

**REPUBLIC OF ALBANIA**

**MINISTER OF AGRICULTURE MINISTER OF ECONOMY,**

**AND RURAL DEVELOPMENT CULTURE AND INNOVATION**

**NO. 451/34 PROT NO. 3946/1 PROT**

**DATE 10.03.2025 DATE 20.03.2025**

**INSTRUCTION**

**No.11, Date 10.03.2025**

**ON**

**EXPORT RULES OF FINAL PRODUCTS AND BY-PRODUCTS OF *CANNABIS* FOR INDUSTRIAL PURPOSES**

In support of Article 102, point 4 of the Constitution, point 3 of Article 32 of Law No. 61/2023 “Onthe control of the cultivation and processing of the *cannabis* plant and the production of its by-products for medical and industrial purposes”, the Minister of Agriculture and Rural Development, and the Minister of Economy, Culture and Innovation,

**INSTRUCT :​​​**

**Article 1**

**Purpose**

The purpose of this guideline is to determine the rules for the export of final products and by-products of the cannabis plant for industrial purposes.

**Article 2**

**Object**

1. Determining the criteria and documentation required for entities permitted to export by-products and final products of the *cannabis plant* for industrial purposes.
2. Determining the procedures followed by the National Agency for *Cannabis* Control (hereafter, *the Agency*) for issuing export authorizations and the data such authorizations must contain.
3. The method of exchanging and managing information and documentation related to the export of by-products and final products of the *cannabis plant* for industrial purposes.

**Article 3**

 **Definitions**

All terms defined in this instruction have the same meaning as in Law No. 61/2023, "On the control of the cultivation and processing of the cannabis plant and the production of its by-products for medical and industrial purposes" and in Law No. 102/2014, “Customs Code of the Republic of Albania”, as amended, and their implementing sub-legal acts.

Additional definitions under the scope of this istruction, have the following meanings:

1. **"Export"** refers to the shipment of by-products or final products of the cannabis plant from Albania to another country.
2. **"Exporter"** refers to the entity that holds the necessary permit to conduct the export of by-products or final products of the cannabis plant and meets the legal requirements of the recipient country.
3. **"Recipient"** refers to the entity receiving the by-products or final products of the cannabis plant for industrial purposes in the destination country.
4. **"Export Authorization"** refers to the document issued by the Agency to permit-holding entities, authorizing them to export by-products or final products of the cannabis plant for industrial purposes.
5. **"Cargo"** refers to a quantity of by-products or final products of the cannabis plant for industrial purposes that are transported to a specific destination.
6. **"Phytosanitary Certificate"** is an official document issued by the agronomist of the National Authority for Veterinary and Plant Protection for a shipment that is required to be accompanied by a phytosanitary certificate in compliance with plant health legislation.

Top of Form

Bottom of Form

**Article 4**

**General Principles**

1. The authorized entity applies appropriate rules, standards, and procedures in compliance with the applicable legislation for the export of by-products and final products of the cannabis plant for industrial purposes. This ensures compliance with safety and quality conditions, prevents unauthorized access and any form of illegal alienation, and adheres to the provisions of the legal and sub-legal framework in force.
2. The authorized entity is responsible for preparing and completing the export documentation and ensuring the quality conditions of the by-products and final products of the cannabis plant intended for export, in accordance with the applicable legislation and the requirements of the recipient country.
3. The authorized entity must obtain the relevant export authorization for each shipment.
4. The authorized entity exports by-products and final products of the cannabis plant only to recipient entities that are equipped with an import certificate or another equivalent document issued in compliance with the legislation of the recipient country, along with the necessary accompanying documentation.
5. The Agency and the customs authority cooperate to ensure the timely execution of the export of by-products and final products of the cannabis plant for industrial purposes, in accordance with the administrative procedures defined within the applicable legal framework.

**Article 5**

 **Criteria for Obtaining Export Authorization**

1. The exporter must meet the following criteria:

a) Be previously equipped with the necessary permit to conduct export activities;
b) Have fulfilled all obligations set forth by the applicable legislation regarding:

1. Marking and traceability;
2. Standards for each phase of the cultivation process;
3. Packaging and labeling;
4. Safety rules and conditions for transportation.

2. The exporter must also meet other criteria and conditions established by Law No. 61/2023 and the relevant sub-legal acts issued in its implementation.

