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AIDS HELPLINE: 0800-123-22 Prevention is the cure

GOVERNMENT NOTICE

DEPARTMENT OF HEALTH

No. R. 1055

8 August 2002

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT NO. 54 OF 1972)

REGULATIONS RELATING TO LABELLING AND ADVERTISING OF FOODSTUFFS

The Minister of Health intends, in terms of Section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Food Control), within three months from the date of publication of this notice.

SCHEDULE

DEFINITIONS

1. In this Schedule "the Act" means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), and any expression to which a meaning has been assigned in the Act shall bear such meaning and, unless inconsistent with the context -

"address" means an address in the Republic and includes the street or road number, the name of the street or road and the name of the town, village or suburb and, in the case of a farm, the name of the farm and of the magisterial district in which it is situated

"authorised health authority" means a local authority or a port official responsible for health matters;

"batch" means a definite quantity of a commodity produced essentially under the same conditions e.g. specific quantities and/or times, production lines, mixes and/or amounts;

"best before" or "best before end" or "best consumed before" means the date indicating the end of the period under any stated storage conditions as specified on the label by the manufacturer during which the product will remain fully marketable, edible and safe and will retain any specific qualities for which tacit or express claims have been made;

"carbohydrates" means the polyhydroxy aldehydes or ketones and alcohols, their simple derivatives and their polymers having linkages of the acetal type and are classified as sugars, oligosaccharides and polysaccharides as indicated in Annexure 6;

"catering establishment" means any establishment including a vehicle or a fixed or mobile stall where, in the course of business, foodstuffs are prepared for direct sale to the consumer for consumption;

"cereal" means a product derived from the fruit of any cultivated grasses of the family *Poaceae*;

"chilled" means stored at any a temperature ranging from 0 °C to 7 °C, as appropriate for the specific type of product;

"chocolate confectionary" means any foodstuff which contains chocolate as it is described in relevant regulations made under the Act and which is meant to be consumed as a sweet snack;

"claim" in relation to a foodstuff or nutrient supplement, means any written, pictorial, visual or other descriptive matter or verbal statement, communication, representation or reference brought to the attention of the public in any manner including a trade name or brand name and referring to the characteristics of a product, in particular to its nature, identity, nutritional properties, composition, quality, durability, origin or method of manufacture or production;

"colourant" means any substance described as such in the Regulations Relating to Food Colourants made in terms of the Act;

"comparative claim" means a comparison of nutrient level(s) and/or energy value of two or more similar foodstuffs (examples: "reduced", "less than", "fewer", "increased", "more than", "light", "lite");

"compound ingredient" means any ingredient which is itself composed of two or more ingredients;

"container" means any packaging of foodstuffs for delivery as a single item,

whether by completely or partially enclosing the food and includes wrappers; a container may enclose several units or types of packages when such is offered for sale to the consumer or for catering purposes;

"contaminant" means any substance not intentionally added to foodstuffs, which is present in such foodstuff as a result of the production (including operations carried out in crop cultivation, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food or as a result of environmental contamination; the term includes chemicals, insect fragments, rodent hairs and other undesirable extraneous matter;

"daily intake" in relation to a foodstuff, means the mass, volume or number, as the case may be, and which is recommended by the manufacturer as the amount usually to be taken during one single day, and the said mass, volume or number shall be stated in terms of grams, millilitres, capsules, powders, portions, sachets or tablets, as the case may be;

"dairy product" means milk or a product obtained or manufactured exclusively or mainly from milk;

"date marking" means indicating by means of a date the estimated durability of a pre-packaged foodstuff as intended by the manufacturer and where durability refers to the period after manufacture during which the product retains its characteristic properties and remains suitable for consumption or the intended purpose:

"date of manufacturing" means the date on which the food becomes the product as described;

"deflavour" means the intentional removal of the bulk of volatile and non-volatile natural flavourants from fruit juices or fruit juice concentrates;

"deionise" means the removal of the bulk of mineral salts from fruit juices or fruit