

# **GUIDELINES FOR EXPORTING AGRICULTURAL AND AGRO-RELATED PRODUCTS FROM NIGERIA**

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## Chapter One:

# OVERVIEW OF THE EXPORT SITUATION OF AGRICULTURAL PRODUCTS AND SERVICES.

### Introduction and Background

Nigeria with an approximate population of 202 million people accounts for almost half of West Africa's population and one of the largest populations of youth in the world<sup>1</sup>. The country is blessed with an abundance of natural resources, is Africa's biggest oil exporter, and has the largest natural gas reserves on the continent<sup>2</sup>. The Nigerian economy with a GDP value of USD 376.3 billion is the largest economy in Africa<sup>3</sup>. In 2015 the Nigerian Economy took a hit and slipped into recession due to the fall in oil prices<sup>4</sup>. It is important to note though, that the Nigerian economy has since recovered from recession and has recorded a year-on-year growth in GDP, with 2019 recording a growth of 2.24%<sup>5</sup>. However, at the beginning of year 2020, the Nigerian Economy like the rest of the world was affected by global economic disruptions caused by COVID-19. The Nigerian agro-food sector is a major sector in the Nigerian economy accounting for more than 21% of the GDP, despite a large part of agricultural economic activities being unaccounted for due to its informal setup<sup>6</sup>. According to the International Monetary Fund (IMF), the informal part of the Nigerian economy is particularly large constituting about 60% of the entire Nigerian economy.

### Prospects of agricultural export from Nigeria to EU.

The Nigeria agricultural sector, which employs two-thirds of the entire labor force is the largest sector of the economy<sup>7</sup>. The sector contributed about 25.2 % (N10.50 trillion) to the nation's GDP as at 2019<sup>8</sup>. Despite this status as being the largest employer of labor, it is estimated that Nigeria has lost USD 10 billion in annual export opportunity from groundnut, palm oil, cocoa and cotton. This by implications means there exists a lot of potentials in agricultural export from Nigeria. High yielding cash crops. Globally, Nigeria is among the top ten producers of the following crops- oil palm, cashew, guinea corn (sorghum), sesame, cocoa, yams, kola nuts and bitter kola. Also the country is leading exporter of rubber, Soybeans, cotton, groundnut, beans, garlic and melon seeds.

The Netherlands is amongst Nigeria's biggest trading partners and the bilateral trading relationship between both countries has seen a massive jump with 64% growth in trade as at 2018. Nigeria exports agricultural products like cocoa beans, cashew nuts, frozen shrimps, ginger, fish, shrimps, Oil seed, grains,

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<sup>1</sup> [Nigeria Overview \(worldbank.org\)](https://www.worldbank.org/en/country/nigeria/overview)

<sup>2</sup> [Nigeria \(worldbank.org\)](https://www.worldbank.org/en/country/nigeria)

<sup>3</sup> [Top 20 Largest Economies In Africa 2020 – Information \(naijaquest.com\)](https://www.naijaquest.com/top-20-largest-economies-in-africa-2020/)

<sup>4</sup> <https://www.pwc.com/ng/en/publications/nigerias-economic-recovery.html>

<sup>5</sup> <https://www.afdb.org/en/countries-west-africa-nigeria/nigeria-economic-outlook>

<sup>6</sup> <https://edepot.wur.nl/478505>

<sup>7</sup> [Nigeria at a glance | FAO in Nigeria | Food and Agriculture Organization of the United Nations](https://www.fao.org/nigeria/)

<sup>8</sup> [Assessing The Potential Impact Of Agriculture In Nigeria's Post Covid-19 Economic Recovery - Real Estate and Construction - Nigeria \(mondaq.com\)](https://www.mondaq.com/nigeria/assessing-the-potential-impact-of-agriculture-in-nigeria-s-post-covid-19-economic-recovery-real-estate-and-construction)

[Agricultural Policies In Nigeria From 1972 Till Date - Hot Vibes Media](https://www.hotvibesmedia.com/agricultural-policies-in-nigeria-from-1972-till-date/)

seed, fruits to the Netherlands. Recently there has been a renewed consultation MoU between Nigeria and the Netherlands, to increase relationship and the economic ties.

### **Time and financial cost framework for exporting agricultural produce from Nigeria regionally and to the EU.**

Despite the fact that Nigeria has the largest economy by size, it is still ranked 131st out of 190 countries on the World Bank's ease of doing business index for 2020 placing the country at the 34<sup>th</sup> position among African Countries. This unenviable position means the time and cost of doing business in Nigeria is still regarded as being very high<sup>9</sup>. In terms of clearing time for cargo in Nigeria port, it is estimated to take five days see [IMPORT AND EXPORT TIMELINES – Nigeria Customs Service](#). However, the reality is that cargoes can take up to at least 20 days before one is able to get clearance for cargo export, thus leading to increase transaction cost. Besides there are also cost associated with administrative inefficiencies which add up to the total transaction cost of exporting from Nigeria

### **Evaluation of regional trade potentials for Nigerian agricultural goods and services**

Considering the size of Nigerian market and number of people employed within the agriculture sector, The Nigerian agriculture sector contributes to the intra-African and Regional Trade. Nigeria is also globally ranked as a country involved in the production of so many agricultural produce. Thus, the sector has huge potentials of contributing to intra African trade.

For instance, with regards to the ECOWAS sub region, Nigeria is the leading producer of so many crops but is yet to optimize the benefits of the trade agreements between the ECOWAS member countries. Some ECOWAS member countries like the UMOA (**Union Monétaire Ouest Africaine**) block still prefer importing from France and other countries like China despite the distance. The reason for this is because of transaction cost of doing business in Nigeria. A situation which as limited the influence and impact of the Nigerian agricultural sector within ECOWAS against it's true potential.

The limited access to investment capital has further negatively impacted on agricultural export growth in Nigeria against all the efforts from governmental export promotional policies. For instance, after setting an investment target of at least 10% of total annual budget allocation to the agricultural sector under the CAADP agree, Nigeria has not been able to meet this target.

From the above, despite the huge potentials of the Nigeria agricultural sector within regional agricultural trade, a lot still needs to be done in terms on value chains development. This is the only way Nigeria can harness the full potential of agricultural sector within the context of the newly signed AfCTA.

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<sup>9</sup> [World Bank ease of doing business report 2020: Nigeria remains top improver \(deloitte.com.ng\)](#)

## **National and International programmes promoting export of food and agricultural commodities**

In line with ECOWAS and WTO rules on promotion of international trade, the government of Nigeria has also put in place programmes aimed at promoting the export of Food and Agricultural commodities from Nigeria. At the national level every government in Nigeria comes up with policies aimed at promoting both food and agricultural export from Nigeria. Some of the recent policies using 2010 as base year include Commercial Agriculture Credit Scheme (2010), Growth Enhancement Support Scheme (2012), Duty free imports of agricultural equipment (2012), Export Expansion Grant (EEG) Scheme (2013), NIRSAL (Nigeria Incentive-Based Risk Sharing system for Agricultural Lending) (2013), Ancho Borrowers Programme (2015), Agriculture Promotion Policy (also known as the Green Alternative) (2016), Presidential Fertilizer Initiative (PFI) (2016). Also there are policies that seek to promote agricultural and food production in Nigeria for both domestic and export market. Some of these policies are Nigeria 2014 income tax holidays to pioneer status from CBN Circular export repatriation regime (2015), Common External Tariff (CET) (2015), 2017 Nigeria ratification of the WTO Trade Facilitation Agreement, The Presidential Economic Diversification Initiative (PEDI) (2017), Food Security Council (2018)<sup>10</sup>, 2018 Export Development Funds and 2019 Zero Reject Initiative<sup>11</sup>.

