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Kuwait

Food and Agricultural Import Regulations and Standards

Country Report

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Report Highlights:

Kuwait enforces food shelf life standards on 44 food products and recognizes manufacturer set standards on all other food products. Arabic language labels are required, although stickers are accepted. There are no import quotas or other non-tariff barriers known to be in place. On April 1, 2003, Kuwait's National Assembly (Parliament) approved the flat 5-percent duty on most imported food products required by the GCC Customs Unification Law. This new duty will come into effect as soon as it is published in the Official Gazette, expected to be imminent.

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KUWAIT: FOOD IMPORT REGULATIONS

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DISCLAIMER: This report has been prepared by the Agricultural Trade Office of the USDA/Foreign Agricultural Service in Dubai, U.A.E. for U.S. exporters of domestic food and agricultural products. While every possible care has been taken in the preparation of this report, the information provided may 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 have been verified with local authorities through your foreign importer before the sale conditions are finalized. **FINAL IMPORT APPROVAL OF ANY PRODUCT IS ALWAYS SUBJECT TO THE RULES AND REGULATIONS AS INTERPRETED BY THE COUNTRY OF IMPORT AT THE TIME OF PRODUCT ENTRY.**

1. General Food Laws

Kuwait is a member of the Gulf Cooperation Council (GCC) which also includes Bahrain, Oman, Qatar, the United Arab Emirates and Saudi Arabia. GCC member states are working hard to implement a harmonized GCC-wide food standard, inclusive of label and shelf-life requirements, by 2006.

In 1993, the GCC initiated the process towards regulatory harmonization of their food standards with issuance of Gulf Standard (GS) 150/1993, Part I, which established a regional food shelf-life standard. Products must have more than half their stated shelf-life remaining to be eligible for entry into GCC markets.

On January 5, 1997, Kuwait's Ministry of Commerce and Industry issued Ministerial Decree (MD) 146/1996, which recognized GCC shelf-life standards for 44 out of the 75 products covered under GS 150/1993, Part I. On July 5, 1997, this MD went into force. (See Appendix A for a list of the products covered under MD 146 and their shelf-lives.)

Since September 1998, Kuwait Municipality have recognized a 6-month shelf-life period for fresh table eggs instead of 3-month period stipulated in MD 146/1996. This is of particular interest to U.S. suppliers who considered the 3 month shelf-life condition difficult to meet.

Kuwait recognizes the manufacturer-recommended shelf-life duration for those food products not identified in MD 146/1996. Many Kuwaiti importers, however, still require that all food products comply fully with GS 150/193 (GCC shelf-life standards), to ensure marketability in other GCC countries.

In January 2003, the GCC implemented the long discussed "Unified Customs Law and Single Customs Tariff" (UCL). Under the UCL, a unified customs tariff of five percent is to be applied on practically all imported food products. Also, the "single entry point" policy is to be applied under which the new tariff would be accessed at the GCC point of entry, and not at the border for intra-GCC trade.

On April 1, 2003, Kuwait's National Assembly (Parliament) unanimously approved the UCL which will be implemented as soon as it is published in Kuwait's Official Gazette, expected to be imminent. With Kuwait's implementation of the UCL, the unified import tariff on practically all processed food products in the six GCC countries will be five percent. ATO Dubai will soon report on the food products that are exempted (or excepted) from the unified five percent import duty in the countries it covers. Kuwait exempted all food products from import duty in the past.

For a variety of reasons not all GCC member countries are applying the "single entry point" policy. Reasons given include: disparity in internal food control procedures, quality of health laboratories, lack of a standard documentation requirement and procedures for dividing tariff proceeds among the member countries.

Kuwaiti officials are willing to work with companies to ensure that food and agricultural imports are not disrupted. For example, officials are willing to approve food labels prior to product export. Pre-export approval can significantly speed import clearance, particularly for new-to-market products and brands.

The Department of Standards and Metrology, Public Authority for Industry (PAI), in cooperation with other concerned departments, including the Kuwait Municipality (KUM), the Ministry of Public Health (MOPH), the Public Authority for Agricultural Affairs and Fish Resources (PAAFR) and the Kuwait Institute for Scientific Research (KISR), are responsible for establishing local food safety regulations. New regulations are officially announced in a ministerial decree and published in the official gazette of Kuwait. Usually, a grace period of up to six months is granted prior to enforcement of any new regulation.

