

Food Safety Regulation

Chapter One

Definitions

Article (1): In the application of the provisions of these regulations, words and terms herein shall have the meanings stated in Food Safety Law. The following words and phrases shall have the specific meaning assigned to them unless the context requires another meaning.

Standard Specifications: The mandatory standards approved by the competent authority or regional or international standards applicable in GCC countries for foodstuff in terms of their physical, chemical and biological components, their degree of purity and permissible limits of impurities and additives.

Additives: Any substance that is not considered as food by itself and not normally used as a component of food, but intended to be added to the food for manufacturing purposes, including tangible material and does not include pollutants.

Danger source: Any biological, chemical or physical agent that may exist in foodstuff or in any of its elements or components, and may cause harm to consumer health.

Foodstuff establishment: Any institution, plant or stationary or mobile facility deal with foodstuff at any stage of trading.

Licensee: Any person who obtained a valid license to practice any activity related to foodstuff.

Individual in charge of Foodstuff establishment: Any person licensed or duly authorized by the licensee and responsible of implementing the provisions of these regulations and decisions issued by the competent authorities at the establishment under his responsibility.

Announcement: Promotion of foodstuff for purpose of sale or marketing, directly or indirectly, whether by legible, audio or visual means, or in any other way.

Trace: To follow the movement of foodstuff, including raw materials, through all stages of trading.

Recovery: To draw foodstuff from markets if proven not safe for human consumption.

Chapter Two

GENERAL PROVISIONS

Article (2): It is prohibited to practice any activity related to trading in foodstuff except after obtaining the necessary licenses and permits from the competent bodies, after satisfying health requirements and applicable standards.

Article (3): The location of food establishment must be far away from all potential sources of environmental pollution, or areas that may lead to contamination of foodstuff with harmful substances or potentially harmful or lead to change in the standard specifications of foodstuff.

Article (4): Food establishment must satisfies' health and technical requirements, standard specifications and safety requirements issued by competent bodies, and shall not make any amendments to the establishment without referring to the competent bodies.

Article (5): Water used in handling food, storage tanks and water pipes at the facility must be in conformity to health requirements and standard specifications issued by the competent bodies.

Article (6): The sewage system at the facility must be in conformity with health and technical requirements issued by the competent bodies.

Article (7): Foodstuff handlers must adhere to health requirements set forth by the competent bodies, and obtains health cards proving not being infected with contagious diseases after taking the required annual medical check ups at the clinics or hospitals following or accredited by the Ministry of Health.

Article (8): If selling, cooking or storing non-halal food must allocate separate places and tools.

Article (9): Must clearly define the content of the food in the explanatory labels if it contains alcohol or animal ingredients its origin are pigs.

Article (10): The licensee is responsible of the safety of the traded foodstuff in his establishment is also responsible of any civil liabilities of his employees and agents.

Article (11): Regulatory bodies shall develop and apply control systems and carryout consumer awareness on food safety and relative risks.

Article (12): The understated producers shall be followed in case of grievances filed by the owner of any decision or action taken based on the provisions of Food Safety Law or its implementing regulations and decisions:

1. Grievance shall be submitted by filling the prescribed form within one month from the date of notification of the decision or his certain knowledge of the same to the body issued the decision.
2. Grievance shall be registered in accordance with applicable procedures.
3. Grievance shall be examined in accordance with the provisions of Food Safety Law and its implementing regulations and decisions.
4. Grievance shall be forwarded together with the final opinion of the examination to the body issued the decision for necessary action.
5. The body issued the decision may withdraw, modify or stop the decision in the light of the examination result.

6. Notify the grieving party of the decision, within sixty days from the date of the grievance and should this period end without giving any notification, it shall be considered a rejection of the grievance.

Chapter Three

Safety of traded foodstuff

Article (13): Traded foodstuffs must be harmless to health and suitable for human consumption, and it shall be considered harmful to health and unsuitable for human consumption in any of the following cases:

1. If foodstuff contains any poisonous or harmful substance, or if pesticides or other contaminants exceed the highest level of its remnants in it as determined by the applicable specifications standards.
2. If foodstuff contains a food additive by a percentage more than the proportion determined by the standard specifications, or it contains an unauthorized food additive.
3. If foodstuff is rotten or decomposed in whole or in part, taking into consideration the standard specifications of the foodstuff.
4. If foodstuff traded in conditions or circumstances rendered it harmful to health or unsuitable for human consumption.
5. If foodstuff is the product of a diseased animal and unsuitable for human consumption, or the product of an animal which died before slaughter.
6. If foodstuff packet is manufactured from materials not in conformity with the standard specifications of packing this type of food.
7. If the ratio of radioactivity is greater than the allowed limit internationally.

8. If foodstuff contains hormones, chemicals, veterinary medicines or its residues with a higher percentage than the allowed limit according to the standard specifications.

