Which labelling regulations are applicable to my products?

Karen Horsburgh RD(SA) on behalf of FACTS
The FACTS team

Donna Cawthorn
Food Scientist (PhD)

Comaine van Zijl
Food Technologist

Harris Steinman
Medical Doctor (MBChB)

Karen Horsburgh
Dietitian

Shafeeqah Allie
Administration

Carine Davies
Dietitian

Debora vd Merwe
Food Scientist (PhD)

Jana du Plessis
Laboratory
The importance of the label

Nutrition Facts
Serving Size 172 g

| Amount Per Serving | Calories 200 | Calories from Fat 0%
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Fat</td>
<td>1g</td>
<td>1%</td>
</tr>
<tr>
<td>Saturated Fat</td>
<td>0g</td>
<td>0%</td>
</tr>
<tr>
<td>Trans Fat</td>
<td>0g</td>
<td>0%</td>
</tr>
<tr>
<td>Cholesterol</td>
<td>0mg</td>
<td>0%</td>
</tr>
<tr>
<td>Sodium</td>
<td>0mg</td>
<td>0%</td>
</tr>
<tr>
<td>Total Carbohydrate</td>
<td>36g</td>
<td>12%</td>
</tr>
<tr>
<td>Dietary Fiber</td>
<td>11g</td>
<td>4%</td>
</tr>
<tr>
<td>Sugars</td>
<td>8g</td>
<td>2%</td>
</tr>
<tr>
<td>Protein</td>
<td>13g</td>
<td>4%</td>
</tr>
</tbody>
</table>

Vitamin A: 1% of RDA 10% of RDA
Calcium: 1% of RDA 1% of RDA

INGREDIENTS
Rice, whole wheat, sugar, whole oats, wheat bran, strawberry flavoured apple pieces (dried apples, artificial flavour, citric acid, colour, sulphites), modified palm kernel oil, corn syrup, salt, brown sugar syrup, modified milk ingredients, brown sugar, barley malt syrup, rice flour, vegetable oil, polydextrose, monoglycerides, tapioca dextrin, shellac (confectioner’s glaze), soy lecithin, yogurt powder, maltodextrin, potassium sorbate, honey, modified corn starch, blackstrap molasses, cinnamon, barley malt extract, lactic acid, natural and artificial flavours, bht,
Overview of regulatory bodies in SA
Overview of regulatory bodies in SA

Department of Health (DoH)

Department of Agriculture Forestry and Fisheries (DAFF)

Department of Trade & Industry (DTI)
Dept of Health

Directorate: Food Control

Foodstuffs, Cosmetics and Disinfectants Act (Act 54 of 1972)

SUB-REGULATIONS:
- Additives
- Contaminants
- Compositional Standards
- Fortification/ Nutritional issues
- HACCP
- Hygiene / related matters
- Microbiological Standards
- Infants & young children
- Labeling & Advertising
- Packaged waters / Other beverages
- Pesticides / Veterinary drugs
- Prohibitions
Dept of Agriculture, Forestry & Fisheries

Sub-directorate: Agricultural product quality assurance

Agricultural Product Standards Act (Act 119 of 1990)

- Animal and Processed Products
- Fruit and Flowers
- Vegetables and grain
- Liquor Products
Dept of Trade & Industry

- **Consumer Protection Act (Act 68 of 2008)**
  - GMO
  - Processed meat (trade descriptions)
  - General concepts:
    - Right to Information in **Plain, Understandable Language**
    - Consumer’s right to **honest labelling and marketing**
    - Warnings about **unusual hazards** (allergens!)
• **Consumer Protection Act (Act 68 of 2008)**

• **Standards Act (Act 8 of 2008)**
  - Canned meat
  - Canned and frozen seafood
• Consumer Protection Act (Act 68 of 2008)

• Standards Act (Act 8 of 2008)

• Trade & Metrology Act (Act 77 of 1973)
  - Quantity indication
  - e-mark
### Complexity of SA regulatory system

