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Bahrain

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

This report provides information on the regulations governing importation of food and agricultural products to Bahrain.

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 are verified with local authorities through your foreign importer before sales are finalized. Final approval of any imported 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:

a. GCC-Wide Developments

Food Standards: In 2008, Yemen became the newest member of the Gulf Standards Organization (GSO), bringing its members to seven. GSO is responsible for developing food and non food standards in the GCC. The GSO food standards committee, which is chaired by Qatar, over the past few years, 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. Until now, the GSO has developed more than 900 food and food related standards.

In theory, each GCC member should notify the WTO of any proposed new standard. However, one or two of the member countries usually submit the notification. 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.

The first GSO shelf life and labeling standards were issued in the nineties. In 2007, the first review of both standards was completed and approved. The current standards brought the GCC into closer compliance with the guidelines of Codex Alimentarius and, for the most part, offer more flexible requirements for importing foods from foreign markets.

In 2011, Oman reviewed and revised the labeling technical regulation and notified it to the WTO. Comments received from different countries have been discussed among the GSO members and the final draft is expected soon. Also, Qatar is working on an update for the shelf life technical regulation.

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. Labeling subcommittee that is chaired and hosted by Oman.
3. Additives subcommittee that is chaired and hosted by Saudi Arabia

The GSO also, when the need arises, forms working groups to address specific issues. For instance, a working group developed two Halal standards. The first standard outlines general Halal requirements while the other outlines requirements for approving foreign centers, certifications and Halal labeling.

Customs and Tariffs: In January 2003, the “GCC Unified Customs Law and Single Customs Tariff” (UCL) was released. The UCL established a unified customs tariff of five percent on nearly all processed food products. Under the UCL, some food products including 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 within the next few years.

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. In 2008, the GCC member countries decided to postpone the application of the guide to further study it to ensure it fully complies with the guidelines of international organizations such as Codex Alimentarius, World Animal Health Organization and International Plant Protection Consortium. The guide is still being reviewed by GCC members.

a. Bahrain Developments

GSO standards for labeling (GSO 9/2007) and shelf life (GSO 150/2007) have been approved in Bahrain to replace Decree No. 3 only mid 2010. The delay occurred due to technical reasons.

The Public Health Directorate (PHD), Ministry of Health (MOH), in conjunction with the Directorate of Standards and Metrology, Ministry of Commerce (MOC) and the Ministry of Municipalities Affairs & Agriculture (MMAA) are responsible for formulating food import regulations. The Directorate of Agencies and Industrial Property, MOC, is responsible for formulating and enforcing trademark and agency laws. The Directorate of Customs & Ports, Ministry of Finance and National Economy (MOFNE), is responsible for enforcing local agency laws. The Public Health Directorate, Food & Water Control Section (FWCS), MOH, is responsible for enforcing food safety regulations. For example, the FWCS is responsible for inspecting all imported fresh fruits and vegetables, and processed food products, ensuring compliance with label regulations and, if deemed necessary, drawing samples and laboratory testing the products. Effective May 1, 2013, the Animal Wealth Directorate, MMAA, will be responsible for inspecting imports of meats, poultry and seafood products. Processed meat and poultry will remain under the jurisdiction of the Ministry of Health.

Live plants and live animals are the responsibility of the Agricultural Affairs, Ministry of Municipalities Affairs and Agriculture.

The Food Safety Committee, an interagency committee composed of representatives from the MOH, the Directorate of Standards and Metrology, Director of Consumer Protection, MOC and the Directorate of Agriculture, Ministry of Municipal Affairs & Agriculture (MMAA), oversee all food safety and control issues, including the imposition of product bans.

Section II. Labeling Requirements:

Bahrain enforces GSO 9/2007 for labeling and GSO 150/2007 for shelf life. The food label must include on the original label or primary packaging the following information:

1. Product and brand name
2. Ingredients and additives, in descending order of proportion
3. Net content in metric units (volume in case of liquids)
4. The name and address of the manufacturer, producer, distributor, importer, exporter or vendor shall be declared on the label
5. Country of Origin
6. Origin of animal fat (e.g. beef fat)
7. Production and Expiry dates, (best or sell by dates are also acceptable as expiry dates)
8. Instructions for use (if any)
9. Special storage, transportation and handling instructions
10. Lot identification

(Note: Nutritional labeling is voluntary, until now. However, a binding standard has been prepared by the GSO and notified by some GCC countries. The U.S. nutritional panel is acceptable.)

Original labels should be printed in Arabic, but exceptions do exist for small lots and ethnic foods. Bilingual labels are permitted, provided one of the languages is Arabic (e.g. Arabic/English). In addition, Arabic language stickers are permitted in lieu of Arabic or bilingual labels provided the sticker:

- Is extremely difficult to remove.
- Includes the following essential information

- Product name
 - Ingredients
 - Net weight
 - Country of origin
 - Dates of production & expiry, if they are part of the original sticker and not being stamped over
- Does not cover the original label.
- Does not contradict information on the original label.

Production and expiration dates must be engraved, embossed, printed or stamped directly onto the original label or primary packaging at the time of production, using indelible ink. U.S. bar coding is not accepted in lieu of the required dates. The expiration date must be printed in the following order, depending on the shelf life of the product:

- Day/month/year for products with a shelf life of less than 3 months.
- Month/year or day/month/year for products with a shelf life longer than 3 months.

Dates, written in digit format or in words such as “September 24, 2005”, are acceptable. American dating (month/day/year) is not acceptable and if utilized, it could lead to the rejection of the products.

Bahrain will pre-approve food labels prior to import. Pre import approval is strongly encouraged since it can significantly speed clearance of food products, particularly for new-to-market and branded products. Consignments with minor labeling infractions may be granted a one-time waiver, if petitioned, provided the products are found to be safe for human consumption. Small consignments of 20 or less cartons, as well as ethnic food products, may be exempt from Arabic label requirements, provided prior authorization is obtained from the PHD/MOH.

