

KUWAIT MUNICIPALITY
MINISTERIAL RESOLUTION NO. 21/92
CONCERNING FOOD REGULATIONS

The State Minister for Municipal Affairs having considered Law No. 15 of 1972 concerning Kuwait Municipality and the laws amending thereto; and

Resolution No. 3368/81 concerning the rules for food sales and storing and the relevant localities; and

The Municipality Affairs Committee Resolution No. (MAC/DR 22/113/12/92) adopted on 9th Rajab 1412 A.H. corresponding to 13.1.1992,

Hereby decides :-

Article (1)

For the purpose of implementing this Resolution, nutritions shall mean whatever is eaten by human beings in form of food and drinks, excluding pharmaceutical preparations.

Article (2)

Nutrition additives shall mean every material or mixture of materials not independently consumable and not usable as natural constituent of the food, but added thereto for the purpose of colouring or for promoting taste or flavour or for preserving or keeping the food in shape, or for any other permissible action aimed for processing, preparation, packing, handling and storing.

Article (3)

Nutritions should satisfy the following conditions:-

- a) Should be nutritive
- b) Should be good for human consumption
- c) Should not directly, indirectly, fastly or slowly be harmful to health
- d) Should be legally permitted (In accordance with Islamic Shariyah)
- e) Should meet the requirements of Kuwait Standard Specification, if any, or equivalent thereof; otherwise such food shall undergo laboratory analysis of Ministry of Public Health or any other party entrusted in this regard so as to determine validity of such food to human consumption
- f) Should meet the technical and health requirements under coordination with Ministry of Commerce and Industry and Ministry of Public Health.

Article (4)

Food shall be harmful to health under Article (3) in the event it causes hazard to health when eaten and also in the following cases :-

- a) In the event it contains any poisonous materials or is polluted by microbes or parasites causing disease to human beings.
- b) If it contains certain materials not hygienically permissible.
- c) If processed from sick or dead animal.
- d) If mixed with dust or additives
- e) If handled by somebody infected by contagious disease.
- f) If it contains larvae, worms, dead or live insects or bacteria. Seeds and cereals of all kinds are excluded within the permissible limit.
- g) If relevant packing or wrapping contains any harmful materials or in consistence with the relevant standard specifications.
- h) If the percentage of radiation exceeds the permissible limits determined by Ministry of Public Health.

Article (5)

The food additives should not be hazardous to health. It should comply with relevant Kuwait Standard Specifications, if any, or equivalent thereof. The technical and health conditions determined by Kuwait Municipality under coordination with Ministry of Commerce and Industry and Ministry of Public Health.

Food additives imported for processing purposes shall be exempted from provisions of Article 6 unless it is imported for sale to consumers.

Article (6)

The stickers of the food products should adhere to the relevant Kuwait Standard Specifications concerning the tags and stickers of canned foodstuffs and should also observe the validity periods. Inadvertent errors may be corrected in the Customs area or in the merchants warehouse under the supervision of Kuwait Municipality and after securing approval of competent authorities.

Article (7)

With exception to the provision of the preceding Article, foodstuffs imported in small quantities not for sale or processing and provided that they are legally permitted, not harmful to health and good for human consumption shall be allowed to enter the country.

Article (8)

It is prohibited to exchange or handle foodstuffs in the following cases :-

- a) If not satisfying the conditions stipulated for in Article (3)
- b) If any of nutritive elements is extracted partially or totally without indicating such fact on the relevant sticker.
- c) If the foodstuff is inconsistent with its relevant commercial declaration.
- d) If any of the relevant additives is partially or wholly replaced by any other material not originally incorporated in the commercial declaration.
- e) If the validity date specified in the relevant tag or sticker has expired.
- f) If certain sweeteners or industrial additives or any other additional materials unapproved by the competent authorities are added to the foodstuffs.
- g) If it contains alcohol materials, mineral oils, pork or pigs suet.
- h) In case of discovering any sign of damage the Municipality supervisor shall collect a sample for laboratory test, which holding the stored quantities pending the laboratory result. Collection and transportation of the sample should be properly carried out in consistence with the relevant technical stipulations.

Article (9)

Owners of localities, plants, factories, kitchens, hotels and cafe's who process, prepare, supply or sell foodstuffs shall adhere to the standard specifications approved in this regard as well as to the technical and requirements determined by the Municipality in coordination with Ministry of Commerce and Industry and Ministry of Public Health. They shall also adhere to the cleaning rules and regulations in respect of the materials used, ways of processing preparation, supply or utensils used in such activities.