**Article 6**

**Documentation for Export Authorization**

1. The authorized entity seeking to obtain an export authorization for by-products and final products of the cannabis plant for industrial purposes must submit a request to the Agency and register it in the Registry, along with the required supporting documentation, at least 45 (forty-five) days before the scheduled export date.

2. The request for an export authorization must include the following information:
a) The name and type of product being exported, the variety of the cannabis plant, its intended use, and the quantity for each form;

b) The name, tax identification number (NIPT), and address of the authorized entity, as well as the name of its legal representative or the authorized person responsible for handling the authorization process;
c) The name, tax identification number (NIPT), and address of the importing entity, the name of its legal representative, and contact details (email address and phone number);
ç) The customs point where the shipment is expected to exit the territory of the Republic of Albania;
d) The scheduled export date;

dh) The unique identification and traceability codes for the by-products and final products being exported;
e) The THC concentration, expressed as a percentage, of the dried plant, by-product, or final product;
ë) The customs point where the export customs procedures will take place;
f) The product code according to the Goods Nomenclature.

3. The supporting documentation that the entity must submit to obtain the export authorization is as follows:

a) A copy of the analysis certificate for the by-products and final products of the cannabis plant intended for industrial purposes, in accordance with the applicable legislation;
b) A copy of the service contract with the transport company, if transportation is not carried out by the entity itself;

c) A copy of the sales contract with the foreign importing entity, translated and notarized;
ç) A copy of the import certificate or another equivalent document issued by the competent authorities of the recipient country, for countries that require the provision of this document.

**Article 7**

**Review and Decision-making Procedures for Authorization**

1. The Agency, within 30 days from the date of submission of the written request for export authorization, reviews the request of the authorized entity and verifies the documentation specified in Article 6, as outlined in this instruction.

2. If the Agency identifies deficiencies in the documentation during the review process, it requests their completion in writing. The entity must address and submit the required corrections within 5 (five) working days, recording them in the Registry. Otherwise, the request is considered rejected. The entity is notified of the rejection in writing by the Agency, and the notification is also recorded in the Registry.

3. The Agency has the right to conduct the necessary verifications of the submitted documentation if there are indications of inconsistencies or discrepancies.

4. If the documentation is complete and the entity meets all the requirements, the Agency issues the export authorization.

**Article 8**

**Export Authorization**

1. The export authorization includes the following details:

a) The name and type of the product, as well as the quantity to be exported;
b) The name, address, and tax identification number (NIPT) of the exporter, along with the international name of the owner (if applicable);
c) The name, address, and tax identification number (NIPT) of the recipient entity;
ç) The date on which the export will take place;
d) If the recipient country requires an import certificate or an equivalent document, the number and date of the import certificate, as well as the authority that issued it;
dh) The customs point where the export customs procedures will be conducted;
e) The product code according to the Goods Nomenclature.

2. The authorization is valid only for the scheduled export date. If, due to specific objective reasons, there is a need to change the export date, the authorized entity must notify the Agency for confirmation.

3. The authorization is issued exclusively in the name of the entity and is non-transferable and non-alterable.

4. The export authorization format follows Annex No. 1, which is attached and constitutes an integral part of this instruction.

5. The issued authorization is recorded in the Registry.

**Article 9**

**Documentation for Customs Procedures**

The entity must present the following documentation to the customs authorities:
a) The export authorization issued by the Agency;
b) The customs declaration issued at the beginning of the procedure;
c) The invoice for the goods;
ç) The packing list;
d) The analysis certificate;
dh) The certificate of origin / EUR.1 certificate if required by the destination country;
e) The phytosanitary certificate;
ë) The transport document.

**Article 10**

**Completion of Customs Formalities**

1. The authorized entity, after receiving the export authorization from the Agency, applies to the customs branch where the customs procedures will be carried out. With the approval of the head of the customs branch, the customs controls and sealing of the goods to be exported will take place in the production unit of the authorized entity, according to the provisions of Law No. 102/2014, "Customs Code of the Republic of Albania," as amended, and the sub-legal acts in its implementation.

2. In the case where, during the customs procedures carried out at the border exit point, it is found that the entity is exporting a quantity different from that declared and authorized, or if during scanning the presence of other products not in accordance with the authorization is detected, the customs authority immediately notifies, via the contact number and email address provided in advance by the parties, the State Police, the Agency, and the exporter about the established facts and the decisions made. The customs authority will then conduct a physical inspection of the cargo at the customs point, ensuring the conditions for the preservation of the product being exported.

