

MEMBER ALERT



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BRAZIL: FREE PRATIQUE DELAYS

The Brazilian National Health Surveillance Agency (Anvisa) has recently amended its practice for the issuance of Certificates of Free Pratique (CLP). It is anticipated that this will extend the process from one to two days to as many as fifteen days and consequently increase the costs associated with the import of goods that will be held in port for longer periods.

Furthermore, certain ports are intensifying their inspections requiring the renewal of expired Sanitary Vessel Control certificates (SSCECs) before issuing the CLP. Anvisa advises that the following procedures are now in place:

- CLPs can only be issued for a vessel after it has berthed. This will depend upon the scheduling and availability of Anvisa's inspection unless the CLP has been issued via the [Paperless Port \(PsP\)](#);
- Anvisa has the discretion to determine if a CLP will be issued for a vessel via the PsP; and
- no shore-based personnel are allowed onboard the vessel until the CLP has been issued.

Although Free Pratique is generally granted via radio communication, health authorities at some ports may require a full vessel inspection dependent upon the availability of inspectors. It should also be noted that inspections are only performed during business hours (i.e., Monday through Friday from 9am to 5pm).

Vessels scheduled to arrive or berth outside of normal business hours will have their operations delayed until Anvisa completes its inspection, declares Free Pratique and ensures relevant SSCECs are valid. Such measures may cause vessels to deviate as terminals and port authorities will prioritize vessels which have been declared to be in compliance. This may be of particular concern for vessels looking to perform cargo operations during weekend periods.

Some ports with particular concerns include:

- *Paranaguá Port Complex*. Free Pratique is available at a vessel's berth following inspection. A shortage of health inspectors, particularly during weekends, may significantly delay cargo operations.
- *São Francisco do Sul Port Complex*. Free Pratique will only be issued at berths, post inspection. There is a shortage of health inspectors both at night and during weekends. Vessels which have been granted Free Pratique at prior Brazilian ports will be prioritized for cargo operations.

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- *Fortaleza* and *Pecém*. Vessels will only be granted Free Pratique after vessel inspection.

The difficulties described above have very recently been complicated by the announcement by the union representing employees of the eleven federal regulatory agencies responsible for the supervision of, *inter alia*, port operations, that a 24-hour nationwide strike will take place on July 4.

While this strike action is undergoing emergency judicial review in light of Brazilian law inhibiting the withdrawal of labor from essential public services, it could nonetheless affect ports and shipping in a manner exacerbating the problems described in the first part of this Alert. Developments continue to be monitored in the meantime, and further reports will be made as necessary.

Your Managers recommend that Members take note of this information and be guided accordingly. They also thank [Rabb Carvalho Advocacia](#) for providing the information upon which this Alert has been based.