#### 1. Department of Health

**SUB-REGULATIONS:**
- Food colourants (R1008/1996);
- Sweeteners (R128/1991);
- Baking powder/chemical leaveners (R2486/1990);
- Emulsifiers, stabilisers, thickeners (R2257/1987);
- Acids, bases, salts (R115/1986);
- Jam, conserve, marmalade, jelly (R2627/1986);
- Anti-caking agents (R2507/1982);
- Wine, fermented beverages, spirits (R2870/1981);
- Preservatives and antioxidants (R965/1977);
- Nitrite and/or nitrites (R19/1975);
- Melamine in Foodstuffs (R1054/2009);
- Marine Biotoxins (R491/2005);
- Objects for children in Foodstuffs (R109/2005);
- Fungus-Produced Toxins (R1145/2004; R81/2001);
- Metals (R500/2004; R454/2008);
- Certain seeds in Agricultural Products (R1225/2002);
- Solvents in Foodstuffs (R241/2001);
- Radioactivity in foodstuffs (R1931/1990);
- Mineral hydrocarbons in foodstuffs (R30/1977);
- Marine food (R1064/1973);
- Edible fats and oils (R316/1996);
- Beverages, alcohol (R248/1990);
- Food, Drugs, Disinfectants Act 13 of 1929 (R575 of 1930);
- Food-grade salt (R184/2007);
- Fortification of certain Foodstuffs (R1060/2005; R1206/2008);
- HACCP (R908/2003; R1060/2005);
- Perishable foodstuffs (R952/1999);
- Irradiated foodstuffs (R606/1993);
- Microbiological standards for foodstuffs (R92/1977; R1207/2008; R547/2008);
- Milk and dairy products (R1555/1997; R866/2003; R262/2010);
- INFANTS, CHILDREN (R. 1130/1984; R734/2006);
- Labelling and Advertising of Foodstuffs (R116/2010; R1091/2010);
- Health Messages on Alcoholic Beverages (R764/2007);
- Health Messages on Pesticide Residues (R25/2004);
- All Bottled waters (R718/2006; R45/20110);
- Soft drinks (R1769/1986);
- Max. limits for pesticide residues (stock remedies) (R246/1994; R548/2010; R1047/2006; R1809/1992);
- Prohibition of sale of comfrey (R1408/2003);
- Prohibition of guar gum as a foodstuff (R2554/1991);
- Fortification of certain Foodstuffs (R94/2016)

#### 2. Department of Agriculture

**SUB-REGULATIONS:**
- **Animal products**
  - Dairy
  - Meat
  - Poultry
- **Processed products**
  - Frozen fruit/vegetables
  - Dried fruit/vegetables
  - Canned vegetables
  - Canned fruit
  - Canned mushrooms
  - Canned food
  - Rooibos tea
  - Honeybush tea
  - Dehydrated vegetables
  - Jam, jelly, marmalade
  - Mayonnaise, salad dressing
- **Grains**
  - Buckwheat
  - Dry beans
  - Ground nuts
  - Sorghum
  - Wheat
  - Maize
  - Oils
- **Deciduous fruits**
  - Citrus
  - Other fruits

#### 3. Department of Trade & Industry

**SUB-REGULATIONS:**
- Canned meat & canned meat products.
- Canned fish, marine molluscs, crustaceans.
- Frozen fish and marine molluscs.
- Frozen rock lobster.
- Frozen shrimps, langoustines and crabs.
- Smoked Snoek.
- System Certification
  - ISO 9001: Quality Management Systems Certification
  - ISO 14001: Environmental Management Systems Certification
  - OHSAS 18001: Occupational Health & Safety Management Certification
  - ISO 22000: Food Safety Management Systems Certification
  - HACCP (SANS 10330): HACCP BRC Global Standard: British Retail Consortium Systems Certification
  - Product Certification
  - SABS Mark: Approved Performance to National/International Standards
  - SABS PAS 220: PRP on food safety for food manufacturing
Different government departments regulate different aspects of foods, e.g., safety, nutrition, composition, quality.

Enforced differently.

Some regulations address the same aspect of labelling in different ways.

DAFF & Trade Metrology mostly override DoH regulations – CPA overrides all.
Regulations under DAFF
Examples of foods regulated under this Act:
The types of requirements included in the various regulations:

• **Product names** (class names / designations)
## CLASSES OF AND STANDARDS FOR CHEESE

[Regulation 3(*b) and 5]

