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Food and Agricultural Import Regulations and Standards

GCC Proposes Standardized Import Procedures for Food Products

2007

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Report Highlights:

Gulf Cooperation Council food safety officials have drafted a set of standardized import procedures for food products that are scheduled to go into effect on January 1, 2008. The procedures include a set of five standard certificates covering general food products, eggs, and egg products, meat, dairy and seafood. A number of the proposed certification requirement could pose new challenges for exporters, regulators, and certifiers. Bahrain has notified the WTO of the new requirements and comments are due by July 11, 2007. Local officials indicate that they are open to comments and willing to make adjustments. ATO Dubai recommends that industry and regulatory officials review these documents (attached to this report) to determine if there are certification requirements or procedures that should be modified.

Includes PSD Changes: No
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Disclaimer: This summary is based on a *cursory* review of the subject announcement and therefore should not, under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests. In the event of a discrepancy or discrepancies between this summary and the complete regulation or announcement as published in Arabic, the latter shall prevail.

ATO Dubai Executive Summary

Food Safety officials from the Gulf Cooperation Council (GCC) met earlier this month to approve a draft "Guide for Control of Imported Foods Through GCC Entry Points." The Guide was drafted by the Government of the United Arab Emirates and notified to the World Trade Organization by the Government of Bahrain as notification number SPS/N/Bhr/8 with a comment deadline of July 11, 2007. This Guide is meant to standardize import clearance procedures for food products in Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. The procedures are scheduled to go into effect on January 1, 2008, when the GCC unifies its customs procedures. If customs unification is delayed, ATO Dubai understands that implementation of these requirements will also be delayed until customs procedures are finalized. The new guide provides details on the following:

1. Required documentation for food products.
2. Auditing and thresholds and procedures for rejecting shipments.
3. Inspection procedures for food imports.
4. Post-inspection procedure.

Perhaps most importantly, the Guide introduces import certificate requirements for general food products, chilled and frozen meats, dairy products, eggs, and egg products.

The GCC is currently preparing an official English translation of the Guide. ATO Dubai has attached an unofficial translation of key sections to this report along with copies of the five proposed certificates. GCC officials indicate that they are open to comment, either via the official WTO channel or directly to the GCC. U.S. exports to the GCC are valued at \$1.0 billion annually and we would encourage U.S. regulatory agencies, industry groups and exporters to review the Guide to determine if there are requirements that would unintentionally complicate trade.

ATO Dubai Analysis

The Guide is meant to unify food import clearance procedures among GCC countries. For some countries, the new requirements may be an improvement over current procedures, for others, this could be a step backwards in terms of the ease with which products are cleared. Nevertheless, if implemented properly, this approach should at least standardize requirements and improve transparency for importers and exporters. The main challenge will likely be implementing the proposed certificates. In discussions with ATO Dubai, GCC officials have encouraged U.S. officials to officially comment on the components of the Guide. They realize that there may be implementation hiccups and have indicated that they may allow for a grace period of up to a year before fully enforcing the requirements outlined in the Guide.

ATO Dubai has reviewed the certificates and requirements and has identified some items that could pose challenges for U.S. exporters. This is not meant to be a definitive reading of the issues, but merely an attempt to highlight some potential issues. Government and industry regulatory and technical experts will be in the best position to identify potential issues. ATO Dubai's comments follow.

General Comments

It may be necessary to confirm with GCC officials that it will not be necessary to adopt the exact GCC certificate format. Rather, GCC officials should allow existing U.S. health and export certificates to simply include, as addenda, the information requested by the GCC.

Many of the proposed certificates represent a significant increase in the points that U.S. inspectors will have to certify. For example, the meat certificate has 14 points that must be certified. Currently, the UAE accepts the standard FSIS certificate for beef imports. This may be the result of GCC perceptions that some of the many countries that export to the region do not have sufficient regulatory oversight.

All certificates would require production and expiry dates to be listed on the certificate. Currently, products that are exported to the GCC must be labeled with production and expiry dates; however, ATO Dubai understands that this is the first time that the dates would have to be listed on the certificate. For a container with multiple products and multiple dates per product, this requirement could be quite cumbersome to manage.