Article (10)

The foodstuff warehousemen and merchants should advise Kuwait Municipality of the expired stocks in their possession for extermination. They should also report suspected foodstuffs which should also be exterminated upon laboratory confirmation. Warehousemen and merchants may apply for using such expired or perished items in consistence with conditions and controls determined by Kuwait Municipality concerning the use of such foodstuff fields other than human consumption.

Article (11)

Imported foodstuffs and relevant additives may not be sold or displayed for sale before they are duly tested by Kuwait Municipality to ensure adherence to the conditions stipulated for in Articles (2, 5 and 6) and thereafter release its approval for handling.

In the event of unadherence, Kuwait Municipality shall have the right to hold the commodities in places specified by the importer who shall have at his option, to re-export or exterminate the same within six months from the date of notification that such items are not valid for consumption. In the event that the concerned party fails to re-export or exterminate such items during the said period, Kuwait Municipality shall exterminate the same at his expenses.

Article (12)

Fresh vegetables and fruits importers and wholesale dealers may not sell or display the same for sale before ensuring, in coordination with the Kuwait Municipality, that such items satisfy the relevant standard specifications and are valid for human consumption. Such importers should enter arriving quantities in the Municipality records available at the Green Super Markets and show the disposed quantities timely. In the event of determining non-validity, the Municipality shall have the right to hold the commodities in the places specified by the importer who shall have to re-export or exterminate within seven days from the date of notification. If he fails to re-export or exterminate the commodities during such period, Kuwait Municipality shall exterminate the same at his expenses.

Article (13)

Frozen, chilled and vacuumed meats, poultry and fish should not be sold, displayed for sale, or possessed for sale as fresh items after thawing.

Frozen meats should not be sold in butcheries without licence from Kuwait Municipality.

Article (14)

It is prohibited to sell unprocessed frozen or chilled meat or poultry or display for sale unless it is slaughtered in consistence with the provisions of Islamic Sharia Law.

Article (15)

Food localities shall be subject to the provisions provided for in the Resolution concerning the public, perturbing and pernicious localities, unless otherwise explicitly stated in this Resolution. Food localities should satisfy the general requirements provided for in Table No. 3 annexed to the said Resolution.

Article (16)

The food localities should satisfy the requirements stipulated for in the annexed table and other requirements determined by Kuwait Municipality in coordination with competent authorities. Kuwait Municipality shall advice concerned parties of the additional requirements and ask them to meet within specific period. In all cases, if the continuation of service threatens public health, the locality shall be closed till all requirements and conditions are duly fulfilled.

Article (17)

Food transportation vehicles should satisfy the relevant technical conditions and health specifications determined by Kuwait Municipality and other competent authorities. Such vehicles shall not be used in transporting any other materials not duly licenced for.

Article (18)

Those who work in preparing, sale, distribution, handling, storing, transporting or cooking of foodstuffs should obtain medical certificates from Ministry of Public Health and renew the same in expiry dates. Employers should not engage any of the above categories before obtaining the required certificate, and immediately suspend any workman who is infected by any contagious disease classified by Ministry of Public Health, or if his injury may lead to food pollution, unless such injuries are under proper medical protection that stops such pollution.

Article (19)

The employer should provide workers indicated in the preceding Article with special uniforms determined by Kuwait Municipality and Ministry of Public Health. employer shall not allow any worker to start his shift unless he wears his uniforms which should always be clean and tidy.

Article (20)

Field Municipality Officers whenever discovering any contravention during their official visits shall take three samples of such suspected foods and seal by red wax in presence of the concerned party or his representative who shall be given one of the samples. A report shall be drawn to confirm the incident. In the event that the samples are from the imported type, a representative from the Ministry of Public Health shall attend the sampling incident. Such event shall be effected under a Resolution from the State Minister for Municipal Affairs in coordination with Minister of Public Health.

Article (21)

Food shops owners should not display or place their commodities outside the shops.

Article (22)

This Resolution supersedes Resolution No. 3368/81 and any other text contradicting thereto.

Article (23)

Concerned parties shall implement this Resolution which shall be published in the Official Gazette and shall be put into operation from the date of publication.

STATE MINISTER FOR MUNICIPAL AFFAIRS

Date: 28th Shaban, 1412 A.H.

Corresponding to: 2nd March 1992 A.D.

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