

From: Arab Hellenic Chamber of Commerce and Development <chamber@arabgreekchamber.gr>

Sent: Wednesday, February 10, 2021 5:34 PM

To: chamber@arabgreekchamber.gr

Subject: Επείγουσες Ενημερώσεις από την Αίγυπτο

ΠΡΟΣ ΤΑ ΜΕΛΗ ΤΟΥ ΑΡΑΒΟ-ΕΛΛΗΝΙΚΟΥ ΕΠΙΜΕΛΗΤΗΡΙΟΥ

Θέματα: 1. Κατάθεση στον ΠΟΕ ειδοποιήσεων από την Αιγυπτιακή πλευρά σχετικά με την εφαρμογή νέων προτύπων (standards) νομοθεσίας προϊόντων

2. Ενημέρωση σχετικά με νέες διαδικασίες Εθνικής Αρχής Ασφάλειας Τροφίμων της Αιγύπτου

Αγαπητά μέλη,

Σας διαβιβάζουμε σημαντικές ενημερώσεις που λάβαμε από το Γραφείο Ο.Ε.Υ. Καΐρου μέσω του Υπουργείου Εξωτερικών, Β8 Δ/ση, ως ακολούθως:

1. Η Αίγυπτος κατέθεσε στον Παγκόσμιος Οργανισμός Εμπορίου (ΠΟΕ), νέα κοινοποίηση SPS σχετικά με την πρόταση μηχανισμού εισαγωγής σπόρων πατάτας ως συνημμένο μαζί με την ανεπίσημη αγγλική μετάφραση της πρότασης, ενώ στους ακόλουθους συνδέσμους της ιστοσελίδας του ΠΟΕ, μπορείτε να παρακολουθείτε τόσο τις νέες ειδοποιήσεις όσο και τις συναφείς προσθήκες σε προηγούμενες ειδοποιήσεις :

α) Για τεχνικά εμπόδια: <http://tbtims.wto.org/en/Notifications/Search> και

β) Για υγειονομικά και φυτοϋγειονομικά: <http://spsims.wto.org/en/Notifications/Search>

Παρακαλούμε για την αποστολή τυχόν σχολίων, παρατηρήσεων κλπ, ως προς τα νέα πρότυπα, απευθείας στο Γραφείο Οικονομικών και Εμπορικών Υποθέσεων Καΐρου, στο e-mail: ecocom-cairo@mfa.gr, το αργότερο μέχρι 26 Φεβρουαρίου 2021, προκειμένου να προωθηθούν εγκαίρως στην Αντιπροσωπεία της ΕΕ στο Κάιρο, με κοινοποίηση στο Άραβο-Ελληνικό Επιμελητήριο (chamber@arabgreekchamber.gr)².

2. Η Εθνική Αρχή της Αιγύπτου (NFSA) γνωστοποίησε τους νέους τεχνικούς κανονισμούς δειγματοληπτικού ελέγχου αγροδιατροφικών προϊόντων που αποσκοπούν στην εξασφάλιση καλύτερης εφαρμογής μέτρων ελέγχου καθώς και στην επιτάχυνση της απελευθέρωσης τροφίμων στα σύνορα σύμφωνα με τις διεθνείς συστάσεις. Συγκεκριμένα, οι εταιρείες που επιθυμούν να εξάγουν στην Αίγυπτο **δεν** θα είναι υποχρεωμένες να προσλαμβάνουν οργανισμούς πιστοποίησης δειγματολογικού ελέγχου, **εκτός μόνο** αν θέλουν να έχουν τα οφέλη από τη μείωση δειγματολογικών ποσοστών στα σύνορα της χώρας, σε αντίθεση με το παλαιό καθεστώς που απαιτούσε δειγματοληψία σε ποσοστό 100% στις εισαγωγές τροφίμων στην χώρα.

Επιπρόσθετα, γνωστοποιείται ότι οι διαδικασίες της εταιρείας πιστοποίησης SGS εγκρίνονται από τον NFSA, ωστόσο τονίζεται παράλληλα ότι αυτές δεν είναι δεσμευτικές, δεδομένο ότι υπάρχουν και άλλες εταιρείες πιστοποίησης, όπως η TUV Nord, όπως φαίνεται στην ιστοσελίδα του NFSA

([https://nfsa.gov.eg/\(S\(j2yybb4jmp1r1ffdj5ex42k\)\)/App_PP/DeskTop/App_Web/App_Custom/1/Default.aspx?TabID=10000000](https://nfsa.gov.eg/(S(j2yybb4jmp1r1ffdj5ex42k))/App_PP/DeskTop/App_Web/App_Custom/1/Default.aspx?TabID=10000000))

. Επισυνάπτονται οι νέοι τεχνικοί κανονισμοί με αγγλική μετάφραση.

Παραμένουμε στη διάθεσή σας για περαιτέρω πληροφορίες/διευκρινίσεις.

Με εκτίμηση,

Rashad Mabger

Γενικός Γραμματέας



الغرفة العربية اليونانية للتجارة والتنمية
ΑΡΑΒΟ-ΕΛΛΗΝΙΚΟ ΕΠΙΜΕΛΗΤΗΡΙΟ ΕΜΠΟΡΙΟΥ & ΑΝΑΠΤΥΞΕΩΣ
ARAB-HELLENIC CHAMBER OF COMMERCE & DEVELOPMENT

Λεωφ. Κηφισίας 180-182, παράδρ. Ολυμπιονικών/154 51 Νέο Ψυχικό/Αθήνα (4ος όροφος)

Τηλ.: + 30 210-6711 210/ 6773 428 / 6726 882 (εσωτ. 109)/ Fax: + 30 210-6746577

www.arabhellenicchamber.gr/κεντρικό e-mail: mailto:chamber@arabgreekchamber.gr



27 January 2021

(21-0755)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1.	Notifying Member: <u>EGYPT</u> If applicable, name of local government involved:
2.	Agency responsible: Ministry of Agriculture and Land Reclamation - Central Administration of Plant Quarantine
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Seed potatoes
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input type="checkbox"/> All trading partners <input checked="" type="checkbox"/> Specific regions or countries: Currently approved origins for exporting potato seeds to Egypt
5.	Title of the notified document: Proposal of seed potatoes import mechanism. Language(s): Unofficial translation into English. Number of pages: 1 https://members.wto.org/crnattachments/2021/SPS/EGY/21_0626_00_e.pdf
6.	Description of content: Seed potatoes import mechanism to be applied for imports starting of season 2021/2022 from currently approved origins for exporting potato seeds to Egypt.
7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input checked="" type="checkbox"/> protect territory from other damage from pests.
8.	Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): <input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number): <input checked="" type="checkbox"/> International Plant Protection Convention (e.g. ISPM number): - ISPM 7, Phytosanitary certification system - ISPM 14, the use of integrated measures in a systems approach for pest risk management - ISPM 16, Regulated non-quarantine pests: concept and application - ISPM 23, Guidelines for inspection - ISPM 24, Guidelines for the determination and recognition of equivalence of phytosanitary measures <input type="checkbox"/> None Does this proposed regulation conform to the relevant international standard?

	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
9.	Other relevant documents and language(s) in which these are available:
10.	<p>Proposed date of adoption (<i>dd/mm/yy</i>): 25 November 2020</p> <p>Proposed date of publication (<i>dd/mm/yy</i>): 25 November 2020</p>
11.	<p>Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (<i>dd/mm/yy</i>): 31 March 2021</p> <p><input checked="" type="checkbox"/> Trade facilitating measure</p>
12.	<p>Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (<i>dd/mm/yy</i>): 28 March 2021</p> <p>Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>Central Administration for Foreign Agricultural Relations Ministry of Agriculture and Land Reclamation 1 Nadi El Saïd St., Dokki, Giza, Egypt Tel: +(202) 333 76 589 +(202) 374 90 805 Fax: +(202) 374 90 805 E-mail: enq_egy_sps@yahoo.com</p>
13.	<p>Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>Central Administration for Foreign Agricultural Relations Ministry of Agriculture and Land Reclamation 1 Nadi El Saïd St., Dokki, Giza, Egypt Tel: +(202) 333 76 589 +(202) 374 90 805 Fax: +(202) 374 90 805 E-mail: enq_egy_sps@yahoo.com</p>

Decision of the Board of Directors of the National Food Safety Authority

No. (2) of the Year 2020

On

Registration of Conformity Assessment Bodies Issuing Certificates of Conformity for Imported Food Consignments

Board of Directors (BOD)

After reviewing the Constitution,

Law No. 118 of the Year 1975 on Import and Export,

Law No. 1 of the Year 2017 on the Enactment of the Law on the National Food Safety Authority (NFSA) and the Executive Regulations issued by the Decree of the Prime Minister No. 412 of the Year 2019,

Decree of the President of the Republic No. 72 of the Year 1995 Approving the Accession of the Arab Republic of Egypt to the World Trade Organization (WTO) and to the Agreements Included in the Final Document Containing the Results of the Uruguay Round of Multilateral Trade Negotiations (MTN) and the Schedules of Commitments of the Arab Republic of Egypt on Goods and Services Signed in Marrakesh in the Kingdom of Morocco on 15 April, 1994,

Decree of the Prime Minister No. 1433 of the Year 2017 on the Formation of NFSA/BOD,

Decree of the Minister of the Trade and industry No. 991 of the Year 2015 on Some Goods Imported Under Special Conditions,

Decree of the Minister of Trade and Industry No. 992 of the Year 2015 on the Rules Regulating the Registration of the Plants Eligible to Export Products to the Arab Republic of Egypt and Amendments thereto, and

Approval of NFSA/BOD in the session held on 29 January, 2020

Decided the following:

Article (1)

Definitions

The following terms shall, in the application of the provisions of the present Decision, have the meanings set forth next to each:

“NFSA” shall mean The National Food Safety Authority.

“CABs” shall mean conformity assessment bodies issuing certificates of conformity (COCs) for imported food consignments.

“Tracks” shall mean procedures represented in symbols (green, yellow, orange or red) that are assigned by NFSA for the purpose of releasing food consignments upon arrival at any Egyptian port, with a view to accelerating the procedures of customs release where there is a high probability that food consignments are in conformity with requirements.

Article (2)

CABs Registration Requirements

1. A record for the registration of CABs issuing certificates of conformity (COC) shall be kept at NFSA.

Applicant CABs shall fulfil the following registration requirements:

- a. Applicant CABs shall have at least a five-year experience in managing international conformity assessment programs applied on imported food consignments to be proven by at least five contracts concluded in different countries as evidence of experience,
 - b. Applicant CABs shall have an online conformity assessment system that connects NFSA requirements, the state of conformity of products and exporters with a view to facilitating the transfer of required data between parties,
 - c. Applicant CABs shall be certified to ISO/IEC 17065 (Conformity Assessment - Requirements for Bodies Certifying Products, Processes and Services), and to ISO 9001 (Quality Management Systems),
 - d. Applicant CABs shall provide NFSA with a statement of the accredited laboratories certified to ISO 17025 (General Requirements for the Competence of Testing and Calibration Laboratories), to which CABs send samples for testing, and shall submit the certificates of accreditation granted to such laboratories indicating the scope of accreditation,
 - e. Applicant CABs shall provide NFSA with a statement of the references and instructions on physical inspection and sampling methods to be applied to food consignments exported to the Arab Republic of Egypt depending on the type of the product identified by NFSA to be examined by such CABs,
 - f. Applicant CABs may not, by way of subcontracting, delegate any task thereto assigned to other CABs unless such CABs are granted written approval from NFSA.
2. In case where Applicant CABs have authorized branches/agents in the Arab Republic of Egypt, CABs shall submit a request for registration to NFSA indicating the name, brand name and head office of parent CABs, and shall complete the application for registration prepared for that purpose, and shall provide the following documents:
 - a. Name, brand mark and trade name of CABs,
 - b. Tax Card,
 - c. Commercial Register,
 - d. Statute, articles of incorporation and names of partners,
 - e. Activities conducted by applicant CABs (physical inspection/sampling/others),
 - f. International accreditation certificates granted to CABs in the fields of conformity assessment, inspection and auditing (indicating scope of accreditation, date of accreditation and accreditation renewal date),
 - g. Official correspondence address and e-mail, and
 - h. Evidence that the prescribed registration fees are duly paid.

Article (3)

Obligations of CABs Issuing COCs

CABs shall:

1. apply NFSA's rules governing conformity assessment conducted on each product in the imported food consignments subject to inspection, and updates thereof, and the COCs issued by such CABs may not be accepted unless CABs comply with such rules,
2. issue certificates and reports in the form and format that fulfil NFSA's requirements,
3. issue COCs for food shipments exported to the Arab Republic of Egypt,
4. allow NFSA at any time to check and inspect CAB offices, branches and laboratories as well as the laboratories contracted with by CABs at home and abroad with a view to verifying that such offices, branches and laboratories fulfil NFSA's requirements.
5. provide NFSA with the forms used in various activities, (including but not limited to forms for food consignment physical inspection, sampling, COC for food consignments, etc.) so that such forms can be reviewed and approved by NFSA, and in case where CABs wish to change such forms, CABs shall obtain NFSA's approval for the forms amended.

Article (4)

Procedures for Registration of CABs Issuing COCs

1. NFSA shall examine the documents submitted by applicant CABs and shall notify such CABs that whether or not such documents fulfil NFSA's requirements.
2. In case where the documents submitted by CABs fulfil NFSA registration requirements, CABs shall be registered and included in lists of NFSA-registered CABs, and the products contracted by NFSA in order for each CAB to conduct conformity assessment activities as well as the countries wherein CABs are authorized to conduct such activities shall be specified and published on the NFSA website.
3. NFSA shall periodically verify the conformity assessment activities conducted by NFSA-registered CABs with a view to assessing such CABs through conducting announced or unannounced on-site verification visits.

Article (5)

Subject to a decision by NFSA Chairman of the Board (COB), in case where CABs, during registration period, are found to be in violation of the provisions provided for in this Decision or where the imported food consignments are found not to be in conformity with the applicable legislation and the technical regulations issued by NFSA, in particular the maximum residue limits (MRLs) and the chemical and microbiological contaminant limits, NFSA is entitled to:

- serve a notice of warning on CABs in case of first-time violation,
- in case where a violation recurs, suspend dealing with such CABs for a period not exceeding one year.

- in case where suspension is repeated twice, remove such CABs from the lists of the NFSA-registered CABs.

Article (6)

Financial Obligations

1. CABs shall pay a fee of L.E 20.000 (Twenty Thousand Egyptian Pounds or equivalent in the foreign currency approved by the Central Bank of Egypt (CBE)) in return for the annual registration with NFSA, and such fee shall be increased by 5% on an annual basis.
2. CABs shall to NFSA pay 25% of the fees paid by exporter for each shipment in return for reviewing and approving inspection results.
3. CABs or CABs branches shall into NFSA's account at the CBE deposit an insurance amount of L.E. 500.000 (Five Hundred Thousand Egyptian Pounds or equivalent in the foreign currency approved by the CBE) with a view to ensuring that CABs comply with the provisions provided for in this Decision.
4. The registration of CABs shall be valid for a one-year term, and CABs shall take the procedures required to renew the registration at least two months prior to the registration expiration date.

Article (7)

NFSA/COB may conclude agreements and memoranda of understanding (MOUs) with international, regional and Arab bodies and authorities on mutual recognition of food safety control systems with a view to providing the required level of protection.

Article (8)

Any other provision contrary to what is stated in the present Decision shall hereby be repealed and the present Decision shall enter into force as of date of publication in the Supplement of the Official Gazette (Al-Waqae Al-Misriyya).

