


DOC/AMD/06		IMPORT, EXPORT, AND TRANSIT RULES AND PROCEDURES PERTAINING TO CONTROLLED AGRONOMIC PRODUCTS		 NAMIBIAN AGRONOMIC BOARD	
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1. INTRODUCTION

In terms of the Agronomic Industry Act (Act No 20 of 1992), the following rules and procedures shall apply to the importation, exportation, and transit of agronomic products into Namibia. The rules and procedures set out in this document shall apply to controlled products as published in the:

- GN No. 268 “Amendment of Government Notice No. 147 of 30 August 2002 relating to imposition of general levies on certain controlled products: Agronomic Industry Act, 1992”, 31 December 2014;
- GN No. 35 “Amendment of Government Notice No. 111 of 15 May 2008 relating to the imposition of a general levy on certain categories of controlled products: Pearl Millet (Mahangu): Agronomic Industry Act, 1992”, 27 February 2015; and
- GN No. 36 “Amendment of Government Notice No. 116 of 02 June 2003 relating to imposition of general levies on certain categories of controlled products: Wheat or White Maize seeds: Agronomic Industry Act, 1992”, 27 February 2015.

This document must be read together with the grain marketing agreements.

2. DEFINITION

- **Commercial Use:** Agronomic products are meant for trading or marketing.
- **Controlled product:** Means an agronomic crop or product to which the provisions of the Agronomic Industry Act, (Act 20 of 1992) apply, and as per Annexure A of this document.
- **Consignment:** A batch of agronomic products destined for delivery to the same permit holder, transported on the same vehicle or vessel.
- **Exporter:** A person or company in Namibia that sends agronomic products to another country for sale.
- **Importer:** A person or company that brings agronomic products into Namibia from abroad for sale.
- **Landed cost:** The purchase price of the controlled agronomic products concerned, including any taxes, duties, and transport costs to the final destination in Namibia, payable in respect of the controlled product.
- **Personal Use:** Agronomic products meant for household consumption.
- **Transiter:** Any person or company that transports agronomic products, through Namibia to other countries.

3. ABBREVIATION

- **AMID** – Agricultural Marketing Information Database
- **MAWLR** – Ministry of Agriculture, Water, and Land Reform
- **MoHSS** – Ministry of Health and Social Services
- **NAB** – Namibian Agronomic Board
- **NamRA** – Namibia Revenue Agency
- **SSC** – Social Security Commission

ATTACHMENTS:

Annexure A: List of controlled agronomy products. Go to page 12 of this document

Annexure B: Milling licence requirements and conditions document

4. REGISTRATION REQUIREMENTS

4.1 Importers of controlled agronomic products

Any person importing controlled agronomic products (white maize, wheat, and pearl millet grains) into Namibia for commercial use and specifically for human consumption, shall be required to comply with the milling licence registration requirements and conditions stipulated in Annexure B.

4.2 Exporters and Transitors of controlled agronomic products

All Exporters and Transitors of controlled agronomic products shall be registered upon the permit application, and no prior registration is required.

5. PERMIT APPLICATION

5.1 An application for import, export, and transit permits for controlled agronomic products, as the case may be under these rules and procedures, shall be made to the authorized NAB official via the online permit application system or manually, and such application shall contain such information and shall be accompanied by such documents as may be specified by the NAB.

5.2 No import, export, and transit permit shall be issued at the port of entry offices; all permits should be obtained from the authorized NAB official as prescribed.

6. ISSUANCE OF PERMITS

6.1 Where the authorized NAB official is satisfied that an applicant for a permit is a fit and the applicant has complied with all the conditions specified for the issuance of a permit.

6.2 Import permits shall only be issued for the controlled agronomic products, except for white maize meal, wheat flour, and pearl millet flour which are not allowed to be imported into Namibia.

7. IMPORTATION OF CONTROLLED AGRONOMIC PRODUCTS

7.1 Commercial import permits for controlled agronomic grain products i.e. white maize, wheat, and pearl millet grains to be utilised for human consumption, shall only be issued to registered millers with a valid annual milling license, with no outstanding levies/fees and monthly returns.

