



NFSA

الهيئة القومية لسلامة الغذاء

Law on the National Food Safety Authority

Law No. 1 of the Year 2017

Executive Regulation

Decree of the Prime Minister
No. 412 of the year 2019



Introduction

For Egypt, providing citizens with safe food is a pivotal issue. Instead of being a catalyst for health and activeness promotion, food may be a source of disease if it is provided without ensuring its safety.

Based on this principle, the National Food Safety Authority (NFSA) was established in January, 2017.





Abdel Fattah El-Sisi
President of the Arab Republic of Egypt



Ali Abdel-Aal
Speaker of the House of Representatives



Mostafa Kamal Madbouly
Prime Minister



The Members of the Board of Trustees at the Time of NFSA Establishment

Title	
The Prime Minister	Eng. Sherif Ismail
The Minister of Environment	Dr. Khaled Fahmy
The Minister of Health and Population	Dr. Ahmed Emad El-Din Rady
The Minister of Trade and Industry	Eng. Tarek Kabil
The Minister of Tourism	Dr. Yehia Rashed
The Minister of Supply and Internal Trade	Dr. Khaled Hanafy
The Minister of Agriculture and Land Reclamation	Dr. Abdel-Moneim Al-Banna
Food Safety Expert	Eng. Said Adel Elalfy
Food Safety Expert	Eng. Mohammed Hasan Shoukry

The Present Members of the Board of Trustees

Title	
The Prime Minister	Eng. Mostafa Kamal Madbouly
The Minister of Environment	Dr. Yasmeen Fouad
The Minister of Health and Population	Dr. Hala Zayed
The Minister of Trade and Industry	Dr. Nevine Gamea
The Minister of Antiquities and Tourism	Dr. Khaled Ahmed El-Anani
The Minister of Supply and Internal Trade	Dr. Ali El-Moselhy
The Minister of Agriculture and Land Reclamation	Mr. El-Sayed El-Qosair
Food Safety Expert	Eng. Said Adel Elalfy
Food Safety Expert	Eng. Mohammed Hasan Shoukry



Article No. 79 of the Constitution of the Arab Republic of Egypt, issued in 2014 and amended in 2019, guarantees that each Egyptian citizen has the right to healthy and adequate food as well as to clean water and that the State provides sufficient food resources to all citizens. The Constitution also ensures food sovereignty in a sustainable manner and guarantees the protection of agricultural biodiversity and varieties of local plants in order to preserve human rights.

The concept of healthy food is not confined to a balance of different nutrients, including proteins, carbohydrates, fats, vitamins and minerals in order to meet dietary needs; it also includes food safety, i.e. to be free from microbial, chemical and physical contaminants.

Accordingly, the political leadership has been keen to significantly develop the food safety system in Egypt through the establishment of a specialized authority to be in charge of food safety, rather than continuing to make gradual changes to the existing a multi-entity system that has proved to be ineffective in meeting the current food safety challenges. The newly established system in Egypt keeps pace with global developments and complies with the international food safety standards that are based on science, risk assessment, education, awareness and communication with relevant stakeholders, particularly consumers, food handlers and producers in order take a proactive approach and not to wait until a disaster strikes.

Nowadays we live in a new world that relies on science; a new world that depends mainly on a well-trained and competitive workforce; a new world where there are international standards; a new world where food habits have changed in many countries. This global trend is accompanied by the development of new methods of food production and preparation, and modern food safety control systems that reflect the compatibility of those systems used in various countries in such a manner to protect consumer health, enhance food trade and ensure tourist safety, which in turn would have a positive impact on the country's economy.

For more than twenty years, we have had the honor of making several attempts

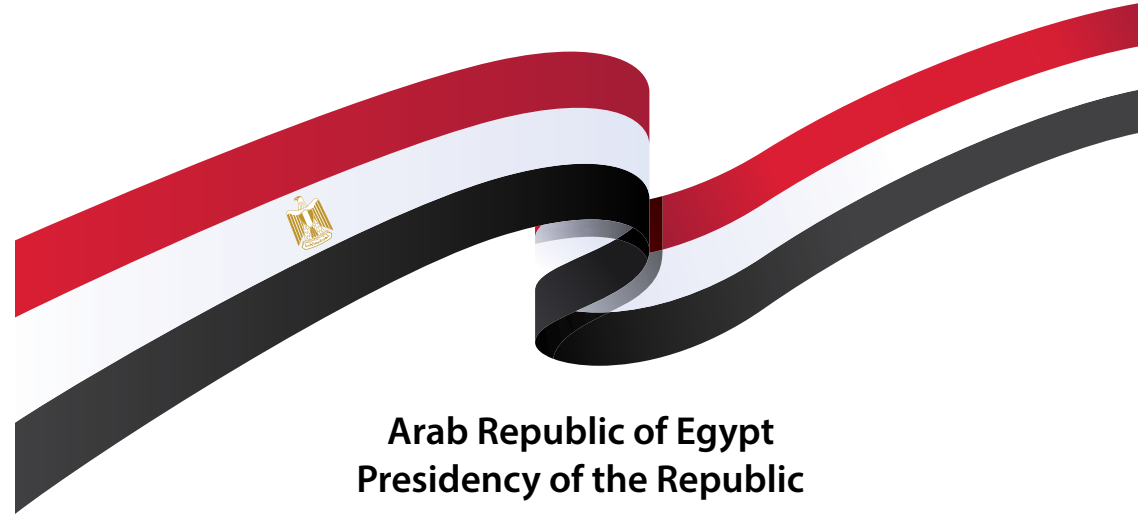
to establish the National Food Safety Authority (NFSA), which successfully culminated with the issuance of Law No.1 of the Year 2017 on the Enactment of the Law on the National Food Safety Authority and its Executive Regulations No. 412 of the year 2019 issued by the decree of the Prime Minister.

