



Al-Wakaye Al-Mesreya / Government Bulletin – Issue No. 161 (Supplement-F)
Dated July 16th, 2020

National Food Safety Authority
Authority's Board Resolution No. 6 of the Year 2020
On the Rules Regulating Food Import Licenses

Board Chairman
After Preamble

DECIDES THE FOLLOWING:

Article-1
Definitions



Authority: National Food Safety Authority

Food: Any product or material consumable by humans, whether it is a primary, crude or raw material that is partially or fully processed, semi processed or unprocessed, including beverages, bottled water or water added to food and any substance containing water, and gum, with the exception of fodder, plants and crops before harvest, live animals and birds before being sent to slaughterhouses, sea animals, fish bred in fisheries before being hunted, pharmaceuticals and cosmetics, tobacco and products thereof, narcotic drugs and psychotropic substances.

Food-associated substance: any substance that is associated with food or produced with the aim of association with food, including containers, wraps and packs.

Food circulation: any one or more operations of food production, processing, offering, putting up for sale, storage, preservation, packing, transportation, delivery, import or export; or licensing any of the aforesaid activities or approving them.

Food circulation license: the license issued by the Authority to the food facility to carry out the food circulation activity after ascertaining that it fulfills all the conditions of food circulation set out in the law and legislations of relevance to food safety.

Food facility: any facility that carries out an activity connected with food preparation, production, processing, storage, preservation, packing/



wrapping, labelling, import, export, transportation, delivery, or offering and putting up for sale to end consumer or another facility. This definition includes mobile or immobile facilities that aim or do not aim at profit, whether they are public, private, permanent or temporary. The definition also includes slaughterhouses of ruminants and poultry.

Food facility operator: the natural or juridical person responsible for ensuring the application of the conditions of the law and legislations of relevance to food safety in the facility supervised thereby.

Food imports: the food imported as per the definition of food and food-associated substance.

Importer: a food facility operator in whose name the customs manifest of food imports required to be released under the import duty or other customs systems is recorded, and who is responsible for fulfilling import rules.



Article-2

This resolution aims at setting rules for regulating the licensing of food importers and food facilities that carry out the activity of food import in the Arab Republic of Egypt, with a view to ensuring the safety and good quality of imported food, providing the utmost consumer protection against the risks related to imported food, and, in the meantime, enhancing the efficiency of final release of food imports by means of approving control measures to be taken in the exporting country, before importing food consignments to Egypt.

This resolution shall apply to every food facility or food importer whether it is a natural person or carries out the activity of food import from abroad with the aim of reusing the same or putting it up for sale in the local market.

Article-3

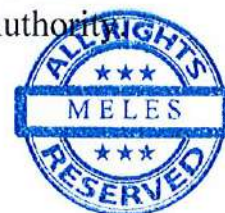
Those addressed by this resolution shall not carry out the food import activity except after obtaining a license from the Authority, as per the rules and procedures prescribed by this resolution.

Food importers who carry out their activities before enforcing the provisions of this resolution shall file an application to obtain the license



according to the provisions of this resolution, within six months starting from the day following its date of publication.

As regards the food processing facilities which are registered with the Authority and carry out a production or service activity within the limits of the requisites imported in their name or for their account with the aim of carrying out such activity, the facility's registration with the Authority shall be deemed as a license of the facility as a food importer on the lists of National Food Safety Authority, provided that such activity shall be recorded upon licensing the food circulation activity of the facility with the Authority.



Article-4 **License documentation**

A special register shall be established at the Authority for recording the food importer licenses. The license application shall be filed in writing or electronically on the form provided for this purpose, and shall fulfill the following data and documentation:

- 1- Name of the importer or his representative or commercial agent.
- 2- Name of the facility, trademark ownership, and tradename.
- 3- Tax card.
- 4- Commercial registry.
- 5- Legal form of the company, memorandum of association, partners' names, and name(s) of administrative manager(s) of this facility.
- 6- The company's activity indicating the foodstuffs required to be imported pursuant to the activity recorded in the commercial register.
- 7- The company shall have a premises in the Arab Republic of Egypt.
- 8- The contact data shall include correspondence address and e-mail address.
- 9- The customs number appropriated therefor by the Ministry of Finance.
- 10- Statement of the previous import works performed thereby as a food importer, by means of the company and/or the management and



operation officer thereat, under the same name of the facility or under any other name, during the last year as of the date of filing the application on the form provided for this purpose at the Authority.

- 11- Certified copy of the entry in the importers register at the Ministry of trade and Industry as per the law on importers' register No. 121 of the year 1982, and amendments thereof.