7.2 No import permit shall be issued during the marketing season of the locally produced grains, as per the existing grain marketing rules and procedures, unless there is insufficient harvest forecasted, as the NAB may determine.

7.3 Import permits will be issued per consignment and each permit will be valid for 90 days from the issue date of the permit, shorter validity periods may be implemented three months before the implementation of the close border period.

7.4 The date of the close border period for the importation of grains will be communicated to millers at least two (2) months in advance and any valid permits lapsing into the close border period will automatically become invalid from the effective date of the close border period.

7.5 Borders will open for importation once the locally produced grains have been bought and partially milled, subject to conditions stated in the grain marketing rules and procedures.

7.6 At the port of entry, the Border Control Inspector shall verify the documentation of all consignments of controlled agronomic products to ensure that the permit conditions are complied with and physical inspections shall be done at the first point of offloading. Physical inspection of products at the port of entry should be carried out only when necessary and without compromising the quality of the consignment.

7.7 Importation of controlled agronomic products shall be accompanied by the following documents, for each consignment:

- A valid NAB import permit, in the name of the registered importer.

- NAB Import permit receipt issued at point of entry
- Supplier invoice for applicable controlled agronomic products, including detail required by the permit
- A Phyto-sanitary certificate, where applicable.
- Import Authorisation issued by the Ministry of Agriculture, Water and Land Reform (MAWLR).
- Grade Certificate (where applicable)

- 7.8 All consignments to be inspected inland shall be sealed by NAB Inspectors at the port of entry and unsealed again by NAB Inspectors at the first offloading point.
- 7.9 Vessels carrying imported agronomic products shall be considered as a consignment, despite the number of containers and there shall be no other import permit required to transport the product from the Namibian port to the final destination within the boundaries of the Republic of Namibia.
- 7.10 Once the NAB Inspector is satisfied with the compliance of the consignment being imported to the import requirements, a border receipt shall be issued to the importer.
- 7.11 Supplier invoices shall contain the name and address of the supplier and consignment, invoice date, invoice number, name of the specific products, quantities (kg) or container size, and monetary values of the consignment to be imported or any other relevant information as required on the permit.
- 7.12 Copies of all import documents shall be made at the entry border by the NAB Inspectors for record purposes and the levies.
- 7.13 Every month, millers shall be required to submit the monthly returns of the grains imported and purchased locally before the 7th day of each month.
- 7.14 NAB import requirements for agronomic products are not final and therefore, importers must ensure compliance with the import requirements of other cross-border regulatory agencies.

8. IMPORTATION OF SPECIALISED CONTROLLED AGRONOMIC PRODUCTS

- 8.1 Importation of maize meal, wheat flour, and pearl millet flour shall not be allowed into Namibia, unless otherwise as the board may determine.
- 8.2 See **Annexure A**, on the last page of this document for the list of specialised controlled agronomic products that can be imported into Namibia using a special import permit, subject to changes as the NAB board may determine.
- 8.3 To import specialised controlled agronomic products, the importer shall be required to obtain written confirmation from the local miller, indicating that they do not produce or manufacture such products.
- 8.4 Importation of organic maize meal, wheat flour, and whole grain shall be permitted provided it is accompanied by a third-party organic certificate, and importation shall be limited to a certain quantity as the NAB board may determine.
- 8.5 NAB permit must be obtained for specialised products and all import requirements stated under 7.8 must be fulfilled.
- 8.6 There is currently no prior registration required for the importation of specialised controlled agronomic products.
- 8.7 The list of controlled agronomic products that do not currently fall under the NAB permit control is given under **Annexure A**, the last page of this document.

9. SMALL-SCALE IMPORTATION OF CONTROLLED AGRONOMIC PRODUCTS FOR PERSONAL AND COMMERCIAL USE

- 9.1 Importation of controlled agronomic products (grains) less than 200kg (4 bags of 50kg) per person, per month for personal use or household consumption shall be allowed, and no import permit is

required. However, such consignment shall be recorded by NAB Border Inspectors for monitoring purposes.