Comment: Certificate #1 – “For Food Import Health Certificate”

1. ATO Dubai understands that this certificate pertains to general food products that are not covered by the other certificates. The GCC currently requires a health certificate for general food products. This requirement can present an obstacle for U.S. exporters as federal health certificates are not available for many products and some states do not issue health certificates. While many exporters who are familiar with exporting to the region have found ways to comply with this requirement, the export process would likely be simplified if the GCC were to accept certificates of free sale from U.S. states. ATO Dubai believes that our chance to comment on this Guide could present an opportunity to try and address this issue.

2. For general food products, state and/or federal certifying agencies may be reluctant to certify the following statements:

“...are considered to free from quarantine pests and practically free from other injurious pests and pesticides or an harmful substances or additives.”

“Comply with importing country or international standards for bacteria count.”

3. All processors will have to be HACCP certified.

4. The local inspector will have to sign and stamp health certificates for general food products such as pasta, cereals, canned goods etc.

Comment: Certificate #2 – “Health Certificate for Export of Chilled and UnProcessed Meat”

1. It's not clear how processed meats will be handled. ATO Dubai understands that USDA's Food Safety Inspection Service (FSIS) issues a health certificate for products that contain as little as three percent meat. Consequently, this certificate may need to be modified to reflect processed meats.

2. FSIS certificates would have to include the number of the Halal certificate. Currently, FSIS does not list Halal certificate numbers on export certificates.

3. The cattle that produced the meat would have to come from herds that were officially registered.

4. Inspectors would have to certify that the meat was transported to the port without passing by areas where pigs are kept.

5. Officials would have to certify that the entire United States was free of any disease outbreak for three months. There is no mention of regionalization or compartmentalization of responses to diseases.

5. Both cattle and chicken would be prohibited from consuming animal proteins or fats in their rations.

Comment: Certificate #3 – “Health Certificate for Export of Dairy Products”

ATO Dubai does not see any significant issues with this certificate. However, regulators and industry representatives who are more familiar with the certification of dairy products may wish review this certificate.

Comment: Certificate #4 – “Health Certificate for Export of Egg and Egg Products”

Eggs would have to come from countries that have been free of Avian Influenza and Newcastle disease for at least six months prior to exportation. There is no mention of regionalization or compartmentalization of responses to diseases.

Comment: Certificate #5 – “Health Certificate for Export of Fish and Marine Products”

No comment.

In sum, ATO Dubai will defer to the regulatory and technical experts for a more thorough reading of these requirements. However, it appears that these requirements could pose a number of new regulatory challenges for exporters and certifying agencies. ATO Dubai hopes to have a complete English version of this document within a few days.

Important Dates:

1. **Proposed Implementation Date:** January 1, 2008
2. **Validity Period:** Indefinite from the date adoption
3. **Comments:** Due to the WTO by July 11, 2007.

For More Information:

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Appendix I

FOODS IMPORTED FOR COMMERCIAL PURPOSES CHAPTER ONE

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Upon the arrival of the food consignment to one of the entry points and the beginning of the clearance, the concerned authorities will forward all food consignments to the food inspection point.

I. Documents Required to Accompany Food Consignments:

The importer, or his agent, will present all original requested documents (Annex 1), accompanying the shipment to the concerned food inspection authority. The following documents should be included:

1. Import Permit
2. Customs Statement
3. Delivery Permit
4. List of Contents
5. One or more of the following certificates (depends on the type of the shipment):
 - 5-1 Certificate of Origin
 - 5-2 Halal Certificate
 - 5-3 Health Certificate, according to the following:
 - Health Certificate for other imported foods. (Annex 1)
 - Health Certificate for chilled or frozen, unprocessed meats. (Annex 2)
 - Health Certificate for exporting dairy products. (Annex 3)
 - Health Certificate for exporting table eggs and their products. (Annex 4)
 - Health Certificate for exporting fish and other seafood products (Annex 5)
 - 5-4 Halal Slaughter Certificate for meat and poultry products
 - 5-5 Medical and Health Accreditation Certificates for products alleged to have medical and health effects
6. Additional documents or certificates that are required by the importing country.
7. Radiation Free Certificate for food products imported from the EU and Turkey. Certificates are to be issued by accredited authorities and notarized by one of the Embassies of the GCC states in the country of origin.