A journey of a thousand miles begins with a single step, and we are keen to improve our present and move forward having a clear vision for the future. For several years we worked as a small unit affiliated to the Ministry of Trade and Industry , today such unit has become NFSA, a firmly-established authority that applies modern food safety control systems to food business establishments.

NFSA has succeeded in surpassing all expectations by achieving its objectives in record time. It has been mandated to perform many functions all of which have been efficiently fulfilled, and the road is still wide open for further achievements, God willing.

Dr. Hussein Mansour
Chairman of The Board of Directors

IN THE NAME OF ALLAH, THE GRACIOUS, THE MERCIFUL



Arab Republic of Egypt
Presidency of the Republic

The Official Gazette

Law No. 1 of the Year 2017

On the Enactment of the Law on the National Food Safety Authority

In the Name of the People,
The President of the Republic,

The House of Representatives approved the following law and it is hereby enacted.

Clause (1)

The National Food Safety Authority (NFSA) shall be governed by the attached law.

Clause (2)

NFSA, established under the provision of Article (2) of the attached law, shall solely exercise the competence previously vested in ministries, public organizations, government departments and local administrative units in respect of control of food handling as set forth in the food safety related legislation whenever such competence is mentioned in those laws, regulations and executive decrees, shall prepare proposals for the amendment thereto and shall exercise other competence specified in the attached law.

Clause (3)

NFSA shall exercise the competence therein vested within a period not exceeding one year as of date of enforcement of the present law. Such period may be extended for a similar period by a decree issued by the Prime Minister.

Pending NFSA exercise of such competence, bodies referred to in Clause (2) shall continue to exercise the competence previously vested therein as specified in laws and regulations.

The decrees and regulations issued in implementation of the provisions of food safety related laws on date the present law was published shall remain

in force pending the issuance of the regulations and decrees required for implementation.

Clause (4)

Employees working for the ministries, public organizations, government departments, local administrative units and other competent bodies in charge of food control and handling regulation who are designated by a decree issued by the Prime Minister, upon recommendation of NFSA Chairman of the Board of Directors (COB) and following coordination with the ministers concerned, shall be duly transferred to NFSA. The transferred employees shall, at a minimum, retain full job positions and financial benefits they enjoy on date of transfer.

Clause (5)

The Prime Minister shall, within a six-month term as of date of enforcement of the provisions of the present law, issue the executive regulations and executive decrees related thereto.

The Prime Minister shall also have sole competence to issue and amend the executive regulations implementing the food safety related legislation in respect of food after securing the approval of NFSA Board of Trustees (BOT).

Clause (6)

The present law shall be published in the Official Gazette and shall enter into force on the day following date of publication.

The present law shall receive the Seal of the State and shall be implemented as a State law.

The Presidency of the Republic on: 11 Rabi II, 1438 A.H.
corresponding to 9 January, 2017 A.D.

Abdel Fattah El-Sisi

Law On the National Food Safety Authority

(Chapter I) Definitions

Article (1)

The following terms shall, in application of the provisions of the present law, have the meanings assigned thereto:

1. **"NFSA"** means the National Food Safety Authority established in pursuance of the provisions of the present law.
2. **"Competent Minister"** means the Prime Minister.
3. **"BOT"** means NFSA/BOT.
4. **"Board of Directors (BOD)"** means NFSA/BOD.
5. **"The Food Safety Related Legislation"** means:

Law No.48 of the year 1941 on Combating Fraud and Deception,
Decree Law No. 95 of the year 1945 on Supply Affairs,
Law No. 132 of the year 1950 on Milk and Milk Products,
Law No. 453 of the year 1954 on Industrial and Trade Facilities and Other Facilities Causing Annoyance, Harm and Risk to Health,
Law No. 684 of the year 1954 Regulating Bread Handling and Transportation,
Law No. 685 of the year 1954 Regulating Meat Transportation,
Law No. 44 of the year 1955 on Health Quarantine Procedures,
Law No. 257 of the year 1956 Regulating Manufacture and Sale of Iced Products,
Decree Law of the President of the Republic No. 33 of the year 1957 on Street Food Vendors,
Law No. 10 of the year 1966 on Food Control and Handling Regulation,
Law No. 53 of the year 1966 on the Enactment of the Law on Agriculture,
Law No. 118 of the year 1975 on Import and Export,
Law No. 4 of the year 1994 on the Enactment of the Law on Environment and
Law No. 155 of the year 2002 on Export Development.

Other food safety related legislation may, upon recommendation of NFSA/BOT, be introduced by a decree issued by the Prime Minister.

6. **"Food"** means any product or substance, whether raw, processed, partially processed, semi-processed or unprocessed, which is intended for human consumption, including beverages, bottled water or water added to food, any substance containing water and chewing gum, except for feed, plants and crops before harvesting; live animals and birds before entering slaughterhouses; sea creatures and farm-raised fish before fishing; pharmaceutical products and cosmetics; tobacco and tobacco products; and narcotic substances or psychotropic substances.
7. **"Food Handling"** means one or more operations of food production, manufacture, offering and displaying for sale, storage, preserving, wrapping, transportation, delivery, importation, exportation, or the licensing or approval for any of these activities.
8. **"Food Safety"** means that food and the environment of food handling are free from any hazard in accordance with the rules specified in the present law, food safety-related laws and executive decrees related thereto.
9. **"Foods for Special Dietary Uses (FSDU)"** means food products that are specially processed, prepared or formulated to satisfy particular dietary requirements, or requirements that exist because of specific diseases, including foods intended for feeding infants and children, diets for use in weight gain or reduction and stimulant, fortified and appetizing foods, as established by the Codex Alimentarius Commission (CAC).
10. **"Irradiated Foods"** means food products that are treated by ionizing radiation, especially in order to control foodborne pathogens, reduce microbial load and insect infestation, inhibit the germination of root crops or extend the durable life of perishable fresh produce.
11. **"Genetically Modified Foods (GMFs)"** means foods that include, consist

of or produced from the so-called genetically modified organisms “GMOs” that have had changes introduced into the DNA so as to allow for the introduction of new genetic traits.

