

## Draft regulations relating to the labelling and advertising of foodstuffs published for public comment

The Minister of Health published these draft Regulations in the Government Gazette on the 31<sup>st</sup> of January 2023 for public comment. Comments must be submitted on or before the end of March 2023. Agbiz is in the process of compiling comments on the draft Regulations. Comments from members regarding the potential impact, if any on their business will be very helpful.

The Regulations prohibit the manufacture, importation, selling, donation or offering for sale of any pre-packaged foodstuff, unless the foodstuff has been labelled according to the Regulations. The labelling must provide accurate information regarding the characteristics, origin, composition, quality, nutritive value, nature or other properties of a foodstuff and the time and place of its manufacture to the consumer. The food business operator under whose name or business name a foodstuff is marketed is responsible for the information required by these Regulations. In terms of the definitions, food business operators are foodstuff manufacturers, sellers or importers. Food business operators must also keep a record, in the form of a supplier ingredient information file, of every ingredient, additive or substance used in the manufacturing of a foodstuff. These are quite onerous requirements. There are certain, so-called prohibited statements relating to health and nutritional claims that may not be contained in food labels. The ingredients of a foodstuff containing more than one ingredient, including beer, must be listed on any label in descending order of mass present in the end product under the heading "Ingredients". There are specific requirements for meat labelling and foodstuffs that may contain allergens or foodstuff which has been treated with ionizing radiation. Permitted wording in respect of health claims are prescribed in the Regulations.

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