



هيئة أبوظبي للزراعة والسلامة الغذائية
ABU DHABI AGRICULTURE AND FOOD
SAFETY AUTHORITY

Regulation No. (1) / 2008

**DESCRIPTION OF VIOLATIONS
RELATED TO FOOD & ITS HANDLING**

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The Chairman of Abu Dhabi Food Control Authority

- Having perused Law no. (2) for the year 2005 pertaining to the Establishment of Abu Dhabi Food Control Authority.
- And Law no. (2) for the year 2008 pertaining to Food in the Emirate of Abu Dhabi.

We decided the issuance of the following regulation with respect to description of violations related to food & its handling:

Article (1)

In this Regulation the terms and expressions of Law No. (02) 2008 shall apply, in addition to the following:

Law	Law No. 2 for the year 2008 pertaining to Food within the Emirate of Abu Dhabi.
Technical Rule	The mandatory standard issued by the Emirates Authority for Standardization and Metrology, which defines the characteristics of food or its production methods and processes and rules, terminology and codes, packaging and labeling requirements applicable to the food product, as well as the technical decisions and regulations issued by the authority in this regard.
Food Handler	Any person handling food directly or indirectly.
Contaminants	Any substance not intentionally added to food, which is present in such food as a result of the production (including operations carried out in crop husbandry, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food or as a result of environmental contamination.

Extraneous matter:	Any substance, whether organic or non organic which is not a component of the food, including the impurities, stones, dust, waste, extraneous seeds and remnants of dead insects and rodents.
Pesticides:	Any substance intended for preventing, destroying, attracting, repelling, or controlling any pest including unwanted species of plants or animals.
Pesticide Residues:	Any specified substance in food, agricultural commodities, or animal feed resulting from the use of a pesticide.
Veterinary drugs:	Any substance applied or administered to any food producing animal, whether used for therapeutic, prophylactic or diagnostic purposes or for modification of physiological functions or behavior.
Veterinary drug residues:	The parent compounds and/or their metabolites in any edible portion of the animal product, and include residues of associated impurities of the veterinary drug concerned.
Nutritional claim	Any representation on the food label which states, suggests or implies that a food, or one of its ingredients, has particular nutritional properties including a description of the content of food ingredients or comparing with other food ingredients.
Health claim:	Any representation on the food label that states, suggests, or implies that a relationship exists between a food, or a constituent of that food and health and their impact on human health, including the diagnosis, treatment, recovering or mitigation from or prevention from a disease or its symptoms.

Article (2)

For the purpose of implementing this regulation, food shall be considered harmful to health in any of the following cases:

- 1- If the food contains any poisonous material or cause harm to human health.
- 2- If the food contains pesticide residues or contaminants in an amount higher than permitted in the technical regulations and standard specifications.
- 3- If the food contains a food additive which is banned from use in accordance with the technical rules and standard specifications.
- 4- If the food contains any food additive permitted for use, but in a higher levels than permitted in accordance with the technical regulations and standard specifications.
- 5- If the food that is expired, as indicated in the label, is handled.
- 6- If the food is deteriorated, decayed or contaminated with bacteria, viruses, fungus or their poisons or parasites, worms or insects during any of its stages or extraneous matters, all of which may cause harm to human, or in levels higher than allowed in technical regulations and standard specifications.
- 7- If the food is handled in conditions that makes it harmful to health or exposed to cross contamination including food borne diseases.
- 8- If the food is a result of an animal which is sick or carrier to any disease that makes it unfit for human consumption or from animal that died prior to slaughtering.
- 9- If the food package is made from materials which is not compliant with the requirements of this food item.
- 10- If the food is contaminated with radioactive materials or if the radioactivity limit is higher levels than permitted in the technical regulations and standard specifications.
- 11- If the food contains any hormones or drugs including veterinary or any residues in higher levels than permitted in the technical regulations and standard specifications, or in case of absence of standard specifications which permits the use of such materials or their residues in food.
- 12- If the food contains any allergens or precautions that may have an adverse effect on human health, without being declared on the food label.
- 13- If the food is not recalled in case of proven unfit for human consumption in accordance with the provisions of paragraph (3) of Article (6) of the Law.