12. **“Processing Aid”** means a substance or material not consumed as a food ingredient by itself, intentionally used in the treatment or production of food or the ingredients, which results in the unavoidable presence of residues or derivatives in the food.
13. **“Food Additive”** means any substance added to food during manufacture, processing, treatment, packaging, wrapping or transportation for technological purposes or functions or for producing actual or possible effects on food.

This substance is not normally consumed as a food by itself and not normally used as a typical ingredient of the food, whether or not it has nutritive value. The term does not include contaminants or substances added to food for maintaining or improving nutritional qualities.
14. **“Food-Contact Material”** means any substance that come into contact with food or produced for the purpose of coming into contact with food, including containers, wrappers and packages.
15. **“Hazard”** means any physical, biological, chemical or radiological agent in food.
16. **“Risk”** means potential hazards in food.
17. **“Traceability”** means the ability to trace and follow food through all stages of production, processing and distribution.
18. **“Food Withdrawal”** means an action taken to remove a food product from the supply chain except for the product possessed by a consumer.

19. **“Food Recall”** means an action taken to retrieve a food product after being sold, where the consumer is advised to take a proper procedure such as returning or destroying the product.
20. **“CAC”** means Codex Alimentarius Commission which is one of the UN bodies established by way of agreement between the Food and Agriculture Organization (FAO) and World Health Organization (WHO) in 1963. CAC issues food standards and is the WTO reference body in case of disagreement between the member states.

(Chapter II)**Establishment, Objectives and Competence of NFSA****Article (2)**

A service authority called "NFSA" shall be established, shall have a public legal entity and shall be affiliated to the President of the Republic. NFSA shall be headquartered in Cairo Governorate and may establish branches in other governorates.

Article (3)

NFSA aims at ensuring that food safety requirements are fulfilled so as to protect human health and safety.

NFSA shall exercise all the required powers and competence and shall in particular:

1. issue technical regulations governing food safety in accordance with the applicable international standards and in a manner consistent with the national requirements and such regulations shall be determined by a decision issued by NFSA/BOD,
2. perform official controls on food handling operations in accordance with the provisions of food safety related laws and decrees as well as with specific guidelines and verify that mandatory requirements and technical regulations are fulfilled in all food handling operations,
3. establish requirements and rules for issuance of Health Certificate (HC) required for exportation of the locally produced food, monitor certificate issuance and verify compliance with the referred to requirements and rules,
4. grant licenses and perform inspections and official controls on food handling operations and handlers so as to verify compliance with the provisions of the relevant laws and decrees,

5. contract with the governmental accredited laboratories that are capable of conducting the required tests effectively and efficiently and contract with private accredited laboratories in case governmental accredited laboratories are incompetent to conduct specific tests,
6. perform official controls on imported or locally produced food, prevent food handling in case of unfitness of food for human consumption and prevent fraud and deception,
7. establish the procedures and measures required for confronting emergencies where locally produced or imported food is exposed to a hazard or poses a risk and develop crisis management procedures as well as alert, recall and withdrawal systems,
8. establish the procedures required for risk analysis, risk assessment, risk management and risk communication, inter alia, identification of inspection priorities, taking into account techniques of risk analysis, risk assessment and risk management applied by relevant international organizations,
9. develop mandatory systems ensuring food safety and a traceability system to be applied to food producers, manufacturers and other relevant food handlers in particular Hazard Analysis and Critical Control Point (HACCP) and take the procedures required for product withdrawal and such systems shall be determined by a decision issued by BOD,
10. make proposals and express opinions in respect of draft laws on food safety and handling regulation as well as executive decrees related thereto,
11. develop the plans required for determining unlicensed food production units, propose appropriate solutions to tackle this phenomenon and exert the utmost efforts to ensure regularization of status,
12. raise community awareness of food safety, publish leaflets and printed materials on NFSA's objectives, including making the necessary food safety information and data available and coordinate with different media,

13. develop systems and lay down rules for food advertising and mandatory labelling,
14. cooperate and coordinate with the international and national bodies and organizations concerned with food safety and human health as well as with bodies and organizations that are responsible for the issuance of relevant standards so as to attain NFSA's objectives and participate in and organize national and international conferences when necessary,
15. regulate acceptance or rejection cases in respect of FSDU, GMFs or foods containing components that are genetically modified or irradiated so long as such cases are pertaining to food safety and regulate the use of food additives, processing aid and other food ingredients affecting food safety in accordance with the prevailing laws, the standards and guidelines set by CAC and the standards adopted by international organizations and
16. conduct studies and researches on food safety and collect all relevant scientific and technical data.

(Chapter III)

Management of NFSA

Article (4)

NFSA shall consist of the following:

1. BOT,
2. BOD,
3. An Executive Director and
4. NFSA employees.

Article (5)

NFSA shall have BOT under the chairmanship of the competent minister and shall include the membership of ministers in charge of trade and industry, health, agriculture, environment, tourism, supply and internal trade in addition to two food safety experts.

BOT shall be formed by a decree issued by the Prime Minister.

Article (6)

BOT shall have sole competence to formulate the general policies governing NFSA's operations, shall approve the basic plans for policy implementation and shall monitor and assess the operations performed by NFSA. BOT may also take the decisions required for achieving NFSA's purposes in accordance with the provisions of the present law.

BOT shall in particular:

1. formulate general policies to ensure food safety,
2. approve the plans required for raising and improving food safety level, the food safety control plans to ensure the fitness of food for human consumption as well as a plan for raising awareness of NFSA's objectives,

3. approve rules, regulations and systems in respect of NFSA's work progress as proposed by BOD to ensure that NFSA's performance is based on sound economic management,
4. prepare and submit an annual report, including in particular NFSA's plans, activities and achievements in respect of the objectives as set forth in the present law, to the President of the Republic and to the House of Representatives and
5. approve the proposed amendments to the executive regulations implementing the relevant legislation prior to issuance by the Prime Minister.

Article (7)

BOT shall meet in the presence of BOT Chairman or any person so authorized at least once every three months and whenever necessary at the invitation of BOT Chairman. Board meetings may not be deemed valid unless attended by a majority of members. Board decisions shall be issued by a majority of votes of the members present.

NFSA/COB shall attend BOT meetings without having a counted vote.

Article (8)

NFSA/BOD shall be formed by a decree issued by the competent minister as follows:

- a full-time COB having experience in NFSA's competence and operations whose appointment and financial remuneration shall be determined by a decree issued by the competent minister,
- a representative from each of the ministries in charge of trade and industry, health, agriculture, the interior, environment, tourism, supply and internal trade,
- the Head of the Veterinary Services Department of the Armed Forces,
- the Chairman of the Consumer Protection Agency or representative thereof,

- the Chairman of the Veterinary Services or representative thereof,
- the Chairman of the Federation of Egyptian Chambers of Commerce or representative thereof,
- the Chairman of the Federation of Egyptian Industries or representative thereof and
- three experts to be nominated by BOT.

BOD membership term shall be a three-year period to be renewable for a similar period.

The decree on appointment of BOD members shall determine the financial remuneration to be received.

Article (9)

BOD is the controlling authority that shall manage NFSA's affairs, shall be vested with all authority and powers required for management and for taking whatever actions deemed necessary to attain NFSA's objectives and shall in particular:

1. approve work systems of food inspectors, including powers and responsibilities thereto entrusted, minimum academic qualifications, inspection phases and report forms and the manual for sampling techniques and transportation of samples,
2. approve food inspector qualification and training programs as well as food handler qualification and training programs as per the levels of competence,
3. approve the plans required for raising and improving food safety level as well as food safety control plans to ensure the fitness of food for human consumption,
4. approve incentive systems and measures to be applied to food business establishments and entities subject to the provisions of the present law, including the use of signs indicating the levels of food safety and quality,

5. approve the organizational structure of NFSA, job classification and description criteria as well as employee payroll system without being restricted to the State civil service systems,
6. approve the administrative and financial rules and systems required for the operations performed by NFSA without being restricted to the laws and regulations applicable to the administrative machinery of the State,
7. prepare NFSA's draft annual budget and final statement of account,
8. accept domestic and foreign grants, aid and donations in accordance with the relevant legal requirements,
9. present an annual report to BOT on NFSA's progress of work, the obstacles encountered and the recommendations necessary to overcome such obstacles and
10. consider all the matters deemed by BOT or COB to fall within NFSA's competence.

Article (10)

BOD may form from the board members or others, standing or interim committees and each committee shall be entrusted with a certain task. Works and recommendations of such committees shall be presented to BOD.

Article (11)

BOD shall meet at the invitation of COB at least once every month and whenever requested by the competent minister, NFSA/COB or eight members of BOD. Board meetings may not be deemed valid unless attended by a majority of members.

Article (12)

BOD decisions shall be taken by a majority of votes of the members present. Attending or voting may not be by proxy and in the event of a tie, the side of COB

shall have the casting vote.

BOD may invite to attend the meetings whoever deemed necessary to be heard or consulted without having a counted vote.

Article (13)

COB shall manage NFSA's affairs in accordance with the provisions of the present law and the executive decrees related thereto, shall be in charge of implementing the general policy formulated for attaining NFSA's objectives and shall in particular:

1. coordinate cooperation with the international organizations concerned with food safety and human health,
2. coordinate NFSA's activities with public entities, ministries, public organizations, government departments and local administrative units with a view to attaining NFSA's objectives and
3. monitor the implementation of NFSA's work plans.

COB may delegate specific tasks to a BOD member or to the Executive Director of NFSA.

COB shall represent NFSA before courts of law and in relation to others.

Article (14)

COB or any person so authorized may, in accordance with the administrative levels determined by COB, take the administrative procedures specified in food safety related laws so as to ensure attainment of NFSA's objectives.

COB may in particular take decisions and measures on food or food premises, including decisions on destruction of food, suspension of licenses, closure of food premises and re-exportation of any imported food in case such food is found to be harmful to human health or unfit for human consumption. NFSA may execute such decisions at the expense of parties concerned, when necessary.

In all cases, parties concerned shall be notified of such decisions and a non-complying party shall incur the expenses of publication of such decisions.

Article (15)

NFSA shall have a full-time Executive Director whose appointment and financial remuneration shall be determined by a decree issued by the competent minister. The Executive Director shall attend BOD meetings without having a counted vote.

Article (16)

The Executive Director shall, under the supervision of COB, monitor the implementation of BOD policy and plan and shall in particular:

1. develop food safety control plans and ensure that food is fit for human consumption,
2. develop food awareness programs and establish communication channels with consumers,
3. prepare and supervise training programs for the persons in charge of implementing food safety related laws and regulations,
4. propose the organizational structure of NFSA and employee payroll system, prepare draft regulations and decisions on the technical, financial and administrative affairs and establish the criteria for job classification and description,
5. prepare the draft annual estimated budget and final statement of account of NFSA and
6. develop and submit draft periodic reports on NFSA's activities to BOD.

