

INSTRUCTION
No. 11, dated 10.3.2025

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

Pursuant to article 102, paragraph 4 of the Constitution and article 32, paragraph 3, of 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," the Minister of Agriculture and Rural Development and the Minister of Economy, Culture and Innovation

HEREBY INSTRUCT:

Article 1

Purpose

The purpose of this instruction is to regulate the export of final products and by-products of the *cannabis* plant intended for industrial purposes.

Article 2

Scope

1. To establish the criteria, documentation requirements and procedures to be fulfilled and followed by authorized entities for the export of final products and by-products of the *cannabis* plant intended for industrial purposes.

2. To establish the procedures to be followed by the National *Cannabis* Control Agency (hereinafter referred to as the "Agency") for the issuance of export authorizations, as well as the information to be contained therein.

3. To establish the rules governing the exchange, administration of information and documentation relating to the export of final products and by-products of the *cannabis* plant intended for industrial purposes.

Article 3

Definitions

All terms used in this instruction shall have the meanings assigned to them 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 in the secondary legislation adopted for their implementation.

For the purposes of this Instruction, the following additional definitions shall apply:

1. **"Export"** means the dispatch of by-products or final products of the *cannabis* plant from the Republic of Albania to another country.

2. **"Exporter"** means an entity holding the relevant permit authorizing the export of by-products or final products of the *cannabis* plant and meeting the legal requirements of the country of destination.

3. **"Recipient"** means the entity in the country of destination that receives the by-products or final products of the *cannabis* plant intended for industrial purposes.

4. **"Export Authorization"** means the document issued by the Agency to a permit holder authorizing the export of by-products or products of the *cannabis* plant intended for industrial purposes.

5. **"Consignment"** means a quantity of by-products or products of the *cannabis* plant intended for industrial purposes that is transported to a specified destination.

6. **"Phytosanitary Certificate"** means an official document issued by an agronomist of the National Authority for Veterinary Services and Plant Protection in respect of a consignment required to be accompanied by a phytosanitary certificate in accordance with the legislation governing plant health.

Article 4

General principles

1. The authorized entity shall implement appropriate rules, standards and procedures, in accordance with the requirements of the applicable legislation, governing the export of by-products and products of the *cannabis* plant for industrial purposes, in order to ensure compliance with safety and quality requirements, prevent unauthorized access and any form of unlawful diversion, and ensure compliance with the applicable legal and secondary legislative framework.

2. The authorized entity shall be responsible for the preparation and completion of the export documentation, as well as for ensuring that the by-products and products of the *cannabis* plant intended for export comply with the applicable quality requirements prescribed by the legislation in force and the requirements of the country of destination.

3. The authorized entity shall obtain a separate export authorization for each consignment.

4. The authorized entity shall export by-products and products of the *cannabis* plant only to recipients holding a valid import certificate, or another equivalent document issued in accordance with the legislation of the country of destination, together with the relevant supporting documentation.

5. The Agency and the authority responsible for customs shall cooperate to ensure that the export of by-products and final products of the *cannabis* plant for industrial purposes is carried out in a timely manner and in accordance with the administrative procedures established under the applicable legal framework.

Article 5

Criteria for the issuance of an export authorization

1. The exporter shall meet the following criteria:
 - a) hold the appropriate permit authorizing the conduct of the export activity;
 - b) have fulfilled all obligations prescribed by the applicable legislation relating to:
 - i. marking and traceability;
 - ii. standards applicable to each stage of the cultivation process;
 - iii. packaging and labelling;
 - iv. transport safety rules and requirements.
2. The exporter shall also comply with the additional criteria and requirements established by Law No. 61/2023 and the relevant secondary legislation adopted for its implementation.