Chairman of the Board of Directors

Dr. Hussein Mansour

Attachment No. 1

List of Imported Food Goods to be Granted COCs by NFSA- registered CABs

No.	H.S. Code	Goods
1	-04.03-04.02-04.01 04.06-04.05	Milk and milk products for direct consumption (other than baby milk) intended for retail sale in packages, not exceeding 2 kg
2	of chapter 8	Preserved and dried fruits for direct consumption intended for retail sale in packages, not exceeding 2 kg
3	of chapter 15	Oils and fats intended for retail sale in packages, not exceeding 2 kg
4	17.04	Sugar confectionery
5	of 18.06	Chocolate and other food preparations containing cocoa for direct consumption intended for retail sale in packages, not exceeding 2 kg
6	of 20.09	Fruit juices intended for retail sale in packages, less than 10 kg.
7	22.02-22.01	Natural, mineral and carbonated water
8	1001	Wheat
9	-82.11.91 -82.11.10 -44.19 -39.24-82.15 -73.23 -69.12-69.11 76.15.10-74.18.10	Food contact materials

Decision of the Board of Directors of the National Food Safety Authority
No. (6) of the Year 2020
On
The Technical Regulations Governing Food Import Licensing

Board of Directors (BOD)

After reviewing the Constitution,

Law No. 66 of the Year 1963 on the Enactment of the Law on Customs,

Law No. 118 of the Year 1975 on Import and Export and the Executive Regulations issued by decree No.770 of the year 2005,

Law No.121 of the Year 1982 on the Importer Register and amendments thereto,

The Law No. 1 of the Year 2017 on the enactment of the Law on National Food Safety Authority (NFSA),

The Decree of the Prime Minister No. 412 of the Year 2019 on the Enactment of the Executive Regulations Implementing the Law on NFSA,

The Decree of the Prime Minister No. 1433 of the Year 2017 on the Formation of NFSA/BOD, and

Approval of NFSA/BOD at the meeting held on 25/6/2020

Decided the following:

(Article 1)

Definitions

“**NFSA**” shall mean the National Food Safety Authority.

“**Food**” shall mean 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.

“**Food-Contact Material**” shall mean any substance that come into contact with food or produced for the purpose of coming into contact with food, including containers, wrappers and packages.

“Food Handling” shall mean one or more operations of food production, manufacture, offering or displaying for sale, storage, preserving, wrapping, transportation, delivery, importation, exportation, or the licensing or approval for any of these activities.

“Food Handling License” shall mean 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.

“Food Business Establishment” shall mean any establishment performing any of the activities related to any stage of processing, production, manufacture, storage, preserving, packaging, wrapping, labelling, importation, exportation, transportation, delivery or offering and 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 for-profit or non-profit, public or private, permanent or temporary, as well as ruminant and poultry slaughterhouses.

“Food Business Operator (FBO)” shall mean the natural or legal person 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 imports” shall mean the imported food and food-contact material according to the aforementioned definitions.

“Importer” shall mean the natural or legal person in whose name a Customs Declaration is registered for the food imports requested to be released after paying an import duty or released according to other customs systems, and who is responsible for meeting import regulations.

(Article 2)

The present Decision aims to lay down rules governing the licensing of food importers and food business establishments which work in the area of importation of foods into the Arab Republic of Egypt with a view to ensuring imported food safety and quality, providing the optimum protection of consumers from risks associated with imported foods, whilst enhancing the efficiency of the final release of food imports by approving food control activities performed by the exporting country, before importing food consignments to Egypt.

The present Decision shall apply to each and every food business establishment or food importer whether a natural person or performs the activity of importing food from abroad for re-using or offering for sale on the domestic market.

(Article 3)

It is prohibited for the persons subject to the present Decision to perform the activity of importing foods unless a license is obtained from NFSA in accordance with the rules and procedures provided for in the present Decision.

Food importers who have already performed activities of importing food, prior to the enforcement of the provisions of the present Decision, shall to NFSA submit an application to obtain a license in accordance with the provisions of the present Decision, within six months from the day following date of publication.

For food processing establishments already registered with NFSA that import foods for production purposes or service requirements, the registration of an establishment with NFSA shall be deemed as licensing the establishment as a food importer who is included in the NFSA's lists, provided that the activity is established upon issuing a food handling license for an establishment.

(Article 4)

Licensing Documents

A special register shall be created by NFSA to register licenses of food importers, a license application shall be submitted in writing or electronically using the form prepared for this purpose, and shall include the following information and documents:

- 1- Name of the importer or representative or commercial agent,
- 2- Name, brand name and trade name of the food business establishment,
- 3- Tax card,
- 4- Commercial Register,
- 5- The legislation governing the company, articles of incorporation, the names of the partners, and the name of the administrative director (s) of the establishment,
- 6- Activity of the company indicating the food commodities to be imported according to the Commercial Register,
- 7- Headquarters located in the Arab Republic of Egypt,
- 8- Contact information, including the correspondence address and e-mail,
- 9- The customs number of the food business establishment assigned by the Ministry of Finance,
- 10- A statement of previous import activities performed by the importer as a food importer, through the company and/or its managing and operating officer, under the same or different name of the food business establishment during the last year from the date of submitting the application marked on the form prepared for that purpose,
- 11- A certified copy of registration in the Importer Register of the Ministry of Trade and Industry in accordance with Law No.121 of the Year 1982 on Importer Register and amendments thereto,

The period of license shall be valid for three-years, and shall be renewed at least two months prior to the expiration. Failure to renew the license within the specified timelines would lead to consider the food importer as a new applicant. The renewal application shall to Chairman of the Board of Directors (COB) be submitted accompanied by a statement indicating payment of the prescribed fees.

(Article 5)

Food Importers' Obligations

In order to obtain a food importer license, food importers shall:

- 1- notify NFSA of all food business establishments owned by such importers, if any,
- 2- undertake to notify NFSA of any change in the activities of the food business establishments that the food importer operates, or the closure of any of such establishments,
- 3- comply with the food safety and quality measures based on NFSA's decisions on technical regulations governing food import control, as well as on international best practices, and continue to apply such practices, and such measures include at least:
 - a. Key measures for food consignment storage, transportation and distribution,
 - b. Key measures related to preventive controls applied by foreign suppliers, and such controls are verified by food importers such as internationally recognized certificate of compliance, as well as the ability to recall food products, including traceability system, for a period not exceeding twelve months.

(Article 6)

NFSA's Obligations Towards Food Importers

- 1- Upon receiving the application for a food importer license and all the required documents, NFSA shall examine such application and documents, and shall notify the applicant of whether or not the application fulfills NFSA's requirements for food importer licensing within a period not exceeding 30 working days.
- 2- In case where an applicant provides the required documents and complies with NFSA's requirements of license, the applicant shall be entered into NFSA's register of licensed food importers, and such information shall be published on the NFSA's website.
- 3- In case where an applicant fails to comply with NFSA's requirements of license, the application shall be rejected by means of duly reasoned decision. Should the reason for rejecting the application be related to non-compliance of the food business establishment with food safety requirements, NFSA shall inform the applicant in writing or electronically of corrective actions required to be taken, and the applicant shall be granted a period of time set by NFSA/COB in order to comply with such requirements.
- 4- NFSA shall review food safety standards and requirements, quality management systems, and procedures established and performed by importers; assess effectiveness thereof; and periodically monitor and check importers' continuous compliance with the NFSA's requirements, and such procedure is used as one of the parameters when NFSA applies the technical regulations and decisions related to facilitating procedures of control and inspection on food imports according to risk-based approach.

- 5- NFSA shall make a white list of qualified food importers, including some food importers who are licensed and registered with NFSA, and shall apply the technical regulations and decisions related to facilitating procedures of control and inspection on food imports and to reduction of the duration of customs clearance, including the application of reduced sampling rates (less than 100%) on imported consignments, based on risks determined through adopting the parameters required to establish distinct clearance channels for imported food consignments, as set by NFSA/BOD.

(Article 7)

Financial obligations

An amount of fees shall be paid on an annual basis:

- 20,000 EGP (Twenty Thousand Egyptian Pounds) as a fee for the issuance of food importer license, and
- 5,000 EGP (Five Thousand Egyptian Pounds) as a fee for the issuance of a food importer license for food processing establishments already registered with NFSA.

NFSA shall issue a receipt to attest to the payments of fees, and food importers shall also pay certain amount in return for some services provided by NFSA according to the following table:

Amount in EGP	Service
1,000	Request for data adjustment or addition of new data
500	Issuance of a replacement copy for lost or damaged license
200	Issuance of a copy of the license certificate

(Article 8)

Suspension or Revocation of Food Importer Licenses

NFSA/COB may decide to suspend or revoke a food importer’s license in the following cases:

- 1- Existence of non-compliance associated with a certain level of risks, which requires NFSA to take a procedure commensurate with risk level based on the results of risk assessment conducted by NFSA according to internationally recognized approaches,
- 2- Provision of erroneous information relating to license application or renewal, or upon amending information associated with the license,
- 3- Death of the natural person or company expiration in whatever form,
- 4- Licensee’s conviction by a final judgment of any of offences specified in laws on corporations, importation and exportation, customs, supply, combating fraud and deception, anti-money laundering, competition protection, prevention of monopolistic practices, or in laws on trade unless rehabilitation is made thereto, and

5- Failure to submit a renewal application to NFSA, and expiration of legal deadline.

The food importer has the right to challenge the decision issued by NFSA/COB before the Grievance Committee.

(Article 9)

NFSA/COB may amend or add any conditions to food importer licensing provided that the conditions are submitted to NFSA/BOD at the first meeting, and BOD may issue appendices to such decision.

(Article 10)

The officials responsible for implementing the present Decision shall respect the confidentiality of the data related to pricing, invoices, and customers' names that the officials have access thereto, otherwise such officials shall incur criminal and civil liability.

(Article 11)

The present Decision shall be published in the Supplement of the Official Gazette (Al-Waqae Al-Misriyya), and shall enter into force on the day following date of publication.

Chairman of the Board of Directors

Dr. Hussein Mansour

Dated: 27/6/2020

Decisions

Decision of the Board of Directors of the National Food Safety Authority

No. 7 of the Year 2020

On

Risk-Based Food Import Control System

Board of Directors (BOD)

After reviewing the Constitution,

Law No. 66 of the Year 1963 on the Enactment of the Law on Customs,

Law No. 118 of the Year 1975 on Import and Export,

Law No. 121 of the Year 1982 on the Importer Register and Amendments thereto,

Law No. 181 of the Year 2018 on the Consumer Protection and the Executive Regulations Implementing this Law,

Law No. 1 of the Year 2017 on the National Food Safety Authority (NFSA),

Decree of the Prime Minister No. 412 of the Year 2019 on the Enactment of the Executive Regulations Implementing the Law on NFSA,

Decree of the Prime Minister No. 1296 of the Year 2020 on the Re-Formation of NFSA/BOD, and

Approval of NFSA/BOD in the meeting held on 22 July, 2020

Decided the following:

Preamble

The present Decision is made within the framework of the role performed by NFSA, being the sole authority entrusted with the control of food imports, and the development of food import control systems, including the provision of optimum level of protection for the consumer against the risks of food imports whilst enhancing the efficiency of the final release of food imports by adopting preventive measures based on the risk level of food imports, and by taking appropriate measures for the release of food imports,

In accordance with the provisions of Article No. 2 of Law No. 1 of the Year 2017 and the Executive Regulations implementing this law issued by decree of the prime minister No. 412 of the year 2019, which stipulates that NFSA shall solely exercise the competence previously vested in ministries and organizations in respect of the control of food handling in accordance with the provisions of the food safety related laws and decisions, of verification that food safety requirements are fulfilled in all food handling operations, and of the development of control systems on food imports and production inputs destined for the Arab Republic of Egypt,

Pursuant to the provision of Article 3 (8) of Law No. 1 of the Year 2017, which regulates NFSA's powers and responsibilities for performing risk-based official controls, taking into account the responsibilities of food importers for ensuring the safety and compliance of food imported into the Arab Republic of Egypt, and

In accordance with Codex Guidelines on the Principles for Food Import and Export Inspection and Certification (CAC/GL 20-1995) and Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems (CAC/GL 26-1997), which guide for the adoption of risk-based food import inspection systems.

Article (1) **Definitions**

The following terms shall, in the application of the provisions of the present Decision, have the meanings set forth next to each:

"NFSA" shall mean the National Food Safety Authority.

"Food Handling" shall mean one or more operations of food production, manufacture, offering or displaying for sale, storage, preserving, wrapping, transportation, delivery, importation, exportation, or the licensing or approval for any of such activities.

"Food Imports" shall mean the foods imported into the Arab Republic of Egypt, including production inputs, in accordance with the definition of "Food" provided for in Law No. 1 of the Year 2017 on the Enactment of Law on NFSA.

"Importer" shall mean a natural or legal person in whose name a Customs Declaration is registered for the food imports requested to be released after paying an import duty or released according to other customs systems, and who is responsible for meeting import regulations.

"Food Consignment" shall mean one or more food commodities that are usually covered by one certificate in accordance with the guidelines issued by the Codex Alimentarius Commission (CAC).

"Production Inputs" shall include materials, raw materials, intermediate goods, additives, flavoring agents, processing aids, and food-contact packaging materials.

"Food Safety and Quality Requirements" shall mean the technical regulations on food safety and quality requirements issued by NFSA with a view to ensuring compliance of food, in accordance with the provisions of Law No. 1 of the Year 2017 and the Executive Regulations implementing this law, and with the applicable international food standards, including standards issued by CAC and approved by NFSA.

“List of Food Prohibited from Importation” shall mean a list of food prohibited from being imported into the Arab Republic of Egypt based on international notifications and information exchange mechanisms, and such list shall periodically be updated and published on the NFSA website.

“Risk-Based Sampling and Inspection System” shall mean an approach followed by NFSA for dealing with food imports through applying a sampling system appropriate to the potential risk level of such food imports at a rate ranging between 100% and 2% upon arrival of such imports at the customs points of entry of the Arab Republic of Egypt.

“Pre-Border Notification” shall mean a notification submitted to NFSA in writing or by any electronic means for food import consignments prior to arrival of such consignments at the customs points of entry of the Arab Republic of Egypt, including basic information on the content of the imported food consignments, and any additional information that assists in the determination of risk level of such consignments as determined by NFSA.

“NFSA-Registered Conformity Assessment Bodies (CABs)” shall mean a third party entrusted with the task of verifying and documenting compliance of food imports with the requirements set by NFSA, and of issuing Certificates of Conformity (COCs). NFSA-registered CABs are either included in the list of bodies whose food safety control systems are approved by NFSA, or in the list of NFSA-registered CABs issuing COCs for imported food consignments in accordance with the Decision of NFSA/BOD No. 2 of the Year 2020, and such lists shall be published on the NFSA website.

“Determination of Imported Food Consignment Risk Level” shall mean the result of the determination of various risks of an imported food consignment taking into account a number of basic criteria, in particular the identified risks associated with food, a food business establishment, the use of a food, any process, material or activity that may have an effect on food safety; the strength of the food control system applied in the country of origin of food commodity; food import compliance verified by NFSA-registered CABs (third party) in accordance with the Egyptian and international food safety requirements; the past compliance history of food importers to whom a food consignment is directed in terms of compliance with food safety related laws and legislation; and any information that may indicate the existence of a violation. Determination of imported food consignment risk level shall be used as a basis for taking a decision on how such consignment will be dealt with upon arrival at the customs points of entry of the Arab Republic of Egypt.

“Multiple-Criteria Decision Analysis (MCDA)” shall mean an analytical approach based on multiple criteria, which may have an effect on the presented case taking into account each decision-making criterion.

“Clearance Channel” shall mean a decision taken by NFSA on the customs release methodology determined for dealing with imported food consignments based on the determination of risk level of such consignments, in accordance with the information provided in a pre-border notification.

“Final Release of Imported Food Consignment” shall mean the release of an imported food consignment to a food importer with the possibility to handle food in the Egyptian market.

“Temporary Release of Imported Food Consignment” shall mean the release of an imported food consignment under the detention of NFSA and in the custody of food importer without the possibility to handle food in the Egyptian market pending an official notification from NFSA upon completion of compliance verification procedures determined by NFSA, and NFSA issues a decision on controls, requirements and procedures for temporary release.

“Certificate of Exemption from Import Control” shall mean a certificate issued by NFSA stating that an imported food consignment is exempt from control since such consignment is not intended for handling in the Egyptian market, such as transit goods, and is subject to a different food control system, in accordance with a Memorandum of Understanding (MOU) between NFSA, food control authorities, and other entities.

"Food Withdrawal" shall mean an action taken to remove a food product from the supply chain except for the product possessed by the consumer.

"Food Recall" shall mean 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 food.

“Import for Personal Use” shall mean all commodities imported by a natural person with a view to realizing personal and family benefits, provided that such commodities are suitable in terms of quality and quantity to the personal or family use and not for the purpose of trading.

