

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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United Arab Emirates

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report for GCC-4

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Report Highlights:

This report discusses the food import regulations in Kuwait, Oman, Qatar and the United Arab Emirates, referred to in this report as GCC-4. The report highlights the common regulations as well as the differences among them in the application of the regulations.

Section I. Food Laws:

DISCLAIMER: The Office of Agricultural Affairs (OAA) in Dubai, UAE, has prepared this report for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in preparing the report, the information provided might be dated, as some import requirements are subject to frequent change. It is highly recommended that U.S. exporters ensure that all necessary customs clearance requirements have been verified with local authorities through your foreign importer before sales are finalized. Final import approval of any product is always subject to the rules and regulations of the importing country as interpreted at the time of product entry.

Section I. Food Laws:

The Office of Agricultural Affairs in Dubai covers Kuwait, Qatar, Oman and the United Arab Emirates (UAE), referred to as GCC-4 in this report. GCC-4 in addition to Saudi Arabia and Bahrain comprises the Gulf Cooperation Council (GCC) with shared borders with member states depending on imports to fill the gap between their limited food production and the demand of increasing population.

Food Standards: The Gulf Standards Organization (GSO), comprising of the 6 GCC countries and Yemen, is responsible for developing food and non-food standards in the GCC. Chaired by Qatar, the GSO food standards committee has been working to harmonize existing GCC standards within the guidelines of the Codex Alimentarius, ISO and other international organizations. However, in some cases, differences still exist between some of the proposed new standards and existing international guidelines. Nearly 1200 food and food related technical regulations and standards have been developed by the GSO since its creation in 2001.

The GCC-4 countries import as much as 90 percent of their food requirements due to unfavorable agriculture production conditions in the region. Thus, they are continuously working to improve not only their standards developments, but also the application of such food regulations.

The GSO shelf life and labeling technical regulations (TR) are considered the backbone of food import regulations. The first version of the standards was published in the nineties. They were revised in 2007 to be more harmonized with those of Codex and other international organizations. Further improvement was made to the 2013 version which is yet to be officially implemented. The revised version offers more flexible requirements for importing food products and splits the shelf life standard into the following 2:

1. GSO 150 Part I/2013 Technical Regulation “Expiration dates for food products – Par I: Mandatory expiration dates for 56 food item (baby food, dairy products, meat & poultry, eggs, and seafood);
2. GSO 150 Part II/2013 Standard “Expiration dates for food products – Par II” Voluntary expiration dates for food products. This standard includes suggested shelf life for many products and a list of exempted food items.

Copies of any standard or TR may be purchased directly from the GSO website www.gso.org.sa

The GSO has created 3 subcommittees to follow-up on food related issues:

1. Bio-technology and organic food subcommittee that is chaired and hosted by the UAE
2. Food labeling subcommittee that is chaired and hosted by Oman.
3. Additives subcommittee that is chaired and hosted by Saudi Arabia

The GSO also, as necessary, forms working groups to address specific issues.

In theory, each GCC member country should notify the WTO of any proposed new standard. Interested parties who review these notifications should bear in mind that, while a notification may be submitted by a single GCC member, the proposed standard will eventually apply to all GCC member countries. Once a new standard is approved by the GSO food standards committee, each member country officially adopts the standard, thus making it a national standard as well as a GSO standard.

Each GCC-4 member state develops its national food law which addresses all food related subjects, including import, local production, food establishments, restaurants, retailing, etc.... GSO food related technical regulations and standards are usually the reference food import related sections.

The regulations become enforceable only after they have been officially announced via a ministerial decree published in the official gazettes in each country. Usually, a grace period is granted from the date of issuance in the official gazette prior to full enforcement of new regulations.

Concerned health authority in the respective GCC-4 countries may recommend a temporary ban on imports of food products from countries in which food health hazard has been identified.

Generally, minor compliance disputes may be settled by providing a letter confirming that such mistake will be avoided in the future. Other bigger disputes are discussed among concerned national food safety committees. To facilitate product entry, the U.S. suppliers are strongly encouraged to work closely with the local importer to obtain advance label approval, particularly for new-to-market products to ensure that the exported U.S. products comply with local food regulations/standards.