Article 6

Documentation required for the issuance of an export authorization

1. An authorized entity seeking to obtain an export authorization for the export of by-products and final products of the *cannabis* plant intended for industrial purposes shall submit to the Agency and upload to the Register, an application for an export authorization together with the supporting documentation, at least 45 (forty-five) days prior to the intended date of export.
2. The application for an export authorization shall contain the following information:
 - a) the name and type of the product to be exported, the *cannabis* plant variety, the intended purpose of use and the quantity for each product form;
 - b) the name, Tax Identification Number (NIPT) and registered address of the authorized entity, together with the name of its legal representative or the person authorized to act on its behalf in the export authorization procedure;
 - c) the name, Tax Identification Number (NIPT) and registered address of the importing entity, together with the name of its legal representative and its contact details (email address and telephone number);
 - ç) the customs office through which the consignment is intended to leave the territory of the Republic of Albania;
 - d) the intended date of export;
 - dh) the details of the unique identification and traceability mark assigned to the by-products and final products to be exported;
 - e) the tetrahydrocannabinol (THC) concentration, expressed as a percentage of the dry plant material, by-product, or final product;
 - ë) the customs office where the export customs procedures will be carried out;
 - f) the relevant Commodity Nomenclature code.
3. The supporting documentation to be submitted by the authorized entity for the issuance of an export authorization shall include:

- a) a copy of the certificate of analysis 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 agreement with the transport company, where transportation is not carried out by the authorized entity itself;
- c) a copy of the sales contract concluded 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 country of destination, where such documentation is required under the legislation of that country.

Article 7

Procedure for the examination of applications and the issuance of an export authorization

1. Within 30 (thirty) days of receipt of a written application for an export authorization, the Agency shall examine the application submitted by the authorized entity and verify the documentation specified in Article 6 of this Instruction.
2. Where, during the review of the application, the Agency identifies deficiencies in the submitted documentation, it shall notify the authorized entity in writing and request that such deficiencies be remedied. The authorized entity shall, within 5 (five) working days, correct the identified deficiencies, submit the required supplementary documentation to the Agency and upload it to the Register. Failure to remedy the deficiencies within the prescribed period shall result in the application being deemed rejected. The Agency shall notify the authorized entity of the rejection in writing and such notification shall also be recorded in the Register. The Agency shall have the right to carry out any necessary verification of the documentation submitted by the authorized entity where there are reasonable grounds to suspect, or where it identifies, discrepancies or inconsistencies in the submitted documentation.
3. Where the documentation is complete and the authorized entity satisfies all applicable requirements, the Agency shall issue the export authorization.

Article 8

Export authorization

1. The export authorization shall contain the following information:
 - a) the name and type of the product and the quantity to be exported;
 - b) the name, registered address and Tax Identification Number (NIPT) of the exporter, together with the name of the beneficial owner, where applicable;
 - c) the name, registered address and Tax Identification Number (NIPT) of the recipient;
 - ç) the date on which the export is to be carried out;
 - d) where the legislation of the country of destination requires an import certificate or another equivalent document, the number and date of the import certificate, together with the name of the issuing authority;
 - dh) the customs office where the export customs procedures will be carried out;

e) the relevant Commodity Nomenclature code for the goods to be exported.

2. The export authorization shall be valid only for the scheduled date of export. Where, for objective reasons, it becomes necessary to change the export date, the authorized entity shall notify the Agency and obtain its confirmation.

3. The export authorization shall be issued exclusively in the name of the authorized entity and shall be non-transferable and non-assignable.

4. The format of the export authorization shall be as set out in Annex 1, attached to and forming an integral part of this Instruction.

5. The issued export authorization shall be uploaded to the Register.

Article 9

Documentation required for customs procedures

The authorized entity shall submit the following documentation to the customs authorities:

a) the export authorization issued by the Agency;

b) the customs declaration issued at the commencement of the export customs procedure;

c) the commercial invoice;

ç) the packing list;

d) the certificate of analysis;

dh) the certificate of origin / EUR.1 certificate of origin, where required by the country of destination;

e) the phytosanitary certificate;

ë) the transport document.

Article 10

Conduct of customs formalities

1. Following receipt of the export authorization issued by the Agency, the authorized entity shall submit an application to the relevant customs office where the customs procedures will be carried out. Upon approval by the head of the customs office, customs inspections and the sealing of the goods loaded for export may be carried out at the premises of the authorized entity's production unit, in accordance with the provisions of Law No. 102/2014, "Customs Code of the Republic of Albania," as amended and the secondary legislation adopted for its implementation.

2. Where, during the customs procedures carried out at the border exit point, it is established that the exporter is exporting a consignment in a quantity different from that declared and authorized, or where scanning reveals the presence of other products that are not in conformity with the export authorization, the customs authority shall immediately notify the State Police, the Agency and the exporter, using the telephone number and electronic address previously provided by the parties, of the identified facts and the decisions taken. The customs authority shall order a physical inspection of the consignment at the customs premises, while ensuring the appropriate storage conditions for the exported product.