- 9.2 Any person importing between 250kg (5 bags of 50kg) to 500kg (10 bags of 50kg) of agronomic products (grains) per month for commercial purposes shall be classified as a small-scale commercial importer.
- 9.3 Small-scale importers shall be required to obtain import permits for each consignment at the entry border post.
- 9.4 Small-scale importation of controlled agronomic products (grains) shall not be allowed during the close border periods.
- 9.5 Importation of processed agronomic products on a small scale into Namibia shall not be allowed, except those stated under 8.3 and 8.4.
- 9.6 The NAB Border Control Inspector shall maintain a register containing all relevant information such as name, ID/passport, vehicle registration, and the quantity imported.

10. IMPORTATION OF CONTROLLED AGRONOMIC PRODUCTS FOR DONATION

- 10.1 The NAB may issue import permits to the government or other organisations for the importation of donated controlled horticultural products for humanitarian purposes, after due consideration of the impact of such on the local market.
- 10.2 Importers of the donated controlled agronomic products shall be required to submit a written request by way of completing the prescribed form and attach the applicable documents for the NAB's consideration.
- 10.3 Once such a request has been approved by NAB, the importer shall be required to apply for an import permit for statistical and control purposes. The normal import permit procedures shall apply.
- 10.4 The importer shall comply with the import document requirements stated under point 7.8 of this document.
- 10.5 The consignment shall be inspected at the first point of offloading in Namibia.
- 10.6 Donated products shall not be sold in Namibia and shall only be used for the intended purpose.
- 10.7 The importers shall be required to comply with the import requirements of other cross-border regulatory agencies since the NAB permit is not final.
- 10.8 The NAB board reserves the right to refuse the importation of controlled agronomic products, if such imports may be detrimental to the industry.

11. IMPORTATION OF CONTROLLED AGRONOMIC PRODUCTS FOR ANIMAL FEED.

- 11.1 Feed-grade controlled agronomic products (white maize, wheat, and pearl millet) may be imported for animal feed upon written approval by the NAB.
- 11.2 Yellow maize may be imported for animal feed without obtaining written approval from the NAB, provided it's not used for human consumption and the import permit procedures must be followed.
- 11.3 If yellow maize is used for human consumption the registration requirements for millers must be fulfilled and the applicable milling license fees must be paid in full.
- 11.4 The importer shall obtain a trade import permit from NAB stating that the purpose of importing is for animal feed use only.
- 11.5 The importer shall be required to pay the permit fee, before submitting a permit application.
- 11.6 The import permit shall only be issued once the proof of payment has been received.
- 11.7 No levies shall apply to products imported for animal feed, provided such products are strictly not used for human consumption.
- 11.8 The imported consignment shall be receipted by NAB Inspectors at the entry border, subject to the validity of the permits and submission of the required import documents.

- 11.9 Any other import documents/permits required by other regulatory border agencies or ministries must be obtained.
- 11.10 The importer shall be responsible for the cost of inspections which includes transport, meals, and accommodation, based on NAB rates.
- 11.11 Accommodation costs shall only be applicable in situations where overnight is necessary for the Inspector due to distance from the duty station.
- 11.12 The importer will be invoiced for the application based on a total of three (3) inspections. The first inspection will be done during the offloading of the consignment and the remaining two inspections will be unannounced.
- 11.13 The import requirements stated under point 7.7 must be complied with fully and in terms of white maize, wheat, and pearl millet grain or meal imported for animal feed, the feed grade certificate must be obtained from the country of origin and it must clearly state the product being imported is feed grade.
- 11.14 The NAB will physically verify the imported grain at the first offloading point to make sure that the product is indeed animal feed grade.