II. Documents Auditing:

The food inspector shall carefully examine the documents of the shipment that need to be inspected to ensure they are complete and accurate, as per the following:

1. If one of the essential required documents, or even a copy of it, is missing, not correct or not in compliance, and difficult to correct, the consignment will be detained at the point of entry for either re-export to the exporting country or destruction.
2. If some of the non-compliance documents can be completed (fixed), temporary detention will be authorized. Also, temporary release may be

granted (form # 1 for temporary release) after paying the financial bond (the amount will be decided by the specific country and the type of form) until the documents and information are complete.

III. Procedure for Food Inspection:

1. After completing the necessary documents, the visual examination will start as per the following:
 - 1-1 Examine the containers' numbers, their condition and the temperature records;
 - 1-2 Examine the general condition of the shipment to ensure if there is an obvious spoilage, or insects/biological infestation which may cause the introduction of diseases, insects, contamination or health risks;
2. Inspection and visual examination for food, which would include the examination of random samples representing all items on the manifest to ensure the following:
 - 2-1-1 Food containers are in good condition
 - 2-1-2 Absence of any spoilage signs such as rust, air in the containers, leakage or any unfamiliar odors;
 - 2-1-3 Compliance with the labeling requirement as per the concerned standard;
 - 2-1-4 Food product is visually good, after checking the weight, odor, taste, etc....
 - 2-1-5 Ingredients do not include any prohibited or not approved products by the GCC states;
 - 2-1-6 Production and expiry dates are present;
 - 2-1-7 Method of use and ingredients are available in Arabic, in addition to the original language of the product.
 - 2-2 Fresh produce (fruits and vegetables) are examined as per the requirements of the plant quarantine regulations
3. Food products are in compliance with the approved standards, food control laws and the executive notes of each GCC country.
4. Food products should not be transported along with other materials, such as building materials, chemicals, insecticides, fertilizers and stabilizers
5. Temperature for storing food products:
 1. Frozen food should be stored at a minimum of -20°C from the production facility or the warehouse until reaching the importer's storage facilities. The chart (temperature record) showing temperature changes during the trip must be available
 2. Chilled meats, poultry, dairy and their products must be stored at $0-5^{\circ}\text{C}$
 3. Table eggs must be stored at $4-10^{\circ}\text{C}$
 4. All types of chocolates, biscuits, juices and mineral water must be transported in chilled containers with temperature not to exceed 25°C . The same is also required for products that contain oils, such as mayonnaise, etc....
 5. Enough space must be maintained on all sides of the container to ensure adequate distribution of cool air to all parts of the shipment.

IV. Procedure That Follows the Inspection:

1. Decisions taken at the point of food inspection: After inspecting the consignment, one of the following decisions will be taken:
 - 1-1 Immediate and final release: Will be determined if the consignment is visually fit and complying with all terms and approved standards and no sampling will be required (as per the point of risk and the sampling frequency) –final release form #3
 - 1-2 Temporary release: Will be issued in one of the following cases:
 - 1-2-1 Sampling is required according to the frequency of the sampling method – Annex 2 then sampling form will be issued – form #2

- 1-2-2 If discrepancies to the approved standards are found, with the possibility of fixing such discrepancy, such as in the case of food labeling
- 1-2-3 If moving the consignment to the importer's warehouse for inspection (provided it falls within the jurisdiction of the authority) as it is difficult to inspect the shipment at the point of entry if containing a large number of products or carrying products of a sensitive nature.
- 1-2-4 Financial bond will be required in all cases of temporary release. The country, according to the nature of the case, will determine the size of the bond. Temporary release form # 1 will be issued.
- 1-3 Consignment is rejected and is detained at the port of entry: The consignment will be rejected and detained at the port of entry and sent back to the concerned authorities in one of the following cases:
 - 1-3-1 If, the shipment is not visually fit or shows insect or biological infection which could transfer the insects, diseases, pollution or health risks to the importing country, if allowed entry. The shipment will be detained for either treatment, destruction or re-export to the country of origin.
 - 1-3-2 If one of the essential documents is absent (as indicated in #2: Document auditing) and cannot be completed.
 - 1-3-3 If the products are banned in the GCC countries.