The coming onboard of NIRSAL has further increased funds to the Nigerian agricultural sector. In accordance with the directive of the CBN (Central Bank of Nigeria), through this directive there has been an increase in loans for agricultural purposes. The strength of all these policies and programmes lies in the fact that they have opened new access to funds and created additional incentives for private sector participation in the agricultural and food sectors of the economy. The weakness is the absence of enabling Act which ensures that sustainability beyond the life span of regimes/administrations that brought them into existence. Some are also associated with corrupt practice at the point of implementations.

There is also joint venture policy initiative aimed at promoting agricultural production and export operational in Nigeria. Some of these joint venture initiatives include Nigeria–Africa Trade and Investment Promotion Programme: NATIPP (2018), there is also Comprehensive Africa Agricultural Development Programme (CAADP), NEPAD, AfCTA (2021)

### **Limitations of the agricultural export system in Nigeria**

Nigeria has continued to suffer limitations in agricultural export system amounting to what FAO described as over USD 10 billion loss in revenue that would have been accrued to the government. These limitations are as a results of several factors, one of which is the presence of mycotoxins, especially aflatoxin in some agricultural products, this was the case with beans which was rejected by EU in 2013 and 2017 on the grounds of bad quality such as high than acceptable residue levels.

Another reason for limitations of agricultural export is the sustainability of supplies after the initial market agreement has been achieved. Some suppliers are not able to meet up with demands thereby making

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<sup>10</sup> [Buhari 5 agriculture initiatives by President's administration he wants you to know about \[ARTICLE\] - Pulse Nigeria](#)

<sup>11</sup> [FG launches 'Zero Reject' against Nigeria's produce overseas - National Accord Newspaper](#)

potential buyers look elsewhere for suppliers of the same commodity - Produce quality control at the farm level and use of unacceptable general agricultural practices Supply consistency based on traceability, quality of produce or yield is also a major limiting trade factor .

There are also issues associated with port clearance, this situation often leads to delay in shipment which sometimes leads to contamination of product at the time of arrival. The poor road infrastructure and transport system often leads to congestions at the port making produce spend longer time than necessary on the way. This further increases freight cost which the buyer is often times not willing to pay for , thus limiting agricultural export from Nigeria.

There is also the issue of corruption by government officials involved in both clearing and forwarding for shipment (poor trade facilitation barriers to trade) . There are instances whereby monies have been demanded from potential exporters before processing of some documents by officials of the line MDAs involved in clearing and forwarding of cargoes. This situation often results in delays at the port thereby increasing cost of business transactions and scaring others from coming into the Nigerian market as exporters.

The absence of transparency on the part of some agencies involved in export promotions is also another serious limitation of export trade in Nigeria. Instead of displaying names and registered address of companies involved in foreign trade, some of these agencies see this as classified information, thus making it difficult for potential investors to know the true capacities of these companies. The absence of this information on public websites leaves potential investors at the mercy staff of those agencies who choose to promote whomever they want using relevant schemes that works to their personal advantage.

### **Tariffs, non-tariff, quota system barriers, and exemptions to trade in goods from Nigeria**

Nigeria employs a combination of tariffs and quotas for two main reasons. First is taxation for international trade for revenue generation and secondly, protection of local industries from highly competitive imports. The country's tariffs are determined by the ECOWAS 2015 – 2019 Common External Tariff (CET) Book. The tariff has three bands:

- zero duty on capital goods and essential drugs,
- 5% duty on raw materials, 10% on intermediate goods,
- 20% on finished goods and 35% on imports into strategic sectors.

Furthermore, the country uses local content laws, import tariffs measures and the 2020 New CAMA Act of Federal Government Ministries, Departments and Agencies to show preference for local goods and services all play roles in export trade in Nigeria.

This study will provide clear insights into the procedures, polices, and challenges of exporting agricultural related products and services from Nigeria. The information is expected to guide international trade

between the Netherlands and Nigeria. Increased food trade can help Nigeria meet the projected demand of food which may reach 355.1 million MT in 2028<sup>12</sup>.

Annex will include list of companies participating in agricultural product and services import in Nigeria

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<sup>12</sup>[https://www.researchgate.net/publication/305689679\\_Scientia\\_Agriculturae\\_Food\\_demand\\_forecast\\_for\\_Nigeria\\_2016-2028](https://www.researchgate.net/publication/305689679_Scientia_Agriculturae_Food_demand_forecast_for_Nigeria_2016-2028)  
[Analysing Nigerian Agricultural Exports To The United Kingdom \(ukessays.com\)](#)

## Chapter Two: Export Promotion Agencies, Policies, Regulations and Procedures in Nigeria

Focus will be on institutions playing regulatory roles for export of agricultural and agro allied materials from Nigerian. The Chapter also looks at challenges faced by actors involved in export of agricultural product outside Nigeria. Special focus will be on guidelines and levels of harmonization with WTO and ECOWAS trade liberalization Scheme.

### [Nigeria Single Window Trade - Home](#)

**The Nigeria Single Window Trade Portal (NSWTP)** is a cross-government website that opens a new era for trade facilitation by offering a single portal for trade actors, both Nigerian and international, to access a full range of resources and standardized services from different Government of Nigeria (GoN) agencies and departments.. The NSWTP facilitates trade by offering a platform for users to:

- Consult trade information online. For example, tariff search, arrived vessels, regulatory guidelines
- Submit trade documents and track their trade transaction status online
- Pay online through e-payment facilities using credit card (this function to be deployed in the next phase)
- Access helpdesk, trouble tickets, and other support services online (for registered users)
- Quickly reference important information on different government agencies involved in trade matters, as well as link to their websites through a convenient hub<sup>13</sup>

The responsibilities for regulating and monitoring food standards and practices in Nigeria falls broadly on Ministries, Departments and Agencies (MDAs). Ministries include Federal Ministry of Health (FMoH), Federal Ministry of Agriculture & Rural Development (FMARD) and Federal Ministry of Industries, Trade, and Investments (FMITI). While Departments include Federal Department of Fisheries and Federal Department of Livestock. National Agency for Food and Drug Administration and Control (NAFDAC), Standards Organization of Nigeria (SON), Nigeria Agricultural Plant Quarantine Services (NAQS) and Federal Competition and Consumer Protection Commission (FCCPC) are agencies responsible for food safety standard in Nigeria. Nigeria Customs Services also play some roles.