12. EXPORTATION OF CONTROLLED AGRONOMIC PRODUCTS

- 12.1 Exporters of all controlled agronomic products thereof shall be registered upon permit application and after registering as a web user for the online permit application.
- 12.2 The export permit application shall be done via the online permit application and manual application shall only be accepted when the system is offline or in special cases.
- 12.3 The export permit shall be valid for 21 days and issued per consignment.
- 12.4 Food safety sampling and product conformity inspection may be conducted as the NAB board may determine.
- 12.5 The NAB shall verify documents at the exit border where applicable.
- 12.6 All supplier invoices must contain the name and address of the supplier and consignment, invoice date, invoice number, name of the specific products, quantities (kg) or container size, and monetary values of the consignment to be exported.
- 12.7 Export permit receipt shall be issued at the exit border for each consignment exported.
- 12.8 There shall be no restriction on exports, even though producers are required to prioritise local markets.
- 12.9 Exportation of controlled agronomic products shall be accompanied by the following documents, for each consignment:
- A valid export permit, in the name of the registered exporter.
 - Supplier invoice for applicable controlled horticultural products, including details required by the permit.
 - A Phyto-sanitary certificate, where applicable.
- 12.10 The NAB export requirements for agronomic products are not final and therefore, exporters must ensure to comply with the export requirements of other cross-border regulatory agencies.

13. TRANSIT OF CONTROLLED AGRONOMIC PRODUCTS

- 13.1 Transit permits shall be issued to all controlled agronomic products (raw or processed) in transit through Namibia to other neighbouring countries, upon permit application and after registering as a web user for the online permit application.
- 13.2 All transit permits shall be valid for 21 days and all consignments entering Namibia shall exit within 48 hours from the time an entry receipt has been issued, unless such consignment will be stored in a bonded warehouse, and concession fees are applicable in such cases for control purposes.

- 13.3 In the event, that the exit period of a transit consignment has been delayed due to unforeseen circumstances, then the permit holder shall immediately inform the NAB Border Control Inspectorate.
- 13.4 Converting transit consignment for controlled agronomic products as an import into Namibia shall only be allowed if a company doing the in transit is already registered as a miller in Namibia, with a valid milling license and all the import requirements shall be fully complied with in such cases, and no converting of transit consignment shall be allowed during a close border period of the specific products. Converting of transit consignments shall not be permitted if the applicant for conversion is not the permit holder.
- 13.5 Document verification shall be carried out at the entry and exit border post and all transit consignments shall be sealed at the entry board and verification of seals shall be done at the exit border.
- 13.6 A permit receipt shall be issued at the entry and exit border post.
- 13.7 Trans loading will only be allowed in the presence of NAB officials and at designed premises.
- 13.8 All supplier invoices shall contain the name and address of the supplier and consignment, invoice date, invoice number, name of the specific products, quantities (kg) or container size, and monetary values of the consignment to be in transit.
- 13.9 Transit of controlled agronomic products shall be accompanied by the following documents, for each consignment:
- NAB Transit Permit;
 - NAB Transit entry and exit receipts;
 - Supplier invoice;
 - Phytosanitary certificate;
 - Import permit to the country of destination; and
 - Import Authorisation issued by the Ministry of AWLR.
- 13.10 Each vessel shall be treated as one consignment in terms of 13.9, and each truck or vehicle transporting agronomic products via Namibia from the port to other countries shall be accompanied by the documents referred to in 13.9.
- 13.11 All flatbed transit trucks shall be installed with hooks for sealing; and have a cargo net and a nylon cargo carrier cover that covers the cargo.
- 13.12 The NAB transit requirements for agronomic products are not final and therefore, Transiters must ensure to comply with the transit requirements of other cross-border regulatory agencies.

14. TRANSPORTATION

- 14.1 All controlled agronomic products must be transported in clean trucks without any risk of product contamination that can compromise food safety and hygiene.
- 14.2 Cattle trucks used to transport agronomic products must be clean and accompanied by a relevant disinfection certificate issued by the authorised authority, and the consignment must be physically covered.