Customs and Tariffs: In January 2003, the “GCC Unified Customs Law and Single Customs Tariff” (UCL) was released. While the UCL established a unified customs tariff of five percent on nearly all food products, some food products such as live animals, fresh fruits and vegetables, some seafood, grains, flour, tea, sugar, spices and seeds for planting are exempt from tariffs. It also established a single entry point policy. In other words, a product entering any GCC member market would be charged the appropriate customs duty only at the point of entry and would then be permitted duty free transit among GCC member countries. In practice, this policy is employed only with unopened containers transshipped between GCC markets. Partial shipments tend to be subject to the five percent import duty again in the country of destination. However, it is expected that all goods, even partial shipments from opened containers, will eventually receive single-entry treatment once customs procedures are fully unified.

Food Import Procedures: In 2007, the GCC Food Safety Committee developed a “Guide for Food Import Procedures for the GCC Countries.” This guide is meant to unify the applied procedures for clearing food consignments, as well as to unify the required import certificates for different types of foods. The intent was to facilitate the movement of food products within the GCC once customs unification is fully implemented. The final version of the import procedure was completed in 2013 and the GCC member countries will complete the application mechanism before June 2014. Soft application of this import procedure is expected within the second half of 2014. Parallel to this several training workshops for the food import control personnel will be conducted for food import inspectors. GCC countries expect to face some hurdles in the beginning, but they plan to address such hurdles when they surface.

UAE Developments

The Emirates Authority for Standardization and Metrology (ESMA) is the responsible body, in cooperation with other members of the GSO, for either developing or adopting all standards. Senior officials from ESMA represent the UAE at GSO meetings.

The Ministry of Environment and Water (MOEW) is responsible for establishing and enforcing food safety regulations and laws based on recommendations from the GSO and the National Food Safety Committee (NFSC) on food related matters, and by the Veterinary Committee (VC) on meat and poultry related matters. The MOEW is also the coordinating body between the eight municipalities of other UAE federal entities.

The National Food Safety Committee (NFSC) consists of:

- Two representatives each from the Abu Dhabi, Dubai and Sharjah municipalities.
- One representative each from the remaining five municipalities of the UAE.
- One representative each from the Ministries of Foreign Affairs, Economy & Planning, Environment and Water Resources and Health.
- One representative from ESMA.
- One representative from Al Ain University.

The Veterinary Committee (VC) consists of:

- 1- One representative from the veterinary section of the eight municipalities of the UAE.
- - One representative from the Animal Wealth Department, Ministry of Environment and Water.

In each of the country’s eight municipalities the respective health department is responsible for enforcing the federal food safety standards on locally produced and imported foods through its food control section. The representatives of the eight food control sections of the emirates meet regularly to discuss and coordinate issues of mutual interests and share information. Yet, each operates independently. The Emirates of Dubai, Abu Dhabi, and Sharjah are the major entry points for imported food products, in descending order of trade volume and value. Food is also imported via other land and sea ports, but in smaller volumes. Occasionally, municipalities act independently when enforcing regulatory requirements, which can be disruptive to trade if proper prior notice is not provided.

Food products are regularly inspected at the time of entry, at production facilities and at the point-of-sale. Fines are levied and products destroyed for severe violations. Imported and locally produced food products are subject to the same food safety regulations and labeling requirements. At present there are no environmental laws regulating food product packaging.

Most UAE food safety officials work closely with local food importers to ensure that food and agricultural imports are not unduly disrupted or delayed at ports of entry. In cases where OAA Dubai has been asked to facilitate the clearance of detained shipments, officials have often cooperated to find a fair resolution of the issue. However, greater transparency in the regulatory system and broader dissemination of regulatory changes could further reduce the number of detained shipments. As a general rule, Abu Dhabi prefers to import food directly through its ports rather than have it transhipped from other emirates. Exporters are encouraged to consult closely with importers on product requirements prior to shipment.

Among the 7 emirates of the UAE, only the Emirate of Dubai requires that all food products imported through their entry points be registered and labels are pre-approved by the local health department.