2- **Procedures Post the Food Control Point (for rejected consignments)**

Rejected consignments will be subject to one of the following procedures:

- 2-1 Rejected and unfit for human consumption consignments (visually and confirmed by laboratory test) will be either destroyed or exported to the country of origin, under the supervision of the concerned authorities.
- 2-2 Rejected consignment for non-compliance with the laws and standards, yet fit for human consumption, will be subject to one of the following:
 - 2-2-1 Shipments where the non-compliance can be fixed and become in full compliance with approved conditions and standards, the importer will do the fixing as per the specified rules.
 - 2-2-2 Shipments that cannot be fixed will be authorized for re-export, but not to any of the GCC countries
 - 2-2-3 If re-export is not possible for acceptable reasons to the authorities, they will be permitted for destruction under the supervision of the authorities. Destruction fees will be borne by the importer
- 2-3 In case of three consecutive rejections for products coming from the same source, a "ban" will be applied – annex # (3)

**Appendix II
Food Import Health Certificate**

Serial Number:					
Country of origin:					
Name and Address of issuing Government Health Authority:					
Description of Foodstuffs:					
Brand:					
Product Name:					
Package Type					
Production Date			Expiration Date		
Storage Temperature					
Room Temperature		Chilled		Frozen	
Number of Packages:		No. of items:			
Total Net Weight:					
Place of Loading:					
<p>I hereby certify that the products described above have been:</p> <ul style="list-style-type: none"> - Inspected according to appropriate procedures and are considered to be free from quarantine pests and practically free from other injurious pests & pesticides or any harmful substances or additives. - Produced in a facility in compliance with regulations of importing country and international standard and fit for human consumption. 					
Date & Day:					
Name & Signature:			Seal of issuing government authority:		

HEALTH INFORMATION

- 1) Have been processed and packaged in an approved establishment under official health control and implementing the Hazard Control Point System (HACCP).
- 2) On basis of a national follow-up control scheme, the dairy product comply with the importing country or international standards regarding and containing no harmful radioactivity or not more than the accepted level of residue of chemical contaminants, such as dioxine, pesticides, veterinary drugs, etc. and no harmful colorants or preservative agents (according to codex alimentarius) was added to these products.

3) Comply with the importing country or international standards for bacteria count.

Official Stamp:

Signature:

Name of Local Official Inspector:

Date:

Address:

**Appendix III
Health Certificate for Export of Chilled and Frozen Unprocessed Meat**

Name and address of consignor: _____ Name and address of consignee: _____		Certificate No.: _____ No. of Seal on the container / container(s): _____			
Name, address and number of veterinary approval of the authorized slaughterhouse: _____ Name, address, and number of veterinary approval of the cutting meat establishment: _____		Exporting country: _____ Ministry of: _____ Health Certificate for export of chilled and frozen un processed meat to: _____			
Identification of means of transportation: _____		Local veterinary services in the country of origin: _____			
Type of Meat: _____ Type of Meat Cuts: _____ No. of Halal Certificate: _____		Place of Loading: _____ Country and Place of Destination: _____			
Consignment No.		Operating No.		Batch No.	
Trade Mark	Type & Number of Packages	Net Weight	Date of Expiration	Date of Production	Slaughtering Date
I the undersigned, authorized person, certify that the good described above meets all the requirements mentioned in the sanitary attestation attached to this document Date: Place: Of local official inspector: Signature:			Official Stamp		

HEALTH INFORMATION

We (name of the body issuing the certificate) testify that the meat is derived from animals slaughtered in an approved and recognized slaughterhouse under the supervision of _____ (name of the official body) and we also testify that:

1. The meat is derived from animals with an average age of (____) and has been tested within the range of 12 hours before and after slaughtering by the official bodies concerned to ensure their safety and fitness for human consumption.
2. The meat is derived from animals born and reared in _____ (name of country of origin) and from herds that are officially registered in _____ (name of the body responsible for registering herds).
3. The meat is from animals, which have never been suspected or proved to be infected with an infectious disease (such as Rinderpest, Anthrax, FMD and BSE).
4. The meat is from poultry, which have never been suspected or proved to be infected with an infectious disease (such as Newcastle disease and Avian influenza).

