

Cabinet Decree No. (29) for 2018

On

UAE Regulations for Control on Milk and Dairy Products

The Cabinet;

After reviewing the Constitution;

- The Federal Law No. 1 of 1972 regarding the Capacities of Ministries and powers of Ministers and the laws amending thereof;
- Federal Law No. 1 of 1979 regarding organizing of the Industry Affairs;
- Federal Law No. 6 of 1979 regarding Veterinary quarantine and its amendments
- Federal Law No. 28 of 2001 regarding the Establishment of the Emirates Authority for Standardization and Metrology and the laws amending thereof;
- Federal Law No. 24 of 2006 regarding Consumer Protection and the laws amending thereof;
- Federal Law No. 8 of 2013 regarding Infectious and epidemiological animal diseases and its control.
- Federal Law No. 10 of 2015 for Food safety,
- Federal Law No. 14 of 2016 for Violations and Administrative sanctions,
- Federal Law No. 19 of 2016 for Anti-Commercial Fraud,
- The cabinet decree No. 31 of 2006 for National Metrology scheme,
- The cabinet decree no. 6 of 2012 for UAE scheme for certification of organic food inputs and products,
- Cabinet decree No. 10 of 2014 for the UAE regulation for control on Halal Products,
- Cabinet decree No. 20 of 2015 for the UAE regulation for Food contact materials,
- Cabinet decree No. 35 of 2015 for the UAE scheme for the control of conformity assessment bodies,

– In the light of the approval of the Cabinet;
Resolved as follows: -

Article (1): Definitions

In the Application of this Decree, the following terms and expressions shall have the meanings assigned to each of them, unless context requires otherwise: -

State:	United Arab Emirates.
Authority:	Emirates Authority for Standardization and Metrology.
Board:	Authority Board of Directors.
Director General:	Authority Director General.
Competent Body:	Federal or local competent authority in UAE which is in charge of enforcing these Regulations.
Standard:	Document stating the specifications of the commodity, material, service or any matter that can be measured or specifications, characteristics, quality level, dimensions, measurements, and safety conditions thereof. Standard shall also include the expressions, codes, testing methods, sampling, packing, labels and marks.
Approved Standards:	Standards approved by the Authority, referred to as UAE Standards and shortened as (UAE.S).
Mandatory Standard (Technical Regulations):	A mandatory standard that shall be applied upon a decree issued by the Cabinet or a proposal thereof.

- Milk:** The normal secretion of the lactic glands in the udder, which is obtained from one or more milking animals without adding or modifying the components, is after the end of the colostrum. It is intended for consumption as liquid milk or in the process of manufacturing dairy products.
- Dairy Products:** Products obtained from milk processing operations, which may contain food additives and processing aids required for processing, and include any products expressed in labels, symbols, images, or any other method which suggest or imply directly or indirectly milk or its products.
- Product:** Milk and Dairy Products
- Conformity Assessments:** Any measure used directly or indirectly to ensure that the product or the service satisfies a specific standard or other technical requirements.
- Conformity Assessments Body:** Body approved by the Authority to conduct the conformity Assessments including testing and calibration labs, investigation entities, Bodies issuing certificates for systems, individuals and products according to the requirements of these Regulations.
- Accreditation:** A procedure by which the Authority officially acknowledges that the Conformity Assessments Body is competent and able to conduct certain assignments.
- Approved Accreditation Body:** An accreditation Body the activities of which are approved by the Authority following having obtained the recognition of respective accreditation International

Organizations or upon a mutual recognition agreement concluded between said Body and the Authority.

UAE Conformity Assessment scheme (ECAS): The scheme issued by the Authority, which is concerned with verifying that the product meets the requirements specified in the standard adopted directly or indirectly through specific procedures carried out by the Authority such as examination, testing, calibration, inspection or granting of conformity.

UAE Quality Mark: The emblem adopted by the Authority, and shall be granted to the producer to indicate that it conforms to the mandatory standard on the product.

Supplier: Manufacturer, carrier, packer, assembler, processor, agent, warehouse operator, main or secondary distributor whose activities affect the features of the product; or any legal or commercial agent in charge of importing products governed by the provisions of these Regulations.

Supply Chain: All stages the product goes through from initial product until consumer's table including product import, export, manufacture, preparation, processing, packing, packaging, transport, storage, distribution, promotion, display and sale.

Launch: Selling, leasing, handling, storing, displaying, marketing, promoting, or serving the product to the consumer for or without a consideration.

Mark License: A certificate granted by the Authority authorizing the

use of Halal National Mark to be affixed on products, facilities, or production systems meeting the requirements of these Regulations.

Article (2)

Scope

- 1- The provisions of these Regulations apply to all Products listed in the table attached to this decree.
- 2- The following products are excluded from the application of this decree:
 - A- Products for special medical uses, products for infants like infant formula and follow up formula and complementary foods and formula for special medical uses.
 - B- Dairy analogues or nondairy products like kinds of edible ices products stated in UAE standard UAE.S/GSO 457: Edible Ices.
 - C- Restaurant meals and traditional meals manufactured with specific recipes like Iranian yogurt which are under control by concerned authorities.
 - D- Raw materials or products considered raw materials for further food processing and imported for licensed industrial establishments.

