

Cabinet Resolution no. (30) for the year 2018
On the UAE system for the control of juices and drinks

The Council of Ministers:

- After reviewing the Constitution,
- And on federal law no. (1) for year 1972, regarding the competencies of ministries, authority of Ministers and its amendments,
- And on federal law no. (28) for year 2001, for establishing the Emirates Authority for Standardization and Metrology ESMA and its amendments,
- And on federal law no. (24) year 2006, regarding consumer's protection and its amendments,
- And the decision of the Council of Ministers no. (35) year 2015, on the UAE system for the control of conformity assessment bodies,
- And upon the approval of the Council of Ministers

has decided:

Article (1)

Definitions

In the application of the provisions of this resolution, the following words and phrases shall have the meanings assigned to each of them unless the context of the text indicates otherwise:

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| Country: | United Arab Emirates |
| Authority: | Emirates Authority for Standardization and Metrology |
| Council: | Board of Directors |
| General Director: | Director General of the Authority |
| The competent authority: | Any federal or local governmental authority competent to implement the provisions of this resolution. |
| Standard: | A document specifying the characteristics of the product, item, service, or all that is subject to the measurement, its descriptions, characteristics, quality, dimensions, or safety and security requirements. It also includes terms, symbols, methods of testing, sampling, packaging, labeling and marks. |

| | | |
|-----------------------------|-------------------|--|
| Approved standards: | | Standards approved by the Authority and referred to as the standards of the United Arab Emirates and symbolized by the symbol UAE.S. |
| Emirates Assessment (ECAS): | Conformity System | System issued by the Authority, which is concerned with verifying that the product satisfies the requirements specified in the approved standards directly or indirectly through specific procedures carried out by the Authority, such as inspection, examining, testing, calibration or issuing conformity certificates. |
| ECAS assessment model B: | conformity | A form describing the procedure for ensuring that a sample compliant with its respective regulation's requirements. It also includes periodic inspection and withdrawal of samples from the market or establishment or both to ensure continuity of conformity. |
| Certificate of Conformity: | | A certificate issued by the Authority ensuring the conformity of the product or any of its batches to the requirements of the approved standard. |
| Conformity Body: | Assessment | The registered, approved or accepted body to perform conformity assessment in accordance with respective legislations. It includes testing, calibration, inspection, quality testing and certification bodies for systems, individuals or products. |
| UAE Quality Mark: | | The mark approved by the Authority, granted to the product to indicate that it conforms to the approved standards in its field. |
| Mark: | | Any drawing, mark, stamp, engraving or image representing the authority or its publications regarding standards, metrology, quality and conformity or representing any international body related to standards, quality and conformity. |
| Supplier: | | The manufacturer, packer, processor, agent, storer, a major or sub-distributor, or a person whose activity has an impact on the product's characteristics, or any commercial or legal representative who is responsible for importing the product. |
| Consumer: | | Any person who obtains a good or service for or without cahрге, satisfying his personal needs or the needs of others. |
| Product: | | Any juice and drink product specified in the attached table of this resolution. |
| Supply Chain: | | All stages the product goes through, starting with the initial production until it reaches the final consumer, including the stages of import, export, production, preparation, processing, packaging, transport, storage, |

distribution, presentation, display, wholesale or retail sale and any other related activity.

Launching:

Any activity or process that aims for selling, presenting, trading, marketing, promoting or offering the product to the consumer, whether with or without charge.

Article (2)

Scope

1. The provisions of this resolution shall apply to products, whose standards are listed in attached table of this resolution.
2. Product intended for export is excluded from the provisions of this resolution.

Article (3)

Supplier's Responsibilities

The supplier shall commit to the following at any stage of the supply chain:

1. Practice his activity through a registered and licensed company or an individual institution in accordance with respective legislations.
2. Obtain certificate of conformity of the product before its trade in the markets in accordance with ECAS conformity system model (B).
3. Obtain Emirates Quality Mark for the product in accordance with the procedures approved in the Authority.
4. Ensuring that the product meets the technical requirements specified in the approved standards, set out in attached table.
5. Products must be prepared under appropriate hygienic conditions through the effective application of the food safety system at the factory.
6. Cooperate with the staff of the Authority and the competent authorities and provide the required documents, including the test reports, if necessary.
7. Keeping reports proving the safety of the product, for minimum 10 years from the date of the last batch traded. The reports shall be updated when necessary.
8. Ensuring the product meets the requirements of this resolution.
9. Compliance with conformity verification procedures in this resolution.