Regulatory enforcement is divided between the KUM, MOPH and PAAFR. The Food Department of KUM is responsible for visually inspecting all imported food products, verifying compliance with label regulations and drawing samples for laboratory analysis by the MOPH. In general, new-to-market products and products that have failed past inspections are subjected to thorough inspection. Laboratory testing may take 7-10 days depending on the type of tests required. In some cases, the testing may take 2-4 weeks to be completed.

Compliance disputes are handled by a "Food Committee" comprised of representatives from the KUM, MOPH, PAI, PAAFR, KISR and the Kuwait Chamber of Commerce and Industry. The committee determines the validity of a complaint and can order re-inspection if found to be warranted. Trade contacts report that consignments with minor labeling infractions may be granted a one-time waiver provided the products are found to be safe for human consumption.

Live animals and plants, feedstuffs and horticultural products, such as seeds for planting, are inspected at the port of entry by the PAAFR, which decides if quarantine is warranted. Feedstuffs samples are routinely analyzed at a special PAAFR laboratory.

To facilitate entry, a supplier is strongly encouraged to work closely with his local importer to obtain pre-export label approval, particularly for a new-to-market product, and to ensure that the product meet all local import requirements.

2. Labeling Requirements

Kuwait Standard (KS) 42/1973 contains the regulation for labeling. It is identical to GS 9/1984. Under KS 42, food labels must include the following information, in Arabic, on the original label or the primary packaging:

- Product and brand name
- Country of origin
- Ingredients, in descending order of proportion
- Additives, if any
- Origin of animal fat (e.g., beef fat), if applicable
- Net content in metric units (volume in case of liquids)
- Production and expiry dates (English only is also permitted, as is Arabic/English)
- Manufacturer's and/or packer's name and address
- Special storage, transportation and preparation instructions, if any.

Bilingual labels are permitted, provided one of the languages is Arabic (e.g. Arabic/English). Arabic language stickers are permitted in lieu of original Arabic or bilingual labels, provided the sticker: 1) is extremely difficult to remove; 2) includes all required label information; 3) does not cover required information on the original label; and 4) does not contradict information on the original label. In fact, local officials consider such stickers to be labels.

Production and expiry (P/E) dates must be engraved, embossed, printed or stamped directly onto the original label or primary packaging at the time of production, using indelible ink. As noted above, these dates may be printed in English only, Arabic only or English/Arabic. These dates may not be printed on a sticker. U.S. bar coding is not permitted in lieu of P/E dates and a label may not contain more than one set of P/E dates. The dates must be printed in digit form (no text is permitted) in the following order, depending on the shelf-life of the product:

- Day/month/year for products with a shelf-life of 6 months or less;
- Month/year for products with a shelf-life longer than 6 months.

For example, 01/01/2001 is permitted for a product with a shelf-life of 6 months or less; 1/JAN/2001 is not an acceptable format.

Since September 1998, Kuwait Municipality has required that all P/E dates for food products include all 4 digits for the year rather than 2 digits, as had been accepted previously. However, as most food suppliers could not comply, this regulation was not enforced.

As noted earlier, Kuwait enforces GCC shelf-life standards for 44 food products (Appendix A) and recognizes manufacturer-established shelf-life standards for all other food products. Importers, however, are increasingly requiring exporters to comply with all GCC shelf-life standards, even those not officially enforced by Kuwaiti officials so that surplus stock can be transhipped to third markets when the trade environment necessitates such action.

All special food products, such as diet, health and infant foods and artificial sweeteners must be pre-registered with the Nutrition Unit of the Ministry of Public Health. Labels for these products must contain detailed information about ingredients (e.g., vitamins, minerals, supplements, food colors, preservatives, etc.), nutritive value per 100 grams, health warnings if any, and instructions for proper use and storage. The U.S. nutritional panel is permitted.

Special food products must be displayed separately from other foods in retail outlets, in well-marked locations. Media advertising for these products requires prior approval from the MOPH. General requirements for packaged special foods are covered under KS 859/1997 which is identical to GS 654/1996.

