



## Food for Thought: UAE's New Strategic Food Security Law

Food security can be described as the access, availability, use and stability of a nation's food system<sup>1</sup>. The COVID-19 pandemic has undoubtedly brought the importance of food security into sharp focus. Recent media images of empty supermarket shelves and reports of shoppers stockpiling basic commodities in response to the current crisis demonstrate this pervasive concern has, seemingly overnight, become a critical issue at a micro level for consumers across the globe.

As of 2019, the UAE ranks 21st on the Global Food Security Index<sup>2</sup> and is regarded as having good food security. This is due mainly to its stable political and economic status and well developed trade ports allowing for easy access to supplies from the international market. However, the UAE imports approximately 80-90% of all its food supplies. This combined with the country's growing population, limited arable land and water supplies and extreme heat still presents significant challenges to food security issues. It is therefore no surprise that the UAE

government has prioritised its food security needs over the last decade and has implemented several initiatives in an effort to improve its overall food security status. The very aptly timed Federal Law Number 3 of 2020 ("**Strategic Food Security Law**") has been recently introduced to ensure adequate and uninterrupted food supplies through wholesalers and retailers across the UAE at all times, including times of crisis. It signifies a very important development in the UAE's overall strategy for greater food security.

<sup>1</sup> Committee of World Food Security  
<sup>2</sup> Out of 113 countries assessed

## Legislative Landscape and Food Security Initiatives

Federal Law Number 24 of 2006 and its subsequent Executive Regulations (“**Consumer Protection Law**”) defines consumer’s rights and obligations and outlines certain protection measures to fight monopoly, overpricing and fraudulent commercial activities against consumer. The Consumer Protection Law is broad in its scope of application and regulates all commercial activity involving the sale of goods and services in the UAE, including food products. The Consumer Protection Law provides the Ministry of Economy with significant powers to monitor and control price movement and limit their increase.

Such powers have been actively exercised since the law was introduced to minimise price instability on food prices, in particular basic commodities. The Consumer Protection Law also prohibits suppliers from undertaking practices damaging to the interests of consumers. For example, it is not permitted for a supplier to stockpile goods where the aim of such practice is to monopolise the market or force prices to increase.

In 2016, the UAE government introduced Federal Law Number 10 of 2015 (“**Food Safety Law**”). The Food Safety Law imposes standards and regulations for maintaining the safety and quality of food in the UAE and ensuring the protection of public health and consumers. The Food Safety Law is administered by the Ministry of Climate Change & Environment through its National Food Safety Committee which works with the UAE Ministry of Economy and Emirate level authorities to ensure strict control on food safety throughout the food chain.

In recognising the importance of food stability, the UAE Cabinet has undertaken many initiatives. In particular it has:

- established a new Cabinet position in 2017 and appointed Her Excellency Mariam bint Mohammed Al Mheiri as the Minister of State for Food Security;
- established the Emirates Food Security Council in 2019 with a focus on facilitating the food trade, diversifying food imports, increasing GDP and limiting food waste; and
- approved the national system for sustainable agriculture in 2020 to improve the efficiency of farms, enhance self-sufficiency in food and create new opportunities within the agricultural sector.

In 2018, the Minister of State for Food Security also released the detailed National Food Security

Strategy 2051. The strategy has the ultimate aim of having the UAE rank first in the Global Food Security Index by 2051 through ensuring the UAE’s population has access to sufficient, safe and nutritious food for an active and healthy life at affordable prices at all times.

## Latest Developments

In line with the government’s goal of seeking to improve the UAE’s overall food security status, the Strategic Food Security Law introduces measures which have the potential to compliment and significantly strengthen existing legislation and government efforts in this area.

Under the Strategic Food Security Law, the Ministry of Economy is tasked with a broad range of responsibilities and will co-ordinate with other federal and emirate level authorities involved in regulation of food supplies to achieve the aims of the law. The Strategic Food Security Law contemplates the identification of a list and quantity of food which will be classified as a “Strategic Stock of Food Commodities” along with a “Safety Stock”, being a rate below which the Strategic Stock of Food Commodities should not drop. Presumably such commodities will be largely basic or staple commodities which are fundamental for a stable national food system. Whilst there are no express details on how such identification will occur, the Minister of Economy is granted the power to issue decisions necessary for implementation of the law. Given this, we anticipate that a Ministerial Decision will be released providing clarification on these matters.

The Strategic Food Security Law provides that the Ministry of Economy and relevant competent authorities will establish a register for all producers (both inside and outside the UAE), importers and licenced traders of relevant food commodities. Several new obligations will be imposed on such persons and entities under the law. In particular they must:

- maintain the Safety Stock;
- supply the Strategic Stock of Food Commodities on direction by the Ministry of Economy or, in case of emergency or disaster, distribute such stock in accordance with plans prepared by a competent authority or the National Emergency Crisis and Disasters Management Authority; and
- generally abide by decisions of a competent authority.

Additional obligations are placed on licenced traders to maintain an appropriate warehouse in

the UAE for storage of the Strategic Stock of Food Commodities and inform the relevant competent authority about the location of such warehouse. Traders must also maintain and manage the Strategic Stock of Food Commodities according to the directions and requirements issued by the Ministry of Economy or any other competent authority.

In context of the above obligations, the Strategic Food Security Law also contemplates the introduction of incentives which may be granted to producers, importers and traders of relevant food commodities. No further details are provided as to the eligibility for or nature of such incentives. Such matters are to be dealt with in a subsequent decision of the UAE Cabinet. The Strategic Food Security Law also imposes hefty monetary penalties for non-compliance, including a fine of no less than AED 500,000 and not more than AED 2 million which can be imposed on producers, importers and registered traders violating their obligations.

Given the somewhat unique challenges faced by the UAE in maintaining and improving national food security and potential new challenges associated with recent global events, the Strategic Food Security Law could well be instrumental for the UAE government in achieving its ambitious goals in this area. The law has potential to be used as an effective tool for the authorities to ensure a co-ordinated and cautious approach is taken to maintenance of continuous food supplies in the country. It is of course still to be seen how this law will be fully implemented and several key details required for its application in practice are still yet to be released. Such details will no doubt be eagerly awaited by many stakeholders.

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