Kuwait Developments

The Department of Standards and Metrology, Public Authority for Industry (PAI), in cooperation with other concerned departments, including the Kuwait Municipality (KUM), the Ministry of Public Health (MOPH), the Ministry of Commerce and Industry (MOCI), the Public Authority for Agricultural Affairs and Fish Resources (PAAFR), the Consumer Protection of the Ministry of Commerce, Customs, Chamber of Commerce and the Kuwait Institute for Scientific Research (KISR) constitute the “National Food Safety Committee” which is responsible for establishing local food safety regulations.

Regulatory enforcement is divided between the KUM, MOPH and PAAFR. The Imported Food Department within KUM has responsibility for the initial inspection of imported food products, including verification of compliance with label requirements and collection of samples for laboratory analysis by MOPH. In general, new-to-market products and products that have failed previous inspection are subject to thorough inspection. Laboratory tests typically take 1-4 weeks depending on the type of test, which, at times, can limit the remaining shelf life for perishable products once cleared.

Compliance disputes are handled by the Food Committee which is comprised of representatives from the KUM, MOPH, PAI, PAAFR, KISR and the Kuwait Chamber of Commerce and Industry. The committee determines the validity of a complaint and could order re-inspection if warranted. Trade contacts report that consignments with minor labeling infractions may be granted a one-time waiver provided the products are found to be completely safe for human consumption. Rejected shipments are allowed one month to be re-exported.

Oman Developments

The Directorate for Specifications and Measurements (DSM), Ministry of Commerce and Industry (MOCAI), represent Oman at GSO and is responsible for formulating food safety regulations and standards. The Health Department of the Ministry of Regional Municipalities and Water represent

Oman at the GCC Food Safety Committee.

Regulatory enforcement of food products is divided between the Ministry of Agriculture (MOA), the Ministry of Health (MOH) and the various municipalities within the Sultanate of Oman. MOA is responsible for inspecting imported and locally produced live animals and plants, red meats, poultry meat, table egg, dairy products, agricultural materials, timber, grains, fresh fruits and vegetables and other unprocessed agricultural products. The Health Quarantine Department within MOH is responsible for the inspection of imported semi- and fully processed food products, including sugar. Local government or “municipalities” may post officials at ports of entry, but their role in inspection of imported foods is very marginal. The municipalities are primarily involved in the inspection of products available in local wholesale and retail markets.

Oman is currently working on consolidating its food safety authorities under one organization that will be called the “Center for Food Safety and Quality”. Also, it has created a “Consumer Protection Authority (CPA)” which reports directly to the administration of the Ministerial Cabinet.

Food Exporters may apply for advance label approval to the Director of Standards at the DSM. This step is strongly recommended to avoid unexpected problems.

Oman implemented a free trade agreement with the United States in January 2009. Products made in the United States that are consumed or utilized in Oman are exempt from the 5 percent GCC import tariff.

Qatar Developments:

Qatar currently requests that food products marked with shelf life longer than that recommended in the “voluntary shelf life section” of GSO 150 Part II be accompanied by a proof confirming that the extended shelf life is supported by either a government office, accredited laboratory, university study, food processing association or any similar organization. This request was initiated by Qatari health authority effective April 1, 2010 to curb the unrealistic long shelf life of some products that started to enter the Qatari market.

Qatari officials, for the most part, will work with companies to ensure that food and agricultural imports are not unduly disrupted or delayed at port of entry. Food labels can be approved through a pre-approval process prior to import. Pre-import approval is strongly encouraged, particularly for new-to-market products.

The Department of Public Health (DPH), part of the Supreme Council of Health, carries out most functions related to food imports and safety. The DPH, in coordination with the General Organization for Standards and Metrology and the Ministry of Economy & Commerce, (MOEC), is responsible for establishing food safety regulations. The National Food Safety Committee (FCC), an interagency committee, headed by the Assistant Undersecretary of Supreme Council of Health for Technical Affairs, which includes representatives from DPH, Doha Municipality and the Agricultural Development Department, decides on all food safety and control issues, including import bans.

The Customs and Ports Authority is responsible for enforcement of agency laws at the time of import. Not all shipments are subject to laboratory analysis. In general, new-to-market products and products that failed a previous inspection are targeted for thorough examination. Poultry and meat products are routinely inspected for Salmonella and other pathogens. According to PHD officials, laboratory

analyses could take one week to ten days, depending on the nature of required tests. The Health Department of the Doha Municipality is responsible for ensuring that all foods sold in the country are fit and conform to health requirements. Areas of inspection include retail outlets, food processing, hotels and catering companies.