5. The meat is prepared, handled, stored, and transported according to the approved standards.
6. The meat is supervised through all stages of production, storage, and transportation by the official technicians from _____ (name of the official body).
7. The meat is transported from the slaughterhouse to the cutting house and then to the port of export, according to regulations that does not allow it to pass by or stop at areas where pigs are kept, and the means of transportation should to carry pigs or its meat or products or any other prohibited animals.
8. The meat is not subjected or stored with products made from regions that do not comply with the conditions mentioned in paragraph 7.
9. Within the last three months there is no outbreak of any epidemic in _____ (name of the region or country) and we also declare that:
 - a. All cows, veal, goats, sheep, and poultry and their meat are subjected to inspection and veterinary examination.
 - b. According to the regulations in _____ (name of the country) all infectious diseases are officially notified.
 - c. Meat originating from animals or poultry, which were not slaughtered to control or eradicate a disease.
 - d. All animals and poultry infected with any infectious disease are completely destroyed.
10. The animals and poultry have not been fed with feed manufactured with animal protein or fat or animal remains, and the feed comply with the approved standards.
11. The animals and poultry were not subjected to growth hormones that do not comply with the levels mentioned in the approved standards.
12. In case the meat is treated with drugs and/or veterinary medicine, the levels used were within the meat mentioned in the approved standards.
13. According to the approved standards, the meat does not contain any preservative flavoring or coloring substances.
14. All health requirements are available in all abattoirs where animal and poultry are being slaughtered and prepared for export. Hazard Analysis and Critical Control Point System (HACCP) should be applied at all production phases at the abattoirs and factories where all kinds of meat and foodstuff are prepared.

Official Stamp:

Signature:

Name of Veterinary Inspector:

Date:

Address:

Appendix IV
Health Certificate for Export of Dairy Products

Name and address of Consignor:		Certificate No:		
Approval number, name and address of processing establishment:		Exporting Country: Ministry of: Health Certificate for export of Dairy Products to:		
Name and address of Consignee:		Local veterinary services in the country of origin:		
Identification of means of transportation:		Place of Loading: Country and Place of Destination:		
Consignment No.		Operating No.		Batch No.
Type & Number of Packages	Description of the milk/milk products and animal species	Date of Production	Date of Expiration	Net Weight
I the undersigned, authorized person, certify that the good described above meets all the requirements mentioned in the sanitary attestation attached to this document. Date: Place: Signature of local official inspector:		Official Stamp		

HEALTH INFORMATION

- 1) The milk/dairy products described above have been processed from raw milk/powdered milk obtained from animals free from contagious diseases, and fit for human consumption. The milk shall not be produced from cows treated with hormones or subjected to any genetic modifications.
- 2) Have been processed and packaged in an approved establishment under official health control and implementing the Hazard Control Point System (HACCP).
- 3) On basis of a national follow-up control scheme, the dairy product comply with the importing country or international standards regarding and contains no harmful radioactivity or not more than the accepted level ___ residue of chemical contaminants, such as dioxin, pesticides, veterinary drugs, etc. and no harmful colorants or preservative agents (according to codex alimentarius) was added to these products.

- 4) Comply with the importing country or international standards for bacteria count.
- 5) In case of heat treatment, it has been done in a way to obtain the destruction of all pathogens.