### **Federal Ministry of Health (FMoH)**

The FMoH ([Mission and Vision \(health.gov.ng\)](https://health.gov.ng)) has the mandate of providing quality stewardship and services for the overall health of all Nigerians. FMoH is responsible for the development and implementation of policies that strengthen the national health system for effective, efficient, accessible, and affordable delivery of health services in partnership with other stakeholders. The Ministry has oversight and supervisory functions on all Agencies and Departments that perform roles on health-related issues. NAFDAC is one among the agencies under supervision by the FMoH<sup>14</sup>.

The relevance of FMoH in the agricultural production and export is that it regulates food and drug services sector in Nigeria. The strength of FMoH lies in the fact that it regulates tertiary health issue in Nigeria. The weakness is the poor linkage between Ministry of health and ministry of agriculture.

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<sup>13</sup> [Nigeria Single Window Trade - Home](#)

<sup>14</sup> <https://health.gov.ng/index>.

### **Federal Ministry of Agriculture & Rural Development (FMARD)**

The mandate of the FMARD is to ensure food security in crop, livestock, and fisheries, stimulate agricultural employment and services, promote the production and supply of raw materials to agro industries, provide markets for the products of the industrial sector, generate foreign exchange and aid rural socio-economic development. Specifically, FMARD work towards creating a conducive environment to stimulate greater sector participation in agriculture to enable the business side to assume its appropriate role as the engine of economic growth.

FMARD's scope include agribusiness and marketing; agricultural land & climate change; federal department of agriculture; farm inputs support services; animal husbandry services; rural development; agricultural extension services; and cooperative. In addition, the ministry supervises all Federal Government of Nigeria (GoN) agricultural agencies and departments such as Nigeria Agricultural Plant Quarantine Services (NAQS) among others. Other agencies under the direct supervision of FMARD can be found at [Agencies – Federal Ministry of Agriculture & Rural Development | FMARD](#)

One major strength of FMARD is that, it works on policies and programmes that ensures competitiveness of Nigeria's agricultural products to derive maximum advantage from the provisions of bilateral, regional, and multilateral institutions agreements, conventions, and treaties without compromising national interest<sup>15</sup>. One weakness is that some information on the website are not up to date.

### **Federal Ministry of Industries, Trade, and Investments (FMITI)**

The Nigeria [FMITI – Federal Ministry of Industry, Trade & Investment](#) (Government Service of Industry, Exchange and Speculation) is responsible for empowering local industry with conducive business climate. Hence, legal focal point of FMITI is to advance interests into the Country and drive the development of the Nigerian economy, improvement, advancement, execution; and establish an empowering climate for both homegrown and worldwide exchange. FMITI's scope includes trade; investment promotion; industrial inspectorate, industrial development; commodities and produce inspectorate; and weights and measures<sup>16</sup>. Agencies under FMITI can be found at [Parastatals – FMITI](#)

The major strength of FMITI lies in the fact that it provides a single window within which potential investors can engage and get all information needed to carry out business transactions in Nigeria. The major weakness in FMITI lies in the fact that it still carries majority of communications manually instead of electronically.

### **NAFDAC & Food Regulation Laws, Scope & Activities**

**NAFDAC** (<https://www.nafdac.gov.ng/>) is the Public authority of Nigeria's (GON) food handling authority and liable for the guideline and control of food item producing, importation, exportation, ad, deal, and

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<sup>15</sup> [Who We Are – Federal Ministry of Agriculture & Rural Development | FMARD](#)

<sup>16</sup> [Services – FMITI](#)

dispersion in Nigeria. Set up to secure general wellbeing, NAFDAC guarantees that solitary right quality (protected, effectual, and healthy) food items from any source arrive at the markets in Nigeria formal or informal. Its mandate covers food, water, drugs, beautifiers, clinical gadgets, synthetic compounds, and cleansers (alluded to as controlled items) burned-through in Nigeria<sup>17</sup>.

### **NAFDAC'S Food Regulation Laws**

Decree 15 of 1993 (as amended)—now Acts of Parliaments: CAP N1 LFN 2004, is the law that created NAFDAC. Please visit: <https://www.nafdac.gov.ng/about-nafdac/nafdac-laws/>, for other NAFDAC laws. Under the provisions of the GON laws and the accompanying guidelines, no food item may be imported, manufactured, advertised, sold, or distributed in Nigeria unless NAFDAC registers and approves of it<sup>18</sup>. The agency defines food as any "article manufactured, processed, packaged, sold or advertised for use as food or drink for human consumption, chewing gum and any other ingredient which may be mixed with food." Further details click: <https://www.nafdac.gov.ng/food/>; <https://www.nafdac.gov.ng/food/food-guidelines/>, and <https://www.nafdac.gov.ng/food/food-regulations/>, for food, food guidelines and food regulations, respectively.

### **Scope of NAFDAC'S Food Regulation Activities**

- NAFDAC's food regulation activities cover:
- Licensing of food producing premises
- Registration of food items and issuance of promoting approval
- Importation and exportation of food
- Labelling of food items
- Advertisement of food items
- Inspection for GMP and GHP of food delivering premises of unfamiliar foundations whose items are to be brought into Nigeria
- Health control of Snappy help Eateries
- Marketing of Bosom milk substitutes, and so forth

It also plays other important roles in Nigeria's food safety systems including:

- WTO (SPS) Enquiry Point (EP) in Nigeria (visit: [www.spsenquirypointnigeria.net](http://www.spsenquirypointnigeria.net))
- INFOSAN Point of convergence
- WHO's – Global Wellbeing Guidelines (IHR)
- Member of the Nigerian appointment to Codex gatherings
- Chair of the Overall Purposes Specialized Panel of the Public Codex Advisory group (NCC)
- NAFDAC is the assigned Quick Ready Framework for Food and Feed (RASFF) point of convergence in Nigeria and subsequently relates with European association on Food Matters Secretariat of Nigeria's National Food Safety Management Committee (NFSMC), etc. (For details, visit: <https://www.nafdac.gov.ng/>)

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<sup>17</sup> <https://www.nafdac.gov.ng/>

<sup>18</sup> <https://www.nafdac.gov.ng/about-nafdac/nafdac-laws/>

### **Standards Organization of Nigeria**

The Standards Organization of Nigeria (SON) is an agency of Nigeria's FMITI, is liable for setting norms on the creation, bundling, and compartment necessities of imported and privately produced food sources. SON was established in 1971 under the Act no 56 of 1971 and is the equipped expert for creating norms and guaranteeing consistence of merchandise expected with the expectation of complimentary market course in Nigeria. Nigerian Standards are called as Nigerian Industrial Standards and SON is for building up these guidelines alongside the particular skillful specialists.

Prior to bringing in, the products should go through confirmation and testing in a Free Authorize Firm (IAF) in the birthplace country. A SONCAP (Standards Organization of Nigeria Conformity Assessment Program) certificate must be obtained by the exporter. authentication should be gotten by the exporter. Prior to bringing in, the merchandise should go through confirmation and testing in an Independent Accredited Firm (IAF) in the origin country. A SONCAP (Standards Organization of Nigeria Conformity Assessment Program) certificate must be obtained by the exporter. SON can be contacted using this [link](#).