9. If foodstuff is expired according to the recorded date in the data card or proven by laboratory tests to be unsuitable for human consumption.

Article (14): All traded foodstuff should not be adulterated, and shall be considered adulterated in the following cases:

1. If foodstuff contains a food additive that is not allowed to be used in that product in accordance with the standard specifications.

2. If any of its ingredients is removed, altered or reconstructed unless it is declared in the data card and such practice is permitted in accordance with the terms and instructions issued by the competent body.

3. If a substance is added, leading to reduce the value of food, in order to hide a defect or shortage or to increase the size or weight.

4. If data card does not match the actual ingredients of the food product.

Article (15): Foodstuff data card must be in conformity with the other health standard specifications and requirements.

Article (16): Foodstuff data card, food advertisement, packaging, package shape or appearance or way of arrangement or display, or any published information shall not be used as a mean to mislead the consumers.

Article (17): Foodstuff manufacturer should obtain the required approvals from the competent bodies with respect to standard specifications of all food items prior to trading with the same, and must submit the following documents to the concerned bodies:

1. Statement of the chemical composition of foodstuff used for special dietary purposes.
2. The proposed method of trading.
3. Determine the conditions that can render the product harmful to human health.
4. Any information or studies related to food components that prove it can have a cumulative damage if used in the allowed percentages.

Article (18): Foodstuff shall be stored and transferred in accordance with health requirements and standard specifications issued by the concerned bodies.

Article (19): Prior to issuing permits for food transfer methods, Control bodies shall verify their compatibility to health requirements and standard specifications.

Chapter Four

Food establishment internal control

Article (20): The licensee or person in charge of the food establishment shall ensure the safety of the traded food to satisfy the requirements of the relevant laws, regulations and decisions.

Article (21): The licensee or person in charge of the food establishment shall train employees in food safety fields and commit to any training programs or procedures identified by the control bodies.

Article (22): The licensee or person in charge of the food establishment shall determine and record all stages of food trading and ensure to undertake the necessary procedures to prevent dangers arising from such stages through applying one of the internationally recognized systems for food safety management which determine and control danger sources.

Article (23): The licensee or person in charge of the food establishment shall undertake the necessary procedures to prevent or reduce harms resulting from food trading that fails to satisfy standard requirements and specifications in coordination with the control bodies.

Chapter Five

Food trace and recovery

Article (24): The licensee or person in charge of the food establishment shall provide the necessary information to trace traded foodstuff if it came apparent to control bodies that it is unsuitable for human consumption and shall cooperate with the concerned bodies to recover the product from markets.

Article (25): If the licensee or person in charge of the food establishment had valid reasons that the traded foodstuff does not satisfy the requirements and standard specifications, he shall immediately undertake the required procedures to recover the distributed foodstuff from the concerned markets or parties and notify the concerned control bodies.

If foodstuff reaches the customer, the licensee or person in charge of the food establishment shall inform customers and notify the concerned control bodies.

Article (26): The licensee or person in charge of the food establishment shall apply a system to trace foodstuff, forage or animals producing food in all trading stages and provide information required by the control bodies.

Article (27): The licensee or person in charge of the food establishment shall apply a system or means to enable him to identify the supplied traders and make such information available to the control bodies.

Article (28): Exhibited food for sale or consumption in markets and shops shall be adequately libeled and defined to facilitate tracing process.

Chapter Six

Import and Export

Article (29): The exported or imported foodstuff shall satisfy the standard specifications and requirements for foodstuff as well as local, regional and international requirements.

Article (30): Parties or individuals who wish to import foodstuff shall request a permit from the concerned bodies stating type of foodstuff, origin country, exported country, expected arrival date, transportation means and border entry point. In case of violation, cargo shall be prohibited to enter and immediately exported back and the importer shall bear all related costs.

Article (31): Each imported foodstuff shall be registered in the related database and coordinate with the principle laboratories for the necessary tests and procedures.

Article (32): The concerned bodies shall conduct a visual checkup to the imported foodstuff at the time of arrival in border entry point and verify its compatibility to illustrative data card and ensure that there are no circulars or decisions prohibit its entry.

Article (33): Should be there any external signs indicating that foodstuff not consistent with the standard specifications, the concerned officials at border entry points shall keep in custody in accordance with the applied requirements in this respect until verifying its validity for human consumption.

Article (34): Customs bodies shall release foodstuff cargo after obtaining the required approvals from the concerned bodies in border entry points.

Chapter Seven

Applied procedures on food in violation

Article (35): Control bodies shall withdraw the permit of food establishment in case of violation of the provisions of Food Safety Law and its implementing regulations and decisions.

Article (36): Control bodies shall destroy foodstuff proved to be in violation of this regulation and other regulations and decisions implementing Food Safety Law.

Article (37): Without prejudice to any other severer penalty stated in the Penal Law of Oman or any other law punishes any party in violation of this regulation with the stated penalty in Article (22) of Food Safety Law.