Article (2)

Scope of Application of Food Import Control Systems

All foods imported into the Arab Republic of Egypt shall, in accordance with the provisions of the present Decision, be subject to the risk-based food import control system.

The provisions of the present Decision may not apply to the following:

1. food imported for personal use,
2. gifts, grants, foods intended for advertising and promotion purposes, and food samples,
3. airline meals served by foreign transportation companies,

4. food consignments intended for immediate transshipment, for example, transit goods transported through Egypt,
5. food consignments intended for consumption by the Egyptian Armed Forces personnel,
6. food samples received for the purpose of analysis in Egyptian testing laboratories, and
7. consignments of fish caught from Lake Nasser, as well as fish caught by fishing fleets flying the flag of Egypt and operating on the high seas.

Article (3)

Principles and Objectives of Risk-Based Food Import Control System

NFSA shall adopt a risk-based imported food control system and international best practices applied in the area of imported food control, with a view to enhancing consumer protection, supporting food business operators (FBOs), facilitating the access of food imports to the Egyptian market, and motivating food manufacturers and importers to follow best practices.

NFSA shall adopt a preventive approach for food import control based on the principles of the CAC and the World Trade Organization (WTO) in particular:

- issuing decisions appropriate to the determination of risk level of food imports,
- adopting non-discriminatory treatment between imported and domestically produced foods,
- ensuring transparency in issuing decisions pertaining to food import control system, and
- providing a mechanism for the fast customs clearance for imported food consignments,

with a view to achieving the following goals:

- strengthening risk based food import control system, and supporting preventive measures to protect consumers, and
- reducing the burden on food importers and consumers.

Article (4)

Risk-Based Food Import Control System

NFSA shall apply a risk-based food import control system through implementing the measures provided for in the present Decision, in accordance with the following stages:

- 1) Prior to arrival of food imports at customs points of entry, and/or prior to leaving the country of production or the country of origin, with a view to ensuring the safety of food imports and the compliance with the food safety and quality requirements set by NFSA,
- 2) Upon arrival of food imports at customs points of entry, with a view to taking the measures required for ensuring the compliance of imported food consignments with the food safety and quality requirements set by NFSA, and

3) Subsequent to the final release and handling of food imports, with a view to implementing the measures required for ensuring the control of food imports after being handled in the Egyptian market.

Article (5)

Prohibition of Imported Food Handling

It is prohibited to import food that:

- is included in the list of foods prohibited from importation and updates thereto, as determined by NFSA,
- do not comply with the food safety and quality requirements issued by NFSA, and
- is deemed to be harmful to health by the country of production or the country of origin.

Importation of food imports is also prohibited in case where such imports contain a food that is unfit for human consumption.

Article (6)

It is prohibited for any food business establishment to import foods into the Arab Republic of Egypt, unless such establishment obtains an import license from NFSA to operate as a food importer, and complies with the requirements set by NFSA.

Article (7)

Responsibilities of NFSA

NFSA shall develop and implement risk-based food import control measures through:

- establishing a risk-based food import control framework to be applied by NFSA for the purposes of verification of compliance, including development of measures for the release of imported food consignments upon arrival at customs points of entry, setting inspection and sampling rates, and updating and publishing such rates as the need arises,
- developing and publishing a list of foods prohibited from importation into the Arab Republic of Egypt, and updating such list in accordance with international notifications and information exchange mechanisms,
- developing and publishing lists of NFSA-registered CABs on the NFSA website as determined by NFSA,
- developing, monitoring, and publishing the controls and requirements set by NFSA, with a view to ensuring compliance of imported food consignments destined for the Arab Republic of Egypt with the food safety and quality requirements, including targeted food risks and risk analysis methods and protocols,

- making available to importers all information, in particular: rules, requirements, conditions, and procedures governing food import control, as well as the decisions issued by NFSA on any imported food consignment within the risk management framework (RMF), and
- concluding protocols with the NFSA-registered CABs by NFSA Chairman of the Board of Directors (COB), with a view to enhancing the application of the risk-based food import control system.

Article (8)

Rights and Obligations of Food Importers

Food importers shall fulfill NFSA food import control requirements and conditions, and comply with the licensing controls and requirements set by NFSA.

Food importers or representatives thereof shall bear the costs of control activities performed on imported food consignments within the framework of the risk-based food import control system, in particular:

- charges for obtaining a Food Import License,
- costs of controls performed on imported food consignments prior to arrival at customs points of entry,
- costs of controls performed on imported food consignments at customs points of entry, including sampling and conducting laboratory analyses, with a view to ensuring compliance with the food safety and quality requirements set by NFSA, and
- Any other expenses incurred by NFSA for the implementation of control activities referred to in the present Decision.

Food importer has the right to file a grievance before NFSA Grievance Committee against any decision issued by NFSA with regard to the application of the food import control system.

Article (9)

Rules Governing Risk-Based Food Import Sampling and Inspection

Food imports shall be subject to a risk-based sampling and inspection system provided that a pre-border notification of imported food consignment is submitted to NFSA, and that such notification fulfills the requirements and controls provided for in the present Decision.

Acceptance of a pre-border notification shall be conditional on providing such notification within a period of time not exceeding three months and not less than 72 hours as of the expected date of arrival of imported food consignment at the Egyptian customs port.

Food importers shall whenever possible to NFSA provide the pre-border notification of food imports in the manner so determined by NFSA so as to benefit from the risk-based sampling and inspection system, and NFSA shall also issue a "Certificate of Exemption from Import Control" by virtue of a decision on the exemption of food imports in accordance with the provision of Article (2) of the present Decision.

Article)10)

Clearance Channels of Imported Food Consignment

NFSA shall assign a clearance channel for each imported food consignment fulfilling the pre-border notification requirements set by NFSA, based on the determination of risk level for each consignment, and clearance channel shall determine the methodology for dealing with imported food consignments upon arrival at the customs points of entry of the Arab Republic of Egypt, in particular the inspection and random sampling level, in accordance with the following four channels:

- a. **Green Clearance Channel:** assigned for low-risk imported food consignments.
- b. **Yellow Clearance Channel:** assigned for low-medium risk imported food consignments.
- c. **Orange Clearance Channel:** assigned for medium-high risk imported food consignments.
- d. **Red Clearance Channel:** assigned for high-risk imported food consignments.

Article (11)

Dealing with Imported Food Consignments Not Fulfilling Pre-Border Notification Requirements

Imported food consignments shall follow the Red Clearance Channel upon arrival at the customs points of the Arab Republic of Egypt in case where a pre-border notification of such consignments was not sent to NFSA or where such consignments do not fulfill the required requirements, including but not limited to providing a pre-border notification containing insufficient information or sending such notification outside the prescribed time period.

Article (12)

Requirements for Pre-Border and Separate Notifications

A single pre-border notification shall to NFSA be provided for each imported food consignment containing a single food commodity or containing a food commodity of identical type and Harmonized System Code (HS Code), and destined for the Arab Republic of Egypt through the same customs port at the same date/time, whether in one or several containers.

In case where an imported food consignment contains several food commodities, the contents of each food commodity in such consignment shall be of identical type, HS Code, grade and packaging, and NFSA shall deal with such consignment through determining the risk level associated therewith based on the food commodity with highest risk.

Article (13)

An amount of L.E. 2000 (only Two Thousand Egyptian Pounds or equivalent in the approved foreign currency) shall be paid at NFSA's account at the Central Bank of Egypt in return for inspection of the imported food consignment for which a pre-border notification was sent.

Article (14)

Information Required to Be Provided in Pre-Border Notification

Pre-border notification shall include the minimum amount of the required information, provided that such notification is submitted in writing or by any electronic means as determined by NFSA and in the form prepared for that purpose, and is made available on the NFSA website, and shall include the following:

a. information on a food importer:

- license number issued by NFSA, and
- contact information (address, phone, fax, email, etc.);

b. information on food consignment and a customs port of the Arab Republic of Egypt:

- HS Code for food commodity/commodities,
- name of food commodity/commodities and a full description of the manufacturing and packaging conditions,
- number of containers,
- expected shipping date,
- expected time of arrival at the customs port of the Arab Republic of Egypt, and
- expected customs port of the Arab Republic of Egypt;

c. food commodity country of origin, which is the last country wherein a food commodity was produced or manufactured, under the supervision of the food control authority;

d. whether the competent food control authority of the country of origin is included in the list of bodies whose food safety control systems are approved by NFSA, and such list is published on the NFSA website; and

e. formal proof of compliance, including a series of measures taken by NFSA to ensure compliance of food imports with food safety and quality requirements through the COC issued by the NFSA-registered CABs.

Article (15)

Pre-Border Notification Update

Information provided in pre-border notification of imported food consignment destined for the Arab Republic of Egypt may be updated, provided that such update is made 72 hours prior to the arrival of food imports at the customs points of entry of the Arab Republic of Egypt.

NFSA shall take into account the information provided in the last pre-border notification provided on such food imports.

Article (16)

Food imports where for a pre-border notification was sent shall be subject to the sampling and inspection system based on the determination of risk level of the imported food consignments at customs points of entry of the Arab Republic of Egypt and on the results of the risk analysis methodology.

Risk analysis methodology shall, in accordance with the provisions of the present Decision, be applied using the information provided in the pre-border notification of imported food consignments submitted to NFSA, and shall include a number of criteria for the determination of risks associated with imported food consignments, in particular:

- country of origin of a food product and whether the competent food control authority is included in the list of bodies whose food safety control systems are approved by NFSA, and such list is published on the NFSA website,
- the risk level of imported food commodity based on the risk posed by the potential contamination of a commodity as a result of food hazards, the treatment level of such commodity, any potential target population category, and any other factor that may have an effect on the potential risks associated with the consumption of such commodity,
- conformity assessment documents issued by NFSA-registered CABs proving that an imported food consignment complies with the requirements and conditions set by NFSA, and
- past compliance history of food importers to whom food imports are consigned in respect of compliance with food safety related laws and decisions.

NFSA shall review and amend the standards and mechanisms regulating risk analysis methodology used for the determination of risks associated with imported food consignments keeping pace with the development of scientific evidence and the availability of additional data supporting decision-making.

Article (17)

Terms and Conditions for Customs Clearance

Random or Mandatory Sampling System

Clearance Channel shall determine whether imported food consignments are subject to temporary or final release upon arrival at the customs points of entry of the Arab Republic of Egypt, and shall determine the level of random or mandatory sampling where to imported food consignments may be subject for the verification of compliance.

NFSA shall issue a decision on the final release of imported food consignments from customs upon assigning the Green or Yellow Channel to such consignments, including consignments that have been subject to random sampling for the verification of compliance before NFSA receives the results of laboratory tests, in accordance with the criteria and requirements set by NFSA to be applied at the customs points of entry of the Arab Republic of Egypt.

NFSA shall issue a decision on the temporary release of imported food consignments from customs upon assigning the Orange Channel to such consignments, including consignments that have been subject to random sampling, in accordance with the decisions issued by NFSA in this regard.

NFSA shall issue a decision on the temporary release of imported food consignments from customs upon assigning the Red Channel to such consignments after conducting mandatory sampling thereon.

NFSA shall determine the rate of random or mandatory sampling (i.e. the percentage of imported food consignments that follow the same clearance channels and are subject to sampling) in accordance with the potential risk level of such consignments as determined by NFSA.

Risk categorization controls and conditions as well as the procedures required to be followed and taken in this regard shall be determined by a decision issued by NFSA/COB.

Article (18)

Dealing with Non-Compliant Food Imports

For food imports, which have been subject to sampling and have been granted final release from customs after following the Green and Yellow Clearance Channels, and then found to be non-compliant, NFSA shall take appropriate measures on such consignments, including detention, and in case where such consignments have been handled in the Egyptian market, the importer shall withdraw and recall food from said market.

In case where the importer fails to recall non-compliant food, NFSA/COB shall issue appropriate decisions and take the required measures in this regard at the expense of the importer.

For food imports, which have been subject to sampling and have been granted temporary release from customs after following the Red or Orange Clearance Channel and then found to be non-compliant, NFSA shall take appropriate measures in this regard, including re-export or destruction of such food.

Article (19)

NFSA shall whenever possible make available on the NFSA website and by other media all information on the methodology applied in specifying:

- criteria for the determination of risk level of imported food consignments and food production inputs, and whenever possible any changes made to such criteria, including any mathematical processing of data that can be developed and updated for such purpose, and the methodology used for dealing with food imports, provided that the methodology applied is in consistence with the Codex guidelines on risk-based food import control system, and
- random sampling rates required to be applied as a result of the determination of risk level of imported food consignments and food production inputs, and each time the methodology is updated in order to be used in the determination of sampling rate in accordance with the protocol for the determination of risk level of food imports.

Article (20)

Keeping Pace with Scientific Developments

NFSA shall update the risk-based food import control system in accordance with the developments in scientific evidence associated with food safety risks, and with any update aiming at keeping pace with the developments in establishing international Codex standards for food import control.

Article (21)

The present Decision shall enter into force 6 months after date of publication, and such period may be extended for a similar period by virtue of a decision issued by NFSA/BOD.

Chairman of the Board of Directors
Dr. Hussein Mansour

Dated : 26 July, 2020



UNOFFICIAL TRANSLATION

Proposal of seed potatoes import mechanism

The following mechanism has been developed by the NPPO of Egypt (Central Administration of Plant Quarantine) and it was discussed between the Potato Technical Committee and the Egyptian seed potatoes importers , and based on the approval of H E : Minister of Agriculture and Land Reclamation

The proposal shall be applied from the season 2021/2022 (according to the Covid -19 outbreak status at the countries of origin), the proposed steps are following:-

1- The submission (acceptance) of import applications from **April 15 to May 15** of each year (before the import season) in order to give the committee sufficient opportunity to study these requests, and requests are not accepted after this period.

2- The companies wishing to import are obligated to declare all the data in the application submitted of the quantity to be imported, the origin, the varieties, grower numbers abroad, the expected date of arrival of the first shipment and the approximate last shipment, in order to decide on the request and determine committees to examine the crop to be exported from the country of origin.

3- Based on these data, the committees are assigned to inspect farms in the country of origin at the appropriate stages of cultivation to confirm the tolerances of viral diseases, provided that a fixed value of money is determined for each ton of seeds allowed to be imported to allocate the financing the cost of these committees.

4- The first season in implementing this mechanism is considered as an experimental season to measure the extent of its efficiency and the extent of the companies' commitment after informing them of the import mechanism that is dealt with them through the extent of their commitment in this season.

Those steps shall neither contradict the general operative plant quarantine rules and conditions including annex № 14 of the Ministerial decree № 562/2019 nor the provisions of the International Plant Protection Convention (IPPC), Rome 1951, and its annexes.





27 January 2021

(21-0755)

Page: 1/2

Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1.	Notifying Member: <u>EGYPT</u> If applicable, name of local government involved:
2.	Agency responsible: Ministry of Agriculture and Land Reclamation - Central Administration of Plant Quarantine
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Seed potatoes
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input type="checkbox"/> All trading partners <input checked="" type="checkbox"/> Specific regions or countries: Currently approved origins for exporting potato seeds to Egypt
5.	Title of the notified document: Proposal of seed potatoes import mechanism. Language(s): Unofficial translation into English. Number of pages: 1 https://members.wto.org/crnattachments/2021/SPS/EGY/21_0626_00_e.pdf
6.	Description of content: Seed potatoes import mechanism to be applied for imports starting of season 2021/2022 from currently approved origins for exporting potato seeds to Egypt.
7.	Objective and rationale: <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input checked="" type="checkbox"/> protect territory from other damage from pests.
8.	Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): <input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number): <input checked="" type="checkbox"/> International Plant Protection Convention (e.g. ISPM number): - ISPM 7, Phytosanitary certification system - ISPM 14, the use of integrated measures in a systems approach for pest risk management - ISPM 16, Regulated non-quarantine pests: concept and application - ISPM 23, Guidelines for inspection - ISPM 24, Guidelines for the determination and recognition of equivalence of phytosanitary measures <input type="checkbox"/> None Does this proposed regulation conform to the relevant international standard?

