HEALTH AND SOCIAL WELFARE

TANZANIA FOOD AND DRUGS AUTHORITY

APPLICATION FOR PERMISSION TO IMPORT NON-REGISTRABLE FOOD PRODUCTS

Made under section 21(3) of the Tanzania Food, Drugs and Cosmetics Act, 2003 and Regulation 5(1 )

(To be filled in Quadruplicate)

Name of applicant.....Postal address.....

Physical address.....Street/VillagePlotNo.....
Tel.No.....InvoiceNo.....Date.....

I/We hereby apply for permission to import the following non-registrable food items and/or substances used in the preparation/manufacture of food in accordance with the above mentioned Act and Regulations made thereunder:-

Table with 5 columns: S n., Food item (Brand name, Common name), Quality parameters, Proportion/Percent/level, For official use only.

Fees paid Tshs.....
Dated.....

Receipt No.....

.....

.....

Date

Signature of Applicant

PART B:

Permission is hereby granted/not granted to import items marked approved/not approved in the last column above. The importer has to call in the Port TFDA Inspector to examine the approved product(s) for fitness for the intended use before being allowed entry into Tanzania.

.....

Date

Signature of Director General and stamp

PART C:

I.....being TFDA inspector at.....TFDA port office has examined the above listed product(s) and have found them fit/not fit for the intended use hence allowed/not allowed entry into Tanzania.

.....  
Date

.....  
Signature of TFDA port officer and stamp  
*(The Inspector has to return immediately a completed copy of this permit together with a copy of a release certificate to the Director General)*

N.B: This form is for single consignment only.\* Delete whichever is not applicable

Dar es Salaam.  
27<sup>th</sup> July, 2006

DAVID H. MWAKYUSA,  
*Minister for Health and Social Welfare*