

Prime Minister's Resolution No. (165) of 2001 A.D.

Concerning the Fortification of Oil and Margarine with Vitamins (A and D)

And the Fortification of Wheat Flour with Iron and Folic Acid

The Prime Minister, upon reviewing,

- The Constitution of the Republic of Yemen;
- The Presidential Decree of Law No. (20) of 1991 concerning the Cabinet;
- The Presidential Decree of Law No. (17) of 1994 concerning General Provisions of Violations;
- The Presidential Decree of Law No. (46) of 2001 concerning the Formation of the Cabinet and the Nomination of the Members thereof;
- According to the proposal of the Minister of Public Health and Population;
- And after getting the approval of the Cabinet.

Has Decided the Following,-

Article (1)	Such Resolution shall be named as (Prime Minister's Resolution No. (165) of 2001 concerning the Fortification of Oil and Margarine with Vitamins (A and D) and the Fortification of Wheat Flour with Iron and Folic Acid)
Article (2)	For the purposes of applying such Resolution, the expressions and terms listed hereunder shall bear the meanings attached thereto, unless the context requires otherwise. Vitamins (A and D): Two organic-compound dietary minerals which are essential for the growth and protection of human body and teeth. Folic Acid: One of the "B" vitamins, an organic-compound dietary mineral that helps to form Red blood cells (RBCs), an essential mineral for important vital functions of human body. Oil: A liquid fatty substance extracted from vegetates and went through different stages of refining for the purpose of human consumption.
Article (3)	Margarine: A solid fatty substance extracted from vegetates produced via either partial Hydrogenation or by separating the solid part of the refined oil prepared for human consumption. Wheat Flour: The powder made from the grinding of wheat used for human consumption at any extraction rate. Food: oil, Margarine and Wheat Flour. Fortified Food: Oil and Margarine with Vitamins (A and D) added thereto, Wheat Flour with Iron and Folic Acid added thereto. Manufacturer: Each producer of refined oil, Margarine and Wheat Flour in accordance with such Resolution. Importer: Each who imports already prepared Oil and refined Margarine from countries outside the Republic of Yemen for human consumption therein or each who imports Wheat Flour at any extraction rate and in whatever can size it is from countries outside the Republic of Yemen.

	Competent Authorities. The Ministry of Public Health and Population, the Ministry of Industry and Trade (The Yemen Standardization, Metrology and Quality Control Organization ‘YSMO’) and The Ministry of Public Works and Urban Development. (General Directorate of Environmental Health)
Article (3)	Oil and Margarine prepared for human consumption shall be fortified with Vitamins (A and D). in addition, Wheat Flour shall be fortified with Iron and Folic Acid as follows: a) Vitamins (A and D) shall be added to Oil and Margarine in the following rates. - Vitamin A added to Oil and margarine in the form of Retinol Palmitate at a rate of 50,000:70,000 Retinol IU/kg. - Vitamin D added to Oil and margarine at a rate of 5,000:7,000 Cholecalciferol (D3) IU/kg. b) Iron and Folic Acid shall be added to Wheat Flour in the following rates. - Iron added to Wheat Flour in a reduced form Iron (mineral) at the rate of 60ppm. - Folic Acid added to Wheat Flour at the rate of 1,5ppm.
Article (4)	Food shall be packed in proper packages to protect food and maintain the formula, quality, cleanliness and safety thereof, to protect food against the impact of harmful agents, pollutants and conditions and to maintain its nutritional specifications against humidity, light and air flow as indicated hereunder. a) Oil and Margarine shall be packed in metal containers of high-density polyethylene (HDPE) or in glass containers provided that such are dim, sealed and prevent light from escaping into food. b) Wheat Flour shall be packed in firmly sealed Polypropylene woven bags.
Article (5)	For the protection of food against spoilage and for the protection of fortified components against any impact, the fortified components shall not be exposed for a certain term to the following: a) Direct sun light b) High temperatures c) Water or high levels of humidity

	d) Improper ventilation
Article (6)	With consideration to the requirements regarding the standards of the food packages approved by The Yemen Standardization, Metrology and Quality Control Organization (YSMO), the following shall be written in Arabic over the fortified food: a) Fortified with Vitamins "A and D" for Oil and Margarine. b) Fortified with Iron and Folic Acid for Wheat Flour.
Article (7)	The articles of such Resolution shall be applied to the food produced within The Republic of Yemen and to the food imported thereto for sale, except for the following: a) Raw oil imported for the purpose of refining and preparation by manufacturers within The Republic of Yemen for human consumption. b) Oil products for non-human consumption.
Article (8)	All competent authorities, each within its arena of specialty, shall monitor the application process of the articles of such Resolution within the production centers in The Republic of Yemen, the importing points and the wholesale and retails points seizing the incompatible products and carrying out the legal procedures against those who violate such Resolution in accordance therewith and in accordance with other effective laws.
Article (9)	Without prejudice to the imposing of the most severe punishments of any of the effective laws, those who shall violate the provisions of Articles (3,4,5 and 6) shall be punished as follows: <u>First:</u> With consideration of Clause two of such Article: 1. A fine not exceeding the amount of two hundred fifty thousand Yemeni Rials or a detention penalty of a term not exceeding six months, as stated by Articles (11 and 16) of Law N°44/1999 regarding Standardization Metrology & Quality Control Organization, is imposed on whoever produces or

	imports any of the fortified food that is incompatible with the terms, specifications and standards provided for in Articles (3 and 4) of such Resolution. 2. A fine not exceeding the amount of two hundred thousand Yemeni Rials is imposed on whoever sells offers or possesses with an intention of selling any of the fortified food that is incompatible with the terms, specifications and standards provided for in Articles (3 and 4) of such Decree. 3. A fine of not less than the amount of seventy-five Yemeni Rials and not exceeding the amount of two hundred fifty thousand Yemeni Rials, as stated by Articles (13 and 16) of Law No44/1999 regarding Standardization Metrology & Quality Control Organization, is imposed on whoever violates the provisions of Article (6) of such Decree. 4. A fine not exceeding the amount of one hundred thousand Yemeni Rials is imposed on whoever violates the provisions of Article (5) of such Decree. <u>Second:</u> In all cases of the First Clause of such Article, the following shall be taken into consideration: 1. Seizure of the incompatible product, the violator shall be compelled to return the product back to the production origin thereof or to the importing origin thereof on its own expense. Such action may be done at the places of its origins as well. 2. Multiple punishments based on the Multiplicity of type of violation. 3. In case of committing the same violation more than once, a doubled penalty shall be imposed. In addition, temporal or permanent license forfeiture may be applied. A judgment of depriving the violator from practicing business or temporal or permanent shop or factory closure may also be applicable.
Article (10)	Manufacturers and importers are granted a six-month term for merchandising the unfortified food in their possession. The competent authorities assigned with the mission of executing such Decree shall accurately enclose such products and impose the stated penalties against violators.

Article (11)	This Resolution shall be published in the Official Gazette, and shall come into force on the day of the publication thereof.
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Issued at the Presidency of the Cabinet

Date: 13th Rabi' al-awwal, 1422 A.H

Corresponding to: 5th June 2001A.D.

Dr. Abdulnaser Almanibary

Abdulqader Bajmal

The Minister of Public Health and Population

The Prime Minister