Article (3)

Food shall be considered adulterated in any of the following cases:

- 1- If the food contains any food additive that is permitted but not allowed for use in such food item in accordance with technical regulations and standard specifications.
- 2- If any of the food ingredients was removed, changed or recomposed without stating that on the food label and such procedures were permitted according to the regulations, instructions and decisions issued by the Authority.
- 3- If any substance was added to the food which reduces its nutritional value, for the purpose of profit or to hide any defect, increase in size or weight, or to confer the appearance of fresh food.
- 4- If the food contains any pork ingredients or alcoholic substances, with the prior approval, but without declaration on the food label.
- 5- If any amendment is made on the shelf life of the food for human consumption without the prior approval of the Authority on such amendment.
- 6- If the food is handled in conditions not in compliance with the approved requirements and scientific basis endorsed by the authority for food handling.
- 7- If the food does not comply with the quality requirements stated in the technical regulations and standard specifications.
- 8- If the food was handled without the presence of the food label.

Article (4)

Food shall be considered misleading to the consumer in any of the following cases:

- 1- If the food was packed or prepared in a manner that is misleading or indicates fraud or the food label was misleading, for the purpose of commercial promotion.
- 2- If the food contains any permitted food additive without being declared on the food label.
- 3- If the food label did not include all information stated in the technical regulations and standard specifications.
- 4- If the food label did not include all information in Arabic language.

- 5- If the food label contains any health and/or nutritious claim without the prior written approval.
- 6- If the food label contains any words, expressions, phrases, information, graphics, photographs or logos that are unclear according to handling conditions.
- 7- If the food was subject to irradiation for the purpose of preservation, without being declared on the food label.
- 8- If the food contains any modified or genetically modified materials, without being declared on the food label.

Article (5)

The provisions of clause (5) of Article (16) of the Law shall be applicable on any of the following cases:

- 1- If any food was handled although been detained in accordance with the provisions of law and regulations issued accordingly.
- 2- Reopen any food establishment although been closed or seized its license, without the prior approval of the Authority in accordance with the provisions of the law and regulations issued accordingly.
- 3- Handling of any food although a condemnation or re-export decision has been issued to this food item.
- 4- If the food originates from an animal that has not been slaughtered in accordance with the Islamic rights in a licensed slaughterhouse and under the supervision of veterinarian in accordance with technical regulations and standard specifications.
- 5- Anyone who violates the provisions of Article (3), Article (4), Article (5), paragraph (1) and (2) of Article (6), paragraph (2) and (3) of Article (7) of the law.

Article (6)

The delegated official with judicial powers may take any action stated in Article (14) of the Law, and for this purpose the Director General issues a decision to specify and unify deployed control procedures for all cases.

Article (7)

The delegated official with judicial powers may issue a decision to condemn food, including meat and dairy and their products handled in the local market, or any other perishable food on the owner's or possessor's expense if proved by sensory evaluation based on scientific bases, or on laboratory report issued by any of the Authority's laboratory or any other accredited laboratory, that such food is unfit for human consumption.

Article (8)

- 1- The Director General or his delegated personnel, may detain any food for the purpose of reconditioning and to allow its entry to the Emirate once in compliance with technical regulations, if proven that the food is fit for human consumption but does not comply with technical regulations and standard specifications.
- 2- The Director General or his delegated personnel, may re-export any food on the importer's expense if the food proved adulterated or is misleading to the consumer.

Article (9)

For the purpose of protecting the public health and preventing any harm, the Director General or his delegated personnel, may issue a decision to close the food establishment until the owner overcomes the violation or a final court decision is issued by the court, and in all cases the establishment shall not be re-opened unless an official approval is issued by the Authority.

Article (10)

This Regulation shall come into force directly following signature and shall be promulgated in the Official Gazette.

Mansour Bin Zayed Al Nahyan

The Chairman

Issued in Abu Dhabi on:

Date: 26 August 2008

Corresponding to: 25 Sha'ban 1429 Hijri