SON has formulated more than 100 standards on food and food products as well as a numerous code of hygienic practices for food and food products usually reviewed periodically. The strength of SON lies in the fact that it is the sole and only authority vested with powers to certify product as being fit for international export market. One major weakness is the inability of the organization to provide tailored made support to emerging smart innovations.

### **The Nigeria Agricultural Quarantine Service (NAQS)**

The NAQS Establishment Act 2018 was made with the vision to be Nigeria's lead administrative organization and first line of safeguard for the counteraction of the passage and spread of extraordinary irritations and illnesses of all rural items related with worldwide exchange and relocation. The specific mission of NAQS is to provide a world-class research, training, and science-based regulatory Service for the quality assurance of agricultural products through a strict and consistent enforcement of sanitary and phytosanitary measures for plants, animals, and animal resources health; thereby promoting food safety, sustainable agriculture, and economic development. NAQS is composed of the following departments: Animal Quarantine; Plant Quarantine; Aquatic Resource Quarantine; Laboratory Management; Planning Research and Development; Procurement; Finance/Account; and Human Resources Management<sup>19</sup>.

NAQs can be contacted at [Contact Us – Nigeria Agricultural Quarantine Service \(naqstest.com.ng\)](http://naqstest.com.ng)

The relevance if this institute in agricultural export is that it provides for quality assurance of agricultural product and can be contacted by potential investors to guide.

### **Nigeria Customs Services**

Nigeria Customs Service (NCS) is an agency of GoN under the Federal Ministry of Finance with the status of a para-military organization. The NCS was established with implementation of and advise on

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<sup>19</sup> [Nigeria Agricultural Quarantine Service – naqs.gov.ng \(naqstest.com.ng\)](http://naqs.gov.ng)

Governmental trade and fiscal policies, and the promotion of trade facilitation at the heart of its vision<sup>20</sup>. Furthermore, the NCS has two statutory functions broadly classified into core and other functions. The core functions include Collection of Revenue (Import and Excise Duties and Accounting for same), and Prevention and suppression of smuggling. The other functions among others include Implementation of Government Fiscal Measures, Generation of statistical data for planning purpose, Trade Facilitation, Implementation of bilateral and multilateral agreements entered by government, Collection of levies and charges, Collaborative functions with government Agencies including CBN, Police, NDLEA, SON, NAFDAC, FIRS, etc<sup>21</sup>. The Nigeria Customs can be reached at <https://www.trade.gov.ng/ncs/contact.do> Being the responsible agency for the implementation of both bilateral and multilateral agreements, it is relevance comes to speedy clearance of export bound produce at the port.

### **Federal Competition and Consumer Protection Commission (FCCPC)**

The FCCPC is the Federal competition and consumer protection authority in Nigeria, established by the Federal Competition and Consumer Protection Act (FCCPA) 2018 to among others, create and advance reasonable, effective and serious business sectors in the Nigerian economy, encourage access by all residents to safe items, and secure the assurance of rights for all customers in Nigeria. The vision of FCCPC is a market that is a model for ease, development, dynamism, responsiveness, and fulfillment while the mission is to advance a reasonable and energetic market while guaranteeing consumers are the center of, not subordinate to business.

The main function of FCCPC is monitor and modify behavior of service providers and manufacturers in some key areas like complaint resolution, surveillance and enforcement, consumer education, Quality Assurance & Development, as well as research and strategy<sup>22</sup>. FCCPC can be contacted at [Contact - Federal Competition and Consumer Protection Commission \(fccpc.gov.ng\)](https://www.fccpc.gov.ng)

The major strength of FCCPC lies in the fact that the Act guarantees and protects the rights of both producers and consumers by encouraging healthy competition. The major weakness of the law lies in the fact that there is low level awareness among the general Nigerian populace.

### **The Central Bank of Nigeria (CBN)**

The CBN derives her mandate from the 1958 Act of Parliament, as amended in 1991, 1993, 1997, 1998, 1999, and 2007. The CBN Act of 2007 of the Federal Republic of Nigeria charges the Bank with the overall control and administration of the monetary and financial sector policies of the Federal Government. The core functions of the CBN include ensure monetary and price stability; issue legal tender currency in Nigeria; maintain external reserves to safeguard the international value of the legal tender currency; promote a sound financial system in Nigeria; and act as Banker and provide economic and financial advice to the Federal Government. Based on the Banks and Other Financial Institutions (BOFI) Act (1991) as amended, the CBN is charged with the responsibility of administering with the sole aim of ensuring high

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<sup>20</sup> [MISSION & VISION – Nigeria Customs Service](#)

<sup>21</sup> [FUNCTIONS – Nigeria Customs Service](#)

<sup>22</sup> [What We Do - Federal Competition and Consumer Protection Commission \(fccpc.gov.ng\)](#)

standards of banking practice and financial stability through its surveillance activities, as well as the promotion of an efficient payment system<sup>23</sup>.

In addition to its core functions, CBN has over the years performed some major developmental functions, focused on all the key sectors of the Nigerian economy (financial, agricultural, and industrial sectors). Overall, these mandates are carried out by the Bank through its various departments. The CBN can be contacted at [Central Bank of Nigeria: Contact Us \(cbn.gov.ng\)](https://www.cbn.gov.ng)

The major strength of CBN lies in the fact that it intervenes in critical sectors of the economy like agriculture injecting much needed capital to create a balance or stimulate local production. The major weakness lies in the fact that CBN is regulator and once it intervenes in any sector it creates complexities in the system.

### **The Nigerian Investment Promotion Council (NIPC)**

The NIPC was established by Nigerian Investment Promotion Act Chapter N117 Laws of the Federation of Nigeria 2004 to encourage, promote and co-ordinate investments in the Nigerian economy. The vision of NIPC is to be the pre-famous Speculation Advancement Office in the developing business sectors' by proactively situating and advancing Nigeria as the favored venture as the preferred investment haven. The functions of NIPC among others include

- Being the agency of the Federal Government to co-ordinate and monitor all investment promotion activities to where this Act applies;
- Initiate and support measures which shall enhance the investment climate in Nigeria for both Nigerian and non- Nigerian investors;
- Collect, collate, analyze and disseminate information about investment opportunities and sources of investment capital, and advise on request, the availability, choice or suitability of partners in joint-venture projects;
- Initiate, organize and participate in promotional activities such as exhibitions, conferences, and seminars for the stimulation of investments;
- Maintain liaison between investors and Ministries, Government Departments and Agencies, institutional lenders and other authorities concerned with investments;
- Assist incoming and existing investors by providing support services.

More functions of NIPC can be found at [About NIPC – Nigerian Investment Promotion Commission](#). The NIPC work towards achieving these functions by presenting both opportunities and incentives available for both existing and new investors. The opportunities are classified into agriculture, industry, and service. The major strength of NIPC lies in it brokers relationship between investors and relevant government MDAs for both existing and new investors. The weakness is that its functions seems to duplicate those of Nigerian Export Promotion Council ( NEPC).