The Agricultural and Animal Wealth Departments of the Ministry of Environment are responsible for inspecting live animals and plants, animal feed and horticultural products at the port of entry.

Section II. Labeling Requirements:

A. General Requirements:

The GCC-4 reviewed Gulf standard GSO 9 last year. GSO 9/2013 is now the technical regulation that governs the labeling requirements for foods.

Labeling regulations apply to all products shipped in bulk and in institutional-size containers. Bulk cartons of fresh fruits and vegetables must contain most label information, but need not carry production/expiry dates. In general, the contents of standard U.S. labels satisfy most UAE label requirements. However, production dating continues to be a key difference. A food label must contain the following information:

- Product name (name of the food) in a prominent position on the label;
- Ingredients in descending order of proportion;
- Additives. Using their "E" number and group names are acceptable
- The source of the animal fats (beef, buffalo, etc...) 1/;
- The foodstuff and ingredients which are known to cause hypersensitivity shall always be declared;
- Net content in metric units;
- Production and expiry dates 2/;
- Country of origin;
- The name and address of the manufacturer, producer, distributor, importer, exporter or vendor shall be declared on the label;
- Special storage and preparation instructions, if any;
- Lot identification.
- Nutritional declaration.

1/ Animal fats and ingredients should be sourced from animals that are Halal slaughtered. The use of pork fat, as with all pork related products as ingredients, is prohibited unless the products are retailed with all pork and non-Moslem products in designated restricted sections of the retail stores. These sections are clearly marked for non-Moslems. Labels for pork and pork containing products must comply with the general labeling requirements and must clearly state that the product contains pork. Food labels may not include pictures of pork, nor may recipes list pork. To avoid confusion with regulatory officials and consumers, exporters may wish to steer clear of names traditionally associated with alcohol, pork or non-pork products such as turkey ham or beef bacon.

2/ Production and expiry (P/E) dates must be engraved, embossed, printed or stamped directly onto the

original label or primary packaging at the time of production, using indelible ink. P/E dates printed on stickers are not acceptable, as well as U.S. bar coding in lieu of P/E dates. Only one set of P/E dates on the label is permitted. P/E dates must be printed in the following fashion, depending upon the shelf life of the product:

- Day/month/year for products with a shelf life of three (3) months or less
- Day/month/year or month/year for products with a shelf life longer than three (3) months.

Under the month/year format, the last day of the month is considered the expiry date. Exporters who list the first day of the month following the expiry date have run into issues when trying to clear shipments. The month may be printed in numbers or letters. For example, both 3/2013 and March 2013 are acceptable formats.

The word "Production" or the letter "P" must precede the production date. The expiry date must be preceded by one of the following statements: "Expiration (date)"; "Fit for....from the date of production"; "Use by (date);" "Use before (date);" "Sell by (date);" "Valid until (date) from the date of production;" or the letter "E."

Example of correct format:

P: 20/02/2013 E: 19/02/2014

While the TR requires that all imported foods should have Arabic label, English-only labels will be accepted provided Arabic stickers are applied on the packages showing the following information:

1. Product description;
2. Ingredients;
3. Country of origin; and
4. Net weight

1. Products intended for institutional use, may be exempt from the Arabic labeling requirement. It is highly recommended that U.S. suppliers confirm with their importers if an exemption of Arabic label would be granted in the target country. Thus, exporters should work closely with their importers to ensure that their products will meet the needs of end users. If the largest surface area of the package is less than 10 square cm

Alcoholic beverages and alcohol containing products can be imported but only through authorized importers who run their own retail shops. There are no special labeling requirements for alcoholic beverages beyond what is typically required in the country of origin.

As with food products, labels for pet foods must be printed in Arabic. Arabic/English labels are permitted, as are Arabic stickers in lieu of Arabic labels. The pet food label must contain the statement

“Not fit for human consumption.” Production/expiry dates are required for pet foods.