<table>
<thead>
<tr>
<th>Type of cheese</th>
<th>Class designation</th>
<th>Alternative class designation</th>
<th>Trade mark designation</th>
<th>Fat in dry matter content</th>
<th>Minimum dry matter content</th>
<th>Minimum ripening period (weeks)</th>
<th>Additional requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Minimum (%)</td>
<td>Maximum (%)</td>
<td>minimum (%)</td>
<td>maximum (%)</td>
</tr>
<tr>
<td>1. Hard cheese</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>High-fat cheese</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Full-fat) cheese</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Capricornalio</td>
<td>-</td>
<td></td>
<td>45</td>
<td>*</td>
<td>64</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Mature Cheddar</td>
<td>-</td>
<td></td>
<td>48</td>
<td>*</td>
<td>64</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Cheddar</td>
<td>-</td>
<td></td>
<td>48</td>
<td>60</td>
<td>62</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Crack-a-Jack</td>
<td></td>
<td>48</td>
<td>60</td>
<td>62</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Bon Blanc</td>
<td>-</td>
<td></td>
<td>48</td>
<td>60</td>
<td>62</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td>Commental</td>
<td>-</td>
<td></td>
<td>45</td>
<td>80</td>
<td>60</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Gruyere</td>
<td>-</td>
<td></td>
<td>45</td>
<td>60</td>
<td>62</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Provolone</td>
<td>-</td>
<td></td>
<td>45</td>
<td>*</td>
<td>60</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Asiago</td>
<td>-</td>
<td></td>
<td>45</td>
<td>*</td>
<td>63</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Marisob.</td>
<td>-</td>
<td></td>
<td>45</td>
<td>80</td>
<td>58</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Medium-fat cheese</td>
<td>Isononato</td>
<td></td>
<td>35</td>
<td>*</td>
<td>65</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Parmesan</td>
<td>-</td>
<td></td>
<td>30</td>
<td>*</td>
<td>68</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Pecorino</td>
<td>-</td>
<td></td>
<td>35</td>
<td>*</td>
<td>65</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Regiano</td>
<td>-</td>
<td></td>
<td>30</td>
<td>*</td>
<td>67</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Marisob.</td>
<td>-</td>
<td></td>
<td>35</td>
<td>*</td>
<td>58</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Low-fat cheese</td>
<td>Lichten Blano</td>
<td></td>
<td>10</td>
<td>25</td>
<td>*</td>
<td>See regulation 18A</td>
</tr>
<tr>
<td></td>
<td>Marisob.</td>
<td>-</td>
<td></td>
<td>25</td>
<td>*</td>
<td>58</td>
<td>*</td>
</tr>
<tr>
<td></td>
<td>Fat-free cheese</td>
<td>-</td>
<td></td>
<td>10</td>
<td>*</td>
<td>50</td>
<td>*</td>
</tr>
</tbody>
</table>
Conditions for the use of words such as “light”, “choice”, “instant”
Mandatory descriptions such as “flavoured”, “sweetened”, “sparkling”, “in brine”
• **Indication of styles**, e.g., cauliflower: whole, splits, florets, mini-florets, chopped or diced.

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**Styles and standards for styles**

(2) **(a)** Frozen cauliflower shall be presented as one of the following styles:

(i) Whole cauliflower.

(ii) Cauliflower splits.

(iii) Cauliflower florets.

(iv) Cauliflower mini-florets.

(v) Chopped or diced cauliflower.

(b) **(i)** Whole cauliflower --

(aa) shall consist of the whole, intact head of the cauliflower plant which is trimmed at the base; and

(bb) may have small, tender leaves attached.

(ii) Cauliflower splits --

(aa) shall consist of the whole head which have been cut vertically into two or more units; and

(bb) may have stems and small, tender leaves attached.

(iii) Cauliflower florets --

(aa) shall consist of a whole, intact floret or a split floret;

(bb) shall, measured across the top at the largest diameter, be at least 30 mm but not more than 75 mm;

(cc) shall have stems not longer than twice the diameter of the head of the floret; and

(dd) may have small, tender leaves attached.
### Quality standards

The quality standards for frozen strawberries are as follows:

<table>
<thead>
<tr>
<th>Quality factor</th>
<th>Choice Grade</th>
<th>Standard Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Free moisture if block frozen</td>
<td>Not more than 10%</td>
<td>As for Choice Grade</td>
</tr>
<tr>
<td>(b) Fruit ingredient</td>
<td>Fresh, sound, clean and firm strawberries</td>
<td>As for Choice Grade</td>
</tr>
<tr>
<td>(c) Colour</td>
<td>Good, typical of the cultivar: Provided that at least 50 per cent of the surface area shall be red in colour</td>
<td>As for Choice Grade</td>
</tr>
<tr>
<td>(d) Flavour</td>
<td>Good, typical of strawberries</td>
<td>Typical of strawberries</td>
</tr>
<tr>
<td>(e) Texture</td>
<td>Firm but tender</td>
<td>As for Choice Grade</td>
</tr>
<tr>
<td>(f) Uniformity of size, if size graded, in the case of whole strawberries</td>
<td>The diameter of the largest unit shall not exceed the diameter of the smallest unit by more than 10 mm.</td>
<td>*</td>
</tr>
</tbody>
</table>

* Denotes no specification
Regulations under Department of Health
Foodstuffs, Cosmetics and Disinfectants Act (Act 54 of 1972)

Additives
- Sweeteners (R733/2012)
- Permitted additives in specific foods & permissible levels