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<sup>23</sup> [Central Bank of Nigeria | About CBN](#)

### **Nigeria Export Processing Zones Authority (NEPZA)**

NEPZA<sup>24</sup> Export processing zones (EPZs) – also known as free zones (FZs) – are areas in which businesses are exempt from the normal regime applicable in Nigeria, particularly with regard to Customs duty and tax. In return, the government expects companies operating in the EPZs to boost national exports, create jobs and help in diversifying the Nigerian economy by bringing in new activities<sup>25</sup>. To realize the mandate of promoting export from Nigeria, NEPZA works with NCS, Nigeria Port Authority (NPA), CBN, Nigeria Police Force, host State Governments for the securing swift issuance of land related permits, and Nigeria Immigration Service (NIS).

NEPZA is relevant to agricultural export because of ability to facilitate issuance of foreign exchange for potential investors, issuance of visas and port clearance. The major strength of NEPZA is proximity to agricultural producing areas. While one of its weaknesses is the distance between some of these clusters and the ports of departure, meaning a product might be certified as fit for shipment but due to delays on the road might not arrive in time and the best quality.

### **The Nigerian Export Promotion Council (NEPC)**

The Nigerian Export Promotion Council (NEPC) was established with vision of making the world a market place for Nigerian non-oil products. NEPC mission is to spearhead the diversification of the Nigerian economy by expanding and increasing non-oil exports for sustainable and inclusive economic growth. It is the apex institution for the promotion, development and diversification of exports. This the NEPC achieves by coordinating and harmonizing export development and promotion activities in the country, taking lead in all national export programs, interfacing with international trade agencies on cooperation and capacity building<sup>26</sup>.

NEPC offers the following services registration for exporters, provide market information, export training and seminars, match making on Nigerian exporters with potential buyers, advisory and coaching, advisory of export incentives, administration of export incentives, support-in trade-promotion services, and support for women in exports. The major strength of NEPC is its ability to match exporters from Nigeria with potential buyers and incentives for encouraging development indigenous export companies. NEPC is relevant to agricultural export because potential investors can contact them for relevant information on particular crop. One major weakness is the absence of data on its websites on the companies involved in export business in Nigeria according sectors and destinations of Nigeria export. This is treated as classified information.

In addition to the above institutions are some laws guiding and regulating food safety and standards in Nigeria. These MDAs are guided by some laws

- Counterfeit and Fake Drugs and Unwholesome Processed Foods (Miscellaneous Provisions) Decree 25 of 1999, now CAP C34, LFN 2004

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<sup>24</sup> <https://www.nepza.gov.ng/index.php/about/nepza>

<sup>25</sup> <https://oxfordbusinessgroup.com/overview/laws-attraction-free-zones-offer-multitude-incentives-investors>

<sup>26</sup> [About NEPC - NEPC](#)

- The National Agency for Food and Drug Administration and Control (NAFDAC) Decree 15 of 1993 (as amended by Decree 19 of 1999), now CAP N1 LFN 2004
- Drugs and Related Products (Registration etc.) Decree 1993, now Food, Drugs and Related Products (Registration) CAP F33, LFN 2004
- Pre-shipment Inspection of Exports Decree 1996
- Pre-shipment Inspection of Imports Decree 1996
- Consumer Protection Council Decree 66 of 1992
- Inland Fisheries Decree 108 of 1992
- National Food Safety Management Committee (NFSMC) Bill, 2014 (proposed)—

<http://faolex.fao.org/docs/pdf/nig151436.pdf>

contact <https://www.ajol.info/index.php/jsdlp/article/viewFile/176459/165846> for additional information.

With regards to World Trade Organisation (WTO) issues, which requires all signatories to the Agreement on Technical Barriers to Trade (TBT) to establish a National Inquiry Point and Notification Authority to gather and efficiently distribute trade-related regulatory, standards and conformity assessment information to the WTO Member community. SON as the apex Standardization body of Nigeria, serves as the Nigerian source for standards and standards-related information at home and abroad<sup>27</sup>. Furthermore, in terms of harmonization with WTO and ECOWAS trade liberalization scheme, the **International Standards group** handles international matters on standards e.g. standards harmonization, collaboration issues, International Organization for Standardization (ISO), International Electro-chemical Commission (IEC), Codex Alimentarius Commission, Africa Organization for Standardization (ARSO), World Trade Organization (WTO) and Economic Community of West African States (ECOWAS)<sup>28</sup>.

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<sup>27</sup> [WTO/TBT National Enquiry Point – SON](#)

<sup>27</sup> [About our Standards – SON](#)

## Chapter Three: Policies and regulations governing the export of food and agricultural commodities from Nigeria to the EU

The EU's tariffs and non-tariff policies and regulations governing export of food and agricultural commodities from Nigeria is governed by the Cotonou Partnership Agreement signed in 2000. Even though Nigeria did not sign this agreement, considering the fact that the EU trade policies and regulations with African Caribbean and Pacific (ACP) countries is governed by the Cotonou Partnership Agreement and Nigeria falls within the African continent, the policies will not radically be different. However, the specific policies and regulations governing the export of agricultural commodities from Nigeria to the EU is the Generalized Scheme of Preferences (GSP) which is based on 1971 GATT an arrangement which allows one-way and non-reciprocal tariffs to some developing countries<sup>29</sup>. Countries without specific agreements with the EU are governed by the GSP and Nigeria is listed as one of such countries in the annex when it was launched in 2012.

On the other hand, trade barriers between Nigeria and EU policies and regulations governing export of food and agricultural commodities from Nigeria to the EU are systematic measures aimed at stimulating domestic growth and protecting some endangered species. For instance, there is ECOWAS Protocol prohibiting exportation of certain products from animals of endangered species<sup>30</sup>. Agricultural related products such as maize, timber (rough or sawn), raw hides and skin (including We Blue and all unfinished leather), Scrap Metals of agricultural machineries, Unprocessed rubber latex and rubber lumps, and Wildlife animals classified as endangered species and their products e.g. Crocodile; Elephant, Lizard, Eagle, Monkey, Zebra, Lion etc are prohibited from being exported outside the country, hence can affect what is exported to the EU.

A perusal of 'hurdles to pass' or HTP for access to the EU market regarding all imported product lines, especially foods/feeds and agriculture, there are several requirements (standard requirement) or hurdles that must be passed on specific products before acceptance into the EU market. For instance, for fish and fishery products to be allowed into the EU market for consumption, they must have 10 HTP examined before acceptable entrance into. The situation for fruits and vegetables too is not different in terms of 11 HTP, anyone exporting to the EU market or importing into the market must comply with the requirement for market access. Mycotoxins, microbiological contaminations, foreign bodies, radiation and not determined/others are HTP required for nuts and seeds exports. In the case of herbs and spices, the HTP requirements are pegged at the level of foreign materials or bodies, percentage of pesticide residues, presence of unauthorized food additives, presence of microbiological contaminants and mycotoxins. Dutch companies are picking interest in Nigeria as their destination for Agri-food and agro allied imports. Recently there has been a renewed consultation MoU between Nigeria and the Netherlands, due to the increase in relationship and the economic strength of Nigeria.