Occasionally, local health officials will permit the importation of food products with minor labeling infractions. Exemptions are granted on a one-time basis and the sale of such products is usually limited to institutional end users.

Exporters should verify labeling requirements with their importers before shipping.

Shelf life: The GSO revised and simplified its shelf-life standard in 2013 by dividing it to the following 2 parts:

1. GSO 150/2013 Part I. This is a technical regulation, and it mandates the shelf life of 56 product (dairy, meats, baby foods, seafood, table eggs, etc.);
2. GSO 150/2013 Part II. It is a standard (voluntary) that includes the recommended shelf life of many products. It also states that the following products are exempted from indication of expiry date. However, production or harvest date must be printed:

- Fresh fruits and vegetables, including unpeeled or cut potatoes
- Vinegar packed in glass containers
- Non-fortified salt
- Solid sugar
- Chewing gum
- Honey
- Dry and dried uncooked legumes (peas, beans, and lentils)
- Dried vegetables; medical plants and herbs
- Loose tea
- Dry cereals (rice, oats, barley, corn, etc...)
- Liquid and dried glucose.

Exemptions from Mandatory labeling Requirements:

Unit package with surface area less than 10 square centimeters, may be exempted from the stipulated requirements, including expiry date.

B. Requirements Specific to Nutritional Labeling

The revised GSO nutritional standard was issued as TR 2233/2012. According to the standard, the following nutritional information shall be declared on the labels of prepackaged food intended for direct consumption or after heating:

- The nutritive value of the prepackaged foodstuff to including the essential elements such as

- carbohydrates, fats, protein, dietary fibers, energy;
- In case of adding vitamins, mineral salts or any other dietary elements as an ingredient, the value of each dietary element shall be separately declared in the nutritional information accompanying the prepackaged food;
- All nutritional information and/or net content shall be set forth as percentage by weight if it is less than 100 grams or 100 ml or by food serving specified by the manufacturer.
- The information shall be declared in international units (gram, mg, ug, IU) and kilocalories for energy values.
- Health claims on packaged foods must be true and accompanied by certificates confirming the claim.

There is no RDA labeling requirement, thus far. In general, U.S. nutritional labeling is acceptable.

The GCC also developed technical regulations to address genetically engineered food products. The regulations require that labels of food products containing GMO ingredients should clearly state that. Until now, the regulations are not strictly enforced in the GCC-4.

Section III. Packaging and Container Regulations:

GS 839/1999 addresses “General Requirements for Food Packages – Part I. The standard stresses the need to use suitable materials that protect the integrity of the food, its wholesomeness and characteristics. GSO 1683/2008 Food Packages Part II was issued to address general requirements for plastic packaging.

Although GCC-4 has waste disposable regulations in place for collecting and recycling, current regulations do not impact food products.

Packaging standards are being reviewed by GSO for updates.

Section IV. Food Additives Regulations:

GS 382/94 Part I establishes limits of pesticide residues in agricultural and food products. GS 383/94 Part II discusses the same concern. GSO 02/2009 addresses the maximum residue limits for veterinary drugs in foods. The GSO has also issued several standards addressing acceptable limits of aflatoxin and other toxics, radiation and irradiation in food products. In the absence of a GSO standard, Codex Alimentarius standard governing pesticide and other contaminant residue levels will be a utilized reference. A revised GCC Draft of Technical Regulation for Maximum Limits of Pesticide Residues In Agricultural And Food Products was notified in November 2013 to the WTO. Time of adoption of the revised standard differs from one country to another. Chemical contamination is a growing concern of authorities in the GCC-4 and efforts are underway to update guidelines and improve testing procedures. Food products meeting U.S. residue standards will most likely meet future GSO standards. It is very rare that U.S. origin products are rejected due to pesticide or other contaminant residue. The GSO established allowable levels of aflatoxin in food and animal feeds through GSO 841/1997 standard. Aflatoxin residue in grains, nuts, oil seeds and their products such as peanuts, peanuts butter, pistachio, almond, sesame, cotton seeds, sunflower seeds, corn, wheat, rice and soybean should not exceed 20

ug/kg.

Ministries of agriculture in different GCC-4 countries are responsible for registering and approving all types of agricultural chemicals whether they are locally produced or imported. Importers are required to obtain a permit prior to placing orders to buy agricultural chemicals.