Products shipped in bulk or institutional-sized containers must comply with all label requirements. P/E dates, however, are not required for certain products including fresh fruits and vegetables, fresh bakery items and products deemed to have extremely long shelf-life durations, such as salt and sugar. Production dates are recommended, however, for these products and often are requested by an importer. Products arriving clearly marked as samples not intended for sale, are exempt from labeling regulations.

3. Food Additives

In general, local regulations governing the use of food additives are based on Codex Alimentarius standards. Post observation is that U.S. food products are rarely found to have unauthorized additives.

Color additives are regulated under KS 214/1999, which is identical to GS 23/1998. Under this standard, 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 permitted. (See Appendix B for a list of color additives currently approved by Kuwait).

Other food additives such as preservatives, flavorings, antioxidants, emulsifiers and others are regulated under KS 147/1994, which is identical to the Codex Alimentarius standard. Sweeteners allowed for use in food products are listed in KS 1176/1999 which is identical to GS 995/1198.

4. Pesticide and Other Contaminants

Local regulations governing pesticide and other contaminant residue levels are based on Codex Alimentarius standards. Specifically, KS 514/1994 regulates pesticide and other contaminant residues in food products. Two new standards, KS 720/1995, which is identical to GS 382/1994 and KS 721/1995, which is identical to GS 383/1994 were issued as guidelines on pesticide and other contaminant residue levels, on a voluntary basis, respectively as Part I and Part II.

5. Other Regulations and Requirements

All food consignments must be accompanied by a health certificate issued by the appropriate government agency in the country of origin, attesting to the product's fitness for human consumption. In addition, 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. Islamic (Halal) slaughter requirements are covered under KS 1174/1999 which is identical to GS 993/1998.

Inspection officials routinely check for salmonella in poultry products. A shipment will be rejected for import if salmonella is detected in more than 20 percent of the tested samples.

The importation of alcoholic beverages and pork, and food products containing alcohol or pork, is prohibited. In addition, it is prohibited to import a product with a label containing a picture of alcohol or pork, or a recipe requiring these products even though the imported product is free of these ingredients. Since late 2000, non-alcoholic beer, referred to as malt beverage, has been permitted to be imported on condition that the alcohol level does not exceed 0.05 percent.

There are no special packaging or container-size requirements for food products. Boxes for fresh fruits and vegetables, however, are regulated by KS 65/1992 which is identical to GS 124/1990.

The importation of irradiated food products is permitted, but the product's label must clearly indicate that the product has been irradiated. KS 1171/1999, which is identical to GS 988/1998, defines the maximum irradiation levels permitted by food product group.

Local food safety inspectors randomly check food products present in the market. In addition to visual inspection of labels, samples are taken and analyzed to ensure that ingredients match those listed on the label. These inspections are conducted without knowledge of the importer. If a discrepancy is found, the importer is informed and the product recalled from the market and destroyed at the importer's expense. If the infraction is severe (e.g. traces of pork are found) or an importer has been found to have intentionally altered or falsified a product's label, the product may be banned from the market for a specified period of time, usually six to twelve months.

6. Other Standards

There are no special requirements regulating the import of food samples. Samples destined for food shows and other types of promotional events are exempt from local label and shelf-life regulations. Such shipments, however, must still be accompanied by a health certificate, as well as an invoice noting that the product is not for sale and has no commercial value.

7. Copyright / Trademark Laws

In 1999, Kuwait passed its first copyright protection law. Since 1998, Kuwait has been a member of the World Intellectual Property Organization (WIPO). Copyright holders are permitted to collect civil damages from violators.

On January 14, 2001, Kuwait's new patent and trademark legislation took effect, bringing the country into compliance with the WTO's "Trade Related Aspects of Intellectual Property Rights" (TRIPS) agreement. Brand registration is recommended to protect both the importer and foreign supplier against parallel imports and copycat labels. The trademarks section of the Ministry of Commerce and Industry (MOCI) is responsible for product registration which usually can be completed within a short period of time.

Agency agreements are regulated by Commercial Law 36/1964, as amended by Commercial Law 68/1980.