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<sup>29</sup> [EUR-Lex - 32012R0978 - EN - EUR-Lex \(europa.eu\)](#)

<sup>30</sup> [IMPORT AND EXPORT PROHIBITION LIST IN NIGERIA « Foraminifera Market Research \(foramfera.com\)](#)



## Clearance

In terms of clearance, the following are considered

After clearance of goods the following documents are to be submitted by the importer to the processing bank.



Source: Nigerian Customs Authority

See additional information at [Nigeria Customs Service – Nigeria Customs Information Portal](#) and [ENHANCED CUSTOMS CLEARANCE PROCEDURES – Nigeria Customs Service](#)

In terms of time implications, the table below illustrate the required time

S/N	DESCRIPTION OF PROCESS	INITIALIZATION	CONCLUSION	TIMELINE
1.	FORM "M" APPROVED BY CUSTOMS	Authorized Bank Verify the e-Form "M" Application, Validate and Upload to NCS.	Register e-Form "M"	24 Hours
2.	PAAR ISSUE	Authorized Bank Capture data, upload and validate scanned copies of Final Documents to NCS PAAR Platform.	Generate PAAR	24 Hours

3.	EXAMINATION RELEASE	Placement of Container for Physical Examination	Release by Customs	48 Hours
4.	ENDORSEMENT OF NXP FORM FOR EXPORT BY CUSTOMS	Submission of NXP Form by Exporter or Agent	Endorsement and Dispatch to Exporter or Agent	24 Hours

Source [EXPORT TIMELINES – Nigeria Customs Service](#)

### **Exporting from Nigeria to EU:**

Focus will be on export procedures, financial and time implications of processing commodities for export to the EU. In addition, the chapter will also provide [hyperlink on Where to go](#) for technical regulations and standards. The chapter will also look at the constrains and degree of alignment with WTO and EU scheme policies.

### **Standards Organization of Nigeria**

Standards Organization of Nigeria (SON) was established in 1971 under the Act no 56 of 1971 and is the competent authority for developing standards and ensuring compliance of goods intended for free market circulation in Nigeria. Nigerian Standards are called as Nigerian Industrial Standards and SON is responsible for developing these standards along with the respective competent authorities.

Before importing, the goods must undergo verification and testing in an Independent Accredited Firm (IAF) in the origin country. A SONCAP (Standards Organization of Nigeria Conformity Assessment Program) certificate must be obtained by the exporter. Prior to importing, the goods must undergo verification and testing in an Independent Accredited Firm (IAF) in the origin country. A SONCAP (Standards Organization of Nigeria Conformity Assessment Program) certificate must be obtained by the exporter in Nigeria.

### **Process of Acquiring SONCAP Certificate.**

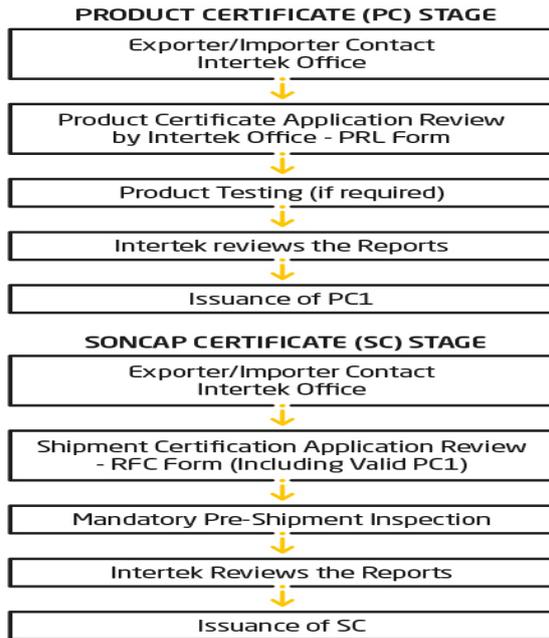
#### **How to Get a Certificate of Conformity (CoC)**

##### **Occasional Exporter**

For Occasional Exporters shipments of regulated products are required to undergo the following evaluation process to obtain a CoC.

Product Certificate 1 (PC 1) is a one-time Registration issued under Route A, which is valid for six months.

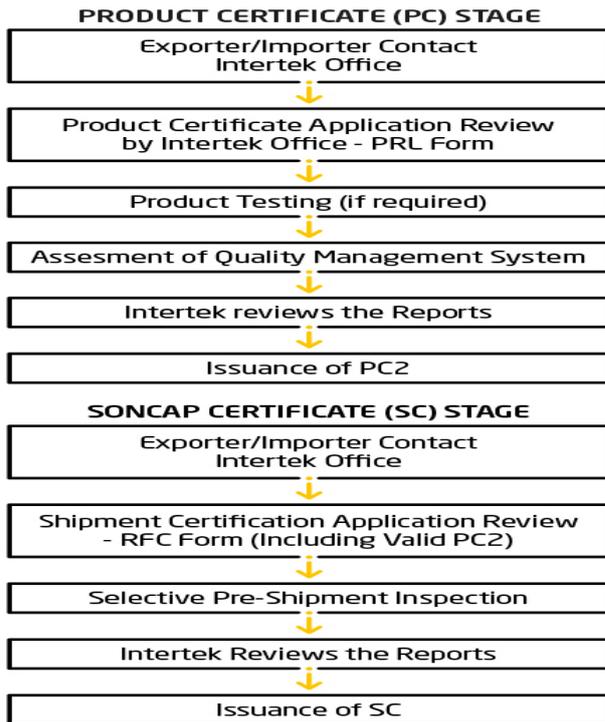
- Product Certificate to be obtained from the responsible Intertek Offices.
- Products shall comply with the Nigerian Essential Requirements, Technical Regulations, and approved Standards.
- An assessment shall be made to ensure that products meet the required level of compliance before PC1 is issued.
- A SONCAP Certificate is required for such shipments which will be issued based on the valid PC1 and successful physical inspection of the shipment.



### Frequent Exporters

Product Certificate 2(PC 2) is a Registration issued to an Applicant under Route B upon successful verification and evaluation of full type test reports and evidence of Manufacturer’s certified Quality Management System. This Registration can be used for multiple shipments for a period of one year from its date of issue.

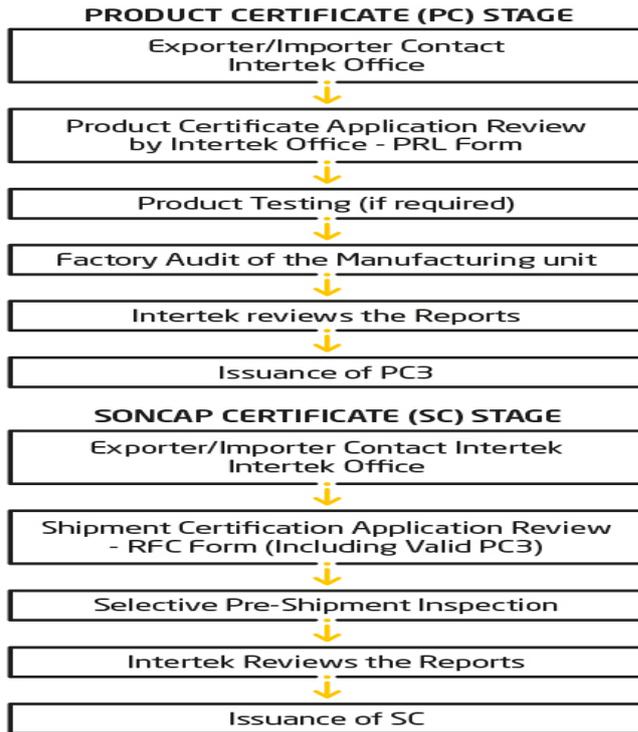
- PC2 to be obtained from the responsible Intertek Offices.
- Products shall comply with the Nigerian Essential Requirements, Technical Regulations, and approved Standards.
- Assessment of the Manufacturer’s Quality System
- An assessment shall be made to ensure that products meet the required level of compliance before PC2 is issued.
- A SONCAP Certificate is required for such shipments which will be issued based on the valid PC2 and successful selective inspections of shipments.