Article (3)

Liabilities and Obligations of Supplier

The supplier, in any stage of the supply chain, must comply with the following:

- 1- To carry out his activities through a company or an individual registered enterprise and has a license in accordance with the relevant legislation.

- 2- Obtain a certificate of conformity of the product before being put on the market according to the UAE conformity assessment (ECAS) .
- 3- Obtaining the UAE Quality Mark according to the procedures adopted by the authority.
- 4- Ensuring the continuity of conformity of the product with a certificate of conformity.
- 5- To comply with the decisions of the Board regarding the UAE scheme for the certification of organic food inputs and products in case of an "organic" logo is required on the product label.
- 6- Cooperate with the Authority and the competent authority and provide them with all documents, certificates of conformity and any other documents related to the product, upon request.
- 7- Cooperate with the Authority and the competent authorities to withdraw the product that does not comply with the mandatory standards from the market, and to report any product that is contrary to the provisions of this decree is being put on the market.
- 8- Any other obligations determined by the Authority in coordination with the competent local authority.

Article (4)

conformity assessment requirements

- 1- It is prohibited to import or lunching the product, unless it is registered according to the UAE conformity assessment scheme and has a certificate of conformity in accordance with the provisions of this decree.
- 2- For the purposes of evaluating the conformity of the product to the mandatory standard specified in the table attached to this decision, the following must be verified:
 - A- Ensure that the product meets all the requirements of this decree.

- B- Providing acceptable certificates to the Authority confirming the supplier's commitment to applying any of the internationally accepted quality management systems acceptable to the Authority, as well as applying any of the food safety management systems or good manufacturing practices (GMP) and good health practices (GHP) that are universally accepted and accepted by the Authority.
- C- The product labeling card shall conform to the requirements specified in their respective standard as set forth in the table attached to this decree.
- D- Commitment to the Cabinet Decision on the UAE Food Contact materials scheme.
- E- Transport and storage of the product in accordance with the requirements in the approved standard specified in the table attached to this decree.
- F- Commitment to the Cabinet Decision on the UAE Halal Products Control scheme.

Article (5)

Requirements of the conformity assessment bodies

The conformity assessment body which assesses the conformity of the product shall comply with the conditions and requirements specified by the Council of Ministers' decision on the control of conformity assessment bodies.

Article (6)

Control and Market Survey

- 1- The product shall, when put on the market, be subject to inspection. The Authority or the competent authority shall, as the case may be, monitor its compliance with the conformity certificate at all stages of the supply chain and shall take any of the following measures:
 - A- Inspection and sampling of the product and conducting the necessary tests
 - B- Ensuring that all outlets in the country are committed to ban importation or placing it in the local market, except after obtaining a certificate of conformity.
 - C- Take appropriate actions to the product that does not meet the conditions for granting a certificate of conformity or which loses any of them, including suspending its circulation or withdrawing from local market.
 - D- Obligate the supplier responsible for the product of the offending product by calling and withdrawing it from the local market, correcting it if possible, or returning it to the country of origin or destroying it in accordance with the applicable legislation within the period determined by the competent authority or authority, As appropriate.
 - E- Follow up the implementation of the procedures referred to in this Article.
- 2- The supplier whom the sample was taken from shall be responsible for not complying with the requirements of this decree, unless proven otherwise, within the period specified by the Authority or the competent authority, and as the case may be.
- 3- Product control shall include all entry points of the State to ensure compliance with the provisions of this decree.

Article (7)
General Provisions

- 1- The approved standards shown in the table attached to this decree shall be mandatory for application in the State. This table shall be considered an integral part of this decree.
- 2- The Authority shall take the necessary actions to implement the provisions of this Decree and shall delegate the competent authority some of its powers.
- 3- The product shall not be imported from the countries covered by the import ban issued by the competent authorities in the State.
- 4- If any situation can arise that cannot be dealt with under the provisions of this decree, or if there is a dispute in the interpretation or application of this decree, the matter shall be referred to the Director-General to issue the decision he deems appropriate for that situation or dispute in the favor of the public interest.
- 5- For the supplier, in case it was not agreed to grant the product a certificate of conformity, the right of appeal or objection to the Authority within a maximum period of (60) days from the date of notifying him of the decision of non-approval. And the decision issued for the objection will be a final decision.
- 6- The supplier shall submit a new application for a certificate of conformity provided that the corrective measures and amendments required by the Authority's decision in response to the complaint or objection submitted by the supplier are done.
- 7- All parties subject to the provisions of this Decree shall provide the assistance and information required by the inspectors of the competent authorities and the implementation of its provisions.
- 8- The provisions of this Decree shall not preclude the inspectors of the competent authorities from inspecting and taking samples of

the product and conducting tests to ensure that the product conforms to the provisions of other legislations.