(Chapter IV) Financial System of NFSA

Article (17)

NFSA shall have an independent budget and the surplus is carried forward from one year to another. The budget commences the date the State fiscal year commences and ends with the end of the State fiscal year. Financial resources of NFSA shall consist of the following:

1. the appropriations allocated to NFSA in the general budget of the State,
2. the grants, aid and donations accepted by BOD in a manner consistent with NFSA's objectives, in addition to other grants, aid and donations directed to food safety as provided for in the international agreements,
3. the fees for performing inspection of food business establishments and activities as well as for issuance of certificates and licenses as set forth in food safety related laws, the present law and the executive decrees related thereto, not exceeding L.E. 20,000 (Twenty Thousand Egyptian Pounds), such fees may be increased by 5% at maximum on a yearly basis and shall be defined by a decision issued by BOD and
4. the fees for the services rendered by NFSA.

(Chapter V)

Grievance Against NFSA's Decisions

(Article 18)

A Grievance Committee or more shall be formed by a decision issued by BOT Chairman. Each Grievance Committee shall be under the chairmanship of a Deputy Chairman of the State Council to be delegated in pursuance of the rules set forth in the Law on the State Council and shall include the membership of the following:

- a representative of NFSA to be designated by NFSA/COB,
- a representative of the Chamber of Food Industries to be designated by the Chairman of the General Federation of Egyptian Industries and
- a representative of the Federation of Egyptian Chambers of Commerce to be designated by the Chairman of the Federation.

The Grievance Committee may, in accordance with the nature of the grievance filed, request the assistance of one or more specialized experts to be selected from the list of experts prepared by NFSA and approved by BOD.

The Grievance Committee shall have sole competence to consider the grievances filed by parties concerned against NFSA's administrative decisions on food safety in accordance with the provisions of the present law, other food safety related laws and the executive decrees related thereto.

A grievance shall be filed within a fifteen-day term as of date of notification or acknowledgment of NFSA's administrative decisions. The Grievance Committee shall, within fifteen days following date of filing a grievance, make a determination except in the case of expedited grievances, the committee shall make a determination within a period not exceeding three days as of date of filing the grievance. The executive regulations implementing the present law shall determine the procedures and rules governing the consideration of a grievance.

The decision taken by the Grievance Committee shall be final. Lawsuits filled in order to obtain suspension of execution or annulment of NFSA's administrative decisions may not be accepted unless a grievance is filed before the Grievance Committee and a deadline specified for making a determination in respect of the grievance elapses. The decisions of the grievance committees shall be appealed against before the competent Administrative Court.

(Chapter VI)

Capacity of Judicial Officers

Article (19)

Without prejudice to the powers granted to judicial officers having general competence, the NFSA employees entrusted with implementing the provisions of the present law and food safety related legislation shall solely possess the capacity of judicial officers to prove the offences committed in violation of the provisions of such laws and the executive decrees related thereto.

NFSA judicial officers shall be designated by a decree issued by the Minister of Justice by agreement with the competent minister. NFSA shall establish the rules and disciplines to be adhered to by NFSA judicial officers in performing official controls on food business establishments subject to the provisions of the present law and shall establish procedures for investigating non-compliance.

With a view to implementing the provisions of the present law, NFSA judicial officers shall be granted all the powers specified in food safety related laws.

The judicial officers having general competence shall, in exercising the powers granted thereto in respect of food safety related legislation, coordinate with NFSA provided that evidence-gathering and detention activities are made in the presence of a NFSA judicial officer or representative.

The Executive Regulations

Decree of the Prime Minister

No. 412 of the Year 2019

**Decree of the Prime Minister
No. 412 of the Year 2019**

The Prime Minister

After reviewing the Constitution,
The Code of Criminal Procedure and
The Law on the National Food Safety Authority (NFSA) enacted by Law No. 1 of
the year 2017, and
After consulting with the State Council

Decreed the following:

Clause (1)

The aforementioned Law on the National Food Safety Authority shall be governed by the provisions of the attached executive regulations. Any other provision contrary to what is stated in the attached executive regulations shall hereby be repealed.

Clause (2)

This decree shall be published in the Official Gazette and shall enter into force on the day following date of publication.

The council of Ministers on: 13 Jumada II, 1440 A.H.
corresponding to 18 February, 2019 A.D.

**Prime Minister
Dr. Mostafa Kamal Madbouly**

Chapter (I) General Provisions

Article (1) Definitions

The following terms shall, in the application of the provisions of the present executive regulations, have the meanings assigned thereto:

“NFSA” means the National Food Safety Authority.

“Competent Authority” means NFSA Chairman of the Board of Directors (COB).

“Law” means the Law on the National Food Safety Authority enacted by Law No. 1 of the year 2017.

“Technical Regulations” means decisions taken by NFSA in order to determine the characteristics of food or methods and processes of production and management rules, which may include terms, symbols, data, wrapping, labelling as well as label requirements applied to a product or methods and processes of production or may be restricted to either of them. Compliance with such regulations is mandatory.

“Hazard” means any physical, biological, chemical or radiological agent in food with the potential to cause an adverse effect on human health.

“Risk” means the level of a potential hazard in food with the probability of an adverse effect on human health and of the severity of that effect, consequential to a hazard.

“Contamination” means the introduction or occurrence of a contaminant in food.

“Fraud” means the act of falsification, counterfeiting and mingling of a particular product intended for sale or possessed for the purpose of handling

by substantially altering, modifying and misrepresenting the essence, normal composition, weight or expiration date of the product with a view to changing the main characteristics of such product or hiding any defects in the fake or counterfeit product in order to appear identical to a genuine product in terms of shape and appearance, while in fact such product is different from the genuine product, without so declaring on labels so as to get the price difference between genuine and fake or counterfeit products and to realize the maximum financial gain rapidly and easily. It also means an intentional fraudulent marketing practice.

“Deception” means misrepresentation of the truth or concealment of a material fact causing someone to accept as true or factual what is false or fake.

“Processing” means any action that substantially alters the main characteristics of food in particular cooking, baking, heating, smoking, salting, maturing, drying, mixing, milling, parting, severing, packaging, canning, chilling, freezing, pickling, extraction, extrusion, irradiation, ozone treatment, thawing or a combination of those processes.

