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Bahrain

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report

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Report Highlights:

This FAIRS Country Report contains detailed information of laws and regulatory requirements governing imports of food products into the Kingdom of Bahrain.

Section I. Food Laws: GCC-Wide Developments

The Kingdom of Bahrain is a member of the Gulf Cooperation Council (GCC) that includes Kuwait, Oman, Qatar, United Arab Emirates (UAE) and Saudi Arabia. With the exemption of Saudi Arabia, the USDA's Office of Agricultural Affairs (OAA), Dubai, covers the rest of the countries collectively known as the GCC-5.

Food Standards: The Gulf Standards Organization (GSO) is comprised of senior standards officials from the six GCC member countries in addition to a representative from Yemen which joined the GSO early last year. It is responsible for developing food and non food standards for the seven countries (GCC + Yemen). The GSO food standards committee has been actively updating food standards over the past few years. Based on the WTO notifications that have been reviewed thus far, the committee is working to harmonize existing standards with the guidelines of the Codex Alimentarius and other international food regulatory organizations. However, in some cases, differences still exist between some of the proposed new standards and existing international guidelines.

In theory, each GCC member should notify the WTO of any new proposed standard. However, typically one or two 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 standard committee, each member country is expected to officially adopt the standard, thus making it a domestic standard as well as a GSO standard.

In June 2007, GSO members approved two new standards for food shelf life and labeling. They replaced the old versions that were in dispute among GCC member countries, as well as other foreign countries. The new standards bring 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. GCC-5 countries except Bahrain, have officially adopted the new standards. Bahrain is applying the standards provisionally pending its final approval by the government.

The GSO has created subcommittees to follow-up on other food related issues.

1. Bio-technology 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. A working group has developed two Halal standards. The first standard outlines general Halal requirements and was notified to the WTO by Bahrain. The second standard outlines requirements for approving foreign halal centers, certifications and Halal labeling.

The GCC countries are currently working to update their food additive regulations. This new project will consolidate all Codex standards for all types of food additives (colors, sweeteners, emulsifiers, etc.) into one GSO standard. This project is expected to be complete in the near future.

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, 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, which provides that a product entering any GCC member market would be charged the appropriate duty only at the point of entry, and would then be accorded duty free transit treatment by GCC member countries. In practice, this policy is employed only with unopened containers transshipped between GCC markets. Partial shipments are subjected to five percent import duty in the country of destination. However, the GCC countries have postponed full implementation of the UCL and the single entry point until 2015, to allow members time to address disputed issues. It is expected that all goods, even partial shipments from opened containers, will eventually receive single-entry treatment once customs procedures are fully unified.

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 both the applied procedures for clearing food consignments and required import certificates for different types of foods. The intent is to help facilitate the movement of food products within the GCC

once customs unification is fully implemented. GCC member countries have decided to postpone the application of the guide to ensure that it complies with the guidelines of international organizations such as Codex Alimentarius, World Animal Health Organization and International Plant Protection Consortium.

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) are responsible for formulating food 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.

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 provisionally enforces GSO 9/2007 for labeling and GSO 150/2007 for shelf life, pending full adoption by the Government of Bahrain. 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)
8. Instructions for use (if any)
9. Special storage, transportation and handling instructions
10. Lot identification

(Note: There are no local nutritional labeling requirements. 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 expiration date. 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 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 products and brands. 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:

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.

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 that confirms 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 supplier name or country of origin and dates of production and expiry.

Poultry products are granted a 20 percent tolerance for salmonella bacteria. Inspection officials routinely test for salmonella and will reject a shipment if salmonella is detected in more than 20 percent of samples taken.

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 foods 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 visually inspecting labels, 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 must accompany them.

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 from special counters 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 are 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:

Nearly all of Bahrain's food imports enter the country via the Salman and Khalifa ports. Both ports are located in the capital, Manama. Both ports have state of the art facilities and equipment. Imports from Saudi Arabia, a major supplier of food products to Bahrain, usually arrive via the 25-mile long King Fahad causeway, which links Bahrain to its neighbor. Bahrain International Airport also receives a considerable amount of food products, particularly fresh fruits and vegetables, chilled meats and deli products.

Fresh products are usually cleared within 24 hours of arrival and all other food products within as little as two days to a week, depending on the type of laboratory analysis required.

The following documents are required for food imports:

- Commercial invoice
- Packing list
- Bill of Lading
- Health certificate from the country of origin
- Halal slaughter certificate (for meat, poultry and their products)
- Certified certificate of origin (see below)

Bahrain Embassy or one of its consulates in the United States must notarize the certificate of origin. Another Arab embassy or consulate may be used if a Bahraini government mission is not located near the exporter. If no other Arab government mission is located near the exporter, a statement from the local American chamber of commerce will suffice. Halal slaughter certificates are also required to be notarized by the Bahraini or any other Arab Embassy/Consulate. However, officials do accept non-notarized Halal certificates if issued by well known/reputed Halal center. Health certificates are not required to be notarized.

A consignment rejected for being unfit for human consumption must be re-exported (but not to another GCC country) or destroyed, normally within two to three months of arrival. Products denied entry due to labeling infractions may later be cleared upon appeal, provided the infraction was minor. New to market and ethnic food products with minor labeling infractions have been cleared for import on a one-time basis. Serious labeling infractions will result in rejection of a shipment with no real chance of successful appeal. Major labeling infractions include: label tampering, missing or incorrectly printed expiry date or date printed on the sticker rather than original label/packaging.

Bahrain performs 100 percent inspection on new-to-market products, high risk products and products that failed a previous inspection. All other products are subject to random sampling, including period laboratory analysis.

The Directorate of Agriculture, MMAA, inspects live animals and plants, feedstuffs and horticultural products at the port of entry.

In January 2003, Bahrain implemented the "GCC Unified Customs Law and Single Customs Tariff" (UCL). The UCL established a unified customs tariff of five percent on practically all processed food products. Under the UCL, live animals, fresh fruits and vegetables, seafood, grains, flours, tea, sugar, spices and seeds for planting are exempt from import duty. In 2006, Bahrain signed a Free Trade Agreement with the United States. Food products of U.S. origin that are consumed or utilized in Bahrain are exempt from the five percent GCC tariff.

Appendix I. Government Regulatory Agency Contacts:

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III. Ministry Of Commerce

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