3. Where, following the verification carried out pursuant to paragraph 2 of this Article, the consignment is found to be consistent with the declared information and the export authorization, the customs authority shall proceed with the export procedure provided for under the applicable legislation.

4. Where the quantity differs from that declared and authorized, the Agency, following the physical inspection and written notification from the customs authority, shall impose an administrative measure on the authorized entity in accordance with the provisions of Law No. 61/2023. Subsequently, the authorized entity shall request the Agency to amend the quantity specified in the export authorization, and the Agency shall issue the amended authorization within 5 (five) days. The customs authorities shall likewise amend the customs declaration and the relevant export procedures shall continue.

5. Where, following the verification carried out pursuant to paragraph 2 of this Article, it is established that the consignment cannot be exported, the customs authority shall notify, in writing, the State Police, the Agency and the authorized entity of the relevant reasons. The authorized entity shall be obliged to return the consignment to the premises of its production unit, while ensuring and complying with all transport, security and safeguarding requirements in accordance with the Decision of the Council of Ministers governing the rules and tariffs for physical security and protection applicable to authorized entities. The consignment shall be sealed by the customs authorities at the customs office where the procedures are being carried out and the seal shall be removed at the premises of the authorized entity's production unit in the presence of an Agency employee. Where the decision of the customs authorities to return the consignment is consistent with the findings established during the physical inspection, the costs of transportation, storage, and security shall be borne by the authorized.

6. Where the product is found to be unlawful and is confiscated or seized by the State Police, the Agency shall also be notified in writing.

7. Upon receipt of the notification referred to in paragraphs 5 and 6 of this Article, the Agency shall revoke the export authorization.

8. All administrative acts and notifications referred to in this Article shall be uploaded to the Register.

Article 11

Cooperation with customs authorities

1. The Agency shall cooperate with the customs authorities of the Republic of Albania by officially exchanging information regarding authorized entities that have been issued export authorizations and carry out export procedures, as well as for the preparation of specific technical manuals.
2. The General Directorate of Customs and customs offices shall access, through the Register, export data relating to authorized entities.

Article 12

Final provisions

1. The Ministry of Agriculture and Rural Development, the Ministry of Economy, Culture and Innovation, the Ministry of Finance, the Ministry of Interior, the National *Cannabis* Control Agency, the State Police, the National Authority for Veterinary Services and Plant Protection, the Customs Authorities, other institutions responsible for implementing the provisions of this Instruction and authorized entities shall be responsible for the implementation of this Instruction.
2. Instruction No. 15, dated 21 May 2024, of the Minister of Agriculture and Rural Development and the Minister of Economy, Culture and Innovation, “On the Rules for the Export of Final Products and By-products of *Cannabis* for Industrial Purposes,” is hereby repealed.

This Instruction shall enter into force upon publication in the Official Gazette.

MINISTER OF AGRICULTURE AND RURAL DEVELOPMENT
Anila Denaj

MINISTER OF ECONOMY, CULTURE AND INNOVATION
Blendi Gonxhja

ANNEX No. 1

NATIONAL *CANNABIS* CONTROL AGENCY

AUTHORISATION

No. _____, Date: _____

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

Pursuant to article 32 of 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,”

GRANTED TO:

EXPORTING ENTITY: _____
ADDRESS OF THE EXPORTING ENTITY: _____
(NUIS/NIPT) OF THE EXPORTING ENTITY: _____
INTERNATIONAL OWNER NAME: _____
DATE OF EXPORT: _____
CUSTOMS OFFICE: _____
COMMODITY NOMENCLATURE CODE: _____

FOR:

PRODUCT: _____
TYPE: _____
QUANTITY: _____

EXPORTED TO

THE DESTINATION COUNTRY: _____
RECIPIENT ENTITY: _____
ADDRESS OF THE RECIPIENT ENTITY: _____
(NUIS/NIPT) OF THE RECIPIENT ENTITY: _____
IMPORT CERTIFICATE/DOCUMENT NUMBER*: _____
DATE OF IMPORT CERTIFICATE/DOCUMENT*: _____

DIRECTOR GENERAL
(Name, Surname)
(Signature)

* To be completed where the country of destination requires an import certificate or another equivalent document.