Stamp:

Signature:

Name of Local Official Inspector:

Date:

Address:

Appendix V
Health Certificate for Export of Egg and Egg Products

Name and address of consignor:		Certificate No.:			
Approval number, name and address of processing establishment		Exporting Country: Ministry of: Health Certificate for export of egg and egg products for human consumption:			
Name and address of consignee		Local veterinary services in the country of origin			
Identification of means of transportation		Place of Loading: Country and place of Destination:			
Consignment No.		Operating No.		Batch No.	
Name of products (Yolk powder, egg, white powder, etc.)	Product derived from domestic fowl, other birds	Type & number of packages	Net weight	Date of production	Date of expiration
I the undersigned, authorized person, certify that the good described above meets all the requirements mentioned in the sanitary attestation attached to this document. Place: Date: Signature of local Official Inspector:		Official Stamp			

HEALTH INFORMATION

- 1) The eggs come from a country, which is free from Avian Influenza and Newcastle disease for at least 6 month prior to exportation.
- 2) The egg products have been processed to ensure the destruction of all pathogen agents, especially salmonella.
- 3) The egg products have been protected against any contamination before and after processing.
- 4) The egg products have been processed in an approved establishment under official health supervision and implementing the Hazard Control Point System HACCP.
- 5) On basis of a national follow-up control scheme, the egg products comply with importing country of origin or international standards regarding residues of chemical contaminations as dioxins, pesticides, veterinary drugs, etc. or any other contaminations.
- 6) No harmful colorants or preservative agent (according to Codex Alimentarius) have been added to the egg products.

Official Stamp:

Name of Local Official Inspector

Signature:

Date:

Address:

Appendix VII
Health Certificate for Export of Fish and Marine Products

Name and address of consignor:		Certificate No.:			
Approval number, name and address of processing establishment		Exporting Country: Ministry of: Health Certificate for Export of Fish and Sea Products:			
Name and address of consignee:		Local Veterinary Services in the Country of Origin:			
Identification of means of transportation:		Place of Loading:			
Temperature required during storage and transportation:		Country and Place of Destination:			
Consignment No.		Operating No.		Batch No.	
Species of products (Scientific Name)	State or type of processing	Type & number of packages	Net weight	Date of Production	Date of Expiration
I the undersigned, authorized person, certify that the good described above meets all the requirements mentioned in the sanitary attestation attached to this document Place: Date: Signature of Local Official Sponsor:			Official Stamp:		

HEALTH INFORMATION

- 1) These fish and sea products were caught and handled on board vessels in accordance with official standards.
- 2) These sea products are for human consumption and derived from a zone establishment free from fish contagious diseases.
- 3) The sea products were not come from toxic species or species containing biotoxin and have normal organoleptic characteristics, comply with the standards and fit for human consumption.
- 4) The sea products have been processed in an approved establishment under official health supervision and implementing the Hazard Control Point System (HACCP).
- 5) On basis of a national follow up control scheme, the sea products comply with importing country of origin or international standards regarding residues of chemical or biological contaminations.

Official Stamp:
Name of Local Official Inspector
Signature:
Date:
Address:

Appendix VI
Health Certificate for Export of Fish and Marine Products

Name and address of consignor:		Certificate No.:			
Approval number, name and address of processing establishment		Exporting Country: Ministry of: Health Certificate for Export of Fish and Sea Products:			
Name and address of consignee:		Local Veterinary Services in the Country of Origin:			
Identification of means of transportation:		Place of Loading:			
Temperature required during storage and transportation:		Country and Place of Destination:			
Consignment No.		Operating No.		Batch No.	
Species of products (Scientific Name)	State or type of processing	Type & number of packages	Net weight	Date of Production	Date of Expiration
I the undersigned, authorized person, certify that the good described above meets all the requirements mentioned in the sanitary attestation attached to this document Place: Date: Signature of Local Official Sponsor:			Official Stamp:		

HEALTH INFORMATION

- 6) these fish and sea products were caught and handled on board vessels in accordance with official standards.
- 7) These sea products are for human consumption and derived from a zone establishment free from fish contagious diseases.
- 8) The sea products were not come from toxic species or species containing biotoxin and have normal organoleptic characteristics, comply with the standards and fit for human consumption.
- 9) The sea products have been processed in an approved establishment under official health supervision and implementing the Hazard Control Point System (HACCP).
- 10) On basis of a national follow up control scheme, the sea products comply with importing country of origin or international standards regarding residues of chemical or biological contaminations.

Official Stamp:
Name of Local Official Inspector
Signature:
Date:
Address: