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# Strengths and Weaknesses of Food Control Regulations and Decrees

Dr. Abdelazeem Abdelrazek  
Food Safety Expert

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## **First: Weaknesses**

- 1- The law sets freedom-confining penalty and/or fine for a violation but does not give a chance for preventive measures to avoid violations being the basis for food safety activities.
- 2- The law does not define or set limits for some violations like the overwhelming hazard to the public health mentioned in article (12) of law no. 453/1954 which left the matter to the discretion of judicial officers.



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## **Weaknesses (Cont.)**

- 3- The law does not make any distinction between suspension and administrative closure. Contrary to administrative closure, suspension allows the violating party to correct the violation. I wonder why water and electricity supply is cut and how the establishment could correct the violations.
- 4- Law no. 48/1941 is comprehensive and is not restricted to foods; rather it covers crops, foods, fodder, drugs, stamp and local and imported/exported materials. The law originally tackles deception and fraud.



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## **Weaknesses (Cont.)**

- 5- The law was adopted in 1941 (i.e., 67 years ago) and was suitable for this period. Many changes have occurred over this period in food safety concepts, measures, control, definitions and approaches.
- 6- Various environmental factors that affect the physical properties (of food substance) which can be controlled by many methods (refrigeration, freezing, irradiation, etc)



## Weaknesses (Cont.)

- 7- The law does not clearly define the tasks of each ministry and therefore there was an overlap of competences. This placed extra burden on manufacturers, wholesalers and retailers.
- 8- Foods are not traded if they are incompliant with the standards and specifications outlined in effective regulations (for example, article (2) of law no. 10/1966, para. 1 and the specification embraces the key requirements of quality and labeling. Therefore, it is necessary to identify the requirements of the specification that deal with public health and adulteration). This paragraph contradicts decree no. 130/2006 issued by Minister of Trade and Industry)



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## **Weaknesses (Cont.)**

- 9- The law stipulates that places where foods are handled, traded or served must fulfill the requirements of hygiene (article (7) of law no. 10/1966). The decree of Minister of Health no. 96/1967 is not sufficient in light of health requirements defined by the Codex.
- 10- Law states that exported foods must fulfill the standards of the importing country.



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## **Weaknesses (Cont.)**

- 11- The law determines the bottled foods to be exported which must be accompanied with health certificates according to the provisions of the law and not upon the request of the importing country (article 14 of law no. 10/1966)
- 12- The law mentions the quality of material used to manufacture the garbage container, namely, zinc which is inconsistent with recent types of self-retaining containers.



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## Weaknesses (Cont.)

- 13- Minister of Health decree no. 96/1967 states that stands should be 30 cm (12 ") above the ground whereas most countries use stands of 6 " (15 cm); article 1
- 14- Decree no. 97/1967 (on health certificates) does not include examination of stool for all parasites transmitted to humans and only mentions amebic dysentery, e.g., *hymenolepes nana*, *ascaris*, etc



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## **Weaknesses (Cont.)**

- 15- A swab of the nose and throat is taken to check for diphtheria which was eradicated by vaccination (decree no. 97/1967).
- 16- Article 5 of decree no. 97/1967 on health certificates was silent when the worker should be suspended and the matter was left for subjective opinion.



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## Weaknesses (Cont.)

- 17- Law no. 281/1994 imposes one penalty no matter the quantity (which does not cause harm) is small or big (e.g. a bag of chips and one ton of shortening beyond expiry date).
- 18- Law no. 684/1954 regulating bread trade and transportation was enforced only in Cairo and Alexandria. The law should apply to the entire country.



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## Weaknesses (Cont.)