Section V. Pesticides and Other Contaminants:

GS 382/94 Part I establishes limits of pesticide residues in agricultural and food products. GS 383/94 Part II discusses the same concern. GSO 02/2009 addresses the maximum residue limits for veterinary drugs in foods. The GSO has also issued several standards addressing acceptable limits of aflatoxin and other toxics, radiation and irradiation in food products. In the absence of a GSO standard, Codex Alimentarius standard governing pesticide and other contaminant residue levels will be a utilized reference. A revised GCC Draft of Technical Regulation for Maximum Limits of Pesticide Residues In Agricultural And Food Products was notified in November 2013 to the WTO. Time of adoption of the revised standard differs from one country to another. Chemical contamination is a growing concern of authorities in the GCC-4 and efforts are underway to update guidelines and improve testing procedures. Food products meeting U.S. residue standards will most likely meet future GSO standards. It is very rare that U.S. origin products are rejected due to pesticide or other contaminant residue. The GSO established allowable levels of aflatoxin in food and animal feeds through GSO 841/1997 standard. Aflatoxin residue in grains, nuts, oil seeds and their products such as peanuts, peanuts butter, pistachio, almond, sesame, cotton seeds, sunflower seeds, corn, wheat, rice and soybean should not exceed 20 ug/kg.

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Section VI. Other Regulations and Requirements:

Halal Food: All foods, imported or locally produced, must be Halal, except those sold in designated areas for non-Moslems. GSO developed several standards to regulate and set forth the Islamic requirements for food. GSO is currently working closely with other Moslem countries such as Egypt, Turkey, Malaysia and many other to unify the regulations governing Halal slaughter, certification and accreditation.

Organic Foods: Regulated by Codex adopted standard GSO/CAC/GL 32:2008

Novel Foods: Genetically modified foods are allowed entry. Several GSO standards were developed to regulate the importation, labeling and risk analysis of GMO food and feed. The labeling requirement is not strictly enforced at present.

Municipal Waste Disposal: Collection and disposal of waste is the responsibility of the local municipalities. There are also regulations governing the collection and disposal of hazardous waste.

Food Sanitation: Each GCC-4 country issued its local food law which addresses many of the food

related aspects, including food sanitation on all levels of the society.

Marine Products: Imported marine products are usually the responsibility of the food control departments in the concerned municipalities, ministries of health or ministries of agricultural, or Ministry of Fishery such as the case in Oman. Laws and regulations governing the local catch of seafood products is the responsibility of other departments.

Animal Quarantine: This is the responsibility of the ministries/departments of agriculture or environment.

Wine, Beer and Other Alcoholic Beverages: Strictly monitored. With the exception of Kuwait, GCC-4 allows the importation of alcoholic beverages through approved licensed companies. Retailing of these products is usually done by the licensed companies in- special retail outlets. Some countries issue permits to non-Moslems authorizing them to purchase alcoholic beverages.

Product Sample and Mail Order Shipments: There are no specific requirements for imported food samples for food shows and other promotional events. Generally, they are exempt from local labeling and shelf life requirements. Yet, they must be accompanied by a health certificate. Product samples must be clearly marked as samples not for commercial sale. Meat and poultry samples must be accompanied by a Halal certificate and FSIS export health certificate.

Baby Foods: The GSO developed several standards to regulate "baby food based on milk, (#254/1995)" and many other related matters such as methods of testing baby foods, methods of determining minerals and vitamins in infant and baby foods as well as determining the levels of folic acid and butane. There are no special standards for specialty food products, diet, or health foods. GSO CAC GL 10:2010 Standard was issued by the GCC countries to provide an "Advisory lists of nutrient compounds for use in foods or special dietary uses intended for infants and young children".

Inspection officials routinely check for salmonella in poultry products. If salmonella is detected in more than 20 percent of tested samples, the shipment will be rejected.

For import and re-export of live plants, a phytosanitary certificate is required, issued from the country of origin. The plants should be either without soil or in artificial soil. For import and re-export of live animals a veterinary health certificate is required from the country of origin.