Levels
- Microbiological standards
- Contaminants
- Pesticide, heavy metals & toxin levels
Fortification and other nutritional issues

- Trans-fat in foodstuffs (R127/2011)
- Food-grade salt (R184/2007)
- Fortification of certain foodstuffs (R504/2003)
- Reduction of Sodium (R214/2013)
Foodstuffs, Cosmetics and Disinfectants Act (Act 54 of 1972)

Labelling and advertising
• Foodstuffs for Infants and Young Children (R991/2012)
• Labelling and advertising of foodstuffs (R146/2010)
• Certain techniques of genetic modification (R25/2004)

Packaged water and other beverages
• Soft drinks (R1769/1985)
• Bottled waters (R718/2006)
Regulations on labelling and advertising of foodstuffs (R.146/2010)
The journey…

Nutrient content, nutrient function, reduction of disease risk, GI, prebiotic, slimming claims
What information is required on a label?

- Date marking & Batch number
- Product name (& description if necessary)
- Net content
- Ingredient list
- Nutritional information (if you make a claim)
- Storage instructions & Instructions for use (if necessary)
- Address & Country of origin
• **Product name**: ≥ 4 mm

• **Description**: at least 1/3 of name – same size, font, colour, prominence

• **Storage instructions**: ≥ 3 mm **bold** UPPERCASE

• **All other info**: ≥ 1 mm
Claims

Allowed
Low in...
Free or virtually free...
Source of...
High in...
Very high in...
↓

NOTAllowed
Rich in...
Excellent source of...
Good source of...
Enriched with...
With added...
Contains...
X% free....

Conditions set out in regulations in Table 1.
### TABLE 1: CONDITIONS FOR NUTRIENT CONTENT CLAIMS

<table>
<thead>
<tr>
<th>COMPONENT A</th>
<th>CLAIM</th>
<th>CONDITIONS NOT MORE THAN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy</td>
<td>Low</td>
<td>170 kJ per 100 g (solids*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>80 kJ per 100 ml (liquids*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>17 kJ per 100 ml (liquids*)</td>
</tr>
<tr>
<td></td>
<td>Virtually free or free from</td>
<td></td>
</tr>
<tr>
<td>Total fat</td>
<td>Low</td>
<td>3 g per 100 g (solids*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1.5 g per 100 ml (liquids*)</td>
</tr>
<tr>
<td></td>
<td>Virtually free or free from</td>
<td>0.5 g per 100 g/ml</td>
</tr>
<tr>
<td>Saturated fat</td>
<td>Low</td>
<td>1.5 g per 100 g (solids*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.75 g per 100 ml (liquids*) and not more than 10% of energy</td>
</tr>
<tr>
<td></td>
<td>Virtually free or free from</td>
<td>0.1 g per 100 g (solids*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0.1 g per 100 ml (liquids*)</td>
</tr>
<tr>
<td>Cholesterol</td>
<td>Low</td>
<td>20 mg per 100 g (solids*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10 mg per 100 ml (liquids*)</td>
</tr>
<tr>
<td></td>
<td>Virtually free or free from</td>
<td>5 mg per 100 g (solids*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5 mg per 100 ml (liquids*)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>and for both claims, low and free of, less than: 1.5 g saturated fat and trans fat combined per 100 g (solids) or 0.75 g saturated fat per 100 ml (liquids) and 10% ** of energy from saturated fat</td>
</tr>
</tbody>
</table>
Claims

**NOT Allowed**

- Health / healthy
- Wholesome / nutritious
- Provides complete / balanced nutrition
- Cure / medicinal claim (prophylactic / therapeutic)
Claims

ANY words, pictures, symbols, marks, logos, descriptions...
• Certain health claims are now allowed

• Nutrient Profiling: A Food has to “pass” nutrient profiling to be able to make any claim

• No claim or endorsement: foods containing certain added substances

• Products containing religious endorsements: must offer a products without endorsement as well
• Nutritional information is mandatory on all products (with a few exceptions)

• Front of pack labelling is an option

• Supplier information file: mandatory to have all information for every ingredient, additive or substance on file

• No marketing of “unhealthy foods” to children
Regulations under DTI

Department: Trade and Industry
REPUBLIC OF SOUTH AFRICA
SANS 289:2013 - Regulations relating to the quantity indication

"net", "net mass", "net contents", or "net quantity"

Net weight 2.5 kg/e

Easily legible **boldface** type or print that **contrasts** conspicuously with the background

Registered as per SANS 1841

Neither a period (full stop) nor the letter "s"

Not more than three figures

Either comma or a dot on the line

Single space
If only it could be this easy...

www.factssa.com
karen@factssa.com
(021) 551 2993