“Manufacture” means all food business establishment’s activities from the stage of receipt of raw materials until a food product is distributed.

“Food Business Establishment” means any establishment performing any of the activities related to any stage of processing, production, manufacture, storage, preserving, packaging, wrapping, labelling, importation, exportation, transportation, delivery, offering or displaying a product for sale to the final consumer or to another establishment, The definition also includes fixed, temporary or mobile food business establishments whether profit or non-profit, public or private, permanent or temporary, as well as ruminant and poultry slaughterhouses.

“Food Business Operators (FBOs)” means the natural or legal persons responsible for ensuring that the requirements of the law and food safety related legislation are fulfilled within the food business establishment under the control thereof.

“Food Handling License” means a permission granted by NFSA for a food

business establishment to work in the area of food handling after verifying compliance with all requirements of food handling set forth in the law and food safety related legislation.

“Official Controls” means official controls performed by NFSA with a view to verifying compliance with the law and food safety related legislation.

“Audit” means a systematic and independent examination to determine whether activities and the results related thereto conform to planned arrangements and whether such arrangements are applied effectively so as to attain the objectives.

“Inspection” means the examination of any aspect of food so as to verify that such aspects comply with the legal requirements set forth in the law and food safety related legislation.

“Monitoring” means conducting a planned sequence of observations or measurements with a view to obtaining an overview of the state of compliance with the law and food safety related legislation.

“Surveillance” means a careful observation of one or more food business establishments, FBOs or the activities performed by such establishments with a view to verifying compliance with the law and food safety related legislation.

“Sampling for Analysis” means taking a food sample or any other material (including from the environment) pertaining to food handling in order to be analyzed so as to verify compliance with the law and food safety related legislation.

“Health Certificate (HC)” means a certificate issued by NFSA to provide assurance on compliance with the law and food safety related legislation whether by using a paper or electronic certificate or by any equivalent means.

“Wrapping” means the placing of a foodstuff in a wrapper or container in direct contact with the foodstuff concerned and the wrapper or container itself.

“Packaging” means the placing of one or more wrapped foodstuffs in a second container and the latter container itself.

“Label” means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to a container of food.

“Labelling” means any written, printed or graphic matter that is present on the label, accompanies the food, or is displayed near the food, including that for the purpose of promoting food sale or display.

“Advertising” means the dissemination of any information or data on any food product, publication through print media or a broadcast through electronic media, viz. audio-visual media, whether through positive or negative advertising or promotion for such product and whether directly or indirectly.

Article (2) **Management of NFSA**

NFSA shall establish technical regulations that include the rules and requirements of food safety in accordance with international standards and such regulations shall be determined by a decision issued by NFSA Board of Directors (BOD).

Article (3)

The competent authority shall, upon approval of BOD and with the consent of the Board of Trustees, issue the administrative and financial rules and regulations required for performing NFSA's operations without being restricted to the laws and regulations applicable to the administrative machinery of the State.

(Chapter II) **NFSA's Obligations**

Article (4) **Risk Analysis**

NFSA shall establish the procedures required for the implementation of risk analysis system in order to provide a high level of protection for consumer health and safety.

NFSA shall make a science-based risk assessment, where scientific evidence exists in an independent, impartial and transparent manner. The results of a risk assessment shall be taken into consideration in risk management and the results of the studies made by competent international organizations and bodies may be taken into account. Consumption patterns, consumer behavior in Egypt and other legitimate requirements related to the subject under consideration shall also be taken into account provided that protection of consumer health and safety is ensured.

Article (5) **Traceability**

NFSA shall develop a food traceability system that clarifies the obligations of all parties at all stages of production, processing, manufacture, packaging and handling until a product reaches a consumer.

Article (6) **Labelling of Foodstuffs**

NFSA shall lay down rules and procedures for the labelling of foodstuffs and labelling, advertising or presentation of foodstuffs, including shape, appearance, packaging or the packaging materials used, the manner wherein such foodstuffs are arranged, the setting wherein they are displayed and the information which is made available thereon through whatever medium, are prohibited to mislead or deceive consumers.

Article (7) **Scientific Studies**

NFSA shall take actions necessary to collect, collate, analyze and summarize the scientific and technical data pertaining to competence thereof and shall create a database that contains data pertaining to in particular:

- (a) food consumption and exposure of individuals to risks related to consumption,
- (b) incidence and prevalence of biological hazards,
- (c) contaminants in food,
- (d) residues and
- (e) determination of licensed and unlicensed food business establishments.

To that end, NFSA shall cooperate with all bodies and organizations engaged in data collection at both local and international levels.

Local authorities shall, upon request, notify NFSA of data collected and related to NFSA's operations.

Article (8) **Official Controls**

NFSA shall in respect of official controls on food handling:

1. verify compliance of food business establishments with the provisions of the law and food safety related legislation and perform official controls to ensure that the relevant requirements of such legislation are fulfilled by FBOs at all stages of food handling;
2. develop and apply a system of official controls to food business establishments, use and storage of food as well as any process, material, substance or activity related to food, including activities related to transporting food and any activities required to attain the objectives as set forth in the law and food safety related legislation in addition to

surveillance systems for food safety and other means of monitoring that cover all stages of food handling; and

3. undertake official control tasks in general using appropriate methods and techniques such as monitoring, surveillance, verification, audit, inspection, product traceability, sampling, sample analysis and other methods and techniques of official controls and NFSA has the right to document cases of non-compliance using all appropriate techniques and methods such as taking photographs.

NFSA shall perform official controls on food business establishments without prior notice, except for audits where prior notification of FBOs is necessary.

NFSA shall perform official controls periodically on a risk basis and with appropriate frequency so as to attain the objectives as set forth in the law, taking into account:

- (a) identified risks associated with food or a food business establishment, use of food or any process, material, substance or activity that may influence food safety;
- (b) FBOs' past record in respect of compliance with the law and food safety related legislation;
- (c) the reliability of any checks conducted by a food business establishment; and
- (d) any information that might indicate non-compliance.