8. Import Procedures

Food products are imported primarily through the Port of Shuwaikh in Kuwait City and Port of Shuaiba which is about 25 miles south of the city. Both ports boast state-of-art equipment. Many fresh and chilled products are imported via Kuwait International Airport, located a short distance from Kuwait City. Fresh produce from nearby Middle East countries is imported by refrigerated truck via land entry points.

While it can require as little as 2-3 days to clear a consignment through customs, health clearance can take 7-10 days due to laboratory testing. For some products it may take two to four weeks. Fresh products, however, are usually cleared within 24 hours of arrival. Once customs clearance is obtained, an importer may elect to store a consignment in his own warehouse under bond, pending health clearance.

The following documents are required for food imports:

- Commercial invoice
- Packing list
- Bill of Lading
- Health certificate
- Halal slaughter certificate (for meat and meat products)
- Certificate of Origin

The Halal and country of origin certificates must be notarized by both a local Arab Chamber of Commerce and a Kuwaiti diplomatic mission in the exporting country. If the latter is not present, any other Arab diplomatic mission, except Iraqi, is acceptable.

A consignment rejected due to unfitness for consumption reasons must be re-exported (but not to another GCC country), or destroyed by local authorities, normally within six months of arrival.

As noted earlier, a shipment's rejection may be appealed to a special committee comprised of representatives from various government ministries. Additional testing will be conducted. If the consignment tests as fit for human consumption, a third round of tests would be conducted to verify the new results. If the results are unchanged, the shipment is released. If the results are negative, the shipment will be rejected and the appeal closed. An importer may store a consignment in his own warehouse under bond, pending the outcome of an appeal.

Products rejected for minor labeling infractions may be allowed entry upon appeal. Trade contacts report that new-to-market and ethnic food products are normally allowed entry on a one-time basis, despite minor labeling infractions. Infractions of production/expiry date regulations (e.g., missing or incorrectly printed dates or dates printed on stickers rather than original labels/packaging) will result in the rejection of the shipment.

9. Appendices

Appendix A: Shelf-life Standards

Kuwait enforces GCC shelf-life standards on the following food products and product categories.

(1) Frozen foods (stored at temperatures not exceeding -18C):

Product	Packing	Shelf Life	Remarks
Ice cream	Suitable containers	12 months	
Fruits	Suitable containers	12 months	
French fries	Plastic bags	18 months	
Eggs	Suitable containers	9 months	

(2) Chilled foods (stored at temperatures from 0-5C):

Product	Packing	Shelf Life	Remarks
Yogurt and flavored yogurt	Suitable containers, hermetically sealed	10 days	
Heat treated yogurt	Suitable containers	6 weeks	
Processed cheese	Non-metallic packages	18 months	
Butter	Suitable containers	2 months	
Margarine	Plastic sheet packages	3 months	

(3) Packaged products stored in well ventilated areas at suitable temperatures:

Product	Packing	Shelf Life	Remarks
Canned meat	Sterilized metal containers	24 months	
Canned seafood	" "	24 months	
Evaporated milk	" "	12 months	
Full cream dried milk	" "	18 months	
Processed cheese	Metallic containers	18 months	
Dried fruit juices	Suitable containers	18 months	
Jams, jellies and marmalades	Cans or glass jars	24 months	
Hot sauces	Glass containers	24 months	
Pickles	Tightly sealed glass containers	18 months	
Breakfast cereals such as corn, wheat and rice flakes, etc	Paper or aluminum foil containers	12 months	
Dried milk-based baby foods	Tightly sealed metallic containers or packed under vacuum and sterilized	18 months	
Fruit juices for babies	Tightly sealed glass containers, sterilized	12 months	
Powdered or granulated baby foods prepared from cereals, legumes, fruits or vegetables, etc.	Carton containers lined with aluminum foil	12 months	
	Metallic containers vacuum packed or in inert gas and tightly sealed		
Cocoa powder	In metallic, glass or aluminum foil containers, packed under vacuum or in inert gas	24 months	
Ground roasted coffee	In metallic or aluminum foil containers, packed under vacuum or in inert gas	18 months	
Instant coffee	Metal or glass containers	24 months	
	Aluminum foil or special paper packs	12 months	

Cake mixes	Paper or aluminum foil packages	18 months	
Flour	Cloth bags	6 months	
Macaroni (pasta products)	Carton containers or plastic bags	24 months	
Starch, all types	Paper or plastic packages	24 months	
Plain hard candies	Suitable containers	24 months	
Enriched, fortified hard candies	Suitable containers	12 months	
Powdered soups	Paper, plastic or aluminum foil containers	18 months	
Vinegar, all types	Glass containers	24 months	
Brown sugar	Paper or plastic bags	18 months	
Halawa Tehinah (an Arabic sweet)	Metallic or plastic containers	12 months	
	Wrapped in paper or aluminum foil	6 months	
Tehina (sesame oil emulsion)	Suitable containers	9 months	

(4) Food products that require storage at specific temperatures:

Product	Packing	Storage Condition	Shelf Life	Remarks
Fresh beef and buffalo meat	Suitable containers	Temp. 0C to -2C	21 days from slaughter date	
Fresh mutton and goat meat	Suitable containers	Temp. 0C to -2C	14 days from slaughter date	
Vacuum packed fresh meats	Plastic containers	Temp. 0C to -2C	10 weeks from slaughter date	To arrive within 40 days from slaughter
Stuffed or covered biscuits	Cans	Temperatures not exceeding 25C in well ventilated stores, far from moisture and contamination sources	12 months	
Flour	Paper or plastic bags		12 months	
Mayonnaise	Glass or metal containers		12 months	
Fresh eggs (table eggs)	Suitable containers	Stored at 4-10C	3 months (1)	
All kinds of chocolates	Paper, aluminum foil or plastic containers		12 months	

(1) Subsequently amended to 6 months.

Kuwait will continue to recognize shelf-life durations as set by manufacturers for those products/categories not listed above. The U.S. supplier is encouraged to work closely with his import agent to ensure that the product complies with all local import requirements. A product must arrive in Kuwait before half the product's shelf-life has elapsed.

Appendix B: List of Permitted Food Colors

The following is a list of food colors, natural and artificial, permitted in Kuwait :

A. Natural Food Colors

Color/Description	International Number	Other Names
Red to Yellow Colors		
Carmines	120	Cochineal, Carminic Acid
Annato extracts	160B	Bixin, Norbixin
Beta Carotene	160A	Carotene blend
Lycobine	160D	
Beta-Apo-8-carotenal	160E	
Beta-Apo-8-carotenoic acid	160F	
Lutein	161B	
Carrot oil	None	
Beet root red	162	Betanine
Red to Purple Shade		
Anthocyanins	163(i)	
Grape skin extract	163(ii)	
Blackcurrant extract	163(iii)	Enocianina
Beet powder	None	
Paprika	None	
Paprika oleoresin	160C	
Orange and Yellow Colors		
Saffron	None	Natural yellow 6
Turmeric powder	100(ii)	
Curcumin	100(i)	
Turmeric oleoresin	None	
Riboflavin	101(i)	
Riboflavin-5-Sodium Phosphate	101(ii)	
Green Colors		
Chlorophylls	140	Chlorophyllins
Chlorophyll copper complex	141(i)	
Sodium and potassium salts of chlorophyll copper complex	141(ii)	
Brown Colors		
Plain caramel	150A	
Caustic sulphite caramel	150B	
Ammonia caramel	150C	
Ammonia sulphite caramel	150D	

Black Color

Activated vegetable carbon 153

Inorganic Colors

Titanium dioxide 171 Food white 6

Iron oxides 172

B. Artificial Food Colors**Red Colors**

Azorubine 122 Carmosine, Food red 3

Allura Red 17 129 Food red 40

Yellow Colors

Sunset yellow FCF 110 Food yellow 3, Food orange S, Yellow 6
for food, drugs and cosmetics

Tartrazine 102 Food yellow 4, Yellow 5 for food, drugs
and cosmetics

Brown Color

Chocolate brown HT 155 Food brown 3

Green Color

Fast green FCF 143 Food green 3, Green 3 for food, drugs and
cosmetics

Blue Colors

Indigotine 132 Carmine indigo, Blue 2 for
food, drugs and cosmetics , Food blue 1

Brilliant blue FCF 133 Food blue 2, Blue 1 for food, drugs and
cosmetics

Black Color

Brilliant black BN 151 Food black 1, Black PN

C. Coloring Matters Allowed for Use in Selected Foods

International Number	Color	Food	Maximum Limit
127	Erythrosine	Cherry and Products	None
128	Red 2 G	Sausages	20 ppm
161G	Canthaxanthin	Cooked Sausages	30 ppm
		Frozen Foods	100 ppm
173	Aluminum	External Cover for Cake and Pasta	According to Good Production Practice
174	Silver	External Cover for Sweets	According to Good Production Practice
175	Gold	External Cover for Sweets	According to Good Production Practice
180	Lithotrubine	Cheese Covering	According to Good Production Practice
None	Orange B	Sausage and Frankfurters Covering	150 ppm
None	Citrus Red 2	Orange Peel	2 ppm

Parts per million (ppm).

D. Recently Prohibited Colors

International Number	Color	Remarks
104	Quinolin yellow	Prohibited in all food products
124	Ponceau 4R	Prohibited in all food products

Appendix C: Regulatory Agencies / Useful Contacts

Name/Address	Field of Speciality
A. Government	
<p>Mr. Yousef Shehab Al-Baher Vice Director General for Standards and Industrial Services Affairs Public Authority for Industry P.O. Box 4690 Safat 13047 Kuwait Tel: (965) 431-8451 Fax: (965) 431-8159</p>	<p>Food safety and other standards</p>
<p>Mr. Khalid A. Al-Fahed Director of Standards & Metrology Dept. Public Authority for Industry P.O. Box 4690 Safat 13047 Kuwait Phone: (965) 431-8740 Fax: (965) 431-6704</p>	<p>Food safety and other standards</p>
<p>Dr. Sultan A. Sultan Al-Khalaf Deputy Director General for Animal Resources Public Authority for Agricultural Affairs and Fish Resources P.O.Box 21422 Safat 13075 Kuwait Tel: (965) 476-5038/26 Fax: (965) 472-3896</p>	<p>Livestock and pet import regulations and inspection</p>
<p>Dr. Siham Al-Mufti Director of Public Health Laboratories Ministry of Public Health P.O.Box 35699 Shaab 36057 Kuwait Tel: (965) 265-3631 Fax: (965) 265-3483</p>	<p>Analysis of imported food products</p>
<p>Dr. Mohammed Al-Muhanna Director of Animal Health Dept. Public Authority for Agriculture Affairs and Fish Resources P.O.Box 21422 Safat 13075 Kuwait Tel: (965) 471-7123 Fax: (965) 472-2417</p>	<p>Livestock and pet import regulations and inspection</p>

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Food import regulations
and inspection

Mr. Khalid Al-Breeki
Deputy Director for Technical Affairs
Food Department
Kuwait Municipality
P.O. Box 10
Safat, Kuwait 13001
Tel: (965) 572-0382; Fax: (965) 572-6816

Food import regulations
and inspection

Mr. Khalid H. Al-Zahmoul
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Kuwait Municipality
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Food import regulations
and inspection

Mr. Abdul Aziz J. Al-Ramadhan
Supervisor of Foreign Trade Statistics
Central Statistics Office
Ministry of Planning
P.O. Box 26188
Safat 13122 Kuwait
Tel: (965) 243-0414; Fax: (965) 242-7562

Agricultural production
and trade data

H.E. Sheikh Fahed bin Salem Al-Ali Al-Sabah
Chairman of the Board and
Director General
Public Authority for Agricultural
Affairs and Fish Resources
P.O.Box 21422 Safat
13075 Kuwait
Tel: (965) 476-1116/7/8/9 Fax: (965) 476-5551

Livestock and
horticultural products
import regulations and
inspection

B. Non-government

Mr. Ahmad Rashed Al-Haroun
Director General
Kuwait Chamber of Commerce and Industry
P.O.Box 775 Safat
13008 Kuwait
Tel: (965) 80-55-80 Fax: (965) 240-4110

Commercial regulations and
trade data

Mr. Adel Al-Huwail, Director
Commercial Relations Department
Kuwait Chamber of Commerce & Industry
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Commercial regulations and
trade data

END OF REPORT