Section VII. Other Specific Standards:

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Section VII: Facility and Product Registration

A. Facility Registration: GCC-4 countries don't require facility registration in the exporting countries.

Pre-shipment approval: Copies of labels may be sent (fax copies or e-mails are acceptable) through an importer to the concerned authority for review. This service is provided at minimal cost.

A. Product Registration: Dubai, UAE is currently the only health authority that requires labels clearance and product registration prior to importing foods to the emirate. 300,000 items have been registered, thus far. This procedure is meant to facilitate the importation of products and reduce clearance time. OAA Dubai strongly encourages exporters to have their labels of new products pre-approved and registered.

Other GCC-4: Oman, Qatar, Kuwait in addition to the Emirate of Abu Dhabi offer voluntary label clearance.

Section VIII. Copyright and/or Trademark Laws:

The GCC Supreme Council ratified a Trademark Law at its 27th summit in 2006. The governments of Qatar and the United Arab Emirates announced their approval of the unified GCC Trademark Law in 2007 (Qatar: Decree No. 18/2007; UAE: Federal Decree No. 52/2007), but the Law still has not entered into force in either country.

The purpose of the GCC Trademark Law is to replace the local trademark laws of each of the GCC member states (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates), thereby creating unified implementing regulations for trademark protection in all states. However, the GCC Trademark Law is not expected to offer a unified filing system, as does the GCC Patent Law. Trademark applications will continue to be filed separately in each GCC member state.

The UAE is tightening its trademark and brand name protection rules. Trademark registration is not mandatory but protection may be limited unless officially registered. Trademark infringement problems are rare in the food sector.

Trademark registration is the responsibility of the Trademark Section, Ministry of Economy and Commerce. A foreign company may register a product/brand directly with the Ministry. To speed up the process, however, it is recommended that a local law firm be retained.

Since 1996, the UAE no longer permits sole agency agreements for food brand names. In 2006, the UAE cancelled the exclusive agency agreements that were grandfathered from before 1996 for foods considered basic commodities. The action was taken in an effort to reduce retail food prices. Some pre-1996 agency agreements continue to be recognized for some products.

In Oman, the legal basis for trade mark registration is the Royal Decree No. 67/2008, the Industrial Property Law. Registration will last for 10 years. Kuwait regulations permit trade registration through the Ministry of Commerce and Industry. Similar to Oman, registration in Kuwait, UAE and Qatar lasts for 10 years.

The Department of Commercial Affairs, MOEC, is responsible for trademark and agency laws.

Section IX. Import Procedures:

While food shipments are usually offloaded and inspected by health officials in the GCC-4, the time it takes to clear products through customs vary from one country to another. The UAE is known for its swift clearing process.

In the UAE and Kuwait, the local municipalities are responsible for clearing food shipments at the entry points, as well as monitoring the products on the shelves in the retail outlets and the HRI sector.

In Qatar, the Public Health Department of the Supreme Council of Health is responsible for the inspection of products at the entry points. The local municipalities are responsible for monitoring the products in the retail outlets and HRI sector.

The Ministry of Health is responsible for inspecting imported foods except, meat, poultry, dairy products, grains and live plants which are covered by the Ministry of Agriculture. Ministry of Fishery is responsible for seafood products. Local municipalities are responsible for monitoring the products in the local market for both retail and the HRI sector.

Documentations accompanying food shipments are acceptable in both Arabic and English languages.

Products imported for trade shows and sampling are required to be accompanied by health certificates confirming their fitness for human consumption. See Section VI for more details.

Products found not to be complying with the GCC laws will be rejected.

Every food shipment is subject to visual inspection upon arrival to ensure compliance with label and shelf life regulations by health inspectors who, jointly with customs officials ensure that documents are in order. Shipments are subject to random laboratory analysis. Baby foods and edible oils are subject to 100 percent sampling. Other food products are sampled in accordance with the sampling policy manual, which sets out the frequency of sampling based on food type, brand, and country of origin. A consignment undergoing laboratory analysis is stored under a bonded warehouse selected by the importer, within the same emirate of product entry. Laboratory results are generally known within 5-10 days. New-to-market food products are subject to a thorough laboratory analyses. Following the initial shipment, repeated shipments will be subject to random sampling as are other food products available in the market. A product will be rejected if found unfit for human consumption or non-compliant with labeling requirements. In either case, the product would be destroyed by the local municipality or re-exported to the country of origin within 30 days, at the importers discretion. Products not conforming to label requirements may be re-exported to a third country (non-GCC). Fines may be imposed, depending

on the severity of the violation.

