

The Ministry of Health

Ministerial Resolution No. 253 of 1997

The Minister of Health,

Having perused the provisions of Law No. 28 of 1996 organizing Pharmaceutics profession and circulation of Drugs; and,

Ministerial Resolution No. 231 of 1989 concerning the Draft Law organizing diet registration & circulation inside the State of Kuwait; and,

In compliance with the Ministers interest to lay down the necessary conditions and stipulations for achieving a healthy drugs control and thus ensuring its proper utilization; and,

Pursuant to the recommendations of the medicinal and dietary control department concerning the lay down of rules and measures that guarantee a healthful control on diets inside the country with the purpose of protecting human beings as well as public health; and,

In conformity with the prerequisites of public interest and public health and pursuant to the proposal made by the Under Secretary of the Ministry.

Hereby decides:

Article – 1

The draft law organizing diets registration and circulation inside the State of Kuwait, attached hereof, shall be approved.

Article - 2

The Ministerial Resolution No. 231 of 1989 shall be repealed

Article – 3

This Resolution shall be notified to the concerned authorities for implementation and it shall be enforceable the date published in the Official Gazette.

THE MINISTER OF HEALTH
ANWAR ABDULLAH AL-NORI

Issued on 7th of Muharam, 1418 H.
Corresponding to 14th May, 1997 A.D.

DRAFT LAW ORGANIZING
PERSONAL DIET REGISTRATION & CIRCULATION
IN THE STATE OF KUWAIT

INTRODUCTION

The use of Personal Diet is widely spread inside the country. The misuse of this diet shall harm human health. Thus, it shall be necessary to establish an effective healthful control on diet circulation by aim of guaranteeing its better use and hence preserving public health. Furthermore, it shall be necessary to curtail the circulation of the dreadful out of date personal diets by banning it entering the country.

Therefore, it shall be necessary to lay down a draft law organizing personal diets registration & circulation in realization to the desired goals in compliance with the Ministry's interest to preserve public health in the State of Kuwait.

1ST : DEFINITION OF PERSONAL DIETS

Article - 1

The expression "personal diets", in the application of the provisions of this Resolution shall mean :-

- 1) The collection of diets allocated for morbid cases and connected with nourishment, such as :
 - a. Diets of diabetes diseased
 - b. High or low calorie diets
 - c. Free of sodium, gelatin, or lactose diets
- 2) The collection of diets used at physiological changes periods, such as :
 - a. Inforced & of special uses diets for infants and weaning
 - b. Infants diets
 - c. Old age diets
 - d. Athletes diets
- 3) Diets of components said to be of healthy nourishing such as :
 - a. Queen been nourishment
 - b. Vitamin, salt, and mineral reinforced diets
 - c. Nourishing complements
 - d. Extraction products
 - e. Artificial sweeteners & artificial sweeteners added diets
- 4) Other dietary products in virtue of which a Resolution deeming it as diet, by Health Minister is issued.

2ND : DIET REGISTRATION

Article – 2

The circulation or production of diets shall be banned unless it is duly registered, in accordance with the procedures and conditions thereof, at the Ministry of Health.

Article – 3

The application for diet shall be submitted to the department of diets at the Ministry of Health identifying the purpose of circulating, producing that diet and its usefulness. Samples of the alimentary substance required for registration shall be attached to the application together with the under noted documents after duly been certified by the official authorities at the country of origin and Kuwait Embassy or Consulate therein; they are :-

1. Certificate of origin identifying that the producer is duly licensed to produce and manufacture diets.
2. Official power of attorney from the producer, if the supplier is an agent.
3. Circulation certificate showing that the produced diet is properly circulated with the same components and for the same purposes; and that it is not subject, in the country of origin, to diet registration procedures; that it is still used as diet for a less than two years period therein.
4. Diet analysis certificate issued by concerned and approved body evidencing that it is free of hormones, antibiotics, alcohol and all pig derivatives and any duly prohibited additive substances by World Health Organization, or any materials in virtue of which restricting Resolutions were issued. Further, the certificate shall prove that the diet is free of physical substances or chemicals which may be harmful to the biological or behavioral functions of the body; and that the reception of such diet shall not result in any side-effects or tissue damage.
5. Certificate issued by a duly concerned authority at country of origin, showing diet components value analysis & percentage.
6. Certificate issued by the producer identifying product components and added substances together with their percentage.
7. In case that the diet comprises a physiologically affecting or healthy useful substance, approved scientific documents identifying the same together with due interpretation of that affect shall be submitted.
8. Laboratory analysis methods for alimentary substance.
9. Lab analysis certificate, duly certified by the concerned authorities at country of origin, identifying the existence of insecticides remnants and percentage, if any.

10. Written undertaking by the producer undertakes wherein that he shall notify the Ministry of Health in the State of Kuwait in case of ceasing to manufacture that product or withdrawing from the market at the country of origin, together with the reasons thereof.
11. A duly coloured and packed copy of the approved packing label (A4 size) in virtue of which the approval is made.
12. Any other certificates or documents deemed necessary by the Ministry of Health.

Article – 4

1. Certificate of Registration shall be valid for only three years period from the date of issuance.
2. Any changes or amendments shall not be made to any of product components or packing label contents, already agreed upon, unless prior approval by the concerned authority at the Ministry of Health is obtained.
3. The Ministry of Health shall, if considered that the use of such product shall result in healthy harms, have the right to cancel the registration certificate. Further, the Ministry shall have the same right to suspend the registration of the product in case of any amendments to the specifications contained therein. The concerned party shall be bound to carry out the registration process according to the amended specifications.

3RD : PERSONAL DIETS PACKING STIPULATIONS

Article – 5

Without prejudice to the general stipulations provided for in Kuwait standard specifications for foodstuff package labels No. 42/1973, Diet suppliers and producers shall abide by the stipulations of personal diet packaging label; which are :-

- 1) The availability of a detailed report embodying product components, whether they are essential or, such as: vitamins, minerals, salts, amino acids, or preserving and/or coloured substances, etc.
- 2) The alimentary of diet (protein, carbohydrates, fats, energy, vitamins & mineral salts) for each 100 ml of diet and these in the quantity used shall be mentioned.
- 3) Cautions of diet usage and identification of healthy prohibitions, if any, shall be clearly, plainly and comprehensively identified to the consumer.
- 4) Diet purposes and ways of usage shall clearly be identified to the consumer.

- 5) Methods of diet storage, according to its nature, shall be identified, as well as the explanations of cautions of usage if change in physical characteristics (like colour, taste, smell and consistency) occurred therein.

4TH : CLEARANCE OF IMPORTED DIET

Article – 6

The following procedures shall be adopted in the clearance of important diet:-

- a. Diet department shall receive samples of diets through public health laboratories at the Ministry of Health to be attached to samples delivery form wherein identified operation number / production date / date of expiry / country of origin.
- b. Diet department shall compare & match the data on sample packing label with the data in the diet register certificates. If all these procedures are fulfilled and it is certified that they are identical to the standard specifications, and been evidenced that the diet is valid for human consumption, then a clearance permission will be issued.

In this case, these diets shall be released for circulation in the domestic market or by the importing parties.

Article – 7

Personal diets shall not be released unless product registration requirements are fulfilled to the health diets department; or the data stated on packing label are identical to those in registration certificates or identical to standard specifications.

In such a case, the circulation or disposal of such diets, in any way, shall be prohibited. The supplier shall be given a one month term to fulfil those requirements. If the same is not achieved during the aforesaid period, the supplier shall be bound to re-export the diets thereof to the country of origin or damage them, and present the necessary documents certifying that to personal diets department.

5TH : SALE SITES

Article – 8

Personal diets shall be offered for sale only at the sites allocated by personal diets department at the Ministry of Health.

6TH : PROMOTION & ADVERTISING**Article – 9**

The promotion for personal diets, be it by word, image, or posters by any advertising means, shall be prohibited unless a written permission by the Ministry of Health is acquired. Such permission shall be deemed invalid if the advertisement text involved what causes healthy harms to the consumer or betraying disorienting him; or if it embodied any details contradictory to the composition of the advertised alimentary stuff.

7TH : GENERAL PROVISIONS**Article – 10**

The standard specifications on personal diets registration and any other promulgated standard specifications or new terms & conditions directly or indirectly relevant to personal diets, accompanying Ministerial Resolution No. 49 of 1997 shall be approved.

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