	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
9.	Other relevant documents and language(s) in which these are available:
10.	<p>Proposed date of adoption (<i>dd/mm/yy</i>): 25 November 2020</p> <p>Proposed date of publication (<i>dd/mm/yy</i>): 25 November 2020</p>
11.	<p>Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (<i>dd/mm/yy</i>): 31 March 2021</p> <p><input checked="" type="checkbox"/> Trade facilitating measure</p>
12.	<p>Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (<i>dd/mm/yy</i>): 28 March 2021</p> <p>Agency or authority designated to handle comments: <input type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>Central Administration for Foreign Agricultural Relations Ministry of Agriculture and Land Reclamation 1 Nadi El Saïd St., Dokki, Giza, Egypt Tel: +(202) 333 76 589 +(202) 374 90 805 Fax: +(202) 374 90 805 E-mail: enq_egy_sps@yahoo.com</p>
13.	<p>Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, <input type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p> <p>Central Administration for Foreign Agricultural Relations Ministry of Agriculture and Land Reclamation 1 Nadi El Saïd St., Dokki, Giza, Egypt Tel: +(202) 333 76 589 +(202) 374 90 805 Fax: +(202) 374 90 805 E-mail: enq_egy_sps@yahoo.com</p>

Decision of the Board of Directors of the National Food Safety Authority

No. (2) of the Year 2020

On

Registration of Conformity Assessment Bodies Issuing Certificates of Conformity for Imported Food Consignments

Board of Directors (BOD)

After reviewing the Constitution,

Law No. 118 of the Year 1975 on Import and Export,

Law No. 1 of the Year 2017 on the Enactment of the Law on the National Food Safety Authority (NFSA) and the Executive Regulations issued by the Decree of the Prime Minister No. 412 of the Year 2019,

Decree of the President of the Republic No. 72 of the Year 1995 Approving the Accession of the Arab Republic of Egypt to the World Trade Organization (WTO) and to the Agreements Included in the Final Document Containing the Results of the Uruguay Round of Multilateral Trade Negotiations (MTN) and the Schedules of Commitments of the Arab Republic of Egypt on Goods and Services Signed in Marrakesh in the Kingdom of Morocco on 15 April, 1994,

Decree of the Prime Minister No. 1433 of the Year 2017 on the Formation of NFSA/BOD,

Decree of the Minister of the Trade and industry No. 991 of the Year 2015 on Some Goods Imported Under Special Conditions,

Decree of the Minister of Trade and Industry No. 992 of the Year 2015 on the Rules Regulating the Registration of the Plants Eligible to Export Products to the Arab Republic of Egypt and Amendments thereto, and

Approval of NFSA/BOD in the session held on 29 January, 2020

Decided the following:

Article (1)

Definitions

The following terms shall, in the application of the provisions of the present Decision, have the meanings set forth next to each:

“NFSA” shall mean The National Food Safety Authority.

“CABs” shall mean conformity assessment bodies issuing certificates of conformity (COCs) for imported food consignments.

“Tracks” shall mean procedures represented in symbols (green, yellow, orange or red) that are assigned by NFSA for the purpose of releasing food consignments upon arrival at any Egyptian port, with a view to accelerating the procedures of customs release where there is a high probability that food consignments are in conformity with requirements.

Article (2)

CABs Registration Requirements

1. A record for the registration of CABs issuing certificates of conformity (COC) shall be kept at NFSA.

Applicant CABs shall fulfil the following registration requirements:

- a. Applicant CABs shall have at least a five-year experience in managing international conformity assessment programs applied on imported food consignments to be proven by at least five contracts concluded in different countries as evidence of experience,
 - b. Applicant CABs shall have an online conformity assessment system that connects NFSA requirements, the state of conformity of products and exporters with a view to facilitating the transfer of required data between parties,
 - c. Applicant CABs shall be certified to ISO/IEC 17065 (Conformity Assessment - Requirements for Bodies Certifying Products, Processes and Services), and to ISO 9001 (Quality Management Systems),
 - d. Applicant CABs shall provide NFSA with a statement of the accredited laboratories certified to ISO 17025 (General Requirements for the Competence of Testing and Calibration Laboratories), to which CABs send samples for testing, and shall submit the certificates of accreditation granted to such laboratories indicating the scope of accreditation,
 - e. Applicant CABs shall provide NFSA with a statement of the references and instructions on physical inspection and sampling methods to be applied to food consignments exported to the Arab Republic of Egypt depending on the type of the product identified by NFSA to be examined by such CABs,
 - f. Applicant CABs may not, by way of subcontracting, delegate any task thereto assigned to other CABs unless such CABs are granted written approval from NFSA.
2. In case where Applicant CABs have authorized branches/agents in the Arab Republic of Egypt, CABs shall submit a request for registration to NFSA indicating the name, brand name and head office of parent CABs, and shall complete the application for registration prepared for that purpose, and shall provide the following documents:
 - a. Name, brand mark and trade name of CABs,
 - b. Tax Card,
 - c. Commercial Register,
 - d. Statute, articles of incorporation and names of partners,
 - e. Activities conducted by applicant CABs (physical inspection/sampling/others),
 - f. International accreditation certificates granted to CABs in the fields of conformity assessment, inspection and auditing (indicating scope of accreditation, date of accreditation and accreditation renewal date),
 - g. Official correspondence address and e-mail, and
 - h. Evidence that the prescribed registration fees are duly paid.

Article (3)

Obligations of CABs Issuing COCs

CABs shall:

1. apply NFSA's rules governing conformity assessment conducted on each product in the imported food consignments subject to inspection, and updates thereof, and the COCs issued by such CABs may not be accepted unless CABs comply with such rules,
2. issue certificates and reports in the form and format that fulfil NFSA's requirements,
3. issue COCs for food shipments exported to the Arab Republic of Egypt,
4. allow NFSA at any time to check and inspect CAB offices, branches and laboratories as well as the laboratories contracted with by CABs at home and abroad with a view to verifying that such offices, branches and laboratories fulfil NFSA's requirements.
5. provide NFSA with the forms used in various activities, (including but not limited to forms for food consignment physical inspection, sampling, COC for food consignments, etc.) so that such forms can be reviewed and approved by NFSA, and in case where CABs wish to change such forms, CABs shall obtain NFSA's approval for the forms amended.

Article (4)

Procedures for Registration of CABs Issuing COCs

1. NFSA shall examine the documents submitted by applicant CABs and shall notify such CABs that whether or not such documents fulfil NFSA's requirements.
2. In case where the documents submitted by CABs fulfil NFSA registration requirements, CABs shall be registered and included in lists of NFSA-registered CABs, and the products contracted by NFSA in order for each CAB to conduct conformity assessment activities as well as the countries wherein CABs are authorized to conduct such activities shall be specified and published on the NFSA website.
3. NFSA shall periodically verify the conformity assessment activities conducted by NFSA-registered CABs with a view to assessing such CABs through conducting announced or unannounced on-site verification visits.

Article (5)

Subject to a decision by NFSA Chairman of the Board (COB), in case where CABs, during registration period, are found to be in violation of the provisions provided for in this Decision or where the imported food consignments are found not to be in conformity with the applicable legislation and the technical regulations issued by NFSA, in particular the maximum residue limits (MRLs) and the chemical and microbiological contaminant limits, NFSA is entitled to:

- serve a notice of warning on CABs in case of first-time violation,
- in case where a violation recurs, suspend dealing with such CABs for a period not exceeding one year.

- in case where suspension is repeated twice, remove such CABs from the lists of the NFSA-registered CABs.

Article (6)

Financial Obligations

1. CABs shall pay a fee of L.E 20.000 (Twenty Thousand Egyptian Pounds or equivalent in the foreign currency approved by the Central Bank of Egypt (CBE)) in return for the annual registration with NFSA, and such fee shall be increased by 5% on an annual basis.
2. CABs shall to NFSA pay 25% of the fees paid by exporter for each shipment in return for reviewing and approving inspection results.
3. CABs or CABs branches shall into NFSA's account at the CBE deposit an insurance amount of L.E. 500.000 (Five Hundred Thousand Egyptian Pounds or equivalent in the foreign currency approved by the CBE) with a view to ensuring that CABs comply with the provisions provided for in this Decision.
4. The registration of CABs shall be valid for a one-year term, and CABs shall take the procedures required to renew the registration at least two months prior to the registration expiration date.

Article (7)

NFSA/COB may conclude agreements and memoranda of understanding (MOUs) with international, regional and Arab bodies and authorities on mutual recognition of food safety control systems with a view to providing the required level of protection.

Article (8)

Any other provision contrary to what is stated in the present Decision shall hereby be repealed and the present Decision shall enter into force as of date of publication in the Supplement of the Official Gazette (Al-Waqae Al-Misriyya).

Chairman of the Board of Directors

Dr. Hussein Mansour

Attachment No. 1

List of Imported Food Goods to be Granted COCs by NFSA- registered CABs

No.	H.S. Code	Goods
1	-04.03-04.02-04.01 04.06-04.05	Milk and milk products for direct consumption (other than baby milk) intended for retail sale in packages, not exceeding 2 kg
2	of chapter 8	Preserved and dried fruits for direct consumption intended for retail sale in packages, not exceeding 2 kg
3	of chapter 15	Oils and fats intended for retail sale in packages, not exceeding 2 kg
4	17.04	Sugar confectionery
5	of 18.06	Chocolate and other food preparations containing cocoa for direct consumption intended for retail sale in packages, not exceeding 2 kg
6	of 20.09	Fruit juices intended for retail sale in packages, less than 10 kg.
7	22.02-22.01	Natural, mineral and carbonated water
8	1001	Wheat
9	-82.11.91 -82.11.10 -44.19 -39.24-82.15 -73.23 -69.12-69.11 76.15.10-74.18.10	Food contact materials

Decision of the Board of Directors of the National Food Safety Authority
No. (6) of the Year 2020
On
The Technical Regulations Governing Food Import Licensing

Board of Directors (BOD)

After reviewing the Constitution,

Law No. 66 of the Year 1963 on the Enactment of the Law on Customs,

Law No. 118 of the Year 1975 on Import and Export and the Executive Regulations issued by decree No.770 of the year 2005,

Law No.121 of the Year 1982 on the Importer Register and amendments thereto,

The Law No. 1 of the Year 2017 on the enactment of the Law on National Food Safety Authority (NFSA),

The Decree of the Prime Minister No. 412 of the Year 2019 on the Enactment of the Executive Regulations Implementing the Law on NFSA,

The Decree of the Prime Minister No. 1433 of the Year 2017 on the Formation of NFSA/BOD, and

Approval of NFSA/BOD at the meeting held on 25/6/2020

Decided the following:

(Article 1)

Definitions

“**NFSA**” shall mean the National Food Safety Authority.

“**Food**” shall mean 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.

“**Food-Contact Material**” shall mean any substance that come into contact with food or produced for the purpose of coming into contact with food, including containers, wrappers and packages.

“Food Handling” shall mean one or more operations of food production, manufacture, offering or displaying for sale, storage, preserving, wrapping, transportation, delivery, importation, exportation, or the licensing or approval for any of these activities.

“Food Handling License” shall mean 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.

“Food Business Establishment” shall mean any establishment performing any of the activities related to any stage of processing, production, manufacture, storage, preserving, packaging, wrapping, labelling, importation, exportation, transportation, delivery or offering and 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 for-profit or non-profit, public or private, permanent or temporary, as well as ruminant and poultry slaughterhouses.

“Food Business Operator (FBO)” shall mean the natural or legal person 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 imports” shall mean the imported food and food-contact material according to the aforementioned definitions.

“Importer” shall mean the natural or legal person in whose name a Customs Declaration is registered for the food imports requested to be released after paying an import duty or released according to other customs systems, and who is responsible for meeting import regulations.

(Article 2)

The present Decision aims to lay down rules governing the licensing of food importers and food business establishments which work in the area of importation of foods into the Arab Republic of Egypt with a view to ensuring imported food safety and quality, providing the optimum protection of consumers from risks associated with imported foods, whilst enhancing the efficiency of the final release of food imports by approving food control activities performed by the exporting country, before importing food consignments to Egypt.

The present Decision shall apply to each and every food business establishment or food importer whether a natural person or performs the activity of importing food from abroad for re-using or offering for sale on the domestic market.

(Article 3)

It is prohibited for the persons subject to the present Decision to perform the activity of importing foods unless a license is obtained from NFSA in accordance with the rules and procedures provided for in the present Decision.

Food importers who have already performed activities of importing food, prior to the enforcement of the provisions of the present Decision, shall to NFSA submit an application to obtain a license in accordance with the provisions of the present Decision, within six months from the day following date of publication.

For food processing establishments already registered with NFSA that import foods for production purposes or service requirements, the registration of an establishment with NFSA shall be deemed as licensing the establishment as a food importer who is included in the NFSA's lists, provided that the activity is established upon issuing a food handling license for an establishment.

(Article 4)

Licensing Documents

A special register shall be created by NFSA to register licenses of food importers, a license application shall be submitted in writing or electronically using the form prepared for this purpose, and shall include the following information and documents:

- 1- Name of the importer or representative or commercial agent,
- 2- Name, brand name and trade name of the food business establishment,
- 3- Tax card,
- 4- Commercial Register,
- 5- The legislation governing the company, articles of incorporation, the names of the partners, and the name of the administrative director (s) of the establishment,
- 6- Activity of the company indicating the food commodities to be imported according to the Commercial Register,
- 7- Headquarters located in the Arab Republic of Egypt,
- 8- Contact information, including the correspondence address and e-mail,
- 9- The customs number of the food business establishment assigned by the Ministry of Finance,
- 10- A statement of previous import activities performed by the importer as a food importer, through the company and/or its managing and operating officer, under the same or different name of the food business establishment during the last year from the date of submitting the application marked on the form prepared for that purpose,
- 11- A certified copy of registration in the Importer Register of the Ministry of Trade and Industry in accordance with Law No.121 of the Year 1982 on Importer Register and amendments thereto,

The period of license shall be valid for three-years, and shall be renewed at least two months prior to the expiration. Failure to renew the license within the specified timelines would lead to consider the food importer as a new applicant. The renewal application shall to Chairman of the Board of Directors (COB) be submitted accompanied by a statement indicating payment of the prescribed fees.

(Article 5)

Food Importers' Obligations

In order to obtain a food importer license, food importers shall:

- 1- notify NFSA of all food business establishments owned by such importers, if any,
- 2- undertake to notify NFSA of any change in the activities of the food business establishments that the food importer operates, or the closure of any of such establishments,
- 3- comply with the food safety and quality measures based on NFSA's decisions on technical regulations governing food import control, as well as on international best practices, and continue to apply such practices, and such measures include at least:
 - a. Key measures for food consignment storage, transportation and distribution,
 - b. Key measures related to preventive controls applied by foreign suppliers, and such controls are verified by food importers such as internationally recognized certificate of compliance, as well as the ability to recall food products, including traceability system, for a period not exceeding twelve months.

(Article 6)

NFSA's Obligations Towards Food Importers

- 1- Upon receiving the application for a food importer license and all the required documents, NFSA shall examine such application and documents, and shall notify the applicant of whether or not the application fulfills NFSA's requirements for food importer licensing within a period not exceeding 30 working days.
- 2- In case where an applicant provides the required documents and complies with NFSA's requirements of license, the applicant shall be entered into NFSA's register of licensed food importers, and such information shall be published on the NFSA's website.
- 3- In case where an applicant fails to comply with NFSA's requirements of license, the application shall be rejected by means of duly reasoned decision. Should the reason for rejecting the application be related to non-compliance of the food business establishment with food safety requirements, NFSA shall inform the applicant in writing or electronically of corrective actions required to be taken, and the applicant shall be granted a period of time set by NFSA/COB in order to comply with such requirements.
- 4- NFSA shall review food safety standards and requirements, quality management systems, and procedures established and performed by importers; assess effectiveness thereof; and periodically monitor and check importers' continuous compliance with the NFSA's requirements, and such procedure is used as one of the parameters when NFSA applies the technical regulations and decisions related to facilitating procedures of control and inspection on food imports according to risk-based approach.

- 5- NFSA shall make a white list of qualified food importers, including some food importers who are licensed and registered with NFSA, and shall apply the technical regulations and decisions related to facilitating procedures of control and inspection on food imports and to reduction of the duration of customs clearance, including the application of reduced sampling rates (less than 100%) on imported consignments, based on risks determined through adopting the parameters required to establish distinct clearance channels for imported food consignments, as set by NFSA/BOD.