10. Submitting all technical documents, certificates and all data and information that confirm the product's compliance with the provisions of this resolution.
11. Any other commitments specified by the Authority in coordination with competent authorities.

Article (4)
Technical Requirements

The following requirements shall be met in the product intended for trade or marketing in the country:

1. Requirements of the approved standard (UAE.S GSO 9).
2. Meeting the labelling requirements specified in the requirements of the product standard in the attached table.
3. Pictures and statements displayed on the label shall not be against the provisions of public morals and Islamic values in the country.
4. The quantity of the product in the package shall be in accordance with the approved standard mentioned in the attached table.
5. The product shall be packed in hygienic packages that does not affect its properties and it shall be in accordance with the approved standards in the attached table.
6. The shelf life of the product shall be in accordance with the requirements of the approved standards in the attached table.

Article (5)
Conformity Verification

1. All sales points are prohibited from displaying the product in local markets or carrying out promotional or testing campaigns of the product, unless it is registered in accordance with UAE conformity assessment system (ECAS).
2. The authority and the competent authority, as required, shall ensure the conformity of the product with approved standards specified in this resolution, before issuing the certificate of conformity, including verifying the following:
 - A. The supplier has fulfilled all the procedures to obtain the certificate of conformity according to ECAS and the conformity assessment model (B).
 - B. The product fulfills the requirements of this resolution and complies with the approved standards in the attached table.

- C. The supplier effectively implements the food safety system in the factory and that he submitted certificates, issued by competent authorities, confirming that.
- D. All the technical documents, certificates, data and information confirms the conformity of the product to the requirements of this resolution.

Article (6)

Requirements of the conformity assessment body

The conformity assessment body, which evaluates the conformity of the product, must fulfill the conditions and requirements set by the Council of Ministers in regard to supervision on conformity assessment bodies.

Article (7)

The Responsibilities of the Competent Authorities

The competent authorities, as part of their field of competence and powers, shall do the following:

1. Checking the product's compliance with the requirements of the approved standards and the completion of the technical documentation attached to the consignment to be tested.
2. Taking all administrative procedures to withdraw or recall any product not complying with the requirements of this resolution.
3. Signing penalties, referred to in article (11) of this resolution, in case any violation is committed.

Article (8)

Control and Market Survey

1. The product, when displayed in markets, shall be subject to control and the authority or the competent authority, as required, shall take all necessary measures to control it to ensure its continuous compliance with the conformity certificate throughout the supply chain, and it may take any of the procedures:
 - A. Ensuring that all sale outlets in the country are prohibiting the importation or trade of the product in local markets, unless it obtains a certificate of conformity.
 - B. Withdraw samples of the product, from sales outlets in markets or from suppliers' warehouses, whether they are manufacturers or importers, to perform necessary tests and ensure its conformity to the provisions of this resolution.

- C. Take all necessary procedures against the product not complying with one of the requirements in granting conformity certificate, including suspending its trading or withdrawing it from local markets.
 - D. Requiring the supplier, responsible for the noncompliant product, to recall and withdraw it from local markets and take corrective action, if possible, or requiring to return it to the country of origin or destroying it in accordance with the legislations in force, within the time period specified by the Authority or competent authorities.
 - E. Continuing the execution of procedures mentioned in this article.
2. The supplier, having the product from which the sample was withdrawn, is considered responsible for its noncompliance to the requirements of this resolution unless it is proven otherwise within the period specified by the Authority or competent authorities, as required.

Article (9)

General Provisions

1. The approved standards set in the attached table shall be mandatory in the country.
2. The Authority shall be responsible for receiving and studying the applications for product's registration and the granting of conformity certificates for the products covered by the provisions of this resolution and approving them and authorizing any competent authority or appointing an appropriate conformity assessment body to evaluate the conformity of the product according to the Council of Ministers' decision on the UAE system to control conformity assessment bodies.
3. The competent authority in each Emirate shall apply control and inspection procedures on the product to ensure that the requirements of this resolution are implemented.
4. This decision shall not preclude the inspectors of the competent authorities from supervising and taking samples to conduct other tests on the product pursuant to other legislations.
5. All parties subject to the provisions of this resolution shall provide the inspectors of the competent authorities with the assistance and information they request concerning the implementation of its provisions.
6. The Council can amend any of the standards mentioned in the attached table or approve any other standard required to implement this resolution, in accordance with the federal law no. (28) for the year 2001 for establishing the Emirates Authority for Standardization and Metrology ESMA and its amendments.