**For High volume Exporters**

Product Certificate 3 – (PC3) is a License issued to an Applicant under Route C upon successful verification and evaluation of full type test reports and factory audit reports. This License can be used for multiple shipments for a period one year from its date of issue.

- PC3 to be obtained from the responsible Intertek Offices.
- Products shall comply with the Nigerian Essential Requirements, Technical Regulations, and approved Standards.
- Audit of the Manufacturing unit
- Periodic factory surveillance of all licensed product manufacturing sites to ensure compliance to standard(s).
- An assessment shall be made to ensure that products meet the required level of compliance before PC3 is issued.
- A SONCAP Certificate is required for such shipments which will be issued on the basis of the valid PC3 and successful selective inspections of shipments.

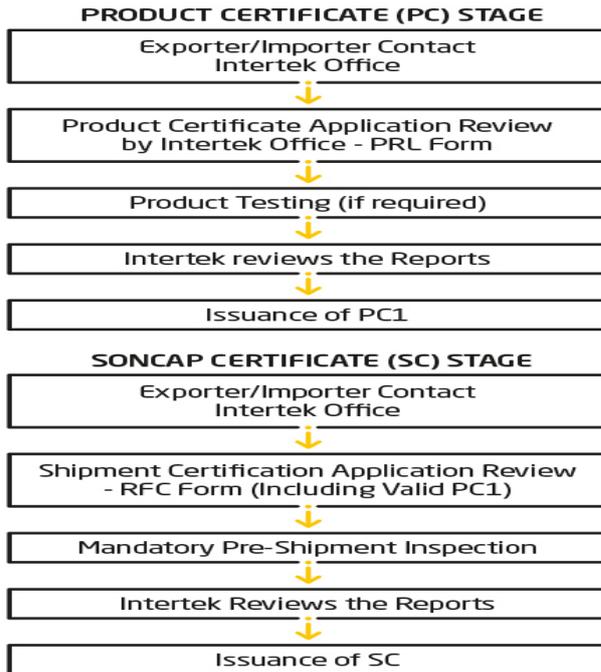


**Occasional Exporter**

For Occasional Exporters shipments of regulated products are required to undergo the following evaluation process to obtain a CoC.

Product Certificate 1 (PC 1) is a one-time Registration issued under Route A, which is valid for six months.

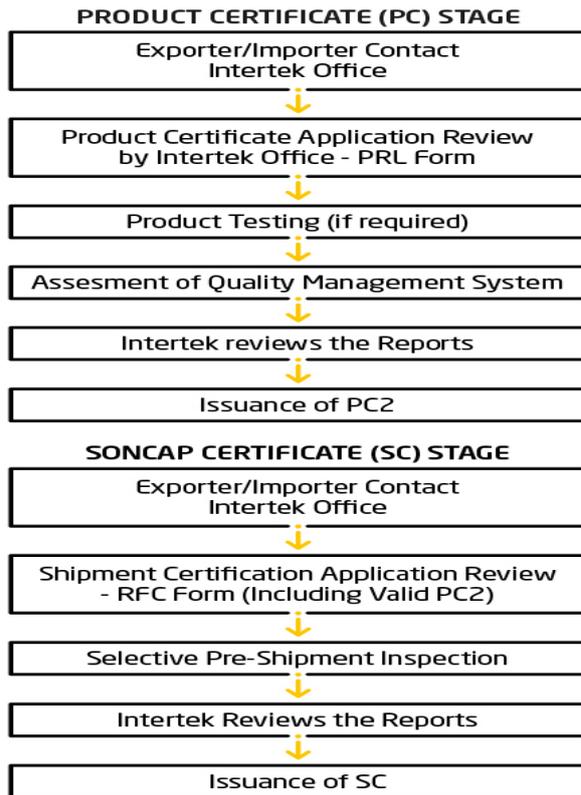
- Product Certificate to be obtained from the responsible Intertek Offices.
- Products shall comply with the Nigerian Essential Requirements, Technical Regulations, and approved Standards.
- An assessment shall be made to ensure that products meet the required level of compliance before PC1 is issued.
- A SONCAP Certificate is required for such shipments which will be issued based on the valid PC1 and successful physical inspection of the shipment.



**Frequent Exporters**

Product Certificate 2(PC 2) is a Registration issued to an Applicant under Route B upon successful verification and evaluation of full type test reports and evidence of Manufacturer’s certified Quality Management System. This Registration can be used for multiple shipments for a period of one year from its date of issue.

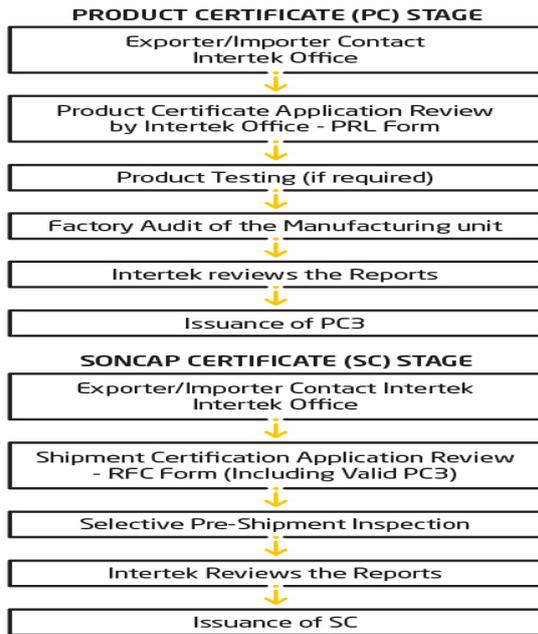
- PC2 to be obtained from the responsible Intertek Offices.
- Products shall comply with the Nigerian Essential Requirements, Technical Regulations, and approved Standards.
- Assessment of the Manufacturer’s Quality System
- An assessment shall be made to ensure that products meet the required level of compliance before PC2 is issued.
- A SONCAP Certificate is required for such shipments which will be issued based on the valid PC2 and successful selective inspections of shipments.



### High volume Exporters

Product Certificate 3 – (PC3) is a Licence issued to an Applicant under Route C upon successful verification and evaluation of full type test reports and factory audit reports. This Licence can be used for multiple shipments for a period one year from its date of issue.