(Article 7)

Financial obligations

An amount of fees shall be paid on an annual basis:

- 20,000 EGP (Twenty Thousand Egyptian Pounds) as a fee for the issuance of food importer license, and
- 5,000 EGP (Five Thousand Egyptian Pounds) as a fee for the issuance of a food importer license for food processing establishments already registered with NFSA.

NFSA shall issue a receipt to attest to the payments of fees, and food importers shall also pay certain amount in return for some services provided by NFSA according to the following table:

Amount in EGP	Service
1,000	Request for data adjustment or addition of new data
500	Issuance of a replacement copy for lost or damaged license
200	Issuance of a copy of the license certificate

(Article 8)

Suspension or Revocation of Food Importer Licenses

NFSA/COB may decide to suspend or revoke a food importer’s license in the following cases:

- 1- Existence of non-compliance associated with a certain level of risks, which requires NFSA to take a procedure commensurate with risk level based on the results of risk assessment conducted by NFSA according to internationally recognized approaches,
- 2- Provision of erroneous information relating to license application or renewal, or upon amending information associated with the license,
- 3- Death of the natural person or company expiration in whatever form,
- 4- Licensee’s conviction by a final judgment of any of offences specified in laws on corporations, importation and exportation, customs, supply, combating fraud and deception, anti-money laundering, competition protection, prevention of monopolistic practices, or in laws on trade unless rehabilitation is made thereto, and

5- Failure to submit a renewal application to NFSA, and expiration of legal deadline.

The food importer has the right to challenge the decision issued by NFSA/COB before the Grievance Committee.

(Article 9)

NFSA/COB may amend or add any conditions to food importer licensing provided that the conditions are submitted to NFSA/BOD at the first meeting, and BOD may issue appendices to such decision.

(Article 10)

The officials responsible for implementing the present Decision shall respect the confidentiality of the data related to pricing, invoices, and customers' names that the officials have access thereto, otherwise such officials shall incur criminal and civil liability.

(Article 11)

The present Decision shall be published in the Supplement of the Official Gazette (Al-Waqae Al-Misriyya), and shall enter into force on the day following date of publication.

Chairman of the Board of Directors

Dr. Hussein Mansour

Dated: 27/6/2020

Decisions

Decision of the Board of Directors of the National Food Safety Authority

No. 7 of the Year 2020

On

Risk-Based Food Import Control System

Board of Directors (BOD)

After reviewing the Constitution,

Law No. 66 of the Year 1963 on the Enactment of the Law on Customs,

Law No. 118 of the Year 1975 on Import and Export,

Law No. 121 of the Year 1982 on the Importer Register and Amendments thereto,

Law No. 181 of the Year 2018 on the Consumer Protection and the Executive Regulations Implementing this Law,

Law No. 1 of the Year 2017 on the National Food Safety Authority (NFSA),

Decree of the Prime Minister No. 412 of the Year 2019 on the Enactment of the Executive Regulations Implementing the Law on NFSA,

Decree of the Prime Minister No. 1296 of the Year 2020 on the Re-Formation of NFSA/BOD, and

Approval of NFSA/BOD in the meeting held on 22 July, 2020

Decided the following:

Preamble

The present Decision is made within the framework of the role performed by NFSA, being the sole authority entrusted with the control of food imports, and the development of food import control systems, including the provision of optimum level of protection for the consumer against the risks of food imports whilst enhancing the efficiency of the final release of food imports by adopting preventive measures based on the risk level of food imports, and by taking appropriate measures for the release of food imports,

In accordance with the provisions of Article No. 2 of Law No. 1 of the Year 2017 and the Executive Regulations implementing this law issued by decree of the prime minister No. 412 of the year 2019, which stipulates that NFSA shall solely exercise the competence previously vested in ministries and organizations in respect of the control of food handling in accordance with the provisions of the food safety related laws and decisions, of verification that food safety requirements are fulfilled in all food handling operations, and of the development of control systems on food imports and production inputs destined for the Arab Republic of Egypt,

Pursuant to the provision of Article 3 (8) of Law No. 1 of the Year 2017, which regulates NFSA's powers and responsibilities for performing risk-based official controls, taking into account the responsibilities of food importers for ensuring the safety and compliance of food imported into the Arab Republic of Egypt, and

In accordance with Codex Guidelines on the Principles for Food Import and Export Inspection and Certification (CAC/GL 20-1995) and Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Inspection and Certification Systems (CAC/GL 26-1997), which guide for the adoption of risk-based food import inspection systems.

Article (1) **Definitions**

The following terms shall, in the application of the provisions of the present Decision, have the meanings set forth next to each:

"NFSA" shall mean the National Food Safety Authority.

"Food Handling" shall mean one or more operations of food production, manufacture, offering or displaying for sale, storage, preserving, wrapping, transportation, delivery, importation, exportation, or the licensing or approval for any of such activities.

"Food Imports" shall mean the foods imported into the Arab Republic of Egypt, including production inputs, in accordance with the definition of "Food" provided for in Law No. 1 of the Year 2017 on the Enactment of Law on NFSA.

"Importer" shall mean a natural or legal person in whose name a Customs Declaration is registered for the food imports requested to be released after paying an import duty or released according to other customs systems, and who is responsible for meeting import regulations.

"Food Consignment" shall mean one or more food commodities that are usually covered by one certificate in accordance with the guidelines issued by the Codex Alimentarius Commission (CAC).

"Production Inputs" shall include materials, raw materials, intermediate goods, additives, flavoring agents, processing aids, and food-contact packaging materials.

"Food Safety and Quality Requirements" shall mean the technical regulations on food safety and quality requirements issued by NFSA with a view to ensuring compliance of food, in accordance with the provisions of Law No. 1 of the Year 2017 and the Executive Regulations implementing this law, and with the applicable international food standards, including standards issued by CAC and approved by NFSA.

“List of Food Prohibited from Importation” shall mean a list of food prohibited from being imported into the Arab Republic of Egypt based on international notifications and information exchange mechanisms, and such list shall periodically be updated and published on the NFSA website.

“Risk-Based Sampling and Inspection System” shall mean an approach followed by NFSA for dealing with food imports through applying a sampling system appropriate to the potential risk level of such food imports at a rate ranging between 100% and 2% upon arrival of such imports at the customs points of entry of the Arab Republic of Egypt.

“Pre-Border Notification” shall mean a notification submitted to NFSA in writing or by any electronic means for food import consignments prior to arrival of such consignments at the customs points of entry of the Arab Republic of Egypt, including basic information on the content of the imported food consignments, and any additional information that assists in the determination of risk level of such consignments as determined by NFSA.

“NFSA-Registered Conformity Assessment Bodies (CABs)” shall mean a third party entrusted with the task of verifying and documenting compliance of food imports with the requirements set by NFSA, and of issuing Certificates of Conformity (COCs). NFSA-registered CABs are either included in the list of bodies whose food safety control systems are approved by NFSA, or in the list of NFSA-registered CABs issuing COCs for imported food consignments in accordance with the Decision of NFSA/BOD No. 2 of the Year 2020, and such lists shall be published on the NFSA website.

“Determination of Imported Food Consignment Risk Level” shall mean the result of the determination of various risks of an imported food consignment taking into account a number of basic criteria, in particular the identified risks associated with food, a food business establishment, the use of a food, any process, material or activity that may have an effect on food safety; the strength of the food control system applied in the country of origin of food commodity; food import compliance verified by NFSA-registered CABs (third party) in accordance with the Egyptian and international food safety requirements; the past compliance history of food importers to whom a food consignment is directed in terms of compliance with food safety related laws and legislation; and any information that may indicate the existence of a violation. Determination of imported food consignment risk level shall be used as a basis for taking a decision on how such consignment will be dealt with upon arrival at the customs points of entry of the Arab Republic of Egypt.

“Multiple-Criteria Decision Analysis (MCDA)” shall mean an analytical approach based on multiple criteria, which may have an effect on the presented case taking into account each decision-making criterion.

“Clearance Channel” shall mean a decision taken by NFSA on the customs release methodology determined for dealing with imported food consignments based on the determination of risk level of such consignments, in accordance with the information provided in a pre-border notification.

“Final Release of Imported Food Consignment” shall mean the release of an imported food consignment to a food importer with the possibility to handle food in the Egyptian market.

“Temporary Release of Imported Food Consignment” shall mean the release of an imported food consignment under the detention of NFSA and in the custody of food importer without the possibility to handle food in the Egyptian market pending an official notification from NFSA upon completion of compliance verification procedures determined by NFSA, and NFSA issues a decision on controls, requirements and procedures for temporary release.

“Certificate of Exemption from Import Control” shall mean a certificate issued by NFSA stating that an imported food consignment is exempt from control since such consignment is not intended for handling in the Egyptian market, such as transit goods, and is subject to a different food control system, in accordance with a Memorandum of Understanding (MOU) between NFSA, food control authorities, and other entities.

"Food Withdrawal" shall mean an action taken to remove a food product from the supply chain except for the product possessed by the consumer.

"Food Recall" shall mean 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 food.

“Import for Personal Use” shall mean all commodities imported by a natural person with a view to realizing personal and family benefits, provided that such commodities are suitable in terms of quality and quantity to the personal or family use and not for the purpose of trading.

Article (2)

Scope of Application of Food Import Control Systems

All foods imported into the Arab Republic of Egypt shall, in accordance with the provisions of the present Decision, be subject to the risk-based food import control system.

The provisions of the present Decision may not apply to the following:

1. food imported for personal use,
2. gifts, grants, foods intended for advertising and promotion purposes, and food samples,
3. airline meals served by foreign transportation companies,

4. food consignments intended for immediate transshipment, for example, transit goods transported through Egypt,
5. food consignments intended for consumption by the Egyptian Armed Forces personnel,
6. food samples received for the purpose of analysis in Egyptian testing laboratories, and
7. consignments of fish caught from Lake Nasser, as well as fish caught by fishing fleets flying the flag of Egypt and operating on the high seas.

Article (3)

Principles and Objectives of Risk-Based Food Import Control System

NFSA shall adopt a risk-based imported food control system and international best practices applied in the area of imported food control, with a view to enhancing consumer protection, supporting food business operators (FBOs), facilitating the access of food imports to the Egyptian market, and motivating food manufacturers and importers to follow best practices.

NFSA shall adopt a preventive approach for food import control based on the principles of the CAC and the World Trade Organization (WTO) in particular:

- issuing decisions appropriate to the determination of risk level of food imports,
- adopting non-discriminatory treatment between imported and domestically produced foods,
- ensuring transparency in issuing decisions pertaining to food import control system, and
- providing a mechanism for the fast customs clearance for imported food consignments,

with a view to achieving the following goals:

- strengthening risk based food import control system, and supporting preventive measures to protect consumers, and
- reducing the burden on food importers and consumers.

Article (4)

Risk-Based Food Import Control System

NFSA shall apply a risk-based food import control system through implementing the measures provided for in the present Decision, in accordance with the following stages:

- 1) Prior to arrival of food imports at customs points of entry, and/or prior to leaving the country of production or the country of origin, with a view to ensuring the safety of food imports and the compliance with the food safety and quality requirements set by NFSA,
- 2) Upon arrival of food imports at customs points of entry, with a view to taking the measures required for ensuring the compliance of imported food consignments with the food safety and quality requirements set by NFSA, and

3) Subsequent to the final release and handling of food imports, with a view to implementing the measures required for ensuring the control of food imports after being handled in the Egyptian market.

Article (5)

Prohibition of Imported Food Handling

It is prohibited to import food that:

- is included in the list of foods prohibited from importation and updates thereto, as determined by NFSA,
- do not comply with the food safety and quality requirements issued by NFSA, and
- is deemed to be harmful to health by the country of production or the country of origin.

Importation of food imports is also prohibited in case where such imports contain a food that is unfit for human consumption.

Article (6)

It is prohibited for any food business establishment to import foods into the Arab Republic of Egypt, unless such establishment obtains an import license from NFSA to operate as a food importer, and complies with the requirements set by NFSA.

Article (7)

Responsibilities of NFSA

NFSA shall develop and implement risk-based food import control measures through:

- establishing a risk-based food import control framework to be applied by NFSA for the purposes of verification of compliance, including development of measures for the release of imported food consignments upon arrival at customs points of entry, setting inspection and sampling rates, and updating and publishing such rates as the need arises,
- developing and publishing a list of foods prohibited from importation into the Arab Republic of Egypt, and updating such list in accordance with international notifications and information exchange mechanisms,
- developing and publishing lists of NFSA-registered CABs on the NFSA website as determined by NFSA,
- developing, monitoring, and publishing the controls and requirements set by NFSA, with a view to ensuring compliance of imported food consignments destined for the Arab Republic of Egypt with the food safety and quality requirements, including targeted food risks and risk analysis methods and protocols,

- making available to importers all information, in particular: rules, requirements, conditions, and procedures governing food import control, as well as the decisions issued by NFSA on any imported food consignment within the risk management framework (RMF), and
- concluding protocols with the NFSA-registered CABs by NFSA Chairman of the Board of Directors (COB), with a view to enhancing the application of the risk-based food import control system.

Article (8)

Rights and Obligations of Food Importers

Food importers shall fulfill NFSA food import control requirements and conditions, and comply with the licensing controls and requirements set by NFSA.

Food importers or representatives thereof shall bear the costs of control activities performed on imported food consignments within the framework of the risk-based food import control system, in particular:

- charges for obtaining a Food Import License,
- costs of controls performed on imported food consignments prior to arrival at customs points of entry,
- costs of controls performed on imported food consignments at customs points of entry, including sampling and conducting laboratory analyses, with a view to ensuring compliance with the food safety and quality requirements set by NFSA, and
- Any other expenses incurred by NFSA for the implementation of control activities referred to in the present Decision.

Food importer has the right to file a grievance before NFSA Grievance Committee against any decision issued by NFSA with regard to the application of the food import control system.

Article (9)

Rules Governing Risk-Based Food Import Sampling and Inspection

Food imports shall be subject to a risk-based sampling and inspection system provided that a pre-border notification of imported food consignment is submitted to NFSA, and that such notification fulfills the requirements and controls provided for in the present Decision.

Acceptance of a pre-border notification shall be conditional on providing such notification within a period of time not exceeding three months and not less than 72 hours as of the expected date of arrival of imported food consignment at the Egyptian customs port.

Food importers shall whenever possible to NFSA provide the pre-border notification of food imports in the manner so determined by NFSA so as to benefit from the risk-based sampling and inspection system, and NFSA shall also issue a "Certificate of Exemption from Import Control" by virtue of a decision on the exemption of food imports in accordance with the provision of Article (2) of the present Decision.

Article)10)

Clearance Channels of Imported Food Consignment

NFSA shall assign a clearance channel for each imported food consignment fulfilling the pre-border notification requirements set by NFSA, based on the determination of risk level for each consignment, and clearance channel shall determine the methodology for dealing with imported food consignments upon arrival at the customs points of entry of the Arab Republic of Egypt, in particular the inspection and random sampling level, in accordance with the following four channels:

- a. **Green Clearance Channel:** assigned for low-risk imported food consignments.
- b. **Yellow Clearance Channel:** assigned for low-medium risk imported food consignments.
- c. **Orange Clearance Channel:** assigned for medium-high risk imported food consignments.
- d. **Red Clearance Channel:** assigned for high-risk imported food consignments.

Article (11)

Dealing with Imported Food Consignments Not Fulfilling Pre-Border Notification Requirements

Imported food consignments shall follow the Red Clearance Channel upon arrival at the customs points of the Arab Republic of Egypt in case where a pre-border notification of such consignments was not sent to NFSA or where such consignments do not fulfill the required requirements, including but not limited to providing a pre-border notification containing insufficient information or sending such notification outside the prescribed time period.

Article (12)

Requirements for Pre-Border and Separate Notifications

A single pre-border notification shall to NFSA be provided for each imported food consignment containing a single food commodity or containing a food commodity of identical type and Harmonized System Code (HS Code), and destined for the Arab Republic of Egypt through the same customs port at the same date/time, whether in one or several containers.