15. FEES AND LEVIES

- 15.1 Registration of millers of controlled agronomic products is subject to milling license fees.
- 15.2 All importation of controlled agronomic products (grain) is subject to import levy, however, currently, there are no levies applicable to yellow maize and specialised controlled agronomic products (raw/processed) imported for personal use, animal feed, and donations.
- 15.3 Importers of controlled products shall pay a general levy to the Board per the applicable *Government Gazette*.”

- 15.4 In cases where a client fails to give a supplier invoice or proof of payment as proof of the actual transport cost incurred, to calculate the levies referred to under 15.2, the transport cost will be calculated from the specific location of the country of import to the location of the milling facility/silo in Namibia, and three (3) quotations shall be obtained from the grain transporters in Namibia.
- 15.5 A permit fee is payable on controlled agronomic products imported for commercial and personal use, as well as for animal feed.
- 15.6 No import permit fees apply to controlled agronomic products imported for donation.
- 15.7 Exportation of controlled agronomic products shall be subject to a permit fee, and no levies applicable.
- 15.8 Transit permits shall also be subjected to a permit fee, inspection fees, and optional trans-loading fees. Transit inspection fees shall be charged based on truck types i.e. tautliner, flatbed, and cooler truck. No levies apply to transit consignments.
- 15.9 Product conformity Inspection and sampling fees may be charged for the exportation of agronomic products as the board may determine.
- 15.10 Clients with outstanding fees and levies shall not be issued with any permit, until such time when the amount has been paid.
- 15.11 All export and transit fees shall be paid upon application for a permit, and no permits shall be issued on credit or account, unless permitted by the head of the Finance Division, in line with the NAB debt policy.
- 15.12 For small-scale commercial importers, permit fees and levies shall be paid upon application for an import permit.
- 15.13 The permit fee for consignment imported for personal use shall also be paid upon issuance of the permit at the border.
- 15.14 Concession fees of N\$100 000.00 are payable for consignment temporarily kept at a non-bounded warehouse, that will be guarded by NAB inspectors, and a guarding fee of N\$700.00 per day shall be charged.
- 15.15 The NAB will deduct the levies and all fees due should a controlled product in transit get sold in local markets.
- 15.16 The concession fee is refundable, in cases where the company ceases business or keeps controlled products in a non-bounded warehouse, provided the client has no outstanding levies or fees.

16. OFFENCES AND PENALTIES

The following guidelines shall apply when handling non-compliances, in terms of Table 2 below:

- (i) The warning shall indicate the nature of the offense, the penalty, and the implications if further offenses are committed by the offender.
- (ii) The offender shall sign the warning acknowledging guilt and agreement to conditions of frequent physical inspections of their premises/trucks.
- (iii) In case of failure to declare a controlled product at the entry or exit border post, the consignment shall be confiscated and donated to a charity organization once the food safety aspect has been verified and if there are food safety non-compliances, the confiscated products must be discarded.
- (iv) The offender referred to under point (iii) shall be subjected to frequent physical inspections at each border of entry or first offloading points for a duration equivalent to half of the warning period; whereas extra costs associated with such frequent physical inspections will be payable by the offender.

- (i) Any cancelation of permits shall only come into effect five (5) working days after the notification, to make provision for consignments that might already have been bought and paid for by the permit holder.

Table 2: Offences and penalties schedule.

The offenses and penalties listed hereunder will be applied as guidelines and are by no means exhaustive. The penalties contained in this table offer guidelines on how non-compliance will be treated.