Ministerial Order No. 2/1989 governs the importation of specialty food products, such as certain diet and health foods and foods for diabetics and infants. Under this order, all specialty foods must be pre-registered with the Directorate of Pharmacies and Drug Control, Ministry of Health, prior to their importation. Specialty food labels must contain detailed information regarding ingredients (e.g., vitamins, supplements, minerals, etc.), nutritive value per 100 grams and instructions for use and proper storage. The U.S. nutritional panel is acceptable. There are no Recommended Daily Allowance label requirements.

Products shipped in bulk or institutional sized containers destined specifically for the HRI sector are subject to all labeling requirements. However, officials may be willing to grant certain exceptions. Exporters should consult with their importers before shipping.

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. More packaging standards are being reviewed by GSO for updates.

General requirements for packaged special foods are covered under GS 654/1996, GS 839/97, and GS 1024/2000.

Section IV. Food Additives Regulations:

Bahrain’s Minister of Commerce & Industry issued Decree No. 22, dated June 21, 2005, that approved the Codex Standards CXS 192:1995 as the “General Standard on Food Additives and Class Names and the International Numbering System for Food Additives”, and CXS 107:1998 as the “General Standard for Labeling of Food Additives When Sold as Such.” The common name and index number of all food color additives contained in a product must be noted on the product label. European "E" numbers are accepted.

GSO is now in the process of developing one Gulf standard that will include all food additives under one standard.

Section V. Pesticides and Other Contaminants:

Bahrain’s Minister of Commerce & Industry issued Decree No. 22, dated June 21, 2005, that approved Codex Standards CXS 193:1995 for “General Standard for Contaminants and Toxins in Food” and CXS 229:1993 for “Analysis of Pesticide Residues and Recommended Methods” as national standards.

Section VI. Other Regulations and Requirements:

On April 27, 2009, upon the declaration of confirmed cases of H1N1 in the U.S. and Mexico, Bahrain issued ministerial decree number (17) banning the importation of pork and pork products from the U.S., Mexico and any other country with confirmed cases of H1N1. OAA Dubai has continued to advocate for the lifting of the ban.

All meat and poultry products must be accompanied by an Islamic (Halal) slaughter certificate issued by an approved Islamic center in the country of origin.

All imported eggs must be individually stamped with the country of origin and dates of production and expiry.

As per GSO standard for frozen poultry, a 20 percent tolerance for salmonella is permitted. Inspection officials routinely test for salmonella and will reject a shipment if salmonella is detected in more than 20 percent of drawn samples.

Bahrain Standard 988/1998, which is identical to GS 988/1998, defines the permitted level of radioactivity in foodstuffs. Irradiated food products are permitted but the label must include the international irradiated food logo. A certificate of irradiation type and level is required for these foods.

Bahrain health authorities randomly inspect food products in retail outlets. In addition to visual labels inspection, samples are taken and analyzed to ensure that product ingredients match those listed on the label. This procedure is conducted without the knowledge of the importer. If a discrepancy is found, the importer is informed and the product is removed from the market and destroyed at the importer's expense.

Section VII. Other Specific Standards:

“Sample” consignments face no special requirements. Samples destined for food shows or other types of promotional events are exempt from local label requirements. However, health certificates and invoices noting that the products are not for sale and are of no commercial value are required.

Alcoholic beverages and pork, as well as food products containing alcohol or pork are strictly regulated. For example, retail outlets can only sell pork products in dedicated sections that are clearly marked. Only four companies are licensed to import alcoholic beverages. These companies may retail the product directly through their own establishment or market to institutional end users, such as hotels and licensed restaurants. Supermarkets are prohibited from selling alcoholic beverages. Media is prohibited from advertising alcoholic products, although in-house promotion in a liquor store or licensed restaurant is permitted.

Section VIII. Copyright and/or Trademark Laws:

Legislative Decree No. 10/1992, amended by Legislative Decree No. 8 of 1998, governs commercial agencies. Importation of a brand officially registered to a local agent is less strictly regulated than before. At present any trader may import a product that is registered in another firm's name, provided the registered agent is paid a commission, the maximum of which is 5 percent. The Ministry of Commerce (MOC) may reduce or even exempt the payment of any commission. The principal may terminate an existing agency agreement. The agent is responsible for proving to a grievance committee that his activities resulted in an apparent success in promoting the product. The Directorate of Customs and Ports will release a consignment only if imported by the registered agent or if the importer obtains written permission from the registered agent, after paying the commission. The MOC may waive this commission for certain products, if deemed to be in the public's interest.

The Agencies and Industrial Property Directorate of the Ministry of Commerce handles trademark registration, which usually can be completed within a short time. Although a foreign company can register its trademark directly with the directorate, usually a local, specialized accounting or law firm is retained to conduct such work.

Section IX. Import Procedures:

Legislative Decree No. 10/1992, amended by Legislative Decree No. 8 of 1998, governs commercial agencies. Importation

of a brand officially registered to a local agent is less strictly regulated than before. At present any trader may import a product that is registered in another firm's name, provided the registered agent is paid a commission, the maximum of which is 5 percent. The Ministry of Commerce (MOC) may reduce or even exempt the payment of any commission. The principal may terminate an existing agency agreement. The agent is responsible for proving to a grievance committee that his activities resulted in an apparent success in promoting the product. The Directorate of Customs and Ports will release a consignment only if imported by the registered agent or if the importer obtains written permission from the registered agent, after paying the commission. The MOC may waive this commission for certain products, if deemed to be in the public's interest.

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III. Ministry Of Commerce

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