7. If any situation arises that cannot be dealt with under the provisions of this resolution, or any dispute arises in its interpretation or application, the matter shall be brought to the director general for the issuance of the decision he deems appropriate for the public interest.

Article (10)

Transitional Provisions

The supplier whose products are in the market prior to the publication of this resolution is granted a period of not more than one year from the date of publication of this resolution in the official gazette, to adjust the conditions of the product in accordance with the provisions of this resolution.

Article (11)

Violations and penalties

1. Without prejudice to any penalty or procedure stated in Federal Law No. (28) for year 2001, regarding the establishment of Emirates Authority for Standardization and Metrology and its amendments and other relevant legislations, in case of any violation to any of the articles (3), (4) and (5) of this resolution, the Authority or competent authority, as required, may set one or more the following penalties:
 - A. Coordinate with licensing authority to cancel the trade license of the supplier responsible for this violation.
 - B. The violator shall carry the costs of removing and handling the damages resulting from the violations in case it is not removed or handled.
 - C. In case the authority or competent authorities, as required, was not able to determine the person responsible for non-conformity of products, the person owning the violation is considered responsible for the nonconformity, unless proven otherwise.

Article (12)

Grievance Procedure

1. Grievance is permitted from the decisions issued under the provisions of Article (11) of this resolution, provided that the following is adhered to:
 - A. Submission of grievance to the director general as per the procedures set by the authority within a time period not exceeding (14) working days from the date of informing the violator of the decision.
 - B. Attachment of all necessary documents showing the reasoning for grievance.

2. The director general issues the decision he deems appropriate on the submitted grievance in accordance with the provisions of this article within a time period not exceeding (25) working days from the day of submission. The issued decision is considered final and grievance is considered rejected in case no action is taken within the time period specified in this item.

Article (13)
Cancellations

Any provision contrary to or inconsistent with the provisions of this resolution shall be cancelled.

Article (14)
Publishing and circulation

This decision shall be published in the Official Gazette and shall be implemented from the day following the date of its publication.

Mohammad bin Rashid Al Maktoum
Prime Minister

Issued:

Date: 6 Ramadan 1439

Corresponding to: 22 May 2018

Table attached with Cabinet Resolution no. (30) for the year 2018
On the UAE system for the control of juices and drinks

| | Standard number | Approved Standard |
|----|------------------------|---|
| 1 | UAE.S GSO 1820 | Fruit Juices and Nectars |
| 2 | UAE.S GSO 2201 | Juices with milk |
| 3 | UAE.S GSO 2208 | Flavored Artificial Drink |
| 4 | UAE.S GSO 848 | Flavored Artificial Drink Powders |
| 5 | UAE.S GSO 794 | Fruit Drink |
| 6 | UAE.S GSO 385 | Guava Nectar |
| 7 | UAE.S GSO 2456 | Fresh Fruit Juice (Unpasteurized) |
| 8 | UAE.S GSO 9 | Labelling of Prepackaged Foodstuffs |
| 9 | UAE. GSO 21 | Hygienic Regulations for Food Plants and their Personnel |
| 10 | UAE.S GSO 323 | General Requirements for Transportation and Storage of Chilled and Frozen Foods |
| 11 | UAE.S GSO R 87 | Quantity of Product in Prepackages |
| 12 | UAE.S 150-1 | Expiration dates of food products – Part 1: Mandatory Expiration Dates |
| 13 | UAE.S 150-2 | Expiration dates of food products – Part 2: Voluntary Expiration Dates |
| 14 | UAE.S GSO 839 | Food Packages – Part 1: General Requirements |
| 15 | UAE.S GSO 2333 | Requirements of Nutrition and Health Claim in the Food |
| 16 | UAE.S GSO 2233 | Requirements of Nutritional Labelling |
| 17 | UAE.S GSO 1863 | Food Packages – Part 2: Plastic Package – General Requirements |
| 18 | UAE.S GSO 1694 | General Principles of Food Hygiene |