- 19- A decree was adopted on April 2<sup>nd</sup> 1053 regulating trade of meat and its products. Article 1 of said decree did not refer to camel meat which was slaughtered and offered for sale (the article referred to types of cows, buffalos, goats, sheep and swine that meat of other animals may not be offered).
- 20- Article 1 of law no. 685/1954 on meat transport states that meat may only be transported in trucks and vehicles designated for this purpose and these vehicles should be tightly closed and internally lined with galvanized sheet iron or sheet iron painted with tin (*aka*, French tin). The law was silent about the temperature of fresh meat transport whereas Codex and all other countries specify temperatures of fresh meat which should be refrigerated and transported in a vehicle lined with stainless steel.



## Weaknesses (Cont.)

- 21- Decree no. 798/1957 on containers used for food materials should be reconsidered and updated in light of changes and developments.
- 22- Presidential decree no. 33/1957 on street vendors should be reconsidered that it should exclusively discuss the situation of street food vendors and suit the requirements of this category of people which is present in the Egyptian street. This problem is purely social and should be treated as such and the WHO pays attention to these people.



## **Weaknesses (Cont.)**

- 23- Decree (of Minister of Housing) no. 635/1968 on the due conditions of cart used by street food vendors should be reconsidered and adapted to suit the developments over the last forty years for this category.
- 24- Decree no. 707/1968 in (p. 64) enumerates foods and drinks which street vendors are prohibited to sell, however all these forbidden items (cooked foods) are actually sold. This decree should be revoked and controls should be in place to preserve foods from spoilage and contamination (by refrigerating) and electricity supply is available than ever before.



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## **Weaknesses (Cont.)**

25- Law no. 132/1950 on milk and dairy products states that only milk of buffalo, cow, goat and sheep is traded. This means that according to said law, camel milk is forbidden. This law should be reconsidered in light of changes.

26- A decree was adopted by Minister of Health on June 21<sup>st</sup> 1952 on standards of milk and dairy products. The General Organization for Standardization and Quality (EOS) set standards for all types of milk and its products. Said decree and these standards of the EOS should be harmonized.



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## **Weaknesses (Cont.)**

- 27- Minister of Health decree dated 27/4/1954 on milk trade should be reconsidered in light of changes.
- 28- Minister of Health decree dated 10/5/1954 on the requirements of pasteurization facilities should be reconsidered in light of the current situation.
- 29- Law no. 257/1956 regulating manufacture and sale of iced foods and beverages and Health Minister decree dated 17/3/1958 on the same issue should be reconsidered in light of the current situation.



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## **Weaknesses (Cont.)**

- 30- Presidential decree no. 880/1960 on requirements of means used to transport fresh fish and ice is outdated. Fish should be transported in frozen vehicles.
- 31- Law gives attention to sampling (3 samples for routine examination and 5 for suspected cases). Table and decree no. 524/2000 (p. 178) apply to imported foods.



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## **Secondly: Strengths**

- 1- Decree on artificial colors dated on 5/5/1946 should be updated according to the international regulations (Codex – the EU).
- 2- Article 6 of law no. 48/1941 discussed containers.



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## Strengths (Cont.)

- 3- Article 5 of law no. 48/1941 equally treated the exported, imported and locally produced food substances. The WTO is now calling for this approach.
- 4- Food substances are only condemned according to analysis findings and by virtue of prosecution warrant or court order and the matter is not open for individual opinions.



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## Strengths (Cont.)

- 5- Law addressed the issues of labeling and certificate issuance and approvals.
- 6- Food substances object of the offense (suitable for human consumption but of unknown source) are seized by virtue of a decision of public prosecution (article 6 of law no. 48/1941)



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## Strengths (Cont.)

- 7- The court may order that judgment pronounced is published at the expense of the convicted in one or two newspapers for 7 days; article 8 of law no. 48/1941. Law does not refer to writing or announcing the name in the media.
- 8- Judicial officers are entitled to enter places where foods are handled except for those areas designated for accommodation (which require an authorization from the public prosecution in respect of accommodations). They can take samples from the materials as per regulations (article 11 of law no. 48/1941)
- 9- Precise wording and apt choice of words