Nature of Offence	Penalty (First Offence)	Penalty (Second Offence)	Penalty (Third Offence)
1. Offenses relating to registration as an importer, exporter, and transiter:			
a. Falsifying registration documents.	Final Warning valid for six (6) months, plus provide correct documents	Suspend for twelve (12) months	
b. Providing false information.	Final Warning valid for six (6) months, plus provide correct information	Suspend for six (6) months.	
c. Failure to comply with conditions of registration as an importer, exporter, and transiter.	Written warning valid for three (3) months, plus compliance with the specific conditions	Final Written warning valid for twelve (12) months plus compliance with the specific conditions	Suspend registration for three (3) months
d. Trading and processing agronomic products without a valid license.	Close down the business until such time when a valid license is obtained		
e. Failure of transit consignments to exit within 48 hours	Final written warning valid for twelve (12) months.	Suspend the issuance of transit permits for six (6) months	
f. Failure to provide information on the whereabouts of the transit consignment	Suspend for twelve (12) months and levies payable		
g. Leaving the port of entry without seals	Written warning valid for three (3) months, plus compliance with the specific conditions	Final Written warning valid for twelve (12) months, plus compliance with the specific conditions	Suspend the issuance of transit permits for three (3) months.
2. Permit application and issuance-related offenses:			

Nature of Offence	Penalty (First Offence)	Penalty (Second Offence)	Penalty (Third Offence)
a. Failure to provide true information on the permit application.	Written warning valid for three (3) months plus provide correct information	Final Written warning valid for twelve (12) months plus provide the correct information	Suspend registration for three (3) months
b. Transfer or sell a permit to another person.	Final Written warning valid for twelve (12) months plus such permits shall not be accepted at the NAB	Suspend registration or permit holder for three (3) months	
3. Offences relating to inspections:			
a. Presentation of tampered/ cancelled permit documents at entry or exit border post.	Final Written warning valid for twelve months plus reject such permits, until when the correct permit is obtained	Suspend registration for six (6) months	
b. Failure to indicate or provide specified information on the supplier invoices such as the name of the product, weight, value, etc.	Written warning valid for three (3) months plus non-compliance to be corrected	Final Written warning plus non-compliance to be corrected	Suspend registration for two (2) weeks, plus non-compliance to be corrected
c. Exceeding the stipulated permit value and tonnage.	Written warning valid for three (3) months plus non-compliance to be corrected before the consignment is released.	Final Written warning valid for twelve (12) months plus non-compliance to be corrected before the consignment is released	Suspend registration for two weeks, plus non-compliance to be corrected before the consignment is released
d. Undervalue of controlled products.	Written warning valid for three (3) months plus non-compliance to be corrected	Final Written warning valid for twelve (12) months plus non-compliance to be corrected	Suspend registration for six (6) months plus non-compliance to be corrected
e. Failure to obtain a border receipt at NAB Border offices.	Written warning valid for three (3) months plus a receipt to be obtained	Final Written warning valid for twelve (12) months plus a receipt to be obtained	Suspend registration for two (2) months plus a receipt to be obtained

Nature of Offence	Penalty (First Offence)	Penalty (Second Offence)	Penalty (Third Offence)
f. Obstruct, hinder, or delay an Inspector or Officer from performing his/her duties.	Final Written warning valid for twelve (12) months plus allow the Inspector/Officer to perform his duties	Suspend registration for three (3) months	
g. Failure to declare a controlled product at entry or exit border or premises.	Written warning valid for three (3) months plus confiscate the product and pay all levies/fees due	Final Warning plus confiscate the product and pay all levies/fees due	Suspend registration for six (6) months, Confiscate the product, and the levies/fees due must be paid.
h. Importing a controlled product into Namibia without a valid permit or license.	Final Warning valid for twelve (12) months plus confiscate the product; all levies/fees due must be paid. In a case where the product is sold before it can be confiscated, issue a final warning and charge applicable levies/fees	Suspend registration/license for six (6) months, plus all levies/fees due must be paid.	
i. Refuses to answer any questions put to him or her by an inspector/officer in the course of his or her duties.	Written warning valid for three (3) months plus answer any questions from the Inspector/Officer	Final Written warning plus answer any questions from the Inspector/Officer	Suspend registration for one (1) month
j. Prevents the inspector from searching the premises to ascertain whether a controlled product is present.	Suspend registration for three (3) months		
k. Tamper with, destroy, or in any way alter anything seized by an inspector in the exercise of his or her powers. Or remove confiscated goods from premises where the first inspection was conducted	Suspend registration for three (3) months		
l. Unsealing a consignment of controlled products without permission from the NAB Inspector.	Final written warning valid for twelve (12) months	Suspend registration for three (3) months	
4. Offences related to submission of specified information:			