Minor compliance disputes may be settled by providing a letter confirming that such mistake will be avoided in the future. Major infraction such as improper labeling of products containing pork or tampering with P/E dates, are discussed among concerned national food safety committees and may face severe penalties. Such products could also be banned from entry and the brand name and importer are often reported in the press.

Section VIII: Other Certification and Testing Requirements

All imported food products must be accompanied by:

- An original health certificate issued by the appropriate government agency in the exporting country, attesting to the product's fitness for human consumption.
- For meat and poultry products, an original Halal slaughter certificate is required. The UAE is the only GCC-4 country that has pre-approved U.S. Islamic Centers authorized to supervise Halal slaughtering and issue the relevant Halal certificate. A list of UAE approved centers is available on the UAE export library which is prepared and monitored by the U.S. Food Safety and Inspection Service (FSIS) in Washington, D.C. Other GCC-4 countries accept Halal certificates from any U.S. Halal center since they have not pre-approved U.S. centers. Kuwait, Oman and Qatar require that Halal certificates are notarized by their Embassy or Consulate in the U.S. Qatar and Oman also require that health certificates and country of origin certificates be notarized by the Embassy/Consulate in the U.S.
- Commercial Invoice
- Bill of Entry or Airway Bill
- Packing list
- Country of Origin Certificate

Product Testing: Officials will analyze a product to determine compliance with food ingredient standards and that they are fit for human consumption. Costs involved vary depending on the type of product and ingredients. Laboratory testing is required on first consignments. The same product may be subject to future random laboratory testing. OAA Dubai encourages exporters to have their ingredients pre-approved for new products.

Some GCC-4 countries introduced risk based food inspection approach to facilitate the food inspection process. The nature of imported product will determine the process. All shipments of baby foods must be laboratory tested to determine its fitness for consumption.

Appendix I. Government Regulatory Agency Contacts:

UNITED ARAB EMIRATES

Mr. Saif Al Shara'a,

Assistant Undersecretary
Plant and Animal Affairs
Ministry of Environment and Water
P.O. Box 1509
Dubai
Tel: (971) 4-214-8444; Fax: (971) 4-265-5822

Oversight of National
Food Safety Committee

Ms. Farah Al Zarooni, Acting Director
Standards Department
Emirates Authority for Standards & Metrology
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Abu Dhabi,
Tel: (971) 4-294-9909; Fax: (971) 4-294-4112

Standards and specification issues

KUWAIT

Mr. Fahhad S. Al Mutairi

Assistant Under Secretary and Deputy
Director General for Standards
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Public Authority for Industry
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All standards,
including food

Dr. Siham Al-Mufti

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Analysis of imported food
products

Ms. Nabila Ali Al Khalil,
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Livestock and pet import
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Animal Resources
Public Authority for Agriculture
Affairs and Fish Resources
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13075 Kuwait
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Mr. Mohammed G. Al Otaibi,
Deputy Director General for Municipal Services
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Kuwait Municipality
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Head of food safety committee

OMAN

Sheikh Saud bin Nasser Al Khusaibi, Director General
Directorate of Specifications and Measurements
Ministry of Commerce & Industry
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Eng. Ali Al Kulaibi, Director General
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Mr. Abdullah Al Hudaibi, Director General, Health Control
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QATAR

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Manager of Food Safety and Environmental
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Food inspection
Analysis of imported food
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Committee member

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Ministry of Municipal Affairs and Agriculture
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Live plants and pesticide
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General Organization for Standards and Metrology
Ministry of Economy & Commerce
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All standards,
including food

Appendix II. Other Import Specialist Contacts:

UNITED ARAB EMIRATES

Mr. Khalid M. Sharif, Director,
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Inspection of imported
food products

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Live animal, animal
genetics and pet
import regulations

Mr. Mohammed Al-Saadi
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Commercial agency
regulations

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Food import regulations
(Policy)

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Food safety issues