Article (9)

NFSA shall cooperate and coordinate with the ministries concerned in respect of the issuance of technical regulations.

Article (10)

Both NFSA and the bodies concerned at the ministries shall implement coordination protocols among each other according to the spheres of competence.

Article (11)

Employees Performing Official Controls

NFSA shall ensure that all employees performing official controls receive appropriate training in accordance with responsibilities thereto entrusted so as to be able to fulfill the respective duties efficiently.

(Chapter III)**Obligations of FBOs and Food Handlers****Article (12)****Food Handling License**

1. Food business establishments shall, prior to product handling, obtain a food handling license from NFSA in accordance with requirements, including the fees payable, approved by NFSA/BOD in this regard.
2. Food business establishments existing at the time of the enforcement of the present executive regulations shall submit an application for adjustment of status to NFSA in accordance with the rules and procedures approved by NFSA/BOD.
3. All FBOs shall, by any means specified by NFSA, notify NFSA of all food business establishments under the control thereof and shall also, on a regular basis, inform NFSA of up-to-date information on such establishments, including any significant change to the activities being performed or the closure of any existing establishment.
4. NFSA/COB or any person so authorized may, in accordance with the administrative levels determined by COB, take decisions on destruction of food, suspension of licenses, stopping production, closure of food premises and re-exportation of any imported food in case such food is found to be harmful to human health or unfit for human consumption.

Article (13)FBOs and staff at all stages of food handling shall:

1. cooperate with NFSA in respect of the application of the law and food safety related legislation;
2. ensure that food fulfills the requirements set forth in the law and food safety related legislation, which are pertaining to the activities performed

by such establishments at all stages of food handling within the businesses under the control of FBOs, as well as shall verify that such requirements are complied with and that the environmental criteria and limits are not exceeded;

3. comply with the following health measures depending on the nature of products:
 - (a) apply microbiological criteria for foodstuffs developed and established in accordance with the rules and requirements approved by NFSA,
 - (b) take the procedures required for reaching the specified levels with a view to attaining the objectives as set forth in the law and food safety related legislation,
 - (c) fulfill the temperature control requirements for foodstuffs,
 - (d) maintain the cold chain for chilled and frozen food and
 - (e) take and analyze food samples by food business establishments;
4. develop and apply an established procedure(s) based on the Hazard Analysis and Critical Control Point (HACCP) principles as well as continue to apply such procedures; and
5. ensure that the following procedures are taken:
 - (a) exercise appropriate supervision over food handlers within food business establishments to ensure that good food handling practices are followed,
 - (b) ensure that food business establishments' staff are trained in the area of food safety and the relevant areas, in a manner consistent with the tasks thereto assigned and in accordance with the instructions provided by NFSA in this regard and

- (c) train persons responsible for developing and implementing HACCP procedures in the appropriate area and implement the HACCP system on a regular basis.

Article (14)

Genetically Modified and Irradiated Foods

NFSA shall lay down procedures and rules for registration and licensing the handling of foods for special dietary uses (FSDU), genetically modified foods (GMFs) and irradiated foods.

(Chapter IV)

Food Export and Import Control

Article (15)

NFSA shall solely control and conduct visual inspection and documentation checks on the imported and exported food and shall take food samples in order to be examined and analyzed in accredited laboratories. The Egyptian Customs Authority shall approve the decisions taken by NFSA in respect of food safety.

The results of examination issued by any other authority, in accordance with the definition of food set forth in the law, may not be accepted. The Egyptian Customs Authority shall release all imported or exported food products from customs so long as NFSA takes a decision indicating the fulfillment of examination requirements and compliance of imported consignments.

FBOs responsible for the importation or exportation of food shipments or the authorized representatives thereof shall pay the costs incurred by NFSA for performing the operations referred to in the present executive regulations.

Article (16)

NFSA shall establish the rules for sampling and examination of samples taken from the consignments of imported and exported food, including visual inspection procedures and the analyses required to be conducted in the accredited laboratories contracted with by NFSA in light of potential risks provided that such rules and technical regulations are issued by NFSA/BOD in this regard.

Article (17)

HC

NFSA shall lay down the requirements and rules for the issuance of HC required for exporting the locally produced product. NFSA shall also have sole competence to issue such certificate in accordance with the rules established

by NFSA/BOD in this regard.

NFSA shall accept the certificates issued by the competent authorities of the plant quarantine and veterinary quarantine at the Ministry of Agriculture and Land Reclamation in respect of plant and animal health respectively in accordance with the definition of food set forth in the law.

(Chapter V) **Contracting with Laboratories**

Article (18)

NFSA shall contract with governmental accredited laboratories to examine food samples taken within the framework of performing the official controls. In case governmental accredited laboratories are incompetent to conduct specific tests required for performing such controls, NFSA may contract with private accredited laboratories in Egypt or abroad in order to conduct such tests.

Laboratories desiring to contract with NFSA for the purpose of examining food samples shall notify NFSA of the valid accreditation certificates thereto granted, including a statement of the accredited tests, the scope of accreditation and the level of precision and accuracy. NFSA shall be notified by such laboratories of any change to such certificates within a one-month term as of date of change.

NFSA/BOD shall establish the procedures and requirements for contracting with laboratories as well as the procedures for updating the list of the contracted laboratories or examinations and tests by way of addition or deletion.

(Chapter VI) **Emergency Procedures**

Article (19)

NFSA shall develop food safety emergency plans, including measures to be taken without delay in case food is found to pose a significant hazard to humans.

Provisional risk management measures may, when the need arises, be adopted to ensure that food consumers are provided with an appropriate level of health protection in cases where the possibility of harmful effects on health is identified but scientific uncertainty persists. Such measures shall remain in force pending further scientific information for a more comprehensive risk assessment.