The license period shall be three years, and it shall be renewed at least two months before the end date of that period, otherwise the renewal application shall be deemed as a new license. The renewal application shall be filed in the name of the Authority's board chairman and shall be coupled with the receipt denoting the payment of prescribed fees.



Article-5 **Obligations of food importers**

The food importers shall adhere to the following procedures to obtain the food importer license:

- 1- Notifying the Authority of all the food facilities affiliated thereto, if any.
- 2- Undertaking to notify the Authority of any change made to the activities carried out in the facilities affiliated thereto, or the closure of any facility thereof.
- 3- The measures related to food safety and quality management that rely on the technical rules issued by the Authority on organizing the control on food imports, and the best international practices and continuing the application of the same. These measures include the following as a minimum:
 - a) The basic measures related to storing, transporting and distributing food consignments.
 - b) The measures connected with the preventive controls applied by foreign suppliers, which are verified by food importers such as conformity certificates issued by recognized global systems, and the ability to verify the recall/ retrieval plans, including the positioning system, within a time limit not exceeding twelve months.



Article-6
Obligations of the Authority vis-à-vis food importers

- 1- The Authority shall examine the documents submitted after fulfilling them, and notify the applicant whether or not he fulfills the Authority's license conditions, within a period not exceeding thirty working days.
- 2- In case of fulfilling the license documentation and conditions, the applicant shall be recorded in the food importers register kept by the Authority, and be published on the Authority's website.
- 3- In case the food importer does not fulfill the license conditions, his application shall be rejected, provided that the rejection decision shall be substantiated. If the rejection is due to non-fulfilling the food safety conditions by the food facility, the food importer shall be notified in writing or electronically of the rectification procedures that should be adopted thereby, and he shall be given a time limit to be determined by the board chairman for fulfilling such conditions.
- 4- The Authority shall review the standards and conditions of food safety, quality management systems and the procedures set and implemented by importers; and shall evaluate effectiveness of the same, do periodic follow-ups, check to what extent the importers continuously comply with the conditions issued thereby. This procedure shall be applied as a standard when the Authority implements the rules and decisions related to facilitating the procedures of examining and controlling the food imports based on risk analysis.
- 5- The Authority shall make a white (qualified) list including some of the food importers licensed and recorded with the Authority, and shall apply to them rules and decisions pertinent to facilitation of the procedures of examining and controlling food imports, and reduction of the customs release time. Such rules and decisions shall include the application of examination rates less than 100% to the imported consignments, on the basis of risks through standards for determining tracks of varied degrees for releasing the imported food consignments, as issued the Authority's board of directors.



Article-7 **Financial obligations**



The following amounts shall be paid annually:

L.E. 20000, fee of the license issued to the importer.

L.E. 5000, fee of the license issued to the food processing facilities registered with the Authority.

The above amounts shall be paid against a receipt issued by the Authority. In addition to this, some amounts shall be paid in return for certain services provided by the Authority, as per the following table:

| Amount in L.E. | Service |
|-----------------------|-------------------------------------------------------|
| 1000 | Request for data modification or addition of new data |
| 500 | Issuing a replacement of lost or damaged license |
| 200 | Issuing a copy of the license sheet |

Article-8 **Cases of license suspension or cancelation**

The board chairman may, by virtue of a decision therefrom, suspend or cancel the license in the following cases:

- 1- If there is a non-conformable case which reflects a certain level of risk and urges the Authority to take measures commensurately with the risk degree as per the risk assessment results and according to the global techniques.
- 2- Submitting incorrect data when applying for the license, renewing it, or modifying the data thereof.
- 3- Decease of the natural person or expiration of the company in any manner whatsoever.
- 4- Issuing a final court judgement against the licensee in any of the crimes stipulated in the laws on companies, import and export, customs, supply, suppressing deceit and fraud, combating money laundering or protecting competition and preventing monopolistic practices, or in the trade laws, unless he is rehabilitated.
- 5- Non submitting the renewal application to the Authority, and lapse of the due date set for the same.



The importer may challenge the board chairman's decision before the Grievance Committee.



Article-9

The board chairman may modify any condition of the license or add new conditions thereto, provided this shall be considered in the first following board meeting. The board of directors may issue annexes to this resolution.

Article-10

The persons in charge of implementing this resolution shall observe confidentiality of the data related to prices, invoices, customers names which they come to know. In case of failing to do so, they shall bear the criminal and civil liability.

Article-11

This resolution shall be published in Al-Wakaye Al-Mesreya/ Government Bulletin, and shall be enforced as of the day following its date of publication.

Board Chairman
Prof. Hussein Mansour