

ANNEX 5B

MUTUAL RECOGNITION OF HALAL CERTIFICATION

Article 1 Objective

This Annex seeks to facilitate trade of Halal products between the Parties through mutual recognition of Halal certification for products.

Article 2 Definitions

1. For the purpose of this Annex, the terms and definitions as given in ISO/IEC 17000 standard shall be applicable.¹
2. In addition to paragraph 1, for the purposes of this Annex:

“Halal product” means any product which is allowed to be consumed or used according to Islamic Rules by eating, drinking, injecting, inhaling, applying or wearing should comply with the requirements mentioned in ISO/IEC 17000 standard;

“Halal certificate” means a certificate of conformity that confirms that the product, process or service meets the Halal standards or regulations and the Halal requirements in the Islamic Shariah law;

“Halal Certification Body” means a third party Conformity Assessment Body (CAB) that complies with the requirements of the national Conformity Assessment Scheme for Halal products; operates Halal Certification Scheme(s) as per ISO/IEC 17067; is accredited as per ISO/IEC 17065 standard by the national accreditation body signatory to the IAF MLA and/or IHAF MRA; performs activities for Halal certification as per the doctrines of the Islamic Shariah law, and; issues Halal certificates under such accreditation recognised by the Competent Authority of the Party;

“Competent Authority” is the ministry or department of each Party, or its designated sub-ordinate body, that is entrusted to establish the national conformity assessment scheme for Halal products to prescribe the appropriate standards or technical regulations for Halal, to authorise the national accreditation body for providing accreditation, to approve

¹ In case of multiple definitions, the definition as given in the latest version of ISO Standard shall prevail.

and notify the accredited Halal Certification Bodies as 'Notified Bodies', to enter into bilateral or multilateral trade agreement for Halal products, to monitor the certified facilities, products and services for Halal through market surveillance or surveys, to take legal or punitive actions for any misrepresentation or malpractices, and to carry out any other work related to Halal.

"Notified Body" is the Halal Certification Body, which is duly accredited by the national accreditation body and approved as a Notified Body by the Competent Authority of the Party.

Article 3

Scope

The provisions of this Annex shall apply to placing on the market and sale of Halal products exported by a Party to the other Party, subject to restrictions placed by regional or local government.

Article 4

Mutual Recognition of Halal Certification

1. Each Party shall provide the other Party with a list of its recognised Notified Bodies responsible for issuing Halal certificates.
2. The Competent Authority of a Party shall accept the Halal certificates issued by the Notified Bodies of the other Party for domestic products exported between the Parties.
3. The Competent Authority may require its own evaluation and periodic re-evaluations before recognising the national accreditation body of the other Party.
4. The Competent Authority of each Party shall exchange information, including the list of Notified Bodies, certification processes, and any relevant changes in certification processes.

Article 5

Review

The Parties shall review the scope and the provisions of this Annex, 3 years after the date of entry into force of this Agreement. Thereafter, the review shall take place every 3 years or as mutually agreed by the Parties.

Article 6

Competent Authorities and Contact Point

1. The Competent Authorities for the Parties are:
 - (a) for India: Agricultural and Processed Food Products Export Development Authority (APEDA), Ministry of Commerce and Industry, Government of India; and
 - (b) for Oman:
 - (i) For halal edible products:
Food Safety and Quality Center,
Ministry of Agriculture and Fisheries and Water Resources, Sultanate of Oman;
 - (ii) For halal non-edible products:
Department of Organisations and Conferences,
Ministry of Commerce Industry and Investment Promotion,
Sultanate of Oman.
2. The Competent Authorities shall be the respective contact points of the Parties to facilitate the exchange of information between them, in response to all reasonable requests for such information from a Party.
3. Each Party shall promptly notify the other Party of any change in details of Competent Authorities or contact point.