3. If, after the verification carried out, according to point 2 of this article, the cargo is found to be in accordance with the declared data and authorization, the customs authority will proceed with the procedures as prescribed by law for the export of goods.

4. If the quantity is different from the declared and authorized amount, the Agency, after the physical inspection and written notification from the customs authority, will take administrative measures against the authorized entity as per the provisions of Law No. 61/2023. Subsequently, the entity will request a correction of the declared quantity in the authorization from the Agency, and the Agency will issue the corrected authorization within 5 days. Similarly, the customs authorities will correct the customs declaration and proceed with the relevant export procedures.

5. If, after verification, according to point 2 of this article, it is determined that the cargo cannot be exported, the customs authority will notify in writing, with the relevant reasons, the State Police, the Agency, and the Entity. The entity is required to return the cargo to the production unit, ensuring and respecting all transport and safety conditions as specified by the decision of the Council of Ministers regarding the rules and fees for the storage and physical security for authorized entities. The cargo will be sealed by the customs authorities at the customs point where the procedures are being carried out, and the seal will be removed at the production unit of the authorized entity in the presence of the Agency's employees. When the decision for the return of the cargo by the customs authorities is in line with the findings from the physical inspection, the transport, storage, and security expenses will be borne by the authorized entity.

6. If the product is illegal and is confiscated or seized by the State Police, they will notify the Agency in writing.

7. The Agency, upon receiving the notification as per point 5 and 6 of this section, will revoke the authorization.
8. All administrative acts and notifications mentioned in this article will be entered into the Register.

**Article 11**

**Cooperation with Customs Authorities**

1. The Agency cooperates with the customs authorities in the country by officially exchanging information regarding the authorized entity that has been issued an export authorization and is carrying out export procedures, as well as for the preparation of specific technical manuals.

2. The General Directorate of Customs and its customs branches access, through the Registry, the export data from the authorized entity.

**Article 12**

**Final Provisions**

1. For the implementation of this instruction, the following are responsible:

Ministry of Agriculture and Rural Development; Ministry of Economy, Culture, and Innovation;

Ministry of Finance; Ministry of the Interior; National Agency for Cannabis Control; State Police; National Veterinary and Plant Protection Authority; Customs Authorities; Other institutions and authorized entities implementing provisions from this instruction.

2. Instruction no. 15, dated 21.05.2024, of the Minister of Agriculture and Rural Development and the Minister of Economy, Culture, and Innovation, "On the rules for the export of cannabis products and by-products for industrial purposes" is hereby repealed.

This instruction enters into force upon publication in the official gazette.

**MINISTER OF AGRICULTURE MINISTER OF ECONOMY,**

**AND RURAL DEVELOPMENT CULTURE AND INNOVATION**

 **ANILA DENAJ BLENDI GONXHJA**

**Annex No. 1**

**NATIONAL AGENCY FOR CANNABIS CONTROL**
**EXPORT AUTHORIZATION**
**NO.\_\_\_\_\_\_\_\_, DATE \_\_\_\_\_\_\_\_\_\_**

**FOR**

**THE EXPORT OF CANNABIS PRODUCTS AND BY-PRODUCTS FOR INDUSTRIAL PURPOSES**

In support of Article 32 of Law No. 61/2023, "On the control of the cultivation and processing of cannabis plants and the production of their by-products for medical and industrial purposes,"

**IT IS ISSUED:**

EXPORTING SUBJECT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
ADDRESS OF THE EXPORTING SUBJECT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
NUIS/NIPT OF THE EXPORTING SUBJECT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
INTERNATIONAL NAME OF THE OWNER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
DATE OF EXPORT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
CUSTOMS POINT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
CODE OF THE NOMENCLATURE OF THE GOODS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**FOR**

PRODUCT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
OF THE KIND: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
WITH QUANTITY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**WHICH IS EXPORTED TOWARDS**

DESTINATION (importing country): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
IMPORTING ENTITY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
ADDRESS OF THE IMPORTING ENTITY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
NUIS/NIPT OF THE IMPORTING ENTITY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IMPORT CERTIFICATE/DOCUMENT NUMBER : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IMPORT CERTIFICATE/DOCUMENT DATE : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**GENERAL DIRECTOR**

**(NAME, SURNAME)**

**(SIGNATURE)**

\*To be filled in if the destination country requires an import certificate or another similar document.