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ABSTRACT

The current Regulations on the Advertising and Labeling of Foodstuffs, (R 2034) were promulgated in 1993. The Department of Health has since identified several shortcomings in them. In addition, there have also been some new developments in scientific research as well as in international Codex Standards and Guidelines, which necessitate a review of the existing regulations. New regulations were added and old ones revised. These new and revised regulations are intended to replace current R 2034 promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, (Act 54 of 1972) in its totality.

The draft regulations focus on several strategies to improve public health through healthy food choices and improved nutrition through special food formulation, which are based on solid scientific evidence. As the literacy rate of our population increases so does the importance of food labeling and the role that it can play in assisting consumers with honest, accurate and reliable label information to make informed choices about healthier food options. Healthier food choices are an integral part of a healthy lifestyle.

The following are some notable amendments and additions to the existing regulations:

- Regulation 1 provides an extensive list of new and amended definitions to explain precise meanings of new concepts in relation to these regulations;
- Regulations 2 to 17 deal with general provisions and include amendments in all the existing regulations as well as several new additions such as mandatory date markings on most foods, indication of the country of origin and batch identification. Important amendments relate to specific conditions for nutritional information on food labels and better and more detailed guidance in terms of prohibited statements, which was the cause of much consumer deception in the past.
- Regulations 18 to 71 deal with special provisions and include:
 - o□ The introduction of regulations to implement the FAO / WHO Global Strategy on Diet, Physical Activity and Health, especially the identification of foods not essential for a healthy lifestyle (junk food) and prohibitions on the use of health and nutrition claims for such food, strict measures to discourage the use of partially hydrogenated fats which increase the harmful trans fat content of food, a prohibition of advertising of junk food to children and on school premises et cetera, portion sizes; and extensive conditions and criteria for nutrition and health claims on food labels or in advertising.
 - o□ Regulations 52 to 71 deal specifically with health and nutrition claims. These are all intended to promote consumer education by either highlighting particular nutritional content of food in a responsible manner or by indicating the role of a particular food or food component or nutrients in the maintenance of health. The criteria for all categories of nutrition claims (nutrient content, glycaemic index and comparative claims) and health claims (function, enhanced function, reductions of disease risk, probiotics, prebiotics and slimming claims), level the playing field for all food manufacturers and ensure the quality and reliability of information that is intended for consumers not trained in nutrition matters. These regulations are intended to produce more honest and responsible food labels and marketing practices.
 - o□ Regulations 46 to 50 address allergen labelling. The list of common allergens is extended from 2 to 9 different allergen categories, which most commonly affect the general population. Strict conditions and criteria are included to deal with responsible manufacturing and labelling practices.

Guidelines to assist in the practical implementation and interpretation of these Regulations were prepared and are available on the Department's website too