Nature of Offence	Penalty (First Offence)	Penalty (Second Offence)	Penalty (Third Offence)
a. Fail to submit and keep specified records concerning the controlled products.	First Written warning valid for three (3) months plus submission of the specified records. Failure of this may result in further action.	Final Written warning valid for twelve (12) months plus submission of the outstanding records	Suspend registration for three (3) months, plus submit the specified records
b. Failure to furnish the NAB with specified information or returns in a specified manner and at specified times.	First Written warning valid for three (3) months plus submission of the returns	Final Written warning plus submit the outstanding returns, with specified information	Suspend registration for three (3) months, plus submit the returns
c. Falsification of information related to returns submitted to the NAB.	Final Written warning valid for twelve (12) months plus correct.	Suspend registration for three (3) months	
5. Offenses related to levies/fees:			
a. Outstanding levies/fees over 60 days plus.	No new permit shall be issued, plus cancel all valid permits until such time there is compliance.		
b. Submitting forged proof of payment	Suspend registration for twelve (12) months, plus the outstanding amount to be paid in full		

17. APPEAL PROCEDURES

The purpose of this section is to ensure that appeals submitted to the Board in respect of illegally imported products are dealt with most efficiently and effectively. Therefore, the following appeal procedures shall apply;

17.1 Appeal procedures to the Board

- (i) Should the offender refuse to sign either the first, second, or third written warnings, this does not warrant any of these written warnings invalid but is subject to a formal appeal process.
- (ii) The offender may appeal to the Board chairperson in writing against any of the written warnings within five (5) working days from the date of issuance of such written warnings.
- (iii) The Board may convene an arbitral panel of three (3) adjudicators to resolve a dispute by way of arbitration.
- (iv) If the offender refuses to sign the warning and also fails to appeal within the specified time frame, the Board shall execute its powers (1) to cancel all existing import permits issued to the offender; and (2) to refuse the issuance of new import permits to the offender until such time that the warning letter is signed in terms of Sections 10(n)(i) and (p)(i) of the Agronomic Industry Act, (Act 20 of 1992).

17.2 Appeal against the decision of the Board

Subject to Section 11 of the Agronomic Industry Act, (Act 20 of 1992) where under this Act a decision of the Board is subjected to a right of appeal to the Minister, the person aggrieved by the decision may within fourteen days after notification of the decision, appeal with the Minister, who may confirm, vary or set aside the decision as he or she deems fit.

ANNEXURE A

LIST OF CONTROLLED AGRONOMIC PRODUCTS

Controlled agronomic products under NAB permit control.

1. Maize grain
2. Wheat grain
3. Pearl Millet (Mahangu) grain

Controlled agronomic products banned for importation into Namibia.

1. Maize meal
2. Wheat flour
3. Pearl Millet flour

Specialized controlled agronomic products that require an NAB import permit.

1. Bakels superseed low GI Bread Mix
2. Apito sunseed bread mix.
3. Pettina instant sponge mix high ratio.
4. Pettina instant chocolate sponge mix.
5. Bakels scone mix.
6. Bakels Madeira cake mix.
7. Bakels bran muffin mix
8. Bakels Pettina muffin mix
9. Stoneground wheat flour
10. Bio-wheat
11. Beer bread mix
12. Pre-mixes
13. Ready-mix
14. Organic maize meal, wheat, and pearl millet flour
15. Organic maize, wheat, and pearl millet whole grains

Agronomic products that are currently not under NAB permit control.

1. Breakfast cereals, including Instant porridge
2. Durum wheat flour (used for manufacturing pasta).
3. Durum wheat grain
4. Industrial or household starches.
5. Maizena (corn flour)
6. Pasta (finished product)
7. Maize samp or rice
8. All ready-to-eat wheat, maize, and pearl milled products