In case where an imported food consignment contains several food commodities, the contents of each food commodity in such consignment shall be of identical type, HS Code, grade and packaging, and NFSA shall deal with such consignment through determining the risk level associated therewith based on the food commodity with highest risk.

Article (13)

An amount of L.E. 2000 (only Two Thousand Egyptian Pounds or equivalent in the approved foreign currency) shall be paid at NFSA's account at the Central Bank of Egypt in return for inspection of the imported food consignment for which a pre-border notification was sent.

Article (14)

Information Required to Be Provided in Pre-Border Notification

Pre-border notification shall include the minimum amount of the required information, provided that such notification is submitted in writing or by any electronic means as determined by NFSA and in the form prepared for that purpose, and is made available on the NFSA website, and shall include the following:

a. information on a food importer:

- license number issued by NFSA, and
- contact information (address, phone, fax, email, etc.);

b. information on food consignment and a customs port of the Arab Republic of Egypt:

- HS Code for food commodity/commodities,
- name of food commodity/commodities and a full description of the manufacturing and packaging conditions,
- number of containers,
- expected shipping date,
- expected time of arrival at the customs port of the Arab Republic of Egypt, and
- expected customs port of the Arab Republic of Egypt;

c. food commodity country of origin, which is the last country wherein a food commodity was produced or manufactured, under the supervision of the food control authority;

d. whether the competent food control authority of the country of origin is included in the list of bodies whose food safety control systems are approved by NFSA, and such list is published on the NFSA website; and

e. formal proof of compliance, including a series of measures taken by NFSA to ensure compliance of food imports with food safety and quality requirements through the COC issued by the NFSA-registered CABs.

Article (15)

Pre-Border Notification Update

Information provided in pre-border notification of imported food consignment destined for the Arab Republic of Egypt may be updated, provided that such update is made 72 hours prior to the arrival of food imports at the customs points of entry of the Arab Republic of Egypt.

NFSA shall take into account the information provided in the last pre-border notification provided on such food imports.

Article (16)

Food imports where for a pre-border notification was sent shall be subject to the sampling and inspection system based on the determination of risk level of the imported food consignments at customs points of entry of the Arab Republic of Egypt and on the results of the risk analysis methodology.

Risk analysis methodology shall, in accordance with the provisions of the present Decision, be applied using the information provided in the pre-border notification of imported food consignments submitted to NFSA, and shall include a number of criteria for the determination of risks associated with imported food consignments, in particular:

- country of origin of a food product and whether the competent food control authority is included in the list of bodies whose food safety control systems are approved by NFSA, and such list is published on the NFSA website,
- the risk level of imported food commodity based on the risk posed by the potential contamination of a commodity as a result of food hazards, the treatment level of such commodity, any potential target population category, and any other factor that may have an effect on the potential risks associated with the consumption of such commodity,
- conformity assessment documents issued by NFSA-registered CABs proving that an imported food consignment complies with the requirements and conditions set by NFSA, and
- past compliance history of food importers to whom food imports are consigned in respect of compliance with food safety related laws and decisions.

NFSA shall review and amend the standards and mechanisms regulating risk analysis methodology used for the determination of risks associated with imported food consignments keeping pace with the development of scientific evidence and the availability of additional data supporting decision-making.

Article (17)

Terms and Conditions for Customs Clearance

Random or Mandatory Sampling System

Clearance Channel shall determine whether imported food consignments are subject to temporary or final release upon arrival at the customs points of entry of the Arab Republic of Egypt, and shall determine the level of random or mandatory sampling where to imported food consignments may be subject for the verification of compliance.

NFSA shall issue a decision on the final release of imported food consignments from customs upon assigning the Green or Yellow Channel to such consignments, including consignments that have been subject to random sampling for the verification of compliance before NFSA receives the results of laboratory tests, in accordance with the criteria and requirements set by NFSA to be applied at the customs points of entry of the Arab Republic of Egypt.

NFSA shall issue a decision on the temporary release of imported food consignments from customs upon assigning the Orange Channel to such consignments, including consignments that have been subject to random sampling, in accordance with the decisions issued by NFSA in this regard.

NFSA shall issue a decision on the temporary release of imported food consignments from customs upon assigning the Red Channel to such consignments after conducting mandatory sampling thereon.

NFSA shall determine the rate of random or mandatory sampling (i.e. the percentage of imported food consignments that follow the same clearance channels and are subject to sampling) in accordance with the potential risk level of such consignments as determined by NFSA.

Risk categorization controls and conditions as well as the procedures required to be followed and taken in this regard shall be determined by a decision issued by NFSA/COB.

Article (18)

Dealing with Non-Compliant Food Imports

For food imports, which have been subject to sampling and have been granted final release from customs after following the Green and Yellow Clearance Channels, and then found to be non-compliant, NFSA shall take appropriate measures on such consignments, including detention, and in case where such consignments have been handled in the Egyptian market, the importer shall withdraw and recall food from said market.

In case where the importer fails to recall non-compliant food, NFSA/COB shall issue appropriate decisions and take the required measures in this regard at the expense of the importer.

For food imports, which have been subject to sampling and have been granted temporary release from customs after following the Red or Orange Clearance Channel and then found to be non-compliant, NFSA shall take appropriate measures in this regard, including re-export or destruction of such food.

Article (19)

NFSA shall whenever possible make available on the NFSA website and by other media all information on the methodology applied in specifying:

- criteria for the determination of risk level of imported food consignments and food production inputs, and whenever possible any changes made to such criteria, including any mathematical processing of data that can be developed and updated for such purpose, and the methodology used for dealing with food imports, provided that the methodology applied is in consistence with the Codex guidelines on risk-based food import control system, and
- random sampling rates required to be applied as a result of the determination of risk level of imported food consignments and food production inputs, and each time the methodology is updated in order to be used in the determination of sampling rate in accordance with the protocol for the determination of risk level of food imports.

Article (20)

Keeping Pace with Scientific Developments

NFSA shall update the risk-based food import control system in accordance with the developments in scientific evidence associated with food safety risks, and with any update aiming at keeping pace with the developments in establishing international Codex standards for food import control.

Article (21)

The present Decision shall enter into force 6 months after date of publication, and such period may be extended for a similar period by virtue of a decision issued by NFSA/BOD.

Chairman of the Board of Directors
Dr. Hussein Mansour

Dated : 26 July, 2020



NFSA
الهيئة القومية لسلامة الغذاء

NFSA'S MODERNIZATION OF EGYPT'S FOOD IMPORT CONTROL SYSTEM

May 2020



NFSA

الهيئة القومية لسلامة الغذاء

110 Al Kasr Al Aini st., Cairo, Egypt

Tel.: +202 2793 3493

Fax: +202 2793 3469

Email: info@nfsa.gov.eg - Registration@nfsa.gov.eg

Supplier@nfsa.gov.eg - functional.food@nfsa.gov.eg

www.nfsa.gov.eg



Arab Republic of Egypt

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INTRODUCTION

The mandate for food import and export control in the Arab Republic of Egypt was formally transferred from the General Organization for Export and Import Control (GOEIC) to the National Food Safety Authority (NFSA) on November 17, 2019. NFSA is currently implementing the regime inherited from GOEIC that relies heavily on inspections at the points of entry into Egypt. Under this system, food importers are currently subjected to a systematic inspection – %100 of consignments – as well as product sampling for analysis in order to ascertain compliance with several parameters determined by the competent authority.

In line with the Government of Egypt's goal to enhance the food control system and streamline import operations, NFSA is embarking on a modernization of Egypt's food import control system that will focus resources such that a risk-based oversight is introduced and ensured. NFSA's food import control system will aim to ensure optimal protection of Egyptian consumers from risks associated with imported food, while enhancing the efficiency of import clearance at points of entry.

The new food import control system will promote transparency in regulatory oversight, reduce the time and cost of food import clearance, and allocate public resources more efficiently by focusing on inspection and sampling efforts towards consignments that present the greatest risk to the Egyptian consumer.

The following document presents the policy direction of NFSA with regards to transitioning Egypt towards a risk-based import control system. The document is intended to inform trading partners, stakeholders, importers and exporters of the proposed import control system being developed by NFSA.

The proposed changes will be anchored in food regulatory provisions issued by NFSA that will cover the principles, roles and responsibilities and establish the requirements of the food import control system. Accompanying these regulatory provisions will be explicit details and guidance from NFSA to the regulated parties that communicate the implementation of the food import control system. The proposed changes will be implemented gradually, and NFSA will seek feedback from stakeholders throughout the implementation process.

— Dr. Hussein Mansour
Chairman, National Food Safety Authority

BACKGROUND

The National Food Safety Authority (NFSA) of Egypt has the mandate to oversee Import and Export Control for food and agri-food products. NFSA's mandate with respect to Food Import and Export Control was further confirmed through the promulgation of the NFSA's executive regulations on 18 February 2019. The mandate for Food Import and Export Control in the Arab Republic of Egypt was formally transferred from the General Organization for Import and Export Control (GOEIC) to the NFSA on November 17, 2019.

The food import control system will cover all food imports as defined in NFSA's Law.

Any product or substance intended for human consumption, whether primary, raw, semi-processed, wholly/partially processed or not processed, including beverages and bottled water or food additives and any substance including water and gum, except for fodder and plants and crops before harvest, live animals and birds prior to their transport to slaughterhouses, sea creatures and farm-raised fish prior to fishing, pharmaceutical products and cosmetics, tobacco and its products, narcotic drugs and psychotropic

OBJECTIVES OF THE NFSA 'S FOOD IMPORT CONTROL SYSTEM

The modernized food import control approach aims to ensure optimal protection of Egyptian consumers from risks associated with imported food, while enhancing the efficiency of import clearance at points of entry.

The modernized structure will focus on:



Preventive management, with a stronger emphasis on pre border interventions, i.e. interventions executed before the shipping / arrival of food consignments to Egypt.

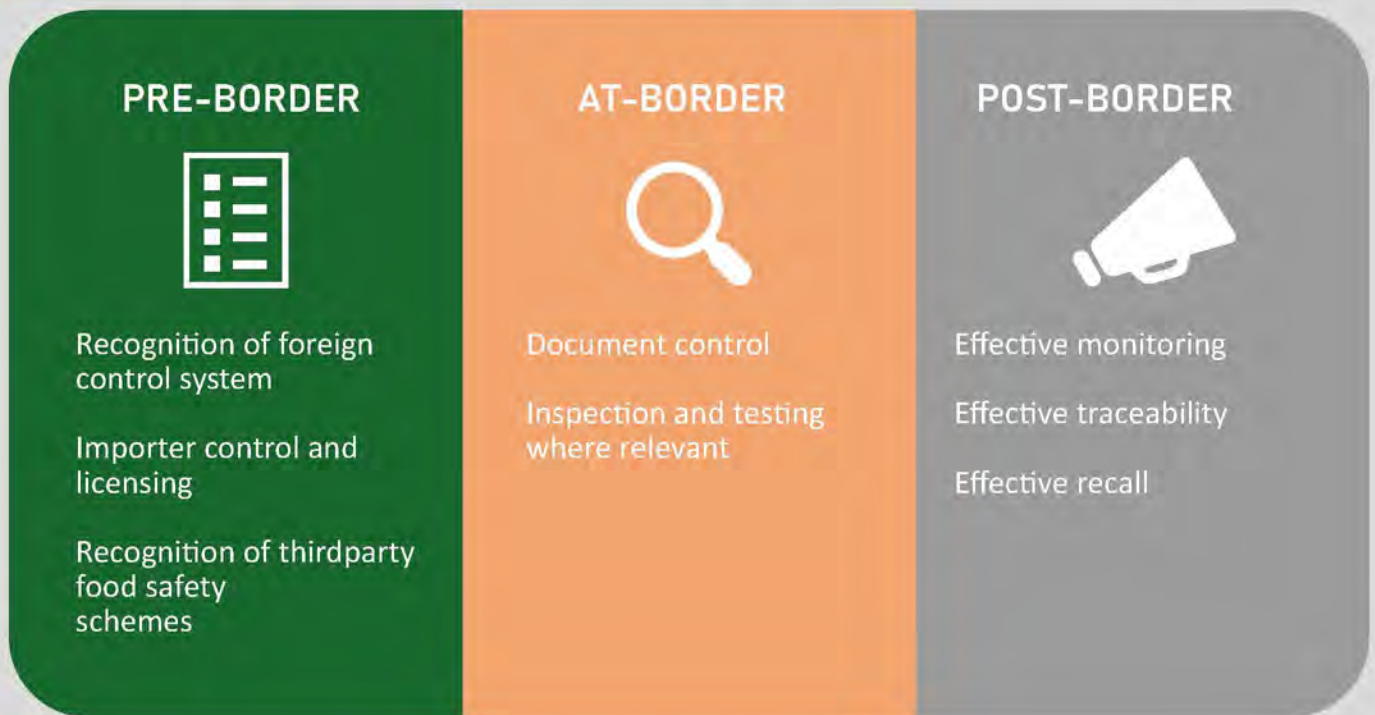


Interventions proportional to the level of possible risk posed by the imported food commodity consignments.



Expedited clearance and simplified procedures for all food imports and in particular, for compliant and lower risk food product consignments.

COMPONENTS OF FOOD IMPORT CONTROL REGULATORY OVERSIGHT



FOOD IMPORT CONTROL SYSTEM DESIGN PRINCIPLES



Predictability and transparency of food regulatory interventions



Alignment with guidance of CAC, FAO/WHO, WTO and best international practices



Non-discriminatory oversight between food imports and domestic food products .



Incentive-driven approach through a reduction of at-border holdup and inspection



Highly iterative approach focused on continuous improvement



PRE-BORDER CONTROLS

These interventions represent the core of preventive controls and will be targeted with incremental enhancements.

Seeking assurances and relying upon the compliance verification of competent authorities from exporting countries.

Leveraging the regulatory oversight of exporting countries with food regulatory systems that are demonstrated to be effective and trustworthy, according to internationally benchmarked criteria, provides an initial assurance of compliance of food consignments destined for Egypt.

Formal agreements will stipulate the requirements that food competent authorities of exporting countries must fulfill in order to certify food and agri-food products destined for export to the Egyptian market. Countries with which an agreement is reached will be qualified with the letter “A” for “Agreement”.

It is also possible to target and achieve partial agreements with food competent authorities of foreign countries for the compliance certification of a given set of commodities for which the level of oversight was evaluated and deemed satisfactory by NFSA.

Requiring certification of food exporters and consignments destined for Egypt through a third-party service provider or through the competent authority of the exporting country.

NFSA will require that importers and / or food exporters demonstrate the compliance of consignments destined for Egypt through certification provided by NFSA-accredited and NFSA-registered third-party companies. Compliance verification can also be attested by the competent authority of the exporting country. Particularly if this authority had a prior agreement with NFSA.

These service providers will be tasked to provide the importer / NFSA with an assessment and a certification of compliance according to either i) NFSA’s / Egyptian established food technical regulations and measures, and/or ii) in accordance with one of the internationally recognized food quality management schemes, such as those endorsed and benchmarked by the Global Food Safety Initiative (GFSI).

Necessitating that importers demonstrate the effectiveness of a supplier verification assessment which showcases and documents how these exporters meet Egypt’s food regulatory requirements.

This measure is of a preventive nature and will be implemented incrementally as part of the requirements to be set for the licensing of importers, at a more mature stage of the import control system. Food importers will be held accountable to ascertain the safety and traceability of products intended for the Egyptian markets. The development of requirements of supplier verification will be subjected to a technical rule to be issued by NFSA at a later stage.

Overall, the ability for NFSA to move its level of oversight towards pre-border management is highly dependent on the agency’s capacity to use notification of consignment information prior to arrival at port, such that an assessment of the possible compliance of the consignment is carried out and a “Clearance Channel” is assigned.

A **Clearance Channel** is a clearance code assigned by NFSA to a food consignment prior to its arrival at an Egyptian Point of Entry, such that it can help accelerate clearance if it is considered to have a high likelihood for compliance.

The modernized food import control system of NFSA will incrementally enhance the requirements of Pre-border oversight, in a manner that increases the reliance on preventive measures and reduces the burden on subsequent control mechanisms At the Border and Post-border. While the determination of the Clearance

Channel will be based on three parameters (risk category of the imported food, robustness of the food regulatory system of the country of origin and the certification of compliance), additional data such as the importers' compliance history, will be gathered by NFSA to further inform this determination.