- 9- The Council may amend any of the standard contained in the attached table or adopt any other standard required by the implementation of this decree, in accordance with the provisions of Federal Law No. (28) for the year 2001 establishing the Emirates Authority for Standardizations and Metrology and its amendments.
- 10- The Council can issue the necessary decisions to implement the provisions of this Decree.

Article (8) **Transitional provisions**

A supplier who has put a product in the market prior to the publication of this decree in the Official Gazette shall be given a period not exceeding one calendar year from the date of publication to conciliate and correct the conditions of the product in accordance with the provisions of this decree.

Article (9) **Violations and Penalties**

- 1- Without prejudice to any penalty or procedure stipulated by Federal Law No. (28) for the year 2001 concerning the establishment of the Emirates Authority for Standardization and Metrology and amendments to other relevant legislations in case of violation of any of the provisions of Articles (3) and (4) of this Decree, Or the competent authority and, as appropriate, the signing of one or more of the following administrative sanctions:

- A- Coordination with the licensing authority to cancel the trade license of the supplier responsible for the violation.
 - B- Canceling the conformity certificate granted to the infringing product.
 - C- The offender shall incur the costs and costs of removing and remedying the damages caused by the violation if he does not remove or treat him.
- 2- In case that the Authority or the Competent Authority is unable to determine the person responsible for the non-compliance of the product with the requirements of this decision, the person whose violation was found shall be responsible for the non-conformity unless proven otherwise.

Article (10)
Grievance procedures

- 1- The decisions issued under the provisions of Article (9) of this Decree may be appealed, subject to the following:
- A- Submission of grievance to the Director General in accordance with the procedures determined by the Commission, within a period not exceeding (14) working days from the date of notifying the violator of the decision.
 - B- Attach all necessary documents explaining the cause of the grievance complaint.
- 2- The Director-General shall issue the decision he deems appropriate regarding the grievance submitted in accordance with the provisions of this Article within a period not exceeding 25 working

days from the date of its submission. The decision issued in this respect shall be final. The grievance shall be considered rejected if no action is taken within the period specified in this section.

Article (11)
Cancellations

Any provision stated in any other regulations shall be cancelled to the extent it conflicts with the provisions of these decree.

Article (12)
Publication and Validity

These decree shall be published in the Official Gazette and put into force following the date of the publication thereof. All Competent Bodies shall comply with the provisions of these decree.

Mohammed Bin Rashid Al Maktoum
The Prime Minister
Signed

Issued on: 6 Ramadan 1439 A.H
Corresponding to: 22 May 2018 A.D

**The Approved Standards Annex attached to the
Cabinet Decree No. (29) of 2018**

No.	Standard No.	Standard Name
1.	UAE.S/GSO 992	Yoghurt
2.	UAE.S/GSO 2483	Trans Fatty Acids
3.	UAE.S/GSO CAC 206	General Standard for the use of dairy terms
4.	UAE.S/GSO 174	Raw milk
5.	UAE.S/GSO 785	Flavoured milk
6.	UAE.S/GSO 569	Methods for sampling milk and milk products.
7.	UAE.S/GSO 2033	Laban Drink
8.	UAE.S/GSO 1338	Laban
9.	UAE.S/GSO 1375	Flavoured Laban
10.	UAE.S/GSO 2214	Code of hygienic practice for milk and milk products.
11.	UAE.S/GSO 474	Flavoured yoghurt
12.	UAE.S /GSO 1970	Dairy and dairy products- Pasteurized Camel Milk
13.	UAE.S /GSO 1983	Goat milk
14.	UAE.S GSO 1366	General requirements for handling of foods for special medical purposes.
15.	UAE.S GSO 1102	Milk paperboard containers
16.	UAE.S GSO 150-1	Expiration dates for food products- part 1: Mandatory Expiration dates
17.	UAE.S GSO 9	" Labeling of Prepackaged Foods ".
18.	UAE.S/GSO/CAC/GL 32	Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods
19.	UAE.S/ CAC/193	General Standards for Contaminants and

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		Toxins in Food and Feed
20.	UAE.S/ CAC/192	Additives Permitted For Use in Foodstuffs
21.	UAE.S CAC/MRL 2	Maximum residue limits for veterinary drugs in foods
22.	UAE.S CAC MRL 1	Maximum allowable limits of pesticides residue in agricultural and food products
23.	UAE.S GSO 839	Food Packages - Part I - General Requirements
24.	UAE.S GSO 2233	Requirements for Nutritional Labelling
25.	UAE.S GSO 1863	Food Packages - Part II - Plastic Packages - General Rquirements
26.	UAE.S GSO 2333	Requirements for Nutrition and Health Claims
27.	UAE.S GSO R87	Quantities of Products in Prepackages
28.	UAE.S GSO 1694	General Principles of Food Hygiene
29.	UAE.S GSO 1016	Microbiological Criteria of Food Product
30.	UAE.S GSO CAC GL 1	General Guidelines on Claims
31.	UAE.S GSO 2055-1	General Requirements for Halal Food
32.	UAE.S GSO 21	Hygienic Regulations for Food Plants and Their Personnel
33.	UAE.S GSO 323	General Requirements for Transportation & Storage of Refrigerated & Frozen Foods