- PC3 to be obtained from the responsible Intertek Offices.
- Products shall comply with the Nigerian Essential Requirements, Technical Regulations and approved Standards.
- Audit of the Manufacturing unit
- Periodic factory surveillance of all licensed product manufacturing sites to ensure compliance to standard(s).
- An assessment shall be made to ensure that products meet the required level of compliance before PC3 is issued.
- A SONCAP Certificate is required for such shipments which will be issued on the basis of the valid PC3 and successful selective inspections of shipments.



### Key documents

The Key documents required to obtain a Product certificate are mentioned below:

1. Completed request for product certification form.
2. Factory Audit report
3. Product identity declaration
4. QMS and accreditation certificate
5. Manufacturers testing certificate
6. Test reports
7. MSDS
8. Technical data sheet.

The Key documents required to obtain Certificate of Conformity/ SONCAP certificate are mentioned below: Completed request for certificate of conformity form.

1. Bill of lading
2. Product certificate obtained from the IAF
3. QMS certificates
4. Test reports
5. Proforma invoice
6. Packing lists
7. Photographs of products
8. IDF

Nigeria Agricultural Quarantine Service (NAQS) export requirements can be found at the link below.

[Export Requirements – Nigeria Agricultural Quarantine Service \(naqstest.com.ng\)](http://naqstest.com.ng)

Interviews with top management at those companies will offer insights into what peculiar challenges and opportunities have been identified over the years. The interviews will focus on identifying regulatory requirements, quality control, costs, the time required, and any bottlenecks that exist to impede the free flow of goods.

See Annex for list of companies participating in agricultural commodities export from Nigeria.

## **CONCLUSION AND RECOMMENDATIONS**

### **Conclusions**

- Too many MDAs with varying powers.
- Absence of clear information on requirement for export requirement into EU market
- Inadequate knowledge on the product certification among value chain actors and guidance on relevant authorities.
- Absence of transparency and reliable data on organizations involved in export and import business.

The study also recommend need for the establishment of Nigeria – Netherlands agricultural business round table for specific crops. The ratification and signing-up to AfCTA by the GoN calls for more in-depth studies on opportunities for Nigeria agricultural export. There should also be the establishment of an all- encompassing one-stop agricultural trade information hub with hyperlink to all relevant authorities in Nigeria.

It is the recommendation of this study for partnership between leading global (especially EU) certification bodies with relevant stakeholders (certification) in Nigeria for the purpose of simplifying the certification process to benefit more actors active in agriculture value chains.

Considering the fact that some Nigerian institutions still have outdated official website, there is need to update all official website with most recent data. Some government agencies have hyper link for direct contact without names of specific/designated officers) on official website. There is need to include specific names and designation of officers of relevant agencies involved in export business in Nigeria for easy contact.

Establishment of a bi-lateral relationship between Government of Nigerian and Kingdom of Netherlands on specific agricultural crops. The study is also recommending the provision of specific certification requirements for agricultural product allowed in EU market to Nigeria relevant government MDAs involved in export promotion. Provision of support for institutional strengthening and collaboration among key MDAs which should harmonize and simplify export procedures to different markets.

**Annex 1****List of companies involved in Agricultural Export from Nigeria**

S/N	Company name	
1	Olam Nigeria Limited	cocoa beans, cashew nuts, and sesame seeds
2	Tiger Foods	Spices
3	Easy sauces	Spices
4	Starlink Global and Ideal Limited	cocoa beans
5	Atlantic Shrimpers Limited	sea frozen shrimps
6	Tays foods	Spices
7	Rijk Zwaan	Cucumbers
8	Aak Nigeria Oils and Fats Limited	vegetable oils and fats
9	Tomato Jos	Tomatoes and Chili
10	British American Tobacco Nigeria Limited	Cigarettes
11	ETC Agro Company Nigeria Limited	sesame seeds
12	Valency Agro Nigeria Limited	cocoa beans
13	Plantation Industries Limited	cocoa butter
14	East West Seeds	Quality vegetable seeds
15	Farm Crowdy	Assorted crops
16	Enkay Indo Industries	spices, oil seeds, soybean seeds, raw cashew nuts, dry hibiscus flower, stone flower, gum olibanum, gum arabic, sesame oil, and sesame oil cake
17	Belphins Nigeria Limited	Ginger and ginger product
18	Oklan Best	Ginger
19	Green Sahara	Spice
20	JMSF Agribusiness	Dairy, Pepper/Tomato, Cassava and yam
21	Bejo Seeds	Assorted vegetable seeds
22	Fina Agro Allied Industries	Spice
23	SPAR	Vegetables, fruit,
24	Tak Agro	fertilizer production
25	Jubaili Agro Chemicals	Agricultural Pesticides, Agricultural, Insecticides, Agricultural Herbicides
26	Technisem Agro Ltd	Vegetable seeds
27	AACE Foods	Suya Spice, yellow Pepper, Pepper Soup Spice and Black Pepper
28	Time sellers Nigeria Limited	Ginger, Sesame, Hibiscus, Tumeric

29	Living Spring Agro Export	Sesame seed, ginger, cashew nuts, hibiscus, cocoa beans, kola nut and charcoal
30	Amber Foods	Spices
31	Sabater	Spices
32	Daarnhouwer & Co	Cocoa and tree nuts
33	Cardville Limited	Dried spices, Shea Butter, Charcoal, Chili Pepper, Hibiscus Flower, Ginger, Garlic, Tiger nut and many more.
34	Globexia Limited	Dry split ginger, cashew nuts, sesame seeds, dry hibiscus flower, cocoa Beans, tiger nuts, peanuts, muscovite mica mineral & lithium ores
35	Abraj Contracting Ltd	Garlic, fresh ginger, dry split ginger, sesame, pepper, chili and frankincense.
36	Bbagoo Global Resources	Dried ginger, cocoa, cashew nuts, groundnut, sesame seed.
37	Bninac Express Services Ltd	Ginger and charcoal
38	Dara Manihot Ind & Farms Ltd	Cassava, maize, oil palm, ginger (dried, split ground), garlic, chili pepper, sesame seeds and cashew nuts.
39	Delferia Company Ltd	Ginger, hibiscus flower, shear nut and butter, garlic, sesame seeds.
40	Geekays Imports and Exports Ltd	Ginger
41	Hamadeen GLObal Resources	Dried split ginger, Dried hibiscus flower, raw cashew nuts, cocoa beans, cocoa bean shell.
42	Jon Tudy Interbiz Nigeria Ltd	Dried ginger.
43	McBodson Resources Ltd	Ginger, cashew nuts, garlic, and charcoal.
44	TREEZ N Trade	dry-split and fresh ginger, garlic, sesame seed, soya, turmeric and cashew nuts
45	Deremi Shittu Investment	Ginger
46	Macedonia Ginger Value Chain Ltd	Ginger

47	Royal Castor Trading Co Limited	Dry beans
48	DADTCO	Cassava based product
49	Farmport Express Limited	Beans, Cocoa

Other companies into Agricultural Export can be found [Nigeria Agriculture: Made-in-Nigeria Agriculture Products & Services \(tradeford.com\)](#)

Information for bodies can also be found at [Nigeria Trade Hub > Organizations](#)