BORDER CONTROLS

Border control of food consignments correspond to interventions that should be carried out at the Point of Entry. They are highly facilitated by measures taken beforehand, e.g. importer licensing, consignment pre-border notification and pre-clearance based on **consignment profiling**. Border controls consist primarily of document checks and consignment inspections, including visual inspection and sampling for analysis, where appropriate.

Border control decisions include:

- ✓ **Clearance of the consignment**
- ✓ **Detention of the product(s) pending investigation**
- ✓ **Conditional entry with no allowance of distribution, pending investigation**
- ✓ **Seizure and possible return or destruction of the shipment**

NFSA's modernized import control system aims to reduce the timelines of regulatory decisions at the border. The application of risk-based consignment profiling is undertaken to assign a Clearance Channel to the shipment. Such profiling is based on international best practices of risk-based evaluation and will be subject to continued improvement with the refinement of the parameters considered, as data is generated resulting from clearance of food products by the NFSA.

The profiling of consignments will consider the following hazard and risk parameters :

- 1. Risk category assignment to the imported food:** NFSA has established a risk categorization of food products, based on the inherent risk associated with such products, i.e. the hazards likely found / enter these foods, the effectiveness of some mitigation strategies that can limit the occurrence of such hazards through food production – e.g. cooking, freezing, etc. – and the population to which these foods may be destined, such as infants / babies for infant formula. The risk categorization list will be subject to continued review and update.
- 2. Effectiveness of the food control system of the consignment's country of origin:** This is achieved through the demonstration of compliance of a given food consignment with the relevant food – safety and quality – regulatory requirements as established through pre-border assessments;
- 3. The level of effectiveness of the importer's food import control:** The demonstration by the importer of its capacity to apply preventive controls i.e. through ensuring a documented and effective supplier verification program, as well as to effectively manage recalls associated with imported products, should they happen, would result in a reduced at border hold-up of consignment, hence creating incentives for the adoption of best practices by Egyptian food importers;
- 4. The level of compliance of the importer / exporter for similar or other shipments:** Repeat non-compliance incidents would result in a stronger inspection and consignment hold-up regime, to ascertain the safety of the products. A higher level of documented compliance would, on the other hand, result in a lower risk profile.

The parameters described are used to assign a Clearance Channel code, qualifying the level of oversight to be associated with the consignment.

Consignments with a lower risk profile would result in a faster release, including in the possibility of immediate clearance at the Point of Entry if the documentation of compliance is confirmed, unless it is subject to a random selection for further inspection as assigned by the designated Clearance Channel.

The Pre-Clearance profiling approach will be subject to continued enhancement and improvement as NFSA generates additional data on its performance and ability to strengthen the effectiveness of risk-based food import management. In particular, the addition of data related to importers' food import management practices would be progressively introduced into the shipment profiling process, as data on importers and their performance is gathered by NFSA, through the deployment of the agency's risk-based approach.

Ultimately an algorithm-based decision-making tool will be developed by NFSA to facilitate data handling and Pre-Clearance management of food consignments.

For the **initial implementation period of NFSA's risk-based management of imports**, where limited data on the compliance of importers / consignments is available, a surrogate for this parameter will be used and consists in the initial documentation of the importers' ability to fulfil certain food safety obligations. This parameter, along with the food risk categorization, the country of origin profile, as well as the documentation of compliance with NFSA's requirements will represent the basis of the initial risk determination supporting Pre-Clearance decisions. The implementation of this transition approach to be followed during the initial period of NFSA's risk-based import management is further developed in subsequent paragraphs.



POST-BORDER CONTROLS

These interventions encompass the various measures to be taken by NFSA to develop and implement the following:

Monitoring of imported food for compliance with the aim to refine and enhance safety and effectiveness of oversight.

This component of the import control system is based on the implementation of targeted campaigns of compliance verification for imported products. These campaigns can be designed according to an annual plan set by NFSA, with the intent to evaluate the effectiveness of measures set as part of the import control system and any update made to it e.g.: granting a new status to imports from a given country which would benefit from expedited handling ("A" countries), or accreditation of a new third-party organization handling export certification. These campaigns can also be triggered as a result of a new import control measure (e.g. import restriction imposed by NFSA for certain lot number of given products), as well as international measures taken by other food regulators.

Import control campaigns can be part of commodity driven compliance verification measures, where a significant part of the supply to the Egyptian market is originating from imports.

Monitoring data can also result from general compliance verification actions carried out by NFSA for selected food commodities or in relation with the implementation of new regulatory measures, where imported foods would be sampled and targeted as part of an overall sampling design for food products available for sale on the Egyptian market.

Compliance verification measures encompass various aspects from product physical examination, label verification as well as conducting laboratory analysis for a series of parameters subject to standards or technical regulations set by NFSA, such as absence of pathogens, levels of contaminants, levels of additives or levels of residues of chemicals used in conjunction with food production e.g. pesticides and veterinary substances.

Effective follow-up on recalls, should a product be identified as non-compliant subsequent to its release.

These measures consist in ensuring that products subjected to recalls, as a result of follow-up protocols targeting imported products e.g. identification of non-compliance issues post release of imported foods deemed to be of a lower risk category, random selection of products on the market and identification of non-compliance issues.

It will be incumbent on the importer to ensure the traceability forward of their products and proceed with the recall as ordered by NFSA. The agency may accompany such measures with communication measures to consumers, food business operators as well as international food regulatory partners. NFSA will ensure the effectiveness of the recall protocol and its implementation i.e. that all products known to have entered the Egyptian market and were subjected to distribution were traced and recalled. The strength of the follow-up on the recall measure will be based on the level of risk determined as a result of non-compliance: for lower risk products, a recall at the major food distribution centre could suffice, for higher risk scenarios, a recall with information up to the consumer level may be warranted.

Compliance verification of importers, as requirements of their licensing are enhanced with food safety provisions:

This measure will be based on campaigns of compliance verification targeting food importers to check their status of licensing with NFSA and hence their level of observance of NFSA's set requirements to achieve and keep such licensing.

INITIAL STAGES OF IMPLEMENTATION OF A MODERNIZED IMPORT CONTROL SYSTEM

NFSA plans to embark on an incremental approach to modernize the Egyptian food import control system, following the guidance and principles described above, with the aim to move progressively towards stronger emphasis of oversight at the Pre-border level.

The following paragraphs describe the initial steps to be taken by NFSA in its efforts to strengthen the Pre-border control oversight on imported food. The new approach will be communicated to stakeholders, notably food importers / exporters, as well as to international food competent authorities of Egypt's major trading partners ahead of its entry into force. A grace period of 3 months will be observed from the moment the new system is confirmed to the date of its entry into force.

Given that NFSA's food import control system will be subject to incremental enhancements, each of the planned upgrades will also be covered by relevant information dissemination to stakeholders, including an associated grace period, prior to its entry into force.

PARAMETERS CONSIDERED IN DETERMINING THE NFSA'S PRE-CLEARANCE CHANNELS

As the initial stage of implementing NFSA's modernized food import management system, NFSA will rely upon 3 key parameters to assign a Pre-Clearance Lane to a given food consignment destined to the Egyptian market.



The **risk inherent to the food commodity** as determined by the food risk matrix developed by the NFSA. NFSA scientists will regularly review and update this matrix.



The **food consignment's Country of Origin**, vis a vis the robustness of its food regulatory system, and whether a food competent authority of that country has established an agreement with NFSA confirming NFSA's reliance on this authority's oversight and possibly considers their support to ensure compliance verification for food consignments destined to the Egyptian market.

NFSA will establish a procedure through which food competent authorities of exporting countries can apply to enter into such an agreement with NFSA.



Confirmed compliance verification of each consignment destined for Egypt as attested to by the competent authority with which NFSA has signed an agreement for "A" Countries or any other third certification party accredited by NFSA.

NFSA will establish a procedure for application of certification parties, to be accredited for food import compliance verification. Compliance verification will be assessed against the requirements of "A" Countries or a slightly amended version of such requirements as set by NFSA or specific compliance rules, i.e. technical regulations and rules as set by NFSA.

Consignments that are granted a certificate of compliance by a NFSA accredited party, including the competent authority of "A" countries, will be assigned the mark "C". Others, which do not receive such certification, are assigned the mark "NC".

The history of compliance of the food importer / exporter is also another key determinant of the risk assigned to a food consignment and subsequently to the level of oversight that is associated with it.

During the early stages of implementation of NFSA's risk-based import management approach, food importers' compliance history will not easily be accessible to NFSA. A surrogate for this parameter will be used and consists in:

- The reliance upon the White List (WL) of food processors established by NFSA as a measure of good food safety performance.
- The establishment of a White List (WL) dedicated to food importers attesting to their ability to fulfill certain food safety obligations such as supplier verification and the ability to plan and recall products that entered the Egyptian market under their oversight.

This parameter, along with food risk categorization, the country of origin profile, as well as the documentation of compliance with NFSA's requirements will represent the basis of the initial risk determination supporting Pre-Clearance decisions. NFSA will collect data to document importers' compliance over time, such that this last parameter be fully integrated in NFSA's decision making process to determine the potential risk associated with food import consignments, possibly through an algorithm based decision-making process.

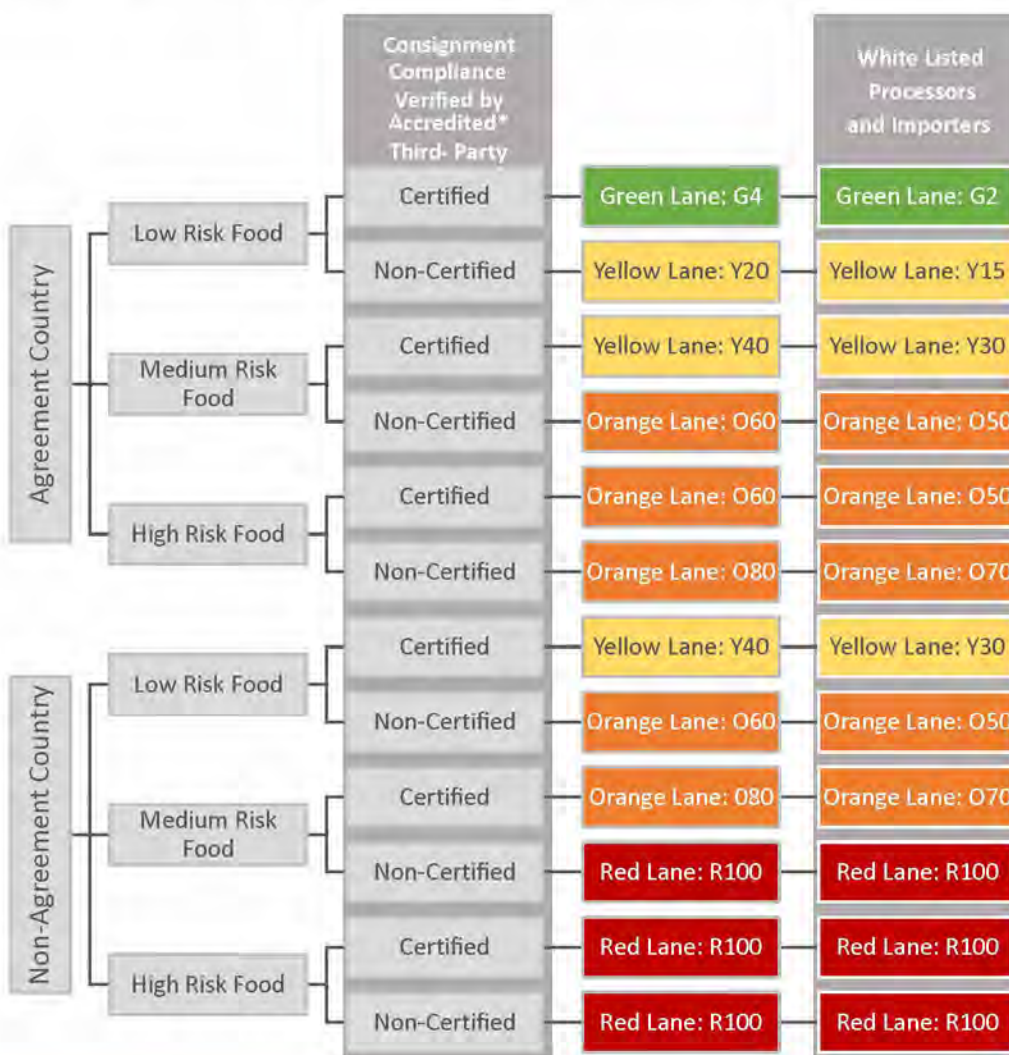
CLEARANCE CHANNELS CONSIDERED AS A RESULT OF PROFILING OF CONSIGNMENTS

The initial application of a risk-based approach by NFSA in managing its Pre-border control measures will rely upon profiling of food consignments i.e. assigning a Pre-Clearance profile to each food consignment prior to its arrival into Egypt. This Pre-Clearance profile will dictate the “Clearance Channel” to be followed by the consignment upon its arrival into an Egyptian Point of Entry i.e. level of scrutiny and compliance verification to which the consignment will be subjected.

FOOD CONSIGNMENT RISK MATRIX OF DECISION MAKING

The figure below represents the decision-tree used by NFSA to determine the Clearance Channel assigned to each consignment, upon pre-border notification, which will be applied during the first phase of the implementation of NFSA’s risk-based import management approach, and until further notice by NFSA.

Eleven profiles or Clearance Channels will be established at the border.



*Accredited third – parties include registered third-party inspection companies and competent authorities with which NFSA has a recognition agreement.

Green Channel:

G2 Channel: Consignments with a G2 Profile are deemed low risk (lower risk category of NFSA's food risk classification) and of higher likelihood for compliance with the set requirements. These consignments would be originating from a country, with which NFSA has an established agreement: "A" country, and with a documented compliance verification from a recognized third party "C". They will also be destined to food importers that are considered on NFSA's White List (WL). These consignments will be released immediately upon arrival, with a 2% sampling taken randomly, over a given period, for further verification as part of the monitoring and data collection approach.

G4 Channel: Consignments with a G4 Profile are deemed low risk (lower risk category of NFSA's food risk classification) and of higher likelihood for compliance with the set requirements. These consignments would be originating from a country, with which NFSA has an established agreement: "A" country, and with a documented compliance verification from a recognized third party "C". They will not be destined to food importers that are considered on NFSA's White List (NWL). These consignments will be released immediately upon arrival, with a 4% sampling taken randomly, over a given period, for further verification as part of the monitoring and data collection approach.

Yellow Channel: Consignments with a Yellow profile are deemed medium risk and of a reasonably acceptable likelihood of compliance with the set requirements. Four types of Yellow Channel are established under this category: Y15, Y20, Y30 and Y40.

Y15 Channel: Attributed to consignments of food products that are deemed inherently of low risk (low risk in NFSA's food risk classification), originating from a country whose food regulatory oversight is covered by an agreement: "A" country, with NFSA. These consignments are destined to food importers that are considered on NFSA's White List (WL). These consignments are however NOT covered by a documented attestation "NC" of compliance verification from a third party accredited by NFSA.

Y20 Channel: Attributed to consignments of food products that are deemed inherently of low risk (low risk in NFSA's food risk classification), originating from a country whose food regulatory oversight is covered by an agreement: "A" country, with NFSA. These consignments are destined to food importers that are NOT on NFSA's White List (NWL), NOR are they covered by a documented attestation "NC" of compliance verification from a third party accredited by NFSA.

Y30 Channel: Corresponds to two situations:

1. Consignments of food products that are deemed inherently of low risk, originating from countries whose food competent authorities do not have an established agreement with NFSA: "NA" country. Mitigating factors exist however, in that the consignment is supported by an attestation of compliance through a third party accredited by NFSA "C" and it is destined to a food importer establishment that is on NFSA's White List (WL).
2. Consignments of food products that are deemed inherently of medium risk, according to NFSA's food risk categorization, originating from countries whose food competent authorities have established an agreement on food import/export management with NFSA: "A" country. Additional mitigating factor exist, in that the consignment is supported by an attestation of compliance through a third party accredited by NFSA "C" and it is destined to a food importer establishment that is on NFSA's White List (WL).