NFSA shall develop a general plan for food safety crisis management. This plan shall specify the types of situations involving direct or indirect hazards to human health deriving from food, which are not likely to be prevented, eliminated or reduced to acceptable levels by provisions in place or cannot adequately be managed.

The general plan shall also determine the procedures required for crisis management, inter alia, the role of both the competent authorities and the strategic partners towards crisis management, the strategies for communication and ways of cooperation.

(Chapter VII) **Grievance Against NFSA's Decisions**

Article (20) **Grievance Committees**

A Grievance Committee or more shall, upon recommendation of NFSA/BOD, be formed by a decision issued by the Chairman of the Board of Trustees. Each committee shall be under the chairmanship of a Deputy Chairman of the State Council to be delegated in pursuance of the rules set forth in the Law on the State Council and shall include the membership of the following:

- a) a representative of NFSA to be designated by NFSA/COB,
- b) a representative of the Chamber of Food Industries to be designated by the Chairman of the General Federation of Egyptian Industries and
- c) a representative of the Federation of Egyptian Chambers of Commerce to be designated by the Chairman of the Federation.

The Grievance Committee may, in accordance with the nature of the grievance filed, request the assistance of one or more specialized experts to be selected from the list of experts approved by NFSA/BOD.

The Grievance Committee shall have sole competence to consider grievances filed by parties concerned against NFSA's administrative decisions on food safety in accordance with the provisions of the law, other food safety related laws and the executive decrees related thereto.

Article (21)

The Technical Secretariat of grievance committees shall be established at NFSA by a decision issued by COB. The Technical Secretariat shall set the dates of the meetings of grievance committees and monitor the work thereof and shall develop grievance application forms.

The Technical Secretariat shall prepare a list of the experts who can provide technical assistance to the grievance committees provided that such list is

approved by NFSA/BOD. NFSA/COB shall, upon request of the Chairman of Grievance Committee indicating the required specialization, nominate experts.

The Technical Secretariat shall also maintain a record of grievances filed by parties concerned. The hour and date of filing a grievance as well as a committee with a remit to consider the grievance shall be mentioned in the grievance record. Aggrieved parties shall be furnished with a document confirming the receipt of the grievance application and indicating the application number and the date of receipt.

Article (22)

Procedures of Grievance Registration and Determination

1. Parties concerned shall file grievances against NFSA's decisions within a fifteen-day term as of date of notification or acknowledgment thereof.
2. A grievance application shall be made in a paper-based or electronic form by completing the form prepared for that purpose. Such grievance application shall in particular include the following data:
 - a. the name, capacity and address of an aggrieved party,
 - b. the decision subject to grievance, the date of issuance and the date of notification or acknowledgment thereof,
 - c. an explanation statement of the grievance indicating the grounds of such grievance and
 - d. supporting documentation for the grievance, any other documents or papers requested by the Technical Secretariat.
3. Grievance applications shall be addressed to NFSA/COB and shall be maintained in the Technical Secretariat's grievance record.

Article (23)

Lawsuits filed before the competent Administrative Court in order to obtain suspension of execution or annulment of NFSA's administrative decisions may not be accepted unless a grievance is filed before the Grievance Committee

and a deadline specified for making a determination in respect of the grievance elapses.

Article (24)

Grievance Committees and Determination

1. Grievance committees shall take all procedures required for considering the grievances filed by parties concerned who may be given an opportunity to be heard and to discuss the matters pertaining to such grievances.
2. Grievance committees may confirm, repeal or amend the decision subject to grievance. The decisions of the grievance committees shall be final and reasoned and may not be appealed against by either parties except by way of litigation.
3. The grievance committees shall, within a fifteen-day term as of date of filing a grievance, make a determination and within a three-day term in case of expedited grievances established by a decision issued by COB.
4. The decisions of the grievance committees shall be adopted by the majority vote of the committee members. In the event of a tie, the side of the Chairman of the committee shall have the casting vote.
5. Parties concerned shall be notified of the decisions of the grievance committees.
6. NFSA/COB shall, upon approval of NFSA/BOD, take a decision on the financial remuneration due to the members of the grievance committees and to the experts providing assistance to such committees.

Chapter (VIII)

Capacity of Judicial Officers

Article (25)

Without prejudice to the powers granted to the judicial officers having general competence, the NFSA employees entrusted with implementing the provisions of the law and food safety related legislation shall solely possess the capacity of judicial officers to prove the offences committed in violation of the provisions of such laws and the executive decrees related thereto.

The judicial officers having general competence shall, in exercising the powers granted in respect of food safety related legislation, coordinate with NFSA provided that sampling, detention and destruction of food are made in the presence a NFSA judicial officer.

Article (26)

The NFSA employees having the capacity of judicial officers shall, upon approval by the competent minister and upon recommendation of NFSA/COB, be designated by a decree issued by the Minister of Justice. Such employees have the right to prove the offences pertaining to food handling and safety using all state-of-the-art techniques and methods such as taking photographs so as to prove such offences.

Article (27)

NFSA/COB shall, upon approval of NFSA/BOD, establish the rules and disciplines to be adhered to by NFSA judicial officers in performing official controls on food business establishments subject to the provisions of the law. All the powers specified in the food safety related laws shall be granted to such officers.

Article (28)

NFSA judicial officers shall continue to enjoy the capacity of judicial officers even on leave and public holidays and shall be deprived thereof by the end of

service or suspension from work by judicial or administrative decisions.

Article (29)

The NFSA employees having the capacity of judicial officers shall act in accordance with the judicial officer identification cards showing the capacity and the powers granted thereto and shall produce the relevant identification cards to parties concerned at the time of inspection.

Article (30)

NFSA judicial officers have the right to inspect all food business establishments and staff at all stages of food handling.