Y40 Channel: Corresponds to two situations:

1. Consignments of food products that are deemed inherently of low risk, originating from countries whose food competent authorities do not have an established agreement with NFSA: "NA" country. These consignments would be destined to food importer establishments that are NOT on NFSA's White List (NWL). A mitigating factor exists however, in that the consignment is supported by an attestation of compliance through a third party accredited by NFSA "C".

2. Consignments of food products that are deemed inherently of medium risk, according to NFSA's food risk categorization, destined to food importer establishments that are NOT on NFSA's White List (NWL) and originating from countries whose food competent authorities have established an agreement on food import/export management with NFSA: "A" country. An additional mitigating factor exists, in that the consignment is supported by an attestation of compliance through a third party accredited by NFSA "C".

All Y15, Y20, Y30 and Y40 food consignments will be released immediately upon arrival, with a 15%, 20%, 30% and 40% sampling frequency, respectively, taken randomly, over a given period, for further verification as part of the monitoring, data collection and further compliance verification and follow-up as may be relevant.

Orange Channel: Consignments of this category are deemed medium-high risk, possessing some level of accepted compliance with the set requirements. Four types of Orange Channels are established under this category: **O50, O60, O70 and O80.**

O50 Channel: Three situations correspond to O50 Channel consignments:

1. Consignments of food products that are deemed inherently of low risk (low risk in NFSA's food risk classification), destined to food importer establishments listed on NFSA's White List (WL) and originating from a country whose food regulatory oversight is not covered by an agreement: "NA" country with NFSA. An additional risk factor is also related to the fact that the consignment is not covered by a documented attestation of compliance verification from a third party accredited by NFSA "NC".
2. Consignments of food products that are deemed inherently of medium risk, according to NFSA's food risk categorization, destined to food importer establishments listed on NFSA's White List (WL) and originating from countries whose food competent authorities have established an agreement on food import/export management with NFSA: "A" country. There is however no additional mitigating factor, in that the consignment is NOT supported by an attestation of compliance through a third party accredited by NFSA.
3. Consignments that are deemed inherently of high risk, according to NFSA's food risk categorization, which originate however from countries whose competent authorities have established an agreement on food import / export management with NFSA and with trusted food regulatory oversight: "A" countries and destined to food importer establishments listed on NFSA's White List (WL). There is an additional mitigating factor, in that the consignment is supported by an attestation of compliance through a third party accredited by NFSA "C".

O60 Channel: Three situations correspond to O60 Channel consignments:

1. Consignments of food products that are deemed inherently of low risk (low risk in NFSA's food risk classification), originating from a country whose food regulatory oversight is not covered by an agreement: "NA" country with NFSA and destined to food importer establishments that are NOT listed on NFSA's White List (NWL). An additional risk factor is also related to the fact that the consignment is not covered by a documented attestation of compliance verification from a third party accredited by NFSA "NC".
2. Consignments of food products that are deemed inherently of medium risk, according to NFSA's food risk categorization, originating from countries whose food competent authorities have established an agreement on food import/export management with NFSA: "A" country and destined to food importer establishments that are NOT listed on NFSA's White List (NWL). There is no additional mitigating factor, in that the consignment is NOT supported by an attestation of compliance through a third party accredited by NFSA.
3. Consignments that are deemed inherently of high risk, according to NFSA's food risk categorization, which originate however from countries whose competent authorities have established an agreement on food import / export management with NFSA and with trusted food regulatory oversight: "A" countries. They are destined to food importer establishments that are NOT listed on NFSA's White List (NWL). There is however an additional mitigating factor, in that the consignment is supported by an attestation of compliance through a third party accredited by NFSA "C".

O70 Channel: Two situations correspond to O70 Channel consignments:

1. Consignments of food products that are deemed inherently of high risk, according to NFSA's food risk categorization, originating from countries whose food competent authorities have established an agreement on food import/export management with NFSA: "A" country and destined to food importer establishments that are listed on NFSA's White List (WL).. There is however no additional mitigating factor, in that the consignment is NOT supported by an attestation of compliance through a third party accredited by NFSA "NC".
2. Consignments of food products that are deemed inherently of medium risk, according to NFSA's food risk categorization, originating from countries whose food competent authorities have NO established agreement on food import/export management with NFSA: "NA" country and destined to food importer establishments that are listed on NFSA's White List (WL). There is however an additional mitigating factor, in that the consignment is supported by an attestation of compliance through a third party accredited by NFSA "C".

O80 Channel: Two situations correspond to O80 Channel consignments:

1. Consignments of food products that are deemed inherently of high risk, according to NFSA's food risk categorization, originating from countries whose food competent authorities have established an agreement on food import/export management with NFSA: "A" country and destined to food importer establishments that are NOT listed on NFSA's White List (NWL). There is no additional mitigating factor, in that the consignment is NOT supported by an attestation of compliance through a third party accredited by NFSA "NC".
2. Consignments of food products that are deemed inherently of medium risk, according to NFSA's food risk categorization, originating from countries whose food competent authorities have NO established agreement on food import/export management with NFSA: "NA" country. These consignments are destined to food importer establishments that are NOT listed on NFSA's White List (NWL). There is however an additional mitigating factor, in that the consignment is supported by an attestation of compliance through a third party accredited by NFSA "C".

O50, O60, O70 and O80 food consignments will be subjected to a random sampling of %70, %60, %50 and 80% of products respectively, for a given category, during which the consignments will be held for inspection. The sampled consignments will be held for inspection at Border. Holding the consignments during inspection will be carried out at the expense of the food importer in a location agreed upon by NFSA, pending the results of the inspection process to verify compliance with the set requirements identified by NFSA: "temporary release". The non-sampled consignments will be released to the market.

Should a non-compliance case be identified during the "hold" period, the relevant regulatory action will be taken by NFSA in collaboration with the importer, including the return of the shipment or its destruction as may be required.

Red Channel: Consignments are deemed of higher risk profile, requiring 100% inspection following a "hold and inspect protocol". These consignments will be held at a location agreed upon by NFSA at the importer's expense while the inspection process, including any relevant sampling for compliance verification, is carried out.

Two situations are identified for this channel, regardless of the status of the food importer establishment as to its listing on NFSA's White List:

1. Consignments of food products that are deemed inherently of medium risk, according to NFSA's food risk categorization, originating from countries whose food competent authorities have NO established agreement on food import/export management with NFSA: "NA" country. There is also no additional mitigating factor, in that the consignment is NOT supported by an attestation of compliance through a third party accredited by NFSA "NC".

2. Consignments of food products that are deemed inherently of high risk, according to NFSA’s food risk categorization, originating from countries whose food competent authorities have no established agreement on food import/export management with NFSA: “NA” country. The Red Channel is assigned to these consignments, whether a certificate of compliance through an accredited third party is provided or not. Such certificate of compliance can however be useful to expedite the inspection process “at border” and reduce the “hold” period.

PRE-BORDER NOTIFICATION

NFSA will implement an enhanced Pre-Border oversight, with the assignment of a Pre-Clearance status to each food consignment prior to its arrival in Egypt, i.e. Pre-Border.

The Pre-Clearance protocol will be based on a notification of shipment for any given food consignment destined to an Egyptian point of entry. This notification is to occur at least 72 hours prior to the arrival of the consignment at the Egyptian Point of Entry. The pre-clearance protocol results in the attribution of a Clearance Channel, which may help ensure an expedited handling of the consignment.

The absence of a notification of shipment made to NFSA, prior to the arrival of the consignment would result in the default consideration of a “Hold and Inspect” handling: i.e. 100% inspection of consignments that did not proceed with a notification prior to arrival.

This step of pre-border notification is designed to enable food importers – and exporters in their country of origin – to notify NFSA of an upcoming shipment of a food commodity destined to the Egyptian market. As a result, the consignment is assigned a Clearance Channel, prior to its arrival, which will support its handling at the point of entry.

The notification step calls for the importer to provide NFSA with all information and documentation that is deemed necessary to determine its risk profile and hence attribute a Clearance Channel. NFSA will develop a transparent procedure for this step which will be shared with its partners and stakeholders.

NFSA will use the risk matrix of decision-making presented on page 11 as the basis for the attribution of the Clearance Channel to each consignment.

This process can be developed from 3 months ahead of shipment and up to 72 hours prior to arrival of the consignment. Documentation required:

- Nature of the food products intended for export to Egypt.
- Status of the Country of Origin “A” / “NA”
- Status of the food regulatory oversight that the product is subject to.
- Status of planned documentation/certification of product compliance – what quality, what scheme and who (third party certifier and its status with NFSA).

Should an importer disagree with the Clearance Channel attributed as a result of the notification assessment, they may present additional information to clarify the status of the consignment. A final decision has to be reached by NFSA – on the basis of the new documentation – prior to shipment arrival at the Point of Entry, otherwise the initial NFSA determination will stand.



AT BORDER MANAGEMENT THROUGH THE MODERNIZED APPROACH

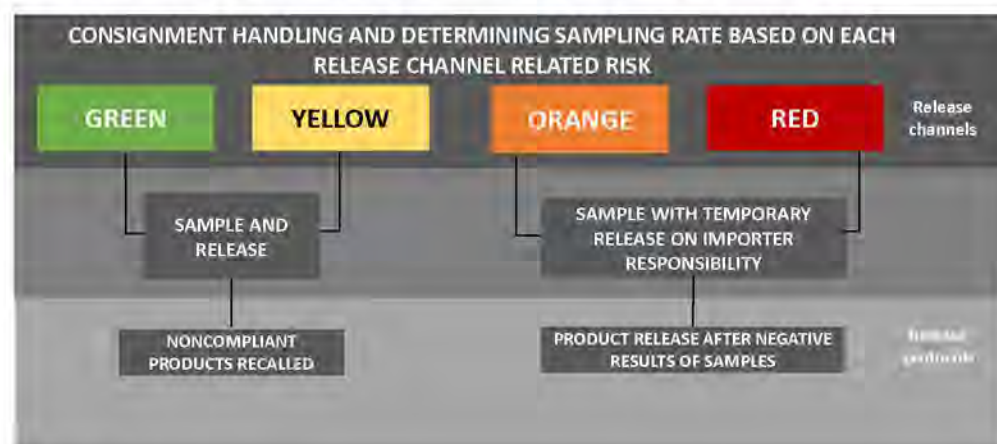
NFSA's modernized food import control system is shifting the level of oversight towards Pre-Border Control, such that the overall approach is more preventive and benefits from expedited handling at the Border / Point of Entry. A decision-tree was adopted as a guide for consignment handling at the border. A procedure will be developed by the NFSA and shared with all stakeholders to enable a systematic handling of consignments.

As indicated earlier, the absence of the Pre-Border notification, would result in the assignment of a Red Channel Clearance lane, meaning that 100% of these shipments would be held for inspection

In all instances and upon arrival of the consignment, a verification step is carried out to check on the concordance of information provided on the shipment with the actual associated consignment. Should this step be successful, consignments are then handled according the clearance lane that they have been attributed as a result of the notification step.

The figure to the right will serve as a guide for the way the consignments are to be handled in accordance with the clearance channel that they are attributed.

Handling of Inspected and Sampled Consignments



INSPECTION PROTOCOLS

Products and consignments that are subjected to inspection will go through the various aspects of both physical inspection and sampling and analysis to determine food safety and quality parameters as set for the various food commodities included in NFSA's food categorization protocol, to assess compliance with a number of requirements as set through standards, technical regulations or technical rules.

It is important that the inspection process be also risk-based. This means that consignments will be inspected considering the type of food product (and inherent hazards associated with it), the originating country and any demonstration of compliance provided through either internal processes, or the provision of third-party certification.

A protocol for a risk-based inspection of imported consignments, that are directed for such inspection through the "Clearance Channels", will be developed with the associated procedures. Service standards will also be developed and followed. These protocols and procedures will be used for training purposes of NFSA personnel assigned to food import control.

NEXT STEPS

The implementation of the modernized food import control system will require a step-wise approach with incremental enhancements. NFSA will anchor the projected changes in food regulatory provisions, in the form of technical regulations, that provide clarity on the principles, roles and responsibilities and establish the requirements of the import control system. NFSA is currently working on regulatory provisions with regards to: recognition of foreign competent authorities, registration of importers, prior notification requirements, sampling and obligations of food business operators. NFSA will engage with stakeholders throughout the drafting of these regulatory provisions.

The implementation of the food import control system will also require the development of internal procedures and protocols that address not only the new aspects of Pre-Border Management but also to modernize the “At-Border” inspection approach, in particular to introduce risk-based oversight to these practices. NFSA is currently working on updating their internal procedures to introduce risk-based oversight in accordance with international best practices.

NFSA will engage with stakeholders to receive input as the modernized food import control system is designed. The engagement will encourage feedback from stakeholders to ensure minimal disruption to the flow of imported food consignments. In addition, NFSA will encourage and incorporate feedback from stakeholders during various stages of the import control system’s implementation to ensure continuous improvement and enhancement.

In the long-run, NFSA will seek to rely on data generated from the import control system on compliance history, effectiveness of controls and importer/exporter performance to continually enhance the regulatory framework and to ensure the optimal protection of Egyptian consumers.



Technical References Reviewed and Considered by NFSA:

- ◇ Codex standard: Guidelines for the design, operation, assessment and accreditation of food import and export inspection and certification systems (CAC/GL26-1997)
- ◇ Codex Standard: Guidelines for food import control systems CAC/GL47-2003
- ◇ FAO Guidance document: Risk Based Imported Food Control Manual, ISSN 2415-1173, FAO, Rome 2016, <http://www.fao.org/3/a-i5381e.pdf> - accessed December 2019.
- ◇ FAO Guidance document: Risk-based Food Inspection Manual, ISSN 0254-4725, FAO, Rome , 2008
- ◇ Committee of Sanitary and Phytosanitary Measures: Practical Guidelines to the Practical Implementation of Articles 5.5.
- ◇ Canadian Food Imports Requirements, Safe Food for Canadian Regulations (SFCR) – Guidance to importers (<https://www.inspection.gc.ca/importing-food-plants-or-animals/food-imports/step-by-step-guide/eng/1523979840095/1523979839705>) accessed in December 2019
- ◇ Australia’s Imported Food Control Regulations 2019 (<https://www.agriculture.gov.au/import/goods/food/notices/ifn14-19>) accessed in January 2020
- ◇ United States Food Safety Modernization Act, and associated rules related to food import management, e.g. supplier verification requirements: Guidance for Industry: Compliance with Providing an Acceptable Unique Facility Identifier for the Foreign Supplier Verification Programs Regulation, March 2018, <https://www.fda.gov/media/111885/download> - Accessed in December 2019
- ◇ The South Australian Food Business Risk Classification, November 2018, Government of South Australia



NFSA
الهيئة القومية لسلامة الغذاء





UNOFFICIAL TRANSLATION

Proposal of seed potatoes import mechanism

The following mechanism has been developed by the NPPO of Egypt (Central Administration of Plant Quarantine) and it was discussed between the Potato Technical Committee and the Egyptian seed potatoes importers , and based on the approval of H E : Minister of Agriculture and Land Reclamation

The proposal shall be applied from the season 2021/2022 (according to the Covid -19 outbreak status at the countries of origin), the proposed steps are following:-

1- The submission (acceptance) of import applications from **April 15 to May 15** of each year (before the import season) in order to give the committee sufficient opportunity to study these requests, and requests are not accepted after this period.

2- The companies wishing to import are obligated to declare all the data in the application submitted of the quantity to be imported, the origin, the varieties, grower numbers abroad, the expected date of arrival of the first shipment and the approximate last shipment, in order to decide on the request and determine committees to examine the crop to be exported from the country of origin.

3- Based on these data, the committees are assigned to inspect farms in the country of origin at the appropriate stages of cultivation to confirm the tolerances of viral diseases, provided that a fixed value of money is determined for each ton of seeds allowed to be imported to allocate the financing the cost of these committees.

4- The first season in implementing this mechanism is considered as an experimental season to measure the extent of its efficiency and the extent of the companies' commitment after informing them of the import mechanism that is dealt with them through the extent of their commitment in this season.

Those steps shall neither contradict the general operative plant quarantine rules and conditions including annex № 14 of the Ministerial decree № 562/2019 nor the provisions of the International Plant Protection Convention (IPPC), Rome 1951, and its annexes.

